COUNCIL MEMBERS
JIM JOLLY, President
LAURA M. TOY, Vice President
SCOTT BAHR
ROB GJONAJ DONOVIC
BRANDON McCULLOUGH
KATHLEEN E. McINTYRE
SCOTT MORGAN

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

OFFICE OF THE COUNCIL

ELECTRONIC AGENDA PACKET FOR THE REGULAR MEETING OF MONDAY, DECEMBER 4, 2023 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 Clerkõs office.

1982nd Regular Meeting Agenda of the Council of the City of Livonia
Monday, December 4, 2023

7:00 p.m. - City Hall Auditorium
33000 Civic Center Drive, Livonia, Michigan

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF MINUTES ï Regular Meeting Minutes of November 13, 2023

AUDIENCE COMMUNICATION

REPORTS FROM THE MAYOR AND OTHER CITY OFFICIALS

CONSENT AGENDA

1. AWARD OF BID: Livonia Fire & Rescue, re: removal and replacement of ceiling acoustic grid & tiles at three Fire Stations, from budgeted funds.

2. AWARD OF BID: Division of Police, re: for the purchase and trade-in of Sig Sauer weapons, with weapon mounted optic and light, from budgeted funds.

3. REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND AUTHORIZE PURCHASE OF TruNarcÊ Thermo Scientific Chemical Analyzer; Division of Police, re: to replace outdated narcotic field test pouches, from budgeted funds.

4. REQUEST TO APPROVE THE LIVONIA POLICE OFFICERS ASSOCIATION (POAM) COLLECTIVE BARGAINING AGREEMENT FOR THE PERIOD OF DECEMBER 1, 2023, THROUGH NOVEMBER 30, 2026, Civil Service Department, re: same.

5. REQUEST TO WAIVE THE SEALED BID PROCESS AND APPROVE AN AGREEMENT WITH TYLER TECHNOLOGIES (NEW WORLD): Department of Parks and Recreation, re: for Time and Attendance by ExecuTime to streamline staff time, attendance, and scheduling, from budgeted funds.

6. REQUEST TO APPROVE VENDORS FOR EQUIPMENT MAINTENANCE: Department of Public Works, re: to provide outside vendor services for the maintenance of the city fleet, from budgeted funds.

7. REQUEST FOR AUTHORIZATION TO PURCHASE ONE TORO GROUNDSMASTER 4100 ROTARY MOWER WITH BROOM ATTACHMENT THROUGH THE SOURCEWELL CONSORTIUM: Department of Public Works, re: from 2024 budgeted funds.

8. REQUEST FOR AUTHORIZATION TO PURCHASE ONE CUB CADET PRO Z ZERO TURN MOWER THROUGH THE SOURCEWELL CONSORTIUM: Department of Public Works, re: from 2024 budgeted funds.

9. REQUEST FOR AUTHORIZATION TO PURCHASE ONE TORO DINGO TX1300 SKID STEER THROUGH THE SOURCEWELL CONSORTIUM: Department of Public Works, re: from 2024 budgeted funds.

10. REQUEST FOR AUTHORIZATION TO PURCHASE ONE JOHN DEERE GATOR XUV835M WITH VARIOUS ATTACHMENTS AND ONE JOHN DEERE UTILITY TRACTOR, THROUGH THE MiDEAL CONSORTIUM: Department of Public Works, re: from 2024 budgeted funds.

11. PROPOSED 2024 CITY COUNCIL MEETING SCHEDULE: City Council President Jim Jolly, re: in accordance with the provisions of the Open Meetings Act, 1976 P.A. 267, as amended.

UNFINISHED BUSINESS ï MEETINGS OF THE COMMITTEE

12. COMMITTEE OF THE WHOLE MEETING OF NOVEMBER 15, 2023
    a. The subject matter of Petition 2022-06-02-14 submitted by Stark Road Holdings L.L.C. (CR 230-23)
    b. The subject matter of Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster. (CR 305-23)

13. COMMITTEE OF THE WHOLE MEETING OF NOVEMBER 20, 2023
    a. The subject matter of the vacant and abandoned fee schedule. (CR 130-23)
    b. The subject matter of city user fees. (CR 221-23)
    c. The subject matter of Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C. (CR 288-23)

14. COMMITTEE OF THE WHOLE MEETING OF NOVEMBER 27, 2023
    a. The subject matter of Petition 2022-12-01-02, submitted by the Basilica of St. Mary, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ı of Section 11, from P-L (Public Lands) to N2 (Neighborhood). (CR 308-23)

UNFINISHED BUSINESS

15. PROPOSED AMENDMENT TO THE LIVONIA ZONING ORDINANCES, AS AMENDED: Department of Law, re: Petition 2023-09-01-05 submitted by Matick Construction, L.L.C., requesting to rezone the property at 37739 Seven Mile Road, located on the south side of Seven Mile Road between Blue Skies Drive and Glengarry Drive in the Northeast ı of Section 7, from N2 (Neighborhood) to C-1 (Local Business).
    Public Hearing held November 8, 2023.

16. ROLL CALL: Proposed Amendment to the Livonia Code of Ordinances, as amended, Department of Law, re: to Title 12, Chapter 16 (Parks and Playgrounds), Section 010 to change the name of park site AA after the Livonia Lions Club and Devon-Aire Wood Park to John T. Dufour Park.
    First Reading given by Councilmember Brandon McCullough on November 13, 2023.

17. ROLL CALL: Proposed Amendment to the Livonia Code of Ordinances, as amended, Department of Law, re: to Title 12, Chapter 18 (Naming of Public Places and Buildings), Section 020 to change the name of the indoor natatorium at the Jack E. Kirksey Recreation Center to the Ronald R. Reinke Aquatic Center.
    First Reading given by Councilmember Scott Morgan on November 13, 2023

18. ADMINISTRATIVE RESPONSE TO CR 214-23: Office of the Mayor, re: the subject matter of removing dead deer from private residential property.

NEW BUSINESS

19. REQUEST TO RELEASE DEVELOPMENT BONDS: Engineering Division, re: for Heritage Square Site Condominium, located on the east side of Newburgh Road, south of Six Mile Road in the Northwest 1/4 of Section 17. (CR 403-18)

20. REQUEST TO APPROVE FINAL COST INFORMATION AND TO AUTHORIZE ADDITIONAL APPROPRIATIONS AND EXPENDITURES; Engineering Division, re: for the 2022 Sidewalk Program - Contract 22-G (118-22)

21. REQUEST TO APPROVE FINAL COST INFORMATION AND TO AUTHORIZE ADDITIONAL APPROPRIATIONS AND EXPENDITURES; Engineering Division, re: for the 2023 Sidewalk Program - Contract 23-G (71-23)

22. ACCEPTANCE OF GRANT OF EASEMENT: Department of Law, re: for a 12' water main secured without monetary consideration from Aletha Apartments for public utility easement in connection with the water main constructed at 14931 Farmington Road, in the Northeast 1/4 of Section 21. Parcel ID 46-081-99-0018-001.

23. REQUEST TO APPROVE A SETTLEMENT: Department of Law, re: Middlebelt Plymouth Venture, LLC v City of Livonia; U.S. District Court Case No. 2:22-cv-12734.

X-ITEM(S)

X1. REQUEST FOR AUTHORIZATION TO SELL CITY-OWNED SCATTERED SITE HOUSING PROPERTY ACQUIRED FROM THE FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM: Livonia Housing Commission, re: for the home located at 35546 Orangelawn, to Amy Spicer for a sale price of $245,500.

AUDIENCE COMMUNICATION

NOTICE(S)

In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the City Clerkôs 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 Cityôs website ï www.livonia.gov - under Your Government, City Council, Agendas & Minutes.

SUSAN M. NASH, CITY CLERK

CITY OF LIVONIA ï CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 13, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and President Jim Jolly. Absent: Vice President Toy.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney Todd Zilincik, City Engineer; and Doug Moore, Assistant Director of Public Works.

Councilmember McIntyre led the meeting with the Pledge of Allegiance.

1. AWARD OF BID: Livonia Fire & Rescue, re: removal and replacement of ceiling acoustic grid & tiles at three Fire Stations, from budgeted funds.

   Livonia Fire Chief Jennison presented the request to Council.

   Councilmember Donovic asked when the other fire stations will get new ceilings.

   Chief Jennison indicated one building is 65-70 years old and that new ceiling will be needed in the future. The other station is about 25 years old and doesnôt need a new ceiling.

   Councilmember Bahr confirmed the requested amount will be part of the 95- or 97-million-dollar facility needs assessment to take place over the next ten years.

   Councilmember Morgan offered an approving motion for the Consent agenda.

DIRECTION: APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

1.

Fire
November 1, 2023

MEETING DATE	PREPARED BY
S111323/R120423	Lori Arquette, Program Supervisor,

AGENDA ITEM

AWARD OF BID: Livonia Fire & Rescue, re: removal and replacement of ceiling acoustic grid & tiles at three Fire Stations, from budgeted funds.

BACKGROUND DETAILS

Fire Stations 1, 5 & 6 will be receiving new roofs during the month of November. Once completed, the ceiling grid system and ceiling tiles need complete replacement due to decades of deterioration in the infrastructure, including water damage from leaks, mismatched tiles which don't fit existing grid systems, plus the need to improve the overall look and function of the drop ceilings.

A request for proposals (RFP) was placed on the Michigan Inter-Governmental Trade Network (MITN) and the following bid responses were received.

Allied Building Service Company of Detroit, Inc	$142,589.55
C & S Construction General Contractors	$106,619.00
Matick Construction	$92,624.94
PDSI Contractors	$91,698.11
Professional Construction & Consultants, Inc.	$74,250.00

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

It is the recommendation of the Fire Department that Council Proceeds as follows:
Provide an Approving Resolution in accordance with Section 3.04.140.C of the Livonia Code of Ordinances, as amended, to accept the bid from Professional Construction & Consultants, Inc., 29300 9 Mile Road, Farmington Hills, Michigan, 48336 and authorize the purchase of ceiling grids and tiles, and all accompanying labor for removal of current and installation of new ceiling grids and tiles, at three (3) Livonia Fire Stations, in the amount of $74,250.00 from budgeted funds in Account No. 401-000-976-000.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

15/16" DONN Grid, New Armstrong Dune – Second Look tegular tile – 2x4

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

$74,250.00

DETAILED WORK BEING PERFORMED

Removal and Replacement of Acoustic Ceiling Grid & Tiles for three Livonia Fire & Rescue Stations located at:
Fire Station 1, 14910 Farmington Rd, Livonia MI 48154
Fire Station 5, 18910 Middlebelt Rd, Livonia MI 48152
Fire Station 6, 37876 Plymouth Rd, Livonia MI 48150

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

Funding is available in Account No. 401-000-976-000.

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

Accepted lowest bidder.

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc):
Did not waive the bid process.

ATTACHMENTS

1. Bid Opening Sheet
2. Bid Proposal - Professional Construction & Consultants, Inc., $74,250.00
3. Bid Proposal - PDSI Contractors, $91,698.11
4. Bid Proposal - Matick Construction, $92,624.94
5. Bid Proposal - C&S Construction General Contractors, $106,619.00
6. Bid Proposal - Allied Building Service Co of Detroit, Inc, $142,589.55

APPROVED BY



Robert Jennison, Fire Chief

Date: November 01, 2023



Michael Slater, Finance Director

Date: November 01, 2023



Date: November 01, 2023

Paul Bernier, City Attorney



Date: November 03, 2023

Maureen Miller Brosnan, Mayor

±9b5hw	Allied Building Service Company				C&S Construction	Matick Construction
/L¢¸к{¢!¢9	Detroit, MI				Lincoln Park, MI	Livonia, MI
.L5 59th{L¢	Bid Bond Submitted				No Bid Deposit	No Bid Deposit
Fire Station 1 – Complete for the Sum of	$46,642.42				Blank	$27,410.00
Warranty	Parts	10yrs	Labor	1yr	Answered Yes and Yes	1 yr and 1 yr
Materials Lead Time	14 days				18 days	2 weeks
Days to Complete Job	3.5 weeks				10 business days	2 weeks
Fire Station 5 – Complete for the Sum of	$51,769.95				Blank	$34,433.25
Warranty	Parts	10years	Labor	1yr		1 yr and 1 yr
Materials Lead Time	14 days					2 weeks
Days to Complete Job	3.5 weeks					2 weeks
Fire Station 6 – Complete for the Sum of	$44,177.18				Blank	$30,781.69
Warranty	Parts	10yr	Labor	1yr		1yr and 1 yr
Materials Lead Time	14 days					2 wks
Days to Complete Job	3.5 weeks					2wks
Can the installation be completed by 11/30/23	No. It can be done by 2/2/2024				Blank	Yes
Pricing Valid Until	11/23/2023				90 days	12/31/2023
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/ity Representatives:

Enna Bachelor, Purchasing Manager

Leslie Rohraff, Office of the City Clerk

NOT OFFICIAL BID TABULATION

±9b5hw	PDSI Contractors				Professional Constructions & Consultants
/l¢¸к{¢!¢9	Pontiac, MI				Farmington Hills, MI
.l5 59th{l¢	Bid Bond Submitted				Bid Bond Submitted
Fire Station 1 – Complete for the Sum of	$29,663.00				$30,800.00
Warranty	Parts	$2875.50	Labor	$26787.50	10 yrs and 1 yr
Materials Lead Time	0 days				14 days
Days to Complete Job	12.3 days				20 days
Fire Station 5 – Complete for the Sum of	$32675.58				$23,100.00
Warranty	Parts	$6831.58	Labor	$25844.00	10 yrs and 1 yr
Materials Lead Time	0 days				14 days
Days to Complete Job	12.3 days				15 days
Fire Station 6 – Complete for the Sum of	$29359.53				$20,350.00
Warranty	Parts	$2572.03	Labor	$26787.50	10 yrs and 1 yr
Materials Lead Time	0 days				14 days
Days to Complete Job	12.3 days				15 days
Can the installation be completed by 11/30/23	Yes				Yes
Pricing Valid Until	90 days				12/2023
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CITY OF LIVONIA REQUEST FOR QUOTE
ACOUSTIC CEILING GRID AND TILES

Submitted by: Professional Construction & Consultants, Inc.
(COMPANY NAME)

The undersigned, by the submission of this proposal, represents that he is familiar with and has determined for himself the nature and extent of the proposal work and the conditions under which it must be performed and completed, and agrees that he will contract with the City of Livonia to furnish at and for the following monies all materials, labor, equipment, insurance, permits, supervision and all other things necessary or incidental to complete the entire work in accordance with the appended specifications, general conditions, and related contract documents. By the submission of this bid, the undersigned represents that he is familiar with and understands all of the above-referenced contract documents.

In accordance with the contract documents including the furnishing of all labor, material, equipment, permits, and insurance necessary to provide the following:

REMOVAL & REPLACEMENT OF ACOUSTIC CEILING GRID & TILES

ITEM	DESCRIPTION	QTY	COMPLETE FOR SUM OF:
1	FIRE STATION 1 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts 10 yrs Labor 1 yr Materials Lead Time 14 days Days to Complete Job 20		$ 30,800.00
2	FIRE STATION 5 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications FIRST FLOOR & BASEMENT OFFICE AREA • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts 10 yrs Labor 1 yr Materials Lead Time 14 days Days to Complete Job 15	24	$ 23,100.00
3	FIRE STATION 6 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts 10 yrs Labor 1 yr Materials Lead Time 14 days Days to Complete Job 15		$ 20,350.00

4	**TOTAL ALL ITEMS** **PRICING VALID UNTIL** December 2023		$ 74,250.00

No substitutions will be accepted. Bidders must offer pricing on the product specified. Removal and disposal of existing equipment is required and shall be completed when new equipment is installed.

The undersigned has checked the bid figures carefully and understands that he shall be responsible for any error or omission in this bid offer and is in receipt of all addenda issued. Indicate addendum number to confirm receipt.

Addendum #1 ✓ Addendum #2_____ Addendum #3_____

The undersigned agrees that, if the proposal made herein is accepted, he will satisfactorily perform and complete all of the work and meet all of the requirements and obligations imposed upon him by the contract including the plans, specifications and general conditions.

Also, the undersigned agrees that, if the above proposal is accepted, he will execute the contract and furnish the necessary proofs of insurance carriage within fifteen (15) calendar days from such acceptance.

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or informalities therein. It is agreed that this bid may not be withdrawn for sixty (60) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251, P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Firm Name Professional Construction and Consultants, Inc. Date 10/24/2023
(If corporation, partnership, or assumed name)

Signature Jinansh Sha _____
(Person executing bid and official capacity)

CITY OF LIVONIA REQUEST FOR QUOTE
ACOUSTIC CEILING GRID AND TILES

Submitted by: PDSI Contractors
(COMPANY NAME)

The undersigned, by the submission of this proposal, represents that he is familiar with and has determined for himself the nature and extent of the proposal work and the conditions under which it must be performed and completed, and agrees that he will contract with the City of Livonia to furnish at and for the following monies all materials, labor, equipment, insurance, permits, supervision and all other things necessary or incidental to complete the entire work in accordance with the appended specifications, general conditions, and related contract documents. By the submission of this bid, the undersigned represents that he is familiar with and understands all of the above-referenced contract documents.

In accordance with the contract documents including the furnishing of all labor, material, equipment, permits, and insurance necessary to provide the following:

REMOVAL & REPLACEMENT OF ACOUSTIC CEILING GRID & TILES

ITEM	DESCRIPTION	QTY	COMPLETE FOR SUM OF:
1	FIRE STATION 1 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts $2,875.50 Labor $26,787.50 Materials Lead Time in stock, 0 days Days to Complete Job 12.3 days	706 SF	$29,663.00
2	FIRE STATION 5 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications FIRST FLOOR & BASEMENT OFFICE AREA • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts $6,831.58 Labor $25,844.00 Materials Lead Time 0 days Days to Complete Job 12.3 days	778 SF	$32,675.58
3	FIRE STATION 6 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts $2,572.03 Labor $26,787.50 Materials Lead Time 0 days Days to Complete Job 12.3 days		$29,359.53

4	**TOTAL ALL ITEMS** **PRICING VALID UNTIL** 90 days		$91,698.11

No substitutions will be accepted. Bidders must offer pricing on the product specified. Removal and disposal of existing equipment is required and shall be completed when new equipment is installed.

The undersigned has checked the bid figures carefully and understands that he shall be responsible for any error or omission in this bid offer and is in receipt of all addenda issued. Indicate addendum number to confirm receipt.

Addendum #1 PDSI Addendum #2_____ Addendum #3_____

The undersigned agrees that, if the proposal made herein is accepted, he will satisfactorily perform and complete all of the work and meet all of the requirements and obligations imposed upon him by the contract including the plans, specifications and general conditions.

Also, the undersigned agrees that, if the above proposal is accepted, he will execute the contract and furnish the necessary proofs of insurance carriage within fifteen (15) calendar days from such acceptance.

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or informalities therein. It is agreed that this bid may not be withdrawn for sixty (60) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251, P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Firm Name PDSI Contractors Date 10/24/23
(If corporation, partnership, or assumed name)

Signature Deguan Travis _____
(Person executing bid and official capacity)

CITY OF LIVONIA REQUEST FOR QUOTE
ACOUSTIC CEILING GRID AND TILES

Submitted by: Matick Construction
(COMPANY NAME)

The undersigned, by the submission of this proposal, represents that he is familiar with and has determined for himself the nature and extent of the proposal work and the conditions under which it must be performed and completed, and agrees that he will contract with the City of Livonia to furnish at and for the following monies all materials, labor, equipment, insurance, permits, supervision and all other things necessary or incidental to complete the entire work in accordance with the appended specifications, general conditions, and related contract documents. By the submission of this bid, the undersigned represents that he is familiar with and understands all of the above-referenced contract documents.

In accordance with the contract documents including the furnishing of all labor, material, equipment, permits, and insurance necessary to provide the following:

REMOVAL & REPLACEMENT OF ACOUSTIC CEILING GRID & TILES

ITEM	DESCRIPTION	QTY	COMPLETE FOR SUM OF:
1	FIRE STATION 1 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts 1 Year Labor 1 Year Materials Lead Time 2 weeks days Days to Complete Job 2 weeks		$27,410.00
2	FIRE STATION 5 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications FIRST FLOOR & BASEMENT OFFICE AREA • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts 1 Year Labor 1 Year Materials Lead Time 2 weeks days Days to Complete Job 2 Weeks	24	$34,433.25
3	FIRE STATION 6 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts 1 Year Labor 1 Year Materials Lead Time 2 Weeks days Days to Complete Job 2 Weeks		$30,781.69

4	**TOTAL ALL ITEMS** **PRICING VALID UNTIL** 12/31/23		$92,624.94

No substitutions will be accepted. Bidders must offer pricing on the product specified. Removal and disposal of existing equipment is required and shall be completed when new equipment is installed.

The undersigned has checked the bid figures carefully and understands that he shall be responsible for any error or omission in this bid offer and is in receipt of all addenda issued. Indicate addendum number to confirm receipt.

Addendum #1_____ Addendum #2_____ Addendum #3_____

The undersigned agrees that, if the proposal made herein is accepted, he will satisfactorily perform and complete all of the work and meet all of the requirements and obligations imposed upon him by the contract including the plans, specifications and general conditions.

Also, the undersigned agrees that, if the above proposal is accepted, he will execute the contract and furnish the necessary proofs of insurance carriage within fifteen (15) calendar days from such acceptance.

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or informalities therein. It is agreed that this bid may not be withdrawn for sixty (60) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251, P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Firm Name Matick Construction Date 10/23/23
(If corporation, partnership, or assumed name)

Signature Justin DiNatale Vice President
(Person executing bid and official capacity)

CITY OF LIVONIA REQUEST FOR QUOTE
ACOUSTIC CEILING GRID AND TILES

Submitted by: CS CONSTRUCTION MANAGEMENT
(COMPANY NAME)

The undersigned, by the submission of this proposal, represents that he is familiar with and has determined for himself the nature and extent of the proposal work and the conditions under which it must be performed and completed, and agrees that he will contract with the City of Livonia to furnish at and for the following monies all materials, labor, equipment, insurance, permits, supervision and all other things necessary or incidental to complete the entire work in accordance with the appended specifications, general conditions, and related contract documents. By the submission of this bid, the undersigned represents that he is familiar with and understands all of the above-referenced contract documents.

In accordance with the contract documents including the furnishing of all labor, material, equipment, permits, and insurance necessary to provide the following:

REMOVAL & REPLACEMENT OF ACOUSTIC CEILING GRID & TILES

ITEM	DESCRIPTION	QTY	COMPLETE FOR SUM OF:
1	FIRE STATION 1 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts yes Labor yes Materials Lead Time initial order 18 days Days to Complete Job 10 business days		
2	FIRE STATION 5 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications FIRST FLOOR & BASEMENT OFFICE AREA • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts yes Labor yes Materials Lead Time 0 days Days to Complete Job start after Fire Station # 1 10 business days	24	
3	FIRE STATION 6 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts yes Labor yes Materials Lead Time 0 days Days to Complete Jobstart after Fire Station # 6 10 business days		

4	**TOTAL ALL ITEMS** **PRICING VALID UNTIL ____90 days_____**		Total for all 3 fire stations is: $106,619.00 Voluntary deduct: for a standard commercial ceiling system, deduct $10,290.00

No substitutions will be accepted. Bidders must offer pricing on the product specified. Removal and disposal of existing equipment is required and shall be completed when new equipment is installed.

The undersigned has checked the bid figures carefully and understands that he shall be responsible for any error or omission in this bid offer and is in receipt of all addenda issued. Indicate addendum number to confirm receipt.

Addendum #1____yes___ Addendum #2_____ Addendum #3_____

The undersigned agrees that, if the proposal made herein is accepted, he will satisfactorily perform and complete all of the work and meet all of the requirements and obligations imposed upon him by the contract including the plans, specifications and general conditions.

Also, the undersigned agrees that, if the above proposal is accepted, he will execute the contract and furnish the necessary proofs of insurance carriage within fifteen (15) calendar days from such acceptance.

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or informalities therein. It is agreed that this bid may not be withdrawn for sixty (60) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251, P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Firm Name_____C & S Construction Management_____Date____October 23, 2023_____
(If corporation, partnership, or assumed name)

Signature___Charles R SChimmel_____ _____
(Person executing bid and official capacity)

_____

_____

CONSTRUCTION MANAGEMENT

CITY OF LIVONIA REQUEST FOR QUOTE
ACOUSTIC CEILING GRID AND TILES

Submitted by: Allied Building Service Company of Detroit, Inc.
(COMPANY NAME)

The undersigned, by the submission of this proposal, represents that he is familiar with and has determined for himself the nature and extent of the proposal work and the conditions under which it must be performed and completed, and agrees that he will contract with the City of Livonia to furnish at and for the following monies all materials, labor, equipment, insurance, permits, supervision and all other things necessary or incidental to complete the entire work in accordance with the appended specifications, general conditions, and related contract documents. By the submission of this bid, the undersigned represents that he is familiar with and understands all of the above-referenced contract documents.

In accordance with the contract documents including the furnishing of all labor, material, equipment, permits, and insurance necessary to provide the following:

REMOVAL & REPLACEMENT OF ACOUSTIC CEILING GRID & TILES

ITEM	DESCRIPTION	QTY	COMPLETE FOR SUM OF:
1	FIRE STATION 1 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts 10 Year Labor 1 Year Materials Lead Time 14 days Days to Complete Job 3.5 Weeks		$46,642.42
2	FIRE STATION 5 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications FIRST FLOOR & BASEMENT OFFICE AREA • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts 10 Year Labor 1 Year Materials Lead Time 14 days Days to Complete Job 3.5 Weeks	24	$51,769.95
3	FIRE STATION 6 - Remove and replace acoustic ceiling tiles and grid in accordance with specifications • Installation of new 15/16" DONN Grid, New Armstrong DUNE – Second Look tegular tile - 2x4 Warranty: Parts 10 Year Labor 1 Year Materials Lead Time 14 days Days to Complete Job 3.5 Weeks	[redacted]	$44,177.18

4	**TOTAL ALL ITEMS** **PRICING VALID UNTIL** 11/23/2023		$142,589.55

No substitutions will be accepted. Bidders must offer pricing on the product specified. Removal and disposal of existing equipment is required and shall be completed when new equipment is installed.

The undersigned has checked the bid figures carefully and understands that he shall be responsible for any error or omission in this bid offer and is in receipt of all addenda issued. Indicate addendum number to confirm receipt.

Addendum #1 10/24/2023 Addendum #2_____ Addendum #3_____

The undersigned agrees that, if the proposal made herein is accepted, he will satisfactorily perform and complete all of the work and meet all of the requirements and obligations imposed upon him by the contract including the plans, specifications and general conditions.

Also, the undersigned agrees that, if the above proposal is accepted, he will execute the contract and furnish the necessary proofs of insurance carriage within fifteen (15) calendar days from such acceptance.

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or informalities therein. It is agreed that this bid may not be withdrawn for sixty (60) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251, P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Firm Name Allied Building Service Company of Detroit, Inc. Date 10/23/2023
(If corporation, partnership, or assumed name)

Signature Chris Babcock
(Person executing bid and official capacity)

Christopher Babcock

Field Operations Manager

CITY OF LIVONIA ï CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 13, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and President Jim Jolly. Absent: Vice President Toy.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney Todd Zilincik, City Engineer; and Doug Moore, Assistant Director of Public Works.

Councilmember McIntyre led the meeting with the Pledge of Allegiance.

2. AWARD OF BID: Division of Police, re: for the purchase and trade-in of Sig Sauer weapons, with weapon mounted optic and light, from budgeted funds.

   Livonia Police Chief Goralski presented the request to Council.

   Councilmember Morgan asked if the new weapons will be lighter than the old ones.

   Chief Goralski wasnôt sure about the weight but indicated they are more accurate and safer to shoot.

   President Jolly confirmed they are all 9mm weapons.

   Councilmember Donovic offered an approving motion for the Consent agenda.

   DIRECTION: APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

2.

Police
November 1, 2023

MEETING DATE	PREPARED BY
Study Meeting, November 13, 2023	Stephanie Whitney,

AGENDA ITEM

AWARD OF BID: Division of Police, re: for the purchase and trade-in of Sig Sauer weapons, with weapon mounted optic and light, from budgeted funds.

BACKGROUND DETAILS

The Livonia Police Department currently utilizes the Sig Sauer P226 with a Double/Single Action trigger as the primary duty weapon. These guns were purchased in June of 2017 and are approaching usage amounts requiring preventative replacement of wearable parts, including but not limited to the recoil, decocker and trigger bar springs. During training, the Double/Single Action trigger has been found to be challenging for many shooters due to the difference between the first trigger pull and subsequent shots. Many shooters struggle with the initial 12 pound trigger pull of the current weapon system. In addition, the P226 is not capable of accepting a weapon mounted optic, which is relatively new technology that dramatically improves speed of acquisition and shot accuracy.

Bids were solicited on the MITN network and opened in the presence of the bid committee. The Livonia Division of Police is requesting to purchase from the low bidder, Vance Outdoors, the Sig Sauer P320 Pro Carry (Item number W320CA-9-BXR3-PRO-210-SNS) 9mm Semi-Automatic pistol with a weapon mounted optic. The listed pistol is used throughout the country by law enforcement agencies and is currently used as the primary duty weapon in the United States Army. Additionally, the chosen weapon utilizes a single action trigger maintaining a consistent trigger pull every time the gun is fired, which would eliminate the troublesome double/single action trigger.

We are also requesting to purchase from the low bidder, Keisler Police Supply, the Holosun (SCS-320-GR) sighting system to be mounted on the top of the pistol and emit a reticle/dot onto a heads-up display which is utilized as the primary aiming device for the weapon. The weapon optic emitter is only visible by the user and cannot be seen by anyone else. A Streamlight (TLR-7A) weapon mounted light has also been selected as a component of this pistol package.

Pistols equipped with weapon mounted optics have many advantages. New officers in the police academy are already learning to shoot using this type of sighting system. These optics greatly improve accuracy and speed. Their performance also excels in both lighted and unlighted environments. The reticle, or dot, is placed on the target in order to aim the weapon. There is no longer a need to align the top of the front sight with the top of the rear sight. Nor is there a need to maintain an equal distance between the front sight in relation to the rear sight. Because the reticle is illuminated, it can be easily seen and accurately aimed in low light conditions.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

We respectfully recommend that Vance Outdoors, Inc. be awarded the bid as lowest bidder meeting all specifications for the purchase of weapons, magazines, and concealment holsters. Considering the purchase prices of the weapons with firearm accessories and the trade-in of existing handguns, the net cost for this transaction is $39,900.50. Additionally, we are requesting that Kiesler Police Supply Inc., be awarded the bid as the lowest bidder for the pistol mounted optic in the amount of $50,118.75 and the Streamlight, weapon mounted light, in the amount of $17,820.00. Funds are budgeted for this purpose in account #101-304-971-000, Capital Outlay - Minor.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Purchase (165) Sig Saur, Model P320, 9MM: $492.70 each - $81,295.50 - Vance Outdoors, Inc.
Purchase (165) Magazine P320 X-Five Full-size/Carry - $38.00 each - $6,270.00 - Vance Outdoors, Inc.
Trade in value (145) Sig Saur P226.9MM - $380.00 each - $55,100.00 - Vance Outdoors, Inc.
Purchase (100) Safariland ALS-7TS, Concealment Holster, Sig Saur P320 - $74.35 each - $7,435.00 - Vance Outdoors, Inc.
Purchase (165) Streamlight TLR-7A Flex, Tactical weapon mounted light - $108.00 each - $17,820.00 - Kiesler Police Supply, Inc.
Purchase (165) Holoscs-320-GR pistol mounted optic - $303.75 each - $50,118.75 - Kiesler Police Supply, Inc.

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

DETAILED WORK BEING PERFORMED

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

$107,839.25 from funds budgeted in account # 101-304-971-000

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

Vance Outdoor, Inc. - 3723 Cleveland Ave, Columbus, OH 43224 - Doug Vance - Lowest bidder on firearms, magazines, and holster.
Kiesler Police Supply Inc.- 2802 Sable Mill Rd., Jefferson IN 47130 - Brittany A.L. Girdler - Lowest bidder on weapon mounted optic and mounted light.

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc):

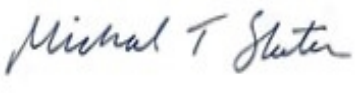
ATTACHMENTS

1. Firearms and accessories bid package

APPROVED BY



Thomas Goralski, Police Chief — Date: November 03, 2023



Michael Slater, Finance Director — Date: November 03, 2023



Paul Bernier, City Attorney — Date: November 03, 2023



Maureen Miller Brosnan, Mayor — Date: November 03, 2023

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VENDOR NAME	Acme Sports	CMP Distributors	Kiesler Police Supply
CITY/STATE	Seymour IN	Lansing MI	Jeffersonville IN
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SUBTOTAL ITEMS 1-2	No Bid	No Bid	No Bid
LESS TRADE IN VALUE			
GRAND TOTAL			
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GRAND TOTAL ALL ITEMS	$ 88,275.00	$110,229.95	$ 67,938.00
PRICING VALID UNTIL	No Date	30 days	blank
WILL ALL ITEMS BE SHIPPED AT THE SAME TIME (Y/N)	PROPOSAL A _____ PROPOSAL B: Yes if Customer prefers otherwise will ship as they become available.	PROPOSAL A _____ PROPOSAL B: _____	PROPOSAL A _____ PROPOSAL B: No, will ship from manufacturer.

VENDOR NAME	Michigan Police Equipment	Sig Sauer Inc	Vance Outdoors
CITY/STATE	Charlotte MI	Newington NH	Columbus OH
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SUBTOTAL ITEMS 1-2			
LESS TRADE IN VALUE			
GRAND TOTAL	$ 40,600.00 (trade in value)	$ 44,045.75	$ 32,465.50
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GRAND TOTAL ALL ITEMS	$ 79,990.05	No Bid	$ 95,442.70
PRICING VALID UNTIL	12/31/2023	90 days	1/31/2024
WILL ALL ITEMS BE SHIPPED AT THE SAME TIME (Y/N)	PROPOSAL A _____ PROPOSAL B: Items will ship from manufacturer. Individual items will ship complete.	PROPOSAL A: _____ PROPOSAL B_____ Pistols and magazines will ship together.	PROPOSAL A ___NO____ PROPOSAL B___No____

City Representatives: Enna Bachelor, Purchasing Manager

Leslie Rohraff, Office of the City Clerk

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VENDOR NAME			
CITY/STATE			
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SUBTOTAL ITEMS 1-2			
LESS TRADE IN VALUE			
GRAND TOTAL			
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GRAND TOTAL ALL ITEMS			
PRICING VALID UNTIL			
WILL ALL ITEMS BE SHIPPED AT THE SAME TIME (Y/N)	PROPOSAL A _____ PROPOSAL B_____	PROPOSAL A _____ PROPOSAL B_____	PROPOSAL A _____ PROPOSAL B_____

VENDOR NAME			
CITY/STATE			
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SUBTOTAL ITEMS 1-2			
LESS TRADE IN VALUE			
GRAND TOTAL			
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GRAND TOTAL ALL ITEMS			
PRICING VALID UNTIL			
WILL ALL ITEMS BE SHIPPED AT THE SAME TIME (Y/N)	PROPOSAL A _____ PROPOSAL B_____	PROPOSAL A _____ PROPOSAL B_____	PROPOSAL A _____ PROPOSAL B_____

ADVERTISEMENT FOR BIDS - CITY OF LIVONIA
33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154

Sealed bids for the purchase of FIREARMS AND ACCESSORIES will be received by the City of Livonia, Michigan, as owner, until 2:00 p.m. LOCAL TIME, on OCTOBER 31, 2023 via the MITN website at which time said bid proposals will be opened and publicly read. Late bids will not be considered.

Bids received via the MITN website by the specified due date and time will be publicly opened at the due date and time via Zoom. Vendors may attend the bid opening virtually by using the following credentials:

By Computer: https://us02web.zoom.us/j/82294127641

By Phone: Phone (312) 626-6799 Webinar ID: 822 9412 7641

Instructions to bidders and specifications may be obtained by registering with the Michigan Inter-governmental Trade Network (MITN) at www.mitn.info

Bid proposals must be submitted on forms furnished by the Director of Finance of the City of Livonia. Instructions to Bidders and Specifications for items required may be obtained at from the Purchasing Manager via email at ebachelor@livonia.gov

The City reserves the right to reject or accept any or all bid proposals in whole or in part and waive any irregularities therein.

QUESTION DEADLINE: All questions must be submitted **IN WRITING.** No phone calls will be accepted. Submit all inquiries to the Purchasing Manager, Enna Bachelor, via email at ebachelor@livonia.gov. All questions must be submitted no later than 3:00 p.m., October 25, 2023. The City does not guarantee a response to questions received after the deadline.

INSTRUCTIONS TO BIDDERS

FOR

FIREARMS AND ACCESSORIES CITY OF LIVONIA

POLICE DEPARTMENT

1. Sealed bids will be received by the City of Livonia, Michigan, as owner, until 2:00 p.m., local time, on OCTOBER 31, 2023 via the MITN website at which time said bids will be opened and publicly read on Zoom as per the instruction in the advertisement for bids.

2. Bids shall be for items as specified on attached Proposal Form without deviation. No alternates will be accepted. A Manufacturer Specification Sheet for each model or style of item to be supplied shall accompany the bid when applicable.

3. Bids shall be uploaded to the MITN website (www.mitn.info) in Adobe Acrobat PDF format. No physical bids will be accepted. Proposals shall be submitted in strict accordance with the City of Livonia specifications for the items listed herein. Any and all variations from the specifications are to be stated in the bids. Bids submitted by FAX are not acceptable. Late bids will not be considered.

4. Each proposal **must be submitted** on forms provided by the City of Livonia.

5. If any figure already entered on the proposal form by the bidder is to be altered, it shall be crossed out with ink and the new unit price entered above it or below it and initialed by the bidder.

6. The unit price shall be entered where indicated.

7. The bid of any City-based firm may be deemed a better bid than the bid of any competing firm which is not City-based, whenever the bid of such competing firm shall be less than three percent lower than the bid of the City-based firm on any contract in an amount of $100,000 or less, and less than one percent lower on any amount bid in excess thereof. The firm making the lowest bid thus evaluated shall be deemed the lowest bidder. (Section 3.04.140.E. of the Livonia Code of Ordinances, as amended).

8. It is understood that the quantities of materials to be furnished as stated in the proposal are approximate and are given only as a basis for comparing bids.

9. Unless otherwise specified, delivery shall be to the City of Livonia Police Department. 15050 Farmington Road, Livonia, MI 48154.

10. All invoices shall be submitted to the City of Livonia on the basis of the unit prices bid within the contract period specified.

FORM OF BID PROPOSAL FOR FIREARMS AND ACCESSORIES

Honorable Members of the Council
33000 Civic Center Drive
Livonia, Michigan 48150

Dear Council Members:

The undersigned, as a bidder, declares that he has familiarized himself with the type of material desired and has carefully examined the specifications and instructions to bidders, which he understands and accepts as sufficient for the purpose and agrees he will furnish to the City of Livonia the specified items and will accept in full payment therefore the following amounts:

COMPANY NAME: Acme Sports Inc.

State hours of operation: 11-6PM M-F 10-2PM SAT.

State terms Net 45

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or formalities therein. It is agreed that this bid may not be withdrawn for ninety (90) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment, to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251 P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Extension of Award to the MITN Purchasing Cooperative or Other Governmental Agencies:

Extension of Award to the MITN Purchasing Cooperative or Other Governmental Agencies.

All vendors awarded contracts from this Quotation may, upon mutual agreement, extend pricing to the Michigan Intergovernmental Trade Network (MITN) Purchasing Cooperative or other governmental agencies.

Each entity is responsible for its own payments and is to be considered individually for billing and collection purposes. Each entity will provide their own purchase order and delivery location(s) and must be invoiced separately to the address indicated on their purchase order.

The City of Livonia is a member of the MITN Purchasing Cooperative. If your company

Proposal for Firearms and Accessories

is awarded item(s) referenced in the Request for Quotation, the cooperative governmental entities or other governmental agencies may wish to use this contract and will issue a purchase order for the item(s) awarded in the quotation. Each entity is responsible for its own payments and is to be considered individually for billing and collection purposes. Each entity will provide its own purchase order and delivery location(s) and must be invoiced separately to the address indicated on their purchase order.

___V___ If an award if made by the City of Livonia, it is agreed that the contract will be extended to the MITN Purchasing Cooperative or other governmental agencies, under the same prices, terms and conditions.

_____ Our company is NOT interested in extending the contract.

Firm Name Acme Sports Inc.
(If corporation, partnership, or assumed name)

Address 800 E. Tipton St.

City/State/Zip Seymour, IN 47274

Phone 812-522-4008 FAX 812-522-4009

Signature [signature] Date 10-13-23
(Person executing bid and official capacity)

Joe Hardesty
(Names of principal officers ad designate official capacity)

(If partnership or assumed name, indicate names of owners)

Company contact person to whom questions regarding this bid submission should be directed is:

Name: Joe Hardesty

Title President

Phone No. (812) 522-4008

Email: acmesports@comcast.net

COMPANY NAME:	Acme Sports Inc.

PRICE PROPOSAL A - FIREARMS

	DESCRIPTION	MODEL #	QTY	UNIT PRICE	TOTAL
1	Sig Sauer, Model P320, 9mm, 3.9inch, Professional, Black, Striker, Suppressor Height Night X-Ray 3 sights, MOD POLYX grip, (3) 17 round Steel Magazines, Optic Ready, Rail.	W320CA-9-BXR3-PRO-SNS Warranty:_____ Lead Time:_____	165		
2	Magazine P320 X-Five Full-Size/Carry, 21 round, 9mm, Magazine, Extended (Black)	MAG-MOD-F-9-21 Warranty:_____ Lead Time:_____	165		
3	SUBTOTAL (ITEMS 1-2)				
	TRADE-IN VALUE				
4	Sig Sauer P226 9 Millimeter	W226-9-SP	145		
5	GRAND TOTAL (ITEM 3 MINUS ITEM 4)				

PRICE PROSPAL B – FIREARM ACCESSORIES

	DESCRIPTION	MODEL #	QTY	UNIT PRICE	TOTAL
1	Holosun Solar Charging System 320 Pistol Mounted Optic, Green Reticle, Law Enforcement/Military Model	SCS-320-GR LEM Warranty: Factory 3yr Lead Time: 60-90days	165	$318.00	$52,470.00
2	Streamlight TLR-7A Flex, 500 Lumen Tactical Weapon Mounted Light, High and low Switch options, Black.	080926-69424-8 Warranty: Limited Lifetime Lead Time: 30days	165	$118.00	$19,470.00
3	Safariland ALS 7TS, Concealment Holster with paddle and belt loop, Sig Sauer P320 3.9" Barrel, TLR-7A, Black, Safariseven Plain.	7378RDS-75227-411 Warranty:_____ Lead Time:_____	100		
4	Alien Gear/Rapid Force Duty Holster for Compact Lights, Sig Sauer P320 Carry 9mm, Level III Retention, Belt Slide, Mid Ride, Covered Optic, No Quick Disconnect	RC3-0691-R-B-H-D Warranty: Limited Lifetime Lead Time: 30-60days	165	$99.00	$16,335.00
4	TOTAL ALL ITEMS (ITEMS 1-4)				$88,275.00

COMPANY NAME:	Acme Sports Inc.

PRICE PROPOSAL CONTINUED

	PRICE PROPOSAL A – FIREARMS	PRICE PROPOSAL B – FIREARM ACCESSORIES
Pricing valid until		$88,275.00
Will all items be shipped at the same time? (Y/N) If no, attach an explanation of how items will be shipped		Yes - If Customer Prefers otherwise we will ship as items become Available.

Successful bidder(s) shall provide care and cleaning instructions for the equipment furnished.

Bidders may choose to bid on Proposal A or Proposal B or on both proposals. Bidders may choose to bid on specific line items in each proposal.

Bid Amount: $88,275.00
Solicitation Number: RFB-10122023-PD

Acme Sports, Inc.
Joe Hardesty
800 E. Tipton St.
Seymour Indiana
47274 United States

Bid Amount: $110,229.95
Solicitation Number: RFB-10122023-PD

CMP Distibutors, Inc.
Catherine Parks
16753 Industrial Parkway
Lansing Michigan
48906 United States

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LIVONIA, MICHIGAN 48154

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FOR

FIREARMS AND ACCESSORIES CITY OF LIVONIA

POLICE DEPARTMENT

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6. The unit price shall be entered where indicated.

7. The bid of any City-based firm may be deemed a better bid than the bid of any competing firm which is not City-based, whenever the bid of such competing firm shall be less than three percent lower than the bid of the City-based firm on any contract in an amount of $100,000 or less, and less than one percent lower on any amount bid in excess thereof. The firm making the lowest bid thus evaluated shall be deemed the lowest bidder. (Section 3.04.140.E. of the Livonia Code of Ordinances, as amended).

8. It is understood that the quantities of materials to be furnished as stated in the proposal are approximate and are given only as a basis for comparing bids.

9. Unless otherwise specified, delivery shall be to the City of Livonia Police Department. 15050 Farmington Road, Livonia, MI 48154.

10. All invoices shall be submitted to the City of Livonia on the basis of the unit prices bid within the contract period specified.

FORM OF BID PROPOSAL FOR FIREARMS AND ACCESSORIES

Honorable Members of the Council
33000 Civic Center Drive
Livonia, Michigan 48150

Dear Council Members:

The undersigned, as a bidder, declares that he has familiarized himself with the type of material desired and has carefully examined the specifications and instructions to bidders, which he understands and accepts as sufficient for the purpose and agrees he will furnish to the City of Livonia the specified items and will accept in full payment therefore the following amounts:

COMPANY NAME: CMP Distributors, Inc.

State hours of operation: Monday - Friday 8:00am - 4:30 pm

State terms Net 30 days

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or formalities therein. It is agreed that this bid may not be withdrawn for ninety (90) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment, to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251 P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Extension of Award to the MITN Purchasing Cooperative or Other Governmental Agencies:

Extension of Award to the MITN Purchasing Cooperative or Other Governmental Agencies.

All vendors awarded contracts from this Quotation may, upon mutual agreement, extend pricing to the Michigan Intergovernmental Trade Network (MITN) Purchasing Cooperative or other governmental agencies.

Each entity is responsible for its own payments and is to be considered individually for billing and collection purposes. Each entity will provide their own purchase order and delivery location(s) and must be invoiced separately to the address indicated on their purchase order.

The City of Livonia is a member of the MITN Purchasing Cooperative. If your company

Proposal for Firearms and Accessories

is awarded item(s) referenced in the Request for Quotation, the cooperative governmental entities or other governmental agencies may wish to use this contract and will issue a purchase order for the item(s) awarded in the quotation. Each entity is responsible for its own payments and is to be considered individually for billing and collection purposes. Each entity will provide its own purchase order and delivery location(s) and must be invoiced separately to the address indicated on their purchase order.

_____ If an award if made by the City of Livonia, it is agreed that the contract will be extended to the MITN Purchasing Cooperative or other governmental agencies, under the same prices, terms and conditions.

___X___ Our company is NOT interested in extending the contract.

Firm Name CMP Distributors, Inc.
(If corporation, partnership, or assumed name)

Address 16753 Industrial Parkway

City/State/Zip Lansing, MI 48906

Phone 517-721-0970 FAX 517-721-0974

Signature _____ Date 10/27/2023
(Person executing bid and official capacity)

Catherine Parks, Owner
(Names of principal officers ad designate official capacity)

N/A
(If partnership or assumed name, indicate names of owners)

Company contact person to whom questions regarding this bid submission should be directed is:

Name: Catherine Parks

Title Owner

Phone No. (517 721)-0970

Email: Catherine Parks

COMPANY NAME:	CMP Distributors, Inc.

PRICE PROPOSAL A - FIREARMS

	DESCRIPTION	MODEL #	QTY	UNIT PRICE	TOTAL
1	Sig Sauer, Model P320, 9mm, 3.9inch, Professional, Black, Striker, Suppressor Height Night X-Ray 3 sights, MOD POLYX grip, (3) 17 round Steel Magazines, Optic Ready, Rail.	W320CA-9-BXR3-PRO-SNS Warranty:_____ Lead Time:_____	165		No Bid
2	Magazine P320 X-Five Full-Size/Carry, 21 round, 9mm, Magazine, Extended (Black)	MAG-MOD-F-9-21 Warranty:_____ Lead Time:_____	165		No Bid
3		**SUBTOTAL (ITEMS 1-2)**			
		TRADE-IN VALUE			
4	Sig Sauer P226 9 Millimeter	W226-9-SP	145		No Bid
5		**GRAND TOTAL (ITEM 3 MINUS ITEM 4)**			

PRICE PROSPAL B ï FIREARM ACCESSORIES

	DESCRIPTION	MODEL #	QTY	UNIT PRICE	TOTAL
1	Holosun Solar Charging System 320 Pistol Mounted Optic, Green Reticle, Law Enforcement/Military Model	SCS-320-GR LEM Warranty: Full Manufacture Warranty Lead Time: 30-60 days ARO	165	347.59	57,352.35
2	Streamlight TLR-7A Flex, 500 Lumen Tactical Weapon Mounted Light, High and low Switch options, Black.	080926-69424-8 Warranty: Full Manufacture Warranty Lead Time: 30 days ARO	165	117.58	19,400.70
3	Safariland ALS 7TS, Concealment Holster with paddle and belt loop, Sig Sauer P320 3.9òBarrel, TLR-7A, Black, Safariseven Plain.	7378RDS-75227-411 Warranty: Full Manufacture Warranty Lead Time: 30-60 days ARO	100	96.41	9,641.00
4	Alien Gear/Rapid Force Duty Holster for Compact Lights, Sig Sauer P320 Carry 9mm, Level III Retention, Belt Slide, Mid Ride, Covered Optic, No Quick Disconnect	RC3-0691-R-B-H-D Warranty: Full Manufacture Warranty Lead Time: 60 days ARO	165	144.46	23,835.90
4		**TOTAL ALL ITEMS (ITEMS 1-4)**			$110,229.95

COMPANY NAME:	CMP Distributors, Inc.

PRICE PROPOSAL CONTINUED

	PRICE PROPOSAL A ï FIREARMS	PRICE PROPOSAL B ï FIREARM ACCESSORIES
Pricing valid until		30 days
Will all items be shipped at the same time? (Y/N) If no, attach an explanation of how items will be shipped	No Bid	$110,229.95

Successful bidder(s) shall provide care and cleaning instructions for the equipment furnished.

Bidders may choose to bid on Proposal A or Proposal B or on both proposals. Bidders may choose to bid on specific line items in each proposal.

ADVERTISEMENT FOR BIDS - CITY OF LIVONIA
33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154

Sealed bids for the purchase of FIREARMS AND ACCESSORIES will be received by the City of Livonia, Michigan, as owner, until 2:00 p.m. LOCAL TIME, on OCTOBER 31, 2023 via the MITN website at which time said bid proposals will be opened and publicly read. Late bids will not be considered.

Bids received via the MITN website by the specified due date and time will be publicly opened at the due date and time via Zoom. Vendors may attend the bid opening virtually by using the following credentials:

By Computer: https://us02web.zoom.us/j/82294127641

By Phone: Phone (312) 626-6799 Webinar ID: 822 9412 7641

Instructions to bidders and specifications may be obtained by registering with the Michigan Inter-governmental Trade Network (MITN) at www.mitn.info

Bid proposals must be submitted on forms furnished by the Director of Finance of the City of Livonia. Instructions to Bidders and Specifications for items required may be obtained at from the Purchasing Manager via email at ebachelor@livonia.gov

The City reserves the right to reject or accept any or all bid proposals in whole or in part and waive any irregularities therein.

QUESTION DEADLINE: All questions must be submitted **IN WRITING.** No phone calls will be accepted. Submit all inquiries to the Purchasing Manager, Enna Bachelor, via email at ebachelor@livonia.gov. All questions must be submitted no later than 3:00 p.m., October 25, 2023. The City does not guarantee a response to questions received after the deadline.

INSTRUCTIONS TO BIDDERS

FOR

FIREARMS AND ACCESSORIES CITY OF LIVONIA

POLICE DEPARTMENT

1. Sealed bids will be received by the City of Livonia, Michigan, as owner, until 2:00 p.m., local time, on OCTOBER 31, 2023 via the MITN website at which time said bids will be opened and publicly read on Zoom as per the instruction in the advertisement for bids.

2. Bids shall be for items as specified on attached Proposal Form without deviation. No alternates will be accepted. A Manufacturer Specification Sheet for each model or style of item to be supplied shall accompany the bid when applicable.

3. Bids shall be uploaded to the MITN website (www.mitn.info) in Adobe Acrobat PDF format. No physical bids will be accepted. Proposals shall be submitted in strict accordance with the City of Livonia specifications for the items listed herein. Any and all variations from the specifications are to be stated in the bids. Bids submitted by FAX are not acceptable. Late bids will not be considered.

4. Each proposal **must be submitted** on forms provided by the City of Livonia.

5. If any figure already entered on the proposal form by the bidder is to be altered, it shall be crossed out with ink and the new unit price entered above it or below it and initialed by the bidder.

6. The unit price shall be entered where indicated.

7. The bid of any City-based firm may be deemed a better bid than the bid of any competing firm which is not City-based, whenever the bid of such competing firm shall be less than three percent lower than the bid of the City-based firm on any contract in an amount of $100,000 or less, and less than one percent lower on any amount bid in excess thereof. The firm making the lowest bid thus evaluated shall be deemed the lowest bidder. (Section 3.04.140.E. of the Livonia Code of Ordinances, as amended).

8. It is understood that the quantities of materials to be furnished as stated in the proposal are approximate and are given only as a basis for comparing bids.

9. Unless otherwise specified, delivery shall be to the City of Livonia Police Department. 15050 Farmington Road, Livonia, MI 48154.

10. All invoices shall be submitted to the City of Livonia on the basis of the unit prices bid within the contract period specified.

FORM OF BID PROPOSAL FOR FIREARMS AND ACCESSORIES

Honorable Members of the Council
33000 Civic Center Drive
Livonia, Michigan 48150

Dear Council Members:

The undersigned, as a bidder, declares that he has familiarized himself with the type of material desired and has carefully examined the specifications and instructions to bidders, which he understands and accepts as sufficient for the purpose and agrees he will furnish to the City of Livonia the specified items and will accept in full payment therefore the following amounts:

COMPANY NAME: Kiesler Police Supply Inc.

State hours of operation: 8:00 am - 5:00 pm M-F

State terms 0 net 30 days, Factory warranty, Lead time may vary.

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or formalities therein. It is agreed that this bid may not be withdrawn for ninety (90) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment, to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251 P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Extension of Award to the MITN Purchasing Cooperative or Other Governmental Agencies:

Extension of Award to the MITN Purchasing Cooperative or Other Governmental Agencies.

All vendors awarded contracts from this Quotation may, upon mutual agreement, extend pricing to the Michigan Intergovernmental Trade Network (MITN) Purchasing Cooperative or other governmental agencies.

Each entity is responsible for its own payments and is to be considered individually for billing and collection purposes. Each entity will provide their own purchase order and delivery location(s) and must be invoiced separately to the address indicated on their purchase order.

The City of Livonia is a member of the MITN Purchasing Cooperative. If your company

is awarded item(s) referenced in the Request for Quotation, the cooperative governmental entities or other governmental agencies may wish to use this contract and will issue a purchase order for the item(s) awarded in the quotation. Each entity is responsible for its own payments and is to be considered individually for billing and collection purposes. Each entity will provide its own purchase order and delivery location(s) and must be invoiced separately to the address indicated on their purchase order.

_____ If an award if made by the City of Livonia, it is agreed that the contract will be extended to the MITN Purchasing Cooperative or other governmental agencies, under the same prices, terms and conditions.

__✓__ Our company is NOT interested in extending the contract.

Firm Name Kiesler Police Supply Inc.
(If corporation, partnership, or assumed name)

Address 2802 Sable Mill Rd.

City/State/Zip Jeffersonville, IN 47130

Phone 812-288-5740 FAX 812-284-8008

Signature Brittany A.L. Girdler Date 10/13/2023
(Person executing bid and official capacity)

Doug Kiesler - Founder
Jeff Blain - CEO
(Names of principal officers ad designate official capacity)

(If partnership or assumed name, indicate names of owners)

Company contact person to whom questions regarding this bid submission should be directed is:

Name: Brittany A.L. Girdler, Brittany A.L. Girdler

Title Bid Specialist

Phone No. (812) 288-5740 x1164

Email: bgirdler@kiesler.com

COMPANY NAME:	Kiesler Police Supply Inc.

PRICE PROPOSAL A - FIREARMS

	DESCRIPTION	MODEL #	QTY	UNIT PRICE	TOTAL
1	Sig Sauer, Model P320, 9mm, 3.9inch, Professional, Black, Striker, Suppressor Height Night X-Ray 3 sights, MOD POLYX grip, (3) 17 round Steel Magazines, Optic Ready, Rail.	W320CA-9-BXR3-PRO-SNS Warranty:_____ Lead Time:_____	165	No Bid	No Bid
2	Magazine P320 X-Five Full-Size/Carry, 21 round, 9mm, Magazine, Extended (Black)	MAG-MOD-F-9-21 Warranty:_____ Lead Time:_____	165	No Bid	No Bid
3		SUBTOTAL (ITEMS 1-2)			
		TRADE-IN VALUE			
4	Sig Sauer P226 9 Millimeter	W226-9-SP	145	No Bid	No Bid
5		GRAND TOTAL (ITEM 3 MINUS ITEM 4)			

PRICE PROSPAL B – FIREARM ACCESSORIES

	DESCRIPTION	MODEL #	QTY	UNIT PRICE	TOTAL
1	Holosun Solar Charging System 320 Pistol Mounted Optic, Green Reticle, Law Enforcement/Military Model	SCS-320-GR LEM Warranty: Factory Lead Time: 30-90 may vary	165	$303.75	$50,118.75
2	Streamlight TLR-7A Flex, 500 Lumen Tactical Weapon Mounted Light, High and low Switch options, Black.	080926-69424-8 Warranty: Factory Lead Time: 30-60 days may vary	165	$108.00	$17,820.00
3	Safariland ALS 7TS, Concealment Holster with paddle and belt loop, Sig Sauer P320 3.9" Barrel, TLR-7A, Black, Safariseven Plain.	7378RDS-75227-411 Warranty:_____ Lead Time:_____	100	No Bid	No Bid
4	Alien Gear/Rapid Force Duty Holster for Compact Lights, Sig Sauer P320 Carry 9mm, Level III Retention, Belt Slide, Mid Ride, Covered Optic, No Quick Disconnect	RC3-0691-R-B-H-D Warranty:_____ Lead Time:_____	165	No Bid	No Bid
4	TOTAL ALL ITEMS (ITEMS 1-4)			$67,938.75	

COMPANY NAME:	Kiesler Police Supply Inc.

PRICE PROPOSAL CONTINUED

	PRICE PROPOSAL A – FIREARMS	PRICE PROPOSAL B – FIREARM ACCESSORIES
Pricing valid until		
Will all items be shipped at the same time? (Y/N) If no, attach an explanation of how items will be shipped	N/A	No. Will ship from manufacturer

Successful bidder(s) shall provide care and cleaning instructions for the equipment furnished.

Bidders may choose to bid on Proposal A or Proposal B or on both proposals. Bidders may choose to bid on specific line items in each proposal.

Sales Quote

KIESLER POLICE SUPPLY
2802 SABLE MILL RD
JEFFERSONVILLE, IN 47130

Bill-to Customer
LIVONIA, CITY OF
POLICE DPT-ADMINISTRATION
15050 FARMINGTON RD
LIVONIA, MI 48154

Ship-to Address

Your Reference		Salesperson	BRITTANY GIRDLER
Bill-to Customer No.	L11764	Email	
Tax Registration No.		Home Page	
		Phone No.	
No.	Q146325		
Document Date	October 26, 2023		
Due Date	November 25, 2023		
Payment Terms			
Payment Method			
Tax Identification Type	Legal Entity		
Shipment Method			

RFB: FIREARMS & ACCESSORIES
LEAD TIME IS 30-90 DAYS LEAD TIME MAY VARY.

No.	Description	Quantity	Unit of Measure	Unit Price Excl. Tax	Line Amount Excl. Tax
KIESLER NOTE	RFB: FIREARMS & ACCESSORIES LEAD TIME IS 30-90 DAYS LEAD TIME MAY VARY.	1	EACH	0.00	0
PART NUMBER	HOLOSCS-320-GR LEM HOLOSUN SOLAR CHARGING SIGHT Green Multi-Reticle, Enclosed, Aluminum, SIG P320 Pistol Cut LOOHM - DOR	165	EACH	303.75	50,118.75
STRE69424	STREAMLIGHT TLR-7A FLEX W/ HIGH SWITCH MOUNTED ON LIGHT + LOW SWITCH IN RETAIL BOX CEAEL	165	EACH	108.00	17,820
FORMAT BRITTANY	QUOTED BY BRITTANY GIRDLER KIESLER POLICE SUPPLY 2802 SABLE MILL ROAD JEFFERSONVILLE, IN 47130 THIS QUOTE IS VALID FOR 30 DAYS BGIRDLER@KIESLER.COM	1	EACH	0.00	0

Amount Subject to Sales Tax	0.00	**Subtotal**	**67,938.75**
Amount Exempt from Sales Tax	67,938.75	Total Tax	0.00
		Total $ Incl. Tax	**67,938.75**
		Tax Amount	**0.00**

KIESLER POLICE SUPPLY FFL# 4-35-019-11-4M-08220

RETURNED GOODS POLICY

No returned goods will be accepted without prior consent. Any packages returned without properly displaying a return authorization number will be refused. Returns subject to up to 25% restocking fee

DEFECTIVE MERCHANDISE POLICY

We are not a warranty repair station for any manufacturer. Returns of defective merchandise must be made directly to the manufacturer for repair or replacement.

DAMAGED GOODS POLICY

Claims of shortages or damaged shipments must be made immediately upon receipt of shipment.

Bid Amount: $67,938.75
Solicitation Number: RFB-10122023-PD

Bid Exceptions
Lead time is 30-90 days. Lead time may vary.

Kiesler Police Supply
Brittany Girdler
2802 Sable Mill Road
Jeffersonville Indiana
47130 United States

ADVERTISEMENT FOR BIDS - CITY OF LIVONIA
33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154

Sealed bids for the purchase of FIREARMS AND ACCESSORIES will be received by the City of Livonia, Michigan, as owner, until 2:00 p.m. LOCAL TIME, on OCTOBER 31, 2023 via the MITN website at which time said bid proposals will be opened and publicly read. Late bids will not be considered.

Bids received via the MITN website by the specified due date and time will be publicly opened at the due date and time via Zoom. Vendors may attend the bid opening virtually by using the following credentials:

By Computer: https://us02web.zoom.us/j/82294127641

By Phone: Phone (312) 626-6799 Webinar ID: 822 9412 7641

Instructions to bidders and specifications may be obtained by registering with the Michigan Inter-governmental Trade Network (MITN) at www.mitn.info

Bid proposals must be submitted on forms furnished by the Director of Finance of the City of Livonia. Instructions to Bidders and Specifications for items required may be obtained at from the Purchasing Manager via email at ebachelor@livonia.gov

The City reserves the right to reject or accept any or all bid proposals in whole or in part and waive any irregularities therein.

QUESTION DEADLINE: All questions must be submitted **IN WRITING.** No phone calls will be accepted. Submit all inquiries to the Purchasing Manager, Enna Bachelor, via email at ebachelor@livonia.gov. All questions must be submitted no later than 3:00 p.m., October 25, 2023. The City does not guarantee a response to questions received after the deadline.

INSTRUCTIONS TO BIDDERS

FOR

FIREARMS AND ACCESSORIES CITY OF LIVONIA

POLICE DEPARTMENT

1. Sealed bids will be received by the City of Livonia, Michigan, as owner, until 2:00 p.m., local time, on OCTOBER 31, 2023 via the MITN website at which time said bids will be opened and publicly read on Zoom as per the instruction in the advertisement for bids.

2. Bids shall be for items as specified on attached Proposal Form without deviation. No alternates will be accepted. A Manufacturer Specification Sheet for each model or style of item to be supplied shall accompany the bid when applicable.

3. Bids shall be uploaded to the MITN website (www.mitn.info) in Adobe Acrobat PDF format. No physical bids will be accepted. Proposals shall be submitted in strict accordance with the City of Livonia specifications for the items listed herein. Any and all variations from the specifications are to be stated in the bids. Bids submitted by FAX are not acceptable. Late bids will not be considered.

4. Each proposal **must be submitted** on forms provided by the City of Livonia.

5. If any figure already entered on the proposal form by the bidder is to be altered, it shall be crossed out with ink and the new unit price entered above it or below it and initialed by the bidder.

6. The unit price shall be entered where indicated.

7. The bid of any City-based firm may be deemed a better bid than the bid of any competing firm which is not City-based, whenever the bid of such competing firm shall be less than three percent lower than the bid of the City-based firm on any contract in an amount of $100,000 or less, and less than one percent lower on any amount bid in excess thereof. The firm making the lowest bid thus evaluated shall be deemed the lowest bidder. (Section 3.04.140.E. of the Livonia Code of Ordinances, as amended).

8. It is understood that the quantities of materials to be furnished as stated in the proposal are approximate and are given only as a basis for comparing bids.

9. Unless otherwise specified, delivery shall be to the City of Livonia Police Department. 15050 Farmington Road, Livonia, MI 48154.

10. All invoices shall be submitted to the City of Livonia on the basis of the unit prices bid within the contract period specified.

FORM OF BID PROPOSAL FOR FIREARMS AND ACCESSORIES

Honorable Members of the Council
33000 Civic Center Drive
Livonia, Michigan 48150

Dear Council Members:

The undersigned, as a bidder, declares that he has familiarized himself with the type of material desired and has carefully examined the specifications and instructions to bidders, which he understands and accepts as sufficient for the purpose and agrees he will furnish to the City of Livonia the specified items and will accept in full payment therefore the following amounts:

COMPANY NAME: Michigan Police Equipment Co.

State hours of operation: 8:30 AM - 5PM Monday - Friday

State terms Net 30 Days

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or formalities therein. It is agreed that this bid may not be withdrawn for ninety (90) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment, to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251 P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Extension of Award to the MITN Purchasing Cooperative or Other Governmental Agencies:

Extension of Award to the MITN Purchasing Cooperative or Other Governmental Agencies.

All vendors awarded contracts from this Quotation may, upon mutual agreement, extend pricing to the Michigan Intergovernmental Trade Network (MITN) Purchasing Cooperative or other governmental agencies.

Each entity is responsible for its own payments and is to be considered individually for billing and collection purposes. Each entity will provide their own purchase order and delivery location(s) and must be invoiced separately to the address indicated on their purchase order.

The City of Livonia is a member of the MITN Purchasing Cooperative. If your company

is awarded item(s) referenced in the Request for Quotation, the cooperative governmental entities or other governmental agencies may wish to use this contract and will issue a purchase order for the item(s) awarded in the quotation. Each entity is responsible for its own payments and is to be considered individually for billing and collection purposes. Each entity will provide its own purchase order and delivery location(s) and must be invoiced separately to the address indicated on their purchase order.

__X__ If an award if made by the City of Livonia, it is agreed that the contract will be extended to the MITN Purchasing Cooperative or other governmental agencies, under the same prices, terms and conditions.

_____ Our company is NOT interested in extending the contract.

Firm Name Michigan Police Equipment Co. (Corporation)
(If corporation, partnership, or assumed name)

Address 6521 Lansing Road

City/State/Zip Charlotte MI 48813

Phone 517-322-0443 FAX 517-322-0491

Signature *Sena Parkst* Date 10-31-2023
(Person executing bid and official capacity)

Sena Parks, President
(Names of principal officers ad designate official capacity)

(If partnership or assumed name, indicate names of owners)

Company contact person to whom questions regarding this bid submission should be directed is:

Name: Sena Parks

Title President

Phone No. (517) 322-0443

Email: sena@mpec.biz

COMPANY NAME:	Michigan Police Equipment Co.

PRICE PROPOSAL A - FIREARMS

	DESCRIPTION	MODEL #	QTY	UNIT PRICE	TOTAL
1	Sig Sauer, Model P320, 9mm, 3.9inch, Professional, Black, Striker, Suppressor Height Night X-Ray 3 sights, MOD POLYX grip, (3) 17 round Steel Magazines, Optic Ready, Rail.	W320CA-9-BXR3-PRO-SNS Warranty:_____ Lead Time:_____	165	No Bid	No Bid
2	Magazine P320 X-Five Full-Size/Carry, 21 round, 9mm, Magazine, Extended (Black)	MAG-MOD-F-9-21 Warranty:_____ Lead Time:_____	165	No Bid	No Bid
3		**SUBTOTAL (ITEMS 1-2)**			No Bid
		TRADE-IN VALUE			
4	Sig Sauer P226 9 Millimeter	W226-9-SP	145	-280.00	-40600.00
5		**GRAND TOTAL (ITEM 3 MINUS ITEM 4)**			-40600.00

PRICE PROSPAL B ï FIREARM ACCESSORIES

	DESCRIPTION	MODEL #	QTY	UNIT PRICE	TOTAL
1	Holosun Solar Charging System 320 Pistol Mounted Optic, Green Reticle, Law Enforcement/Military Model	SCS-320-GR LEM Warranty: 3 Year Lead Time: 90 Days	165	$324.63	$53563.95
2	Streamlight TLR-7A Flex, 500 Lumen Tactical Weapon Mounted Light, High and low Switch options, Black.	080926-69424-8 Warranty: Lifetime with Exceptions Lead Time: 5-10 days	165	$112.34	$18536.10
3	Safariland ALS 7TS, Concealment Holster with paddle and belt loop, Sig Sauer P320 3.9òBarrel, TLR-7A, Black, Safariseven Plain.	7378RDS-75227-411 Warranty: 5 Years from defects Lead Time: 21 Days	100	$78.90	$ 7890.00
4	Alien Gear/Rapid Force Duty Holster for Compact Lights, Sig Sauer P320 Carry 9mm, Level III Retention, Belt Slide, Mid Ride, Covered Optic, No Quick Disconnect	RC3-0691-R-B-H-D Warranty:_____ Lead Time:_____	165	No bid	No bid
4		**TOTAL ALL ITEMS (ITEMS 1-4)**			$79990.05

COMPANY NAME:	Michigan Police Equipment Co.

PRICE PROPOSAL CONTINUED

	PRICE PROPOSAL A ï FIREARMS	**PRICE PROPOSAL B ï FIREARM ACCESSORIES**
Pricing valid until	N/A	12-31-2023
Will all items be shipped at the same time? (Y/N) If no, attach an explanation of how items will be shipped	N/A	No. Items shipped directly from each manufacturer to your agency. Individual line items will ship complete.

Successful bidder(s) shall provide care and cleaning instructions for the equipment furnished.
Owners manuals are included with each individual product detailing care and operating instructions.
Bidders may choose to bid on Proposal A or Proposal B or on both proposals. Bidders may

choose to bid on specific line items in each proposal.

Bid Amount: $39,390.05
Solicitation Number: RFB-10122023-PD

Michigan Police Equipment Co.
Sena Parks
6521 Lansing Road
Charlotte Michigan
48813 United States

FIREARMS

SIG SAUER® FIREARMS LIMITED 5-YEAR DEFENSE WARRANTY

SIG SAUER warrants that the enclosed firearm was originally manufactured free of defects in material, workmanship, and mechanical function. SIG SAUER agrees to correct any defect in the firearm for the original purchaser by repair, adjustment, or replacement, at SIG SAUER's option, with the same or comparable quality components (or by replacing the firearm at SIG SAUER's option) for a period of five (5) years from date of original purchase. To initiate a warranty repair, a Return Merchandise Authorization (RMA) must first be obtained by contacting SIG SAUER Customer Service, and the firearm must be returned unloaded and freight prepaid to SIG SAUER at 18 Industrial Drive, Exeter, NH 03833.

This limited warranty is null and void if the firearm has been misused, damaged (by accident or otherwise), fired with handloaded, reloaded, or improper ammunition, fired with an obstruction in the barrel, damaged through failure to provide reasonable and necessary maintenance as described in the manual accompanying the firearm, or if unauthorized repair or any alteration, including of a cosmetic nature, has been performed on the firearm. This limited warranty does not apply to normal wear and tear of any parts.

Subject to the foregoing, this limited warranty confers the right to have the covered firearm or its parts repaired, adjusted, or replaced exclusively upon the original purchaser, which right is not transferable to any other person. This warranty does not apply to any accessory items attached or appurtenant to the firearm.

ANY WARRANTIES IMPLIED BY LAW, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, ARE EXPRESSLY DISCLAIMED. REPAIR, ALTERATION, OR REPLACEMENT AS PROVIDED HEREIN IS YOUR EXCLUSIVE REMEDY FOR ANY DEFECTIVE PRODUCT. IN NO EVENT SHALL SIG SAUER OR ANY COMPANY AFFILIATED WITH SIG SAUER BE LIABLE FOR ANY SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES OF ANY KIND ARISING OUT OF THE PURCHASE OR USE OF THIS PRODUCT, WHETHER BASED UPON CONTRACT, TORT, STATUTE, OR OTHERWISE. Some jurisdictions do not allow the exclusion or limitation of implied warranties, or the exclusion or limitation of incidental or consequential damages, so some or all of the above limitations or exclusions may not apply to you. This warranty gives you specific legal rights, and you may also have other rights which vary from jurisdiction to jurisdiction.

FORM OF BID PROPOSAL FOR FIREARMS AND ACCESSORIES

Honorable Members of the Council
33000 Civic Center Drive
Livonia, Michigan 48150

Dear Council Members:

The undersigned, as a bidder, declares that he has familiarized himself with the type of material desired and has carefully examined the specifications and instructions to bidders, which he understands and accepts as sufficient for the purpose and agrees he will furnish to the City of Livonia the specified items and will accept in full payment therefore the following amounts:

COMPANY NAME: SIG SAUER, INC.

State hours of operation: 8:30AM - 5PM EST

State terms NET 30 PAYMENT TERMS, PISTOL DELIVERY-ARO 90-120 DAYS

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or formalities therein. It is agreed that this bid may not be withdrawn for ninety (90) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment, to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251 P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Extension of Award to the MITN Purchasing Cooperative or Other Governmental Agencies:

Extension of Award to the MITN Purchasing Cooperative or Other Governmental Agencies.

All vendors awarded contracts from this Quotation may, upon mutual agreement, extend pricing to the Michigan Intergovernmental Trade Network (MITN) Purchasing Cooperative or other governmental agencies.

Each entity is responsible for its own payments and is to be considered individually for billing and collection purposes. Each entity will provide their own purchase order and delivery location(s) and must be invoiced separately to the address indicated on their purchase order.

The City of Livonia is a member of the MITN Purchasing Cooperative. If your company

Proposal for Firearms and Accessories

is awarded item(s) referenced in the Request for Quotation, the cooperative governmental entities or other governmental agencies may wish to use this contract and will issue a purchase order for the item(s) awarded in the quotation. Each entity is responsible for its own payments and is to be considered individually for billing and collection purposes. Each entity will provide its own purchase order and delivery location(s) and must be invoiced separately to the address indicated on their purchase order.

_____ If an award if made by the City of Livonia, it is agreed that the contract will be extended to the MITN Purchasing Cooperative or other governmental agencies, under the same prices, terms and conditions.

X
_____ Our company is NOT interested in extending the contract.

Firm Name SIG SAUER, INC.
(If corporation, partnership, or assumed name)

Address 72 PEASE BLVD

City/State/Zip NEWINGTON, NH 03801

Phone 603-610-3826 FAX

Signature _____ Date 31-OCT-2023
(Person executing bid and official capacity)

TOM JANKIEWICZ

EXECUTIVE VP - LE SALES

(Names of principal officers ad designate official capacity)

(If partnership or assumed name, indicate names of owners)

[redacted]

Company contact person to whom questions regarding this bid submission should be directed is:

Name: KATIE OLIVA

Title STRATEGIC ACCOUNTS MANAGER - LE SALES

Phone No. (603) 610-3826

Email: KATIE.OLIVA@SIGSAUER.COM

COMPANY NAME:	SIG SAUER, INC.

PRICE PROPOSAL A - FIREARMS

	DESCRIPTION	MODEL #	QTY	UNIT PRICE	TOTAL
1	Sig Sauer, Model P320, 9mm, 3.9inch, Professional, Black, Striker, Suppressor Height Night X-Ray 3 sights, MOD POLYX grip, (3) 17 round Steel Magazines, Optic Ready, Rail.	W320CA-9-BXR3-PRO-SNS Warranty: WARRANTY ATTACHED Lead Time: ARO 90-120 DAYS	165	$514.55	$84,900.75
2	Magazine P320 X-Five Full-Size/Carry, 21 round, 9mm, Magazine, Extended (Black)	MAG-MOD-F-9-21 Warranty: 30 DAYS Lead Time: ARO 30-60 DAYS	165	$38.00	$6,270.00
3		**SUBTOTAL (ITEMS 1-2)**			
		TRADE-IN VALUE			
4	Sig Sauer P226 9 Millimeter	W226-9-SP	145	$325.00	$-47,125.00
5		**GRAND TOTAL (ITEM 3 MINUS ITEM 4)**			$44,045.75

PRICE PROSPAL B ï FIREARM ACCESSORIES

	DESCRIPTION	MODEL #	QTY	UNIT PRICE	TOTAL
1	Holosun Solar Charging System 320 Pistol Mounted Optic, Green Reticle, Law Enforcement/Military Model	SCS-320-GR LEM Warranty:_____ Lead Time:_____	165		NO BID
2	Streamlight TLR-7A Flex, 500 Lumen Tactical Weapon Mounted Light, High and low Switch options, Black.	080926-69424-8 Warranty:_____ Lead Time:_____	165		NO BID
3	Safariland ALS 7TS, Concealment Holster with paddle and belt loop, Sig Sauer P320 3.9òBarrel, TLR-7A, Black, Safariseven Plain.	7378RDS-75227-411 Warranty:_____ Lead Time:_____	100		NO BID
4	Alien Gear/Rapid Force Duty Holster for Compact Lights, Sig Sauer P320 Carry 9mm, Level III Retention, Belt Slide, Mid Ride, Covered Optic, No Quick Disconnect	RC3-0691-R-B-H-D Warranty:_____ Lead Time:_____	165		NO BID
4		**TOTAL ALL ITEMS (ITEMS 1-4)**			

COMPANY NAME:	SIG SAUER, INC.

PRICE PROPOSAL CONTINUED

	PRICE PROPOSAL A ï FIREARMS	PRICE PROPOSAL B ï FIREARM ACCESSORIES
Pricing valid until	90 DAYS	NO BID
Will all items be shipped at the same time? (Y/N) If no, attach an explanation of how items will be shipped	PISTOLS AND MAGAZINES WILL SHIP TOGETHER.	

Successful bidder(s) shall provide care and cleaning instructions for the equipment furnished.

Bidders may choose to bid on Proposal A or Proposal B or on both proposals. Bidders may choose to bid on specific line items in each proposal.

PUBLIC SAFETY SALES
72 PEASE BOULEVARD
NEWINGTON, NH 03801
TEL: 603-610-3000
FAX: 603-610-3003

Bill To Name	LIVONIA POLICE DEPARTMENT	Created Date	10/19/2023
Bill To	15050 Farmington Rd Livonia, MI 48154 US	Expiration Date	1/17/2024
		Quote Name	2023-GSMIT-48154-1

Quote Lines

Quantity	Product #	Product Description	Agency Price	Total Price
165.00	MAG-MOD-F-9-21	MAGAZINE, P320, 9MM, 21RD MAG, FULL-SIZE	USD 38.00	USD 6,270.00
165.00	W320CA-9-BXR3-PRO-SNS	P320, 9MM, 3.9, PRO, BLK, STRIKER, X-RAY 3 SUPP SIGHTS, MOD POLY X GRIP, (3) 17RD STEEL MAG, RAIL	USD 514.55	USD 84,900.75

LESS TRADE
The AGENCY is responsible for transportation costs of NON-SIG SAUER trade weapons to the designated dealer or SIG SAUER weapons to the SIG SAUER manufacturing facility. Deduct $15 for each missing magazine and 50% of trade value for firearms that are non-functional, missing critical components or aesthetically damaged beyond repair.

Trade ins

QTY	Trade Description	Price	Trade Total
145	W226-9-SP Sig Sauer P226 DASA	USD -325.00	USD -47,125.00

TRADE WEAPONS SHIPPING ADDRESS:

The AGENCY is responsible for all applicable State, County and City taxes. Where applicable, please advise specific rate.

Subtotal	USD 91,170.75
Total Trade In Value	USD -47,125.00
Quote Total Less Trade In	USD 44,045.75

IMPORTANT: Please specify your duty and training ammo types when submitting your purchase order.

PAYMENT TERMS: Net 30 Days - No further discounts

_____

George Smith

SIG SAUER is an ISO 9001 : 2015 Certified Company, Manufacturing in Newington, New Hampshire.

Please review and confirm the information is correct and thoroughly conveys all requirements (i.e. payment terms, product configuration (including unique product markings), inspection criteria, packaging and labeling requirements, or any delivery or logistics requirements). SIG SAUER commercial warranty provisions apply unless expressly defined elsewhere. SIG SAUER's standard Terms and Conditions of Sale (available at https://www.sigsauer.com/termsandconditions) are incorporated herein by reference.

Bid Amount: $44,045.75
Solicitation Number: RFB-10122023-PD

SIG SAUER INC.
Katie Oliva
72 PEASE BLVD
NEWINGTON New Hampshire
03801 United States

ADVERTISEMENT FOR BIDS - CITY OF LIVONIA
33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154

Sealed bids for the purchase of FIREARMS AND ACCESSORIES will be received by the City of Livonia, Michigan, as owner, until 2:00 p.m. LOCAL TIME, on OCTOBER 31, 2023 via the MITN website at which time said bid proposals will be opened and publicly read. Late bids will not be considered.

Bids received via the MITN website by the specified due date and time will be publicly opened at the due date and time via Zoom. Vendors may attend the bid opening virtually by using the following credentials:

By Computer: https://us02web.zoom.us/j/82294127641

By Phone: Phone (312) 626-6799 Webinar ID: 822 9412 7641

Instructions to bidders and specifications may be obtained by registering with the Michigan Inter-governmental Trade Network (MITN) at www.mitn.info

Bid proposals must be submitted on forms furnished by the Director of Finance of the City of Livonia. Instructions to Bidders and Specifications for items required may be obtained at from the Purchasing Manager via email at ebachelor@livonia.gov

The City reserves the right to reject or accept any or all bid proposals in whole or in part and waive any irregularities therein.

QUESTION DEADLINE: All questions must be submitted **IN WRITING.** No phone calls will be accepted. Submit all inquiries to the Purchasing Manager, Enna Bachelor, via email at ebachelor@livonia.gov. All questions must be submitted no later than 3:00 p.m., October 25, 2023. The City does not guarantee a response to questions received after the deadline.

INSTRUCTIONS TO BIDDERS

FOR

FIREARMS AND ACCESSORIES CITY OF LIVONIA

POLICE DEPARTMENT

1. Sealed bids will be received by the City of Livonia, Michigan, as owner, until 2:00 p.m., local time, on OCTOBER 31, 2023 via the MITN website at which time said bids will be opened and publicly read on Zoom as per the instruction in the advertisement for bids.

2. Bids shall be for items as specified on attached Proposal Form without deviation. No alternates will be accepted. A Manufacturer Specification Sheet for each model or style of item to be supplied shall accompany the bid when applicable.

3. Bids shall be uploaded to the MITN website (www.mitn.info) in Adobe Acrobat PDF format. No physical bids will be accepted. Proposals shall be submitted in strict accordance with the City of Livonia specifications for the items listed herein. Any and all variations from the specifications are to be stated in the bids. Bids submitted by FAX are not acceptable. Late bids will not be considered.

4. Each proposal **must be submitted** on forms provided by the City of Livonia.

5. If any figure already entered on the proposal form by the bidder is to be altered, it shall be crossed out with ink and the new unit price entered above it or below it and initialed by the bidder.

6. The unit price shall be entered where indicated.

7. The bid of any City-based firm may be deemed a better bid than the bid of any competing firm which is not City-based, whenever the bid of such competing firm shall be less than three percent lower than the bid of the City-based firm on any contract in an amount of $100,000 or less, and less than one percent lower on any amount bid in excess thereof. The firm making the lowest bid thus evaluated shall be deemed the lowest bidder. (Section 3.04.140.E. of the Livonia Code of Ordinances, as amended).

8. It is understood that the quantities of materials to be furnished as stated in the proposal are approximate and are given only as a basis for comparing bids.

9. Unless otherwise specified, delivery shall be to the City of Livonia Police Department. 15050 Farmington Road, Livonia, MI 48154.

10. All invoices shall be submitted to the City of Livonia on the basis of the unit prices bid within the contract period specified.

FORM OF BID PROPOSAL FOR FIREARMS AND ACCESSORIES

Honorable Members of the Council
33000 Civic Center Drive
Livonia, Michigan 48150

Dear Council Members:

The undersigned, as a bidder, declares that he has familiarized himself with the type of material desired and has carefully examined the specifications and instructions to bidders, which he understands and accepts as sufficient for the purpose and agrees he will furnish to the City of Livonia the specified items and will accept in full payment therefore the following amounts:

COMPANY NAME: VANCE OUTDOORS, INC.

State hours of operation: M-F 9am-5pm EST

State terms Net 30 Days ARO

In submitting this sealed bid, it is understood that the City of Livonia reserves the right to reject or accept any or all proposals in whole or in part and waive any irregularities or formalities therein. It is agreed that this bid may not be withdrawn for ninety (90) days from the opening thereof.

The contractor and his subcontractors agree that they will not discriminate against any employee or applicant for employment, to be employed in the performance of this contract with respect to his hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of his sex or age, except when based on a bona fide occupational qualification, or because of his race, color, religion, national origin or ancestry (Act 251 P.A. 1955, as amended). The contractor further agrees that he will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to age, sex, race, creed, color or national origin. Breach of this covenant may be regarded as a material breach of the contract.

Bidder will identify business entity as individual, or if doing business under assumed name, indicate assumed name, partnership (naming partners), corporation, foreign or domestic (naming principal officers), and indicate official capacity of person executing proposal and bid.

Extension of Award to the MITN Purchasing Cooperative or Other Governmental Agencies:

Extension of Award to the MITN Purchasing Cooperative or Other Governmental Agencies.

All vendors awarded contracts from this Quotation may, upon mutual agreement, extend pricing to the Michigan Intergovernmental Trade Network (MITN) Purchasing Cooperative or other governmental agencies.

Each entity is responsible for its own payments and is to be considered individually for billing and collection purposes. Each entity will provide their own purchase order and delivery location(s) and must be invoiced separately to the address indicated on their purchase order.

The City of Livonia is a member of the MITN Purchasing Cooperative. If your company

is awarded item(s) referenced in the Request for Quotation, the cooperative governmental entities or other governmental agencies may wish to use this contract and will issue a purchase order for the item(s) awarded in the quotation. Each entity is responsible for its own payments and is to be considered individually for billing and collection purposes. Each entity will provide its own purchase order and delivery location(s) and must be invoiced separately to the address indicated on their purchase order.

_____ If an award if made by the City of Livonia, it is agreed that the contract will be extended to the MITN Purchasing Cooperative or other governmental agencies, under the same prices, terms and conditions.

__X__ Our company is NOT interested in extending the contract.

Firm Name VANCE OUTDOORS, INC.
(If corporation, partnership, or assumed name)

Address 3723 CLEVELAND AVE

City/State/Zip COLUMBUS, OH 43224

Phone 614-471-0712 x315 FAX -

Signature Doug A Vance, President Date 10/27/23
(Person executing bid and official capacity)

Todd Vance-CEO Kevin Chandler-COO
Doug Vance-President Ryan Vance-CIO
(Names of principal officers ad designate official capacity)

N/A
(If partnership or assumed name, indicate names of owners)

Company contact person to whom questions regarding this bid submission should be directed is:

Name: Doug Vance

Title President

Phone No. (614) 327-7350

Email: dvance@vanceoutdoors.com

COMPANY NAME:	VANCE OUTDOORS, INC.

PRICE PROPOSAL A - FIREARMS

	DESCRIPTION	MODEL #	QTY	UNIT PRICE	TOTAL
1	Sig Sauer, Model P320, 9mm, 3.9inch, Professional, Black, Striker, Suppressor Height Night X-Ray 3 sights, MOD POLYX grip, (3) 17 round Steel Magazines, Optic Ready, Rail.	W320CA-9-BXR3-PRO-SNS Warranty: See Attached Sig Sauer Warranty Lead Time: 90-120 days	165	$492.70	$81,295.50
2	Magazine P320 X-Five Full-Size/Carry, 21 round, 9mm, Magazine, Extended (Black)	MAG-MOD-F-9-21 Warranty: See Attached Sig Sauer Warranty Lead Time: 90-120 Days	165	$38.00	$6,270.00
3	SUBTOTAL (ITEMS 1-2)				$87,565.50
	TRADE-IN VALUE				
4	Sig Sauer P226 9 Millimeter	W226-9-SP	145	$380.00	<$55,100.00>
5	GRAND TOTAL (ITEM 3 MINUS ITEM 4)				$32,465.50

PRICE PROSPAL B – FIREARM ACCESSORIES

	DESCRIPTION	MODEL #	QTY	UNIT PRICE	TOTAL
1	Holosun Solar Charging System 320 Pistol Mounted Optic, Green Reticle, Law Enforcement/Military Model	SCS-320-GR LEM Warranty: See Attached Holosun Warranty Lead Time: 90-120 days	165	$323.39	$53,359.35
2	Streamlight TLR-7A Flex, 500 Lumen Tactical Weapon Mounted Light, High and low Switch options, Black.	080926-69424-8 Warranty: See Attached Streamlight Warranty Lead Time: 7-14 days	165	$108.00	$17,820.00
3	Safariland ALS 7TS, Concealment Holster with paddle and belt loop, Sig Sauer P320 3.9" Barrel, TLR-7A, Black, Safariseven Plain.	7378RDS-75227-411 Warranty: See Attached Safariland Warranty Lead Time: 30-45 days	100	$74.35	$7,435.00
4	Alien Gear/Rapid Force Duty Holster for Compact Lights, Sig Sauer P320 Carry 9mm, Level III Retention, Belt Slide, Mid Ride, Covered Optic, No Quick Disconnect	RC3-0691-R-B-H-D Warranty: 3 years Lead Time: 14-21 days	165	$101.99	$16,828.35
4	TOTAL ALL ITEMS (ITEMS 1-4)				$95,442.70

COMPANY NAME:	VANCE OUTDOORS, INC.

PRICE PROPOSAL CONTINUED

	PRICE PROPOSAL A – FIREARMS	PRICE PROPOSAL B – FIREARM ACCESSORIES
Pricing valid until	January 31, 2024	January 31, 2024
Will all items be shipped at the same time? (Y/N) If no, attach an explanation of how items will be shipped	NO - Pistols may ship separately from the magazines listed in Line #2.	NO - Each manufacturer will ship their items independently from the others. Products should ship complete by line item.

Successful bidder(s) shall provide care and cleaning instructions for the equipment furnished.

Bidders may choose to bid on Proposal A or Proposal B or on both proposals. Bidders may choose to bid on specific line items in each proposal.

EXPRESS LIMITED WARRANTY FOR
HOLSTER AND ACCESSORY PRODUCTS

Safariland, LCC (the "Company") warrants its Safariland® brand holster products to be free from defects in materials and workmanship for a period of two (2) years from date of purchase. This warranty is subject to the proper Care and Maintenance of the product and proper use of the product as detailed in the Consumer and Safety Information.

If you believe this product has any defects in materials or workmanship, cease use immediately and contact customer service for a remedy. If a product proves to be defective in material or workmanship, we will repair or replace the product and send it to you at the Company's expense. All returns must include the proof of purchase and documentation specifying the claimed defect.

This is a LIMITED WARRANTY, and is the sole and exclusive warranty of this product by the Company. It shall not be enlarged by any representations, descriptions, course of dealing, trade usage, rendering of technical advice, service or otherwise. Furthermore, it shall not be altered or expanded by any acts, statements, or agreements of any dealer, employee or agent of the Company (other than by a duly authorized officer of the Company).

THE COMPANY MAKES NO OTHER WARRANTIES EXPRESS, IMPLIED, OR STATUTORY INCLUDING WITHOUT LIMITATION ANY IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY.

IN NO EVENT SHALL THE COMPANY BE LIABLE FOR ANY PUNITIVE, EXEMPLARY, OR CONSEQUENTIAL DAMAGES, ANTICIPATED OR LOST PROFITS, INCIDENTAL DAMAGES, LOSS OF TIME, OR OTHER INDIRECT LOSSES OR EXPENSES THAT ARISE FROM ANY CAUSE RELATING TO THE PRODUCT, REGARDLESS OF THE FORM OF THE ACTION, WHETHER IN TORT (INCLUDING NEGLIGENCE), CONTRACT, STRICT LIABILITY OR OTHERWISE, AND REGARDLESS OF WHETHER THE COMPANY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH CONSEQUENTIAL DAMAGES. SOME STATES DO NOT ALLOW THE EXCLUSION OR LIMITATION OF INCIDENTAL OR CONSEQUENTIAL DAMAGES, SO THE ABOVE LIMITATION OR EXCLUSION MAY NOT APPLY TO YOU. THIS WARRANTY GIVES YOU SPECIFIC LEGAL RIGHTS, AND YOU MAY ALSO HAVE OTHER RIGHTS WHICH VARY FROM STATE TO STATE.

For any warranty issue, please contact customer care for a prompt resolution to your concern at the number provided below.

Safariland, LLC
3120 E. Mission Blvd.
Ontario, CA 91761

Customer Care: 800-347-1200 (USA Only) or 909-923-7300

FIREARMS

SIG SAUER® FIREARMS LIMITED 5-YEAR DEFENSE WARRANTY

SIG SAUER warrants that the enclosed firearm was originally manufactured free of defects in material, workmanship, and mechanical function. SIG SAUER agrees to correct any defect in the firearm for the original purchaser by repair, adjustment, or replacement, at SIG SAUER's option, with the same or comparable quality components (or by replacing the firearm at SIG SAUER's option) for a period of five (5) years from date of original purchase. To initiate a warranty repair, a Return Merchandise Authorization (RMA) must first be obtained by contacting SIG SAUER Customer Service, and the firearm must be returned unloaded and freight prepaid to SIG SAUER at 18 Industrial Drive, Exeter, NH 03833.

This limited warranty is null and void if the firearm has been misused, damaged (by accident or otherwise), fired with handloaded, reloaded, or improper ammunition, fired with an obstruction in the barrel, damaged through failure to provide reasonable and necessary maintenance as described in the manual accompanying the firearm, or if unauthorized repair or any alteration, including of a cosmetic nature, has been performed on the firearm. This limited warranty does not apply to normal wear and tear of any parts.

Subject to the foregoing, this limited warranty confers the right to have the covered firearm or its parts repaired, adjusted, or replaced exclusively upon the original purchaser, which right is not transferable to any other person. This warranty does not apply to any accessory items attached or appurtenant to the firearm.

ANY WARRANTIES IMPLIED BY LAW, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, ARE EXPRESSLY DISCLAIMED. REPAIR, ALTERATION, OR REPLACEMENT AS PROVIDED HEREIN IS YOUR EXCLUSIVE REMEDY FOR ANY DEFECTIVE PRODUCT. IN NO EVENT SHALL SIG SAUER OR ANY COMPANY AFFILIATED WITH SIG SAUER BE LIABLE FOR ANY SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES OF ANY KIND ARISING OUT OF THE PURCHASE OR USE OF THIS PRODUCT, WHETHER BASED UPON CONTRACT, TORT, STATUTE, OR OTHERWISE. Some jurisdictions do not allow the exclusion or limitation of implied warranties, or the exclusion or limitation of incidental or consequential damages, so some or all of the above limitations or exclusions may not apply to you. This warranty gives you specific legal rights, and you may also have other rights which vary from jurisdiction to jurisdiction.

Streamlight® Limited Lifetime Warranty

Streamlight warrants its products to be free of defects for a lifetime of use except for batteries and bulbs, abuse and normal wear*. We will repair, replace or refund the purchase price of this product should we determine it to be defective. This limited lifetime warranty also excludes rechargeable batteries, chargers, switches and electronics which have a 2 year warranty with proof of purchase.

THIS IS THE ONLY WARRANTY, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES ARE EXPRESSLY DISCLAIMED EXCEPT WHERE SUCH LIMITATION IS PROHIBITED BY LAW.

You may have other specific legal rights which vary by jurisdiction.

Your particular Streamlight product may have a different warranty that was in place at the time of purchase. Please provide proof-of-purchase when processing a warranty claim. If you have further questions or would like to process a warranty claim, please review Streamlight's FAQ section for locations and information about Streamlight's service center near you, including factory information.

If you have any questions on the warranty of your Streamlight product or service, please contact us directly at 800-523-7488 / 610-631-0600.

*Sidewinder and Sidewinder Compact Series, KeyMate USB, Bandit and Bandit Pro are not included in limited lifetime warranty.

Warranty Information

HOLOSUN Limited Lifetime Warranty

Effective January 1, 2022:

Commercial Warranty Information (see below for Professional-Use Warranty):

Your Holosun product is warranted to be free of defects in materials and workmanship upon registration of the product for the lifetime of the product. This warranty specifically applies to the metal structure, optical and illumination systems. The metal structure/housing and optical system (glass) of your Holosun product is warrantied for the life of the product under normal, personal use. Under the Holosun Warranty, the illumination system (LED), is warrantied for 10 years from the manufacture date under normal, personal use. In the event of a confirmed defect under this warranty, we will, at our option, repair or replace the product with a Holosun product of similar type/function, and of equal or greater value. Holosun reserves the right to make substitutions for similar product/s if the warrantied model in question is no longer in production. This Holosun Warranty does not apply to: (a) asserted defects caused by normal wear and tear of any part including knobs, finish, etc.; (b) asserted defects caused by modification including; aftermarket finishes, unauthorized service, improper maintenance, acts of Nature; and (c) asserted defects involving subjective personal likes or judgments. Also, this warranty is null and void if modification or maintenance is provided by someone other than Holosun. Holosun may restrict warranty service for our products to the country from which Holosun or its authorized dealers originally sold the Holosun product. For warranty claims outside the United States, the costs of shipping or transporting the product (including to and from Holosun or our dealer), any insurance or any fees, duties and taxes are the sole responsibility of the purchaser and will not be covered by this warranty.

For customers inside of the United States seeking warranty service, please email us at info@holosun.com

For customers outside of the United States seeking warranty service, please email us at international@holosun.com

Registration is required to validate this warranty. For product registration **click here**. For a warranty claim, **click here**.

Additional Terms:

THIS HOLOSUN LIMITED LIFETIME WARRANTY IS THE EXCLUSIVE WARRANTY FOR THE HOLOSUN COMMERCIAL PRODUCTS. WE DISCLAIM ANY AND ALL OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE OR OF MERCHANTABILITY. WE SHALL NOT BE LIABLE IN TORT, INCLUDING NEGLIGENCE OR STRICT LIABILITY, AND SHALL HAVE NO LIABILITY AT ALL FOR INJURY TO PERSONS OR PROPERTY. OUR LIABILITY FOR FAILURE TO FULFILL ANY OBLIGATION UNDER THIS LIMITED WARRANTY OR ANY OTHER LIABILITY IN CONNECTION WITH THIS PRODUCT SHALL BE LIMITED TO THE AMOUNT OF THE PURCHASE PRICE RECEIVED BY US FOR THE PRODUCT. THE REMEDIES STATED IN THIS LIMITED WARRANTY ARE THE PURCHASER'S EXCLUSIVE REMEDIES AGAINST US REGARDING THIS PRODUCT. UNDER NO CIRCUMSTANCES SHALL WE BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS AND REVENUES, INCONVENIENCE OR INTERRUPTIONS IN OPERATIONS, OR ANY OTHER COMMERCIAL OR ECONOMIC LOSSES OF ANY KIND. THESE LIMITATIONS AND DISCLAIMERS ARE NOT MADE BY US WHERE PROHIBITED BY LAW. SOME STATES OR JURISDICTIONS PROHIBIT LIMITATIONS OF WARRANTIES AND THE PURCHASER MAY HAVE ADDITIONAL RIGHTS IN THOSE STATES OR JURISDICTIONS.

Professional Warranty Information:

Holosun offers different models for commercial and professional applications. Models designed for professional use are designated with an LEM suffix in the model number.

Professional use of commercial models will void the manufacturer's warranty. Professional use means use of the product in Military, Law Enforcement, Security, or Competition applications.

Professional models carry a 3-year warranty from the date of purchase unless otherwise specified by individual contract terms. International Law Enforcement and Military Warranty Coverage is based solely on individual contract terms.

We are aware of NON-AUTHORIZED parties selling COUNTERFEIT Holosun Technologies Inc. products on Amazon and Ebay. Regarding this issue, we are alerting our valued customers, retailers, and distributors that Holosun Technologies Inc. is actively working to resolve it. Please note that Holosun Technologies Inc. will NOT honor its Limited Lifetime Warranty for any products sold on Amazon by Non-Authorized Resellers. We recommend that you use caution in buying products from Non-Authorized Resellers as they may not perform as intended.

Bid Amount: $127,908.20
Solicitation Number: RFB-10122023-PD

Vance Outdoors, Inc.
Doug Vance
3723 Cleveland Avenue
Columbus Ohio
43224 United States

CITY OF LIVONIA ï CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 13, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and President Jim Jolly. Absent: Vice President Toy.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney Todd Zilincik, City Engineer; and Doug Moore, Assistant Director of Public Works.

Councilmember McIntyre led the meeting with the Pledge of Allegiance.

3. REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND AUTHORIZE PURCHASE OF TruNarcÊ Thermo Scientific Chemical Analyzer; Division of Police, re: to replace outdated narcotic field test pouches, from budgeted funds.

   Livonia Police Chief Goralski presented the request to Council.

   Councilmember McIntyre offered an approving motion for the Consent agenda.

   DIRECTION: APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

3.

Police
November 1, 2023

MEETING DATE	PREPARED BY
S111323/R120423	Stephanie Whitney,

AGENDA ITEM

REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND AUTHORIZE PURCHASE OF TruNarcÊ Thermo Scientific Chemical Analyzer; Division of Police, re: to replace outdated narcotic field test pouches, from budgeted funds.

BACKGROUND DETAILS

The Livonia Division of Police is requesting authorization to purchase the TruNarcÊ Handheld Chemical Analyzer. TruNarcÊ will replace the outdated test kit pouches, currently in use, that require direct handling of suspected narcotics, which causes increased officer safety issues due to the enormous increase in Fentanyl proliferation, increasing overdoses and accidental exposure to officers.

The Livonia Police Department currently utilizes narcotic field test pouch kits to test suspected narcotics, which can expose the testing officer to dangerous substances. The use of outdated field test kits puts our officers at a high risk of being exposed to dangerous substances.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The TruNarcÊ analyzer allows officers to test narcotics and/or other dangerous substances from a distance, reducing officer exposure to potentially deadly substances. The analyzer identifies more than 300 of the highest priority illicit and abused narcotics in a single drug test, saving time and money. The TruNarcÊ analyzer is also more accurate in testing the seemingly endless new designer narcotics and drugs constantly being introduced into society. This product is unique and patent protected; a sole source explanation, photograph, and specifications are attached.

Pursuant to Finance Ordinance 3.04.140.E.3, we are requesting a waiver of the sealed bid process, to purchase the TruNarcÊ Handheld Chemical Analyzer.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

DETAILED WORK BEING PERFORMED

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

This proposed purchase would utilize $36,004.00 budgeted for this purpose from Federal Forfeiture Funds Account #262-334-987-000 (Capital Outlay- Other Equipment)

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): As previously stated, this product is unique and patent protected; a sole source explanation, photograph, and specifications are attached.

Pursuant to Finance Ordinance 3.04.140.E.3, we are requesting a waiver of the sealed bid process, to purchase the TruNarcÊ Handheld Chemical Analyzer.

ATTACHMENTS

1. S111323 LTC Thermo Scientific Chemical Analyzer
2. TruNarc quote
3. Trunarc Analyzer Photo
4. Sole Source service letter - Thermo Scientific

APPROVED BY



Thomas Goralski, Police Chief — Date: November 03, 2023



Michael Slater, Finance Director — Date: November 03, 2023



Paul Bernier, City Attorney — Date: November 03, 2023



Maureen Miller Brosnan, Mayor — Date: November 03, 2023

Sales Quotation

Quote Number	Created Date	Exp. Delivery Terms	Page
00399641	10/25/2023	ARO	1 / 7
Contact:	**Phone**	**Payment Term**	**Valid To**
Jayson Tornberg	(908) 310-7418	Net 30	12/22/2023
Inco Terms		**Shipping Method**	
FOB Origin - Tewksbury, MA		Fed Ex	

Thermo Scientific Portable Analytical Instruments Inc.
2 Radcliff Rd
Tewksbury, Massachusetts 01876
United States

Submitted To:

Christian Emert
Sgt., Training
Livonia Police Department
15050 Farmington Rd
Livonia, 48154-5499
United States

Phone: (734) 466-2309
Email: christian.emert@livoniapd.com

THANK YOU FOR YOUR INTEREST IN THERMO SCIENTIFIC INSTRUMENTATION

To Place an Order:
Contact: Jayson Tornberg
Phone: (908)310-7418
Fax:
Email: jayson.tornberg@thermofisher.com
Additional instructions, terms & conditions on last page

Pos.	Product Code	Product Name	Sales Price	Quantity	Total Price
1.00	800-01015-01	**TruNarc, Unlimited, Warranty - 5 Yrs** TruNarc Unlimited Model with 5 years of warranty. Includes factory repair, loaner units when available and 24/7 technical support. Companion PC TruNarc admin software, unlimited access to TruNarc eLearning course and free basic software updates to core narcotics library are provided for the life of the instrument.	USD 35,300.00	1.00	USD 35,300.00
2.00	820-01051-01	**TruNarc, Unlimited, Warranty Renewal - 1 Yr** Warranty for 1 year for a TruNarc Unlimited instrument (for instruments up to 5th year). Includes factory repair and loaner units when available. Companion PC TruNarc admin software, unlimited access to TruNarc eLearning course and free basic software updates to core narcotics library are provided for the life of the instrument.	USD 0.00	1.00	USD 0.00
3.00	810-01462-01	**TruNarc Solution Kit (Type H) - 100, English** TruNarc Solution Kit (Type H) for identification of Heroin and other special narcotics. Kit includes 100 Test Sticks and 100	USD 704.00	1.00	USD 704.00

When applicable, commodities, technology, or software to be provided in furtherance of this order shall be exported from the United States in accordance with applicable U.S export laws or regulations. Diversion contrary to US law prohibited. Unless otherwise agreed to in writing, Thermo Scientific Portable Analytical Instruments Inc. terms and conditions shall apply and take precedence.

Solution Vials with Ethanol. Note that because of the Ethanol, this product ships as a Hazardous Goods shipment. The shelf life for Type H-sticks is approximately one year from shipment.

Total: USD 36,004.00

Excludes Taxes and Import Fees

Fully Insured 2nd Day Federal Express delivery in U.S., Canada, and Puerto Rico

Important Note: Please issue POs to Thermo Scientific Portable Analytical Instruments Inc
Federal Tax ID No.: 01-0650031
CAGE CODE: 392A9
DUNS #: 11-289-3131
Bank of America ABA# for Wire Payments: 026 009 593
Bank of America ABA# for ACH Payments: 111 000 012
Beneficiary Account Number: 4426843850

When applicable, commodities, technology, or software to be provided in furtherance of this order shall be exported from the United States in accordance with applicable U.S export laws or regulations. Diversion contrary to US law prohibited. Unless otherwise agreed to in writing, Thermo Scientific Portable Analytical Instruments Inc. terms and conditions shall apply and take precedence.

Acceptance of Purchase

Quote: JT-00399641

By signing below, you (i) warrant that you are an authorized representative of your company, (ii) agree that the Thermo Scientific Portable Analytical Instruments Inc. Terms and Conditions of Sale attached hereto (the "Terms and Conditions") shall supersede any preprinted terms and conditions, in their entirety, contained in any purchase order that your company issues and (iii) the Terms and Conditions shall exclusively govern the transaction(s) contemplated hereby

Signature of authorized company representative	Date	Phone#
Print Name	Title	Email
Model #	Amount + S&H	Purchase Order Number

E-mail to:
PAIglobalcustomerservice@thermofisher.com

Fax to: 1-877-680-2568

Order Processing Address:
jayson.tornberg@thermofisher.com
Thermo Scientific Portable Analytical Instruments Inc
2 Radcliff Road
Tewksbury, MA 01876

Remit check Payment To:
Thermo Scientific Portable Analytical Instruments Inc
PO Box 415918
Boston, MA 02241-415918

Payment Details

Method of Payment

- ☐ Net 30 (Attach Credit Application & Credit References)
- ☐ Credit Card
- ☐ Check
- ☐ Wire Transfer

Sales Tax Application

- ☐ Yes Apply Sales Tax
- ☐ No

- If no, you must provide a copy of your tax exemption certificate along with your purchase order.

****Please contact your customer service representative with your credit card information. (Do not send any credit card info via email or fax.)****

Address Verification

Please make corrections if necessary below:

Bill to:

Livonia Police Department
15050 Farmington Road
Livonia, Michigan 48154-5499
United States

Ship to:

Livonia Police Department
15050 Farmington Road
Livonia, Michigan
United States

Additional Options / Accessories

Please use the space below to note any additional options and/or accessories you wish to add from the attached sheets that are not included in the above quotation.

_____
_____
_____
_____

When applicable, commodities, technology, or software to be provided in furtherance of this order shall be exported from the United States in accordance with applicable U.S export laws or regulations. Diversion contrary to US law prohibited. Unless otherwise agreed to in writing, Thermo Scientific Portable Analytical Instruments Inc. terms and conditions shall apply and take precedence.

THERMO SCIENTIFIC PORTABLE ANALYTICAL INSTRUMENTS INC – TERMS AND CONDITIONS OF SALE

Last revised November 2019

UNLESS OTHERWISE EXPRESSLY AGREED IN WRITING, ALL SALES ARE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. GENERAL. Thermo Scientific Portable Analytical Instruments Inc ("Seller") hereby offers for sale to the buyer named on the face hereof ("Buyer") the products listed on the face hereof (the "Products") on the express condition that Buyer agrees to accept and be bound by the terms and conditions set forth herein. Any provisions contained in any document issued by Buyer are expressly rejected and if the terms and conditions in this agreement (the "Agreement") differ from the terms of Buyer's offer, this document shall be construed as a counter offer and shall not be effective as an acceptance of Buyer's document. Buyer's receipt of Products or Seller's commencement of the services provided hereunder will constitute Buyer's acceptance of this Agreement. This is the complete and exclusive statement of the contract between Seller and Buyer with respect to Buyer's purchase of the Products. No waiver, consent, modification, amendment or change of the terms contained herein shall be binding unless in writing and signed by Seller and Buyer. Seller's failure to object to terms contained in any subsequent communication from Buyer will not be a waiver or modification of the terms set forth herein. All orders are subject to acceptance in writing by an authorized representative of Seller.

2. PRICE. All prices published by Seller or quoted by Seller's representatives may be changed at any time without notice. All prices quoted by Seller or Seller's representatives are valid for thirty (30) days, unless otherwise stated in writing. All prices for the Products will be as specified by Seller or, if no price has been specified or quoted, will be Seller's price in effect at the time of shipment. All prices are subject to adjustment on account of specifications, quantities, raw materials, cost of production, shipment arrangements or other terms or conditions, which are not part of Seller's original price quotation.

3. TAXES AND OTHER CHARGES. Prices for the Products exclude all sales, value added and other taxes and duties imposed with respect to the sale, delivery, or use of any Products covered hereby, all of which taxes and duties must be paid by Buyer. If Buyer claims any exemption, Buyer must provide a valid, signed certificate or letter of exemption for each respective jurisdiction. Buyer shall be solely responsible for obtaining any and all necessary licenses, registrations, certificates, permits, approvals or other authorizations required by federal, state or local statute, law or regulation pertaining to the use or possession of the products contemplated herein that include radioactive isotopes, or x-ray tubes if any.

Buyer shall pay Seller such surcharges, or other fees, in respect of the sale of Products hereunder as Seller deems necessary and appropriate (in Seller's sole, good-faith, reasonable discretion) to account for changes in the cost to product, develop, market, or sell the Products to Buyer hereunder (whether as the result of the imposition of tariffs or otherwise). All such surcharges must be paid by Buyer in accordance with the payment terms set forth herein. Buyer agrees that such surcharges, or other fees, or any termination thereof, shall take effect immediately upon written notice thereof by Seller to Buyer. In the event that Seller's quote and/or order acknowledgement set forth surcharges, those documents shall be considered adequate written notice to Buyer that said surcharges are Buyer's responsibility. Any such surcharges shall not constitute an increase in the Price(s) of any Products or Services sold under this Agreement

4. TERMS OF PAYMENT. Seller may invoice Buyer upon shipment for the price and all other charges payable by Buyer in accordance with the terms on the face hereof. If no payment terms are stated on the face hereof, payment shall be net thirty (30) days from the date of invoice. If Buyer fails to pay any amounts when due, Buyer shall pay Seller interest thereon at a periodic rate of one and one-half percent (1.5%) per month (or, if lower, the highest rate permitted by law), together with all costs and expenses (including without limitation reasonable attorneys' fees and disbursements and court costs) incurred by Seller in collecting such overdue amounts or otherwise enforcing Seller's rights hereunder. Seller reserves the right to require from Buyer full or partial payment in advance, or other security that is satisfactory to Seller, at any time that Seller believes in good faith that Buyer's financial condition does not justify the terms of payment specified. All payments shall be made in U.S. Dollars.

5. DELIVERY CANCELLATION OR CHANGES BY BUYER. The Products will be shipped to the destination specified by Buyer, F.O.B. shipping point. Seller will have the right, at its election, to make partial shipments of the Products and to invoice each shipment separately. Seller reserves the right to stop delivery of Products in transit and to withhold shipments in whole or in part if Buyer fails to make any payment to Seller when due or otherwise fails to perform its obligations hereunder. All shipping dates are approximate only, and Seller will not be liable for any loss or damage resulting from any delay in delivery or failure to deliver which is due to any cause beyond Seller's reasonable control. In the event of a delay due to any cause beyond Seller's reasonable control, Seller reserves the right to terminate the order or to reschedule the shipment within a reasonable period of time, and Buyer will not be entitled to refuse delivery or otherwise be relieved of any obligations as the result of such delay. Products as to which delivery is delayed due to any cause within Buyer's control may be placed in storage by Seller at Buyer's risk and expense and for Buyer's account. Orders in process may be canceled only with Seller's written consent and upon payment of Seller's cancellation charges. Orders in process may not be changed except with Seller's written consent and upon agreement by the parties as an appropriate adjustment in the purchase price therefor. Credit will not be allowed for Products returned without prior written consent of seller.

6. RETURN OF PRODUCTS/RESTOCKING CHARGE. Buyer must obtain permission from Seller prior to returning Products. The request must be received within ten (10) days of receipt of the Products. Older items, service parts, and discontinued items cannot be returned for credit. In order to obtain a RMA number, Buyer must contact Seller's customer support. Seller, in its discretion, may impose a twenty (20%) percent restocking charge of the price paid for any item authorized for return for credit

7. TITLE AND RISK OF LOSS. Notwithstanding the trade terms indicated above and subject to Seller's right to stop delivery of Products in transit, title to and risk of loss of the Products will pass to Buyer upon delivery of possession of the Products by Seller to the carrier irrespective of which Party's carrier is used for the transport or the manner of payment ascribed to the transport; provided, however, that title to any software incorporated within or forming a part of the Products shall at all times remain with Seller or the licensor(s) thereof, as the case may be.

8. WARRANTY. Seller warrants that the Products will operate or perform substantially in conformance with Seller's published specifications and be free from defects in material and workmanship, when subjected to normal, proper and intended usage by properly trained personnel, for the period of time set forth in the product documentation, published specifications or package inserts. If a period of time is not specified in Seller's product documentation, published specifications or package inserts, the warranty period shall be one (1) year from the date of shipment to Buyer for equipment and ninety (90) days for all other products (the "Warranty Period"). During the Warranty Period, Seller agrees, in its sole discretion, to repair or replace, Products and/or provide additional parts or services as reasonably necessary to cause the same to perform in substantial conformance with said published specifications; provided that Buyer shall (a) promptly notify Seller in writing upon the discovery of any defect, which notice shall include the product model and serial number (if applicable) and details of the warranty claim; and (b) after Seller's review, Seller will provide Buyer with service data and /or a Return Material Authorization ("RMA), which may include biohazard decontamination procedures and other product-specific handling instructions, then, if applicable, Buyer may return the defective Products to Seller with all costs prepaid by Buyer. Replacement parts may be new or refurbished, at the election of Seller. All replaced parts shall become

the property of Seller. Shipment to Buyer of repaired or replacement Products shall be made in accordance with the Delivery provisions of the Seller's Terms and Conditions of Sale. Consumables are expressly excluded from this warranty. If Seller elects to repair defective device instruments, Seller may, in its sole discretion, provide a replacement loaner instrument to Buyer as necessary for use while the instruments are being repaired. Notwithstanding the foregoing, Products supplied by Seller that are obtained by Seller from an original manufacturer or third party supplier are not warranted by Seller, but Seller agrees to assign to Buyer any warranty rights in such Product that Seller may have from the original manufacturer or third party supplier, to the extent such assignment is allowed by such original manufacturer or third party supplier. In no event shall Seller have any obligation to make repairs, replacements or corrections required, in whole or in part, as the result of (i) normal wear and tear, (ii) accident, disaster or event of force majeure, (iii) misuse, fault or negligence of or by Buyer, (iv) use of the Products in a manner for which they were not designed, (v) causes external to the Products such as, but not limited to, power failure or electrical power surges, (vi) improper storage and handling of the Products or (vii) use of the Products in combination with equipment or software not supplied by Seller. If Seller determines that Products for which Buyer has requested warranty services are not covered by the warranty hereunder, Buyer shall pay or reimburse Seller for all costs of investigating and responding to such request at Seller's then prevailing time and materials rates. If Seller provides repair services or replacement parts that are not covered by this Warranty shall pay Seller therefor at Seller's then prevailing time and materials rates.

ANY INSTALLATION, MAINTENANCE, REPAIR, SERVICE, RELOCATION OR ALTERATION TO OR OF, OR OTHER TAMPERING WITH, THE PRODUCTS PERFORMED BY ANY PERSON OR ENTITY OTHER THAN SELLER WITHOUT SELLER'S PRIOR WRITTEN APPROVAL, OR ANY USE OF REPLACEMENT PARTS NOT SUPPLIED BY SELLER, SHALL IMMEDIATELY VOID AND CANCEL ALL WARRANTIES WITH RESPECT TO THE AFFECTED PRODUCTS. THE OBLIGATIONS CREATED BY THIS WARRANTY STATEMENT TO REPAIR OR REPLACE A DEFECTIVE PRODUCT SHALL BE THE SOLE REMEDY OF BUYER IN THE EVENT OF A DEFECTIVE PRODUCT. EXCEPT AS EXPRESSLY PROVIDED IN THIS WARRANTY STATEMENT, SELLER DISCLAIMS ALL OTHER WARRANTIES, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, WITH RESPECT TO THE PRODUCTS, INCLUDING WITHOUT LIMITATION ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE. SELLER DOES NOT WARRANT THAT THE PRODUCTS ARE ERROR-FREE OR WILL ACCOMPLISH ANY PARTICULAR RESULT.

9. INDEMNIFICATION

9.1. By Seller. Seller agrees to indemnify, defend and save Buyer, its officer, directors, and employees from and against any and all damages, liabilities, actions, causes of action, suits, claims, demands, losses, costs and expenses (including without limitation reasonable attorney's fees) ("Indemnified Items") for (i) injury to or death of persons or damage to property to the extent caused by the negligence or willful misconduct of Seller, its employees, agents or representatives or contractors in connection with the performance of services at Buyer's premises under this Agreement and (ii) claims that a Product infringes any valid United States patent, copyright or trade secret; provided, however, Seller shall have no liability under this Section to the extent any such Indemnified Items are caused by either (i) the negligence or willful misconduct of Buyer, its employees, agents or representatives or contractors, (ii) by any third party, (iii) use of a Product in combination with equipment or software not supplied by Seller where the Product would not itself be infringing, (iv) compliance with Buyer's designs, specifications or instructions, (v) use of the Product in an application or environment for which it was not designed or (vi) modifications of the Product by anyone other than Seller without Seller's prior written approval. Buyer shall provide Seller prompt written notice of any third party claim covered by Seller's indemnification obligations hereunder. Seller shall have the right to assume exclusive control of the defense of such claim or, at the option of the Seller, to settle the same. Buyer agrees to cooperate reasonably with Seller in connection with the performance by Seller of its obligations in this Section.

Notwithstanding the above, Seller's infringement related indemnification obligations shall be extinguished and relieved if Seller, at its discretion and at its own expense (a) procures for Buyer the right, at no additional expense to Buyer, to continue using the Product; (b) replaces or modifies the Product so that it becomes non-infringing, provided the modification or replacement does not adversely affect the specifications of the Product; or (c) in the event(a) and (b) are not practical, refund to Buyer the amortized amounts paid by Buyer with respect thereto, based on a five (5) year amortization schedule. THE FOREGOING INDEMNIFICATION PROVISION STATES SELLER'S ENTIRE LIABILITY TO BUYER FOR THE CLAIMS DESCRIBED HEREIN.

9.2. By Buyer. Buyer shall indemnify, defend with competent and experienced counsel and hold harmless Seller, its parent, subsidiaries, affiliates and divisions, and their respective officers, directors, shareholders and employees, from and against any and all damages, liabilities, actions, causes of action, suits, claims, demands, losses, costs and expenses (including without limitation reasonable attorneys' fees and disbursements and court costs) to the extent arising from or in connection with (i) the negligence or willful misconduct of Buyer, its agents, employees, representatives or contractors; (ii) use of a Product in combination with equipment or software not supplied by Seller where the Product itself would not be infringing; (iii) Seller's compliance with designs, specifications or instructions supplied to Seller by Buyer; (iv) use of a Product in an application or environment for which it was not designed; or (v) modifications of a Product by anyone other than Seller without Seller's prior written approval

10. SOFTWARE. With respect to any software products incorporated in or forming a part of the Products hereunder, Seller and Buyer intend and agree that such software products are being licensed and not sold, and that the words "purchase", "sell" or similar or derivative words are understood and agreed to mean "license", and that the word "Buyer" or similar or derivative words are understood and agreed to mean "licensee". Notwithstanding anything to the contrary contained herein, Seller or its licensor, as the case may be, retains all rights and interest in software products provided hereunder. Seller hereby grants to Buyer a royalty-free, non-exclusive, nontransferable license, without power to sublicense, to use software provided hereunder solely for Buyer's own internal business purposes on the hardware products provided hereunder and to use the related documentation solely for Buyer's own internal business purposes. This license terminates when Buyer's lawful possession of the hardware products provided hereunder ceases, unless earlier terminated as provided herein. Buyer agrees to hold in confidence and not to sell, transfer, license, loan or otherwise make available in any form to third parties the software products and related documentation provided hereunder. Buyer may not disassemble, decompile or reverse engineer, copy, modify, enhance or otherwise change or supplement the software products provided hereunder without Seller's prior written consent. Seller will be entitled to terminate this license if Buyer fails to comply with any term or condition herein. Buyer agrees, upon termination of this license, immediately to return to Seller all software products and related documentation provided hereunder and all copies and portions thereof

11. LIMITATION OF LIABILITY. NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED HEREIN, THE LIABILITY OF SELLER UNDER THESE TERMS AND CONDITIONS (WHETHER BY REASON OF BREACH OF CONTRACT, TORT, INDEMNIFICATION, OR OTHERWISE, BUT EXCLUDING LIABILITY OF SELLER FOR BREACH OF WARRANTY (THE SOLE REMEDY FOR WHICH SHALL BE AS PROVIDED UNDER SECTION 8 ABOVE)) SHALL NOT EXCEED AN AMOUNT EQUAL TO THE LESSER OF (A) THE TOTAL PURCHASE PRICE THERETOFORE PAID BY BUYER TO SELLER WITH RESPECT TO THE PRODUCT(S) GIVING RISE TO SUCH LIABILITY OR (B)

ONE MILLION DOLLARS ($1,000,000). NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED HEREIN, IN NO EVENT SHALL SELLER BE LIABLE FOR ANY INDIRECT, SPECIAL, CONSEQUENTIAL OR INCIDENTAL DAMAGES (INCLUDING WITHOUT LIMITATION DAMAGES FOR LOSS OF USE OF FACILITIES OR EQUIPMENT, LOSS OF REVENUE, LOSS OF DATA, LOSS OF PROFITS OR LOSS OF GOODWILL), REGARDLESS OF WHETHER SELLER (a) HAS BEEN INFORMED OF THE POSSIBILITY OF SUCH DAMAGES OR (b) IS NEGLIGENT

12. EXPORT RESTRICTIONS. Buyer acknowledges that each Product and any related software and technology, including technical information supplied by Seller or contained in documents (collectively "Items"), is subject to export controls of the U.S. government. The export controls may include, but are not limited to, those of the Export Administration Regulations of the U.S. Department of Commerce (the "EAR"), which may restrict or require licenses for the export of Items from the United States and their re-export from other countries. Buyer shall comply with the EAR and all other applicable laws, regulations, laws, treaties, and agreements relating to the export, re-export, and import of any Item. Buyer shall not, without first obtaining the required license to do so from the appropriate U.S. government agency; (i) export or re-export any Item, or (ii) export, re-export, distribute or supply any Item to any restricted or embargoed country or to a person or entity whose privilege to participate in exports has been denied or restricted by the U.S. government. Buyer shall, if requested by Seller, provide information on the end user and end use of any Item exported by the Buyer or to be exported by the Buyer. Buyer shall cooperate fully with Seller in any official or unofficial audit or inspection related to applicable export or import control laws or regulations, and shall indemnify and hold Seller harmless from, or in connection with, any violation of this Section by Buyer or its employees, consultants, or agents

13. HAZARDOUS MATERIALS. Some Products may require special packaging, labeling, marking and handling. Carriers may add additional freight charges for the handling or transporting of these materials. The consolidating of such material with other Products may be prohibited. Additional freight charges will be billed per Seller's shipping terms. Be sure to advise Seller of shipping instructions for these hazardous materials to reduce your freight costs

14. MISCELLANEOUS. (a) Buyer may not delegate any duties nor assign any rights or claims hereunder without Seller's prior written consent, and any such attempted delegation or assignment shall be void. (b) The rights and obligations of the parties hereunder shall be governed by and construed in accordance with the laws of the State of Seller's manufacturing location, without reference to its choice of law provisions. Each party hereby irrevocably consents to the exclusive jurisdiction of the state and federal courts located in the county and state of Seller's manufacturing location, in any action arising out of or relating to this Agreement. (c) Both parties waive any right they may have under applicable law or otherwise to a right to a trial by jury. Any action arising under this Agreement must be brought within one (1) year from the date that the cause of action arose. (d) The application to this Agreement of the U.N. Convention on Contracts for the International Sale of Goods is hereby expressly excluded. (e) In the event that any one or more provisions contained herein shall be held by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained herein shall remain in full force and effect, unless the revision materially changes the bargain. (f) Seller's failure to enforce, or Seller's waiver of a breach of, any provision contained herein shall not constitute a waiver of any other breach or of such provision. (g) Unless otherwise expressly stated on the Product or in the documentation accompanying the Product, the Product is intended for non-clinical, non-diagnostic, non-therapeutic use only and is not to be used for any other purpose, including without limitation, unauthorized commercial uses, in vitro diagnostic uses, ex vivo or in vivo therapeutic uses, or any type of consumption by or application to humans or animals. (h) Buyer agrees that all pricing, discounts and technical information that Seller provides to Buyer are the confidential and proprietary information of Seller. Buyer agrees to (1) keep such information confidential and not disclose such information to any third party, and (2) use such information solely for Buyer's internal purposes and in connection with the Products supplied hereunder. Nothing herein shall restrict the use of information available to the general public. (i) Any notice or communication required or permitted hereunder shall be in writing and shall be deemed received when personally delivered or three (3) business days after being sent by certified mail, postage prepaid, to a party at the address specified herein or at such other address as either party may from time to time designate to the other (j) Seller hereby rejects and disclaims any rights of Buyer contained, or obligations imposed upon Seller, in any document provided, referenced or otherwise submitted by Buyer, in each case, that Seller has not expressly included in these [terms and conditions] or a writing manually executed by Seller (including, without limitation, any rights of Buyer in respect of designs, specifications, source code or intellectual property, owned, created, developed or licensed, by Seller; any rights to items or services not specifically identified in Seller's quotation; any audit rights or financial offset rights of Buyer; any penalties or liquidated damages imposed upon Seller; any obligation by Seller to comply with Health Insurance Portability and Accountability Act of 1996 (as amended), Current Good Manufacturing Practice regulations (as amended), the requirements, as amended, of the Customs-Trade Partnership Against Terrorism or any code of conduct, quality program, information security program, background or drug screening program or other guidelines, programs or policies, in each case, promulgated or required by Buyer; any obligation that Seller comply with any law that, under law, would not otherwise apply to Seller in respect of the transaction(s) contemplated hereby; any right of Buyer to withhold all, or any portion, of the purchase price of any products or services provided hereunder for any period of time; any right of Buyer, itself or through any third party, to remediate any defects in, replace or re-perform, any products or services provided hereunder at Seller's cost or expense; any obligation of Seller to waive, or require its insurers to waive, any rights of subrogation; any obligation of Seller that would impair, restrict or prohibit Seller's ability to freely conduct any business with any person or in any geography or market; any early-payment, or other, discount; any obligation of Seller to maintain a supply of spares, or otherwise make any services available, for any particular period of time; any representation, warranty or other obligation of Seller to provide pricing comparable to, or more favorable than, the pricing that Seller provides to others; any restriction of, or prohibition on, Seller's ability to modify, change or discontinue any of its products, processes or services; or any waiver by Seller of any right to enforce any of the terms hereof).

15. SOFTWARE-AS-A-SERVICE TRANSACTIONS. IF YOU ARE PURCHASING ANY PRODUCTS PROVIDED BY SELLER HEREUNDER AND DESCRIBED IN THE RELEVANT QUOTATION OR PURCHASE ORDER AS A SUBSCRIPTION TO ANY THERMO FISHER SOFTWARE-AS-A-SERVICE OFFERING (ANY SUCH PRODUCT, HEREINAFTER, A "SUBSCRIPTION"),THEN IN RESPECT OF SUCH SUBSCRIPTION(S) ONLY

(a) The following terms and conditions of this Agreement shall not apply: Sections 6-7, 9.1, and 13.

(b) The following terms and conditions of this Agreement shall be modified as set forth below:

(i) Section 5 shall be replaced in its entirety with the following:

5. CANCELLATION OR CHANGES BY BUYER. Seller reserves the right to suspend or terminate the Buyer's Subscription(s), in whole or in part, if Buyer fails to make any payment to Seller when due, otherwise fails to perform its obligations hereunder, or fails to comply with the Seller's Terms of Use agreement agreed to by Buyer and governing Buyer's use of the Subscription(s), as in effect from time to time (the "Terms of Use"). Seller will not be liable for any loss or damage resulting from any delay in activation of the Subscription(s) or failure to activate the Subscription(s) which is due to any cause beyond Seller's reasonable control. In the event of a delay due to any cause beyond Seller's reasonable control, Seller reserves the right to terminate the order or to reschedule the activation of the Subscription(s) within a reasonable period of time, and Buyer will not be entitled to refuse payment or otherwise be relieved of any obligations as the result of such delay. Orders in process may be canceled only with Seller's written consent and upon

payment of Seller's cancellation charges. Orders in process may not be changed except with Seller's written consent and upon agreement by the parties as an appropriate adjustment in the purchase price therefor.

(ii) Section 8 shall be replaced in its entirety with the following:

8. WARRANTY. BUYER AGREES AND ACKNOWLEDGES THAT THE SUBSCRIPTIONS ARE SOLD "AS-IS", WITH NO WARRANTIES EXPRESSED OR IMPLIED. SELLER DISCLAIMS ALL EXPRESS OR IMPLIED WARRANTIES, ORAL OR WRITTEN, WITH RESPECT TO THE SUBSCRIPTIONS, INCLUDING WITHOUT LIMITATION ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE.

(iii) Section 10 shall be replaced in its entirety with the following:

10. SOFTWARE. This Agreement shall not be construed to grant to Buyer any patent license, know-how license or any other rights except as specifically provided herein. Buyer agrees and acknowledges that, by virtue of its purchase of the Subscriptions hereunder, it does not acquire any intellectual property rights (whether by license, assignment, or otherwise) of Seller, including without limitation any rights to the Subscriptions or related software or hardware systems (except for the limited right to use the Subscription subject to the terms and conditions set forth herein). Buyer shall not reverse engineer or copy the design, algorithms, or code, or any components thereof, of any information related to the Subscriptions for any purpose.

(iv) In Section 11, the language "ONE MILLION DOLLARS ($1,000,000)" shall be replaced with "TEN THOUSAND DOLLARS ($10,000)".

(c) The following additional terms and conditions shall apply

TERMS OF USE. Buyer hereby acknowledges and agrees that it shall comply with all terms and conditions of the Terms of Use, and that Buyer's use of the Subscription in violation of any such terms and/or conditions shall entitle Seller, without prejudice to any other remedies that may be available to Seller at law or in equity, to terminate Buyer's use of the Subscription(s) effective immediately. Buyer further agrees and acknowledges that it shall not be entitled to any refund of any portion of the purchase price paid in respect of Subscription(s) cancelled by Seller pursuant to Seller's rights under this Section and/or the Terms of Use. Buyer's rights to use these Subscription will begin upon Seller's transmission to Buyer of Subscription link and end 12 months from this date unless otherwise terminated by Seller. In the event of any conflict between this Agreement and the Terms of Use, the Terms of Use shall control.


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The world leader in serving science

Thermo Fisher Scientific
Thermo Scientific Portable Analytical Instruments, Inc.
2 Radcliff Road, Tewksbury, MA 01876

January 10, 2023

RE: Request for Sole Service / Sole Brand Justification

To whom it may concern,

The purpose of this letter is to provide additional justification for why Thermo Scientific Portable Analytical Instruments Inc. ("Manufacturer") is the sole source service provider for its handheld chemical analyzers ("Safety and Security Products"). Such Safety and Security Products deliver rapid, field- based identification of unknown chemicals, explosives, and chemical weapons, as well as narcotics directly from within the hazard zone and provide specific, actionable data— enabling first responders, national security, and military organizations to act quickly and decisively.

Thermo Scientific Portable Analytical Instruments Inc. is the sole manufacturer of the FirstDefender™ RMX, RM, TruDefender™ FTX, FTXi, FT, FTi, Gemini™, TruNarc™ (with TruNarc Kit,Test Stick,Type H) and 1064Defender from its sole manufacturing location at 2 Radcliff Rd Tewksbury, Massachusetts USA. These devices utilize the proprietary chemometrics and DecisionEngine 2.0 MX analysis software also produced solely by Manufacturer. No other device of this kind on the market can make use of this software as it would be a violation of intellectual property protections held by Manufacturer. Manufacturer also is the sole provider of software and library updates. Additionally, Manufacturer has developed a rugged handheld chemical identification system for solids and liquids that uses both FTIR and Raman technologies known as Gemini. Gemini is the first and only handheld that offers both Raman & FTIR technologies as well as scan delay for both Raman & FTIR.

Due to their mission critical applications Manufacturer utilizes the expertise of its trained technicians and engineering staff to perform all necessary repairs. Additionally, the technicians must utilize proprietary software, intellectual property (technical documentation), calibration files and algorithms, as well as specialty tooling designed by Manufacturer in order to properly repair the Safety and Security Products in accordance with published specifications. For those reasons, coupled with complexity and overall safety, Manufacturer, is the sole service provider for our Safety and Security Products possessing unique qualifications and/or specialized capabilities or expertise that is not available in the marketplace.

Best regards,

Annette Blumer

Annette Blumer
Government Contracts Manager

CITY OF LIVONIA ï CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 13, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and President Jim Jolly. Absent: Vice President Toy.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney Todd Zilincik, City Engineer; and Doug Moore, Assistant Director of Public Works.

Councilmember McIntyre led the meeting with the Pledge of Allegiance.

4. REQUEST TO APPROVE THE LIVONIA POLICE OFFICERS ASSOCIATION (POAM) COLLECTIVE BARGAINING AGREEMENT FOR THE PERIOD OF DECEMBER 1, 2023, THROUGH NOVEMBER 30, 2026, Civil Service Department, re: same.

   Jeanine Laible, Human Resource Director, and Attorney Greg Schultz presented the request to Council.

   Ms. Laible and President Jolly thanked Anthony Hall, Police Officers Association President, and the negotiation team for all they have done to bring this contract forward.

   Councilmember Morgan offered an approving motion for the Consent agenda.

   DIRECTION: APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

4.

Civil Service
November 2, 2023

MEETING DATE	PREPARED BY
S111323/R120423	Jillian Emmitt, Personnel Clerk,

AGENDA ITEM

REQUEST TO APPROVE THE LIVONIA POLICE OFFICERS ASSOCIATION (POAM) COLLECTIVE BARGAINING AGREEMENT FOR THE PERIOD OF DECEMBER 1, 2023 THROUGH NOVEMBER 30, 2026, Civil Service Department, re: same.

BACKGROUND DETAILS

Dear City Council and Civil Service Commission Members:

I am pleased to advise you that on November 2, 2023, the City and LPOA representatives reached a tentative agreement on a three-year contract that is effective from December 1, 2023 through November 30, 2026. LPOA members are scheduled to vote to ratify the agreement in the next two weeks. Once they have done so, all that is needed for formal ratification of the tentative agreement is Civil Service Commission and City Council approval.

I have attached a copy of the November 2, 2023 Tentative Agreement for your review. The following is a summary of the key components of the Agreement:

1. A three-year agreement from December 1, 2023 to November 30, 2026.

2. Salary increases to all bargaining unit members as follows:

Effective December 1, 2023:	3% increase
Effective December 1, 2024:	2.5% increase
Effective December 1, 2025:	3.5% increase

3. In addition to the salary increases detailed above, to address retention and recruiting issues and to keep Livonia wages competitive to neighboring communities, the following additional salary modifications were made:

- Current wage tiers were eliminated so that employees hired on or after November 2, 2011, will be paid at the wage rate that had been in effect for employees hired prior to November 2, 2011. (NOTE: Dispatchers hired before November 2, 2011, were provided a $1,500 one-time bonus.)
- A wage adjustment of 2% was provided to all police officers prior to implementation of the 3% December 1, 2023 increase.

- The $600 annual uniform cleaning and maintenance allowance was incorporated into the wage schedule thereby raising all salaries by $600. The annual $600 payment will no longer be paid separate from wages.
- The time required for a police officer to be eligible for Senior Officer pay was reduced from 10 years to 6 years.

4. To provide the City the ability to have greater control of health insurance costs, the specific references to Blue Cross were removed from the body of the Agreement and language was added allowing the City to modify the health insurance plan or provider to offer a substantially similar plan, provided specified core benefit levels are maintained.

5. To assist in administration of medical leaves and consistent with prior agreements with the AFSCME and LCOA bargaining units, the maximum time the City is obligated to pay employees on a workers compensation leave the difference between workers compensation benefits and full pay was reduced to one year (previously unlimited).

6. Modified the Sergeant promotional process to provide a more appropriate representation of candidates, including:

- Providing a mechanism for officers who were hired from other departments to receive years of service credit (1/2 year for each year) for service prior to being employed at Livonia.
- Limiting the length of time an employee returning to the City of Livonia must wait prior to becoming eligible for promotion from 4 years to 2 years.

7. Modified provisions throughout CBA in regard to the timing of non-wage payments to assist payroll in the administration of benefits.

8. Consistent with prior agreements with the AFSCME bargaining units, the 2nd tier sick leave allowance was eliminated and all employees will be provided eight hours of sick leave per month.

9. Modified the personal business leave process to provide more flexible use.

10. Increased the City contribution to the Retiree Health Insurance Plan for those who are not eligible for retiree health insurance from $80 per bi-weekly pay to $100 per bi-weekly pay.

11. Increased the City Contribution to dispatchers Defined Contribution accounts from 11% to 12% consistent with improvement provided to AFSCME bargaining units.

12. Language allowing employees to request the payout of compensatory time twice per year.

13. General contract cleanup, including:

- Incorporation of 12-hour shift Letter of Understanding into the Agreement now that the parties have fully adopted the concept.
- Elimination of outdated contract language.

- Updated legally mandated maximum City costs for health insurance.

As indicated, the above is a summary of the partiesô Tentative Agreement. Please let me know if you have any questions regarding the Agreement.

Very truly yours,

Keller Thoma, a professional corporation



Gregory T. Schultz

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

Approve as submitted

ATTACHMENTS

1. City of Livonia LPOA Tentative Agreement for the period December 1, 2023 through November 30, 2026

APPROVED BY



Jeannine Laible, Human Resources Director — Date: November 03, 2023



Michael Slater, Finance Director — Date: November 03, 2023



Paul Bernier, City Attorney — Date: November 03, 2023



Maureen Miller Brosnan, Mayor — Date: November 03, 2023

KELLER THOMA

A PROFESSIONAL CORPORATION

THOMAS L. FLEURY
LAURI A. READ
GOURI G. SASHITAL
GREGORY T. SCHULTZ
ELIZABETH A. YOUNG
ANNA S. KOZAK

GARY P. KING
Of Counsel

LEONARD A. KELLER
(1905 - 1970)
RICHARD J. THOMA
(1904 - 2001)

COUNSELORS AT LAW

26555 EVERGREEN ROAD, SUITE 550
SOUTHFIELD, MICHIGAN 48076
www.kellerthoma.com

GREGORY T. SCHULTZ
DIRECT DIAL 313.965.8928
gts@kellerthoma.com

November 2, 2023

Honorable Members, City Council
Honorable Members, Civil Service Commission
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154

Re: City of Livonia and Livonia Police Officers Association

Dear City Council and Civil Service Commission Members:

I am pleased to advise you that on November 2, 2023, the City and LPOA representatives reached a tentative agreement on a three-year contract that is effective from December 1, 2023 through November 30, 2026. LPOA members are scheduled to vote to ratify the agreement in the next two weeks. Once they have done so, all that is needed for formal ratification of the tentative agreement is Civil Service Commission and City Council approval.

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employees hired prior to November 2, 2011. (NOTE: Dispatchers hired before November 2, 2011, were provided a $1,500 one-time bonus.)

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4. To provide the City the ability to have greater control of health insurance costs, the specific references to Blue Cross were removed from the body of the Agreement and language was added allowing the City to modify the health insurance plan or provider to offer a substantially similar plan, provided specified core benefit levels are maintained.

5. To assist in administration of medical leaves and consistent with prior agreements with the AFSCME and LCOA bargaining units, the maximum time the City is obligated to pay employees on a workers compensation leave the difference between workers compensation benefits and full pay was reduced to one year (previously unlimited).

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    - Providing a mechanism for officers who were hired from other departments to receive years of service credit (1/2 year for each year) for service prior to being employed at Livonia.
    - Limiting the length of time an employee returning to the City of Livonia must wait prior to becoming eligible for promotion from 4 years to 2 years.

7. Modified provisions throughout CBA in regard to the timing of non-wage payments to assist payroll in the administration of benefits.

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10. Increased the City contribution to the Retiree Health Insurance Plan for those who are not eligible for retiree health insurance from $80 per bi-weekly pay to $100 per bi-weekly pay.

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13. General contract cleanup, including:
    - Incorporation of 12-hour shift Letter of Understanding into the Agreement now that the parties have fully adopted the concept.
    - Elimination of outdated contract language.
    - Updated legally mandated maximum City costs for health insurance.

As indicated, the above is a summary of the parties' Tentative Agreement. Please let me know if you have any questions regarding the Agreement.

Very truly yours,

KELLER THOMA, A PROFESSIONAL CORPORATION



Gregory T. Schultz

GTS/sad
cc: Mayor Maureen Miller Brosnan
Ms. Jeannine Laible
Mr. Michael Slater
Police Chief Tom Goralski

Negotiations
between
The City of Livonia
and
Livonia Police Officers Association (POAM)

Tentative Agreement – November 3, 2023

1. Duration – 3 years from December 1, 2023 through November 30, 2026.

2. Article 11, Original Appointments and Promotions – Modify Section 11.2 as follows:

   11.2: The promotional examinations for Sergeant are open only to employees of the City of Livonia who, at the closing date of the examination, are employed in the Police Division of the Department of Public Safety; have regular status in the classification of Police Officer; have had at least five (5) years' experience, and have an Associate's Degree in law enforcement, immediately preceding the closing date of the examination, as a Police Officer with the City of Livonia. Experience is counted through April 8.

   An employee with at least three years' experience as a Police Officer with the City of Livonia can utilize prior service as an MCOLES certified, or equivalent out-of-state experience, Police Officer at another Police Department to qualify for a Sergeant promotional examination. 50% of the time served as an MCOLES certified police officer at another Department, up to a maximum of two years, can be combined with experience as a Police Officer with the City of Livonia to reach the five years of experience required to qualify for a Sergeants examination. For example, an employee who served four years as an MCOLES certified Police Officer at another Police Department would earn two years credit, and would qualify for a promotion examination for Sergeant, with three years of experience as a Police Officer with the City of Livonia. Only full years of service will be counted for external experience; credit will not be given for a partial year of service. The City is responsible for verifying the years of service with external departments.

3. Article 11, Original Appointments and Promotions – Modify Section 11.5 as follows:

   11.5: In those cases, in which a police officer has left the Police Division and returned, they shall not be eligible to take a promotional examination for ~~four~~ two years. After ~~four~~ two years have elapsed from the date of return, the employee shall be eligible to take a promotional examination, provided the officer meets the other minimum qualifications, and the employee's prior service shall apply in computing seniority points.

4. Article 20, Holidays – Modify Article as follows:

20.1: The paid holidays are designated as New Year's Day, Martin Luther King Jr. Day, President~~'~~s' Day, Memorial Day (last Monday in May), Fourth of July, Labor Day, Veteran's Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve, Christmas Day, Good Friday, New Year's Eve, National and City Elections (National Election refers to the General Election for President of the United States; City Election refers to the regular City Election for the Mayor or Council of the City of Livonia). Any other holidays granted City-wide by administrative action shall be recognized as additional holidays under this Agreement.

20.2: Employees shall be paid on or by the first pay date in the month of December ~~10~~ for all holidays, whether worked or not, in the preceding fiscal year based on the employee's rate as of November 30, with the total amount of holiday pay based on the number of holidays times eight hours pay for each day.

5. Article 21, Overtime – Modify Sections 21.1 and 21.3A as follows:

21.1: An employee who is required to work beyond their ~~regular~~ scheduled shift ~~of eight hours~~ shall receive time and one-half ~~in cash~~ in accordance with the schedule under Section 21.5 of this Article.

21.3A: An employee who is required to attend a training session, up to two and one-half hours in a calendar week, immediately before or after their regular duty hours within the Police Division shall receive time and one-half ~~in cash~~ for all hours in such training. When employees are called back to duty for training, Section 21.2 will apply. Overtime provisions will apply to off-site training when actual training time exceeds the employee's scheduled shift for that ~~eight hours per~~ day, including travel time beyond five miles of the city limits of Livonia.

21.13: Employees shall be able to receive payouts of accrued compensatory time, upon written request, up to a maximum of two times per year in any single City fiscal year, by providing notice of such requested payout to the City by April 15th and/or October 15th of any year. Such payouts, if requested, shall be paid on or by the first pay date in the months of May and November.

6. Article 22, Vacations – Modify Section 22.2 as follows:

22.2: Vacation days may be combined to provide up to ~~20 days~~ 160 hours of vacation, if available, subject to approval by the Police Chief.

7. Article 23, Sick Leave – Modify Article as follows:

23.1: Regular full-time employees ~~hired prior to December 1, 2012~~ shall accumulate sick leave at the rate of ~~one (1) working day~~ eight hours for each completed month of service with unlimited accumulation. ~~Regular full-time~~

~~employees hired or promoted into the bargaining unit on or after December 1, 2012 shall accumulate sick leave at the rate of six (6) hours per month for each completed month of service.~~ An employee while on sick leave will be deemed to be on continued employment for the purpose of computing all benefits referred to in this Agreement. The accumulated sick leave will be paid in cash to the employee at the employee's current rate in the event of termination of active employment for any reason, after ten (10) years of service, or retirement, or duty disability retirement, or in the case of death, it will be paid to the employee's beneficiary or estate, subject to the maximum accumulation provided, in the following manner:

~~A. Police Officers hired by the City prior to December 1, 1983, may accumulate sick leave to a maximum of two hundred 289 days for payout purposes. Police Officers will be reimbursed 60% of their pay rate at the time of such payments.~~

~~B~~A. Upon termination from the City, accumulated sick leave up to a maximum of ~~162 days~~ 1,296 hours shall be paid out upon termination to Police Officers ~~hired on or after December 1, 1983~~ as follows:

1. The first 432 hours (hours 1 to 432) in the employee's sick leave bank shall be paid based upon 25% of the employee's hourly rate at the time of termination.

2. The next 432 hours (hours 433 to 864) in the employee's sick leave bank shall be paid based upon 50% of the employee's hourly rate at the time of termination.

3. The next 432 hours (hours 865 to 1296) in the employee's sick leave bank shall be paid based upon 70% of the employee's hourly rate at the time of termination.

4. Police Officers hired prior to December 1, 2012 and after November 30, 2023, who have over 1600 hours in their sick leave bank at the time of termination shall, in addition to the payments in subsections 1-3, above, receive a bonus of $6,000.

5. Police Officers hired on or after December 1, 2012 and prior to December 1, 2023, who have over ~~1200~~ 1500 hours in their sick leave bank at the time of termination shall, in addition to the payments in subsections 1-3, above, receive a bonus of $6,000.

~~C. Dispatchers hired by the City prior to December 1, 1983, may accumulate sick leave to a maximum of two hundred 225 days for payout purposes. Dispatchers will be reimbursed 60% of their pay rate at the time of such payments.~~

~~D~~B. Upon termination from the City, accumulated sick leave up to a maximum of ~~150 days~~ 1,200 hours shall be paid out upon termination to Dispatchers ~~hired on or after December 1, 1983~~ as follows:

1. The first 400 hours (hours 1 to 400) in the employee's sick leave bank shall be paid based upon 25% of the employee's hourly rate at the time of termination.

2. The next 400 hours (hours 401 to 800) in the employee's sick leave bank shall be paid based upon 50% of the employee's hourly rate at the time of termination.

3. The next 400 hours (hours 801 to 1200) in the employee's sick leave bank shall be paid based upon 70% of the employee's hourly rate at the time of termination.

4. Dispatchers hired prior to December 1, 2012 and after November 30, 2023, who have over 1600 hours in their sick leave bank at the time of termination shall, in addition to the payments in subsections 1-3, above, receive a bonus of $6,000.

5. Dispatchers hired on or after December 1, 2012 and prior to December 1, 2023, who have over ~~1200~~ 1500 hours in their sick leave bank at the time of termination shall, in addition to the payments in subsections 1-3, above, receive a bonus of $6,000.

~~E~~C. Employees may continue to accumulate sick leave beyond their applicable maximum; however, these ~~days~~ hours shall not be considered for payout purposes as specified herein.

23.2: Serious illness of husband or wife or child shall warrant use of sick leave by the employee after arrangements have been made with his/her immediate supervisor, provided that this is restricted to eight (8) working days in the calendar year.

23. 3: Police Officers and Dispatchers who do not use more than ~~four (4) days~~ 32 hours of their sick leave banks during the preceding calendar year shall have an additional ~~three (3) days~~ 24 hours added to their vacation bank on January 1.

23.4: For employees who participate in the City's RHSP, accrued sick leave paid at termination shall be paid into the employee's RHSP account.

8. Article 24, Bereavement Leave – Modify Section 24.1 as follows:

24.1: An employee shall be allowed up to ~~ten (10) working days~~ eighty (80) working hours as bereavement leave ~~days~~ hours not to be deducted from ~~a~~ sick leave in the event of death of the current spouse, children or step-children. An employee shall be allowed up to four (4) working days for employees assigned to

an 8-hour shift and three (3) working days for employees assigned to a 12-hour shift as bereavement days not to be deducted from sick leave for a death in the immediate family, subject to approval by the Police Chief or his/her designee. Immediate family is defined as follows: Mother, Father, Sister, Stepmother, Stepfather, Sister-in-Law, Brother, Brother-in-Law, Grandparents of the employee, Grandchildren, Mother-in-Law, Father-in-Law, or a member of the employee's household. An employee shall be allowed up to two (2) working days as bereavement leave in accordance with the foregoing provisions for death of grandparents of the employee's spouse.

9. Article 25, Personal Business – Modify Article as follows:

Personal business, not to exceed 24 hours in any calendar year, shall be allowed employees without loss of pay or deduction from sick leave. Personal business shall be taken in no less than two-hour increments. 16 hours of annual personal business cannot be denied, up to a maximum of two employees at ~~one time~~, except for City emergencies and significant City events, e.g., Livonia Spree, provided that such time is not used in conjunction with a holiday. The remaining 8 hours of p~~P~~ersonal business can be taken any time subject to the operational needs of the Police Division.

PER SHIFT

10. Article 27, Health Care Coverage – Modify Section 27.1 and 27.4 and add new Section 27.5 (re-number remaining provisions) as follows and include Letter of Agreement attached to this agreement as Exhibit A into Agreement:

27.1: The employer agrees to pay the premium for hospitalization-medical coverage ("Base Plan") for regular full-time employees, spouses, and dependent children under nineteen (19) years of age or the applicable legal age, whichever is greater. The health care plan to be provided shall ~~be the Blue Cross/Blue Shield Community Blue PPO, Plan 3, with~~ as detailed in Exhibit A and shall include an annual deductible of $250 per member and $500 per two-person/family; co-insurance payments of $1,000 per member and $2,000 per two-person/family and shall include a $20 office visit co-pay and a $100 emergency room co-pay waived if admitted to hospital. The Rx drug prescription rider shall be a $10 co-pay for generic drugs, a $25 co-pay for formulary brand drugs, a $50 co-pay for non-formulary brand drugs, and a co-pay of 10% of the cost of the drug, up to a maximum of $100 per prescription, for specialty drugs. The prescription is to be filled by generic drug unless the physician directs the prescription to be "Dispensed as Written." ~~Effective December 1, 2017, t~~The online visit co-pay for employees who utilize online primary care visits will be one-half of the regular office visit co-pay.

27.4: The City will offer the option of hospitalization-medical coverage ~~through Health Maintenance Organizations (HMO's)~~ as currently provided and detailed in Exhibit B to this Agreement ("Alternative Plan"), ~~except as changed by the provisions of this paragraph, at City cost~~ in lieu of the hospitalization-insurance provided above ~~herein~~, subject to Section 27.8, below. ~~If an employee accepts the option of a provided HMO, it will be deemed that the City has fulfilled its~~

~~obligation under this section and paragraphs 27.1, 27.2 and 27.3 herein for hospitalization medical coverage and the specific benefits therein provided.~~ Once an employee or retiree has selected an offered hospitalization-medical coverage option, no change can be made until the next re-opening date. The Rx drug prescription rider shall be a $10 co-pay for generic drugs, a $25 co-pay for formulary brand drugs and a $50 co-pay for non-formulary brand name drugs, and a co-pay of 10% of the cost of the drug, up to a maximum of $100 per prescription, for specialty drugs. The prescription is to be filled by the generic drug unless the physician directs prescription to be "Dispensed as Written." The office visit co-pay will be $20 and the emergency room co-pay will be $100 waived if admitted to hospital.

27.~~5~~: The City reserves the right to select a different health care plan or plan administrator/insurer for all offered plans, including the plans referenced in Sections 27.1 and 27.4, above, at any time during this Agreement provided the plan offers substantially similar or better benefits than the current plan(s). For the purposes of this Agreement, "substantially similar" shall mean that the replacement plan(s) offers at least the same applicable medical co-pays (prescription, office and emergency room), annual deductibles, and co-insurance levels as those provided in the Base Plan (Section 27.1) for any replacement to the Base Plan and for those provided for the Alternate Plan (Section 27.4) for any replacement to the Alternate Plan. Additionally, the in-network Doctor/Provider Participation of the new plan must include at least 80% of those in the current plan.

(Renumber remaining paragraphs)

11. Article 27, Health Care Coverage – Modify Section 27.2.C to read as follows:

27.2: Employees who are hired or promoted into the bargaining unit on or after November 2, 2011, shall not be entitled to retiree health insurance upon retirement. Instead, the City will contribute to a retiree health savings plan (RHSP) for use by the employee following separation from employment under the following terms:

1. The City will contribute $~~70~~100 per bi-weekly pay period into the employee's RHSP account. ~~Effective December 1, 2019, the City will contribute $80 per bi-weekly pay period into the employee's RHSP account.~~
2. The employee shall vest in the employer contribution following four years of service.

12. Article 27, Health Care Coverage – Modify Section 27.10:A, 27.16 and 27.17 as follows:

27.10: A. Effective March 1, ~~2021~~ 2023, all employees who are receiving employer provided medical coverage of any kind shall contribute the following amounts toward the cost of medical coverage:



Family: The greater of $35 per month or the amount, on a monthly basis, by which the illustrative rate for the family plan selected by the employee exceeds $~~18,596.96~~20,180.43.

Two-person: The greater of $35 per month or the amount, on a monthly basis, by which the illustrative rate for the two-person plan selected by the employee exceeds $~~14,260.37~~15,474.60.

Single: The greater of $35 per month or the amount, on a monthly basis, by which the illustrative rate for the single plan selected by the employee exceeds $~~6,818.87~~7,399.47.

For purposes of determining the amounts employees will pay under the two-person and family categories, the parties agree that all employees in the two-person and family categories will pay the same amount based upon a weighted average calculation using the aggregate numbers of all members of the bargaining unit.

The caps of $~~6,818.87~~7,399.47, $~~14,260.37~~15,474.60 and $~~18,596.96~~20,180.43 will be adjusted each plan year consistent with changes made by the State Treasurer based upon the change in the medical care component of the United States consumer price index for the most recent twelve (12) month period for which data are available from the United States Department of Labor, Bureau of Labor Statistics.

Employee health care contributions required by this Section shall be made by payroll deductions.

27.16: Optical. ~~The employer will provide a group optical program, effective through February 28, 2021, for the participating employee, spouse, and dependent children under nineteen (19) years of age as follows: Once every two (2) years for each -- an eye examination by an optometrist and a pair of prescription eyeglasses, if needed. Coverage of the program shall include a selection of frames and bifocal selections of KRYPTOK or D. S. SEG, 22 mm. Should an eye examination for children under seven (7) years by an ophthalmologist be deemed necessary by an optometrist, the bills for the ophthalmological examination may be presented to the Civil Service Department for payment from the optical account; it being understood that such ophthalmological examinations must have resulted from referrals by an optometrist under the group plan.~~

~~Should an employee choose not to participate in the foregoing group optical program, s/he shall make his/her election known to the City. Said employee shall then be entitled to reimbursement in an amount not to exceed $300 per family per two-year period.~~

~~Police Dispatchers who operate a CRT in the performance of their regular duties for an average of four (4) hours per day may request one (1) eye examination per year from the City optical program.~~

~~Effective March 1, 2021, a new~~ The optical plan detailed in Exhibit ~~A~~ C of this Agreement shall be provided to the Employee, spouse and dependent children through the end of the month of their 21st birthday ~~replace the plan detailed above in this Section~~. Coverage is not mandatory, but there is no benefit for those choosing not to participate. Employees electing to participate in this plan shall be required to contribute 15% of the cost of the plan through payroll deductions.

~~Dependent Child(ren) who participate in this plan are eligible through the end of the month of their 21st birthday.~~

The City reserves the right to replace the plan detailed in Exhibit ~~A~~ C with a different plan with comparable benefits during the life of this Agreement.

27.17 Dental. ~~The employer will provide a dental reimbursement program for regular full-time employees, spouses, and dependent children under nineteen (19) years of age, to be used, upon proper proof of payment, for dental services or the employee's payment of dental insurance premiums, as follows:~~

~~A. Employees may be reimbursed for dental expenses incurred for themselves and family up to $850 for the year, subject to submission of proof of billing and proof of payment for such expense. Effective December 1, 2019, the dental reimbursement will be $900 per year.~~

~~B. Any unused portion of an employee's annual reimbursement allowance shall accumulate for utilization for a period of five (5) years.~~

~~C. The City will provide, for each employee's family only, 50% of the fees for orthodontic services for the prevention and correction of poorly positioned teeth for a lifetime maximum of $1,000 per family.~~

~~D. Reimbursement shall be made as follows:~~

~~1. Requests for reimbursements provided herein shall be submitted as incurred. Under no circumstances will reimbursement be made for any requests submitted more than thirty (30) days after the fiscal year end.~~

~~2. Reimbursements shall be made by the Employer within thirty (30) days following the request for reimbursement.~~

~~3. In cases where payment to a dentist creates an undue hardship, an employee may apply to the Civil Service Department to have his/her dental benefit paid directly to his/her dentist. In cases of extreme hardship, employees may apply to the Civil Service Department to utilize up to the maximum accumulation. If an employee receives an advance payment of his/her~~

~~accumulation and subsequently terminates employment with the City for any reason, prior to the end of the contract year, a pro-rated adjustment to the reimbursement advanced shall be made, and the balance shall be deducted from any monies otherwise due to the employee. At no point may an employee borrow beyond the five (5) years.~~

~~E. An employee who has been or will be reimbursed for dental expenses by a dental plan other than the City of Livonia Plan or from some other source will not be eligible to receive reimbursement from the City of Livonia Plan.~~

~~F. Where both husband and wife are working for the City, each person may be reimbursed separately for dental expenses; provided, however, that a spouse who claims a dental reimbursement may not also be claimed as a dependent for this purpose. In addition, dental expenses for dependent children may be claimed by either parent but both may not claim the same child for reimbursement purposes.~~

~~G. 1. Dependent Dental Reimbursement: Dependent coverage for dental reimbursement pursuant to Section A, above, shall continue through the end of the month in which the dependent turns 19 years of age.~~

~~2. Dependent Orthodontic Reimbursement: Dependent coverage for orthodontic services pursuant to Section C, above, shall continue through the end of the calendar year in which the dependent turns 19 years of age.~~

~~H~~A. ~~Effective March 1, 2021, t~~The dental plan detailed in Exhibit ~~B~~ D of this Agreement shall be offered to the Employee, spouse and dependent children through the end of the month of their 21st birthday ~~replace the plan detailed above in this Section~~. Employees electing to participate in this plan shall be required to contribute any cost above the following caps which will be increased each year by the same percentage increase in the health insurance caps:

Single coverage:	$~~360~~378 annual
Two-person coverage:	$~~684~~718 annual
Family coverage:	$~~1,440~~1,512 annual

~~I~~B. The City reserves the right to replace the plan detailed in Exhibit B with a different plan with comparable benefits during the life of this Agreement. Coverage is not mandatory but there is no benefit for choosing not to participate.

~~J~~C. Employees who owe the City for dental reimbursement paid in advance will pay back the amount owed to the City during the first year of this Agreement. ~~as follows:~~

- ~~If the employee owes $900 or less, the amount owed will be deducted over the first year of this Agreement.~~
- ~~If the employee owes between $901 and $1800, the amount owed will be deducted over the first two years of this Agreement.~~



- ~~If the employee owes between $1801 and $2700, the amount owed will be deducted over the first three years of this Agreement.~~
- ~~If the employee owes between $2701 and $3600, the amount owed will be deducted over the first three years of this Agreement and the first year following December 1, 2023.~~

13. Article 36, Retirement – Modify 36.4(B)(2) and delete Section 36.4 as follows:

2. For Dispatchers hired on November 24, 1998 or later, the pension provided following their six month probationary period will be a Defined Contribution pension plan with the City contributing an amount equal to 11% of the employee's wages and the Dispatcher contributing an amount equal to 5% of the employee's wages, with vesting after four years of employment. Effective the first pay period following [Date of Ratification], the City's contribution to the defined contribution plan will be increased to 12%. The Dispatcher is permitted to contribute additional amounts up to the maximum allowed by law.

36.4: DEFINED CONTRIBUTION PLAN

~~D. All members of the Defined Contribution Plan on the date of ratification and who are on the payroll on July 1, 2021, will receive a one-time bonus in an amount equal to $1,000 for each completed year of service with the City of Livonia as of June 30, 2020, up to a maximum of 30 years of sercice ($30,000). This one-time bonus will be provided to each individual member as a cash payment with each employee having the option to defer a portion or all of the cash payment into the employee's 457(b) Deferred Compensation Account, if eligible, up to the maximum allowed by law.~~

14. Article 29, Workers' Compensation – Modify Section 29.1 as follows:

29.1: Each employee will be covered by the applicable workers' compensation laws and the employer further agrees that an employee who is eligible for workers' compensation will receive, for the first year of their workers' compensation leave, in addition to workers' compensation income, an amount to be paid by the employer sufficient to make up the difference between workers' compensation and his/her regular pay based on a forty (40) hour work week. Under no circumstance will an employee's pay, after withholding taxes (with no change in deductions) plus his/her workers' compensation payments, be more or less than the employee's salary after taxes that s/he would have received if s/he were not on workers' compensation during the one-year supplemental period. Following the one-year supplemental period, an employee may use paid leave time to supplement the employee's pay up to 100% of the post-tax salary.

15. Article 30, Longevity Pay – Modify Section 30.3 as follows:

30.3: Payment for longevity shall be made once a year on or by the first pay date in December~~, by December 10th~~. Such payment shall be based on the employee's base rate as of November 30th preceding the date of the December payment ~~10th~~. In order to become eligible for the initial longevity payment, employees must have completed the 5th year of service in the fiscal year preceding the payment in December. To be eligible for additional longevity payments, employees must have completed the 7th, 14th, or 21st year in the fiscal year preceding the payment in December.

16. Article 34, Uniform Cleaning and Maintenance – Modify Section 34.2 and 34.3 as follows:

34.2: ~~Each employee shall receive a yearly maintenance and cleaning allowance of $600 to be paid in 12 equal installments of $50, over the course of the year.~~ The $600 yearly maintenance and cleaning allowance was placed into the base wages of all employees during bargaining for the parties 2023-2026 Agreement, and are reflected in the salary schedule attached to this Agreement.

34.3: Employees assigned to plainclothes work shall be compensated by cash reimbursement for uniform allowance at the rate of $375 for each fiscal year . . .

A. Clothing allowance payments shall be paid before such assignment in the following manner:

PAYMENT DUE ON OR BY THE FIRST PAY PERIOD OF	$375 ALLOWANCE
DECEMBER ~~1~~st	$78.30
FEBRUARY ~~1~~st	$109.20
JUNE ~~1~~st	$187.50

B. In the event . . .

17. Article 36, Retirement – Add language in Article clarifying that:

1. Retiree health insurance for all bargaining unit members who are entitled to retiree health insurance is subject to premium sharing as detailed in the Agreement.

2. Retiree health insurance to employees participating in the Police and Fire Revised Retirement Plan who are eligible for retiree health insurance shall be in accordance with the provisions of Article 36, Section 36.4.D.

18. Article 37, Salary Rates – Modify Section 37.1 as follows (see attached wage schedule which will be inserted into the parties Agreement as Appendix A):

37.1: The salary rates in effect during the life of this Agreement are set forth in the salary schedule attached hereto as Appendix A ~~as~~ and shall be based on the following rate adjustments:

Effective December 1, ~~2020~~2023	~~2.5~~3% wage increase
Effective December 1, ~~2021~~2024	~~3~~2.5% wage increase
Effective December 1, ~~2022~~2025	~~2~~3.5% wage increase

In addition to the above across the board wage increases, the wage schedule will be adjusted as detailed in the attached wage schedule to reflect the following:

1. The police officer and dispatcher 2nd tier wage rates shall be eliminated, and employees hired on or after November 2, 2011 will be paid at the wage rate that had been in effect only for employees hired before November 2, 2011.

2. The wage schedule for all police officers and dispatchers will be increased by $600 prior to implementation of the 2% wage adjustment detailed below and prior to the implementation of the 3% increase that is effective December 1, 2023, in connection with the parties' Agreement to eliminate the yearly uniform maintenance and cleaning allowance in Article 34, Section 34.2.

3. The wage schedule shall be modified to reflect that police officers shall be eligible for the Senior Police Officer rate upon completion of 6 years of employment with the Livonia Police Department, including credit for lateral transfer.

4. The wage schedule for police officers shall include a wage adjustment of 2% that will go into effect prior to implementation of the 3% increase that is effective December 1, 2023.

Dispatchers hired prior to November 2, 2011, who are on the payroll on the date this Tentative Agreement becomes fully ratified, shall receive a $1,500 one-time bonus.

19. Article 38, Education Premium/Incentive – Modify Article as follows:

38.1: Police Officers who hold an earned Associate's degree in Law Enforcement from an accredited college or university shall receive a $900 annual educational premium on or by the first pay date in December ~~10~~ of each year the officer is actively employed. Effective December 1, 2014, only police officers hired or promoted into the classification of Police Officer prior to November 2, 2011 shall be entitled to this education premium.

38.2: Any probationary Police Officer whose employment with the City is terminated for any reason prior to completing a contract year shall have the

educational premium provided herein adjusted on a prorated basis, with the balance to be deducted from any monies otherwise due the employee.

38.3: Police Officers, who hold an earned Bachelor's degree from an accredited college or university by the end of the prior fiscal year, shall be eligible to receive an annual educational premium of $750 which shall be paid on or by the first pay date in December ~~10th~~ of each year.

20. Article 40, Merit Compensation/MCOLES Certification Bonus – Modify Section 40.1 and 40.2 as follows:

s

40.1: Police Officers who are the top 10 candidates on the Police Sergeant list on November 30, as a result of the examination conducted during the preceding fiscal year, shall be paid $500 on or by the first pay date in December ~~10~~th.

40.2: In the year that a Police Officer earns merit compensation, the merit pay would be received in the payroll period during which the anniversary date falls. In subsequent years the merit pay will be received on or by the first pay date ~~period~~ in July.

Payment of merit compensation on a Police Officer's anniversary date will begin upon ratification of this contract. Employees will not be eligible for two (2) merit payments in one (1) fiscal year.

21. Article 41, Dispatcher EMD Premium Incentive – Modify Section 41.1 as follows:

41.1: Each Dispatcher shall receive a $1,300 EMD premium/incentive each year to be paid on or by the first pay date in December ~~10~~ for proficiency with emergency medical dispatch protocols.

22. Article 50, Termination and Modification – Revise Section 50.1 as follows:

50.1: This Agreement shall be effective as of 12:00 a.m., December 1, ~~2020~~2023, and shall continue to remain in full force and effect to and including November 30, ~~2023~~2026, unless either party shall, between July 1, ~~2023~~2026 and September 1, ~~2023~~2026, serve written notice on the other party of a desire to terminate, modify, alter, renegotiate, change or amend this Agreement in whole or in part. A notice of desire to modify, alter, renegotiate, change or amend, or any combination thereof, shall have the effect of terminating this Agreement on the expiration date hereunder; the parties agree, however, that the terms, conditions and benefits of this Agreement shall continue until such time as the parties shall execute and ratify a new Agreement.

23. New Article entitled 12-hour shifts to read as follows:

(NEW ARTICLE). 12-HOUR SHIFTS

1. Only those personnel assigned to the Patrol Bureau of the Uniform Division are included in this program.

2. There shall generally be two 12-hour shift schedules including a "Day Shift" which shall run from 0700 to 1900 and a "Night Shift" which shall run from 1900 to 0700. The Chief of Police shall also have the right to establish a third twelve-hour shift with start and stop times at the City's discretion upon 30 days' advanced written notice to the Union. The City retains its right to make modifications to this schedule in the event of an emergency.

3. The following shall apply irrespective of any language to the contrary in this Agreement:

a. All Officers and Dispatchers assigned to the Patrol Bureau will work a twelve (12) hour shift schedule. There will be eighty (80) hours of scheduled work per pay period, which is a fourteen (14) day cycle. To achieve this, employees will work three (3) twelve (12) hour shifts each week. Employees will not work more than three (3) twelve (12) hours shifts in a row. Employees must also work one (1) eight (8) hour shift during each pay period. The eight (8) hour shift can be worked consecutive to twelve (12) hour shifts. Except in an emergency, employees cannot work more than four (4) days consecutively.

b. The schedule will be on a twenty-eight (28) day cycle. Employees must work at least one (1) weekend (Saturday and Sunday consecutively) during a twenty-eight (28) day cycle. Employees must also work at least two (2) additional primary days (Friday, Saturday, or Sunday) during the twenty-eight (28) day cycle, except that during the month with annual furlough, only one (1) primary day is required. The primary days do not have to be consecutive. The weekend and primary workdays shall be twelve (12) hour shifts. Leave days will be selected based upon seniority and will be picked based upon two (2) cycles, making it fifty-six (56) days.

c. Police Officers and Dispatchers shift and leave days will be selected consistent with Department policy.

d. Police Officers and Dispatchers will be required to have eight (8) hours off between shifts. Secondary employment that is not compliant with this clause is prohibited. At no time will any employee be allowed to work twenty-four (24) consecutive hours. Employees can switch Leave Days with one another unless it would cause either employee to work twenty-four consecutive hours or either employee to not have eight (8) hours off in between their shifts.

e. Seniority will be based on time in rank. Police Officers and Dispatchers will bid for shifts based upon seniority as currently is the practice. Shift bids will be on a bi-annual basis and posted two (2)



months prior to the beginning of the new cycle. Each shift must have twenty-five percent (25%) of their manpower with at least three (3) years of seniority. This mandate is to ensure that each shift has equal experience in time, defined as seniority, compared to the other shifts. Seniority must be re-evaluated on an annual basis. The analysis may cause the listed minimums to be modified. Any modification must be agreed upon by all parties. The Chief of Police may re-assign personnel to achieve this goal.

f. Holiday pay shall continue to be treated the same pursuant to Article 20.1 and pay will continue to be based upon eight (8) hours per holiday.

g. When selecting a monthly court date for traffic offenses, all Officers working Day Shift will report for court while on duty during their shift. All Officers working Night Shift must ensure that they have a minimum of eight (8) hours off prior to their next shift. Any Officer working Night Shift shall use discretionary time if they are held late at Court and it would cause them to not have at least eight (8) hours off until their next shift. Any Officer who has to appear for Court that is on their day off (example: pre-trial hearing, trial, court at the Third Circuit Court, etc.), shall be compensated as prescribed in Article 21 of the Agreement.

    Day Shift – appearance while working.
    Night Shift – two (2) hour minimum or time and one-half, whichever is greater.

h. Prescheduled overtime (STAR details, Reserve details, etc.) must be worked prior/after the employee's eight (8) hour shift or on their day off. Employees can also volunteer to cover additional shifts as long as it does not cause them to work more than three (3) consecutive twelve (12) hour shifts and allows at least eight (8) hours off in between shifts. Generally, only one (1) block of overtime will be permitted. This is not to exceed twelve (12) hours of work on any given day.

i. The Chief of Police retains all rights to approve or deny employee requests for time off and to reassign employees pursuant to management rights.

4. The parties recognize that the agreement to go to a 12-hour shift schedule was based on numerous factors, but that an absolute and unqualified condition of the City's agreement to agree to this change was based on the understanding of the parties that the modification to a 12-hour shift schedule would be essentially cost neutral to the City. Both the City and the Union recognize that there are a variety of twelve (12) hour shift schedules, some of which include an increase in work schedules during a two-week pay period. These schedules increase hours of work from eighty (80) hours to eighty-four (84) hours. The

Union specifically proposed this eighty (80) hour schedule to achieve the cost neutrality required by the City. The parties further agree that any changes in the future to the 12-hour shift schedule shall continue to satisfy the objective of maintaining essential cost neutrality. The language of this paragraph will be contained in any future collective bargaining agreement which contains any form of a 12-hour shift schedule.

Civil Service 11/3/23

LPOA 11-3-23

CITY OF LIVONIA
LPOA PAYRATES

Appendix A

CLASSIFICATION		3% 2023-2024 HOURLY	3% 2023-2024 BI-WEEKLY	3% 2023-2024 ANNUAL	2.5% 2024-2025 HOURLY	2.5% 2024-2025 BI-WEEKLY	2.5% 2024-2025 ANNUAL	3.5% 2025-2026 HOURLY	3.5% 2025-2026 BI-WEEKLY	3.5% 2025-2026 ANNUAL
POLICE OFFICER	STEP 1	$29.69	$2,375.20	$61,755.20	$30.43	$2,434.40	$63,294.40	$31.50	$2,520.00	$65,520.00
	STEP 2	$31.63	$2,530.40	$65,790.40	$32.42	$2,593.60	$67,433.60	$33.55	$2,684.00	$69,784.00
**Effective 12-1-17, starting pay*	STEP 3	$33.97	$2,717.60	$70,657.60	$34.82	$2,785.60	$72,425.60	$36.04	$2,883.20	$74,963.20
is Step 2 per CBA (see below).	STEP 4	$36.75	$2,940.00	$76,440.00	$37.67	$3,013.60	$78,353.60	$38.99	$3,119.20	$81,099.20
	MAXIMUM	$39.47	$3,157.60	$82,097.60	$40.46	$3,236.80	$84,156.80	$41.88	$3,350.40	$87,110.40
SENIOR POLICE OFFICER	MAXIMUM	$41.47	$3,317.60	$86,257.60	$42.51	$3,400.80	$88,420.80	$44.00	$3,520.00	$91,520.00
DISPATCHER	STEP 1	$29.49	$2,359.20	$61,339.20	$30.23	$2,418.40	$62,878.40	$31.29	$2,503.20	$65,083.20
	STEP 1.5	$29.95	$2,396.00	$62,296.00	$30.70	$2,456.00	$63,856.00	$31.77	$2,541.60	$66,081.60
	STEP 2	$30.51	$2,440.80	$63,460.80	$31.27	$2,501.60	$65,041.60	$32.36	$2,588.80	$67,308.80
	STEP 3	$31.66	$2,532.80	$65,852.80	$32.45	$2,596.00	$67,496.00	$33.59	$2,687.20	$69,867.20
	STEP 4	$32.89	$2,631.20	$68,411.20	$33.71	$2,696.80	$70,116.80	$34.89	$2,791.20	$72,571.20

** 37.2 Until such time as the classification of Police Officers is close to being fully staffed as determined by the City, all Police Officers hired or promoted into the bargaining unit after December 1, 2017, will start at Step 2 of the salary schedule.*

The Senior Police Officer rate shall be paid upon a police officer's completion of ~~ten (10)~~ six (6) years of employment within the Police Department, including credit for lateral transfer.

Effective 12/1/2023 the rate for all employees includes the Uniform Cleaning and Maintenance Allowance

CITY OF LIVONIA
LPOA PAYRATES
Proposal
11.2.23

			CONTRACT ADJUSTMENTS						ACTUAL WAGES			CHANGE SUMMARY	
					2%		3% Projected	Projected	3%				
		2022-2023	Eliminate	Cleaning	One-Time	Wage Inc	12/1/2023	Hourly Rate	2023-2024			1st Year	1st Year
CLASSIFICATION		**ANNUAL**	**2nd Tier**	**Allowance**	**Adjustment**	**3%**	**Wage**	**UnRounded**	**HOURLY**	**BI-WEEKLY**	**ANNUAL**	**$ Increase**	**% Increase**
POLICE OFFICER	STEP 1	$58,177.60		$600.00	$1,175.55	$1,798.59	$61,751.74	29.688337	$29.69	$2,375.20	$61,755.20	$3,577.60	6.15%
(HIRED BEFORE 11/2/2011)	STEP 2	$62,025.60		$600.00	$1,252.51	$1,916.34	$65,794.45	31.631947	$31.63	$2,530.40	$65,790.40	$3,764.80	6.07%
	STEP 3	$66,664.00		$600.00	$1,345.28	$2,058.28	$70,667.56	33.974788	$33.97	$2,717.60	$70,657.60	$3,993.60	5.99%
	STEP 4	$72,155.20		$600.00	$1,455.10	$2,226.31	$76,436.61	36.748370	$36.75	$2,940.00	$76,440.00	$4,284.80	5.94%
	MAXIMUM	$77,542.40		$600.00	$1,562.85	$2,391.16	$82,096.41	39.469428	$39.47	$3,157.60	$82,097.60	$4,555.20	5.87%
POLICE OFFICER	STEP 1	$57,449.60	$728.00	$600.00	$1,175.55	$1,798.59	$61,751.74	29.688337	$29.69	$2,375.20	$61,755.20	$4,305.60	7.49%
(HIRED ON OR AFTER 11/2/2011)	STEP 2	$61,152.00	$873.60	$600.00	$1,252.51	$1,916.34	$65,794.45	31.631947	$31.63	$2,530.40	$65,790.40	$4,638.40	7.59%
***Effective 12-1-17, starting pay**	STEP 3	$65,582.40	$1,081.60	$600.00	$1,345.28	$2,058.28	$70,667.56	33.974788	$33.97	$2,717.60	$70,657.60	$5,075.20	7.74%
is Step 2 per CBA (see below).	STEP 4	$70,782.40	$1,372.80	$600.00	$1,455.10	$2,226.31	$76,436.61	36.748370	$36.75	$2,940.00	$76,440.00	$5,657.60	7.99%
	MAXIMUM	$75,899.20	$1,643.20	$600.00	$1,562.85	$2,391.16	$82,096.41	39.469428	$39.47	$3,157.60	$82,097.60	$6,198.40	8.17%
SENIOR POLICE OFFICER	MAXIMUM	$81,494.40		$600.00	$1,641.89	$2,512.09	$86,248.38	41.465567	$41.47	$3,317.60	$86,257.60	$4,763.20	5.84%
(HIRED BEFORE 11/2/2011)													
SENIOR POLICE OFFICER	MAXIMUM	$79,643.20	$1,851.20	$600.00	$1,641.89	$2,512.09	$86,248.38	41.465567	$41.47	$3,317.60	$86,257.60	$6,614.40	8.31%
(HIRED AFTER 11/2/2011)													
DISPATCHER	STEP 1	$58,947.20		$600.00		$1,786.42	$61,333.62	29.487317	$29.49	$2,359.20	$61,339.20	$2,392.00	4.06%
(HIRED BEFORE 11/2/2011)	STEP 1.5	$59,883.20		$600.00		$1,814.50	$62,297.70	29.950817	$29.95	$2,396.00	$62,296.00	$2,412.80	4.03%
	STEP 2	$61,006.40		$600.00		$1,848.19	$63,454.59	30.507014	$30.51	$2,440.80	$63,460.80	$2,454.40	4.02%
	STEP 3	$63,336.00		$600.00		$1,918.08	$65,854.08	31.660615	$31.66	$2,532.80	$65,852.80	$2,516.80	3.97%
	STEP 4	$65,811.20		$600.00		$1,992.34	$68,403.54	32.886317	$32.89	$2,631.20	$68,411.20	$2,600.00	3.95%
DISPATCHER	STEP 1	$56,014.40	$2,932.80	$600.00		$1,786.42	$61,333.62	29.487317	$29.49	$2,359.20	$61,339.20	$5,324.80	9.51%
(HIRED ON OR AFTER 11/2/2011)	STEP 1.5	$56,950.40	$2,932.80	$600.00		$1,814.50	$62,297.70	29.950817	$29.95	$2,396.00	$62,296.00	$5,345.60	9.39%
	STEP 2	$57,948.80	$3,057.60	$600.00		$1,848.19	$63,454.59	30.507014	$30.51	$2,440.80	$63,460.80	$5,512.00	9.51%
	STEP 3	$60,153.60	$3,182.40	$600.00		$1,918.08	$65,854.08	31.660615	$31.66	$2,532.80	$65,852.80	$5,699.20	9.47%
	STEP 4	$62,524.80	$3,286.40	$600.00		$1,992.34	$68,403.54	32.886317	$32.89	$2,631.20	$68,411.20	$5,886.40	9.41%

** 37.2 Until such time as the classification of Police Officers is close to being fully staffed as determined by the City, all Police Officers hired or promoted into the bargaining unit after December 1, 2017, will start at Step 2 of the salary schedule.*

The Senior Police Officer rate shall be paid upon a police officer's completion of ~~ten (10)~~ six (6) years of employment within the Police Department, including credit for lateral transfer.

Effective 12/1/2023 the rate for all employees includes the Uniform Cleaning and Maintenance Allowance

CITY OF LIVONIA ï CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 13, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and President Jim Jolly. Absent: Vice President Toy.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney Todd Zilincik, City Engineer; and Doug Moore, Assistant Director of Public Works.

Councilmember McIntyre led the meeting with the Pledge of Allegiance.

5. REQUEST TO WAIVE THE SEALED BID PROCESS AND APPROVE AN AGREEMENT WITH TYLER TECHNOLOGIES (NEW WORLD): Department of Parks and Recreation, re: for Time and Attendance by ExecuTime to streamline staff time, attendance, and scheduling, from budgeted funds.

   Michelle Koppin, Assistant Superintendent of Parks and Recreation, presented the request to Council.

   Councilmember Bahr asked if this is the same system that they approved for IT. He also asked if other departments use this.

   Ms. Koppin indicated this is a module within that system and they are the first department to use it. They hope it will be used by other departments if it is successful.

   President Jolly asked if they still use yellow timecards.

   Ms. Koppin indicated some employees use timecards, some use a time clock but some of the clocks still need manual calculation of hours.

   Councilmember McCullough offered an approving motion for the Consent agenda.

   DIRECTION: APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

5.

Parks and Recreation
November 2, 2023

MEETING DATE	PREPARED BY
S111323/R120423	Ann Cox, Program Supervisor,

AGENDA ITEM

REQUEST TO WAIVE THE SEALED BID PROCESS AND APPROVE AN AGREEMENT WITH TYLER TECHNOLOGIES (NEW WORLD): Department of Parks and Recreation, re: for Time and Attendance by ExecuTime to streamline staff time, attendance and scheduling, from budgeted funds.

BACKGROUND DETAILS

The City currently uses Tyler Technologies Inc. for financial management and HR portal. New World ERP is a government-specific solution, making Livonia efficient with our budgeting and accounting. Time and Attendance by ExecuTime has advanced integration with Tylerôs New World ERP. We request a waiver of the bid process because ExecuTime Time and Attendance software is the sole source fully compatible with Tyler Technology New World ERP.

Time and Attendance will electronically capture, manage, and analyze time cards and schedules and seamlessly integrate that data in real-time with our New World enterprise resource planning (ERP) solution. The software will stop duplicate data entry and provide less chance for error. Implementing Tylerôs Time and Attendance will save hundreds of staff hours annually. Daily hours input and reporting allow for a more detailed analysis of historical data and trends than what is available with the current bi-weekly hours input. Time and Attendance will be a cloud-based system allowing managers to approve payroll from multiple devices. This is an essential feature in the event of illness or power outages. Remote scheduling and staff ability to trade days will save countless hours of supervisory time currently required for scheduling.

The Department of Parks and Recreation and the Library, will be the first departments to implement the software. Implementation is expected to take between six and nine months.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

We request that City Council authorize the Mayor and City Clerk to execute a contract with Tyler Technologies, 840 West Long Lake Road, Troy, MI 48098 for the initial cost of $44,413 with automatic annual renewals of $16,333.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Time and Attendance by ExecuTime

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

The initial term is one (1) year. Upon expiration of the initial term, this Agreement will renew automatically for additional one (1) year renewal terms at our then-current SaaS Fees unless terminated in writing by either party at least sixty (60) days prior to the end of the then-current renewal term.

First year amount $44,413, Reccuring fees $ 16,333.

DETAILED WORK BEING PERFORMED

Time and Attendance will electronically capture, manage and analyze time cards and schedules and integrate the data in real-time with New World ERP.

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

Funds are budgeted in account 401-000-971-000.

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

N/A

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): ExecuTime Time and Attendance software is the sole source fully compatible with Tyler Technology New World ERP.

ATTACHMENTS

1. 2023 Executime Payroll Software

APPROVED BY



Ted Davis, CPRP, Superintendent of Parks and Recreation — Date: November 02, 2023



Michael Slater, Finance Director — Date: November 02, 2023



Paul Bernier, City Attorney — Date: November 02, 2023



Date: November 03, 2023

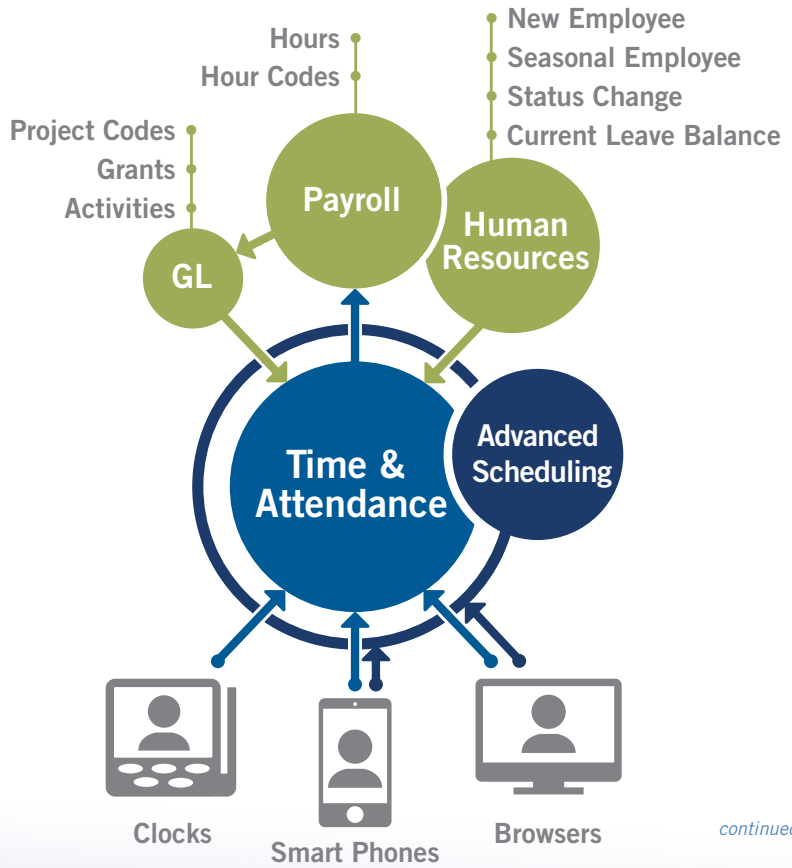
Maureen Miller Brosnan, Mayor

executime™
a total tyler solution

ExecuTime and New World ERP Integration

Labor costs are a big part of your budget, so you need an accurate reporting of your employee hours. Labor costs escalate through human error, manual processes and requests, and scheduling conflicts — but they don't have to.

Whether you're ready to eliminate paper timesheets or automate your scheduling practices, ExecuTime™ is an industry-leading solution that helps streamline your time and attendance and advanced scheduling processes. You can now electronically capture, manage, and analyze all of your time cards and schedules, and seamlessly integrate that data in real time with your New World enterprise resource planning (ERP) solution so there's no duplicate data entry and less chance for error. ExecuTime handles all of your time and attendance and scheduling challenges with ease and precision while keeping an eye on your bottom line.



continued

ExecuTime functions:

- Timesheet entry
- Timesheet approvals
- Timesheet processing
- Employee timekeeping security
- Time-off approval settings
- Time-off requests
- Time-off approvals
- Time-off processing
- Time clocks
- Mobile access
- Basic scheduling
- Advanced scheduling for police and fire departments
- Move overtime to comp time
- Shift differentials

New World ERP functions:

- Employee information
- Pay codes
- Employee pay
- Position codes
- Job codes
- Employee jobs
- Employee certifications
- Location codes
- Employee locations
- Pay and overtime rate calculations
- Work order activity codes
- Accrual balances
- Reporting capabilities

ET-NWINT-FO-10070-0119

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Tyler's New World ERP and ExecuTime Integration Features

- Clock in/out from ExecuTime while information is sent to New World by a user-initiated process.
- New World accruals and balances can be viewed in ExecuTime.
- All payroll setup codes are established and maintained in New World; ExecuTime displays these codes to guarantee all information accessed in ExecuTime is current.
- ExecuTime calculates overtime and/or comp hours employees are eligible for based on FLSA rules. When timesheet information is sent to New World, New World Payroll applies the various pay and overtime rates based on the hours and pay codes passed from ExecuTime.
- Advanced Scheduling can be used for complex shift and scheduling needs.
- Workflow items can be approved in ExecuTime.
- The following data points are automatically updated in ExecuTime as additions, edits, or deletions are made in New World:
  - » Organizational units (departments)
  - » Hours codes
  - » Positions
  - » Employee demographics
  - » Leave balances
  - » Project codes

SOFTWARE AS A SERVICE AGREEMENT

This Software as a Service Agreement is made between Tyler Technologies, Inc. and Client.

WHEREAS, Client selected Tyler to provide certain products and services set forth in the Investment Summary, including providing Client with access to Tyler's proprietary software products, and Tyler desires to provide such products and services under the terms of this Agreement;

NOW THEREFORE, in consideration of the foregoing and of the mutual covenants and promises set forth in this Agreement, Tyler and Client agree as follows:

SECTION A – DEFINITIONS

- **"Agreement"** means this Software as a Service Agreement.
- **"Business Travel Policy"** means our business travel policy. A copy of our current Business Travel Policy is attached as Schedule 1 to Exhibit B.
- **"Client**" means the City of Livonia, Michigan
- **"Data"** means your data necessary to utilize the Tyler Software.
- **"Data Storage Capacity"** means the contracted amount of storage capacity for your Data identified in the Investment Summary.
- **"Defect"** means a failure of the Tyler Software to substantially conform to the functional descriptions set forth in our written proposal to you, or their functional equivalent. Future functionality may be updated, modified, or otherwise enhanced through our maintenance and support services, and the governing functional descriptions for such future functionality will be set forth in our then-current Documentation.
- **"Defined Users"** means the number of users that are authorized to use the SaaS Services. The Defined Users for the Agreement are as identified in the Investment Summary. If Exhibit A contains Enterprise Permitting & Licensing labeled software, defined users mean the maximum number of named users that are authorized to use the Enterprise Permitting & Licensing labeled modules as indicated in the Investment Summary.
- **"Developer"** means a third party who owns the intellectual property rights to Third Party Software.
- **"Documentation"** means any online or written documentation related to the use or functionality of the Tyler Software that we provide or otherwise make available to you, including instructions, user guides, manuals and other training or self-help documentation.
- **"Effective Date"** means the date by which both your and our authorized representatives have signed the Agreement.
- **"Force Majeure"** means an event beyond the reasonable control of you or us, including, without limitation, governmental action, war, riot or civil commotion, fire, natural disaster, or any other cause that could not with reasonable diligence be foreseen or prevented by you or us.
- **"Investment Summary"** means the agreed upon cost proposal for the products and services attached as Exhibit A.

- **"Invoicing and Payment Policy"** means the invoicing and payment policy. A copy of our current Invoicing and Payment Policy is attached as Exhibit B.
- **"Order Form"** means an ordering document that includes a quote or investment summary and specifying the items to be provided by Tyler to Client, including any addenda and supplements thereto.
- **"SaaS Fees"** means the fees for the SaaS Services identified in the Investment Summary.
- **"SaaS Services"** means software as a service consisting of system administration, system management, and system monitoring activities that Tyler performs for the Tyler Software, and includes the right to access and use the Tyler Software, receive maintenance and support on the Tyler Software, including Downtime resolution under the terms of the SLA, and Data storage and archiving. SaaS Services do not include support of an operating system or hardware, support outside of our normal business hours, or training, consulting or other professional services.
- **"SLA"** means the service level agreement. A copy of our current SLA is attached hereto as Exhibit C.
- **"Support Call Process"** means the support call process applicable to all of our customers who have licensed the Tyler Software. A copy of our current Support Call Process is attached as Schedule 1 to Exhibit C.
- **"Third Party Hardware"** means the third party hardware, if any, identified in the Investment Summary.
- **"Third Party Products"** means the Third Party Software and Third Party Hardware.
- **"Third Party SaaS Services"** means software as a service provided by a third party, if any, identified in the Investment Summary.
- **"Third Party Services"** means the third party services, if any, identified in the Investment Summary.
- **"Third Party Software"** means the third party software, if any, identified in the Investment Summary.
- **"Third Party Terms"** means, if any, the end user license agreement(s) or similar terms for the Third Party Products or other parties' products or services, as applicable.
- **"Tyler"** means Tyler Technologies, Inc., a Delaware corporation.
- **"Tyler Software"** means our proprietary software, including any integrations, custom modifications, and/or other related interfaces identified in the Investment Summary and licensed by us to you through this Agreement.
- **"we", "us", "our"** and similar terms mean Tyler.
- **"you"** and similar terms mean Client.

SECTION B – SAAS SERVICES

1. Rights Granted. We grant to you the non-exclusive, non-assignable limited right to use the SaaS Services solely for your internal business purposes for the number of Defined Users only. The Tyler Software will be made available to you according to the terms of the SLA. You acknowledge that we have no delivery obligations and we will not ship copies of the Tyler Software as part of the SaaS Services. You may use the SaaS Services to access updates and enhancements to the Tyler Software, as further described in Section C(9). The foregoing notwithstanding, to the extent we have sold you perpetual licenses for Tyler Software, if and listed in the Investment Summary, for which you are receiving SaaS Services, your rights to use such Tyler Software are perpetual, subject to the terms and conditions of this Agreement including, without limitation, Section B(4). We will make any such software available to you for download.

2. SaaS Fees. You agree to pay us the SaaS Fees. Those amounts are payable in accordance with our Invoicing and Payment Policy. The SaaS Fees are based on the number of Defined Users and amount of Data Storage Capacity. You may add additional users or additional data storage capacity on the terms set forth in Section H(1). In the event you regularly and/or meaningfully exceed the Defined Users or Data Storage Capacity, we reserve the right to charge you additional fees commensurate with the overage(s).

3. Ownership.

   3.1 We retain all ownership and intellectual property rights to the SaaS Services, the Tyler Software, and anything developed by us under this Agreement. You do not acquire under this Agreement any license to use the Tyler Software in excess of the scope and/or duration of the SaaS Services.

   3.2 The Documentation is licensed to you and may be used and copied by your employees for internal, non-commercial reference purposes only.

   3.3 You retain all ownership and intellectual property rights to the Data. You expressly recognize that except to the extent necessary to carry out our obligations contained in this Agreement, we do not create or endorse any Data used in connection with the SaaS Services.

4. Restrictions. You may not: (a) make the Tyler Software or Documentation resulting from the SaaS Services available in any manner to any third party for use in the third party's business operations; (b) modify, make derivative works of, disassemble, reverse compile, or reverse engineer any part of the SaaS Services; (c) access or use the SaaS Services in order to build or support, and/or assist a third party in building or supporting, products or services competitive to us; or (d) license, sell, rent, lease, transfer, assign, distribute, display, host, outsource, disclose, permit timesharing or service bureau use, or otherwise commercially exploit or make the SaaS Services, Tyler Software, or Documentation available to any third party other than as expressly permitted by this Agreement.

5. Software Warranty. We warrant that the Tyler Software will perform without Defects during the term of this Agreement. If the Tyler Software does not perform as warranted, we will use all reasonable efforts, consistent with industry standards, to cure the Defect in accordance with the maintenance and support process set forth in Section C(9), below, the SLA and our then current Support Call Process.

6. SaaS Services.

   1. Our SaaS Services are audited at least yearly in accordance with the AICPA's Statement on Standards for Attestation Engagements ("SSAE") No. 21. We have attained, and will maintain, SOC 1 and SOC 2 compliance, or its equivalent, for so long as you are timely paying for SaaS Services. The scope of audit coverage varies for some Tyler Software solutions. Upon execution of a mutually agreeable Non-Disclosure Agreement ("NDA"), we will provide you with a summary of our compliance report(s) or its equivalent. Every year thereafter, for so long as the NDA is in effect and in which you make a written request, we will provide that same information. If our SaaS Services are provided using a 3rd party data center, we will provide available compliance reports for that data center. This NDA is only required if the Client wishes to obtain our SOC 1 and 2 report. The report contains proprietary information and so an NDA is

required. As of the Effective Date, additional information may be reviewed here, https://www.tylertech.com/about-us/security-compliance/soc-compliance

6.1 You will be hosted on shared hardware in a Tyler data center or in a third-party data center. In either event, databases containing your Data will be dedicated to you and inaccessible to our other customers.

6.2 Our Tyler data centers have fully-redundant telecommunications access, electrical power, and the required hardware to provide access to the Tyler Software in the event of a disaster or component failure. In the event of a data center failure, we reserve the right to employ our disaster recovery plan for resumption of the SaaS Services. In that event, we commit to a Recovery Point Objective ("RPO") of 24 hours and a Recovery Time Objective ("RTO") of 24 hours. RPO represents the maximum duration of time between the most recent recoverable copy of your hosted Data and subsequent data center failure. RTO represents the maximum duration of time following data center failure within which your access to the Tyler Software must be restored.

6.3 We conduct annual penetration testing of either the production network and/or web application to be performed. We will maintain industry standard intrusion detection and prevention systems to monitor malicious activity in the network and to log and block any such activity. We will provide you with a written or electronic record of the actions taken by us in the event that any unauthorized access to your database(s) is detected as a result of our security protocols. We will undertake an additional security audit, on terms and timing to be mutually agreed to by the parties, at your written request. You may not attempt to bypass or subvert security restrictions in the SaaS Services or environments related to the Tyler Software. Unauthorized attempts to access files, passwords or other confidential information, and unauthorized vulnerability and penetration test scanning of our network and systems (hosted or otherwise) is prohibited without the prior written approval of our IT Security Officer.

6.4 We test our disaster recovery plan on an annual basis. Our standard test is not client-specific. Should you request a client-specific disaster recovery test, we will work with you to schedule and execute such a test on a mutually agreeable schedule. At your written request, we will provide test results to you within a commercially reasonable timeframe after receipt of the request.

6.5 We will be responsible for importing back-up and verifying that you can log-in. You will be responsible for running reports and testing critical processes to verify the returned Data.

6.6 We provide secure Data transmission paths between each of your workstations and our servers.

6.7 Tyler data centers are accessible only by authorized personnel with a unique key entry. All other visitors to Tyler data centers must be signed in and accompanied by authorized personnel. Entry attempts to the data center are regularly audited by internal staff and external auditors to ensure no unauthorized access.

6.8 Where applicable with respect to our applications that take or process card payment data, we

are responsible for the security of cardholder data that we possess, including functions relating to storing, processing, and transmitting of the cardholder data and affirm that, as of the Effective Date, we comply with applicable requirements to be considered PCI DSS compliant and have performed the necessary steps to validate compliance with the PCI DSS. We agree to supply the current status of our PCI DSS compliance program in the form of an official Attestation of Compliance, which can be found at https://www.tylertech.com/about-us/compliance, and in the event of any change in our status, will comply with applicable notice requirements.

SECTION C – PROFESSIONAL SERVICES

1. Professional Services. We will provide you the various implementation-related services itemized in the Investment Summary.

2. Professional Services Fees. You agree to pay us the professional services fees in the amounts set forth in the Investment Summary. Those amounts are payable in accordance with our Invoicing and Payment Policy. You acknowledge that the fees stated in the Investment Summary are good-faith estimates of the amount of time and materials required for your implementation. We will bill you the actual fees incurred based on the in-scope services provided to you. Any discrepancies in the total values set forth in the Investment Summary will be resolved by multiplying the applicable hourly rate by the quoted hours.

3. Additional Services. The Investment Summary contains the scope of services and related costs (including programming and/or interface estimates) required for the project based on our understanding of the specifications you supplied. If additional work is required, or if you use or request additional services, we will provide you with an addendum or change order, as applicable, outlining the costs for the additional work. The price quotes in the addendum or change order will be valid for thirty (30) days from the date of the quote.

4. Cancellation. If you cancel services less than four (4) weeks in advance (other than for Force Majeure or breach by us), you will be liable for all (a) daily fees associated with cancelled professional services if we are unable to reassign our personnel and (b) any non-refundable travel expenses already incurred by us on your behalf. We will make all reasonable efforts to reassign personnel in the event you cancel within four (4) weeks of scheduled commitments.

5. Services Warranty. We will perform the services in a professional, workmanlike manner, consistent with industry standards. In the event we provide services that do not conform to this warranty, we will re-perform such services at no additional cost to you.

6. Site Access and Requirements. At no cost to us, you agree to provide us with full and free access to your personnel, facilities, and equipment as may be reasonably necessary for us to provide implementation services, subject to any reasonable security protocols or other written policies provided to us as of the Effective Date, and thereafter as mutually agreed to by you and us.

7. Background Checks. For at least the past twelve (12) years, all of our employees have undergone criminal background checks prior to hire. All employees sign our confidentiality agreement and security policies.

8. Client Assistance. You acknowledge that the implementation of the Tyler Software is a cooperative process requiring the time and resources of your personnel. You agree to use all reasonable efforts to cooperate with and assist us as may be reasonably required to meet the agreed upon project deadlines and other milestones for implementation. This cooperation includes at least working with us to schedule the implementation-related services outlined in this Agreement. We will not be liable for failure to meet any deadlines and milestones when such failure is due to Force Majeure or to the failure by your personnel to provide such cooperation and assistance (either through action or omission).

9. Maintenance and Support. For so long as you timely pay your SaaS Fees according to the Invoicing and Payment Policy, then in addition to the terms set forth in the SLA and the Support Call Process, we will:

    9.1 perform our maintenance and support obligations in a professional, good, and workmanlike manner, consistent with industry standards, to resolve Defects in the Tyler Software (subject to any applicable release life cycle policy);

    9.2 provide support during our established support hours;

    9.3 maintain personnel that are sufficiently trained to be familiar with the Tyler Software and Third Party Software, if any, in order to provide maintenance and support services;

    9.4 make available to you all releases to the Tyler Software (including updates and enhancements) that we make generally available without additional charge to customers who have a maintenance and support agreement in effect; and

    9.5 provide non-Defect resolution support of prior releases of the Tyler Software in accordance with any applicable release life cycle policy.

We will use all reasonable efforts to perform support services remotely. Currently, we use a third-party secure unattended connectivity tool called Bomgar, as well as GotoAssist by Citrix. Therefore, you agree to maintain a high-speed internet connection capable of connecting us to your PCs and server(s). You agree to provide us with a login account and local administrative privileges as we may reasonably require to perform remote services. We will, at our option, use the secure connection to assist with proper diagnosis and resolution, subject to any reasonably applicable security protocols. If we cannot resolve a support issue remotely, we may be required to provide onsite services. In such event, we will be responsible for our travel expenses, unless it is determined that the reason onsite support was required was a reason outside our control. Either way, you agree to provide us with full and free access to the Tyler Software, working space, adequate facilities within a reasonable distance from the equipment, and use of machines, attachments, features, or other equipment reasonably necessary for us to provide the maintenance and support services, all at no charge to us. We strongly recommend that you also maintain your VPN for backup connectivity purposes.

For the avoidance of doubt, SaaS Fees do not include the following services: (a) onsite support (unless Tyler cannot remotely correct a Defect in the Tyler Software, as set forth above); (b) application design; (c) other consulting services; or (d) support outside our normal business hours as listed in our then-current Support Call Process. Requested services such as those outlined in this section will be billed to you on a time and materials basis at our then current rates. You must request those services with at

least one (1) weeks' advance notice.

SECTION D – THIRD PARTY PRODUCTS

1. Third Party Hardware. We will sell, deliver, and install onsite the Third Party Hardware, if you have purchased any, for the price set forth in the Investment Summary. Those amounts are payable in accordance with our Invoicing and Payment Policy.

2. Third Party Software. As part of the SaaS Services, you will receive access to the Third Party Software and related documentation for internal business purposes only. Your rights to the Third Party Software will be governed by the Third Party Terms.

3. Third Party Products Warranties.

   3.1 We are authorized by each Developer to grant access to the Third Party Software.

   3.2 The Third Party Hardware will be new and unused, and upon payment in full, you will receive free and clear title to the Third Party Hardware.

   3.3 You acknowledge that we are not the manufacturer of the Third Party Products. We do not warrant or guarantee the performance of the Third Party Products. However, we grant and pass through to you any warranty that we may receive from the Developer or supplier of the Third Party Products.

4. Third Party Services. If you have purchased Third Party Services, those services will be provided independent of Tyler by such third-party at the rates set forth in the Investment Summary and in accordance with our Invoicing and Payment Policy.

SECTION E - INVOICING AND PAYMENT; INVOICE DISPUTES

1. Invoicing and Payment. We will invoice you the SaaS Fees and fees for other professional services in the Investment Summary per our Invoicing and Payment Policy, subject to Section E(2).

2. Invoice Disputes. If you believe any delivered software or service does not conform to the warranties in this Agreement, you will provide us with written notice within thirty (30) days of your receipt of the applicable invoice. The written notice must contain reasonable detail of the issues you contend are in dispute so that we can confirm the issue and respond to your notice with either a justification of the invoice, an adjustment to the invoice, or a proposal addressing the issues presented in your notice. We will work with you as may be necessary to develop an action plan that outlines reasonable steps to be taken by each of us to resolve any issues presented in your notice. You may withhold payment of the amount(s) actually in dispute, and only those amounts, until we complete the action items outlined in the plan. If we are unable to complete the action items outlined in the action plan because of your failure to complete the items agreed to be done by you, then you will remit full payment of the invoice. We reserve the right to suspend delivery of all SaaS Services, including maintenance and support services, if you fail to pay an invoice not disputed as

described above within fifteen (15) days of notice of our intent to do so.

SECTION F – TERM AND TERMINATION

1. Term. This Agreement is effective as of the Effective Date. The initial term of this Agreement is equal to the number of years indicated for SaaS Services in Exhibit A, commencing on May 13, 2024, unless earlier terminated as set forth below. If no duration is indicated in Exhibit A, the initial term is one (1) year. Upon expiration of the initial term, this Agreement will renew automatically for additional one (1) year renewal terms at our then-current SaaS Fees unless terminated in writing by either party at least sixty (60) days prior to the end of the then-current renewal term. Your right to access or use the Tyler Software and the SaaS Services will terminate at the end of this Agreement.

2. Termination. This Agreement may be terminated as set forth below. In the event of termination, you will pay us for all undisputed fees and expenses related to the software, products, and/or services you have received, or we have incurred or delivered, prior to the effective date of termination. Disputed fees and expenses in all terminations other than your termination for cause must have been submitted as invoice disputes in accordance with Section E(2).

   2.1 Failure to Pay SaaS Fees. You acknowledge and agree that if you fail to timely pay the SaaS Fees, we may discontinue the SaaS Services and deny your access to the Tyler Software. We may also terminate this Agreement if you don't cure such failure to pay within forty-five (45) days of receiving written notice of our intent to terminate.

   2.2 For Cause. If you believe we have materially breached this Agreement, you will invoke the Dispute Resolution clause set forth in Section H(3). You may terminate this Agreement for cause in the event we do not cure, or create a mutually agreeable action plan to address, a material breach of this Agreement within the thirty (30) day window set forth in Section H(3).

   2.3 Force Majeure. Either party has the right to terminate this Agreement if a Force Majeure event suspends performance of the SaaS Services for a period of forty-five (45) days or more.

   2.4 Lack of Appropriations. If you should not appropriate or otherwise make available funds sufficient to utilize the SaaS Services, you may unilaterally terminate this Agreement upon thirty (30) days written notice to us. You will not be entitled to a refund or offset of previously paid, but unused SaaS Fees. You agree not to use termination for lack of appropriations as a substitute for termination for convenience.

SECTION G – INDEMNIFICATION, LIMITATION OF LIABILITY AND INSURANCE

1. Intellectual Property Infringement Indemnification.

   1.1 We will defend you against any third party claim(s) that the Tyler Software or Documentation infringes that third party's patent, copyright, or trademark, or misappropriates its trade secrets, and will pay the amount of any resulting adverse final judgment (or settlement to which we

consent). You must notify us promptly in writing of the claim and give us sole control over its defense or settlement. You agree to provide us with reasonable assistance, cooperation, and information in defending the claim at our expense.

1.2 Our obligations under this Section G(1) will not apply to the extent the claim or adverse final judgment is based on your use of the Tyler Software in contradiction of this Agreement, including with non-licensed third parties, or your willful infringement.

1.3 If we receive information concerning an infringement or misappropriation claim related to the Tyler Software, we may, at our expense and without obligation to do so, either: (a) procure for you the right to continue its use; (b) modify it to make it non-infringing; or (c) replace it with a functional equivalent, in which case you will stop running the allegedly infringing Tyler Software immediately. Alternatively, we may decide to litigate the claim to judgment, in which case you may continue to use the Tyler Software consistent with the terms of this Agreement.

1.4 If an infringement or misappropriation claim is fully litigated and your use of the Tyler Software is enjoined by a court of competent jurisdiction, in addition to paying any adverse final judgment (or settlement to which we consent), we will, at our option, either: (a) procure the right to continue its use; (b) modify it to make it non-infringing; or (c) replace it with a functional equivalent. This section provides your exclusive remedy for third party copyright, patent, or trademark infringement and trade secret misappropriation claims.

2. General Indemnification.

2.1 We will indemnify and hold harmless you and your agents, officials, and employees from and against any and all third-party claims, losses, liabilities, damages, costs, and expenses (including reasonable attorney's fees and costs) for (a) personal injury or property damage to the extent caused by our negligence or willful misconduct; or (b) our violation of PCI-DSS requirements or a law applicable to our performance under this Agreement. You must notify us promptly in writing of the claim and give us sole control over its defense or settlement. You agree to provide us with reasonable assistance, cooperation, and information in defending the claim at our expense.

3. DISCLAIMER. EXCEPT FOR THE EXPRESS WARRANTIES PROVIDED IN THIS AGREEMENT AND TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, WE HEREBY DISCLAIM ALL OTHER WARRANTIES AND CONDITIONS, WHETHER EXPRESS, IMPLIED, OR STATUTORY, INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTIES, DUTIES, OR CONDITIONS OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. CLIENT UNDERSTANDS AND AGREES THAT TYLER DISCLAIMS ANY LIABILITY FOR ERRORS THAT RELATE TO USER ERROR.

4. LIMITATION OF LIABILITY. EXCEPT AS OTHERWISE EXPRESSLY SET FORTH IN THIS AGREEMENT, EITHER PARTY'S LIABILITY FOR DAMAGES ARISING OUT OF THIS AGREEMENT, WHETHER BASED ON A THEORY OF CONTRACT OR TORT, INCLUDING NEGLIGENCE AND STRICT LIABILITY, SHALL BE LIMITED TO THAT PARTY'S ACTUAL DIRECT DAMAGES, NOT TO EXCEED (A) DURING THE INITIAL TERM, AS SET FORTH IN SECTION F(1), TOTAL FEES PAID AS OF THE TIME OF THE CLAIM; OR (B) DURING ANY RENEWAL TERM, THE THEN-CURRENT ANNUAL SAAS FEES PAYABLE IN THAT

RENEWAL TERM. THE PARTIES ACKNOWLEDGE AND AGREE THAT THE PRICES SET FORTH IN THIS AGREEMENT ARE SET IN RELIANCE UPON THIS LIMITATION OF LIABILITY AND TO THE MAXIMUM EXTENT ALLOWED UNDER APPLICABLE LAW, THE EXCLUSION OF CERTAIN DAMAGES, AND EACH SHALL APPLY REGARDLESS OF THE FAILURE OF AN ESSENTIAL PURPOSE OF ANY REMEDY. THE FOREGOING LIMITATION OF LIABILITY SHALL NOT APPLY TO CLAIMS THAT ARE SUBJECT TO SECTIONS G(1) AND G(2).

5. **EXCLUSION OF CERTAIN DAMAGES. TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR ANY SPECIAL, INCIDENTAL, PUNITIVE, INDIRECT, OR CONSEQUENTIAL DAMAGES WHATSOEVER, EVEN IF THE PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.**

6. Insurance. During the course of performing services under this Agreement, we agree to maintain the following levels of insurance: (a) Commercial General Liability of at least $1,000,000; (b) Automobile Liability of at least $1,000,000; (c) Professional Liability of at least $1,000,000; (d) Workers Compensation complying with applicable statutory requirements; and (e) Excess/Umbrella Liability of at least $5,000,000. We will add you as an additional insured to our Commercial General Liability and Automobile Liability policies, which will automatically add you as an additional insured to our Excess/Umbrella Liability policy as well. We will provide you with copies of certificates of insurance upon your written request.

SECTION H – GENERAL TERMS AND CONDITIONS

1. Additional Products and Services. You may purchase additional products and services at the rates set forth in the Investment Summary for twelve (12) months from the Effective Date by executing a mutually agreed addendum. If no rate is provided in the Investment Summary, or those twelve (12) months have expired, you may purchase additional products and services at our then-current list price, also by executing a mutually agreed addendum. The terms of this Agreement will control any such additional purchase(s), unless otherwise specifically provided in the addendum.

2. Optional Items. Pricing for any listed optional products and services in the Investment Summary will be valid for twelve (12) months from the Effective Date.

3. Dispute Resolution. You agree to provide us with written notice within thirty (30) days of becoming aware of a dispute. You agree to cooperate with us in trying to reasonably resolve all disputes, including, if requested by either party, appointing a senior representative to meet and engage in good faith negotiations with our appointed senior representative. Senior representatives will convene within thirty (30) days of the written dispute notice, unless otherwise agreed. All meetings and discussions between senior representatives will be deemed confidential settlement discussions not subject to disclosure under Federal Rule of Evidence 408 or any similar applicable state rule. If we fail to resolve the dispute, then the parties shall participate in non-binding mediation in an effort to resolve the dispute. If the dispute remains unresolved after mediation, then either of us may assert our respective rights and remedies in a court of competent jurisdiction. Nothing in this section shall prevent you or us from seeking necessary injunctive relief during the dispute resolution procedures.

4. Taxes. The fees in the Investment Summary do not include any taxes, including, without limitation, sales, use, or excise tax. If you are a tax-exempt entity, you agree to provide us with a tax-exempt

certificate. Otherwise, we will pay all applicable taxes to the proper authorities and you will reimburse us for such taxes. If you have a valid direct-pay permit, you agree to provide us with a copy. For clarity, we are responsible for paying our income taxes, both federal and state, as applicable, arising from our performance of this Agreement.

5. Nondiscrimination. We will not discriminate against any person employed or applying for employment concerning the performance of our responsibilities under this Agreement. This discrimination prohibition will apply to all matters of initial employment, tenure, and terms of employment, or otherwise with respect to any matter directly or indirectly relating to employment concerning race, color, religion, national origin, age, sex, sexual orientation, ancestry, disability that is unrelated to the individual's ability to perform the duties of a particular job or position, height, weight, marital status, or political affiliation. We will post, where appropriate, all notices related to nondiscrimination as may be required by applicable law.

6. E-Verify. We have complied, and will comply, with the E-Verify procedures administered by the U.S. Citizenship and Immigration Services Verification Division for all of our employees assigned to your project.

7. Subcontractors. We will not subcontract any services under this Agreement without your prior written consent, not to be unreasonably withheld.

8. Binding Effect; No Assignment. This Agreement shall be binding on, and shall be for the benefit of, either your or our successor(s) or permitted assign(s). Neither party may assign this Agreement without the prior written consent of the other party; provided, however, your consent is not required for an assignment by us as a result of a corporate reorganization, merger, acquisition, or purchase of substantially all of our assets.

9. Force Majeure. Except for your payment obligations, neither party will be liable for delays in performing its obligations under this Agreement to the extent that the delay is caused by Force Majeure; provided, however, that within ten (10) business days of the Force Majeure event, the party whose performance is delayed provides the other party with written notice explaining the cause and extent thereof, as well as a request for a reasonable time extension equal to the estimated duration of the Force Majeure event.

10. No Intended Third Party Beneficiaries. This Agreement is entered into solely for the benefit of you and us. No third party will be deemed a beneficiary of this Agreement, and no third party will have the right to make any claim or assert any right under this Agreement. This provision does not affect the rights of third parties under any Third Party Terms.

11. Entire Agreement; Amendment. This Agreement represents the entire agreement between you and us with respect to the subject matter hereof, and supersedes any prior agreements, understandings, and representations, whether written, oral, expressed, implied, or statutory. Purchase orders submitted by you, if any, are for your internal administrative purposes only, and the terms and conditions contained in those purchase orders will have no force or effect. This Agreement may only be modified by a written amendment signed by an authorized representative of each party.

12. Severability. If any term or provision of this Agreement is held invalid or unenforceable, the remainder of this Agreement will be considered valid and enforceable to the fullest extent

permitted by law.

13. No Waiver. In the event that the terms and conditions of this Agreement are not strictly enforced by either party, such non-enforcement will not act as or be deemed to act as a waiver or modification of this Agreement, nor will such non-enforcement prevent such party from enforcing each and every term of this Agreement thereafter.

14. Independent Contractor. We are an independent contractor for all purposes under this Agreement.

15. Notices. All notices or communications required or permitted as a part of this Agreement, such as notice of an alleged material breach for a termination for cause or a dispute that must be submitted to dispute resolution, must be in writing and will be deemed delivered upon the earlier of the following: (a) actual receipt by the receiving party; (b) upon receipt by sender of a certified mail, return receipt signed by an employee or agent of the receiving party; (c) upon receipt by sender of proof of email delivery; or (d) if not actually received, five (5) days after deposit with the United States Postal Service authorized mail center with proper postage (certified mail, return receipt requested) affixed and addressed to the other party at the address set forth on the signature page hereto or such other address as the party may have designated by proper notice. The consequences for the failure to receive a notice due to improper notification by the intended receiving party of a change in address will be borne by the intended receiving party.

16. Client Lists. You agree that we may identify you by name in client lists, marketing presentations, and promotional materials.

17. Confidentiality. Both parties recognize that their respective employees and agents, in the course of performance of this Agreement, may be exposed to confidential information and that disclosure of such information could violate rights to private individuals and entities, including the parties. Confidential information is nonpublic information that a reasonable person would believe to be confidential and includes, without limitation, personal identifying information (*e.g.*, social security numbers) and trade secrets, each as defined by applicable state law. Each party agrees that it will not disclose any confidential information of the other party and further agrees to take all reasonable and appropriate action to prevent such disclosure by its employees or agents. The confidentiality covenants contained herein will survive the termination or cancellation of this Agreement. This obligation of confidentiality will not apply to information that:
    (a) is in the public domain, either at the time of disclosure or afterwards, except by breach of this Agreement by a party or its employees or agents;
    (b) a party can establish by reasonable proof was in that party's possession at the time of initial disclosure;
    (c) a party receives from a third party who has a right to disclose it to the receiving party; or
    (d) is the subject of a legitimate disclosure request under the open records laws or similar applicable public disclosure laws governing this Agreement; provided, however, that in the event you receive an open records or other similar applicable request, you will give us prompt notice and otherwise perform the functions required by applicable law.

18. Quarantining of Client Data. Some services provided by Tyler require us to be in possession of your Data. In the event we detect malware or other conditions associated with your Data that are reasonably suspected of putting Tyler resources or other Tyler clients' data at risk, we reserve the absolute right to move your Data from its location within a multi-tenancy Tyler hosted environment

to an isolated "quarantined" environment without advance notice. Your Data will remain in such quarantine for a period of at least six (6) months during which time we will review the Data, and all traffic associated with the Data, for signs of malware or other similar issues. If no issues are detected through such reviews during the six (6) month period of quarantine, we will coordinate with you the restoration of your Data to a non-quarantined environment. In the event your Data must remain in quarantine beyond this six (6) month period through no fault of Tyler's, we reserve the right to require payment of additional fees for the extended duration of quarantine. We will provide an estimate of what those costs will be upon your request.

19. Business License. In the event a local business license is required for us to perform services hereunder, you will promptly notify us and provide us with the necessary paperwork and/or contact information so that we may timely obtain such license.

20. Governing Law. This Agreement will be governed by and construed in accordance with the laws of your state of domicile, without regard to its rules on conflicts of law.

21. Multiple Originals and Authorized Signatures. This Agreement may be executed in multiple originals, any of which will be independently treated as an original document. Any electronic, faxed, scanned, photocopied, or similarly reproduced signature on this Agreement or any amendment hereto will be deemed an original signature and will be fully enforceable as if an original signature. Each party represents to the other that the signatory set forth below is duly authorized to bind that party to this Agreement.

22. Cooperative Procurement. To the maximum extent permitted by applicable law, we agree that this Agreement may be used as a cooperative procurement vehicle by eligible jurisdictions. We reserve the right to negotiate and customize the terms and conditions set forth herein, including but not limited to pricing, to the scope and circumstances of that cooperative procurement.

23. Data & Insights Solution Terms. Your use of certain Tyler solutions includes Tyler's Data & Insights data platform. Your rights, and the rights of any of your end users, to use Tyler's Data & Insights data platform is subject to the Data & Insights SaaS Services Terms of Service, available at https://www.tylertech.com/terms/data-insights-saas-services-terms-of-service. By signing a Tyler Agreement or Order Form, or accessing, installing, or using any of the Tyler solutions listed at the linked terms, you certify that you have reviewed, understand, and agree to said terms.

24. Contract Documents. This Agreement includes the following exhibits:

Exhibit A	Investment Summary
Exhibit B	Invoicing and Payment Policy
	Schedule 1: Business Travel Policy
Exhibit C	Service Level Agreement
	Schedule 1: Support Call Process

SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, a duly authorized representative of each party has executed this Agreement as of the date(s) set forth below.

Tyler Technologies, Inc.	City of Livonia, MI
By:_____	By:_____
Name:_____	Name:_____
Title:_____	Title:_____
Date:_____	Date:_____
Address for Notices: Tyler Technologies, Inc. One Tyler Drive Yarmouth, ME 04096 Attention: Chief Legal Officer	Address for Notices: City of Livonia 33000 Civic Center Drive Livonia, MI 48154 Attention: _____

Exhibit A
Investment Summary

The following Investment Summary details the software and services to be delivered by us to you under the Agreement. This Investment Summary is effective as of the Effective Date, despite any expiration date in the Investment Summary that may have lapsed as of the Effective Date. Capitalized terms not otherwise defined will have the meaning assigned to such terms in the Agreement. In the event of conflict between the Agreement and terms in the Comments section of this Investment Summary, the language in the Agreement will prevail.

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Quoted By: Christopher Vargo
Quote Expiration: 12/31/23
Quote Name: TA475 (400 Pk&Rec/75Lib)

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City of Livonia
33000 Civic Center Dr
Livonia MI 48154-3097

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Description	Annual
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Time & Attendance	
Time & Attendance Mobile Access License	$ 3,636
Time & Attendance	$ 16,132
Sub-Total	$ 19,768
Less Discount:	*$ 3,435*
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Description	Hours	Price
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Time & Attendance		
Time & Attendance Implementation Fees	128	$ 24,960
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Description	Units	Price	Maintenance
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Time & Attendance			
Project Management	1	$ 3,120	$ 0
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Total Tyler Software	$ 0	$ 0
Total SaaS	$ 0	$ 16,333
Total Tyler Services	$ 28,080	$ 0
Total Third-Party Hardware, Software, Services	$ 0	$ 0
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Any acquisition of clocks and/or clock maintenance is subject to the following terms:

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- Time and Attendance has real time intergration between NW ERP for employee information and an import of time and pay from Time and Attendance to NW ERP for payroll processing.

- The agreement includes the standard integration between NW ERP Payroll Module and Time & Attendance.
- "Agreement" is defined as the April 3, 2006, Standard Software License and Services Agreement.

Client agrees that items in this sales quotation are, upon Client's signature or approval of same, hereby added to the existing agreement ("Agreement") between the parties and subject to its terms. Additionally, payment for said items, as applicable but subject to any listed assumptions herein, shall conform to the following terms, subject to payment terms in an agreement, amendment, or similar document in which this sales quotation is included:

• License fees for Tyler and third-party software are invoiced upon the earlier of (i) delivery of the license key or (ii) when Tyler makes such software available accessible.

• Fees for hardware are invoiced upon delivery.

• Fees for year one of hardware maintenance are invoiced upon delivery of the hardware.

• Annual Maintenance and Support fees, SaaS fees, Hosting fees, and Subscription fees are first payable when Tyler makes the software accessible to the Client (for Maintenance) or on the first day of the month following the date this quotation was signed (for SaaS, Hosting, and Subscription), and any such fees are prorated to align with the applicable term under the agreement, with renewals invoiced annually thereafter in accord with the Agreement.

• Fees for services included in this sales quotation shall be invoiced as indicated below.

o Implementation and other professional services fees shall be invoiced as delivered.

o Fixed-fee Business Process Consulting services shall be invoiced 50% upon delivery of the Best Practice Recommendations, by module, and 50% upon delivery of custom desktop procedures, by module.

o Fixed-fee conversions are invoiced 50% upon initial delivery of the converted data, by conversion option, and 50% upon Client acceptance to load the converted data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, Tyler will invoice Client the actual services delivered on a time and material basis. "

o Except as otherwise provided, other fixed price services are invoiced upon complete delivery of the service. For the avoidance of doubt, where Project Planning Services are provided, payment shall be invoiced upon delivery of the Implementation Planning document. Dedicated Project Management services, if any, will be invoiced monthly in arrears, beginning on the first day of the month immediately following initiation of project planning.

o If Client has purchased any change management services, those services will be invoiced in accordance with the Agreement.

o Notwithstanding anything to the contrary stated above, the following payment terms shall apply to fees specifically for migrations: Tyler will invoice Client 50% of any Migration Services Fees listed above upon Client approval of the product suite migration schedule. The remaining 50%, by line item, will be billed upon the go-live of

the applicable product
suite. Tyler will invoice Client for any Project Management Fees listed above upon the go-live of the first product suite. Annual SaaS Fees will be invoiced upon availability of the hosted environment.
• Expenses associated with onsite services are invoiced as incurred.
Any SaaS or hosted solutions added to an agreement containing Client-hosted Tyler solutions are subject to Tyler's SaaS Services terms found here: https://www.tylertech.com/terms/tyler-saas-services.

Unless otherwise indicated in the contract or amendment thereto, pricing for optional items will be held
For six (6) months from the Quote date or the Effective Date of the Contract, whichever is later.

Customer Approval: _____ Date: _____

Print Name: _____ P.O.#: _____

Exhibit B
Invoicing and Payment Policy

We will provide you with the software and services set forth in the Investment Summary of the Agreement. Capitalized terms not otherwise defined will have the meaning assigned to such terms in the Agreement.

Invoicing: We will invoice you for the applicable software and services in the Investment Summary as set forth below. Your rights to dispute any invoice are set forth in the Agreement.

1. SaaS Fees. SaaS Fees are invoiced on an annual basis, beginning on the commencement of the initial term as set forth in Section F (1) of this Agreement. Your annual SaaS fees for the initial term are set forth in the Investment Summary. Upon expiration of the initial term, your annual SaaS fees will be at our then-current rates.

2. Other Tyler Software and Services.
   2.1 *Implementation and Other Professional Services (including training)*: Implementation and other professional services (including training) are billed and invoiced as delivered, at the rates set forth in the Investment Summary.
   2.2 *Consulting Services*: If you have purchased any Business Process Consulting services, if they have been quoted as fixed-fee services, they will be invoiced 50% upon your acceptance of the Best Practice Recommendations, by module, and 50% upon your acceptance of custom desktop procedures, by module. If you have purchased any Business Process Consulting services and they are quoted as an estimate, then we will bill you the actual services delivered on a time and materials basis.
   2.3 *Conversions*: Fixed-fee conversions are invoiced 50% upon initial delivery of the converted Data, by conversion option, and 50% upon Client acceptance to load the converted Data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, we will bill you the actual services delivered on a time and materials basis.
   2.4 *Requested Modifications to the Tyler Software*: Requested modifications to the Tyler Software are invoiced 50% upon delivery of specifications and 50% upon delivery of the applicable modification. You must report any failure of the modification to conform to the specifications within thirty (30) days of delivery; otherwise, the modification will be deemed to be in compliance with the specifications after the 30-day window has passed. You may still report Defects to us as set forth in this Agreement.
   2.5 *Other Fixed Price Services*: Other fixed price services are invoiced as delivered, at the rates set forth in the Investment Summary. For the avoidance of doubt, where "Project Planning Services" are provided, payment will be due upon delivery of the Implementation Planning document. Dedicated Project Management services, if any, will be billed monthly in arrears, beginning on the first day of the month immediately following initiation of project planning.
   2.6 Web Services: Annual fees for web services are payable in advance, commencing upon the availability of the service. Your annual fees for the initial term are set forth in the

Investment Summary. Upon expiration of the initial term, your annual fees will be at our then-current rates.

2.7 *Annual Services*: Unless otherwise indicated in this Exhibit B, fees for annual services are due annually, in advance, commencing on the availability of the service. Your annual fees for the initial term are set forth in the Investment Summary. Upon expiration of the initial term, your annual fees will be at our then-current rates.

3. Third Party Products.
   3.1 *Third Party Software License Fees*: License fees for Third Party Software, if any, are invoiced when we make it available to you for downloading.
   3.2 *Third Party Software Maintenance*: The first year maintenance for the Third Party Software is invoiced when we make it available to you for downloading.
   3.3 *Third Party Hardware*: Third Party Hardware costs, if any, are invoiced upon delivery.
   3.4 *Third Party Services:* Fees for Third Party Services, if any, are invoiced as delivered, along with applicable expenses, at the rates set forth in the Investment Summary. For the avoidance of doubt, Finite Matters will invoice Client directly for any services fees for Pattern Stream.
   3.5 *Third Party SaaS*: Third Party SaaS Services fees, if any, are invoiced annually, in advance, commencing with availability of the respective Third Party SaaS Services. Pricing for the first year of Third Party SaaS Services is indicated in the Investment Summary. Pricing for subsequent years will be at the respective third party's then-current rates.

4. Transaction Fees. Unless paid directly by an end user at the time of transaction, per transaction (call, message, etc.) fees are invoiced on a quarterly basis. Fees are indicated in the Investment Summary and may be increased by Tyler upon notice of no less than thirty (30) days.

5. Expenses. The service rates in the Investment Summary do not include travel expenses. Expenses for Tyler delivered services will be billed as incurred and only in accordance with our then-current Business Travel Policy, plus a 10% travel agency processing fee. Our current Business Travel Policy is attached to this Exhibit B as Schedule 1. Copies of receipts will be provided upon request; we reserve the right to charge you an administrative fee depending on the extent of your requests. Receipts for miscellaneous items less than twenty-five dollars and mileage logs are not available.

Payment. Payment for undisputed invoices is due within forty-five (45) days of the invoice date. We prefer to receive payments electronically. Our electronic payment information is available by contacting AR@tylertech.com.

Exhibit B
Schedule 1
Business Travel Policy

1. Air Travel

   A. Reservations & Tickets

   The Travel Management Company (TMC) used by Tyler will provide an employee with a direct flight within two hours before or after the requested departure time, assuming that flight does not add more than three hours to the employee's total trip duration and the fare is within $100 (each way) of the lowest logical fare. If a net savings of $200 or more (each way) is possible through a connecting flight that is within two hours before or after the requested departure time and that does not add more than three hours to the employee's total trip duration, the connecting flight should be accepted.

   Employees are encouraged to make advanced reservations to take full advantage of discount opportunities. Employees should use all reasonable efforts to make travel arrangements at least two (2) weeks in advance of commitments. A seven (7) day advance booking requirement is mandatory. When booking less than seven (7) days in advance, management approval will be required.

   Except in the case of international travel where a segment of continuous air travel is six (6) or more consecutive hours in length, only economy or coach class seating is reimbursable. Employees shall not be reimbursed for "Basic Economy Fares" because these fares are non-refundable and have many restrictions that outweigh the cost-savings.

   B. Baggage Fees

   Reimbursement of personal baggage charges are based on trip duration as follows:

   - Up to five (5) days = one (1) checked bag
   - Six (6) or more days = two (2) checked bags

   Baggage fees for sports equipment are not reimbursable.

2. Ground Transportation

A. Private Automobile

Mileage Allowance – Business use of an employee's private automobile will be reimbursed at the current IRS allowable rate, plus out of pocket costs for tolls and parking. Mileage will be calculated by using the employee's office as the starting and ending point, in compliance with IRS regulations. Employees who have been designated a home office should calculate miles from their home.

B. Rental Car

Employees are authorized to rent cars only in conjunction with air travel when cost, convenience, and the specific situation reasonably require their use. When renting a car for Tyler business, employees should select a "mid-size" or "intermediate" car. "Full" size cars may be rented when three or more employees are traveling together. Tyler carries leased vehicle coverage for business car rentals; except for employees traveling to Alaska and internationally (excluding Canada), additional insurance on the rental agreement should be declined.

C. Public Transportation

Taxi or airport limousine services may be considered when traveling in and around cities or to and from airports when less expensive means of transportation are unavailable or impractical. The actual fare plus a reasonable tip (15-18%) are reimbursable. In the case of a free hotel shuttle to the airport, tips are included in the per diem rates and will not be reimbursed separately.

D. Parking & Tolls

When parking at the airport, employees must use longer term parking areas that are measured in days as opposed to hours. Park and fly options located near some airports may also be used. For extended trips that would result in excessive parking charges, public transportation to/from the airport should be considered. Tolls will be reimbursed when receipts are presented.

3. Lodging

Tyler's TMC will select hotel chains that are well established, reasonable in price, and conveniently located in relation to the traveler's work assignment. Typical hotel chains include Courtyard, Fairfield Inn, Hampton Inn, and Holiday Inn Express. If the employee has a discount rate with a local hotel, the hotel reservation should note that discount and the employee should confirm the lower rate with the hotel upon arrival. Employee memberships in travel clubs such as AAA should be noted in their travel profiles so that the employee can take advantage of any lower club rates.

"No shows" or cancellation fees are not reimbursable if the employee does not comply with the hotel's cancellation policy.

Tips for maids and other hotel staff are included in the per diem rate and are not reimbursed separately.

Employees are not authorized to reserve non-traditional short-term lodging, such as Airbnb, VRBO, and HomeAway. Employees who elect to make such reservations shall not be reimbursed.

4. Meals and Incidental Expenses

Employee meals and incidental expenses while on travel status within the continental U.S. are in accordance with the federal per diem rates published by the General Services Administration. Incidental expenses include tips to maids, hotel staff, and shuttle drivers and other minor travel expenses. Per diem rates are available at www.gsa.gov/perdiem.

Per diem for Alaska, Hawaii, U.S. protectorates and international destinations are provided separately by the Department of State and will be determined as required.

A. Overnight Travel

For each full day of travel, all three meals are reimbursable. Per diems on the first and last day of a trip are governed as set forth below.

Departure Day

Depart before 12:00 noon	Lunch and dinner
Depart after 12:00 noon	Dinner

Return Day

Return before 12:00 noon	Breakfast
Return between 12:00 noon & 7:00 p.m.	Breakfast and lunch
Return after 7:00 p.m.*	Breakfast, lunch and dinner

*7:00 p.m. is defined as direct travel time and does not include time taken to stop for dinner.

The reimbursement rates for individual meals are calculated as a percentage of the full day per diem as follows:

Breakfast	15%
Lunch	25%
Dinner	60%

B. Same Day Travel

Employees traveling at least 100 miles to a site and returning in the same day are eligible to claim lunch on an expense report. Employees on same day travel status are eligible to claim dinner in the event they return home after 7:00 p.m.*

*7:00 p.m. is defined as direct travel time and does not include time taken to stop for dinner.

5. Internet Access – Hotels and Airports

   Employees who travel may need to access their e-mail at night. Many hotels provide free high speed internet access and Tyler employees are encouraged to use such hotels whenever possible. If an employee's hotel charges for internet access it is reimbursable up to $10.00 per day. Charges for internet access at airports are not reimbursable.

6. International Travel

   All international flights with the exception of flights between the U.S. and Canada should be reserved through TMC using the "lowest practical coach fare" with the exception of flights that are six (6) or more consecutive hours in length. In such event, the next available seating class above coach shall be reimbursed.

   When required to travel internationally for business, employees shall be reimbursed for photo fees, application fees, and execution fees when obtaining a new passport book, but fees related to passport renewals are not reimbursable. Visa application and legal fees, entry taxes and departure taxes are reimbursable.

   The cost of vaccinations that are either required for travel to specific countries or suggested by the U.S. Department of Health & Human Services for travel to specific countries, is reimbursable.

   Section 4, Meals & Incidental Expenses, and Section 2.b., Rental Car, shall apply to this section.

Exhibit C
SERVICE LEVEL AGREEMENT

I. Agreement Overview

This SLA operates in conjunction with, and does not supersede or replace any part of, the Agreement. It outlines the information technology service levels that we will provide to you to ensure the availability of the application services that you have requested us to provide. All other support services are documented in the Support Call Process. This SLA does not apply to any Third Party SaaS Services. All other support services are documented in the Support Call Process.

II. Definitions. Except as defined below, all defined terms have the meaning set forth in the Agreement.

Actual Attainment: The percentage of time the Tyler Software is available during a calendar month, calculated as follows: (Service Availability – Downtime) ÷ Service Availability.

Client Error Incident: Any service unavailability resulting from your applications, content or equipment, or the acts or omissions of any of your service users or third-party providers over whom we exercise no control.

Downtime: Those minutes during Service Availability, as defined below, when all users cannot launch, login, search or save primary data in the Tyler Software. Downtime does not include those instances in which only a Defect is present.

Emergency Maintenance Window: (1) maintenance that is required to patch a critical security vulnerability; (2) maintenance that is required to prevent an imminent outage of Service Availability; or (3) maintenance that is mutually agreed upon in writing by Tyler and the Client.

Planned Downtime: Downtime that occurs during a Standard or Emergency Maintenance window.

Service Availability: The total number of minutes in a calendar month that the Tyler Software is capable of receiving, processing, and responding to requests, excluding Planned Downtime, Client Error Incidents, denial of service attacks and Force Majeure. Service Availability only applies to Tyler Software being used in the live production environment.

Standard Maintenance: Routine maintenance to the Tyler Software and infrastructure. Standard Maintenance is limited to five (5) hours per week.

III. Service Availability

a. Your Responsibilities

Whenever you experience Downtime, you must make a support call according to the procedures outlined in the Support Call Process. You will receive a support case number.

b. Our Responsibilities

When our support team receives a call from you that Downtime has occurred or is occurring, we will work with you to identify the cause of the Downtime (including whether it may be the result of Planned Downtime, a Client Error Incident, denial of service attack or Force Majeure). We will also work with you to resume normal operations.

c. Client Relief

Our targeted Attainment Goal is 100%. You may be entitled to credits as indicated in the Client Relief Schedule found below. Your relief credit is calculated as a percentage of the SaaS Fees paid for the calendar month.

In order to receive relief credits, you must submit a request through one of the channels listed in our Support Call Process within fifteen days (15) of the end of the applicable month. We will respond to your relief request within thirty (30) day(s) of receipt.

The total credits confirmed by us will be applied to the SaaS Fee for the next billing cycle. Issuing of such credit does not relieve us of our obligations under the Agreement to correct the problem which created the service interruption.

Credits are only payable when Actual Attainment results in eligibility for credits in consecutive months and only for such consecutive months.

Client Relief Schedule	
Actual Attainment	**Client Relief**
99.99% - 99.70%	Remedial action will be taken
99.69% - 98.50%	2% of SaaS Fees paid for applicable month
98.49% - 97.50%	4% of SaaS Fees paid for applicable month
97.49% - 96.50%	6% of SaaS Fees paid for applicable month
96.49% - 95.50%	8% of SaaS Fees paid for applicable month
Below 95.50%	10% of SaaS Fees paid for applicable month

* Notwithstanding language in the Agreement to the contrary, Recovery Point Objective is one (1) hour.

IV. Maintenance Notifications

We perform Standard Maintenance during limited windows that are historically known to be reliably low-traffic times. If and when maintenance is predicted to occur during periods of higher traffic, we will provide advance notice of those windows and will coordinate to the greatest extent possible with you.

Not all maintenance activities will cause application unavailability. However, if Tyler anticipates that activities during a Standard or Emergency Maintenance window may make the Tyler Software unavailable, we will provide advance notice, as reasonably practicable, that the Tyler Software will be unavailable during the maintenance window.

Exhibit C
Schedule 1
Support Call Process

Support Channels

Tyler Technologies, Inc. provides the following channels of software support for authorized users*:

(1) On-line submission (portal) – for less urgent and functionality-based questions, users may create support incidents through the Tyler Customer Portal available at the Tyler Technologies website. A built-in Answer Panel provides users with resolutions to most "how-to" and configuration-based questions through a simplified search interface with machine learning, potentially eliminating the need to submit the support case.
(2) Email – for less urgent situations, users may submit emails directly to the software support group.
(3) Telephone – for urgent or complex questions, users receive toll-free, telephone software support.

** Channel availability may be limited for certain applications.*

Support Resources

A number of additional resources are available to provide a comprehensive and complete support experience:

(1) Tyler Website – www.tylertech.com – for accessing client tools, documentation, and other information including support contact information.
(2) Tyler Search -a knowledge based search engine that lets you search multiple sources simultaneously to find the answers you need, 24x7.
(3) Tyler Community –provides a venue for all Tyler clients with current maintenance agreements to collaborate with one another, share best practices and resources, and access documentation.
(4) Tyler University – online training courses on Tyler products.

Support Availability

Tyler Technologies support is available during the local business hours of 8 AM to 5 PM (Monday – Friday) across four US time zones (Pacific, Mountain, Central and Eastern). Tyler's holiday schedule is outlined below. There will be no support coverage on these days.

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day

For support teams that provide after-hours service, we will provide you with procedures for contacting support staff after normal business hours for reporting Priority Level 1 Defects only. Upon receipt of

such a Defect notification, we will use commercially reasonable efforts to meet the resolution targets set forth below.

We will also make commercially reasonable efforts to be available for one pre-scheduled Saturday of each month to assist your IT staff with applying patches and release upgrades, as well as consulting with them on server maintenance and configuration of the Tyler Software environment.

Incident Handling

Incident Tracking

Every support incident is logged into Tyler's Customer Relationship Management System and given a unique case number. This system tracks the history of each incident. The case number is used to track and reference open issues when clients contact support. Clients may track incidents, using the case number, through Tyler's Customer Portal or by calling software support directly.

Incident Priority

Each incident is assigned a priority level, which corresponds to the Client's needs. Tyler and the Client will reasonably set the priority of the incident per the chart below. This chart is not intended to address every type of support incident, and certain "characteristics" may or may not apply depending on whether the Tyler software has been deployed on customer infrastructure or the Tyler cloud. The goal is to help guide the Client towards clearly understanding and communicating the importance of the issue and to describe generally expected response and resolution targets in the production environment only.

References to a "confirmed support incident" mean that Tyler and the Client have successfully validated the reported Defect/support incident.

Priority Level	Characteristics of Support Incident	Resolution Targets*
1 Critical	Support incident that causes (a) complete application failure or application unavailability; (b) application failure or unavailability in one or more of the client's remote location; or (c) systemic loss of multiple essential system functions.	Tyler shall provide an initial response to Priority Level 1 incidents within one (1) business hour of receipt of the incident. Once the incident has been confirmed, Tyler shall use commercially reasonable efforts to resolve such support incidents or provide a circumvention procedure within one (1) business day. For non-hosted customers, Tyler's responsibility for lost or corrupted data is limited to assisting the Client in restoring its last available database.

Priority Level	Characteristics of Support Incident	Resolution Targets*
2 High	Support incident that causes (a) repeated, consistent failure of essential functionality affecting more than one user or (b) loss or corruption of data.	Tyler shall provide an initial response to Priority Level 2 incidents within four (4) business hours of receipt of the incident. Once the incident has been confirmed, Tyler shall use commercially reasonable efforts to resolve such support incidents or provide a circumvention procedure within ten (10) business days. For non-hosted customers, Tyler's responsibility for loss or corrupted data is limited to assisting the Client in restoring its last available database.
3 Medium	Priority Level 1 incident with an existing circumvention procedure, or a Priority Level 2 incident that affects only one user or for which there is an existing circumvention procedure.	Tyler shall provide an initial response to Priority Level 3 incidents within one (1) business day of receipt of the incident. Once the incident has been confirmed, Tyler shall use commercially reasonable efforts to resolve such support incidents without the need for a circumvention procedure with the next published maintenance update or service pack, which shall occur at least quarterly. For non-hosted customers, Tyler's responsibility for lost or corrupted data is limited to assisting the Client in restoring its last available database.
4 Non-critical	Support incident that causes failure of non-essential functionality or a cosmetic or other issue that does not qualify as any other Priority Level.	Tyler shall provide an initial response to Priority Level 4 incidents within two (2) business days of receipt of the incident. Once the incident has been confirmed, Tyler shall use commercially reasonable efforts to resolve such support incidents, as well as cosmetic issues, with a future version release.

**Response and Resolution Targets may differ by product or business need*

Incident Escalation

If Tyler is unable to resolve any priority level 1 or 2 defect as listed above or the priority of an issue has elevated since initiation, you may escalate the incident to the appropriate resource, as outlined by each product support team. The corresponding resource will meet with you and any Tyler staff to establish a mutually agreeable plan for addressing the defect.

Remote Support Tool

Some support calls may require further analysis of the Client's database, processes or setup to diagnose a problem or to assist with a question. Tyler will, at its discretion, use an industry-standard remote support tool. Tyler's support team must have the ability to quickly connect to the Client's system and view the site's setup, diagnose problems, or assist with screen navigation. More information about the remote support tool Tyler uses is available upon request.

CITY OF LIVONIA ï CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 13, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and President Jim Jolly. Absent: Vice President Toy.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney Todd Zilincik, City Engineer; and Doug Moore, Assistant Director of Public Works.

Councilmember McIntyre led the meeting with the Pledge of Allegiance.

6. REQUEST TO APPROVE VENDORS FOR EQUIPMENT MAINTENANCE: Department of Public Works, re: to provide outside vendor services for the maintenance of the city fleet, from budgeted funds.

   Doug Moore, Assistant Director of Public Works, presented the request to Council.

   Councilmember Donovic asked if these mechanics will work in our garage using our tools or if the equipment will go to their shops.

   Mr. Moore indicated some are done in our garage using our tools and some go out, depending on who is doing the work.

   Councilmember Bahr asked if they want $280,000 for 2023 as well as $300,000 for 2024. He confirmed that the amount includes the whole amount for 2023 that they have already exceeded.

   Councilmember Morgan asked why there is a problem hiring mechanics.

   Mr. Moore indicated it is partially due to salary and also because not as many young people are going into this trade.

   Councilmember Morgan asked for the starting wage and the top salary.

   Mr. Moore indicated he believes Equipment Mechanic I is $31 to $33 per hour, Equipment Mechanic II is approximately $34 to $39 per hour, and Equipment Trainee starts around $20 or $21 per hour.

   Councilmember Donovic offered an approving motion for the Consent agenda.

   DIRECTION: APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

6.

DPW
October 4, 2023

MEETING DATE	PREPARED BY
S111323/R120423	Jill Russell, Secretary III,

AGENDA ITEM

REQUEST TO APPROVE VENDORS FOR EQUIPMENT MAINTENANCE: Department of Public Works, re: to provide outside vendor services for the maintenance of the city fleet, from budgeted funds.

BACKGROUND DETAILS

Hiring, training and retaining Equipment Maintenance Mechanics has become a challenge the past few years. Historically, our mechanics were trained in a broad range of skills, from simple oil and fluid changes to welding leaf boxes. In the past year, of the four mechanics on staff, 3 of them have left, leaving us with 1 mechanic and 5 open positions. From February 2020 through June 2023 (7 job postings), we've had 35 total applicants for the Mechanic position, with only 18 making the eligibility list. Our latest posting brought in 9 candidates with 8 moving on to the interview panel in August 2023, after which an eligible list of 5 candidates was established, interviewed and none of the candidates were viable for hiring.

During this critical time of the year, prioritizing the upcoming workload became the most important task. Making sure the equipment is prepped and ready for the leaf program as well as snow and ice is a huge commitment for our staff. And in order to properly maintain our fleet, we have been forced to send a great deal of our maintenance and repair work to outside vendors, additionally having mechanics and vendors come into the DPW yard to perform repairs and preventative maintenance, averaging around $10,000.00 per week. As such, we have moved $120,000 from Wages, Benefits and Maintenance Supplies accounts to the Equipment Maintenance - Outside Repairs account to cover these additional costs.

The list of outside contractors includes:

Alex and Dave's - Repairs and Preventative Maintenance (PM's)
Auto One - Glass replacement and detailing cleaning odor problems
Bill Brown's - PM's and repairs
Mecham Mechanical - All types of equipment repair. Trucks, Backhoes, Chippers and Leaf Machines.
Wolverine Truck - Heavy truck repairs.
Southeastern Equipment - Tractor repairs and PM's.
Dave's Collision - Vehicle repairs.
Mark's Mower - Generator repairs.
Versalift Midwest - Servicing our water department service trucks.
Jeff's Trailers - Repair of leaf machines, chippers, and trailers. Brakes, wheel bearings, suspensions and wiring.
Tiremaxx - Repairs, replacements, mounting and service calls.
Hutson Inc. - Mower and tractor repairs and PM's.
Weingartz - Mower PM's

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

Authorize the use of the above referenced vendors to perform equipment repairs in the amount not to exceed $280,000 for fiscal year 2023 and $300,000 for fiscal year 2024.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Funds to pay outside vendors for outside work on city vehicles

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

none

DETAILED WORK BEING PERFORMED

none

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

Budgeted funds are available in account # 101-443-933-050, Equipment Maintenance - Outside Repair.

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

Many of the vendors are the sole source supplier of the equipment and have agreed to come to the DPW yard and perform the necessary work. The city has an established working relationship with the vendors being used. These vendors have a history of good work performance, knowledge of the city equipment, and the capacity to be able to perform the work. Additionally, the location of many of the vendors in proximity to DPW is also a big advantage with the transportation of the equipment.

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): Waive the formal bidding process in accordance with Section 3.04.140.E.1 of the Livonia Code of Ordinances, as amended since no advantage to the City would result from competitive bidding.

ATTACHMENTS

None

APPROVED BY



Douglas L. Moore, MSA, Assistant Director of Public Works

Date: October 06, 2023



Date: October 19, 2023

Don Rohraff, Director of Public Works



Date: November 02, 2023

Michael Slater, Finance Director



Date: November 03, 2023

Maureen Miller Brosnan, Mayor

CITY OF LIVONIA ï CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 13, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and President Jim Jolly. Absent: Vice President Toy.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney Todd Zilincik, City Engineer; and Doug Moore, Assistant Director of Public Works.

Councilmember McIntyre led the meeting with the Pledge of Allegiance.

7. REQUEST FOR AUTHORIZATION TO PURCHASE ONE TORO GROUNDSMASTER 4100 ROTARY MOWER WITH BROOM ATTACHMENT THROUGH THE SOURCEWELL CONSORTIUM: Department of Public Works, re: from 2024 budgeted funds.

   Doug Moore, Assistant Director of Public Works, presented the request to Council.

   Councilmember Bahr offered an approving motion for the Consent agenda.

   DIRECTION: APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

7.

DPW
October 26, 2023

MEETING DATE	PREPARED BY
S111323/R120423	Jill Russell, Secretary III,

AGENDA ITEM

REQUEST FOR AUTHORIZATION TO PURCHASE ONE TORO GROUNDSMASTER 4100 ROTARY MOWER WITH BROOM ATTACHMENT THROUGH THE SOURCEWELL CONSORTIUM: Department of Public Works, re: from 2024 budgeted funds.

BACKGROUND DETAILS

The purchase will be made through the Sourcewell bid process for mowers (Contract Agreement No. 031121-TTC), an extended purchasing program made available to local governments through the State of Michigan. The State bid this year was awarded to Spartan Distributors, 487 W. Division St., Sparta, MI 49345. A current unit that has outlived it's life expectancy will be disposed of through the auction process.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

It is recommended the Council approve the purchase of one Toro Groundsmaster 4110-D with hydraulic broom at a cost of $120,179.73, from funds available in the 2024 budget.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Toro Groundsmaster 4110-D - $111,629.73
Hydraulic Broom $ 8,550.00
$120,179.73

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

$120,179.73
401-000-987-000 - Capital Outlay
from funds available in the 2024 budget.

DETAILED WORK BEING PERFORMED

na

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

401-000-987-000
$120,179.73

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

Sourcewell consortium: 031121-TTC

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): Waive the formal bidding process in accordance with Section 3.04.140.E.4 of the Livonia Code of Ordinances, as amended since no advantage to the City would result from competitive bidding.

ATTACHMENTS

1. Toro GroundsMaster GM 4110-D
2. Toro GroundsMaster Ltr Vendor

APPROVED BY



Douglas L. Moore, MSA, Assistant Director of Public Works — Date: October 27, 2023



Don Rohraff, Director of Public Works — Date: October 27, 2023



Michael Slater, Finance Director — Date: November 01, 2023



Maureen Miller Brosnan, Mayor — Date: November 03, 2023

Groundsmaster® 4100-D/4110-D

WIDE AREA ROTARY MOWERS

FEATURES

- *55 hp (41 kW) Yanmar® turbo-diesel engine*
- *Smart Power® and HybridDrive™ cutting deck system - work together providing optimal power to the cutting blades*
- *Foldable ROPS*
- *10.3' (3.15 m) width of cut*
- *Full-time 4WD forward and reverse*
- *All-time traction assist (optional)*
- *0" uncut circle in turns*
- *SmartCool® auto-reversing cooling fan*
- *4-way adjustable seat and Air Ride Suspension*
- *InfoCenter™ displays simple operating info while monitoring machine health*
- *Integrated ControlHub™ with fingertip electronic controls*
- *Top and rear air intake for increased cooling*
- *Climate-controlled safety cab with air conditioning and heat (4110-D)*
- *Isolated operator platform for greater comfort and smoother ride*

Operator-friendly and smart by design.

At a 10.3' (3.15 m) width of cut, the all out-front deck design on the Groundsmaster 4100-D and 4110-D lets you easily see what you are cutting. The Smart Power® technology coupled with the HybridDrive™ cutting deck system delivers optimal power to the cutting blades – efficiently cutting grass even in the toughest conditions. The SmartCool® auto-reversing fan system automatically blows chaff off the radiator intake screen making operation more productive. With their excellent trimming capability, and an ability to mow a 0" uncut circle, you'll maneuver around obstacles with ease. The parallel hydraulic drive system assures full-time 4-wheel drive, allowing you to mow with confidence, even on hills and wet grass.



Groundsmaster® 4110-D



Groundsmaster® 4100-D

SMART POWER™

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Call your Toro distributor at 800-803-8676

Groundsmaster® 4100-D/4110-D Specifications*

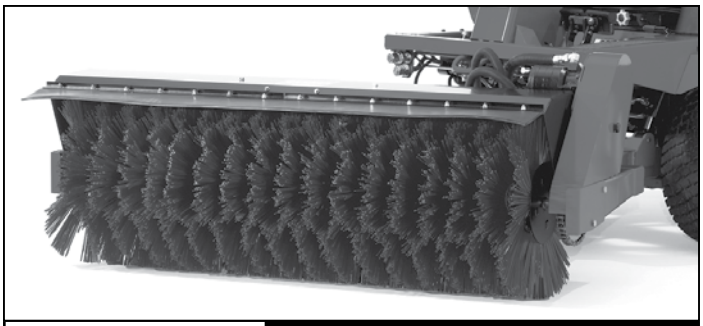
	GROUNDSMASTER 4100-D, MODEL 30608 GROUNDSMASTER 4110-D, MODEL 30644
ENGINE	Yanmar® 4-cylinder, liquid-cooled, turbo-charged diesel. 127 cu. in. (2.1 liter) displacement. Engine rated at 55 hp (41 kW) net and 125 ft.-lbs. (169 Nm) torque at 2,000 rpm. 8 quart (7.6 liter) oil capacity. EPA Tier IV Final Compliant.
AIR CLEANER	Dry, replaceable primary and safety elements.
RADIATOR	Rear-mount, cross-flow, 6.3 fins per inch, 9 quart (8.5 liter) capacity.
FUEL CAPACITY	21 gallons (79.5 liters) diesel fuel. Biodiesel-Ready for use up to B-20 (20% biodiesel and 80% petroleum blend)
TRACTION DRIVE	Parallel hydrostatic, closed loop system with full-time 4WD. Forward/reverse in low (mow) and high (transport) range with full-time, automatic traction assist (forward only) optional on Groundsmaster 4100-D models. Variable displacement piston pump with electronic servo control powers dual speed displacement piston motor drive into double reduction planetary in front, and mechanical axle in rear. Smart Power® feature controls traction speed to maintain optimal cutting blade speed.
HYDRAULICS/COOLING	8.75 gallon (33.1 liter) capacity with 10 micron remote spin-on filter. Single pass cooler, 6.3 fins per inch, SmartCool® variable speed radiator cooling fan with automatic (based on coolant and oil temps) and manual reversing capabilities.
DIAGNOSTICS	Diagnostic pressure test ports: forward and reverse traction, left, center and right decks, reverse 4WD, lift, steering, charge and deck counterbalance circuits.
GROUND SPEED	**Transport:** 0-16.2 mph (0-26.1 km/h) forward, 0-8.1 mph (0-13 km/h) reverse. **Mow:** 0-8.3 mph (0-13.4 km/h) forward, 0-4 mph (0-6.4 km/h) reverse.
TIRES	Front: 26 x 12-12, 6-ply tubeless Multi-Trac. Rear: 20 x 10-10, 6-ply tubeless Multi-Trac.
MAIN FRAME	All welded formed-steel frame with integral tie-down anchors.
BRAKES	Mechanically actuated, internal wet disc brakes on input to each planetary drive. Individual foot-operated steering brake control of left and right wheel. Lock pedals together and latch to engage parking brake.
SEAT	4-way adjustable, right armrest travels with seat and suspension.
STEERING	Power steering with dedicated power source. Steering wheel tilts to desired operator position. Uncut circle: 0" diameter.
INSTRUMENTATION	**InfoCenter™**:Onboard LCD display shows gauges, alerts/faults, service reminders, electrical system diagnostics. Indicates fuel level, coolant temp, intake temperature, low oil pressure, alternator, engine hours, engine rpm, hydraulic oil temperature, voltage.
CONTROLS	Tilt steering, ignition switch, throttle switch, foot-operated traction pedal, lockable individual brake pedals, parking brake lock, mow/transport speed selector switch, 3, two position switches for individual deck lift/lower, counterbalance adjustment, tow valves, cup holder, toolbox, radio holder, fan switch and 12-volt power outlet.
CRUISE CONTROL	Standard
ELECTRICAL	12-volt, 690 cold cranking amps battery, 80 amp alternator. Overload protection with automotive type fuses.
INTERLOCKS	Prevents engine from starting unless traction pedal is in neutral and deck is disengaged. If operator leaves seat while moving or deck is engaged, traction and/or deck stops, InfoCenter alarms and gives message. Mowing only permitted in low range. Traction not allowed if parking brake engaged and pedal moved out of neutral, InfoCenter alarms and gives message. Deck transport latches.
GROUND CLEARANCE	6.5" (16.5 cm)
OVERALL DIMENSIONS	**Height**: 85.3" (216.7 cm) w/ ROPS up, 93.3" (237 cm) w/ cab; **Length**: 144" (366 cm) w/ decks down; **Width**: 127" (323 cm) w/ decks down; **Transport Width**: 71" (180 cm) @ 2" (5 cm) HOC; **Wheelbase**: 55.5" (140 cm)
WEIGHT	4237 lbs. (1922 kg) w/ full fluids (GM4100-D). 4890 lbs. (2218 kg) w/ full fluids (GM4110-D).
SAFETY CAB (4110)	**MODEL 30644**: ROPS certified cab with heat, AC and the following standard features: climate system pressurized cab, heavy-duty pantograph front windshield wiper and washer, front windshield has 38" of visibility, interior mirror, fold away exterior side mirrors, molded front fenders, right and left doors and rear window have tinted (50%) glass, front and rear windows open, quick release window latches act as emergency exit, rubber sound isolator cab mounts and upholstered interior panels and headliner, textured neoprene floor mat, interior dome light.
SAFETY	Complies with American National Standards Institute (ANSI B71.4-2012) and applicable ISO EN 5395 (CE) standards (machine directive 89/392, 91/368, 93/44, 84/538, 89/336) requirements; Optional lights. Meets ANSI/ASAE 5279.12 (Lighting and Marking of Agricultural Equipment on Highways). Foldable ROPS, ISO 21299 certified.
WARRANTY	Two-year limited warranty. Refer to operator's manual for further details.
ACCESSORIES	Work light, LED road lights consisting of dual taillights, dual headlights, slow moving vehicle sign, turn signal, flasher and lights, sunshade, beacon, slope sensor
	CUTTING DECK
WIDTH OF CUT	Overall: 124" (315 cm), Center deck section: 54" (137.1 cm), Two 37" (93 cm) width of cut wings. 89" (226 cm) width of cut with one wing up.
MOWING RATE	Mows up to 10.4 acres/hr (4.2 hectares/hr) at 8.3 mph (13.4 km/hr). Assumes no overlap or stops. **Assumes max mow speed and 100% efficiency. Actual mowing rates may vary depending on operator and conditions.
CONSTRUCTION	Welded .100" (2.5 mm) high-strength steel with steel 7 and 10-gauge channel and plate reinforcements.
DECK DRIVE	Direct mounted hydraulic motor into spindle. Remaining spindle(s) driven by individual B section Kevlar belt. Quick-release belt covers.
HEIGHT-OF-CUT	1"-5" (25-127 mm) in .5" (13 mm) increments.
SPINDLES	1.25" (3.17 cm) diameter spindle shafts, 9" (22.9 cm) diameter conical ductile iron housing, and 2 greaseable tapered roller bearings.
BLADES	19" (48.3 cm) long, 2.5" (6.4 cm) wide, .25" (.64 cm) thick.
CASTER WHEELS	8 x 3.50-4, 4-ply, smooth, pneumatic, sealed precision ball bearings.
GROUND FOLLOWING	6" anti-scalp cups on each blade, adjustable skids, 3 anti-scalp rollers on front deck and 1 on each wing.
WING PROTECTION	Impact absorption device on each wing deck.
MULCHING KIT	Model 30419.
SKIDS	Reversible polymetric.

*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only.
Actual products offered for sale may vary in use, design, required attachments and safety features. See distributor for details on all warranties.

The Groundsmaster 4100-D & 4110-D are manufactured in Tomah, WI ISO 9002 Certified Plant.

THINK. LIVE. SAFELY

Groundsmaster® 4100-D & 4110-D Attachment Specifications*



	ROTARY BROOM, MB MODEL HCT
TYPE	Windrow type, front mounted hydraulic broom with dual motors. Electric/hydraulic angling, 30° left and right.
BROOM SIZE	32" (81 cm) diameter x 60" (153 cm) wide.
BRUSH	Sectional brush with combination polypropylene/wire radial segments.
WEIGHT	460 lbs. (209 kg)
OPTIONS	Dirt Deflector, Storage Stands.



	SUNSHADE
UNIVERSAL MOUNT SUNSHADE	White, Model 30669 / Red, Model 30671



	SNOWTHROWER ERSKINE MODEL 2000
STAGE	2
CLEARING WIDTH	61" (155 cm)
SNOW CUT DEPTH	29" (74 cm)
CUTTING EDGE	3/8" x 3" (9.5 mm x 7.6 cm) bolt-on
SKID SHOES	Adjustable
AUGER DIAMETER	16" (41 cm) open flight
FAN DIAMETER	20" (51 cm) 4-blade
CHUTE ROTATION	Hydraulic 270°
SHEAR PROTECTION	Pressure relief
THROWING DISTANCE	Up to 30' (9.14 m)
APPROXIMATE SHIPPING WT.	850 lbs. (386 kg)
HOSES	Included

*Specifications and design subject to change without notice.

Note: The Toro Company does not manufacture or sell the snowthrower or rotary broom, nor does Toro guarantee these accessories in any manner whatsoever.

Spartan Distributors | A Reinders Company

487 W Division Street
PO Box 246
Sparta, MI 49345
616.887.7301
Fax: 616.887.6288

1050 Opdyke Road
Auburn Hills, MI 48326
248.373.8800
Fax: 248.373.8899

October 25, 2023

City of Livonia
Attn: Doug Moore
12973 Farmington Rd
Livonia, MI 48150

We are pleased to provide a quote on the following equipment:

óMú	**¢hwh DNƨdzyŘăYl·ăűŜN пммлπ5 ó¢пú ólолсппú**	**Þ ммм£снф¢то**
	• (1) Wire Harness (#144-3321) • (1) 4WD Flow Divider Kit (#31526) • (1) Rotating Beacon (#31509) • (1) North American Road Light Kit (#31693)	
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óMú	**±ŜyűNl·Ö прнлb ¢Nl·Ööúƨ№ óăŜŜ l·űűl·ÖKŜŘ ljdzƨűŜú**	**Þ суΣрну¢нл**

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tNÅÖÅyƎ Åǎ ădzōćŜÖű űƨ ÖKl·yƎŜ l·ú úÅYŜ ƨŦ ăKÅLJYŜyű¢

DELIVERY: As Arranged
TERMS: Net 30 Days

Thank you for your interest in our line of equipment. If you have any questions, please feel free to call me at 800-822-2216.

Sincerely,

Stephen Carrier

Stephen Carrier
Commercial Sales

SC/jgm

PURE MICHIGAN®

CITY OF LIVONIA ï CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 13, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and President Jim Jolly. Absent: Vice President Toy.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney Todd Zilincik, City Engineer; and Doug Moore, Assistant Director of Public Works.

Councilmember McIntyre led the meeting with the Pledge of Allegiance.

8. REQUEST FOR AUTHORIZATION TO PURCHASE ONE CUB CADET PRO Z ZERO TURN MOWER THROUGH THE SOURCEWELL CONSORTIUM: Department of Public Works, re: from 2024 budgeted funds.

   Doug Moore, Assistant Director of Public Works, presented the request to Council.

   Councilmember McCullough offered an approving motion for the Consent agenda.

   DIRECTION: APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

8.

DPW
October 31, 2023

MEETING DATE	PREPARED BY
S111323/R120423	Jill Russell, Secretary III,

AGENDA ITEM

REQUEST FOR AUTHORIZATION TO PURCHASE ONE CUB CADET PRO Z ZERO TURN MOWER THROUGH THE SOURCEWELL CONSORTIUM: Department of Public Works, re: from 2024 budgeted funds.

BACKGROUND DETAILS

The purchase will be made through the Sourcewell bid process for mowers (Contract Agreement No. 031121-MTD), an extended purchasing program made available to local governments through the State of Michigan. The State bid this year was awarded to Weingartz, 32098 Plymouth Road, Livonia, MI 48150. A current unit that has outlived it's life expectancy will be disposed of through the auction process.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

It is recommended the Council approve the purchase of one Cub Cadet Zero Turn mower at a cost of $20,999.00, from funds available in the 2024 budget.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Cub Cadet Zero Turn Mower = $20,999.00

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

$20,999.00
401-000-987-000 - Capital Outlay
funds available in the 2024 budget.

DETAILED WORK BEING PERFORMED

na

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

401-000-987-000
$20,999.00

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

Sourcewell consortium: 031121-MTD

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): Waive the formal bidding process in accordance with Section 3.04.140.E.4 of the Livonia Code of Ordinances, as amended since no advantage to the City would result from competitive bidding.

ATTACHMENTS

1. Cub Cadet ProZ Mower - Spec Sheet
2. Cub Cadet ProZ Mower Quote

APPROVED BY



Douglas L. Moore, MSA, Assistant Director of Public Works — Date: November 01, 2023



Don Rohraff, Director of Public Works — Date: November 01, 2023



Michael Slater, Finance Director — Date: November 01, 2023



Maureen Miller Brosnan, Mayor — Date: November 03, 2023

Cub Cadet PRO Z 972 SDL EFI



PRO Z 900 S Series PRO Z 972 SDL EFI

OVERVIEW:

- 72" triple-7-gauge fabricated steel cutting deck with top, bottom and side reinforcements
- Lock-in or out self-leveling air-ride seat with 30 degrees of side-to-side swivel/15 degrees of travel left or right.
- Dual rear wheels and weighted front rims give this steep slope mower traction on up to a 46% grade. 12-v...

+ Read More (/new-equipment/cub-cadet/commercial-equipment/commercial-zero-turn-mowers/PRO-Z-900-S-Series/PRO-Z-972-SDL-EFI#)

Features

Less down time, more cut time.
With the industry's leading deck design and maintenance-free spindles, the Cub Cadet commercial zero-turn helps your work go quickly, consistently and smoothly.

Control your own way
Whether you prefer our custom lap bar designs or our innovative steering options, the PRO Z lineup of commercial mowers offers you greater control to match your crew's needs.

Confidence in comfort
Experience a smooth ride all day long with the enhanced comfort features of the PRO Z Series, like our driver-designed air-ride seat.

Specifications

Engine

- Engine Brand - Kawasaki®
- Engine Model - FX Series EFI
- Engine Model Number - 1000V
- Engine Displacement - 999cc
- Engine Output - 38.5HP

Privacy - Terms
Text us!

- Starter Type - Electronic
- Fuel Tank Capacity - Dual 7.45 gal. US (28.2 L)
- Cylinders - Twin
- Engine Start - Ignition Key
- Engine Oil Capacity - 2.0 qt. US (1.89 L)
- Lubrication - Fully pressurized
- Charging System - 15 amp regulated
- Fuel Gauge - Electronic
- Choke - Auto-Choke
- Air Filter - High Density
- Oil Filter - Yes
- Fuel Delivery - Electronic Fuel Injection (EFI)

Battery

- Battery - 310CCA AGM battery; Relay/Fuse terminal block; 30 AMP voltage regulator

Drive System

- Transmission - Parker® heavy duty HTG 16cc pump / 310cc wheel motor with oversized wheel bearings
- Forward Speed - 14 mph / 22.5 km/h
- Reverse Speed - 6 mph / 9.5 km/h

Cutting Deck

- Deck Cutting Width - 72 in
- Deck Material - triple-7-gauge fabricated steel
- Deck Engagement (PTO) - Electronic with quick reset
- Deck Construction - Floating, fabricated 7 ga (0.187") steel and adjustable rear striping rollers
- Spindle Construction - Maintenance-free cast aluminum housing
- Blade(s) - 3 high-lift Marbain® blades / 18,500 fpm (approx.)
- Deck Lift - Electro-hydraulic assist quick-lift design
- Cutting Height Range - 1" to 5" in 1/4" increments
- Anti-Scalping - 4 front deck gauge wheels
- Deck Positions - 16

Chassis

- Frame - Fully welded, 3/8" x 5" laser-cut steel
- Front Axle - 2" x 3" solid with Isolation dampening system, 1/2" thick steel
- ROPS - 2" x 2" foldable 3-position with low profile
- Bumper - 5/16" Thick Steel rear engine guard/pre-drilled mounting points for attachments with integrated rear hitch
- Rear Tow Hitch - Bolt-On hitch std.

Controls

- Cruise Control - NA
- Brakes - Hand-operated lever with integrated hydro pump release lever
- Steering Control - Quick-adjust steering column w/ power steering
- Operator Control - Low-profile throttle lever

Comfort

- Seat Type - High-back air-ride suspension, EVC cushion, seat belt, angle-back adjust, lumbar support, padded armrests, isolation dampening system mounted base (lateral suspension)
- Seat Suspension - side-to-side swivel/15 degrees of travel left or right
- Seat Control Swivel - User-controlled lock/unlock swivel seat for operator leveling up to 30-degrees total/15-degrees left or right travel

Wheels

- Rear Tires - 25"x9"-12" HD Traction Tread
- Front Tires - 16"x6.5"-8"Kenda K505
- Tire Tread - Heavy-Duty traction tread

Dimensions

- Dimensions L/W/H - 88" / 74" / 85"

- Weight (approx.) - 1,885 lbs

Additional Specifications

- Hour Meter - Crew Boss
- Headlight(s) - 6 LED Lights for 360 degrees of lighted visibility; Amber Beacon with three position adjustments
- Cup Holder - Intergrated into Side Pod
- Model Number - 53RLLMUY050

Disclaimer

- Specifications Disclaimer
  Specifications subject to change without notice and without incurring obligation. Products depicted on website and other advertisements are for demonstration purposes only. Actual products offered for sale may vary in design, required attachments, safety features and non-functional appearance from. See other general disclaimers at the bottom of our website.

WEINGARTZ EVERYTHING FROM LAWN TO SNOW

QUOTATION

To: ***CITY OF LIVONIA***
ATTN: ACCOUNTS PAYABLE
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3097

Quote #: ***40141264-00***
Date: 04/15/23
Exp Date:

Attn:
Phone: 4212000
Email: dpsinvoices@ci.livonia.mi.us

Prepared By: ***Jacob Bailey - BDT***
Phone:
Email: jbailey@weingartz.com

Product number	Product and Description	Qty	Sale Price	Total
CCPRO-Z-972-SDL-EFI	CubCadet 72" Fab 38.5 Hp Kaw EFI Interchange Prod: CCPROZ972SDLEFI List Price: $28,192.89	1	$20,999.00	$20,999.00

Total	$20,999.00
Invoice Total	$20,999.00

Approved By

Customer _____ Date _____ Weingartz Representative _____ Date _____

CITY OF LIVONIA ï CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 13, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and President Jim Jolly. Absent: Vice President Toy.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney Todd Zilincik, City Engineer; and Doug Moore, Assistant Director of Public Works.

Councilmember McIntyre led the meeting with the Pledge of Allegiance.

9. REQUEST FOR AUTHORIZATION TO PURCHASE ONE TORO DINGO TX1300 SKID STEER THROUGH THE SOURCEWELL CONSORTIUM: Department of Public Works, re: from 2024 budgeted funds.

   Doug Moore, Assistant Director of Public Works, presented the request to Council.

   Councilmember Morgan offered an approving motion for the Consent agenda.

   DIRECTION: APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

9.

DPW
October 31, 2023

MEETING DATE	PREPARED BY
S111323/R120423	Jill Russell, Secretary III,

AGENDA ITEM

REQUEST FOR AUTHORIZATION TO PURCHASE ONE TORO DINGO TX1300 SKID STEER THROUGH THE SOURCEWELL CONSORTIUM: Department of Public Works, re: from 2024 budgeted funds.

BACKGROUND DETAILS

The purchase will be made through the Sourcewell bid process for mowers (Contract Agreement No. 031121-TTC), an extended purchasing program made available to local governments through the State of Michigan. The State bid this year was awarded to Weingartz, 32098 Plymouth Road, Livonia, MI 48150. A current unit that has outlived it's life expectancy will be disposed of through the auction process.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

It is recommended the Council approve the purchase of one Toro Dingo TX1300 Skid Steer, with attachments, at a cost of $64,829.30.00, from budgeted funds available in the 2024 budget..

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

Toro Dingo TX1300 Skid Steer	49,704.55
Attachment: Standard Bucket	1,182.75
Attachment Grapple Rake	3,647.85
Attachment Snow thrower	7,299.85
Attachment Plow Blade	2,994.30
TOTAL:	$64,829.30

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

$64,829.30
401-000-987-000 - 2024 Capital Outlay
From budgeted funds

DETAILED WORK BEING PERFORMED

na

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

401-000-987-000
$64,829.30

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

Sourcewell consortium: 031121-TTC

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): Waive the formal bidding process in accordance with Section 3.04.140.E.4 of the Livonia Code of Ordinances, as amended since no advantage to the City would result from competitive bidding.

ATTACHMENTS

1. Toro Dingo TX1300 - spec sheet
2. Toro Dingo TX1300 Skid Steer - Quote

APPROVED BY



Douglas L. Moore, MSA, Assistant Director of Public Works — Date: November 01, 2023



Don Rohraff, Director of Public Works — Date: November 01, 2023



Michael Slater, Finance Director — Date: November 01, 2023



Maureen Miller Brosnan, Mayor — Date: November 03, 2023

TORO® DINGO® TX 1300

COMPACT UTILITY LOADERS

Ideal for landscape, hardscape and tree care jobs, the TX 1300 brings a new combination of power, reach and convenient control to the Toro® Dingo® lineup. With a 37 hp Yanmar® Tier IV diesel engine and 1,300 lbs of rated operating capacity, it's the user-friendly workhorse you need to save time. The exclusive INTELESCOPE® loader arm with SmartLoad adds 26" of reach, and the telescoped hinge-pin height of 109" means you can lift loads up and over the side of a dumpster or truck for maximum productivity. Plus, you can operate the Toro patented traction controls with one hand and thumb-controlled telescoping extension and auxiliary functions (in the loader arm control) with the other to pick, place and dump materials with ease all day long.

FEATURES



INTELESCOPE LOADER ARM

Featuring SmartLoad for a hinge-pin height of 109" which adds 26" of reach over other compact utility loaders

OUTSTANDING ROC

The durable loader arm with improved q-tach casting, allows for a more durable loader arm design and up to 1,300 lbs of operating capacity

QUICK COUPLER SYSTEM

Pressure relieving quick coupler system makes connection of attachments easier

EASE OF USE

Toro patented traction control and integrated hydraulic operation in loader arm control



AUXILIARY PEDAL

User friendly auxiliary pedal on an enlarged operator platform improves ease of engagement

TORO® DINGO® TX 1300

SPECIFICATIONS

		DINGO TX 1300 (MODEL 22370)
ENGINE	Engine	37 HP (27 kW) Yanmar® diesel
	Air Filter	Remote dual element
	Cooling System	Combo downflow radiator and oil cooler, independent fuel cooler
	Fuel Tank	11 gallons (42 liters)
	Oil Capacity	5 quarts (4.7 liters)
HYDRAULIC SYSTEM	Hydraulic Pressure	3,200 PSI
	Hydraulic Flow	Traction: 13.4 gpm (each pump) Auxiliary: 14.3 gpm
	Reservior Capacity	9.2 gallons (34.8 liters)
TRACKS	Standard	MERT track with "TF" style tread
	Traction	Dual hydrostatic pump
DIMENSIONS	Track Dimensions	126.6" x 9.1" (322 cm x 23 cm)
	Wheelbase	39" (99 cm)
	Ground Clearance	5.9" (15 cm)
	Overall Dimensions (WxLxH) With Bucket	46" x 103.1" x 56.5" (116.8 x 262 x 143.5 cm)
	Overall Dimensions (WxLxH) Without Bucket	46" x 84.9" x 56.5" (116.8 x 215.6 x143.5 cm)
	Maximum Operating Height	133" (337.8 cm)
	Hinge Pin Height	109.2" (277.4 cm) - extended 89.4" (227 cm) - retracted
	Dump Height	90.7" (230.3 cm) extended 70.9" (180 cm) retracted
	Dump Angle	38-degrees
	Reach - Fully Raised	26.7" (67.8 cm)
	Ground Speed	4.7 mph (7.6 km/h)
	Weight	3,858 lbs (1,750 kg)
	Tip Capacity	3,714 lbs (1,685 kg)
	Rated Operating Capacity (35% of Tip Capacity)*	618 lbs (280 kg) - extended 1,300 lbs (590 kg) - retracted
	Ground Pressure	5.5 PSI

**Per ISO 14397-1*

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Products depicted in this literature are for demonstration purposes only. Actual products offered for sale may vary in use, design, required attachments and safety features. We reserve the right to improve our products and make changes in specifications, designs and standard equipment without notice and without incurring obligation. See your dealer for details on all of our warranties. toro.com/dingo

TORO. Count on it.

WEINGARTZ EVERYTHING FROM LAWN TO SNOW

QUOTATION

To: ***CITY OF LIVONIA***
EQUIP. MAINT.
13405 SURREY
LIVONIA, MI 48150

Quote #: ***40166063-00***
Date: 10/26/23
Exp Date:

Attn:
Phone: (734) 466-2626
Email:

Prepared By: ***Kevin Mahan - Utica Sales***
Phone: (586) 256-2953
Email: kmahan@weingartz.com

Product number	Product and Description	Qty	Sale Price	Total
TO22370	Dingo TX1300 37hp Kubota Diesel Standard Track List Price: $59,885.00	1	$49,704.55	$49,704.55
TO22345	TX1300 Standard Bucket List Price: $1,425.00	1	$1,182.75	$1,182.75
TO22577	Toro Grapple Rake List Price: $4,395.00	1	$3,647.85	$3,647.85
TO22585	Toro Dingo Snow Thrower List Price: $8,795.00	1	$7,299.85	$7,299.85
BOSTB13567B	5' Poly Atv/Utv Str Plow Blade Crate List Price: $2,994.30	1	$2,994.30	$2,994.30
BOMSC23000	Boss Plow Box, Toro Dingo/Mini Skid Steer List Price: $2,010.00	1	$0.00	$0.00
BOMSC13850B	BLADE EXTENSION KIT,6IN, STB List Price: $410.00	1	$0.00	$0.00

Total	$64,829.30
Invoice Total	$64,829.30

Approved By

Customer _____ Date _____ Weingartz Representative _____ Date _____

CITY OF LIVONIA ï CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 13, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and President Jim Jolly. Absent: Vice President Toy.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney Todd Zilincik, City Engineer; and Doug Moore, Assistant Director of Public Works.

Councilmember McIntyre led the meeting with the Pledge of Allegiance.

10. REQUEST FOR AUTHORIZATION TO PURCHASE ONE JOHN DEERE GATOR XUV835M WITH VARIOUS ATTACHMENTS AND ONE JOHN DEERE UTILITY TRACTOR, THROUGH THE MiDEAL CONSORTIUM: Department of Public Works, re: from 2024 budgeted funds.

    Doug Moore, Assistant Director of Public Works, presented the request to Council.

    Councilmember Donovic offered an approving motion for the Consent agenda.

    DIRECTION: APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

10.

DPW
November 1, 2023

MEETING DATE	PREPARED BY
S111323/R120423	Jill Russell, Secretary III,

AGENDA ITEM

REQUEST FOR AUTHORIZATION TO PURCHASE ONE JOHN DEERE GATOR XUV835M WITH VARIOUS ATTACHMENTS AND ONE JOHN DEERE UTILITY TRACTOR, THROUGH THE MiDEAL CONSORTIUM: Department of Public Works, re: from 2024 budgeted funds.

BACKGROUND DETAILS

The Department of Public Works requests Council approve the purchase of the following equipment for the Parks Maintenance Division from funds budgeted in the 2024 Captial Outlay Account:

One 2024 John Deere Gator XUV835M, with Boss V-Plow, Salt Spreader, and backhoe attachment
One 2024 John Deere 3033R Utility Tractor

The purchase will be made through the MiDeal bid process (Contract Agreement No. 071B770085), an extended purchasing program made available to local governments through the State of Michigan. The State bid this year was awarded to Hutson, Inc., 20801 Pontiac Trail, South Lyon, MI 48178 . Current units that have outlived their life expectancy will be disposed of through the auction process.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

It is recommended the Council approve the purchase of one 2024 John Deere Gator XUV835M, with snow plow, salt spreader and backhoe attachments, and one 2024 John Deere Utility Tractor 3033R from funds budgeted in the approved 2024 Capital Outlay budget 401-000-987-000, from Hutson, Inc., 20801 Pontiac Trail, South Lyon, MI 48178

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

John Deere Gator XUV835M	30,049.86
Attachment Boss Snow Plow	6,230.00
Attachment Salt Spreader	7,160.00
John Deere Util Tractor 3033R	35,059.05
John Deere Backhoe	10,952.34
TOTAL:	$89,451.25

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

$89,451.25

401-000-987-000 - Capital Outlay
From 2024 budgeted funds

DETAILED WORK BEING PERFORMED

na

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

401-000-987-000
$89,451.25

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

MiDeal Purchasing consortium: 071B7700085

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc): Waive the formal bidding process in accordance with Section 3.04.140.E.4 of the Livonia Code of Ordinances, as amended since no advantage to the City would result from competitive bidding.

ATTACHMENTS

1. Deere Backhoe 385A - Specs
2. Deere Gator XUV835M - Specs
3. Deere Tractor - Spec Sheet
4. Deere Equipment Quote

APPROVED BY

Douglas L. Moore, MSA, Assistant Director of Public Works — Date: November 01, 2023

Don Rohraff, Director of Public Works — Date: November 01, 2023

Michael Slater, Finance Director — Date: November 01, 2023



Date: November 03, 2023

Maureen Miller Brosnan, Mayor



385A

Backhoe

- Valve spools have machined-metering grooves to allow smooth operation and precise control of several functions
- Improved feel and feathering capabilities
- Strong subframe to ensure the tractor frame can handle the forces created from digging and transporting

Find a Dealer

Features

Expand All

+ Backhoe performance
+ Tractor backhoe hookup
+ Operator comfort features
+ Serviceability and angle of departure
+ Enclosed boom and dipper give extra strength to backhoe

Show More

Specs & Compare

Key Specs

Digging depth	103 in. 2.61 m
SAE dipperstick digging force	2449 lb 10893 N
SAE bucket digging force	3752 lb 16689 N
Swing arc	170 degree (angle)
Boom lift capacity	820 lb 372 kg
Transport height	91 in. 2.31 m

Stabilizers spread width, up	62 in. 1.57 m
Stabilizers spread width, down	95 in. 2.41 m
Bucket widths	9 in. (228 mm) 12 in. (305 mm) 16 in. (406 mm) 18 in heavy-duty (457 mm) 20 in. (508 mm) 24 in. (610 mm)

Backhoe

Swing arc	170 degree (angle)
Bucket rotation	180 degree (angle)
Boom lift capacity	820 lb 372 kg
SAE dipperstick digging force	2449 lb 10893 N
SAE bucket digging force	3752 lb 16689 N
Bucket control main relief valve pressure	2250 psi 17580 kPa

Show More

Order Online
Buy Parts
Find a Dealer
John Deere Financial

Product Safety

John Deere Rewards
Used Equipment

W2Ky 5ŜŜNŜ · ¦ ±yop a /N2ăă2ØŜN ¦ űʎfʎűè ±ŜKʎŎfŜ

Y9¸ {t9/{	
9yƎʎySˆ LJ2øŜN	40.3 kW54 hp
/I-N3Ǝ2 ō2È ŘʎY Ŝyãʎ2yã	1143 x 305 x 1320 mm45 x 12 x 52 in.
/I-N3Ǝ2 ō2È ŎI-LJI-Ŏʎűèˆ óØŜƎKűú	454 kg1000 lb
¢2øʎyƎ ŎI-LJI-Ŏʎűèˆ	Up to 1814 kg4000 lb
CN2yű ădzăLJŜyãʎ2y	Fully independent dual A-arm with adjustable coils; 203 mm (8 in.) of travel
wŜI-N ădzăLJŜyãʎ2y	Fully independent dual A-arm with adjustable coils and sway bar; 229 mm (9 in.) of travel
CʎyI·f ŘNʎÓŜ	Park, high, low, neutral, reverse transaxle
C2dzN øKŜŜf ŘNʎÓŜ	Dash switch actuated four-wheel drive system
CdzŜf ŎI-LJI-Ŏʎűèˆ	42.4 L11.2 U.S. gal.
9bDLb9	
¢èLJŜ	4-cycle gas, electronic fuel injection (EFI)
5ʎăLJfI·ŎŜY Ŝyűˆˆˆ	812 cc
t2øŜN	40.3 kW54 hp
/22fʎyƎ ăèăűŜY	Liquid
5wL±9¢w!Lb	
¢NI·yãY ʎăăʎ2y	Continuously Variable Transmission (CVT) with clutch enclosure
CʎyI·f ŘNʎÓŜ	Park, high, low, neutral, reverse transaxle
C2dzN øKŜŜf ŘNʎÓŜ	Dash switch actuated four-wheel drive system
¢NI·Ŏűʎ2y I·ăăʎăű	Limited slip front differential, Positive locking, switch actuated rear differential lock
5ŜăŎŜyű Ŏ2yúN2f	Yes
{¦{t9b{Lhb	
CN2yű	Fully independent dual A-arm with adjustable coils; 203 mm (8 in.) of travel
wŜI-N	Fully independent dual A-arm with adjustable coils and sway bar; 229 mm (9 in.) of travel
.w!Y9{	
¢èLJŜ	Front/rear hydraulic disc with twin piston front calipers
tI-N] ōNI·]Ŝ	Park in-transmission, Optional factory-installed secondary foot operated with hand release
¢Lw9{ κ ² I99[{	
CN2yű	27x9-R14 Maxxis® Bighorn® 2.0 extreme terrain radials on steel or alloy wheels27x9-R14 Predator Heavy-Duty all-terrain radials on steel or alloy wheels
wŜI-N	27x11-R14 Maxxis Bighorn 2.0 extreme terrain radials on steel or alloy wheels27x11-R14 Predator Heavy-Duty all-terrain radials on steel or alloy wheels
5La9b{Lhb{ κ /!t!/L¢L9{	
² ŔŜŜfōI·ăŜ	2146 mm84.5 in.
² ŜʎƎKű	With fuel and fluids: 868 kg1913 lb
[SyƎűK	3228 mm127 in.
² ʎŘűK	1618 mm63.7 in.
I ŜʎƎKű	1981 mm78.0 in.With roof: 1987 mm78.2 in.
¢NŜI·Ř ŎŜyúŜNă	Front: 1341 mm52.8 in.Rear: 1259 mm49.6 in.

DNƎdzyŘ ŏfŜI-NI-yŏŜ	284 mm11.2 in.
CdzÊf ŏI-LJI-ŏλűè	42.4 L11.2 U.S. gal.
/I-NƎ2 ō2È ŘλYÊyãλ2yã	1143 x 305 x 1320 mm45 x 12 x 52 in.
/I-NƎ2 ō2È ŏI-LJI-ŏλűè óøŜλƎKűú	454 kg1000 lb
tI-èf2I-Ř ŏI-LJI-ŏλűè	677 kg1493 lb
¢2øλyƎ ŏI-LJI-ŏλűè	Up to 1814 kg4000 lb
IλűŏK	Standard receiver: 5.1 cm2 in.
C9!¢¦w9{	
/2f2N	Green and yellow, TrueTimber® KANATI® camo, olive and black
t2øÊN ăűÊŜNλyƎ	Yes
.I-ŭűÊNè κ !fűÊNyI-ú2N κ t2øÊN LJ2Nű	Battery: 12 V 480 CCAAlternator: 85 ampDC outlet: 12 V
LyãúNdzYÊyűI-úλ2y	Digital display (gear position, system diagnostic light, speed, rpm, 4WD indicator, rear differential indicator, fuel level, coolant temperature, hour meter, miles, and service interval warning light)
{ű2NI-ƎÊ	Total: 97.8 L 25.8 gal.Four cup holders: 1.3 L 0.3 gal.Center tray: 1.2 L 0.3 gal.Three dash bins: 5.0 L 1.3 gal.Storage pocket: 1.4 L 0.4 gal.Glove box: 3.8 L 1.0 gal.Under seat: 55.3 L 14.6 gal.Optional under hood: 30.0 L 7.9 gal.
{ÊI-ûλyƎ	Black vinyl 40/60 split three-passenger bench
!55L¢Lhb![LbChwa!¢Lhb	
/2dzyűNè 2Ŧ aI-ydzŦI-ŏűdzNÊ	U.S.
5I-úÊ ŏ2ffÊŏűÊŘ	8-Jun-22

John Deere 3033R

Overview | Engine | Transmission | Dimensions | Photos | Attachments



2014 -
3R Series
Compact Utility tractor

3320 ↑
Series: 3033R → 3039R

Production

Manufacturer:	John Deere
Type:	Compact Utility tractor
Factory:	Augusta, Georgia, USA
Original price:	24,642 (2020)

John Deere 3033R Power

Engine:	31.8 hp 23.7 kW
Shuttle PTO (claimed):	24.8 hp 18.5 kW
Hydro PTO (claimed):	24.3 hp 18.1 kW

John Deere 3033R Engine

Yanmar 1.6L 3-cyl diesel

Engine details ...

Mechanical

Chassis:	4x4 MFWD 4WD
Final drives:	helical gear
Steering:	power
Brakes:	wet disc
Cab:	Two-post foldable ROPS. Optional cab with air-conditioning.

Photos

Transmissions: hydrostatic
12-speed power shuttle

Transmission details ...



John Deere 3033R photos...

Capacity

Fuel:	11.8 gal 44.7 L (Cab)
	13.5 gal 51.1 L (ROPS)
Hydraulic system:	6.8 gal 25.7 L
Front axle:	5.1 qts 4.8 L

Hydraulics

Type:	open center
Capacity:	6.8 gal 25.7 L
Pump flow:	8.6 gpm 32.6 lpm
Total flow:	13.9 gpm 52.6 lpm
Steering flow:	5.3 gpm 20.1 lpm

Tractor hitch

Rear Type:	I
Control:	position control
Rear lift (at ends):	2530 lbs 1147 kg
Rear lift (at 24"/610mm):	2200 lbs 997 kg
Front Hitch:	0
Front lift (at ends):	1300 lbs 589 kg
Front lift (at 24"/610mm):	815 lbs 369 kg

Power Take-off (PTO)

Rear PTO:	independent
Clutch:	electro-hydraulic
Rear RPM:	540 (1.375)
Mid PTO:	independent*
Clutch:	electro-hydraulic
Mid RPM:	2100

Dimensions & Tires

Wheelbase:	68 inches 172 cm
Weight:	2900 to 3570 pounds
Front tire:	7.00-14
Rear tire:	11.2-24

Full dimensions and tires ...

John Deere 3033R attachments

60.9" mid-mount mower deck
72.8" mid-mount mower deck
front-end loader
backhoe

Attachment details ...

3033R Serial Numbers

Electrical

JOHN DEERE

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
Hutson, Inc.
20801 Pontiac Trail
South Lyon, MI 48178
248-437-2091
southlyon@hutsoninc.com

Quote Summary

Prepared For:
CITY OF LIVONIA
12973 FARMINGTON RD
LIVONIA, MI 48150
Business: 734-466-2655
dmoore@livonia.gov

Delivering Dealer:
Hutson, Inc.
David White
20801 Pontiac Trail
South Lyon, MI 48178
Phone: 248-437-2091
dwhite@hutsoninc.com

Quote ID: 29856402
Created On: 25 October 2023
Last Modified On: 01 November 2023
Expiration Date: 27 November 2023

Equipment Summary	Suggested List	Selling Price		Qty		Extended
JOHN DEERE GATOR™ XUV835M HVAC (Model Year 2024)	$ 32,709.96	$ 29,111.86	X	1	=	$ 29,111.86
PowerGard Protection Plan		$ 938.00	X	1	=	$ 938.00
Contract: MI Ag, Grounds, and Roadside 071B7700085 (PG 3W CG 22)						
Price Effective Date: November 4, 2022						
Sub Total						**$ 30,049.86**
BOSS 6'6" V-PLOW COMPLETE WITH SNOW DEFLECTOR	$ 6,230.00	$ 6,230.00	X	1	=	$ 6,230.00
Contract:						
Price Effective Date:						
BOSS VBX3000 AUGER DRIVE IN BED SALT SPREADER	$ 7,160.00	$ 7,160.00	X	1	=	$ 7,160.00
Contract:						
Price Effective Date:						
JOHN DEERE 3033R Compact Utility Tractor (24 PTO hp)	$ 39,207.20	$ 32,934.05	X	1	=	$ 32,934.05
PowerGard Protection Plan		$ 2,125.00	X	1	=	$ 2,125.00
Contract: MI Ag, Grounds, and Roadside 071B7700085 (PG 3W CG 22)						
Price Effective Date: November 4, 2022						
Sub Total						**$ 35,059.05**
JOHN DEERE 385A Backhoe	$ 12,986.10	$ 10,952.34	X	1	=	$ 10,952.34
Contract: MI Ag, Grounds, and Roadside 071B7700085 (PG 3W CG 22)						

Salesperson : X _____ **Accepted By : X** _____

JOHN DEERE

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Hutson, Inc.
20801 Pontiac Trail
South Lyon, MI 48178
248-437-2091
southlyon@hutsoninc.com

Price Effective Date: November 4, 2022

Equipment Total	**$ 89,451.25**

* Includes Fees and Non-contract items

Quote Summary	
Equipment Total	$ 89,451.25
Trade In	
SubTotal	**$ 89,451.25**
Est. Service Agreement Tax	$ 0.00
Total	$ 89,451.25
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	**$ 89,451.25**

Salesperson : X _____ **Accepted By : X** _____

CITY OF LIVONIA ï CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 13, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Kathleen McIntyre, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and President Jim Jolly. Absent: Vice President Toy.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney Todd Zilincik, City Engineer; and Doug Moore, Assistant Director of Public Works.

Councilmember McIntyre led the meeting with the Pledge of Allegiance.

11. PROPOSED 2024 CITY COUNCIL MEETING SCHEDULE: City Council President Jim Jolly, re: in accordance with the provisions of the Open Meetings Act, 1976 P.A. 267, as amended.

    President Jolly presented the request to Council.

    Councilmember McCullough offered an approving motion for the Consent agenda.

    DIRECTION: APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

11.

Council Office
October 20, 2023

MEETING DATE	PREPARED BY
S111323/R120423	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

PROPOSED 2024 CITY COUNCIL MEETING SCHEDULE: City Council President Jim Jolly, re: in accordance with the provisions of the Open Meetings Act, 1976 P.A. 267, as amended.

BACKGROUND DETAILS

In accordance with the provisions of the Open Meetings Act, 1976 P.A. 267, as amended, attached is the proposed City Council Meeting Schedule for calendar year 2024.
An approving resolution is being requested.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To approve as submitted.

ATTACHMENTS

1. 2024 Proposed City Council Meeting Schedule

APPROVED BY

*LIVONIA CITY COUNCIL MEETING SCHEDULE – 2024**

LIVONIA CITY HALL AUDITORIUM
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3097
734-466-2250

Regular Meetings begin at 7:00 PM
Study Meetings begin at 8:00 PM or immediately following the Regular Meeting

STUDY MEETINGS

Wednesday, January 3 (Starting time 8 PM)
Wednesday, January 17

Monday, January 29
Monday, February 12

Wednesday, February 28
Monday, March 11

Wednesday, March 20
Monday, April 1

Monday, April 15
Monday, May 6

Monday, May 20
Monday, June 3

Monday, June 17
Monday, July 1

Monday, July 15
Wednesday, August 7

Monday, August 26
Monday, September 9

Monday, September 23
Monday, October 7

Monday, October 21
Wednesday, November 6

Monday, November 18
Monday, December 2

REGULAR MEETINGS

Wednesday, January 17
Monday, January 29

Monday, February 12
Wednesday, February 28

Monday, March 11
Wednesday, March 20

Monday, April 1
Monday, April 15

Monday, May 6
Monday, May 20

Monday, June 3
Monday, June 17

Monday, July 1
Monday, July 15

Wednesday, August 7
Monday, August 26

Monday, September 9
Monday, September 23

Monday, October 7
Monday, October 21

Wednesday, November 6
Monday, November 18

Monday, December 2
Wednesday, December 18

*Subject to Change with Notice

To be adopted on December 4, 2023, CR

COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, NOVEMBER 15, 2023
7:00PM

A Committee of the Whole meeting was held on Wednesday, November 15, 2023, at Livonia City Hall in the Council Chambers.

Committee Members Present: Jim Jolly, City Council President
Scott Bahr
Rob Gjonaj Donovic
Brandon McCullough
Scott Morgan

Committee Members Absent: Laura Toy, Council Vice President
Kathleen McIntyre

City Officials Present: Susie Nash, City Clerk
Paul Bernier, City Attorney
Mark Taormina, Planning and Economic Dev. Director

Additional attendees: See attached.

1. **CR 320-23** The subject matter of Petition 2022-06-02-14, submitted by Stark Road Holdings, LLC.

The meeting convened at 7:00 PM

Mark Taormina presented an introduction of the request from the petitioner for a Class C liquor license.

This request previously came before the City Council and was abandoned due to unpaid taxes, which have since been paid. They are now ready to request the license.

Todd McIntyre, Livonia Athletic District (LAD), shared their current operations are weekdays, youth 10am-7pm, adults post 7pm and weekends are even driven.

Todd provided LADôs plans for the business, sharing a multi-stage approach:

- Having 8 LLCôs to occupy space of the former YMCA
- Eat, Play, Drink: Drinks with league/adult play in main lobby, pickleball in the fieldhouse and golf simulators.
- Future usage of a beer garden and an outdoor lounge

Examples were given of similar businesses in the surrounding areas, such as Oakland Yard Athletics, DCFC Fieldhouse and X-Golf.

An approving motion was made by Councilmember Rob Donovic.

A denying motion was made by Councilmember Scott Morgan.

The Committee recommends:

For the Law Department to prepare the following:

1. An approving resolution.
2. A denying resolution.

Note: This item will be out of Committee.

This item is to be placed on the **Regular Meeting Agenda of December 4, 2023**

1. **CR 305-23** The subject matter of Petition 2023-06-02-06, submitted by Gerald Todd Clark on behalf of ServiceMaster.

Mark Taormina presented an introduction and history of the Vassar Street site.

ServiceMaster operations offer climate-controlled outdoor storage and have new tenants for retail.

The eastside would be sold and developed for five single-family homes on Parkville Street.

A presentation by the petitioner through Attorney Collius was given regarding their process to this point. A rapid response meeting was held and there has been engagement with the neighbors offering support.

A FOIA ordinance has shown 71 complaints documented and presented through new data.

The petitioner answered questions about the planned operations of ServiceMaster's business.

Concerns were raised by Councilmembers McCullough and Donovic regarding environmental factors of the business operations.

An approving motion was made by Councilmember Scott Bahr.

A denying motion was made by Councilmember Brandon McCullough.

The Committee recommends:

For the Law Department to prepare the following:

3. An approving resolution.
4. A denying resolution.

Note: This item will be out of Committee.

The meeting adjourned at 7:57pm

This item is to be placed on the **Regular Meeting Agenda of December 4, 2023**

Jim Jolly, City Council President

LETTER TO THE LIVONIA CITY COUNCIL

Planning
October 17, 2023

MEETING DATE	PREPARED BY
R101623/COW111523/R120423	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

The subject matter of Petition 2022-06-02-14 submitted by Stark Road Holdings L.L.C. (CR 230-23)

BACKGROUND DETAILS

At the Regular Meeting of October 16, 2023:

On a motion by Councilmember McCullough, supported by Councilmember Morgan and unanimously adopted, it was:

320-23 RESOLVED, that having considered a communication from the City Planning Commission, dated July 29, 2022, approved for submission by the Mayor, and a communication from Jonathan Hartzell, Stark Road Holdings, LLC, dated July 28, 2022, which in accordance with the provisions of Section 13.13(10) of the Livonia Zoning Ordinance, takes an appeal from a determination made on July 19, 2022, by the City Planning Commission in its resolution 07-41-2022 with regard to Petition 2022-06-02-14 submitted by Stark Road Holdings L.L.C., requesting to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ı of Section 21, and a communication from the City Treasurer, dated September 23, 2022, regarding delinquent property taxes due for 14255 Stark Road and a further email communication from Todd E. McIntyre, MLD, General Manager, Livonia Athletic District (LAD), dated September 29, 2023, forwarding receipts for payment in full of the delinquent property taxes, and the Council having conducted a public hearing with regard to this matter on Monday, September 12, 2022, the Council does hereby refer Petition 2022-06-02-14, submitted by Stark Road Holdings L.L.C., to the Committee of the Whole for its report and recommendation.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To discuss the subject matter of Petition 2022-06-02-14 submitted by Stark Road Holdings L.L.C. (CR 320-23)

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

.

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

DETAILED WORK BEING PERFORMED

.

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc):

ATTACHMENTS

1. R101623 - New Data - Water Bill Receipt - Livonia Athletic District (LAD)
2. R101623 - Tax Receipt - Livonia Athletic District (LAD)
3. R101623 - Req to return - Livonia Athletic District (LAD)
4. R092622 Petition 2022-06-02-14 ON HOLD
5. R092622 NEW DATA - Item 12
6. PH091222 - DIRECTION - APPEAL OF DENIAL (COW)
7. PH091222 Petition 2022-06-02-14 (Stark Road Holdings) Minutes
8. PH091222 - Stark Road Holdings LLC - 14255 Stark Road
9. LTC PH091222 Petition 2022-06-02-14
10. 2022-06-02-14_E-COUNCIL Pkt

APPROVED BY

NEW DATA RECEIVED FOR THE REGULAR MEETING OF OCTOBER 16, 2023, ITEM 9

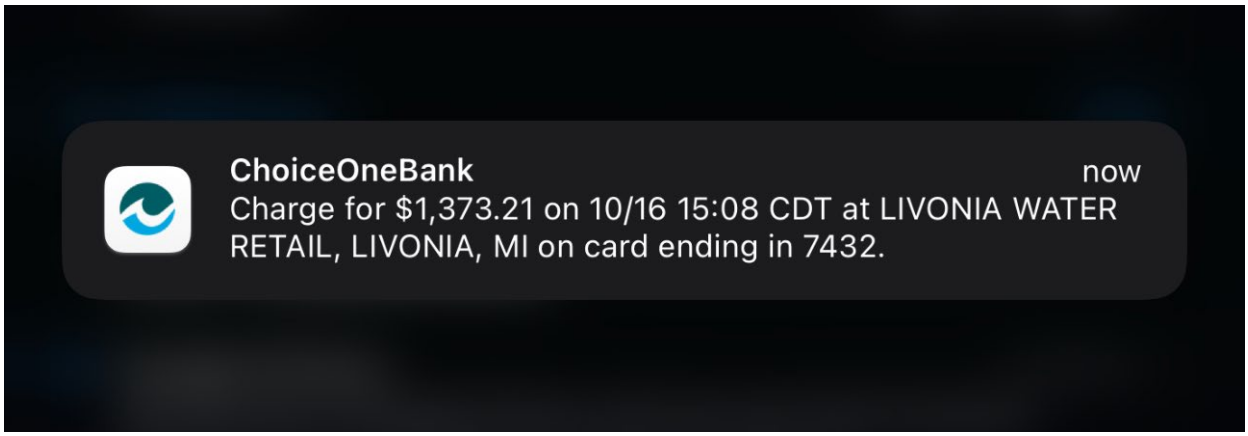
From: Todd McIntyre
To: Kasprowicz, Sara
Subject: Water Bill
Date: Monday, October 16, 2023 4:12:55 PM

Sara,

I hope you're having a great Monday!

Wanted to take a quick moment and share with you that I have paid our water bill in full today. This was the last outstanding balance that our company has with the City of Livonia.

Thank you,



Todd McIntyre, MLD

ERIC R. SABREE
WAYNE COUNTY TREASURER
400 Monroe - 5th Floor
Detroit MI 48226-2942

Stark Road Holdings Llc
14255 Stark Rd
Livonia, MI 48154

Web:treasurer.waynecounty.com
Email:taxinfo@waynecounty.com
Social Media:WCTOEricSabree.com

Tax Receipt

Receipt Number: 010-2023-172549
Bundle: 18081944

Date: 07/11/23
Interest Effective Date: 07/11/23

Receipt Details:

Municipality - Parcel ID	Tax Year	Paid Tax	Paid Int & Fees	Paid Total	Due Tax	Due Int & Fees	Due Total
46 - 46084990003000 - 14255 STARK	2021	$38,809.38	$11,666.72	$50,476.10	$0.00	$0.00	$0.00
	2022	$90,499.07	$8,144.91	$98,643.98	$0.00	$0.00	$0.00
			Total:	$149,120.08	**Through 07/31/23**		**$0.00**
			Receipt Total:	$149,120.08			

Tender Information:
Trans# 20230711-10-3805-01
Total Amount: $149,120.08
Check (2174): $149,120.08

Summary Information:	
Date Created: 07/11/23 01:02:23 PM	**Issued By:** 3805
Date Printed: 07/11/23 01:02:41 PM	**Type:** Counter

Dear Fellow Taxpayer:
Thank you for your payment of property taxes. This payment supports Wayne County, your local community, and other government agencies in providing essential government services. Your payment is greatly appreciated.

Sincerely,

ERIC R. SABREE
Wayne County Treasurer

From: Todd McIntyre
To: Kasprowicz, Sara
Subject: Fwd: City of Livonia Treasurer, MI :: Order Receipt
Date: Friday, September 29, 2023 1:56:59 PM

Begin forwarded message:

From: No Reply - City of Livonia Treasurer MI <noreply+city-of-livonia-treasurer-mi@paydici.com>
Date: September 29, 2023 at 1:56:07 PM EDT
To: Todd McIntyre <todd@livoniaathleticdistrict.com>
Subject: City of Livonia Treasurer, MI :: Order Receipt



Hello Todd

Order Confirmation #143312059

Your payment of $261.05 to City of Livonia Treasurer, MI has been processed on September 29, 2023.

Reference #	Installment	Amount
999 00 2023 003	Amount Due	$253.94
Processing Fees:		$7.11
Total:		$261.05

Payment Method: **** **** **** 7432 (Mastercard)

If you have questions regarding your account, please contact City of Livonia Treasurer, MI.

Click here to register your account:

REGISTER

Thank you,
City of Livonia Treasurer, MI
734-466-2200
support@pointandpay.com

Need login help?

From: Taormina, Mark
To: Jolly, Jim; Todd E. McIntyre, MLD
Cc: Kasprowicz, Sara; Bernier, Paul A.
Subject: RE: Livonia Athletic District (LAD)
Date: Friday, September 29, 2023 12:18:23 PM

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Mark Taormina
Planning and Economic Development Director
City of Livonia | Planning Department
(734) 466-2292
mtaormina@livonia.gov

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Jim Jolly
Council President
City of Livonia | City Council
(734) 466-2257
jjolly@livonia.gov

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Mr. Jolly,

My name is Todd E. McIntyre, MLD, and I am the General Manager with the Livonia Athletic District (LAD).

About seven months ago, myself, and Jon Hartzell (co-owner) sat before the City Council team in regards to getting approval for a Liquor License at 14255 Stark Rd, Livonia, MI 48154.

Since that meeting, we paid the delinquent property taxes in full, and are completely up to date with our current property taxes. We have solidified funding for the Liquor License, and are wanting to get approval for next steps.

Can you guide us in the right direction and next steps?

Thank you, and enjoy your weekend!

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(313) 269-0697

14255 Stark Rd, Livonia, MI 48154

https://www.livoniaathleticdistrict.com

A communication received from the City Treasurer, dated September 23, 2022, re: delinquent real property taxes due for property located at 14255 Stark Road, was received and place don file for the information of the Council. (Petition 2022-06-02-14)

President Jolly indicated at the request of the Petitioner, Agenda Item #12 was removed from the Agenda.

UNFINISHED BUSINESS AGENDA ITEM 12 (Regular Meeting of September 26, 2022)

Present: **Toy, Bahr, Donovic, Morgan, McCullough, Jolly**
Absent: **McIntyre**

NEW DATA FOR REGULAR MEETING
OF SEPTEMBER 26, 2022 - ITEM 12

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER

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

September 23, 2022

Honorable Members of the City Council
City of Livonia

Re: Regular Meeting September 26, 2022 - Item #12
Delinquent Real Property Taxes Due
14255 Stark Road

The Treasurer's Office has checked the upcoming Meeting Agendas for Petitioners and/or Property Owners noted with the above. At this time there are delinquent Real Property Taxes due for the 2022 Summer Taxes, which were due on or before September 14. Amounts shown below are good through September 30. There are also taxes due to Wayne County, as listed below.

084-99-0003-000	$46,531.40	14255 Stark Road	2022 Summer Tax
	$49,875.89		2021 Winter Tax to Wayne

Please take this under consideration when reviewing their request.

Sincerely,

Lynda L. Scheel

Lynda L. Scheel
Treasurer, City of Livonia

STARK ROAD HOLDINGS LLC | CITY OF LIVONIA | 2022 Summer | 084 99 0003 000

MESSAGE TO TAXPAYER

VISIT WWW.LIVONIATAX.ORG FOR TAX AND PAYMENT INFORMATION. THIS INFORMATION MAY BE PRINTED DIRECTLY FROM THE WEBSITE. WE RESERVE THE RIGHT TO CHARGE FOR DUPLICATES. WHEN PAYING BY CHECK, INCLUDE YOUR PHONE NUMBER AND PARCEL NUMBER. PLEASE USE ONLY THE 33000 CIVIC CENTER DRIVE, LIVONIA, MI 48154-3060 ADDRESS FOR MAILING CHECK PAYMENTS FOR TAXES.

PAYMENT INFORMATION

This tax is due by: **09/14/2022**

Pay by mail to: CITY OF LIVONIA
TREASURER'S OFFICE
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3060

Do not combine tax payments with other payments due to the City of Livonia. Payment for taxes must be on a separate check.

Important information on reverse side

PROPERTY INFORMATION

Property Assessed To:
STARK ROAD HOLDINGS LLC
14255 STARK
LIVONIA, MI 48154

Prop #: 084 99 0003 000 School: LIVONIA PUBLIC
Prop Addr: 14255 STARK

Legal Description:
21U2B1 V2A THAT PART OF THE SE 1/4 OF SEC 21 T1S R9E DES AS BEG AT A POINT DISTANT N 0D 49M 15SEC W ALONG THE N AND S 1/4 LINE 1308.82 FT AND S 89D 04M 15SEC E 86 FT FROM THE S 1/4 COR OF SEC 21 AND PROCEEDING TH N 0D 08M 54SEC W 350 FT. TH S 89D 04M 15SEC E 1233.02 FT. TH S 0D 08M 54SEC E 350 FT. TH N 89D 04M 15SEC W 1233.02 FT TO THE POB EXC THE E 43 FT THEREOF 9.56 ACRES

BALANCE OF DESCRIPTION ON FILE

TAX DETAIL

Taxable Value:	1,479,200	COMMERCIAL-I
State Equalized Value:	1,479,200	Class: 201
PRE/MBT %:	0.0000	

Sent to: PROPERTY OWNER

DESCRIPTION	MILLAGE	AMOUNT
SCHOOLCRAFT CC	2.27000	3,357.78
WAYNE CNTY OPER	5.60990	8,298.16
SCHOOL DEBT	2.05000	3,032.36
CNTY ISD SPEC ED	3.34430	4,946.88
STATE EDUCATION	6.00000	8,875.20
SCH SINKING FUND	0.78830	1,166.05
SCHOOL OPERATING	9.00000	13,312.80
CNTY ISD OPER	0.09560	141.41
WCRESA ENHANCE	1.98760	2,940.05
Total Tax	31.14570	46,070.69
Administration Fee		0.00
Interest:		460.71
TOTAL AMOUNT DUE		46,531.40

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County:	OCTOBER 01 - SEPTEMBER 30
Twn/Cty:	DECEMBER 01 - NOVEMBER 30
School:	JULY 01 - JUNE 30
State:	OCTOBER 01 - SEPTEMBER 30

Does NOT affect when the tax is due or its amount

RETAIN THIS PORTION FOR YOUR RECORDS.

On March 1st unpaid taxes from 2021 were transferred to Wayne County for collection. As of 06/03/22 they were not fully paid. Contact the County Treasurer at: 313-224-5990 or taxinfo@waynecounty.com

The below original stub required for payment processing. Please detach along perforation. Keep the top portion for your records.

Sent to: **PROPERTY OWNER**

Pay this tax to:
CITY OF LIVONIA
TREASURER'S OFFICE
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3060

PLEASE RETURN THIS PORTION WITH PAYMENT OR ENTIRE BILL WITH SASE FOR A "STAMPED PAID" RECEIPT

This tax is due by: **09/14/2022**

After 09/14/2022 additional interest and fees apply

2022 Summer Tax for Prop #: **084 99 0003 000**

TAXPAYER NOTE: Are your name & mailing address correct? If not, please contact the Assessor's Office. Thank You.

Property Addr: 14255 STARK

(Partial payments are accepted)

Make Check Payable To: **CITY OF LIVONIA**

TOTAL AMOUNT DUE: **46,531.40**

To: STARK ROAD HOLDINGS LLC
1515 W LAFAYETTE BLVD STE 201
DETROIT MI 48216

Amount Remitted: _____

Check# _____

Cash _____



Pay Taxes Online

Property & Tax Information

Definitions

Municipality	Parcel ID	Property Type
46	46084990003000	REAL

Property Address

14255 STARK, LIVONIA MI 48154

Taxpayer(s)

STARK ROAD HOLDINGS LLC

Tax Year	Tax	Interest & Fees	Amount Due	Status
2021	$44,933.23	$4,942.66	$49,875.89	DELINQUENT

TAX AMOUNT DUE if paid on or before 09/30/2022 : $49,875.89

ADDITIONAL TAXES OR ADJUSTMENTS MAY BE DUE FOR THE CURRENT YEAR.

PROPERTY TAX INFORMATION IS VALID AS OF BUSINESS DAY 09/22/2022.

Per our records there are **no other** outstanding delinquent taxes for this parcel. certified funds required for forfeiture years.

46

46084990003000

Property Address

14255 STARK, LIVONIA, MI 48154

Taxpayer(s)

STARK ROAD HOLDINGS LLC

Note:

You may use this screen to receive receipt(s) via email for payments made within the last three months. If nothing was paid within that time period the screen defaults to the last payment made.
- Enter a valid email address.
- Select the desired receipt(s) by checking the box(es).
You will receive an email with an attached receipt(s) within two business days.
Please be aware that your email provider might have a limit of the attachment size.
We suggest not to select more than three receipts at one time.

Email: lscheel@livonia.gov

Receipts:

AMOUNT	DATE	SELECT
$4,938.20	09/16/2022	☑

Clear Submit

Tax receipt will be emailed to you in the next 48 hrs.

Mayor, Law, S. Kasprowicz,
S. Nash, File

PUBLIC HEARING
DIRECTION

MONDAY, SEPTEMBER 12, 2022

PETITION 2022-05-01-01 submitted by Nofar Hotel Group, pursuant to Sections 13.13 and 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, requesting to rezone the property at 13501 Schoolcraft Road, located on the south side of Schoolcraft Road between Merriman Road and Hubbard Avenue in the Northeast ¼ of Section 27, from C-3 (Highway Services) to C-4 (High Rise Commercial).

DIRECTION: 1) APPROVING

APPEAL OF THE DENIAL OF THE PLANNING COMMISSION regarding Petition 2022-06-02-14 submitted by Stark Road Holdings, LLC, requesting Special Waiver Use approval for a Planned Development under Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21.

DIRECTION: 1) COMMITTEE OF THE WHOLE

THESE ITEMS ARE TO BE PLACED ON THE AGENDA FOR THE REGULAR MEETING OF SEPTEMBER 26, 2022

CITY OF LIVONIA
PUBLIC HEARING

Minutes of Meeting Held on Monday, September 12, 2022

A Public Hearing of the Council of the City of Livonia was held at the Livonia City Hall Auditorium on **September 12, 2022.**

MEMBERS PRESENT: Jim Jolly, President
Laura Toy, Vice President
Scott Bahr
Rob Donovic
Kathleen McIntyre
Scott Morgan

MEMBERS ABSENT: Brandon McCullough

OTHERS PRESENT: Paul Bernier, Assistant City Attorney
Mark Taormina, Planning and Economic Development Director
Sara Kasprowicz, Recording Secretary

The Public Hearing was called to order at 7:13 p.m. with President Jim Jolly presiding. This item is regarding an appeal of the denial of the Planning Commission for Petition 2022-06-02-14 submitted by Stark Road Holdings L.L.C. requesting Special Waiver Use approval for a Planned Development under Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ı of Section 21.This item will move to the Regular Meeting of **September 26, 2022.**

The Public Hearing is now open. There were 2 persons in the audience.

Jolly: Mr. Taormina, can you give us some initial details?

Taormina: Thank you again it's a request for a waiver use approval to operate in a Class C liquor license. This is the site of the former YMCA which is now the Livonia Athletic District, a privately owned, multipurpose health and fitness athletic facility. The zoning of the property is N-2, Neighborhood District and utilization of the class C license is possible under Section 2.502, which provides special labor use standards for plan developments that allow modifications of the ordinance for uses that are not permitted in the N-2 District. So, as a special waiver use, this will require a two thirds majority vote of City Council, in order to approve the non-residential use within the N-2 District. The subject property is about 9.6 acres in size. It has 350 feet of frontage on the west side of Stark Road. The buildings are predominantly located in the southeast half of the property. The westerly portion of the site is wooded and undeveloped.

Surrounding land uses include Frost Middle School to the south, John Stymelski Veteran's Park to the north, Ford Field and single-family homes to the east, and then Parkville Memorial Cemetery, as well as some more single-family homes to the west. LAD would restrict the sale and consumption of alcoholic beverages to specific areas of the building. I won't go into detail and allow the petitioner to describe how that operation would occur, but in general, these would be the Caf®LAD which is the front part of the building. They also have the arcade room, as well as the lounge area or the Observation Lounge, which overlooks the former tennis courts, which is now the soccer fields. There are I think two or three points of sale locations within the building that are proposed. A couple of special requirements as they apply to any on premise licenses. One is that it must be at least 1000 feet from another established Class C licensed business, there are no class C licensed businesses within 1000 feet so that that condition is just complied with. The other one is a 400-foot separation requirement from any church or schools. In this case, measured to the closest point between the buildings LED is 447 feet, roughly from Fall frost Middle School and approximately 956 feet from Christ Our Savior Lutheran Church, as well as The Early Childhood Center. So that too, is being complied with. Planning Commission, as you know, this is an Appeal of the Denial, and with that, Mr. Chairman, I'll be happy to answer any questions you have.

Jolly: Thank you, sir. Gentlemen, if whoever is going to be speaking come to the podium, please introduce yourself. If there are initial comments you'd like to make, please provide them now.

Hartzell: Yeah, hi. My name is John Heartsong. I am one of the owners of the Livonia Athletic District. I provided Mark with the presentation, I also emailed to all of you. Made a few adjustments, just adding some comments in the call Iôve had with people, so if you want, I could go through that real quick. And again, just trying to give an overview of what our goal planning is here. Go the next page please. So again, this is just kind of a recap of our phase one. Itôs a phased attack on what weôre proposing. Phase One was buying the YMCA and we're converting it to our current use, which is, you know, a sports facility that has an indoor turf, batting cages, pickleball courts, office space with third party tenants, and an Olympic sized pool. We have some traditional leases inside Sailfish Swim Cub, Play-On Sports, Health Quest Physical Therapy, Happy Life Hospitality, which is a restaurant group hospitality, which is mine, Madonna University has leased space from us for training. And we sell programs and spaces, batting tunnels, pickleball courts and indoor soccer turf. Programming, so it's a big question of trying to understand our programming, and who's in the building and when. The office crew are really here 8:00 a.m. to 5:00 p.m. Athletic fields and pools really are working adults, come and work out 5:00 a.m. to 8:00 a.m., or some toddler programming from 8:00 a.m. to 10:00 p.m., to youth programs after school to about 7:00 p.m. to 8:00 p.m., and then adult games programs from 7:00 p.m. until 11:00 p.m. And then typical weekends, we had a weekend youth camps, sports tournaments for youth and adults, and special events. And our Phase Two, what we are posing here, is the plan of a special waiver for liquor license for

special interior areas. Specific interiors continue to transform the Livonia Athletic District as a community space for families, friends and teammates to gather together, play, eat and drink. Our alcoholic service specifically within the main lobby Caf® pickup area. We have two proposed spaces in the basement. There's a sauna, a spa and there's a golf simulator and clubhouse in the former racquetball area. And then we show kind of we're programming in a caf®, which extends throughout the lobby, Observation Lounge an arcade, the pickleball concession area and then the golf simulator space. Other spaces are either turf in areas that we wouldn't have allowed beverages on, food or beverage, or the private rented space in the basement which is opposed selling on health club area. Part of their potential lease, if they wanted the rights to be able to have the liquor license extend down there for their tenants, or their clients. The programming where we are, is we're family friendly entertainment space or community center. We're not adults only. We're not loud and disruptive and we're not a private member only club. There are a lot of the groups have come through our building. Some like buildings to what we are proposing is Detroit Athletic Club which has sports, dining, entertainment, DCFC Fieldhouse, which is a converted hockey rink into soccer indoor and outdoor, indoor spaces with a restaurant in the locker rooms that host youth and adult sports. Open Yard Athletics in Waterford, which hosts a plethora of sports, camps and activities with liquor license and full food. Ultimate Soccer in Pontiac, which is now, United Wholesale Mortgage, has a sports center and has a bar, an observation deck over there, multiple sports doing youth and adult sports. And then one of the calls, someone was just interested in kind of my work experience. This just shows some that, I've owned and run businesses for the last 25 years, starting in college. Started a painting company, construction company, and then I launched Detroitôs Food Hall, which is a shipping company, a food hall, 20 lunch containers, six restaurants, three bars, live music, and its family friendly as well. And then recently launched (unknown) Hospitality Group that manages several liquor establishments. We have other partners that are qualified for this too. We also have extensive history, but theyôre not here. The direct business relation of operating section and the liquor space and with a lot of different large venue moving parts, it's a Detroit Shipping Company, and again, I mentioned has multiple pieces to it. Also has outdoor sand volleyball, live music, art galleries, separate lines of retail. And this is kind of very similar to what we'll find in Livonia, in the sense that we have multiple points of sale, and we control that through our management company. And then someone else asked about what our Phase Three was, which essentially is the full back yard redevelopment. We're not here today to present that, but just so you understand where we're going with this. We did it in a phase sense because some of the tenant space, they predicate their annual lease on getting the liquor license with your group. But the full plan is in the phase three. We build up the back yard. It's leaving the existing woodlands intact, just clean that up. But there's a lot of abandoned tennis courts back there that were left throughout 10 years by the former tenant owners. Weôre converting that into outdoor pickleball, beer garden/sports space, turfing one of the areas for kids play, and that would be really a bigger dynamic backyard. They both come back to you for another approval on that.

And a third phase, I just kind of show like the layout of that, which also shows the bottom corner that existing for indoor pickleball courts. And then you can see where the abandoned tennis courts are out there, how we convert different spaces to different uses.

Jolly: Thank you. So, I'm gonna provide my comments right off the bat. I told you on the phone, I think this is, it's an exciting project. It's the most creative use we could have for this building going forward. I've been to the Detroit Shipping Company. I mentioned that on our call. It's an impressive location. It's kind of a cool, for lack of a better way of saying. It's a really hip kind of thing, right? I think if we look around us, in regard to the use of, so first of all, I like what you're doing in general, right. In regard to requesting a liquor license, I think you probably left off the most important like scenario, which is really, The Hawk in Farmington Hills. That's their recreation center and they have a bar set up as well. And you can get drinks and carry them throughout the facility, at least to some extent. It's also like the Soccer Dome on Five mile and Plymouth. That's something very similar as well. In regards to being able to get a drink and use the driving range and use those kind of facilities like that. We talk a lot with residents, in regard to their not being really new, fresh, hip things kind of going on here. In this, in my time on Council, has been the most, right opportunity, we have to kind of do something that's different, right? And I think what you're doing with the building itself is great. I'm mostly excited about what's going on, in regard to Phase Three, and what that might add to the community. So with that being said, I'll hand it off to Mr. Donovic.

Donovic: Thank you, Mr. President. My first question to Mr. Taormina. I know we're not talking about Phase Three, but bear with me for a second. If we were to approve this usage for liquor license, would that be only limited to indoors, then petitioner have to come back before us in the future for any outdoor alcoholic beverage usage, or how network, or is that up to Council's discretion?

Taormina: That's up to Council's discretion. So, I would suggest that you in fact limit the license at this point to just what you've been presented with and that's the indoor activities. It would not preclude them from coming back. That's Phase Three is developed and appears before you for site plan approval for the expansion of liquor licenses. That's what I would recommend.

Donovic: Thank you, Mr. Taormina, thank you to the petitioner. Thanks for being here tonight. Thanks for the hard work. I'd like to echo some of my comments from President Jolly. I think this is very creative. I think it's state of the art. I think it's one of the cooler things we're doing in our community right now. Especially talking about attracting young people. I'm a sports fan myself. I like to play sports. I may not be very good at them, but I still like to go out with friends and hang out and as young adults and even parents that like to enjoy maybe a cold beer while they're playing soccer in their soccer league or where they're at a number of events that you, that this place offers. I think it's very modern looking and I think this isn't a bar atmosphere. I prefer to keep the alcoholic beverages limited to indoors only and then if you so choose after Phase

Three, you want to come back out and ask for alcoholic beverages outside. That's a different subject, but I'm okay indoors because again, typically speaking, with activity, you're out, you're hanging out with a friend, your club, organization, whatever different sporting organizations are out there, and you have a beer, you have a bag of chips, you have some food, whatever you're offering. But my biggest concern is, again, if you can fill in the blanks for me, is this. I don't know what's happening with the property taxes. We just got another email today from our Treasurer. Those are some really big numbers. I understand, and please, if you can fill in those blanks. I understand opening up a new business has a lot of costs, but when you're opening a new business, your property taxes, your obligation to be to the community should be worked into your financing. So, that's what's concerning to me as those numbers I've read, I don't know if they've been paid since. I know that a few months ago, this was a topic with the with the Commission, and the email I got today at 2:14 says these are outstanding. So, I'd like, if you could provide some content there, some context there, and go from there. Thank you, Mr. President.

Hartzell: Thank you. We're working on a payment plan because it's not over a year old and only a couple months old. Wayne County doesn't create payment plans. So, we just started paying 10% each month against it until we get to the winter months here. We were just kind of programming that. There were some cost overruns a bit on the, construction of the building was a little farther behind than we thought, and so, as we got into the summer months where we didn't have programming quite set up yet, there was a shortfall and we're working internally in our group to solve funding on that. We have multiple partners, and it kind of created a little bit of a bottleneck on us. So, we as an operational team had the ability to use our operational budget to start just knocking that off 10% of the time. So, it'll be done before we get to a point where it's the next issue.

Donovic: Mr. President.

Jolly: Yes sir.

Donovic: Thank you. Thank you for your explanation. For me, this is a great project and I'm not trying to hold you back when we're talking about, if I understand correctly, almost $100,000, $54,000 due to the county for 2021 Winter tax bill and then 2022 Summer tax bill $46,000. And I know that's due on 14th, I believe in Livonia. So, I'm going to need more clarification on that. Those are just some really big numbers. I understand overrides and understand change orders. I want to work with you, but to get my vote, you know, those are some really large numbers that I find really concerning, that I need to see, you know, knocked down a lot more before we move forward on my end, as one Councilmember, but thank you to the petitioners, and thanks for what you are doing.

Jolly: Ms. Toy.

Toy: Thank you. Sir, in all due respect, I do agree with my colleague that just spoke. As a former Treasurer of the City, I'm very sensitive to the fact that taxes need to be paid on time, and they need to be collected. I think you're doing a wonderful project, but I think it's got to be paid for as you're doing it. And it just speaks of good community involvement when you pay your taxes. Before you get my vote, this has got to be straightened out, most definitely. I cannot, in good conscience, tell the taxpayers of this community that I'm voting for an establishment, even though it's a beautiful one, you're doing a fabulous job. You've got to get those taxes in line and paid on time. Thank you.

Jolly: Mr. Bahr.

Bahr: Question for Mark. Along the same vein of what Rob and Laura were just saying, when I reviewed the Planning Commission minutes, and they obviously denied this, but it appeared that the primary hang-up for them was this tax issue. Not so much the proposal itself, right? Is that your recollection?

Taormina: It is.

Bahr: Okay, I just that's what I was reading, but I just wanted to fill that in with something, thank you.

Jolly: Anybody else? Does anybody have a motion at this time they would like to offer? Mr. Donovic.

Donovic: Mr. President, I have a point of clarification. Are we able to, at public hearings, offer the committee option?

Jolly: So, you can offer the kitchen sink at this point, it doesn't really matter. There will be no votes tonight because it's a public hearing, it just kind of gives us a direction of things that are likely to be considered. It's not uncommon for there to be an approving, a denying and a committee the whole offered at such a meeting.

Donovic: Mr. President, I'd like to offer Committee and my intention is to give the petitioner ample opportunity to really put a dent in this. And a serious dent, not 10%. Again, this is for me personally, what I like to offer a committee option. Thank you, Mr. President.

Jolly: Thank you very much, anybody else? I see no more comments from the Council. I'd note that there is nobody here from the public, I think there's only people affiliated with the petition. So at this time, we have our direction. This will be on the agenda on September 26, as well, and thank you for coming out and we'll see you then.

Hartzell: Appreciate it, thank you.

As there were no further questions or comments, the Public Hearing was declared closed at 7:30 p.m.

INFORMATION PROVIDED FOR PUBLIC HEARING OF SEPTEMBER 12, 2022, ITEM 2

From: Scheel, Lynda L.
To: Jolly, Jim; Toy, Laura; McIntyre, Kathleen; Bahr, Scott; McCullough, Brandon; Morgan, Scott; Donovic, Rob
Cc: Bernier, Paul A.; Taormina, Mark; Kasprowicz, Sara; Dolmetsch, Sharon; Scheel, Lynda L.
Subject: RE: Public Hearing Tonight - Stark Road Holdings LLC - 14255 Stark Road
Date: Monday, September 12, 2022 2:14:51 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png

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Thank you, Lynda

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Thank you, Lynda

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SUBJECT: Petition 2022-06-02-14 - 14255 Stark Road

Attached are plans submitted by Stark Road Holdings L.L.C. requesting Special Waiver Use approval for a Planned Development under Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21.

If you have any observations or concerns, we would appreciate receiving your comments by **July 12, 2022**. Please transmit an **electronic copy** (PDF format please) to planning@livonia.gov

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www.livonia.gov

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нпупурппуллр

STARK ROAD HOLDINGS LLC
14255 STARK RD.
LIVONIA, MI 48154

74-843/724

1112

DATE 8.29.22 PMP

PAY TO THE ORDER OF City of Livonia - Lynda Scheel $ 4938.21

Four Thousand, Nine Hundred, Thirty Eight, & Thirty one DOLLARS

Heat Reactive Ink

choiceone BANK
888-775-6687 choiceone.com

MEMO Payment - LAD

MP

⑆072408436⑆ 1000267540⑈ 1112

LOOK FOR FRAUD-DETERRING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK. DETAILS ON BACK.

© DELUXE deluxe.com/checks SPECIALTY BLUE HIGH SECURITY

Returned check to Livonia Athletic Dist. ATTN: Todd McIntyre (new general manager)

313-597-2109



Treasurer > Make A Payment

Font Size: + − S

Pay Taxes Online

Property & Tax Information

Definitions

Municipality	Parcel ID	Property Type
46	46084990003000	REAL

Property Address

14255 STARK, LIVONIA MI 48154

Taxpayer(s)

STARK ROAD HOLDINGS LLC

Tax Year	Tax	Interest & Fees	Amount Due	Status
2021	$49,382.06	$5,432.02	$54,814.08	DELINQUENT

TAX AMOUNT DUE if paid on or before 09/30/2022 : $54,814.08

ADDITIONAL TAXES OR ADJUSTMENTS MAY BE DUE FOR THE CURRENT YEAR.

PROPERTY TAX INFORMATION IS VALID AS OF BUSINESS DAY 09/09/2022.

Per our records there are **no other** outstanding delinquent taxes for this parcel. certified funds required for forfeiture years.



Treasurer > Make A Payment

Font Size: + − S

Pay Taxes Online

Property & Tax Information

Definitions

Municipality	Parcel ID	Property Type
46	46084990003000	REAL

Property Address

14255 STARK, LIVONIA MI 48154

Taxpayer(s)

STARK ROAD HOLDINGS LLC

Tax Year	Tax	Interest & Fees	Amount Due	Status
2021	$49,382.06	$4,938.20	$54,320.26	DELINQUENT

TAX AMOUNT DUE if paid on or before 08/31/2022 : $54,320.26

ADDITIONAL TAXES OR ADJUSTMENTS MAY BE DUE FOR THE CURRENT YEAR.

PROPERTY TAX INFORMATION IS VALID AS OF BUSINESS DAY 08/19/2022.

Per our records there are **no other** outstanding delinquent taxes for this parcel. certified funds required for forfeiture years.

STARK ROAD HOLDINGS LLC | CITY OF LIVONIA | 2022 Summer | 084 99 0003 000

MESSAGE TO TAXPAYER

VISIT WWW.LIVONIATAX.ORG FOR TAX AND PAYMENT INFORMATION. THIS INFORMATION MAY BE PRINTED DIRECTLY FROM THE WEBSITE. WE RESERVE THE RIGHT TO CHARGE FOR DUPLICATES. WHEN PAYING BY CHECK, INCLUDE YOUR PHONE NUMBER AND PARCEL NUMBER. PLEASE USE ONLY THE 33000 CIVIC CENTER DRIVE, LIVONIA, MI 48154-3060 ADDRESS FOR MAILING CHECK PAYMENTS FOR TAXES.

PAYMENT INFORMATION

This tax is due by: **09/14/2022**

Pay by mail to: CITY OF LIVONIA
TREASURER'S OFFICE
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3060

Do not combine tax payments with other payments due to the City of Livonia. Payment for taxes must be on a separate check.

Important information on reverse side

PROPERTY INFORMATION

Property Assessed To:
STARK ROAD HOLDINGS LLC
14255 STARK
LIVONIA, MI 48154

Prop #: 084 99 0003 000 School: LIVONIA PUBLIC
Prop Addr: 14255 STARK

Legal Description:
21U2B1 V2A THAT PART OF THE SE 1/4 OF SEC 21 T1S R9E DES AS BEG AT A POINT DISTANT N 0D 49M 15SEC W ALONG THE N AND S 1/4 LINE 1308.82 FT AND S 89D 04M 15SEC E 86 FT FROM THE S 1/4 COR OF SEC 21 AND PROCEEDING TH N 0D 08M 54SEC W 350 FT. TH S 89D 04M 15SEC E 1233.02 FT. TH S 0D 08M 54SEC E 350 FT. TH N 89D 04M 15SEC W 1233.02 FT TO THE POB EXC THE E 43 FT THEREOF 9.56 ACRES

BALANCE OF DESCRIPTION ON FILE

TAX DETAIL

Taxable Value: 1,479,200 COMMERCIAL-I
State Equalized Value: 1,479,200 Class: 201
PRE/MBT %: 0.0000

Sent to: PROPERTY OWNER

DESCRIPTION	MILLAGE	AMOUNT
SCHOOLCRAFT CC	2.27000	3,357.78
WAYNE CNTY OPER	5.60990	8,298.16
SCHOOL DEBT	2.05000	3,032.36
CNTY ISD SPEC ED	3.34430	4,946.88
STATE EDUCATION	6.00000	8,875.20
SCH SINKING FUND	0.78830	1,166.05
SCHOOL OPERATING	9.00000	13,312.80
CNTY ISD OPER	0.09560	141.41
WCRESA ENHANCE	1.98760	2,940.05
Total Tax	31.14570	46,070.69
Administration Fee		0.00
TOTAL AMOUNT DUE		46,070.69

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County: OCTOBER 01 - SEPTEMBER 30
Twn/Cty: DECEMBER 01 - NOVEMBER 30
School: JULY 01 - JUNE 30
State: OCTOBER 01 - SEPTEMBER 30

Does NOT affect when the tax is due or its amount

RETAIN THIS PORTION FOR YOUR RECORDS.

On March 1st unpaid taxes from 2021 were transferred to Wayne County for collection. As of 06/03/22 they were not fully paid. Contact the County Treasurer at: 313-224-5990 or taxinfo@waynecounty.com

The below original stub required for payment processing. Please detach along perforation. Keep the top portion for your records.

Sent to: **PROPERTY OWNER**

Pay this tax to:
CITY OF LIVONIA
TREASURER'S OFFICE
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3060

PLEASE RETURN THIS PORTION WITH PAYMENT OR ENTIRE BILL WITH SASE FOR A "STAMPED PAID" RECEIPT

This tax is due by: **09/14/2022**
After 09/14/2022 additional interest and fees apply

2022 Summer Tax for Prop #: **084 99 0003 000**

TAXPAYER NOTE: Are your name & mailing address correct? If not, please contact the Assessor's Office. Thank You.
Property Addr: 14255 STARK

(Partial payments are accepted)
Make Check Payable To: **CITY OF LIVONIA**

TOTAL AMOUNT DUE: **46,070.69**

To: STARK ROAD HOLDINGS LLC
1515 W LAFAYETTE BLVD STE 201
DETROIT MI 48216

Amount Remitted: _____

Check# _____

Cash _____

LETTER TO THE LIVONIA CITY COUNCIL

2.

Planning
July 29, 2022

MEETING DATE	PREPARED BY
September 12, 2022	Stephanie Reece, Program Supervisor,

AGENDA ITEM

Appeal of the denial of the Planning Commission for Petition 2022-06-02-14 submitted by Stark Road Holdings L.L.C. requesting Special Waiver Use approval for a Planned Development under Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ı of Section 21.

BACKGROUND

RECOMMENDATION

August 1, 2022

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2022-06-02-14 ï Livonia Athletic District

Dear Council Members:

At the 1,189th Public Hearings and Regular Meeting held by the City Planning Commission on July 19, 2022, the following resolution was unanimously adopted:

#07-41-2022 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on July 19, 2022, on Petition 2022-06-02-14 submitted by Stark Road Holdings L.L.C. requesting Special Waiver Use approval for a Planned Development under Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ı of Section 21, the Planning Commission does hereby recommend to the City Council that Petition 2022-06-02-14 be denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed utilization of a Class C liquor license at this location would comply with all the general waiver use standards and

requirements as set forth in Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended.

2. That the petitioner has not sufficiently demonstrated that the proposed utilization of a Class C liquor license at this location would be compatible to and in harmony with surrounding residential neighborhoods in the area.

3. That it has not been demonstrated that the utilization of a Class C liquor license at this location is needed for this facility to flourish.

4. That the petitioner has failed to adequately demonstrate that the facility has the capacity to accommodate the proposed Class C liquor license, and

5. That the utilization of a Class C liquor license at this location is contrary to the goals and objectives of the Zoning Ordinance which, among other things, are intended to ensure suitability and appropriateness of uses.

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. 2022-06-02-14_E-COUNCIL Pkt
2. PH091222 - Stark Road Holdings LLC - 14255 Stark Road

APPROVED BY



Date: August 01, 2022

Mark Taormina, Planning and Economic Development Director



Date: August 25, 2022

Maureen Miller Brosnan, Mayor

Petition 2022-06-02-14 submitted by Stark Road Holdings L.L.C. requesting Special Waiver Use approval for a Planned Development under Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21.

Livonia Athletic District
12455 Stark Road
Livonia, MI 48154

July 28, 2022

RECEIVED
JUL 29 2022
CITY OF LIVONIA
PLANNING COMMISSION

Planning Commission
Sam Caramagno
33000 Civic Center Drive
Livonia, MI 48154

Petition 2022-06-02-14 – Livonia Athletic District

Dear Mr. Caramagno

RE: #7-41-2022

At the 1,189th Public Hearing and Regular Meeting held by the City Planning Commission on July 19, 2022, in the Livonia City Hall, the following resolution was unanimously adopted and denied our request for a special waiver use under Section 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C Liquor Licenses at 14255 Stark Road.

Stark Road Holdings, LLC would like to appeal the Planning Commissions' decision. We would also like to discuss the commission's concerns regarding the Class C Liquor License. We ask that a date be set to resolve and affirm our reasoning for requiring a Class C Liquor License at Livonia Athletic District.

Best Regards,
Stark Road Holdings, LLC

Jonathan Hartzell

PLANNING COMMISSION

IAN WILSHAW, Chairman
GLEN W. LONG, JR., Vice Chairman
SAM CARAMAGNO, Secretary
DAVID BONGERO
ELIZABETH McCUE
CAROL A. SMILEY
PETER H. VENTURA

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2290 Fax (734) 466-2108

MAUREEN MILLER BROSNAN
MAYOR

MARK TAORMINA
PLANNING & ECONOMIC
DEVELOPMENT DIRECTOR

JACOB UHAZIE
PLANNING & ECONOMIC DEVELOPMENT
COORDINATOR

SCOTT O. MILLER
PLANNER IV

RECEIVED
JUL 29 PM 2:52
PLANNING DEPARTMENT

July 20, 2022

RECEIVED
AUG 01 2022
CITY OF LIVONIA
PLANNING COMMISSION

Stark Road Holdings, L.L.C.
Jonathan Hartzell
14255 Stark Road
Livonia, MI 48154

Re: Petition 2022-06-02-14 – Livonia Athletic District

Dear Mr. Hartzell:

At the 1,189th Public Hearing and Regular Meeting held by the City Planning Commission on July 19, 2022, in the Livonia City Hall, the following resolution was unanimously adopted:

#07-41-2022 ***RESOLVED***, That pursuant to a Public Hearing having been held by the City Planning Commission on July 19, 2022, on Petition 2022-06-02-14 submitted by Stark Road Holdings L.L.C. requesting Special Waiver Use approval for a Planned Development under Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21, the Planning Commission does hereby recommend to the City Council that Petition 2022-06-02-14 be denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed utilization of a Class C liquor license at this location would comply with all the general waiver use standards and requirements as set forth in Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended.

2. That the petitioner has not sufficiently demonstrated that the proposed utilization of a Class C liquor license at this location would be compatible to and in harmony with surrounding residential nieghborhoods in the area.

3. That it has not been demonstrated that the utilization of a Class C liquor license at this location is needed for this facility to flourish.

4. That the petitioner has failed to adequately demonstrate that the facility has the capacity to accommodate the proposed Class C liquor license, and

5. That the utilization of a Class C liquor license at this location is contrary to the goals and objectives of the Zoning Ordinance which, among other things, are intended to ensure suitability and appropriateness of uses.

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.

Please be advised that the petitioner has 10 business days to appeal the decision in writing to the Livonia City Council, pursuant to Section 13.13(10)of the Livonia Vision 21 Zoning Ordinance, as amended. The fee for an appeal is $400.00.

Very truly yours,

CITY PLANNING COMMISSION

Sam Caramagno, Secretary

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.

For filing fee see below for computation

Date Filed: 06/17/2022 Petition 2022-06-02-14

Site Address: 14255 STARK ROAD Sidwell 46-084-99-0003-000 Zoning of Property N-2

Requesting Approval To PLANNED GENERAL DEVELOPMENT - SPECIAL WAIVER

Applicant: Jonathan Hartell Business/Company: Stark Road Holdings LLC

Applicant's Address: 14255 Stark D City: Livonia State: MI Zip Code: 48154

Applicant's Phone # (248) 854-8005 Applicant's Email Jon@DetroitRisingDevelopment.com

Contact Person: Jon Hartell Business/Company: SAME

Contact's Address: SAME City: " State: " Zip Code: "

Contact's Phone # ( ) SAME Contact's Email SAME

RECEIVED
2022 MAY -8 PM 4:21
OFFICE OF THE CITY CLERK

RECEIVED
JUN 17 2022
CITY OF LIVONIA
PLANNING COMMISSION

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** planning@livonia.gov
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 **$700.00 ($400 publication fee plus $300 base review fee) plus**

_____ sq. ft. of new construction x $20.00 per 1,000 sq. ft. plus $30 per lot or unit for residential construction. (**NOTE**: Round off to nearest 1,000) +

Total Amount Due $ 700.00

Owner of Property: Stark Road Holdings LLC

Owner's Address: 14255 Stark RD City: Livonia State: MI Zip Code: 48154

Owner's Phone # (248) 854 8005 Owner's Email Jon@DetroitRisingDevelopment.com

Signature of Owner: _____ Print Name: Jonathan Hartell

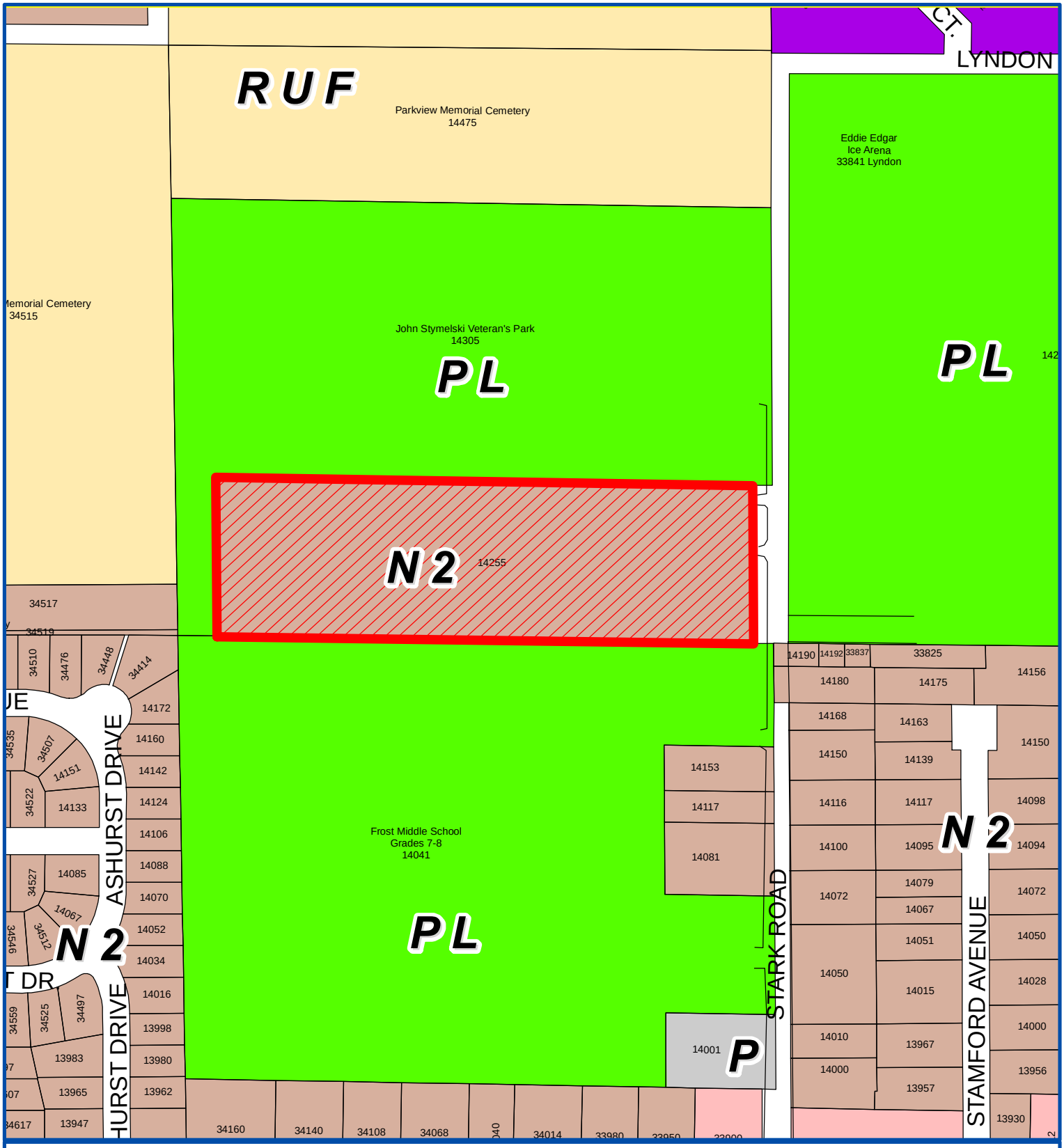
NORA BROCK
NOTARY PUBLIC, STATE OF MI
COUNTY OF LIVINGSTON
MY COMMISSION EXPIRES Sep 1, 2028
ACTING IN COUNTY OF WAYNE

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

on this 17th day of JUNE 20 22.

Signature of Notary Nora Brock My commission expires 9/1/2028

Acting in the County of WAYNE.



Address & Zoning Map

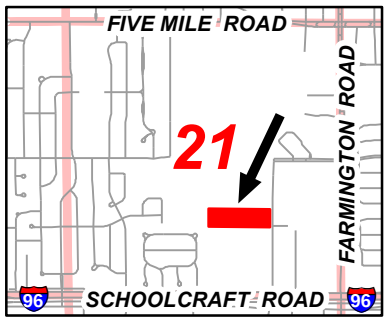
Petition 2022-06-02-14
Liviona Athletic District
14255 Stark Road
Class C License

N

Not to Scale

City of Livonia
Planning Department





Aerial Map

Petition 2022-06-02-14
Liviona Athletic District
14255 Stark Road
Class C License

N

Not to Scale

City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PUBLIC HEARING

ITEM 3

Petition 2022-06-02-14 submitted by Stark Road Holdings L.L.C. requesting Special Waiver Use approval for a Planned Development under Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ı of Section 21.

July 12, 2022: Study Meeting:

This item involves a request to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a proposed Planned General Development called the Livonia Athletic District (LAD). The proposed development would operate the liquor license in specific interior areas of the existing building. Alcohol would be permitted in shared spaces including Caf® LAD, the arcade, soccer observation lounge, putting green & golf lounge, the eastern observation area of the pickle ball courts and connecting hallways. Proposed Point of Sales are located in the Caf® LAD and the dogleg golf observation area. Alcohol would not be permitted on any of the playing surfaces.

The subject property is zoned N-2, Neighborhood District, which does not permit or allow liquor licenses per se. However, Section 5.02 of the Livonia Vision 21 Zoning Ordinance provides special standards for Planned Developments that allow modifications of the ordinance for uses not permitted in the N-2 District. Uses not permitted may be allowed when they are related to an overall concept of a Planned Development.

Class C liquor licenses are regulated under Section 6.22 of The Livonia Vision 21 Zoning Ordinance. One special requirement specifies that no Class C licensed establishments shall be located within 1,000 feet of any other such licensed establishment as measured from the actual premises being used or proposed for use of the respective properties; provided, however, that with respect to those licensed establishments which are utilized primarily as restaurants or for dining facilities, the foregoing 1,000-foot requirement may be waived by the City Council. There are no such licensed establishment within 1,000 feet of the proposed Planned Development.

Another special requirement of Section 6.22 specifies that a proposed Class C-licensed establishment shall be located at least 400 feet distant away from any church or school building as measured from the nearest point on the building proposed to be licensed to the existing church or school building. No such

establishments are within 400 feet of the Planned Development. Measured at the closest points between buildings, LAD is 447 feet from Frost Middle School and 956 feet from Christ Our Savior Luthern Church/Early Childhood center.

July 19, 2022: Public Hearing:

Approving Resolution: That the request to utilize a Class C liquor license in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark Road is hereby approved, subject to the following conditions and for the following reasons:

1. All unpaid taxes shall either paid in full prior to final action of the City Council or be paid in full according to a specific payment schedule as approved by City Council and the City Treasurer.

2. The serving and consumption of alcohol in connection with a Class C license at this location shall be limited to the interior of the existing building, and there shall be no serving or consumption of alcohol on the property outside of the building.

3. The serving and consumption of alcohol shall be limited to the areas shown on the Enlarged Floor Plans, Sheets A/4.01 thru A/4.07 dated June 16, 2022 as prepared by Five Eighths.

4. That the operation of a Class C liquor license at this location complies with all of the general waiver use standards and requirements as set forth in Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended.

5. That the subject site has the capacity to accommodate the proposed use.

6. That providing alcohol beverages at this location is an amenity that customers of the facility have requested and will allow LAD to retain and increase membership to become more economically viable.

Denying Resolution: That the request to utilize a Class C liquor license in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark Road, is hereby denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed utilization of a Class C liquor license at this location would comply with all the general waiver use standards and requirements as set forth in Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended.

2. That the petitioner has not sufficiently demonstrated that the proposed utilization of a Class C liquor license at this location would be compatible to and in harmony with surrounding residential nieghborhoods in the area..

3. That it has not been demonstrated that the utilization of a Class C liquor license at this location is needed for this facility to flourish.

4. That the petitioner has failed to adequately demonstrate that the facility has the capacity to accommodate the proposed Class C liquor license, and

5. That the utilization of a Class C liquor license at this location is contrary to the goals and objectives of the Zoning Ordinance which, among other things, are intended to ensure suitability and appropriateness of uses.

LIVONIA ATHLETIC DISTRICT

14255 STARK ROAD - LIVONIA - MICHIGAN - 48154

PLANNED GENERAL DEVELOPMENT - SPECIAL WAIVER USE APPLICATION (PHASE 2)

PROJECT TITLE | 3

ARCHITECT:

FIVE - EIGHTHS
2321 WOLCOTT STREET
FERNDALE - MICHIGAN - 48220

CONTACT - GRANT JEFFRIES
248 - 981 - 8744
GRANT@FIVE-EIGHTHS.COM

CLIENT / BUILDING OWNER:

DETROIT RISING DEVELOPMENT
14255 STARK ROAD
LIVONIA - MICHIGAN - 48154

CONTACT - JON HARTZELL
248-854-8005
JON@DETROITRISINGDEVELOPMENT.COM

GENERAL CONTRACTOR:

DETROIT RISING DEVELOPMENT
14255 STARK ROAD
LIVONIA - MICHIGAN - 48154

CONTACT - RICK STANZA
586 - 879 - 8163
RSTANZA@DETROITRISINGDEVELOPMENT.COM

PROJECT DIRECTORY | 11

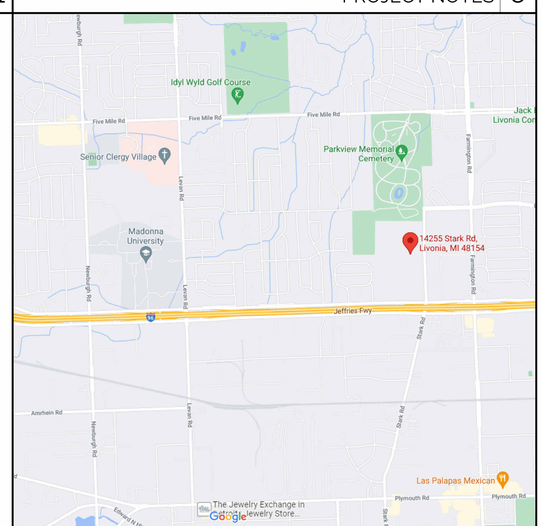
1. DO NOT SCALE DRAWINGS. CONSULT OWNER IF DIMENSIONAL QUESTION ARISES.
2. CONTRACTOR SHALL PROVIDE ALL ITEMS, ARTICLES, MATERIALS, AND OPERATIONS SCHEDULED INCLUDING ALL LABOR, MATERIALS, AND INCIDENTALS REQUIRED FOR COMPLETION.
3. ALL CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE LOCAL, STATE, AND FEDERAL CODES/LAWS. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL APPLICABLE BUILDING AND OTHER PERMITS REQUIRED FOR THE COMPLETION OF THE WORK.
4. ALL DIMENSIONAL LUMBER, PLYWOOD, PARTICLE BOARD, FITTING, AND BLOCKING SHALL BE PRESSURE TREATED/UL CERTIFIED NON-COMBUSTIBLE.
5. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS AT THE JOB SITE.
6. NOTIFY THE ARCHITECT OR OWNER PRIOR TO COMMENDING WORK OF ANY DISCREPANCIES, CONFLICTS, OR OMISSIONS IN THE CONSTRUCTION DOCUMENTS AND FIELD CONDITIONS. AN ADDENDUM WILL BE ISSUED AS NECESSARY AND WILL BECOME A PART OF THE CONTRACT DOCUMENTS. FOR THOSE DISCREPANCIES NOT BROUGHT TO THE ATTENTION OF THE OWNER, IT WILL BE ASSUMED THAT THE CONTRACTOR HAS BID THE MORE EXPENSIVE METHOD OF CONSTRUCTION.
7. COORDINATE ALL WORK BEFORE AND DURING CONSTRUCTION WITH ALL OTHER AFFECTED TRADES.
8. WHERE INTERFACES DEVELOP, NOTIFY OWNER FOR RESOLUTION OF CONFLICT.

PROJECT NOTES | 8

PROPERTY INFORMATION:

PIN:	46-084-99-0003-000
ZONING:	N-2 NEIGHBORHOOD
TYPE OF CONSTRUCTION:	3B
LOT AREA:	9.56 ACRES
YEAR BUILT:	1968
NUMBER OF BUILDINGS:	2
NUMBER OF STORIES:	2 (INCLUDING BASEMENT)
BUILDING AREA:	95,531 SF (INCLUDING BASEMENT)
HEIGHT:	22'-4"
PARKING SPACES:	96
SPRINKLERED:	NO

PROJECT INFORMATION | 10



VICINITY MAP | 7
NOT TO SCALE
"SCALE"

THIS PHASE OF THE PROJECT, PLANNED GENERAL DEVELOPMENT - SPECIAL WAIVER USE APPLICATION (PHASE 2), IS TO OBTAIN A LIQUOR LICENSE FOR PORTIONS OF THE LIVONIA ATHLETIC DISTRICT. THIS APPLICATION COVERS INTERIOR AREAS ONLY AND ANY EXTERIOR USES THAT REQUIRE A WAIVER WILL BE IN A FUTURE PHASE.

INTERIOR MODIFICATIONS INCLUDE THE ADDITION OF BATHROOMS, BARS, AND KITCHEN PREP SPACES.

THERE ARE NO PROPOSED EXTERIOR MODIFICATIONS IN THIS PHASE.

NO STRUCTURAL MODIFICATIONS ARE BEING PROPOSED FOR THIS PHASE.

HVAC MODIFICATIONS WILL BE LIMITED TO SOME DUCTWORK MODIFICATIONS BASED ON NEW CEILINGS/LAYOUTS.

ELECTRICAL MODIFICATIONS INCLUDE NEW INTERIOR/EXTERIOR LIGHTING IN THE COMMON AREAS AND SOME OUTLETS/SWITCHES IN THE NEW INTERIOR DEMISING WALLS.

FUTURE PROJECT PHASES WILL BE PERMITTED SEPARATELY. INTENDED AND COMPLETED PHASES ARE AS FOLLOWS:

PREVIOUS PHASES:

PHASE 1 - LIVONIA ATHLETIC DISTRICT
PURPOSE: ORIGINAL BUILD-OUT AND EXTERIOR SIGN PERMIT
STATUS: COMPLETE

CURRENT PHASE:

PHASE 2 - PLANNED GENERAL DEVELOPMENT SPECIAL WAIVER USE
PURPOSE: TO OBTAIN WAIVER FOR LIQUOR LICENSE FOR SPECIFIC INTERIOR AREAS
STATUS: CURRENT

FUTURE PHASES:

PHASE 3 - INDIVIDUAL BUILDING PERMITS FOR PERMITS FOR "DOGLEG" GOLF SIMULATORS, CAFE LAD, & LOWER LEVEL TENANT
PURPOSE: TENANT BUILDOUTS
STATUS: FUTURE

PHASE 4 - PLANNED GENERAL DEVELOPMENT SPECIAL WAIVER USE
PURPOSE: TO OBTAIN WAIVER FOR LIQUOR LICENSE FOR EXTERIOR AREAS
STATUS: FUTURE

PHASE 5 - INDIVIDUAL BUILDING PERMITS FOR BACKYARD AND "BIG PICKLE" PICKLEBALL COURTS
PURPOSE: TENANT BUILDOUTS
STATUS: FUTURE

PROJECT DESCRIPTION | 4

G/ 0.01	TITLE SHEET
G/ 0.02	GENERAL NOTES
G/ 0.03	CODE REVIEW
C/ 1.00	SITE PLAN / AREA PLAN
C/ 1.01	SURVEY
A/ 1.00	FLOOR PLAN / LOWER LEVEL
A/ 1.01	FLOOR PLAN / FIRST FLOOR
A/ 2.01	ELEVATIONS / EXTERIOR
A/ 4.01	ENLARGED PLANS / CAFE L.A.D.
A/ 4.02	ENLARGED FLOOR PLANS / OBSERVATION
A/ 4.03	ENLARGED PLANS / "DOGLEG"
A/ 4.04	ENLARGED PLANS / "BIG PICKLE"
A/ 4.05	ENLARGED PLANS / BATHROOMS
A/ 4.06	ENLARGED PLANS / BATHROOMS
A/ 4.07	ENLARGED PLANS / BATHROOMS

SHEET LIST | 1

FIVE - EIGHTHS
2321 WOLCOTT STREET
FERNDALE - MI - 48220
313 - 936 - 0835
INFO@FIVE-EIGHTHS.COM

LIVONIA ATHLETIC DISTRICT
14255 STARK RD - LIVONIA - MICHIGAN - 48154

TITLE SHEET
PLANNED GENERAL DEVELOPMENT WAIVER APPLICATION
SHEET 1 OF 15

STATE OF MICHIGAN
GRANT A. JEFFRIES
ARCHITECT
No. 1301062494
LICENSED ARCHITECT

PROJECT ISSUE DATE:
06/16/2022

G/
0.01

CENTER POST
SECTION 21
T-1S, R-9E
CITY OF LIVONIA
WAYNE COUNTY,
MICHIGAN

LEGEND – EXISTING

SECTION LINE	SAN. MH	GAS METER	MISC. TOPO. FEATURE
E/ PAVEMENT	SAN. CLEAN OUT	GAS RISER	SURVEY CONTROL POINT
CURB	SAN. RISER	GAS VALVE	FOUND IRON
E/ GRAVEL	SAN. PUMP STATION	GAS MH	FOUND NAIL
CL ROAD	COMB. MH	TELE. RISER	F. CUT CROSS
E/ WALK	GATE VALVE	TELE. MH	SECTION COR.
RAILROAD	HYDRANT	TELE. CROSS BOX	FENCE POST
E/ BRICK	WATER VALVE	CABLE RISER	BENCHMARK
MISC. LINE	WATER METER	PAY PHONE	FOUND PIPE
FENCE	POST INDICATOR VALVE		FOUND MON.
GUARD RAIL	WELL HEAD	MANHOLE	ASPH. ASPHALT
WALL	FDC CONNECTION	SIGN	CONC. CONCRETE
BLDG. LINE	IRRIGATION CONTROL BOX	FROT. POST/GUARD POST	A.C. AIR CONDITIONER
OVERHEAD WIRES	STORM MH	GUY	G.P. GUARD POST
RAILING	CATCH BASIN	DECIDUOUS TREE	C.L.F. CHAIN-LINK FENCE
OVERHANG LINE	BEEHIVE CB	CONIFEROUS TREE	D.L. DOOR LEDGE
T/ BANK	CULVERT E.S.	DEAD TREE	F.F. FINISHED FLOOR
B/ BANK	ROOF/DOWN SPOUT	UTILITY FLAG	O.H. OVERHANG
CL DITCH/STREAM	OVERFLOW/OUTLET STRUCTURE	BLDG. CORNER (FIELD LOCATED)	F.I. FOUND IRON
SHRUB LINE	STORM CLEAN OUT	HANDICAP PARKING	S.I. SET IRON
TREE LINE	ROUND CB	WETLAND FLAG	F.I.P. FOUND IRON PIPE
WATER EDGE	LIGHT POLE	BUSH/SHRUB	(M) MEASURED
WETLAND LINE	UTILITY POLE	PARKING METER	(R) RECORD
STORM LINE	ELEC. TRANS.	RESIDENTIAL MAILBOX	F.M. FOUND MONUMENT
SAN. LINE	AIR CONDITIONER	U.S. MAILBOX	S.N. SET NAIL
WATER LINE	ELEC. MH	000.00+ EXISTING ELEVATION	CMP CORRUGATED METAL PIPE
GAS LINE	ELEC. METER		RCP REINFORCED CONCRETE PIPE
UG ELEC. LINE	ELEC. RISER	SOIL BORING	G.L. GROUND LIGHT
UG TELE. LINE	TRAFFIC CONTROL BOX	MONITORING WELL	RECORD STM MH. (NOT FIELD LOCATED)
UG CABLE TV LINE	STEAM MH	LAWN IRRIG. HEAD	
PAINT STRIPE	PUBLIC LIGHTING MH	CENTERLINE R.R. TRACK	
COMBINED SEWER			
PLD LINE			
STEAM LINE			
ELECTRIC OVERHEAD			
TELEPHONE OVERHEAD			

NOTES:

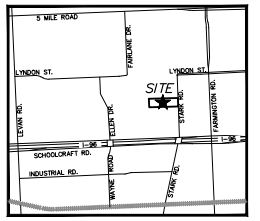
- SURVEY IN ACCORDANCE WITH TITLE COMMITMENT NO. NCS-1038988-MICH, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED SEPTEMBER 23, 2020)
- THIS PARCEL IS LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA ZONE "X" (AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN) IN ACCORDANCE WITH THE FEDERAL INSURANCE RATE MAP, PANEL NUMBER 44 OF 575, MAP NUMBER 26163C0044E, EFFECTIVE DATE FEBRUARY 2, 2012.
- THE BASIS OF BEARING FOR THE PROPERTY DESCRIPTION OVERALL PARCEL AS FIELD SURVEYED IS BASED ON RECORD DESCRIPTION.
- THE DISTANCE TO THE NEAREST INTERSECTING STREET IS 950'+/- TO LYNDON ROAD.
- WITH REGARD TO TABLE A, ITEM 6, NO ZONING REPORT LETTER HAS BEEN PROVIDED TO THE SURVEYOR BY THE CLIENT. THEREFORE SETBACK INFORMATION IS NOT SHOWN ON THIS DRAWING.
- THERE IS NO EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING FIELD WORK.
- THERE IS NO EVIDENCE OF PROPOSED CHANGES IN STREET RIGHT OF WAY LINES.
- THERE IS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING FIELDWORK, UNLESS OTHERWISE NOTED.

TABLE OF ENCROACHMENTS

A	BUILDING ENCROACHMENT INTO THE DRAINAGE EASEMENT

UNDERGROUND UTILITY LOCATIONS:
- NO UNDERGROUND UTILITIES FLAGGED OR MARKED BY UTILITY COMPANIES AND NO UNDERGROUND UTILITY MAPS PROVIDED BY THE CLIENT. UNDERGROUND UTILITY CONNECTIONS AS SHOWN ON THE SURVEY ARE FROM RECORD DRAWING PROVIDED BY CITY OF LIVONIA AND MISS DIG.

NOTE TO THE CLIENT, INSURER, AND LENDER :
WITH REGARD TO TABLE A, ITEM 11, INFORMATION FROM THE SOURCES CHECKED (SEE UNDERGROUND UTILITY LOCATION NOTE) ABOVE WILL BE COMBINED WITH OBSERVED EVIDENCE OF UTILITIES PURSUANT TO SECTION 5.E.iv. TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED.



LOCATION MAP
(NOT TO SCALE)

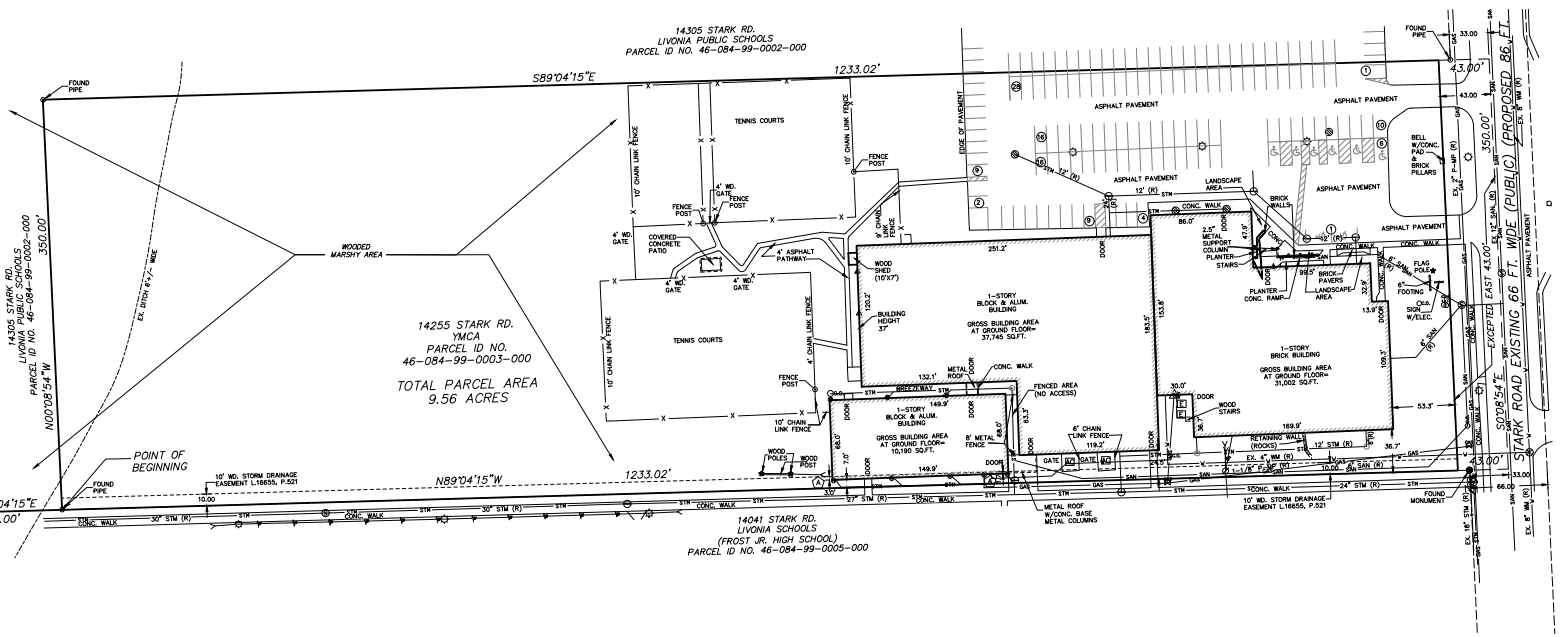
ZONING INFORMATION

ZONED R-2 (ONE FAMILY RESIDENTIAL)

ABOVE INFORMATION TAKEN FROM CITY OF LIVONIA ZONING MAP.
https://livoniacity.maps.arcgis.com

PARKING INFORMATION

REGULAR SPACES =	95
HANDICAPPED SPACES =	8
TOTAL =	103



LOT 32
STONELEIGH VILLAGE SUB. L.97, PAGES 22, 23, & 24

E. WD. PUBLIC WALKWAY

NORTH-SOUTH 1/4 LINE
N00°49'15"W 1308.82'

POINT OF COMMENCEMENT
SOUTH 1/4 CORNER
SECTION 21
T-1S, R-9E
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

PROPERTY DESCRIPTION

(PER TITLE COMMITMENT NO. NCS-1038988-MICH, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED SEPTEMBER 23, 2020)

LAND IN THE CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 21, TOWN 1 SOUTH, RANGE 9 EAST, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT ON THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 21 DISTANT NORTH 0 DEGREES 49 MINUTES 15 SECONDS WEST, 1308.82 FEET ALONG THE NORTH AND SOUTH 1/4 LINE OF SECTION 21 AND SOUTH 89 DEGREES 04 MINUTES 15 SECONDS EAST, 86.00 FEET FROM THE SOUTH 1/4 CORNER OF SECTION 21; PROCEEDING THENCE NORTH 0 DEGREES 08 MINUTES 54 SECONDS WEST, 350.00 FEET; THENCE SOUTH 89 DEGREES 04 MINUTES 15 SECONDS EAST, 1233.02 FEET; THENCE SOUTH 0 DEGREES 08 MINUTES 54 SECONDS EAST ALONG THE CENTER LINE OF STARK ROAD (66.00 FEET IN WIDTH), 350.00 FEET; THENCE NORTH 89 DEGREES 04 MINUTES 15 SECONDS WEST, 1233.02 FEET TO THE POINT OF BEGINNING, EXCEPT THE EAST 43.00 FEET.

SCHEDULE B – II. EXCEPTIONS:

(PER TITLE COMMITMENT NO. NCS-1038988-MICH, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED SEPTEMBER 23, 2020)

7. SUBJECT TO THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "RESOLUTION FOR MASTER SCHOOL AND PARK PLAN" RECORDED AS LIBER 16117, PAGE 600 OF OFFICIAL RECORDS.
– NO PLOTTABLE EASEMENT.

8. SUBJECT TO THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "MASTER SCHOOL AND PARK PLAN" RECORDED AS LIBER 16192, PAGE 256 OF OFFICIAL RECORDS.
– YMCA PARCEL IS A PART OF THE DESCRIBED PARCELS (d) IN SECTION NO. 21 UNDER PARKS.

9. SUBJECT TO THE TERMS, PROVISIONS AND EASEMENT(S) CONTAINED IN THE DOCUMENT ENTITLED "GRANT OF EASEMENT" RECORDED AS LIBER 16655, PAGE 521 OF OFFICIAL RECORDS.
– 10' WD. STORM DRAINAGE EASEMENT SHOWN ON SURVEY.

CERTIFICATION

TO:
- FIRST AMERICAN TITLE INSURANCE COMPANY
- STARK ROAD HOLDINGS, LLC, A MICHIGAN LIMITED LIABILITY COMPANY
- YOUNG MEN'S CHRISTIAN ASSOCIATION OF METROPOLITAN DETROIT, A MICH. NON-PROFIT CORPORATION

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 8, 9, 10, 11(a), 11(b), 13, 16, 17, 18, 19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON MAY 26, 2021.

DATE OF PLAT OR MAP: MAY 27, 2021

JOHN NICHOLAS REDASH, MICHIGAN P.S. NO. 4001037281
jredash@giffelswebster.com

STATE OF MICHIGAN
JOHN NICHOLAS REDASH
PROFESSIONAL SURVEYOR
No. 4001037281

giffels webster
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Planners
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28 West Adams Road
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Executive:	JNR
Manager:	LDA
Designer:	LDA
Quality Control:	JNR
Section:	21
	T-1-S R-9-E

Professional Seal

Know what's below. Call before you dig.

DATE:	ISSUE:
Date	Issue

ALTA/NSPS LAND TITLE SURVEY

14255 STARK RD.
YMCA

City of Livonia
Wayne County
MICHIGAN

Date:	05.27.21
Scale:	1"=50'
Sheet:	1 of 1
Project:	20043.00

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N:\20\20043\20043.00 YMCA Livonia\Drawings\ALTA\20043.00 YMCA ALTA Survey.dwg

2015 MICHIGAN PLUMBING CODE (MPC)

NOTE: THE FIGURES BELOW ARE CALCULATIONS FOR THE USE 'A-3' PORTIONS OF THE FIRST FLOOR AND FIELD HOUSE THAT WILL REQUIRE ACCESS TO THE THE FIRST FLOOR BATHROOMS AND FIELD HOUSE BATHROOMS, INCLUDING SPACES SERVING ALCOHOL. FOR THE REST OF THE BUILDING, THE USE IS NOT CHANGING. TENANT SPACES IN THE BUILDING HAVE THEIR OWN DEDICATED BATHROOMS.

USE A-3:

ONE TOILET PER 125 FOR MEN
ONE TOILET PER 65 FOR WOMEN
ONE SINK PER 200 OCCUPANTS
ONE DRINKING FOUNTAIN PER 500 OCCUPANTS

PLUMBING FIXTURE CALCULATIONS

FIRST FLOOR OCCUPANT LOAD: 1,112 OCCUPANTS

(1,112/2/125)=	4.44 WATER CLOSETS FOR MEN
(1,112/2/65)=	8.63 WATER CLOSETS FOR WOMEN
(1,112/2/200)=	2.78 LAVATORIES FOR MEN
(1,112/2/200)=	2.78 LAVATORIES FOR WOMEN
(1,112/500)=	2.22 DRINKING FOUNTAINS

ACTUAL NUMBER OF PLUMBING FIXTURES (EXCLUDING PHASE 5 BATHROOMS)*:

WATER CLOSETS (MEN):	9	**(COMPLIES)**
WATER CLOSETS (WOMEN):	9	**(COMPLIES)**
UNISEX ADA BATHROOM:	2	**(COMPLIES)**
LAVATORIES (MEN):	5	**(COMPLIES)**
LAVATORIES (WOMEN):	5	**(COMPLIES)**
SERVICE SINK:	1	**(COMPLIES)**
DRINKING FOUNTAIN:	3	**(COMPLIES)**

***NOTE:** REFER TO SHEET A/4.05 FOR THE EXISTING LAYOUT OF THE "BIG PICKLE" PICKLEBALL COURTS BATHROOMS WHICH WILL BE UTILIZED FOR PHASES 2-4 AND ARE INCLUDED IN THE CALCULATION ABOVE.

CODE REVIEW / PLUMBING FACILITIES - LAD | 12

2015 MICHIGAN BUILDING CODE (MBC)

MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT PER TABLE 1004.1.2:

USE B:

1 OCCUPANT PER 100 GROSS SF FOR BUSINESS AREAS

USE A-2:

1 OCCUPANT PER 200 GROSS FOR COMMERICAL KITCHENS
1 OCCUPANT PER FIXED SEATING

USE A-3:

1 OCCUPANT PER 50 GROSS SF FOR LOCKER ROOMS
1 OCCUPANT PER 50 GROSS SF FOR EXERCISE ROOMS
1 OCCUPANT PER 50 GROSS SF FOR POOL
1 OCCUPANT PER 15 GROSS SF FOR POOL DECK
1 OCCUPANT PER 300 GROSS SF FOR STORAGE/MECHANICAL AREAS

BASED ON THE ABOVE FIGURES, REFER OT THE OCCUPANCY PLAN BELOW FOR OCCUPANT LOADS OF EACH OF THE MAIN AREAS.

OCCUPANT LOAD OF USE 'B' SPACES:	78
OCCUPANT LOAD OF THREE FIELD HOUSES:	852
OCCUPANT LOAD OF USE REST OF FIRST FLOOR:	504
TOTAL OCCUPANT LOAD OF FIRST FLOOR:	**1,434 OCCUPANTS**

CODE REVIEW / OCCUPANT LOAD - LAD | 9

2015 MICHIGAN BUILDING CODE (MBC)

USE AND OCCUPANCY CLASSIFICATIONS PER CHAPTER 3:

303.3 ASSEMBLY GROUP A-2. GROUP A-2 OCCUPANCY INLUCDES ASSEMBLY USES INTENDED FOR FOOD AND/OR DRINK CONSUMPTION INCLUDING, BUT NOT LIMITED TO:

- RESTAURANTS, CAFETERIAS & SIMILAR DINING FACILITIES (INCLUDING ASSOCIATED COMMERICAL KITCHENS)
- TAVERNS & BARS

303.4 ASSEMBLY GROUP A-3. GROUP A-3 OCCUPANCY INCLUDES ASSEMBLY USES INTENDED FOR WORSHIP, RECREATION OR AMUSEMENT AND OTHER ASSEMBLY USES NOT CLASSIFIED ELSEWHERE IN GROUP A INCLUDING, BUT NOT LIMITED TO:

- GYMNASIUMS (WITHOUT SPECTATOR SEATING)
- INDOOR SWIMMING POOLS (WITHOUT SPECTATOR SEATING)
- INDOOR SPORTS COURTS (WITHOUT SPECTATOR SEATING)

304.1 BUSINESS GROUP B. BUSINESS GROUP B OCCUPANCY INCLUDES, AMONG OTHERS, THE USE OF A BUILDING OR STRUCTURE, OR A PORTION THEREOF, FOR OFFICE, PROFESSIONAL OR SERVICE-TYPE TRANSACTIONS, INCLUDING STORAGE OF RECORDS AND ACCOUNTS. BUSINESS OCCUPANCIES SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLWING.

-PROFESSIONAL SERVICES SUCH AS DENTISTS AND PHYSICIANS

CALCULATIONS:
USE A-3:

TOTAL SF	76,977 SF (0.1) = 7,687 SF
CAFE AND LOUNGE	1930 SF /76,977 = 0.2 = 2% **(COMPLIES)**

THE USE A-2 SPACES (CAFE AND LOUNGE) ARE LESS THAN 10% OF THE BUILDING AREA AND WILL BE AN CLASSIFIED AS AN ACCESSORY USE

THEREFORE, MOST OF THE BUILDING IS DESIGNATED AS USE A-3 AND THE TWO TENANT SUITES IN THE SOUTHWEST CORNER OF THE FIRST FLOOR WILL BE DESIGNATED AS USE B.

CODE REVIEW / USE CLASSIFICATION | 6

2015 MICHIGAN REHABILITATION CODE, MRCEB 2015

2015 MICHIGAN MECHANICAL CODE, MMC 2015

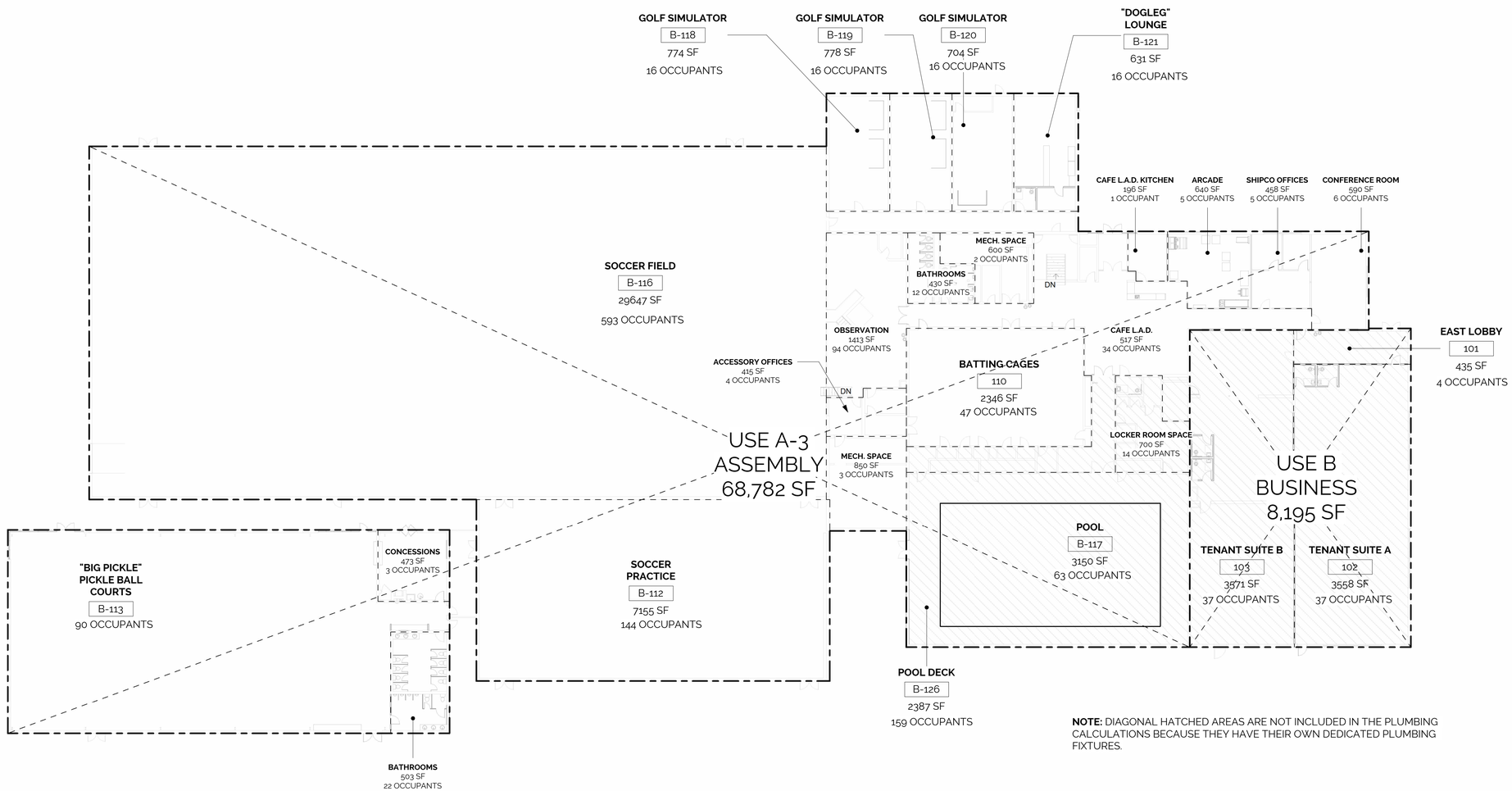
2015 MICHIGAN PLUMBING CODE, MPC 2015

2017 NATIONAL ELECTRIC CODE W/ STATE AMENDMENTS, NEC 2014

ASHRAE 90.1 (2013) STANDARD

ACCESSIBILITY: MICHIGAN BARRIER FREE DESIGN LAW, P.A. 1966 AS AMENDED AND THE ICC / ANSI A117.1-2009 STANDARD AS REFERENCED FROM CHAPTER 11 OF THE 2015 MBC.

APPLICABLE CODES | 3



NOTE: DIAGONAL HATCHED AREAS ARE NOT INCLUDED IN THE PLUMBING CALCULATIONS BECAUSE THEY HAVE THEIR OWN DEDICATED PLUMBING FIXTURES.

OCCUPANCY PLAN / FIRST FLOOR | 1
1" = 20'-0"

FIVE - EIGHTHS
2321 WOLCOTT STREET
FERNDALE - MI - 48220
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INFO@FIVE-EIGHTHS.COM

LIVONIA ATHLETIC DISTRICT
14255 STARK RD - LIVONIA - MICHIGAN - 48154

CODE REVIEW
PLANNED GENERAL DEVELOPMENT WAIVER APPLICATION
SHEET 3 OF 15

STATE OF MICHIGAN
GRANT A. JEFFRIES
ARCHITECT
No. 1301062494
LICENSED ARCHITECT

PROJECT ISSUE DATE:
06/16/2022

G/
0.03

CITY OF LIVONIA ZONING ORDINANCE

PER SECTION 3.03 - PERMITTED USES BY DISTRICT:

CURRENT ZONING DISTRICT N-2 NEIGHBORHOOD

N-2 PERMITTED USES:
- *PARKS AND OUTDOOR RECREATIONAL USES*
- *EDUCATIONAL USES*

N-2 WAIVER USES:
- *PRIVATELY OWNED AND OPERATED RECREATIONAL USES*

USES NOT ALLOWED IN N-2:
- *ESTABLISHMENTS HAVING LIQUOR LICENSES SUCH AS CLASS C, TAVERN, AND CLUB **

PER SECTION 5.01 - SPECIAL WAIVER USE STANDARDS FOR PLANNED GENERAL DEVELOPMENT:

(C) USES NOT PERMITTED IN THE ZONING ORDINANCE DISTRICT WITHIN THE PLANNED DEVELOPMENT IS LOCATED MAY BE PERMITTED WHEN SUCH USES ARE PRIMARILY DESIGNED AND INTENDED TO SERVICE RESIDENTS OF ANY PLANNED RESIDENTIAL

THEREFORE, WE ARE APPLYING FOR A PLANNED GENERAL DEVELOPMENT IN ORDER TO OBTAIN A LIQUOR LICENSE FOR CERTAIN PORTIONS OF THE INTERIOR OF THE LIVONIA ATHLETIC DISTRICT.

PER SECTION 6.22 - ESTABLISHMENTS HAVING LIQUOR LICENSES SUCH AS CLASS C, TAVERN, AND CLUB:

(A) ESTABLISHMENTS HAVING LIQUOR LICENSES SUCH AS CLASS C, TAVERN, CLUB, AND SMALL DISTILLER SHALL NOT BE LOCATED WITHIN 1,000' - 0" OF ANY OTHER SUCH LICENSED ESTABLISHMENT AS MEASURED FROM THE ACTUAL PREMISES BEING USED OR PROPOSED FOR USE OF THE RESPECTIVE PROPERTIES

(B) SUCH PROPOSED LICENSED ESTABLISHMENT SHALL BE LOCATED AT LEAST 400' - 0" DISTANT FROM ANY CHURCH OR SCHOOL BUILDING, EITHER PUBLIC OR PAROCHIAL, AS MEASURED FROM THE NEAREST POINT ON THE BUILDING PROPOSED TO BE LICENSED TO THE EXISTING CHURCH OR SCHOOL BUILDING

THE FROST MIDDLE SCHOOL IS APPROXIMATELY 457' - 0" FROM THE LIVONIA ATHLETIC DISTRICT **(COMPLIES).**

CODE REVIEW / PLANNED GENERAL DEVELOPMENT | 11

CITY OF LIVONIA ZONING ORDINANCE

PER SECTION 9.05 - MINIMUM NUMBER OF PARKING SPACES REQUIRED

- *PRIVATELY OWNED AND OPERATED RECREATIONAL USES - OFF-STREET PARKING FACILITIES SHALL BE PROVIDED ON THE PREMISES TO ACCOMMODATE 1/3 OF THE TOTAL MEMBER FAMILIES AND/OR INDIVIDUAL MEMBERS OF THE ORGANIZATION*
- *INDOOR RECREATIONAL USES - ONE PARKING SPACE FOR EACH 200SF OF FLOOR AREAS*

TOTAL SF FOR LAD

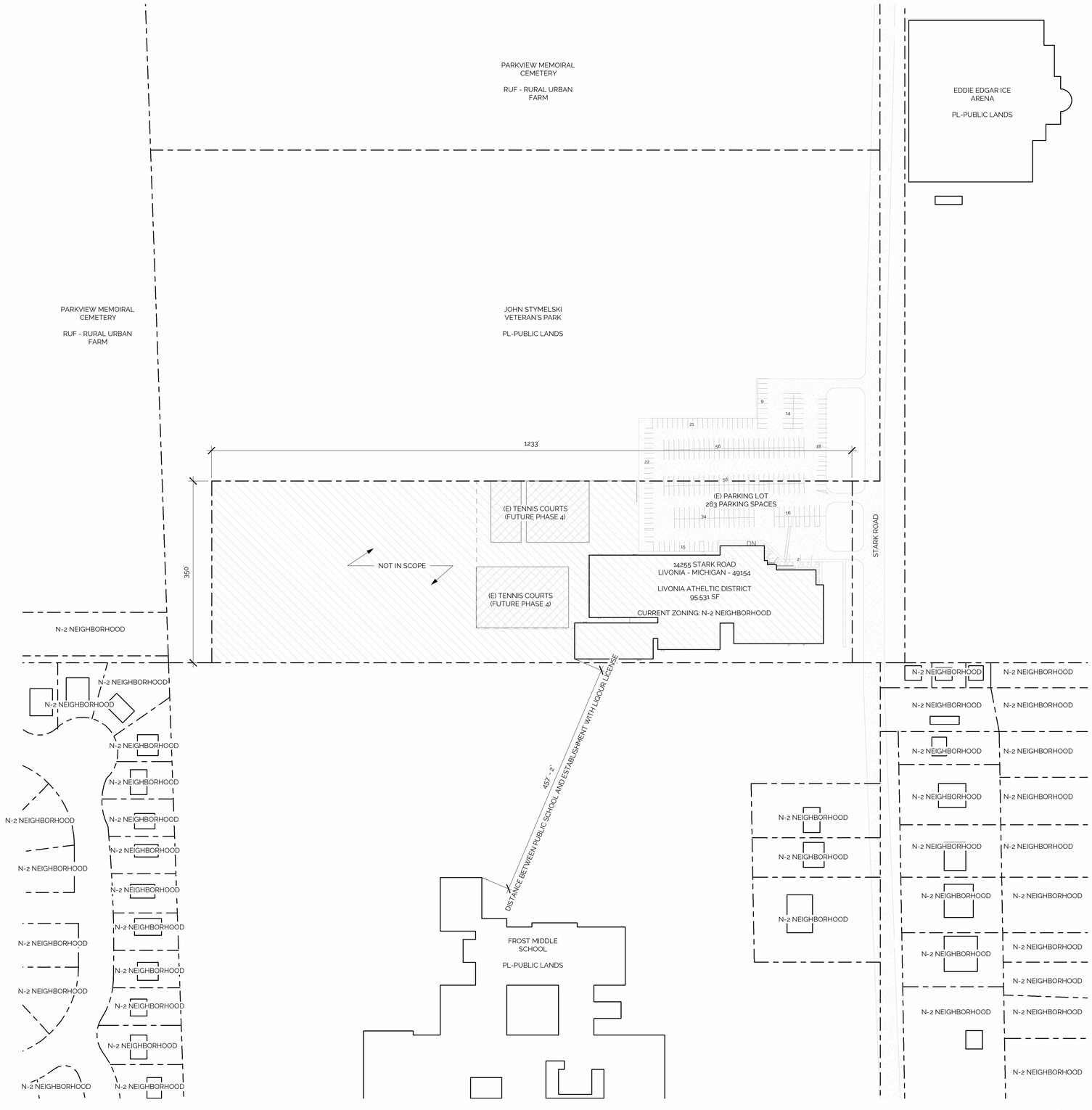
FIRST FLOOR	76,997 SF
LOWER LEVEL	16,620 SF
TOTAL:	93,597 SF

(93,597/200) - 467.98 PARKING SPACES FOR THE LIQUOR LICENSE AREAS

ACTUAL NUMBER OF PARKING SPACES: 263 SPACES **(EXISTING NONCOMPLIANT)***

***NOTE:** WHILE THE EXISTING PARKING LOT IS NOT SUFFICIENT FOR THE UPDATED ZONING ORDINANCE'S PARKING REQUIREMENTS, LAD DOES NOT ANTICIPATE USING THE ENTIRE EXISTING PARKING LOT FOR THE FOLLOWING REASONS:
- THE DIFFERENT ACTIVITIES OFFERED AT LAD ARE SEASONAL. THE FUTURE OUTDOOR SPACE WILL NOT BE UTILIZED IN THE WINTER MONTHS, AND THE INTERIOR SPACES WILL NOT BE AS BUSY IN THE SUMMER MONTHS.
- MANY USERS CARPOOL TO AND FROM ACTIVITIES, SUCH AS PRACTICE.
- THE FACILITY HOSTS MANY EVENTS FOR CHILDREN WHO ARE CARPOOL, GET DROPPED OFF, ETC.
- THERE ARE OVERLAPPING OCCUPANCIES. THE PURPOSE OF THE CAFE AND LOUNGE SPACES ARE SO THAT CHILDREN'S PARENTS/GUARDIANS CAN HAVE A SPACE TO ENJOY DURING GAMES/PRACTICE. NO ONE WILL COME TO THE BUILDING FOR THE SOLE PURPOSE OF PURCHASING FOOD/DRINKS.

CODE REVIEW / PARKING | 10



AREA PLAN
1" = 100'-0" | 1

FIVE - EIGHTHS
2321 WOLCOTT STREET
FERNDALE - MI - 48220
313 - 936 - 0835
INFO@FIVE-EIGHTHS.COM

LIVONIA ATHLETIC DISTRICT
14255 STARK RD - LIVONIA - MICHIGAN - 48154

SITE PLAN / AREA PLAN
PLANNED GENERAL DEVELOPMENT WAIVER APPLICATION
SHEET 4 OF 15

STATE OF MICHIGAN
GRANT A. JEFFRIES
ARCHITECT
No. 1301062491
LICENSED ARCHITECT

PROJECT ISSUE DATE:
06/16/2022

C/
1.00

PREVIOUS PHASES:

PHASE 1 - LIVONIA ATHLETIC DISTRICT
PURPOSE: ORIGINAL BUILD-OUT AND EXTERIOR SIGN PERMIT
STATUS: COMPLETE

CURRENT PHASE:

PHASE 2 - PLANNED GENERAL DEVELOPMENT SPECIAL WAIVER USE
PURPOSE: TO OBTAIN WAIVER FOR LIQUOR LICENSE FOR SPECIFIC INTERIOR AREAS, INCLUDING LOWER LEVEL
NOTES:
- THE LOWER LEVEL INTERIOR SHALL BE INCLUDED IN THE WAIVER APPLICATION FOR A LIQUOR LICENSE. MORE DETAILS WILL BE PROVIDED FOR THE INDIVIDUAL TENANT BUILDING PERMIT AS THE TENANTS LEASE IS ASSUMING THE ABILITY TO SERVE ALCOHOLIC BEVERAGES.
- ALCOHOL WILL BE PROHIBITED IN ALL EQUIPMENT AND MECHANICAL ROOMS BECAUSE THEY ARE TO REMAIN AS IS.

STATUS: CURRENT

FUTURE PHASES:

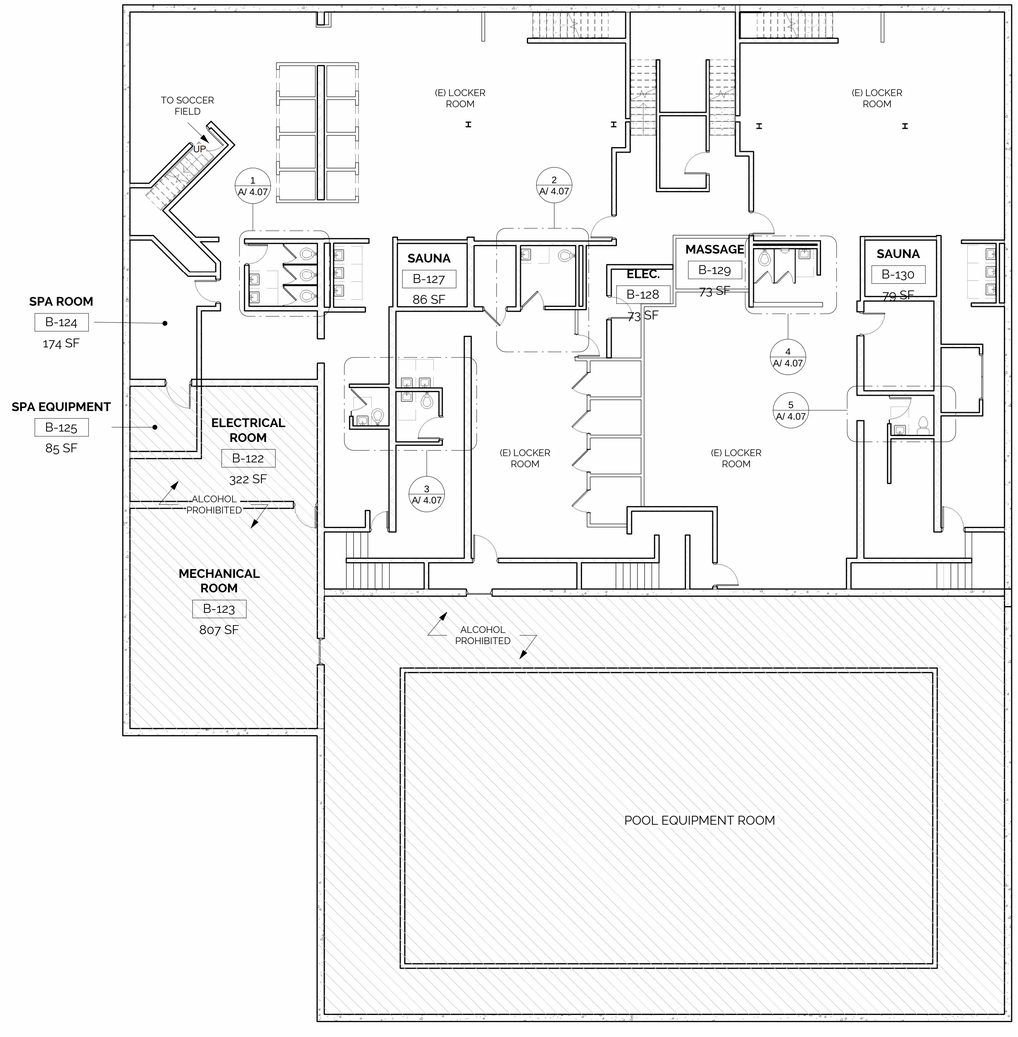
PHASE 3- INDIVIDUAL BUILDING PERMITS FOR PERMIT FOR LOWER LEVEL TENANT
PURPOSE: INTERIOR TENANT BUILDOUT.
NOTES:
- LOWER LEVEL BATHROOMS TO BE UTILIZED FOR FIRST FLOOR PLUMBING REQUIREMENTS UNTIL PHASE 5 BATHROOMS ARE BUILT
- LOWER LEVEL TENANT TO PROVIDE SEPARATE BUILDING PERMIT WITH REQUIRED INFORMATION REGARDING A LIQUOR LICENSE

STATUS: FUTURE

PHASE 5 - INDIVIDUAL BUILDING PERMITS FOR BACKYARD AND BIG PICKLE
NOTES:
- FIRST FLOOR OCCUPANTS MAY USE NEW BATHROOMS IN "BIG PICKLE" AT THE COMPLETION OF THIS PHASE.

STATUS: FUTURE

PROJECT PHASING PLAN / LOWER LEVEL TENANT
1/2" = 1'-0" | 2



NOTE: THE LOWER LEVEL INTERIOR SHALL BE INCLUDED IN THE WAIVER APPLICATION FOR A LIQUOR LICENSE AND MORE DETAILS WILL BE PROVIDED FOR THE INDIVIDUAL TENANT BUILDING PERMIT AS THE TENANTS LEASE IS ASSUMING THE ABILITY TO SERVE ALCOHOLIC BEVERAGES

ALCOHOL WILL BE PROHIBITED IN THE OUTLINED AREAS AS ALL EQUIPMENT AND MECHANICAL ROOMS ARE TO REMAIN AS IS.

PLAN / LOWER LEVEL
1" = 10'-0" | 1

FIVE - EIGHTHS
2321 WOLCOTT STREET
FERNDALE - MI - 48220
313 - 936 - 0835
INFO@FIVE-EIGHTHS.COM

LIVONIA ATHLETIC DISTRICT
14255 STARK RD - LIVONIA - MICHIGAN - 48154

FLOOR PLAN / LOWER LEVEL
PLANNED GENERAL DEVELOPMENT WAIVER APPLICATION
SHEET 6 OF 15

STATE OF MICHIGAN
GRANT A. JEFFRIES
ARCHITECT
No. 1301062494
LICENSED ARCHITECT

PROJECT ISSUE DATE:
06/16/2022

A/
1.00

PREVIOUS PHASES:

PHASE 1 - LIVONIA ATHLETIC DISTRICT
PURPOSE: ORIGINAL BUILD-OUT AND EXTERIOR SIGN PERMIT
STATUS: COMPLETE

CURRENT PHASE:

PHASE 2 - PLANNED GENERAL DEVELOPMENT SPECIAL WAIVER USE
PURPOSE: TO OBTAIN WAIVER FOR LIQUOR LICENSE FOR SPECIFIC INTERIOR AREAS
STATUS: CURRENT

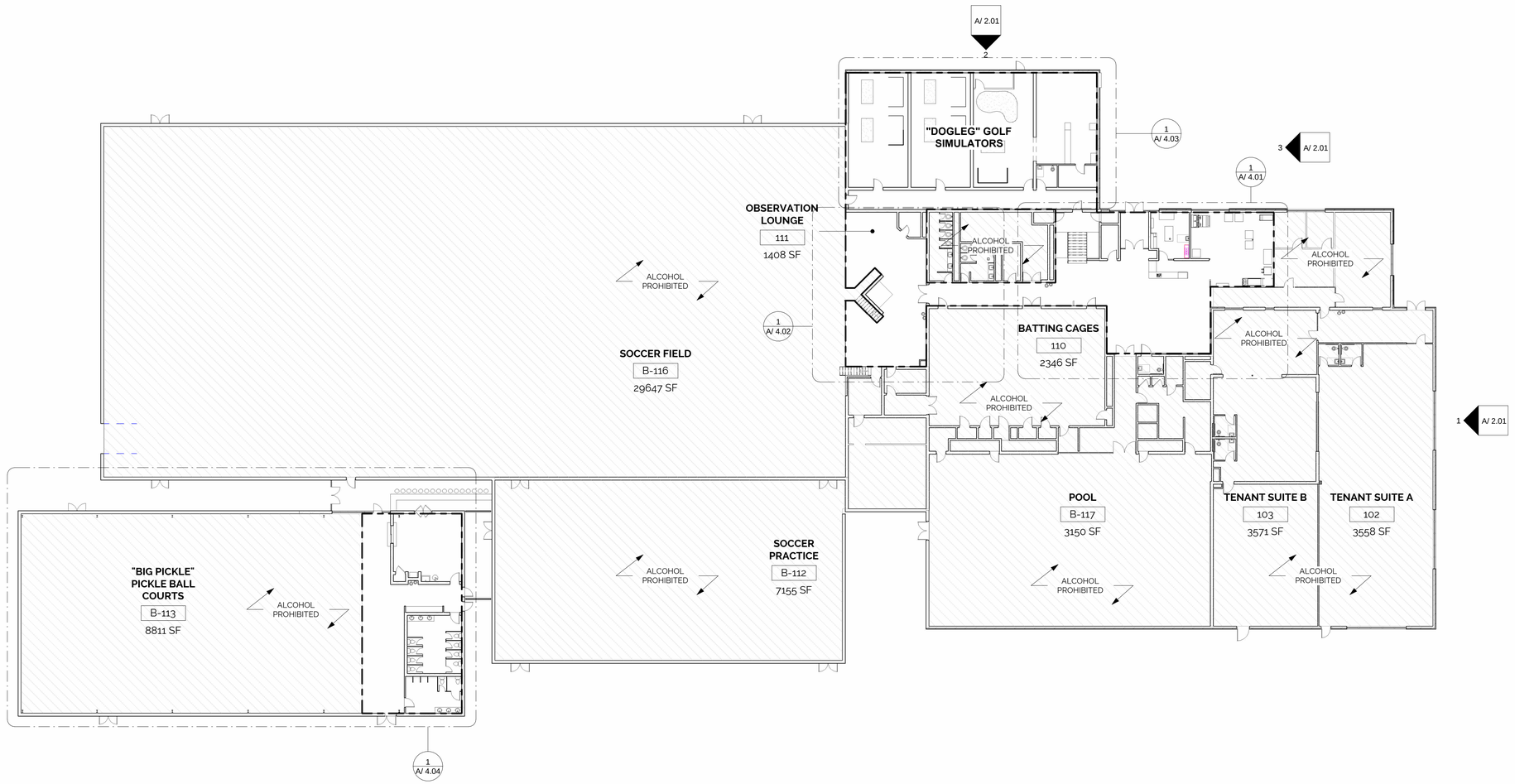
FUTURE PHASES:

PHASE 3 - INDIVIDUAL BUILDING PERMITS FOR PERMITS FOR DOGLEG AND CAFE LAD
PURPOSE: INTERIOR TENANT BUILDOUT
STATUS: FUTURE

PHASE 4 - PLANNED GENERAL DEVELOPMENT SPECIAL WAIVER USE
PURPOSE: TO OBTAIN WAIVER FOR LIQUOR LICENSE FOR EXTERIOR AREAS
STATUS: FUTURE

PHASE 5 - INDIVIDUAL BUILDING PERMITS FOR BACKYARD AND BIG PICKLE
PURPOSE: INTERIOR TENANT BUILDOUT
STATUS: FUTURE

PROJECT PHASING PLAN 3



FLOOR PLAN / FIRST FLOOR 1
1" = 20'-0"

FIVE - EIGHTHS
2321 WOLCOTT STREET
FERNDALE - MI - 48220
313 - 936 - 0835
INFO@FIVE-EIGHTHS.COM

LIVONIA ATHLETIC DISTRICT
14255 STARK RD - LIVONIA - MICHIGAN - 48154

FLOOR PLAN / FIRST FLOOR
PLANNED GENERAL DEVELOPMENT WAIVER APPLICATION
SHEET 7 OF 15

STATE OF MICHIGAN
GRANT A. JEFFRIES
ARCHITECT
No. 1301062494
LICENSED ARCHITECT

PROJECT ISSUE DATE:
06/16/2022

A/
1.01

PREVIOUS PHASES:

PHASE 1 - LIVONIA ATHLETIC DISTRICT
PURPOSE: ORIGINAL BUILD-OUT AND EXTERIOR SIGN PERMIT
STATUS: COMPLETE

CURRENT PHASE:

PHASE 2 - PLANNED GENERAL DEVELOPMENT SPECIAL WAIVER USE
PURPOSE: TO OBTAIN WAIVER FOR LIQUOR LICENSE FOR SPECIFIC INTERIOR AREAS, INCLUDING CAFE L.A.D.
NOTES:
- PRE-MADE CANNED ALCOHOLIC BEVERAGES WILL BE SERVED AT THE CAFE FOR CONSUMPTION IN THE CAFE AND OBSERVATION LOUNGE

STATUS: CURRENT

FUTURE PHASES:

PHASE 3 - INDIVIDUAL BUILDING PERMITS FOR PERMIT FOR CAFE L.A.D.
PURPOSE: INTERIOR TENANT BUILDOUT.
STATUS: FUTURE

NOTE: CONSTRUCTION DOCUMENTS FOR CAFE L.A.D. BUILDOUT TO BE SUBMITTED IN FUTURE PHASE 3.

PROJECT PHASING PLAN / CAFE L.A.D. 6

PLANNED GENERAL DEVELOPMENT - SPECIAL WAIVER USE - CAFE L.A.D.

CAFE L.A.D. HOURS OF OPERATIONS:

MONDAY- 6AM-11PM
TUESDAY- 6AM-11PM
WEDNESDAY- 6AM-11PM
THURSDAY- 6AM-11PM
FRIDAY - 6AM-11PM
SATURDAY- 6AM-11PM
SUNDAY - 6AM-11PM

CAFE L.A.D. SECURITY:
THERE WILL BE NO SECURITY GUARD NEEDED FOR CAFE

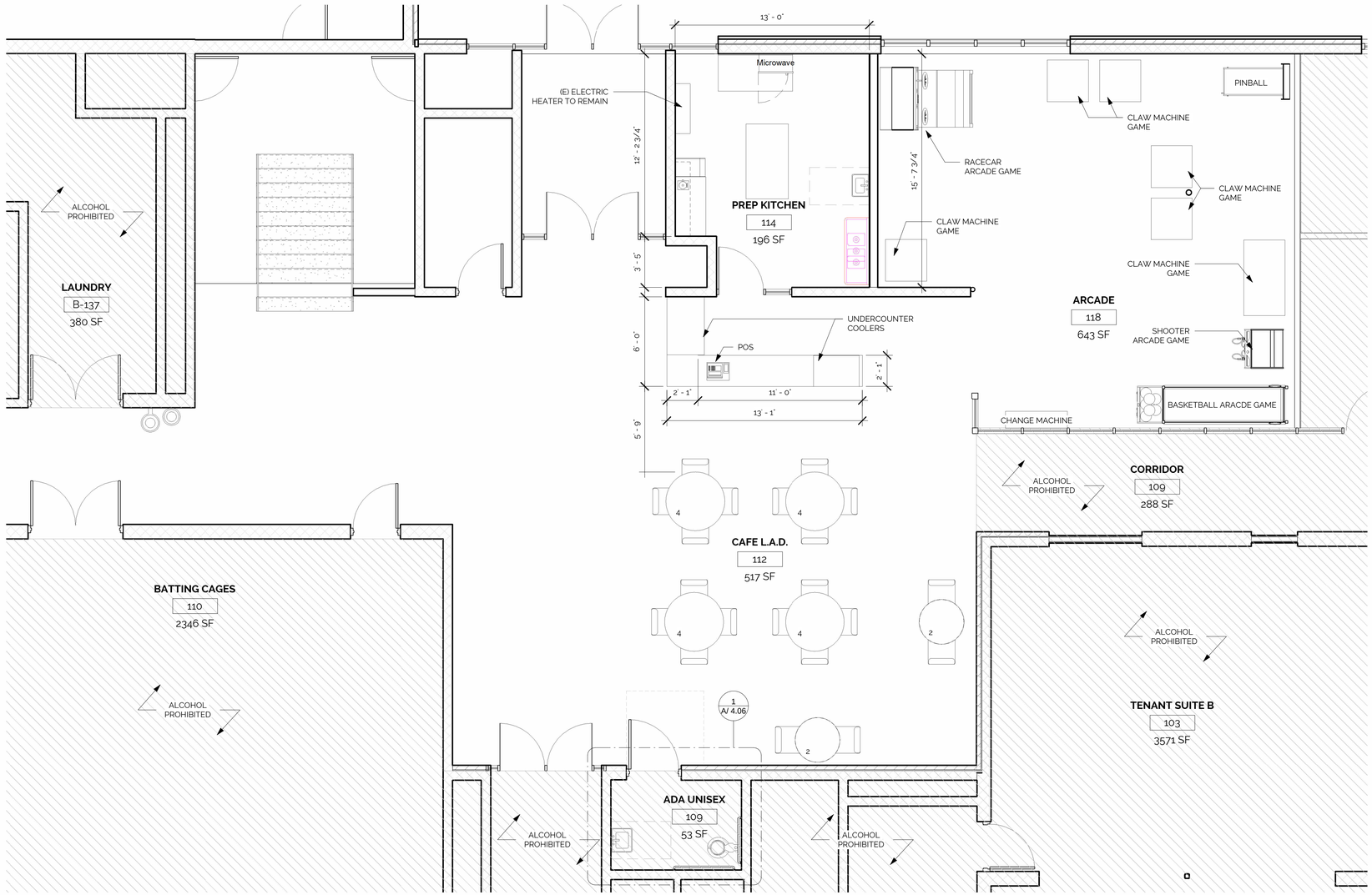
CAFE L.A.D. STAFF TRAINING:
ALL STAFF WILL BE REQUIRED TO TAKE THE SERVSAFE ALCOHOL TRAINING PROGRAM
DAILY TRAINING AND COACHING BY MANAGER ON DUTY

CAFE L.A.D. FOOD SERVICE
FOOD:
- PACKAGE SANDWICHES
- PREPARED SALADS
- PACKAGE PASTRIES AND DESSERTS
- READY TO USE SOUPS

ALCOHOLIC DRINKS:
- CANNED COCKTAILS
- CANNED BEER
- CANNED WINE

AVAILABLE BATHROOMS:
- ADA UNISEX 109
- WOMEN'S ROOM B-134
- MEN'S ROOM B-135
- LOWER LEVEL BATHROOMS DURING PHASE 2-4
- FUTURE WOMEN'S AND MEN'S ROOMS AFTER PHASE 5

ADMINISTRATIVE INFORMATION / CAFE L.A.D. 3



ENLARGED PLAN / CAFE L.A.D. 1/4" - 1'-0" 1

FIVE - EIGHTHS
2321 WOLCOTT STREET
FERNDALE - MI - 48220
313 - 936 - 0835
INFO@FIVE-EIGHTHS.COM

LIVONIA ATHLETIC DISTRICT
14255 STARK RD - LIVONIA - MICHIGAN - 48154

ENLARGED PLANS / CAFE L.A.D.
PLANNED GENERAL DEVELOPMENT WAIVER APPLICATION

SHEET 9 OF 15

STATE OF MICHIGAN
GRANT A. JEFFRIES
ARCHITECT
No. 1301062494
LICENSED ARCHITECT

PROJECT ISSUE DATE:
06/16/2022

A/ 4.01

PREVIOUS PHASES:

PHASE 1 - LIVONIA ATHLETIC DISTRICT
PURPOSE: ORIGINAL BUILD-OUT AND EXTERIOR SIGN PERMIT
STATUS: COMPLETE

CURRENT PHASE:

PHASE 2 - PLANNED GENERAL DEVELOPMENT SPECIAL WAIVER USE
PURPOSE: TO OBTAIN WAIVER FOR LIQUOR LICENSE FOR SPECIFIC INTERIOR AREAS, INCLUDING CAFE L.A.D.
NOTES:
- PRE-MADE CANNED ALCOHOLIC BEVERAGES WILL BE SERVED AT THE CAFE FOR CONSUMPTION IN THE CAFE AND OBSERVATION LOUNGE

STATUS: CURRENT

FUTURE PHASES:

PHASE 3 - INDIVIDUAL BUILDING PERMITS FOR PERMIT FOR CAFE L.A.D.
PURPOSE: INTERIOR TENANT BUILDOUT.
STATUS: FUTURE

PROJECT PHASING PLAN / CAFE L.A.D. / LOUNGE 6

PLANNED GENERAL DEVELOPMENT - SPECIAL WAIVER USE - CAFE L.A.D.

CAFE L.A.D. HOURS OF OPERATIONS:

MONDAY- 6AM-11PM
TUESDAY- 6AM-11PM
WEDNESDAY- 6AM-11PM
THURSDAY- 6AM-11PM
FRIDAY - 6AM-11PM
SATURDAY- 6AM-11PM
SUNDAY - 6AM-11PM

CAFE L.A.D. SECURITY:
THERE WILL BE NO SECURITY GUARD NEEDED FOR CAFE

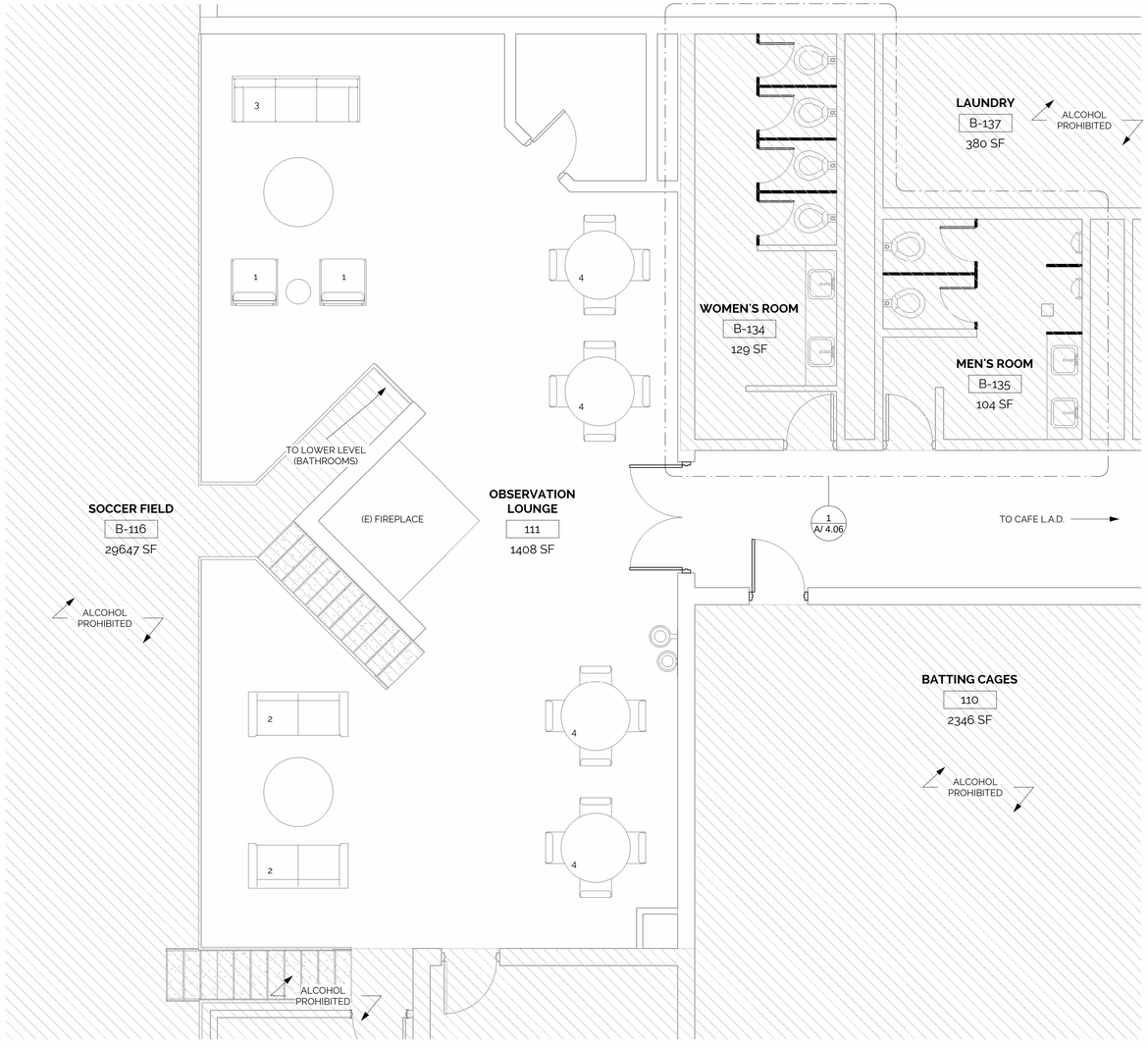
CAFE L.A.D. STAFF TRAINING :
ALL STAFF WILL BE REQUIRED TO TAKE THE SERVSAFE ALCOHOL TRAINING PROGRAM
DAILY TRAINING AND COACHING BY MANAGER ON DUTY

CAFE L.A.D. FOOD SERVICE
FOOD:
- PACKAGE SANDWICHES
- PREPARED SALADS
- PACKAGE PASTRIES AND DESSERTS
- READY TO USE SOUPS

ALCOHOLIC DRINKS:
- CANNED COCKTAILS
- CANNED BEER
- CANNED WINE

AVAILABLE BATHROOMS:
- ADA UNISEX 109
- WOMEN'S ROOM B-134
- MEN'S ROOM B-135
- LOWER LEVEL BATHROOMS DURING PHASE 2-4
- FUTURE WOMEN'S AND MEN'S ROOMS AFTER PHASE 5

ADMIN INFORMATION / CAFE L.A.D. / LOUNGE 3



ENLARGED FLOOR PLAN / OBSERVATION LOUNGE 1
1/4" = 1'-0"

FIVE - EIGHTHS
2321 WOLCOTT STREET
FERNDALE - MI - 48220
313 - 936 - 0835
INFO@FIVE-EIGHTHS.COM

LIVONIA ATHLETIC DISTRICT
14255 STARK RD - LIVONIA - MICHIGAN - 48154

ENLARGED FLOOR PLANS / OBSERVATION
PLANNED GENERAL DEVELOPMENT WAIVER APPLICATION

SHEET 10 OF 15

STATE OF MICHIGAN
GRANT A. JEFFRIES
ARCHITECT
No. 1301062494
LICENSED ARCHITECT

PROJECT ISSUE DATE:
06/16/2022

A/ 4.02

PREVIOUS PHASES:

PHASE 1 - LIVONIA ATHLETIC DISTRICT
PURPOSE: ORIGINAL BUILD-OUT AND EXTERIOR SIGN PERMIT
STATUS: COMPLETE

CURRENT PHASE:

PHASE 2 - PLANNED GENERAL DEVELOPMENT SPECIAL WAIVER USE
PURPOSE: TO OBTAIN WAIVER FOR LIQUOR LICENSE FOR SPECIFIC INTERIOR AREAS, INCLUDING CAFE L.A.D.
NOTES:
- PRE-MADE CANNED ALCOHOLIC BEVERAGES WILL BE SERVED AT "DOGLEG" GOLF SIMULATORS FOR CONSUMPTION IN "DOGLEG" GOLF SIMULATORS

STATUS: CURRENT

FUTURE PHASES:

PHASE 3 - INDIVIDUAL BUILDING PERMITS FOR PERMIT FOR DOGLEG
PURPOSE: INTERIOR TENANT BUILDOUT.
STATUS: FUTURE

NOTE: CONSTRUCTION DOCUEMTNS FOR "DOGLEG" GOLF SIMULATORS TO BE SUBMITTED AT LATER PHASE.

PROJECT PHASING PLAN / "DOGLEG" 6

PLANNED GENERAL DEVELOPMENT - SPECIAL WAIVER USE - DOGLEG

DOGLEG HOURS OF OPERATIONS:

MONDAY- 6AM-11PM
TUESDAY- 6AM-11PM
WEDNESDAY- 6AM-11PM
THURSDAY- 6AM-11PM
FRIDAY - 6AM-11PM
SATURDAY- 6AM-11PM
SUNDAY - 6AM-11PM

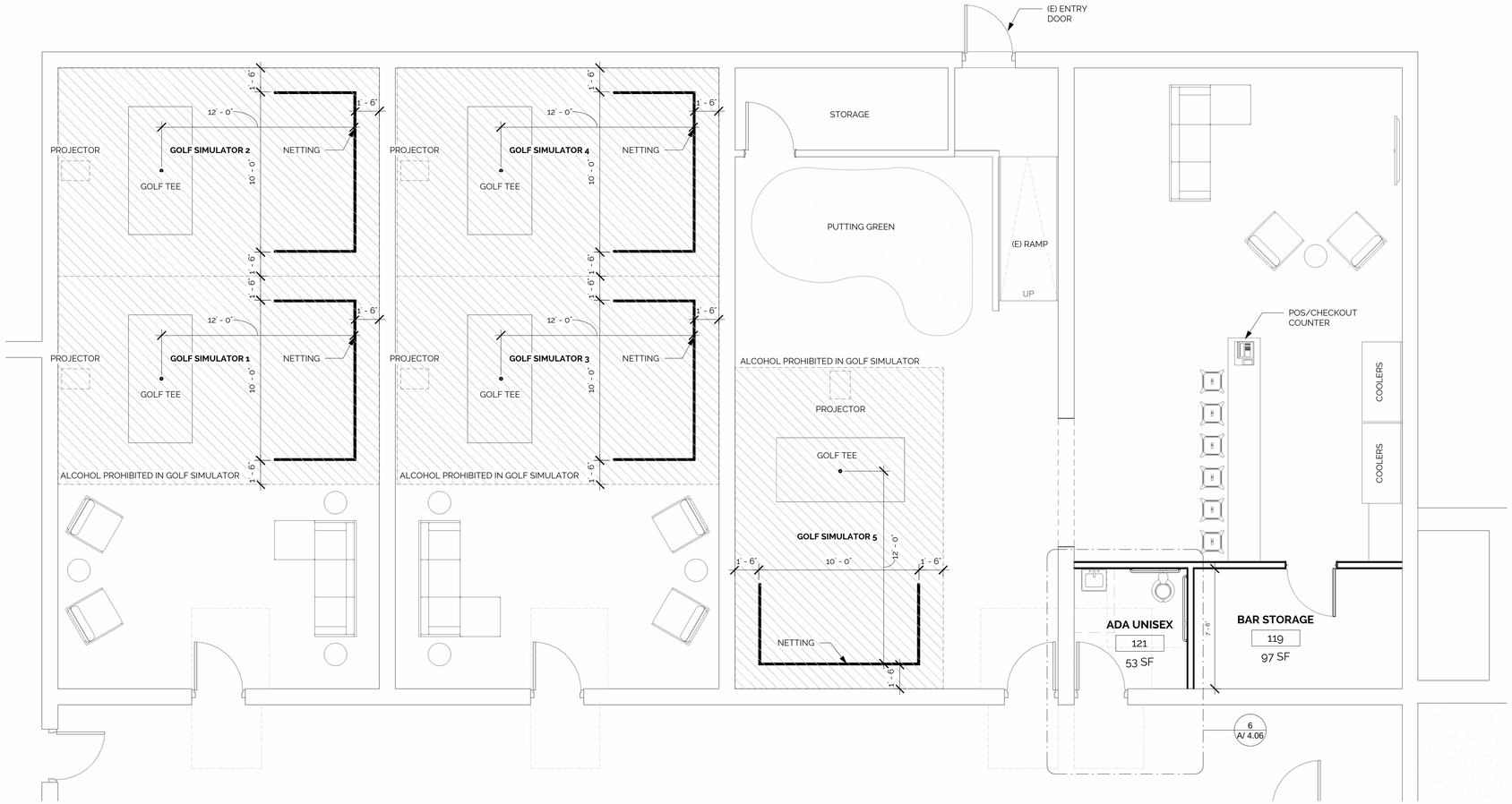
DOGLEG SECURITY:
THERE WILL BE NO SECURITY GUARD NEEDED FOR DOGLEG

DOGLEG STAFF TRAINING:
ALL STAFF WILL BE REQUIRED TO TAKE THE SERVSAFE ALCOHOL TRAINING PROGRAM
DAILY TRAINING AND COACHING BY MANAGER ON DUTY

DOGLEG FOOD SERVICE
ALCOHOLIC DRINKS:
- CANNED COCKTAILS
- CANNED BEER
- CANNED WINE

AVAILABLE BATHROOMS:
- ADA UNISEX 109
- WOMEN'S ROOM B-134
- MEN'S ROOM B-135
- LOWER LEVEL BATHROOMS DURING PHASE 2-4
- FUTURE WOMEN'S AND MEN'S ROOMS AFTER PHASE 5

ADMINISTRATIVE INFORMATION / "DOGLEG" 3



ENLARGED FLOOR PLAN / "DOGLEG" 1
1/4" = 1'-0"

FIVE - EIGHTHS
2321 WOLCOTT STREET
FERNDALE - MI - 48220
313 - 936 - 0835
INFO@FIVE-EIGHTHS.COM

LIVONIA ATHLETIC DISTRICT
14255 STARK RD - LIVONIA - MICHIGAN - 48154

ENLARGED PLANS / "DOGLEG"
PLANNED GENERAL DEVELOPMENT WAIVER APPLICATION
SHEET 11 OF 15

STATE OF MICHIGAN
GRANT A. JEFFRIES
ARCHITECT
No. 1301062494
LICENSED ARCHITECT

PROJECT ISSUE DATE:
06/16/2022

A/ 4.03

CURRENT PHASE:

PHASE 2 - PLANNED GENERAL DEVELOPMENT SPECIAL WAIVER USE
PURPOSE: TO OBTAIN WAIVER FOR LIQUOR LICENSE FOR SPECIFIC INTERIOR AREAS, INCLUDING "BIG PICKLE" PICKLEBALL COURTS
NOTES:
- PRE-MADE CANNED ALCOHOLIC BEVERAGES WILL BE SERVED AT "BIG PICKLE" PICKLEBALL COURTS FOR CONSUMPTION IN "BIG PICKLE"

STATUS: CURRENT

FUTURE PHASES:

PHASE 4 - PLANNED GENERAL DEVELOPMENT SPECIAL WAIVER USE
PURPOSE: TO OBTAIN WAIVER FOR LIQUOR LICENSE FOR EXTERIOR AREAS
STATUS: FUTURE

PHASE 5 - INDIVIDUAL BUILDING PERMITS FOR BACKYARD AND "BIG PICKLE" PICKLEBALL COURTS
PURPOSE: INTERIOR TENANT BUILDOUT, EXTERIOR BUILDOUT
STATUS: FUTURE

NOTE: CONSTRUCTION DOCUMENTS FOR "BIG PICKLE" PICKLEBALL COURTS TO BE SUBMITTED AT LATER PHASE.

PROJECT PHASING PLAN / "BIG PICKLE" 6

PLANNED GENERAL DEVELOPMENT - SPECIAL WAIVER USE - BIG PICKLE

BIG PICKLE HOURS OF OPERATIONS:

MONDAY- 6AM-11PM
TUESDAY- 6AM-11PM
WEDNESDAY- 6AM-11PM
THURSDAY- 6AM-11PM
FRIDAY- 6AM-11PM
SATURDAY- 6AM-11PM
SUNDAY- 6AM-11PM

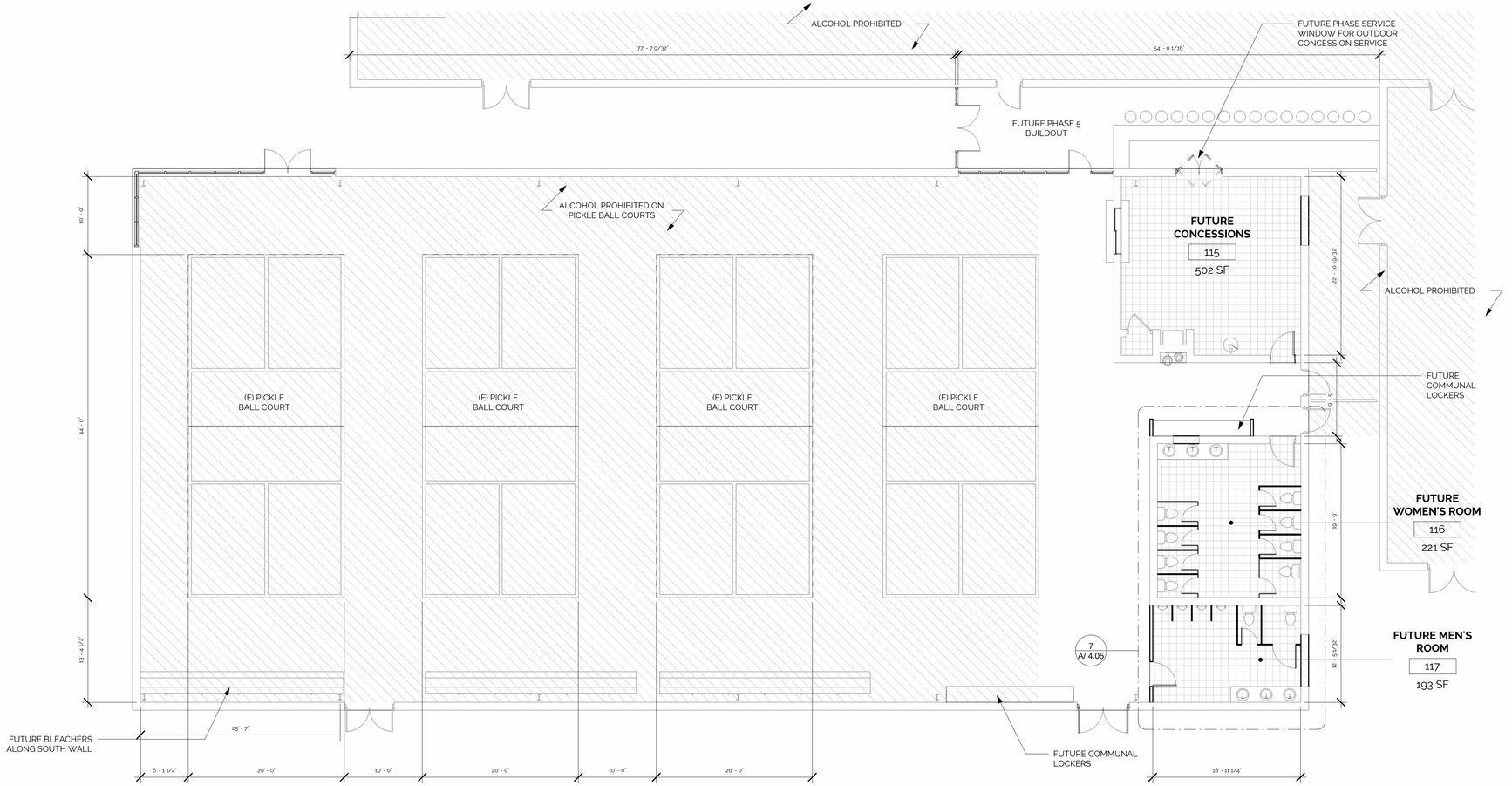
BIG PICKLE SECURITY:
THERE WILL BE NO SECURITY GUARD NEEDED FOR CONCESSIONS

BIG PICKLE STAFF TRAINING:
ALL STAFF WILL BE REQUIRED TO TAKE THE SERVSAFE ALCOHOL TRAINING PROGRAM
DAILY TRAINING AND COACHING BY MANAGER ON DUTY

BIG PICKLE FOOD SERVICE
ALCOHOLIC DRINKS:
- CANNED COCKTAILS
- CANNED BEER
- CANNED WINE

AVAILABLE BATHROOMS:
- FUTURE WOMEN'S ROOM 116
- FUTURE MEN'S ROOM 117

ADMINISTRATIVE INFORMATION / "BIG PICKLE" 3



ENLRAGED FLOOR PLAN / "BIG PICKLE" 1
1/8" = 1'-0"

FIVE - EIGHTHS
2321 WOLCOTT STREET
FERNDALE - MI - 48220
313 - 936 - 0835
INFO@FIVE-EIGHTHS.COM

LIVONIA ATHLETIC DISTRICT
14255 STARK RD - LIVONIA - MICHIGAN - 48154

ENLARGED PLANS / "BIG PICKLE"
PLANNED GENERAL DEVELOPMENT WAIVER APPLICATION

SHEET 12 OF 15

STATE OF MICHIGAN
GRANT A. JEFFRIES
ARCHITECT
No. 1301062494
LICENSED ARCHITECT

PROJECT ISSUE DATE:
06/16/2022

A/ 4.04

CORRESPONDENCE

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

June 22, 2022

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2022-06-02-14 – 14255 Stark 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 parcel is assigned the address of **#14255 Stark Road**.

The existing building is currently serviced by water main, storm and sanitary sewer. The drawings do not indicate any alterations to the existing services, so we do not anticipate any issues with the proposed waiver use.

It should be noted that should the owner need to modify any of the existing utilities, or do any work within the Stark Road right-of-way, drawings will need to be submitted 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

ROBERT JENNISON
FIRE CHIEF

MAUREEN MILLER BROSNAN
MAYOR

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

DATE: July 8, 2022

TO: Scott O. Miller, Planner IV

FROM: Livonia Fire Prevention Division

SUBJECT: **Petition 2022-06-02-14 14255 Stark**

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).

This site may require an automatic sprinkler system based on A-2, A-3 use.

Hydrants shall be located between 50 feet and 100 feet from the Fire Department connection. NFPA 14, 2019 6.4.5.4

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

July 11th, 2022

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

Re: Petition 2022-06-02-14 - 14255 Stark 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 Szepanski #543

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

Recycled Paper

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
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: July 11, 2022

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2022-06-02-14 – 14255 Stark 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

July 1, 2022

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

Petition 2022-06-02-14 - 14255 Stark 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:	$	4,309.84
Unpaid delinquent false alarm charges:	$	660.70
Total Due City of Livonia	$	4,970.54

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

Transaction Statement

Service Address
14255 STARK
LIVONIA, MI 48154

Mailing Address

STARK ROAD HOLDINGS LLC
14255 STARK
LIVONIA, MI 48154

Account Number	Amount Due
000304100-001	$4,309.84

Account Number	From - Through
000304100-001	01/01/2022 - 07/01/2022

Services
Water & Sewer - Metered

Service Address
14255 STARK
LIVONIA, MI 48154

Beginning Balance
$2,041.86

Date	Type	Amount	Description
01/13/2022	Penalty	$61.26	
01/14/2022	Bill	$3,386.61	Due Date 02/10/2022
01/26/2022	Payment	($5,428.47)	Check
02/14/2022	Penalty	$1.84	
02/15/2022	Bill	$8,276.61	Due Date 03/10/2022
03/14/2022	Penalty	$250.19	
03/15/2022	Bill	$1,153.51	Due Date 04/11/2022
03/16/2022	Payment	($8,339.71)	Check
04/13/2022	Penalty	$42.11	
04/14/2022	Bill	$1,243.16	Due Date 05/10/2022
05/12/2022	Penalty	$80.67	
05/13/2022	Bill	$737.86	Due Date 06/10/2022
06/15/2022	Penalty	$105.23	
06/16/2022	Bill	$697.11	Due Date 07/11/2022

Total Due
$4,309.84

Transaction Statement

Account Number 000304100-001

Account #2068 Read/Write Mode Commercial Unknown

Incident:	STARK ROAD HOLDINGS	14255 STARK	LIVONIA	MI	48154
Billing:	STARK ROAD HOLDINGS	14255 STARK	LIVONIA	MI	48154

☐ Exempt ☐ Reg Exempt

Effective Date(s): 1/23/2006 -

Account History

☑ Current Year ☐ All Dates

Month:

Date Range: From: 1/1/2022 To: 6/13/2022

Show Transaction Types

☑ Notes ☑ Finances ☑ Incidents ☑ Correspondences ☐ Activity Logs ☐ Tasks ☐ Bill Dates

Date Time	Reference	Description	Notes	Disposition	Amount
6/8/2022 3:21:21 PM	83852	Invoice Generated	Invoice # 83852 for 05/01/2022 printed and sent to BA STARK ROAD HOLDINGS LLC 14255 STARK		$660.70
6/1/2022 12:00:00 AM		Past Due Balance	Balance for Period 5/1/2022 thru 5/31/2022 billed 6/1/2022		$660.70
5/31/2022 11:59:00 PM		Late Payment Interest Penalty	Late Charge of $3.57 on balance of $357.13		$3.57
5/30/2022 3:50:29 PM	LI-220018642	Sixth in the calendar year	BUILDING SECURE, MAIN LOBBY DOOR #2... JOHN HARTZELL 248 854 8005, BUSINESS SECURE, Officer Narative: LINEVILLEJ - 15:50:29 - MAIN LOBBY DOOR #2... JOHN HARTZELL 248 854 8005 LIJENGB - 16:08:05 - BUSINESS SECURE LIALGHAZALYA - 16:09:36 - BUILDING SECURE	CFA	$300.00
5/12/2022 11:41:48 AM	83786	Invoice Generated	Invoice # 83786 for 04/01/2022 printed and sent to BA STARK ROAD HOLDINGS LLC 14255 STARK		$357.13
5/1/2022 12:00:00 AM		Past Due Balance	Balance for Period 4/1/2022 thru 4/30/2022 billed 5/1/2022		$357.13
4/30/2022 11:59:00 PM		Late Payment Interest Penalty	Late Charge of $3.54 on balance of $353.59		$3.54
4/11/2022 2:47:36 PM	83724	Invoice Generated	Invoice # 83724 for 03/01/2022 printed and sent to BA STARK ROAD HOLDINGS LLC 14255 STARK		$353.59
4/1/2022 12:00:00 AM		Past Due Balance	Balance for Period 3/1/2022 thru 3/31/2022 billed 4/1/2022		$353.59
3/31/2022 11:59:00 PM		Late Payment Interest Penalty	Late Charge of $0.53 on balance of $53.06		$0.53
3/28/2022 12:49:46 AM	LI-220010365	Fifth call in the calendar year	BUILDING SECURE, ALARM APPEARS FALSE., GYM 1 MOTION KH:JOE DEVERTEUIL 2482782906, Officer Narative: LIGRADINSCAKJ - 00:49:46 - GYM 1 MOTION KH:JOE DEVERTEUIL 2482782906 LIEDWARDSJ - 01:37:03 - BUILDING SECURE, ALARM APPEARS FALSE.	CFA	$200.00

3/11/2022 4:02:16 PM	83647	Invoice Generated	Invoice # 83647 for 02/01/2022 printed and sent to BA STARK ROAD HOLDINGS LLC 14255 STARK		$53.06
3/2/2022 12:21:20 AM	LI-220006992	Fourth call in the calendar year	TITLE INFORMATION: 3RD PARTY EMPLOYEE ON SCENE WORKING ON THE HEALTHQUEST SECTION. TRIPPED THE MOTION ALARM AND UNABLE TO RESET IT., STEPHAN KEITH EBERHARD CHECKING BUILDING, OUT SPEAKING WITH EMPLOYEE, NORTH-EAST DOOR KEY HOLDER...CHRIS SARTZILL 2486400193, Officer Narative: LIGRADINSCAKJ - 00:21:20 - NORTH-EAST DOOR KEY HOLDER...CHRIS SARTZILL 2486400193 LINEWTONT - 00:27:53 - TITLE INFORMATION: 00:29:19 -CHECKING BUILDING LINEWTONT - 00:30:49 - OUT SPEAKING WITH EMPLOYEE LIHILLT - 00:42:21 - STEPHAN KEITH EBERHARD 00:43:08 - 3RD PARTY EMPLOYEE ON SCENE WORKING ON THE HEALTHQUEST SECTION. TRIPPED THE MOTION ALARM AND UNABLE TO RESET IT.	CFA	$100.00
3/1/2022 12:00:00 AM		Past Due Balance	Balance for Period 2/1/2022 thru 2/28/2022 billed 3/1/2022		$53.06
2/28/2022 11:59:00 PM		Late Payment Interest Penalty	Late Charge of $0.53 on balance of $52.53		$0.53
2/23/2022 10:51:32 AM		Payment	Paid - via FAB | [8289]	Check Payment	($100.51)
2/14/2022 12:12:10 PM	83560	Invoice Generated	Invoice # 83560 for 01/01/2022 printed and sent to BA STARK ROAD HOLDINGS LLC 14255 STARK		$153.04
2/1/2022 12:00:00 AM		Past Due Balance	Balance for Period 1/1/2022 thru 1/31/2022 billed 2/1/2022		$153.04
1/31/2022 11:59:00 PM		Late Payment Interest Penalty	Late Charge of $1.02 on balance of $102.02		$1.02

1/23/2022 12:27:46 AM	LI-220002437	Third call in the calendar year	EAST SERVICE DOOR KEY HOLDER-JOHN HARTEL 248-854-8005..ALARM COMPLANY STATED THEY GOT IN TOUCH W JOHN, WHO STATED NO ONE SHOULD BE A THE BUSINESS, UNABLE TO SECURE THE DOOR, HOWEVER THE BUILDING IS NOT OCCUPIED. OFFICERS SET OFF NUMEROUS ALARMS WHILE CHECKING BUILDING, MOTION ALARMS DID NOT APPEAR TO BE GOING OFF PRIOR TO ENTRY, UNSECURED NORTH DOOR, Officer Narative: LINOUHANH - 00:27:46 - EAST SERVICE DOOR KEY HOLDER-JOHN HARTEL 248-854-8005..ALARM COMPLANY STATED THEY GOT IN TOUCH W JOHN, WHO STATED NO ONE SHOULD BE A THE BUSINESS LIHARMONM - 00:46:28 - UNSECURED NORTH DOOR LIARPINOJ - 00:58:28 - UNABLE TO SECURE THE DOOR, HOWEVER THE BUILDING IS NOT OCCUPIED. OFFICERS SET OFF NUMEROUS ALARMS WHILE CHECKING BUILDING, MOTION ALARMS DID NOT APPEAR TO BE GOING OFF PRIOR TO ENTRY	CFA	$50.00
1/22/2022 4:04:57 AM	LI-220002354	Second call in the calendar year	GYM 1 NORTHEAST CORNER MOTION KEYHOLDER JOHN HARTZELL 248-854-8005, MARK JOHN WEBER 37: OUT WITH A MALE ON THE SOUTH SIDE, Officer Narative: LIBECKMANK - 04:04:57 - GYM 1 NORTHEAST CORNER MOTION KEYHOLDER JOHN HARTZELL 248-854-8005 LIPROCTORJ - 04:12:36 - 37: OUT WITH A MALE ON THE SOUTH SIDE LIPROCTORJ - 04:17:31 - MARK JOHN WEBER STATUS: NO REAL ID: NO SECURE	CFA	$0.00
1/21/2022 1:55:21 AM	LI-220002219	First call in the calendar year	MOTION IN THE NORTH EAST CORNER... NO KEYHOLDER INFORMATION, SECURE, ALL DOORS LOCKED AN NO SIGNS OF ENTRY/DAMAGE TO THE BUILDING., Officer Narative: LIMASONG - 01:55:21 - MOTION IN THE NORTH EAST CORNER... NO KEYHOLDER INFORMATION LIRILEYN - 02:10:13 - SECURE, ALL DOORS LOCKED AN NO SIGNS OF ENTRY/DAMAGE TO THE BUILDING.	CFA	$0.00
1/11/2022 11:00:03 AM		Payment	Paid - via FAB | [8289]	Check Payment	($50.50)
1/7/2022 3:13:42 PM	83441	Invoice Generated	Invoice # 83441 for 12/01/2021 printed and sent to BA STARK ROAD HOLDINGS LLC 14255 STARK		$152.52
1/1/2022 12:00:00 AM		Past Due Balance	Balance for Period 12/1/2021 thru 12/31/2021 billed 1/1/2022		$152.52

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER

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

June 20, 2022

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

Re: Petition 2022-06-02-14

14255 Stark Road
Stark Road Holdings LLC

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 delinquent taxes due, therefore I do have objections to the proposal.

2021 Real Property Winter Taxes:
Winter Bill issued on December 1,2021
Good through June 30, 2022: **$53,332.62** - Payable to Wayne County Treasurer
(We do not show any payments have been made towards this bill, either with the City of Livonia prior to March 1, nor with Wayne County since March 1).

Sincerely,

Lynda L. Scheel
Treasurer, City of Livonia

ERIC R. SABREE
WAYNE COUNTY TREASURER
400 Monroe - 5th Floor
Detroit MI 48226-2942

Make checks payable to:
Wayne County Treasurer

Taxpayer Information:
(313) 224-5990

Office Hours:
8:00 a.m. - 4:30 p.m.
Monday through Friday

Web:treasurer.waynecounty.com
Email:taxinfo@waynecounty.com

Mailing Address: Stark Road Holdings Llc
1515 W LAFAYETTE BLVD STE 201
DETROIT MI 48216

Tax Statement

Number: 2022 - 144047 **Date:** 06/20/2022

46-46084990003000 17560804

Livonia Real Property Description: **Property Classification:(201) Commerical**

Parcel ID: 46084990003000 **SEV Amt:** $1,750,000 - 2021 **HSTD VAL:** $0

Address: 14255 Stark **PRE:** 0% **NON HSTD VAL:** $1,750,000
Livonia, MI 48154

Legal Description: 21U2B1 V2A THAT PART OF THE SE 1/4 OF SEC 21 T1S R9E DES AS BEG AT A POINT DISTANT N 0D 49M 15SEC W ALONG THE N AND S 1/4 LINE 1308.82 FT AND S 89D 04M 15SEC E 86 FT FROM THE S 1/4 COR OF SEC 21 AND PROCEEDING TH N 0D 08M 54SEC W 350 FT. TH S 89D 04M 15SEC E 1233.02 FT. TH S 0D 08M 54SEC E 350 FT. TH N 89D 04M 15SEC W 1233.02 FT TO THE POB EXC THE E 43 FT THEREOF 9.56 ACRES

Tax Year	Base Tax	Total Amt Due	Status Description
2021	$49,382.06	$53,332.62	DELINQUENT REAL PROPERTY TAX
Total:	**$49,382.06**	**$53,332.62**	If this property is available for payment, the amounts presented here are good on or before 06/30/2022. By providing these figures this office does not represent that this property can be redeemed or reclaimed.

Created by:3111

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

July 8, 2022

Scott Miller, Planner IV
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

RE: Petition 2022-06-02-14 – 14255 Stark Road (Livonia Athletic District)

Dear Mr. Miller,

We received the plans submitted by Stark Road Holdings L.L.C. requesting Special Waiver Use approval for a Planned Development under Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast quarter of Section 21.

The proposed site is in close proximity to Frost middle School at 14041 Stark (444 feet) but does meet the separation requirement distance of at least four-hundred (400) feet distance from any school or church.

After reviewing the plans with the Chief of Police, we have no objections to the waiver being granted, contingent that the petitioner complies with:

- All State Laws
- City Ordinances
- Stipulations and conditions set by the Livonia Police Department, Liquor Investigation Unit, as approved by the Chief of Police
- Stipulations and conditions set by the Traffic Bureau of the Livonia Police Department

We are available to provide any additional information you may desire on this subject.

Sincerely,

FOR THE CHIEF OF POLICE,

Jeffrey Ronayne
Special Services Bureau

Recycled Paper

OTHER ITEMS RELATED TO THE PETITION

UNAPPROVED MINUTES

MINUTES OF THE 1,189th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, July 19, 2022, the City Planning Commission of the City of Livonia held its 1,189th 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:	David Bongero	Sam Caramagno	Glen Long
	Betsy McCue	Carol Smiley	Ian Wilshaw

Members absent: Peter Ventura

Mr. Mark Taormina, Planning Director, 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 2022-06-02-14 Livonia Athletic District

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2022-06-02-14 submitted by Stark Road Holdings L.L.C. requesting Special Waiver Use approval for a Planned Development under Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark

Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ı of Section 21.

Mr. Taormina: Thank you. This is a request for special waiver-use approval to operate a Class-C liquor license. The location is the site of the former YMCA on Stark Road, now operating as the Livonia Athletic District (LAD), a privately-owned, multipurpose health fitness and athletic facility. The property is zoned N-2 (Neighborhood District). Utilization of a Class-C liquor license is possible under Section 5.02, which provides special waiver-use standards for planned developments that allow modifications of the ordinance for uses not permitted in the N-2 district. Uses other than those permitted may be allowed when they relate to an overall concept of a planned development and meet the requirements of Section 5. 024, including the proposed use 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. The subject property is 9.6 acres in size with 350 feet of frontage on the west side of Stark Road. The various interconnected buildings that make up the LAD are located on the easterly half of the property. The westerly half is mostly wooded and undeveloped. Surrounding land uses include Frost Middle School to the south, John Stymelski Veterans Park to the north and Ford Field to the east, all of which are zoned PL, Public Lands. Single-family homes are located to the east and west, along with Parkview Memorial Cemetery. These areas are zoned N2 and RUF, respectively. LAD would restrict the sale and consumption of alcoholic beverages to specific interior areas of the building. Consumption would be allowed in what is referred to as Cafe LAD, which is a lounge located in the building's main lobby. Consumption would also be allowed in the coin operated arcade room, which is in what was formerly the YMCAĜs administrative offices located adjacent to the main lobby, as well as the observation lounge overlooking the former tennis courts, now an indoor soccer field. Other locations include the sitting areas adjacent to the golf simulators and indoor putting green, which are the former racquetball courts, the eastern observation area of the pickleball courts, and the connecting hallways between these various areas. The point of sales locations would be in the Cafe LAD and a lounge located adjacent to the indoor putting green. Alcohol would not be allowed on any of the playing surfaces, including the pool and batting cages. Special provisions include a requirement that a proposed Class-C licensed establishment

shall not be located within 1,000 feet of another such licensed establishment. There are no such license establishments within 1,000 feet of the proposed planned development. Another special requirement is that a proposed Class-C license shall be located at least 400 feet from any church or school measured between the buildings. No such establishments are within 400 feet of this planned development. Livonia Athletic District is 447 feet from Frost Middle School and 956 feet from Christ our Savior Lutheran Church and the early childhood center. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated June 22, 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 parcel is assigned the address of #14255 Stark Road. The existing building is currently serviced by water main, storm and sanitary sewer. The drawings do not indicate any alterations to the existing services, so we do not anticipate any issues with the proposed waiver use. It should be noted that should the owner need to modify any of the existing utilities, or do any work within the Stark Road right-of-way, drawings will need to be submitted to this 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 July 8, 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). This site may require an automatic sprinkler system based on A-2, A-3 use. Hydrants shall be located between 50 feet and 100 feet from the Fire Department connection. NFPA 14, 2019 6.4.5.4 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 July 11, 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 Sczepanski, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated July 11, 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 July 1, 2022, which reads as follows: ñ*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: $4,309.84 Unpaid delinquent false alarm charges:$660.70 Total Due City of Livonia $4,970.54"* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurerôs Department, dated June 20, 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 delinquent taxes due, therefore I do have objections to the proposal. 2021 Real Property Winter Taxes: Winter Bill issued on December 1,2021 Good through June 30, 2022: $53,332.62 - Payable to Wayne County Treasurer (We do not show any payments have been made towards this bill, either with the City of Livonia prior to March 1, nor with Wayne County since March 1)."* The letter is signed by Lynda Scheel, Treasurer. The last letter is from the Division of Police, dated July 8, 2022, and it reads: *"We received the plans submitted by Stark Road Holdings L.L.C. requesting Special Waiver Use approval for a Planned Development under Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark ro ad, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast quarter of Section 21. The proposed site is in close proximity to Frost middle School at 14041Stark (444 feet) but does meet the separation requirement distance of at least four hundred (400) feet distance from any school or church. After reviewing the plans with the Chief of Police , we have no objections to the waiver being granted, contingent that the petitioner complies with: All State Laws City Ordinances, Stipulations and conditions set by the Livonia Police Department, Liquor Investigation Unit, as approved by the Chief of Police Stipulations and conditions set by the Traffic Bureau of the Livonia Police Department We are available to provide any additional information you may desire on this subject."* That is the extent of the correspondence.

Mr. Wilshaw: Thank you. Mr. Taormina. Any questions for our planning staff?

Mr. Bongero: Mark, there was correspondence from the fire chief? I don't have it in my packet.

Mr. Taormina: It's part of our packet. Going back to that letter, I know that they reference construction, even though there isn't any new construction associated with this petition other than some possible minor interior building modifications.

Mr. Bongero: Did I understand they're talking about fire suppression needed inside the building?

Mr. Taormina: Yes, but I don't believe the operation of a liquor license would trigger the need to add a fire suppression system. I will have to get clarification from the Senior Fire Inspector.

Mr. Bongero: It'd be a lot of work to have to try to wrap it up. I guess I had one other questioné has the petitioner made any type of arrangements for these back fees, water and sewer and taxes?

Mr. Taormina: I'm going to let the petitioner respond to that question. I'm not aware of any, but that doesn't mean that there haven't been some discussions.

Mr. Bongero: Okay. Thank you.

Mr. Wilshaw: We'll ask the petitioner that when he gets an opportunity to come forward, it'll be just a minute. Is there any other questions for our planning staff? Okay, no other questions for our planning staff. So now, our petitioner is up, we'll give him a minute to get over to our podium. And again, we'll ask that you start with your name and address and good evening.

Good evening, Jonathan. Hartzell, 31196, Churchill Drive, Beverly Hills, MI.

Mr. Wilshaw: Okay. And you did hear a question regarding the payment of some back property taxes and other fees. Did you want to address that first and then you can get into any other presentation you'd like to make?

Mr. Hartzell: Sure. Wonderful. Yeah, um, we'll set up a payment plan with the city. Try to get all knocked out before October 1. I'm not sure who to talk to. I'll just talk to the Treasurer on that, I guess. Just set up ah, schedule payment plan, I guess.

Mr. Wilshaw: All right. Any other information you'd like to provide? Before we get into questions?

Mr. Hartzell: No, I think we'd just go to questions. We had a good session last week, and I assume you guys still have some questions from there. So, I'd like to hear from you guys.

Mr. Wilshaw: That sounds great. Any questions for our petitioner? Ms. Smiley?

Ms. Smiley: Can you tell me where those stations would be located that they're able to get drinks or beer or wine or whatever?

Mr. Hartzell: Sure. As you walk in the entryway where your mouse is going, North, I guess, above the batting cages, there's an entryway, there. You see a vestibule and right to the left of theé or to the right of that you can see a little L shaped mill package to the left of your mouse. Right there is your kiosk for your little cafe space. And in front of that, that big open space in front, a little dining seating space where you can sit in and partake, that's kind of the hub of the building. So, if you walk in and turn to the right, you're gonna get to office space and Healthquest physical therapy and another suite not finished. If you'd walk straight and gone through the door in front of it, you get to the pool space, and if you walk left and go down, and you get to the soccer sports space. So, that kind of main common core where you're running the mouse and down the core, that's the real drinking facility in space. So, you can go and watch sport happen. You can sit and dine after a workout right there. And there is an arcade right there to entertain it. Then, as we're asking for the rights to have in the dogleg simulator, that's a future tenant space. So, we're just, you know, that's their build plan is to put golf simulators and a little lounge in there, but that'll be a secondary permit for them. We just want to make sure we have the right to have use in that space. And then to the left, I guess, all the way down there, you can see by the bathrooms, there's a littleé pickleball courts are on the left of that dotted line, and the space for the dotted line and the doorway, it's kind of a lounge space where there's just a seated area, and there's an opportunity to sit and have a cocktail. And there's a little room there by itself. That's set up as a little lounge with couch and chairs to congregate between matches.

Ms. Smiley: So, there's really three places so you have personnel in all those places checking IDs andé

Mr. Hartzell: Yup.

Ms. Smiley: Okay, well, that's interesting. I'm familiar withé I mean, I know that we have a place that has golf simulators, and they have parties and stuff, but it's like one section. It's a one unit in a shopping mall. I'm familiar with that. I'm not familiar with this setup. But as one Commissioner until theseé that $58,000 is paid, I don't think I'm interested in approving any kind of liquor sale.

Mr. Wilshaw: Okay, thank you, Ms. Smiley. Any other questions for Petitioner? Ms. McCue?

Ms. McCue: Just to double click on the staffing of those items. So, you're going to have three individuals at all times, or will those places not be open at all times?

Mr. Hartzell: Yeah, so some might not be open. Just depends on the time of day.

Ms. McCue: Because the logistics, obviously, as we know, I'm singing to the choir, right? But having alcohol, it's going to have to be manned. Just that always kind of makes me a little panicked when you have a lot of kids running around there. I'm sure you have it under control, but just having three separate individuals that are going to strictly be in charge of alcohol sales, I don'té from a logistics standpoint, that seems like a lot.

Mr. Hartzell: So, I own a place called Detroit shipping company. It's a 12,000 square foot, two-story, food hall. It's got six food vendors. We have four different points of sale of beer, wine, liquor. In the backyard, which has a sand volleyball pit, itôs very family friendly, I kind of built it aroundé I have four children, and we go to Detroit city, there was nowhere ever to go with your kids. Itôs really hard. I kind of built this, and if you ever go there, you'll see kids are kind of running around all the place. Families, big family gathering space, and there is four points of sale like are there and we are controlled by MLCC, and there's heavy fines and regulations and how that your staff is trained. And, you know, it's not worth the value of goofing off of that because you lose, you know, especially when it's $75,000 for a license plus annual expenses.

Ms. McCue: What's the attendance at a place like that versus what you have right now going on?

Mr. Hartzell: At Detroit Shipping Company, we have a 500-person capacity. We do a lot there. Weekends it really gets busy. Hate to say it, but about 200,000 people go through annually in the space.

Ms. McCue: Okay, thank you. Thank you.

Mr. Wilshaw: Thank you, Ms. McCue. Any other questions for our petitioner? Mr. Bongero?

Mr. Bongero: I justé I guess I do have a concern about the back fees. How's business going over there? I mean, it looks pretty busy every time I drive by there. Buté

Mr. Hartzell: Yeah, it'sé we bought June 4, last summer, and went under remodel and opened the back courts of the sports spaces, soccer space, early in October, but really didn't get our marketing and into the real segment of the sports community until March, April. That's when our pool opened up. So, really our first year of true business because a calendar year of the sports world starts in October, So, we're really just kind of, you know, carrying on that first year of just opening so it's kind of slow on that level, you know, below expectation, but our leases that we've pulled from club sports and other third parties for next year is really ramped up. So it's like 40% higher than first year.

Mr. Bongero: Yeah, I justé I guess I'd be concerned, you know. that the fees are, you know, they're doing or they're delinquent, you're gonna have to make a payment plan, but I know that liquor license is not cheap. So, you're gonna have to outlay that money to get this license, but it seems like, you know, you're struggling to make the other payments. I guess I'd be concerned about that ûil we saw those fees paid up. That's my feeling, though. Whether or not I agree, you know, for this or not, but I'm in agreement with Commissioner Smiley about that. So, thanks.

Mr. Wilshaw: Thank you, Mr. Bongero. Any other questions for petitioner? Mr. Caramagno?

Mr. Caramagno: Sir, when you said when you walk in the original lobby, you said there's a kiosk. What's the kiosk?

Mr. Hartzell: A cafe, you know, front end. So, you can buy, you know, food, drink, different little things there. So, it's just a cafe front.

Mr. Caramagno: There's no kiosk availability of mixed drinks and a can or a beer out of this? If you show an ID, is there? Is there any possibility of that? Or is that justé

Mr. Hartzell: No, it'd be someone standing there at a POS system selling goods.

Mr. Caramagno: So, it'd be a staffed person in the lobby, or at the other couple of stations?

Mr. Hartzell: That is correct.

Mr. Caramagno: Is there a manager that's on site all the time here?

Mr. Hartzell: There is now yeah.

Mr. Caramagno: There is now versus there wasn't before?

Mr. Hartzell: Our partnership was in there. We just hired a general manager to run the building.

Mr. Caramagno: Okay, so there will be someone there during all business hours?

Mr. Hartzell: That's right.

Mr. Caramagno: Okay. What is theé tell me about the urgency to put this liquor in there now versus being stabilized to some extent because I obviously share the same concerns with the taxes and water and the alarms not being paid, and so what is the urgency now? Is the urgency toé what is that?

Mr. Hartzell: Yeah, a big part of it, as I mentioned, like the dogleg in some of the lease spaces, they're reliant on that usage to come in and sign their leases. So, it's part of the contingency on my end is I have to get approval to have like a license in the building.

Mr. Caramagno: So really, this license is an attractant to future current tenants, future tenants, and without this, are you saying this thing's in trouble?

Mr. Hartzell: No, not at all. We just didn't pay a few bills, just because how they're capitalized, our partnership group, and we're actually buying a partner out in the middle, so it's just kind of a little legal moment. So, it's movement of cash. It's just kind of goofy. So, we have the funds to move. It's just how it's all unfolding, and so it'll be done in the next three to six weeks. With that, just going

through that, and then I'm able to release all the funds. That's why said, it's like, I don't have anything set up. But you knowé

Mr. Caramagno: You say just not paying a few bills. Well, these are pretty substantial bills for the City of Livonia. You're a property owner, and you're coming to us asking for something else, and you're not just paying a couple bills, and you want to move on without taking care of the prior arrangements and engagement you have. So, that's troubling to me. I'd like to see you slow down on the urgency with this thing. Straighten this this issue up, and then come back and see us. That's my opinion.

Mr. Wilshaw: Thank you for your thoughts, Mr. Caramagno. Any other questions or comments to our petitioner? There is no one else in our audience to speak for or against this. So, Mr. Hartzell, I will give you a chance to have the last word.

Mr. Hartzell: I just appreciate the time everyone puts into these meetings, right? You get together on your time in the evening. You know, I'd love to be able to say that we paid those beforehand. I just couldn't move it with my partners on whatever reasons we have going forth. The business is good, strong, we've got a lot of great, you know, movement with third party lease tenants coming through. A lot of clubs coming through. You probablyé if you go during the day, you've seen the sports camps going on. So, it's really bringing back a lot of, of that traffic that was there before. It takes a little bit of time, you know, but it's coming. You know, I own four or five different businesses and your ones generally are tough ones to get through, but our partnership is very strong, very well fiscally supported. It's just, again, we have a little bit of a hiccup with one of our partners we had to move on from so don't be afraid of the business. It'll be the long-standing business and community. We will solve the problem of what was left in front of us with the tax bill and we'll come back and solve it.

Mr. Wilshaw: Thank you, Mr. Hartzell.

Ms. Smiley: May I ask one more question?

Mr. Wilshaw: Of course.

Ms. Smiley: Are you trying to get more adults than kids? I when I first saw this, I thought this was going to be something for children, but you're trying to lean towards more like the golf simulator and

that kind of stuff. This is more of an adult athletic club kind of thing.

Mr. Hartzell: Oh, no, no family oriented, right? Golf is, if you look at, the 90,000 square foot facility, right, and that's 3000 square feet, right? In the sports facilities from, you know, eight in the morning till about seven at night are all youth, and then from seven at night till 11pm is adult. So, if you just, you know, start taking the different times and zones, we're just trying to be a place that you can come and congregate and entertain, and have a good time and be it that you're an adult at night, your adult in the simulator, or if your family comes in and do all your things, you can partake in that, right.

Ms. Smiley: Okay, like I said, my real problem I don't ever remember, and I've been on the Commission for quite a long time that we had a $58,000 bill and then we approved something else. So that's gonna make me a hard no. Okay, thank you, Mr. Chair.

Mr. Wilshaw: Thank you, Ms. Smiley. Any other comments? Just one question Mr. Hartzell. The pickleball, I'm not super familiar with it, but I know it does tend to appeal toward an older audience. Is that more of an adult oriented sport even during the day? Are there youth playing pickleball as well?

Mr. Hartzell: No, there's no youth in there. That's all adults. And that's really 40 and up. They come seven in the morning, and some groups leave at 10 at night.

Mr. Wilshaw: Okay so you do get some daytime activity from the pickleball with adults.

Mr. Hartzell: Yeah, and then like Healthquest, that's all adults, older. On the north side, like I said, I put an office in there from hospitality company that runs all the other businesses I mentioned. So, that's a good group of young adults, and then like the simulator space, but that simulator space, as you know, it'd be later in the evening. It's a good mix.

Mr. Wilshaw: All right, very good. Thank you. Appreciate that. If there's no other questions or comments on this item, I will close the public hearing at this time and a motion would be in order.

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

#07-41-2022 ***RESOLVED***, That pursuant to a Public Hearing having been held by the City Planning Commission on July 19, 2022, on Petition 2022-06-02-14 submitted by Stark Road Holdings L.L.C. requesting Special Waiver Use approval for a Planned Development under Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended, to utilize a Class C liquor license (sale of beer, wine and spirits for consumption on the premises) in connection with the operation of a multi-purpose recreational facility (Livonia Athletic District) at 14255 Stark Road, located on the west side of Stark Road between Schoolcraft Road and Lyndon Avenue in the Southeast ¼ of Section 21, the Planning Commission does hereby recommend to the City Council that Petition 2022-06-02-14 be denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed utilization of a Class C liquor license at this location would comply with all the general waiver use standards and requirements as set forth in Sections 3.04 and 5.02 of the Livonia Vision 21 Zoning Ordinance, as amended.

2. That the petitioner has not sufficiently demonstrated that the proposed utilization of a Class C liquor license at this location would be compatible to and in harmony with surrounding residential neighborhoods in the area.

3. That it has not been demonstrated that the utilization of a Class C liquor license at this location is needed for this facility to flourish.

4. That the petitioner has failed to adequately demonstrate that the facility has the capacity to accommodate the proposed Class C liquor license, and

5. That the utilization of a Class C liquor license at this location is contrary to the goals and objectives of the Zoning Ordinance which, among other things, are intended to ensure suitability and appropriateness of uses.

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.

LETTER TO THE LIVONIA CITY COUNCIL

2.

Planning
October 17, 2023

MEETING DATE	PREPARED BY
S072423/R080923/COW111523/R120423	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

The subject matter of Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster. (CR 305-23)

BACKGROUND DETAILS

At the Regular Meeting of October 2, 2023:

On a motion by Councilmember Morgan, supported by Councilmember Donovic and unanimously adopted, it was:

#305-23 RESOLVED, that having considered a communication from the City Planning Commission, dated July 12, 2023, approved for submission by the Mayor, which transmits its resolution #07-44-2023, adopted on July 11, 2023, with regard to Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster, requesting to develop a Planned General Development, involving the conversion of an existing eight-story office building into climate-controlled self-storage and first-floor retail including residential and commercial restoration services, construction of drive-up self-storage units, and five (5) single-family residential lots, on the property at 29200 Vassar Avenue, located on the north side of Vassar Avenue between Parkville Avenue and Middlebelt Road in the Southwest ı of Section 1, the Council does hereby refer this item to the Committee of the Whole for its report and recommendation.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To discuss the subject matter of Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster. (CR 305-23)

ATTACHMENTS

1. R100223 Petition 2023-06-02-06, ServiceMaster (Vassar) to COW CR 305-23
2. R100223 Letter to Council for revote of Petition 2023-06-02-06, ServiceMaster
3. R091823 NEW DATA - 2023-06-02-06 - Petitioner response recd 9-14-23
4. R091823 NEW DATA - 2023-06-02-06 - Resident Response Recd 9-6-23
5. R091823 2023-06-02-06 ServiceMaster - Req to return
6. S072423 2023-06-02-06 ServiceMaster - Req to delay
7. S072423 LTC 2023-06-02-06, ServiceMaster
8. 2023-06-02-06_E-COUNCIL Pkt

On a motion by Councilmember Morgan, supported by Councilmember Donovic and unanimously adopted, it was:

> **#305-23** RESOLVED, that having considered a communication from the City Planning Commission, dated July 12, 2023, approved for submission by the Mayor, which transmits its resolution #07-44-2023, adopted on July 11, 2023, with regard to Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster, requesting to develop a Planned General Development, involving the conversion of an existing eight-story office building into climate-controlled self-storage and first-floor retail including residential and commercial restoration services, construction of drive-up self-storage units, and five (5) single-family residential lots, on the property at 29200 Vassar Avenue, located on the north side of Vassar Avenue between Parkville Avenue and Middlebelt Road in the Southwest ı of Section 1, the Council does hereby refer this item to the Committee of the Whole for its report and recommendation.

Donald Hall, 29105 Vassar, spoke in favor of Petition No. 2023-06-02-06.

REGULAR AGENDA ITEM 7 (Regular Meeting of October 2, 2023)

Motion:	**Morgan**
Second:	**Donovic**
Ayes:	**Bahr, Donovic, Morgan, McCullough, McIntyre, Toy Jolly**
Nays:	**None**
Absent:	**None**

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To: Hon. Maureen Miller Brosnan, Mayor, and
City Council Members
From: Paul A. Bernier, City Attorney
and Michael Fisher, Chief Assistant
Re: Waiver Use Petition Denial
Date: September 22, 2023

On Monday, September 18, 2023, City Council discussed and voted on Petition 2023-06-02-06, which was a waiver use petition filed on behalf of Servicemaster for 29200 Vassar. After much discussion by the members, the petitioner and several area residents, Council voted 3-3 on both proposed approving and denying resolutions. We were asked to advise on the procedural steps and weather this matter needed to be reconsidered.

Normally, lack of a majority is a denial of the resolution. As City Attorney, I have never been witness to a tie vote on a waiver use, and assumed that the normal rules requiring a majority vote also applied to a waiver use petition. Normally a lack of a majority is a denial. I was mistaken in that belief, however.

State statute does not allow a non-denial denial of a waiver use, such as the one here. MCL 125.3502(4) says, in pertinent part,

> The decision on a special land use shall be incorporated in a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed.

The statutory term "special land use" is equivalent to our "waiver use." Zoning Ordinance2.01(2), part of the definition of "waiver use."

> Waiver uses are synonymous to uses, as defined in Section 125.3502 of the Michigan Zoning Enabling Act.

So, the attempt to decide this via tie vote is a nullity. Any denial must be supported by findings, and incorporated in findings and conclusions, and a tie vote does not accomplish that mandate.

Remember there is no such thing as common law zoning; the power to zone is based on the state statute, as Zoning Section 1.04 recites.

> This Ordinance is adopted pursuant to the Michigan Zoning Enabling Act, Act 110 of 2006, as amended; its predecessor statute, Act 208, Public Acts of Michigan, 1949, as amended; and Section I of Chapter II and Sections 11 and 20 of Chapter IV of the Charter of the City of Livonia. Said acts are hereby made a part of this Ordinance just as if they were word for word repeated herein.

My suggestion is that we use Code of Ordinances Section 2.04.050(A)(4), regarding the submission and correcting of the journal of the last session, as a place to get the question back before the Council. Since Council's last action (or inaction) was a nullity for lack of a majority, perhaps the matter should have been tabled until there was an odd number of members present to provide a majority vote. If we allow a 3-3 tie to decide the issue, a judge on appeal would likely start proceedings with a remand to Council for a compliant straight-up vote. It makes more sense to do it the proper way while we have the opportunity to correct any errors.

The upshot of MCL 125.3502(4) is that this matter is still in effect before Council for its disposition until there is an actual majority vote.

From: Cowan, Dennis
To: Kasprowicz, Sara
Cc: Taormina, Mark; garyg@selfstoragemyspace.com; Gerald Clark
Subject: FW: Special Waiver Use Request - 29200 Vassar
Date: Thursday, September 14, 2023 11:10:11 AM
Attachments: Letter to Livonia City Council re Special Waiver Use Request (MSSS Livonia) 2023_09_14.PDF
MSSS Livonia - Petition to Approve Signatures - 29200 Vassar.PDF

Sara: Please find attached a letter to the City Council and petitions containing over 200 resident signatures in support of the project. Please forward this information to the City Council for the Sept. 18th meeting. Please confirm your receipt of this email. Thanks, Dennis

Dennis G. Cowan

Plunkett Cooney
Attorneys & Counselors at Law
T 248.901.4029 C 248.321.2820

bio µ office µ vcard µ web µ linkedin

ALFA International THE GLOBAL LEGAL NETWORK 2022 Law Firm of the Year

Mansfield Rule Certified 2023

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PLUNKETT COONEY

September 14, 2023

City Council
City of Livonia
33000 Civic Center Drive, 3rd Floor
Livonia, MI 48154

Re: ServiceMaster / My Space Self Storage Mixed Use Project
29200 Vassar Road

Dear President Jolly and City Council Members:

On behalf of ServiceMaster and My Space Self Storage, we are very pleased to come before you on September 18th for approval of our Special Waiver Use for a Planned General Development, which will totally transform the long vacant property at 29200 Vassar Road ("Vassar Property"). This process started in February, and we believe the project has evolved in a positive manner due to input from the City's Planning and other Departments, our Vassar Property neighbors, the Planning Commission and your City Council. As a result, this project will be a "win-win-win" for all involved -- the adjacent residents, the City and our clients' businesses.

Tremendous Community Support

Since the time of our meeting with you on July 24th, ServiceMaster and My Space Self Storage have been active in gauging community support for the project. The positive result has been beyond our clients' expectations. Attached are Petitions signed by Livonia residents in the two precincts including and adjacent to the Vassar Property. In less than a week, 208 signatures were acquired by going door-to-door. Some of the comments made to our petition gatherers were as follows:

> "A good project is long overdue for this site. We welcome it with open arms."
>
> "I am sick and tired of the vandalism, blight and adverse impact on my property values."
>
> "It has been 15 years since its decline started and we need to put an end to this situation right now."
>
> "There is no excuse not to take this opportunity to clean-up this mess that me and my neighbors have had to live with for too long."

This response is unprecedented. It is rare that 10 or 15 people sign a petition to support a project, let alone over 200. We could have obtained even more signatures but believe the point has been made. Clearly, the residents have spoken loud and clear and want to have the Vassar Property approved and constructed.

Market Feasibility Study

As we have previously shared with you, our clients engaged Self Storage 101 to conduct an **independent** market feasibility study ("Study"). The Study indicated that this site is an excellent one for a self-storage facility and both the proposed development and site are ranked as a "B+." The Study further states that within a 3-mile area, self-storage is not oversaturated and is, in fact, undersupplied. This "positive ranking" meets the test required by lenders and property managers. In addition, our clients are fully aware there will be competition and are ready to meet that challenge. Due to competition, the residents of Livonia will benefit.

Not surprisingly, the only people who have complained about the Study are a couple of competitors. They have "thrown shade" on the Study and even implied that somehow the Study results were pre-determined in our clients' favor. Nothing can be further from the truth. Self Storage 101 is a company that has a national reputation and has literally done thousands of independent market feasibility studies. They are not involved in the project in any way and will not benefit from City Council's approval. Our clients asked for and received an unbiased, independent report in order to determine their own business plans and are prepared to move forward.

The Study our clients have presented to City Council is the sole evidence regarding the immediate self-storage market. The competitors could have ordered their own study, but they did not. The reason is simple -- they knew the results would not support their position. We ask the City Council to treat the Study fairly, accept its independent and professional conclusions and not be swayed by competitors' unsupported opinions.

Significant Tax Revenue

The last two tax bills for 29200 Vassar, which are attached for your reference, are as follows:

• Winter 2022:	$5,282.72
• Summer 2023:	$13,747.12
Total:	$19,029.84

The City only receives $4,393.36 in taxes. The Clarenceville Schools operating millage receives $6,300. The State Education Tax (6 mils) only generates about $2,100.

If the Vassar Property is approved and our clients close on the property, the taxable value will be uncapped. The assessment on our clients' investment on the Vassar Property and the five new homes to be built on Parkville will generate additional taxes into the future. Such increased taxes will benefit both the City and the Clarenceville School District.

While we recognize that decisions regarding land use are not made based solely on financial matters, approval for the project will clearly provide a positive fiscal benefit to the City and the Clarenceville School District.

Our clients have met or exceeded the standards required for a Special Waiver Use. I have attached the Compliance Sheet that was previously forwarded for your review. The benefits of the Vassar Property far outweigh any perceived negatives.

We would like to take this opportunity to thank the Vassar Property and nearby neighbors, as well as others in the broader Clarenceville community, who have supported the project.

On behalf of ServiceMaster and My Space Self Storage, we respectfully request that you approve the Special Waiver Use to allow the Vassar Property to proceed. Our full Vassar Property team will be available at the September 18th to answer any additional questions and look forward to seeing you at the meeting. In the meantime, should you have any questions regarding the Vassar Property, please feel free to contact me at your earliest convenience.

Sincerely,

Dennis G. Cowan

Dennis G. Cowan
Direct Dial: (248) 901-4029
Email: dcowan@plunkettcooney.com

DGC/cmw
Attachments
cc: Gary Gerrits
G. Todd Clark
Mark Taormina
Open.26462.14972.31785656-1

LIVONIA CORPORATE TOWER LLC | CITY OF LIVONIA | 2022 Winter | 003 01 0423 000

MESSAGE TO TAXPAYER

VISIT WWW.LIVONIATAX.ORG FOR TAX AND PAYMENT INFORMATION. THIS INFORMATION MAY BE PRINTED DIRECTLY FROM THE WEBSITE. WE RESERVE THE RIGHT TO CHARGE FOR DUPLICATES. WHEN PAYING BY CHECK, INCLUDE YOUR PHONE NUMBER AND PARCEL NUMBER. PLEASE USE ONLY THE 33000 CIVIC CENTER DRIVE, LIVONIA, MI 48154-3060 ADDRESS FOR MAILING CHECK PAYMENTS FOR TAXES.

PAYMENT INFORMATION

This tax is due by: **02/14/2023**

Pay by mail to: CITY OF LIVONIA
TREASURER'S OFFICE
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3060

Do not combine tax payments with other payments due to the City of Livonia. Payment for taxes must be on a separate check.

See reverse side for additional information

PROPERTY INFORMATION

Property Assessed To:
LIVONIA CORPORATE TOWER LLC
29200 VASSAR
LIVONIA, MI 48152

Prop #: 003 01 0423 000 School: CLARENCEVILLE
Prop Addr: 29200 VASSAR
Legal Description:
01F423 424 SUPERVISORS LIVONIA PLAT NO 7 T1S R9E L66 P58 WCR LOT 423 ALSO E 225FT OF THE N1/2 OF ADJ VAC ST ALSO LOT 424

PAID
3/2/23
CITY OF LIVONIA
TREASURER'S OFFICE

TAX DETAIL

Taxable Value: 333,386 COMMERCIAL-
State Equalized Value: 1,049,800 Class: 201
PRE/MBT %: 0.0000

Sent to: PROPERTY OWNER

DESCRIPTION	MILLAGE	AMOUNT
CITY	13.17800	4,393.36
WAYNE COUNTY	0.98290	327.68
HURON CLINTON MA	0.20700	69.01
WAYNE CTY SAFETY	0.93580	311.98
WAYNE CTY PARKS	0.24420	81.41
ZOO AUTHORITY	0.09920	33.07
ART INSTITUTE	0.19860	66.21
Total Tax	15.84570	5,282.72
Administration Fee		0.00
TOTAL AMOUNT DUE		5,282.72
PREV. PAYMENTS		5,282.72
BALANCE DUE		

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County: OCTOBER 01 - SEPTEMBER 30
Twn/Cty: DECEMBER 01 - NOVEMBER 30
School: JULY 01 - JUNE 30
State: OCTOBER 01 - SEPTEMBER 30
Does NOT affect when the tax is due or its amount

RETAIN THIS PORTION FOR YOUR RECORDS.

The below original stub required for payment processing. Please detach along perforation. Keep the top portion for your records.

Sent to: **PROPERTY OWNER**

Pay this tax to:
CITY OF LIVONIA
TREASURER'S OFFICE
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3060

PLEASE RETURN THIS PORTION WITH PAYMENT OR THE ENTIRE BILL WITH SASE FOR A PAID RECEIPT

This tax is due by: **02/14/2023**
After 02/14/2023 additional interest and fees apply

2022 Winter Tax for Prop #: **003 01 0423 000**

TAXPAYER NOTE: Are your name & mailing address correct? If not, please contact the Assessor's Office. Thank You.
Property Addr: 29200 VASSAR

(Partial payments are accepted)
Make Check Payable To: **CITY OF LIVONIA**

TOTAL AMOUNT DUE: 0.00

To: LIVONIA CORPORATE TOWER LLC
5440 WHITEHALL BLVD
OAKLAND TOWNSHIP MI 48306

Amount Remitted: _____

Check# _____

Cash _____

LIVONIA CORPORATE TOWER LLC | CITY OF LIVONIA | 2023 Summer | 003 01 0423 000

MESSAGE TO TAXPAYER

VISIT WWW.LIVONIATAX.ORG FOR TAX AND PAYMENT INFORMATION. THIS INFORMATION MAY BE PRINTED DIRECTLY FROM THE WEBSITE. WE RESERVE THE RIGHT TO CHARGE FOR DUPLICATES. WHEN PAYING BY CHECK, INCLUDE YOUR PHONE NUMBER AND PARCEL NUMBER. PLEASE USE ONLY THE 33000 CIVIC CENTER DRIVE, LIVONIA, MI 48154-3060 ADDRESS FOR MAILING CHECK PAYMENTS FOR TAXES.

PAYMENT INFORMATION

This tax is due by: **09/14/2023**

Pay by mail to: CITY OF LIVONIA
TREASURER'S OFFICE
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3060

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See reverse side for additional information

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29200 VASSAR
LIVONIA, MI 48152

Prop #: 003 01 0423 000 School: CLARENCEVILLE
Prop Addr: 29200 VASSAR
Legal Description:
01F423 424 SUPERVISORS LIVONIA PLAT NO 7 T1S R9E L66 P58 WCR LOT 423 ALSO E 225FT OF THE N1/2 OF ADJ VAC ST ALSO LOT 424

TAX DETAIL

Taxable Value: 350,055 COMMERCIAL-
State Equalized Value: 1,135,700 Class: 201
PRE/MBT %: 0.0000

Sent to: PROPERTY OWNER

DESCRIPTION	MILLAGE	AMOUNT
SCHOOLCRAFT CC	2.27000	794.62
WAYNE CNTY OPER	5.60990	1,963.77
SCH SINKING FUND	4.22570	1,479.22
CNTY OISD SPC ED	2.97770	1,042.35
STATE EDUCATION	6.00000	2,100.33
CNTY OISD GEN ED	0.18810	65.84
SCHOOL OPERATING	18.00000	6,300.99
Total Tax	39.27140	13,747.12
Administration Fee		0.00
TOTAL AMOUNT DUE		13,747.12
PREV. PAYMENTS		
BALANCE DUE		**13,747.12**

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County: OCTOBER 01 _ SEPTEMBER 30
Twn/Cty: DECEMBER 01 _ NOVEMBER 30
School: JULY 01 - JUNE 30
State: OCTOBER 01 - SEPTEMBER 30

Does NOT affect when the tax is due or its amount

RETAIN THIS PORTION FOR YOUR RECORDS.

The below original stub required for payment processing. Please detach along perforation. Keep the top portion for your records.

Sent to: **PROPERTY OWNER**

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33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3060

PLEASE RETURN THIS PORTION WITH PAYMENT OR THE ENTIRE BILL WITH SASE FOR A PAID RECEIPT

This tax is due by: **09/14/2023**
After 09/14/2023 additional interest and fees apply

2023 Summer Tax for Prop #: **003 01 0423 000**

TAXPAYER NOTE: Are your name & mailing address correct? If not, please contact the Assessor's Office. Thank You.
Property Addr: 29200 VASSAR

(Partial payments are accepted)
Make Check Payable To: **CITY OF LIVONIA**

TOTAL AMOUNT DUE: **13,747.12**

To: LIVONIA CORPORATE TOWER LLC
5440 WHITEHALL BLVD
OAKLAND TOWNSHIP MI 48306

Amount Remitted: _____

Check# _____

Cash _____

29200 VASSAR ROAD

Compliance with Special Waiver Use Standards for Planned Developments Section 5.02(4) of Livonia Zoning Code

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(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.

The prior use of the property as an office building with a "sea of blacktop" for parking was not in harmony with the surrounding areas. The proposed project will correct that problem as follows:

- The development of five new family homes on the western edge of the property which will be harmonious with the existing residential neighborhood on Parkville as well as create additional buffer for the residents;
- The creation of green space on the eastern edge of the property will decrease the blacktop and provide a "park-like" space for nearby residents, customers and employees to gather and use;
- The ServiceMaster/My Space self-storage businesses will have very low impact on the surrounding uses;
- Vassar Street will remain closed so there will be no point of entry to Parkville and the residential neighborhood.

(B) The location and size of the proposed use or uses, that nature and intensity of the principal use and all accessory uses, the site layout and its relation to the streets giving access to it, shall be such that the traffic to and from the use or uses, the assembly of persons in connection therewith, will not be hazardous or inconvenient to the neighborhood nor conflict with the normal 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 the main traffic throughfare to street and road intersections; and the general character intensity of the existing potential development in the neighborhood. In addition, where appropriate the Commission shall determine that noise vibration, odor, light, glare, heat, electromagnetic or act of 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.

The principal use of self-storage at the project is very low impact. Upon maturity of the self-storage facilities, the My Space's experience is there are generally only 10-15 visitors per a day. The ServiceMaster business will have approximately 20 to 30

employees on a regular basis and there maybe several more if there is a major emergency that needs to be responded to by the company. The retail space will be two units with a total of 5255 square feet, which will not create an significant vehicular traffic.

As previously mentioned, Vassar Street will remain closed so there will be no vehicular connection to or any hazards or inconvenience to the neighborhood.

The only noise that will be associated with the project uses would be vehicles, and use of the outdoor "drive-up" facilities, which will not be noise intense. Any noises will be mitigated by the new homes on Parkville and the surrounding perimeter walls. There will be no vibrations, odors, light, glare, heat, electromagnetic, or radioactive radiation or other external effects caused by ServiceMaster/My Space business operations which will be detrimental to neighboring properties.

(C) The location and height of the 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.

The building is 8 stories high. ServiceMaster/My Space has indicated that they will shield the windows so that no customer or employee will be able to look down into any of the residential neighbor's property and backyards. The perimeter walls will create a buffer and no ServiceMaster business or self-storage activities will be visible by residential neighbors.

The upgrade to the exterior of the building, the removal of the "sea of parking," green space and landscaping will encourage, not discourage, proper development and use of the adjacent land and buildings. Property values will no longer be impaired by the current condition of the Vassar Street property.

(D) The standards of density and required open space in the proposed project are at least equal to those required by this ordinance and the zoning district in which the proposed project is to be located.

Climate controlled self-storage units in building will occupy a portion of the first and the remaining seven floors. The outdoor storage units which were originally planned to be 295 units have been reduced to 84 units. Open space on the eastern side of the project replaces current blacktop parking space. Landscaping will be enhanced on Vassar Street and the entrance to the project.

Open.26462.14972.31393054-1

PETITION TO APPROVE 29200 VASSAR STREET PROJECT

We, the undersigned, urge the Livonia City Council to approve the project proposed by My Space Self Storage / ServiceMaster at 29200 Vassar Street. We welcome the new development, including renovation of the 8-story building, new retail and business space, and five new homes on Parkville. We are tired of over a decade of blight, decay and vandalism to the building and property. We want the Livonia City Council to support our neighborhoods and property values.

SIGNATURE	STREET ADDRESS	DATE
	19360 Brentwood Livonia, Mi 48152	8-30-23
	19636 Brentwood Livonia Mi 48152	8-30-23
	30533 Fairfax Livonia MI 48152	8-30-23
Kelly Reich	30536 Fairfax Mi 48152	8-30-23
Beth Reich	30536 Fairfax Mi 48152	8-30-23
Miranda Arciero	19745 Purlingbrook st. Livonia MI	8.30.23
Cheryl Tuttle	30521 Bretton	8-30-23
	30560 Pembroke Livonia 48152	8-30-23
	19572 Bainbridge Livonia 48152	8-30-23
Cindy Bowen	19600 Flamingo Blvd Livonia	8/30/23

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SIGNATURE	STREET ADDRESS	DATE
Kayla M. VanMatre	19656 Weyher Livonia MI	8/30/23
Sean P. Oswald	19480 WEYHER LIVONIA, MI	8/30/23
Patricia E. Oswald	19480 WEYHER LIVONIA, MI	8/30/23
[illegible]	19346 Weyher Livonia, MI	8/30/23
[illegible]	19311 Weyher Livonia, MI	8/30/23
Brian [illegible]	19354 weyhea Livonia MI	8/30/23
[illegible]	20457 MAPLEWOOD ST LIVONIA MI	8/30/23
Donna Collins	20222 Maplewood St Livonia MI	8/30/23
Amy Darby	20134 Maplewood. Liv M.	8-30-23

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SIGNATURE	STREET ADDRESS	DATE
Rahul	30316 FAIRFAX ST	8-29-23
Steve Maycock	19688 PARKVILLE	8-29-23
David R Cosay	19816 Parkville	8-30-23
Mel Mo	19900 Parkville	8-30-23
Angela	19922 Parkville St	8/30/2023
Tyler Kim	20244 Parkville St	8/30/2023
Sammy Coya	20262 PARKVILLE ST.	8/30/23
John Ranello	19147 OSMUS ST.	8/30/23
Stephen M. Mc	20315 Parkville St	8/30/23
Vince M	20315 Parkville St	8/30/23

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SIGNATURE	STREET ADDRESS	DATE
Jeffrey M. Belanger	20308 Parkville	8/30/23
Amy L. Belanger	20308 Parkville	8/30/23
Tressa J Belanger	20312 Parkville	8/30/23
Joseph W Belanger	20312 Parkville	8/30/23
Chris Payton	19855 Parkville St	8/30/23
[illegible]	19825 Parkville St	8/30/23
Mike & M. Bruce	19819 PARKVILLE	8/30/23
mike McVettie	19697 Brentwood	8-30-23
Brian Saylor	19629 Brentwood	8-30-23
Kristen Saylor	19629 Brentwood	8-30-23

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SIGNATURE	STREET ADDRESS	DATE
William Greenwood	19605 Brentwood Liv Mich	8/30/23
Kari Chua	19579 Brentwood Livonia MI	8/30/23
Walter Chua	19579 Brentwood Livonia MI	8/30/23
Louise Sadzinski	19511 Brentwood Livonia, MI	08/30/2023
Jim Sadzinski	19511 Brentwood Livonia, MI	8/30/2023
[illegible]	19345 Brentwood Livonia MI	8/30/23
Amy C. [illegible]	19295 Brentwood, Livonia MI	8/30/23
Carol Conway	19320 Brentwood Livonia mi	8/30/23
Lynne M Curnow	14358 Cranston St, Livonia MI 48154	8/30/23
Cynthia K Varney	19340 Brentwood Liv, Mi 48152	8/30/23

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SIGNATURE	STREET ADDRESS	DATE
	19461 Parkville	8-25-23
	19261 Parkville	8-25-23
	19261 Parkville	8-25-23
	19249 Parkville	8-25-23
	19249 Parkville	8-25-23
	19249 Parkville	8-25-23
	19196 Parkville	8/25/23
	19250 Parkville	8/25/23
	19310 Parkville	8/25/23
	19420 Parkville St.	8/25/23

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SIGNATURE	STREET ADDRESS	DATE
John A Pitts Jr	19420 Parkville St.	8/25/23
Tijuana Pitts	19432 Parkville St.	8/25/23
Barbara J Rowell	19432 Parkville St	8/25/23
	19464 Parkville St.	8/25/23
	29255 Saint Martins	8/26/23
	19615 Parkville St	8-26-23
	19050 SAINT MARTINS ST	8-26-23
	29104 St. Martins St.	8/26/23
	19642 Parkville	8/26/23
	19642 Parkville	8/26/23

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SIGNATURE	STREET ADDRESS	DATE
	29105 Vassar St	8-25-23
	29151 St. Martins	8-25-23
	29137 St. Martins	8/5/23
	29101 St. MARTINS	8-25-23
	29037 St. Martins	8/25/23
	29120 ST. MARTINS	8/25/23
	29123 St Martins	8-25-23
	29123 St. Martins	8-25-23
	19558 Parkville St	8/25/23
	19461 Parkville	8/25/23

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SIGNATURE	STREET ADDRESS	DATE
Kathy L Dunbar	20238 Brentwood St. Livonia MI 48152	8.29.2023
	20120 BRENTWOOD 48152	5-29-2023
Marylou Sepke	20100 Brentwood 48152	8-29-2023
	20056 Brentwood 48152	8-29-2023
	19996 Brentwood 48152	8.29-2023
	19996 Brentwood 48152	8-29-23
	30045 Fairfax St	8-29-23
	30135 Fairfax St.	8-29-23
	30333 Fairfax St	8-29-23
	19726 Purling Brook	8.29-23

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SIGNATURE	STREET ADDRESS	DATE
Bob Kennedy	19953 Sunbury St	8-29-23
Dean Tuomari	19929 Sunbury	8/29/2023
Samantha Kruse	19917 Brentwood	8/29/2023
AJ Partenio	19917 Brentwood	8/29/2023
Eric Bishop	19929 Brentwood	8/29/23
[illegible]	19973 Brentwood	8/29/23
Morgan A Worley	20153 Brentwood	8-29-23
Tiann Hall	20338 Brentwood	8-29-23
Elizabeth Hall	20338 Brentwood	8-29-23
Maureen Monte	20227 Brentwood	8-29-23

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SIGNATURE	STREET ADDRESS	DATE
	19730 Brentwood Livonia mi	8-28-23
	19610 Brentwood st Livonia 48152	8-28-23
	19410 Brentwood st Livonia MI 48152	8-28-23
	19361 Brentwood Livonia mi 48154	8-28-23
	19365 Brentwood Livonia MI 48152	8.28.23
Shannell Allen	19810 Wentworth 48152	8-28-23
Robert Haig	20028 Sunbury St.	8-29-23
	20044 Sunbury St 48152	8/29/23
	28650 Fargo St	8 29 23
	20009 Sunbury	8.29.23

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SIGNATURE	STREET ADDRESS	DATE
Mary Baesler	28319 Pembroke	8-29-23
	19945 LATHERS ST.	8.29.23
	19945 Lather st.	8-29-23
	19970 Lather St	8-29-23
	19957 Lather St.	8/29/23
Deborah West	19940 Boerntwood	8/29/23
Claudia Stanton	19658 Melvin	8/29/23
Jodi Telgen	30010 Fairfax	8/29/23
	30154 Fairfax	8/29/23
Sarena Barrett	30304 Fairfax St	8/29/2023

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SIGNATURE	STREET ADDRESS	DATE
David Taylor	29105 Bretton	8/27/23
Clyde Lyon	29103 Bretton	8/27/23
R.D. MODI	29059 Bretton St.	08/27/23.
Robert Bame	29073 Morlock	8/27/23
MaryAnn Bame	29073 Morlock	8/27/23
Caroline Wyp	29090 Morlock St	8/27/23
Bettina Brehm	29090 Morlock St	8/27/23
Mike McKerrell	29000 Morlock st	8/27/23
Naomi Porter	29000 Morlock St.	8/27/23
Jim Kinnan	28980 Morlock St	8/27/23

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SIGNATURE	STREET ADDRESS	DATE
Mark Wittschen	19942 Maplewood St. Livonia MI. 48152	8-28-23
Stacey Wittschen	" " " "	" "
Brad Mc Dow	19917 Weyher St Livonia MI 48152	8-29-23
[illegible]	20054 Wayburgh St Livonia 48152	8 29 23
[illegible]	20224 WEYHER LIVONIA 48152	8-29-23
Gregory Dwyer	28355 PEMBROKE LIV. 48152	8/29/23
Dorothy Dwyer	— —	—
Bernadette Moore	28331 PEMBROKE LIVONIA 48152	8/29/23
Zimmerman	28307 Pembroke "	"
[illegible]	19946 Lathers St	8-29-23

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SIGNATURE	STREET ADDRESS	DATE
Ken Moldovan	19414 WEYHER Livonia MI 48152	8-26-2023
Candace Bingham	19304 Weyher Livonia MI 48152	8-26-2023
	19177 weyhr Livonia MI 48152	8-26-23
	19445 Weyher LIVONIA MI 48152	8/26/23
	29150 Bretton Livonia MI 48152	8/27/23
BWilhelmsen	29150 Bretton Livonia MI 48152	8/27/23
CAREY FRANKLIN	29030 BRETTON ST, LIVONIA 48152	8/27/23
Angela Franklin	29030 Bretton St, Livonia, MI 48152	8/27/23
Kalle LaRoche	19642 Parkville St, Livonia	8/27/23
Alexis Belanger	19642 Parkville St, Livonia	8/27/23

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SIGNATURE	STREET ADDRESS	DATE
Keith Larouche	19642 Parkville	8/26/23
John Larouche	19642 Parkville	8/26/23
[illegible]	19519 WEYHER	8/26/23
[illegible]	28911 ST MARTINS	8/26/23
[illegible]	19614 Weyher St	8/26/23
Judith Perri	19600 Weyher	8/26/23
[illegible]	19504 Weyher St	8-26-23
[illegible]	19504 weyher st	
[illegible]	19467 weyher St	8/26/23
[illegible]	19467 weyher st	8/26/23

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SIGNATURE	STREET ADDRESS	DATE
Dave Kazanjian	19790 Parkville	8-27-23
Colin Shelton	19830 Parkville	8-27-23
Mary Nelson	20054 Parkville	8-27-23
Heather Nelson	20054 Parkville	8-27-23
[illegible]	19726 Weyher	8-28-23
[illegible]	19746 Weyher	8-28-23
[illegible]	19750 Weyher	8-28-23
[illegible] Smith	19796 Weyher	8-28-23
Vaughn Schmidt	19822 Weyher	8-28-23
[illegible]	19834 Weyher	8-28-23

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SIGNATURE	STREET ADDRESS	DATE
Bonnie LaPlen	28332 Maplewood St Livonia MI	8-28-2023
Ariana Stuart	20308 Maplewood St Livonia 48152	8-28-23
Greg Stuart	20308 Maplewood St. Livonia MI 48152	8-28-23
Russell Cooley	20170 Maplewood St Livonia, MI 48152	8-28-23
Evonne Mead	20114 Maplewood St Livonia 48152	8-28-23
Christopher Rodgers	20076 MAPLE Wood St LIVONIA 48152	8-28-23
Laura Goodmer	20038 Maplewood St Livonia 48152	8/28/23
Melissa Dick	20014 Maplewood Livonia MI 48152	8/28/23
[illegible]	20014 MAPLEWOOD LIVONIA MI 48152	8/28/23
Abby Demonty	19990 Maplewood St. Livonia, MI 48152	8/28/23

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SIGNATURE	STREET ADDRESS	DATE
	20029 Maplewood livonia MI	8/28/23
	~~320~~ 20101 MAPLEWOOD	8/28/23
Rajiv Patel	20223 Maplewood	8/28/23
Ana Ley	20235 Maplewood	8/28/23
	20259 MAPLEWOOD	8/28/23
LaShePatterson	20309 maplewood	8/28/23
	20045 Maplewood	8-25-23
Stacey Blackport	20045 Maplewood	8-25-23
	20444 MAPLEWOOD	8-25-23
	20558 Maplewood St	8-25-23

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SIGNATURE	STREET ADDRESS	DATE
	19745 MAPLEWOOD ST	8-28-23
	19813 MAPLEWOOD ST	8/28/23
	19825 MAPLEWOOD ST	8/28/23
	19935 Maplewood St	8/28/23
	19935 Maplewood St	8/28/23
	19983 MAPLEWOOD ST	8/28/23
	20019 "	8/28
	20031 " "	8/28/23
	20043 MAPLEWOOD	8-28-23
	20043 MAPLEWOOD St	8-28-23

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SIGNATURE	STREET ADDRESS	DATE
[signature]	19620 Flamingo BLVD.	Aug 30, 2023
[signature]	19651 Flamingo Blvd	8/30/23
[signature]	19651 Flamingo Blvd.	8/30/23

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SIGNATURE	STREET ADDRESS	DATE
	19258 Wexford	8-30-23
Bonnie Holbrook	19639 Parkville	8-30-23
Mary Marnoja	30026 Fairfax	8/30/23
	19914 Weyburn	8/30/23
	18424 Brentwood st	8/31/23

NEW DATA RECEIVED FOR THE REGULAR MEETING OF SEPTEMBER 18, 2023

From: noreply@civicplus.com
To: CityCouncil
Subject: Online Form Submittal: City Council Inquiries
Date: Wednesday, September 6, 2023 5:46:41 PM

City Council Inquiries

This form is for any questions, comments, or concerns you may have for the City in regards to city council meetings or other city council inquiries. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	Debbie
Last Name	Grefke
Address	19444 Parkville St
Email Address	debbielg6290@yahoo.com
Phone Number	2484738235
Topic	City Council Meetings
Date of Issue	*Field not completed.*
Attachment (Optional)	*Field not completed.*
Comments	I would like to express my feeling on the vassar street redevelopment, although it would be very nice to have this building updated and all, I just don't feel these are the businesses to go in that place, we have a new storage build done the street that is not even full at this time. Also bringing more house in this space would over load our neighborhood. Please do not pass this plan.. we can find something else to go there.

Email not displaying correctly? View it in your browser.

From: Cowan, Dennis
To: Kasprowicz, Sara
Cc: garyg@selfstoragemyspace.com
Subject: RE: 29200 Vassar
Date: Wednesday, August 30, 2023 11:07:19 AM
Attachments: image004.png
image005.png
image006.png
image007.png
image008.png

Sara: Our team is good for the Monday, Sept. 18th City Council meeting at 7pm. Thanks, Dennis PS I will probably send a letter soon that can be added to the information for the meeting.

Dennis G. Cowan

Plunkett Cooney
Attorneys & Counselors at Law
T 248.901.4029 C 248.321.2820

bio µ office µ vcard µ web µ linkedin

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Sara Kasprowicz
Program Supervisor
City of Livonia | City Council Office
(734) 466-2250
skasprowicz@livonia.gov

www.livonia.gov

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Sara: Thanks for all your assistance this morning. Please call me to confirm our client's item is on the City Council's Sept. 6th voting agenda at 7pm . Thanks, Dennis

Dennis G. Cowan

Plunkett Cooney
Attorneys & Counselors at Law
T 248.901.4029 C 248.321.2820

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From: Cowan, Dennis
To: Kasprowicz, Sara
Subject: RE: City Council Study Agenda off 7/24/23/Vassar St. Project
Date: Tuesday, July 25, 2023 9:10:30 AM
Attachments: image004.png
image005.png
image006.png
image007.png
image008.png

Sara: I don't know if you were at the meeting last night, but in light of the discussion, my client would like to delay the item being on the August 9th City Council agenda. Can we discuss ? Please let me know when we can discuss this morning before 11am, if possible. I am out at meetings most the rest of the day. Thanks, Dennis

Dennis G. Cowan

Plunkett Cooney
Attorneys & Counselors at Law
T 248.901.4029 C 248.321.2820

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Sara Kasprowicz
Program Supervisor
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Dennis G. Cowan

Plunkett Cooney
Attorneys & Counselors at Law
T 248.901.4029 C 248.321.2820

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Sara Kasprowicz
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LETTER TO THE LIVONIA CITY COUNCIL

8.

Planning
July 12, 2023

MEETING DATE	PREPARED BY
S072423/R080923	Stephanie Reece, Program Supervisor,

AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster, requesting to develop a Planned General Development, involving the conversion of an existing eight-story office building into climate-controlled self-storage and first-floor retail including residential and commercial restoration services, construction of drive-up self-storage units, and five (5) single-family residential lots, on the property at 29200 Vassar Avenue, located on the north side of Vassar Avenue between Parkville Avenue and Middlebelt Road in the Southwest ı of Section 1.

BACKGROUND DETAILS

July 12, 2023

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2023-06-02-06 - Service Master

Dear Council Members:

At the 1,201st Public Hearings and Regular Meeting held by the City Planning Commission on July 11, 2023, the following resolution was adopted:

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

#07-44-2023 RESOLVED, That the City Planning Commission does hereby recommend to the City Council that Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster requesting special waiver use approval to develop a Planned General Development under Section 5.02 of the City of Livonia Zoning Ordinance, as amended, involving the conversion of an existing eight-story office building into climate-controlled self-storage and first-floor retail including residential and commercial restoration services, construction of drive-up self-storage units, and five (5) single-family residential lots, on the property at 29200 Vassar Avenue, located on the north side of Vassar Avenue between Parkville Avenue and Middlebelt Road in the Southwest ı of Section 1, be approved subject to the following conditions:

The Architectural Site Plan, identified as sheet AS1.1, and the Landscape Plan, identified as Sheet

L1.1, both dated May 31, 2023, as revised, prepared by Designhaus Architecture, are hereby approved and shall be adhered to, except that:

The metal fence shall be extended along the south property line to the southwest corner of Building ôC.ô

Additional evergreen plantings shall be provided between the parking lot and the residential properties on the siteôs north side and along the vacated portion of Vassar Avenue.

The final design of the landscape feature at the west end of the site shall be reviewed and approved by the Planning Department.

Any additional trash containers or compactors provided on the site shall be fully enclosed and screened with the masonry wall.

All parking spaces shall be appropriately sized and marked, including any barrier-free space(s) as may be required by the State of Michigan.

All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding.

Underground sprinklers shall be provided for all landscaped and sodded areas. All planted materials shall be installed to the satisfaction of the Inspection Department and, after that, permanently maintained in a healthy condition.

The Elevation Plans, identified as sheets A2.1 and A2.2, dated May 31, 2023, as revised, and prepared by Designhaus Architecture, are hereby approved and shall be adhered to, except that City Council shall approve the final exterior colors of the building.

The Elevation Plans for Buildings ôBô and ôC,ô identified as sheets A1.5 and A1.6, dated May 25, 2023, and prepared by Designhaus Architecture, are hereby approved and shall be adhered to, except that any sides visible to the public shall consist of either brick, stone, prefinished metal panels, or composite siding.

The number of self-storage units on the first floor of the building shall be limited to twenty-two (22).

The overnight outdoor parking and storage of service vehicles shall be restricted to the parking spaces adjacent to the building within the fenced area on the north side of the building.

There shall be no outdoor storage of vehicle parts, equipment, scrap material, waste petroleum products, junked, unlicensed or inoperable vehicles, or other similar items in connection with this operation.

The outdoor storage of recreational vehicles, including motorhomes, travel trailers, and boats, is prohibited.

All exterior light fixtures shall not exceed twenty feet (20ô) in height and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways.

The three walls of the trash dumpster area shall be constructed from materials that complement the building. The enclosure gates shall be solid steel or durable, long-lasting panel fiberglass.

Where this property abuts residential along the north side, a six foot (6') high masonry wall shall be required. The Inspection Department shall review the structural integrity of the existing wall to determine what, if any, improvements are needed. Along with the wall, additional evergreen landscaping shall be installed to help screen the property from the residential district.

The issues outlined in the correspondence dated June 22, 2023, from the Fire Marshal shall be resolved to the satisfaction of the Department of Public Safety, Livonia Fire and Rescue.

Only conforming signage is approved with this petition and all wall signage shall not be installed higher than the first floor of the building. Any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.

No LED light band or exposed neon shall be permitted on this site, including, but not limited to, the building or around the windows.

Unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers, or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.

Final approval of the residential condominiums shall require the review and approval of the master deed and bylaws by the Planning Commission and City Council.

Under Section 13.13 of the Livonia Zoning Ordinance, as amended, this approval is valid for one year only from the date of approval by the City Council. 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 Zoning Ordinance, as amended.

ATTACHMENTS

1. S072423 LTC 2023-06-02-06, ServiceMaster
2. 2023-06-02-06_E-COUNCIL Pkt

APPROVED BY



Date: July 18, 2023

Mark Taormina, Planning and Economic Development Director



Date: July 19, 2023

Maureen Miller Brosnan, Mayor

Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster requesting special waiver use approval to develop a Planned General Development under Section 5.02 of the City of Livonia Zoning Ordinance, as amended, involving the conversion of an existing eight-story office building into climate-controlled self-storage and first-floor retail including residential and commercial restoration services, construction of drive-up self-storage units, and five (5) single-family residential lots, on the property at 29200 Vassar Avenue, located on the north side of Vassar Avenue between Parkville Avenue and Middlebelt Road in the Southwest ı of Section 1.

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: 6/2/2023 Petition 2023-06-02-06

Site Address: 29200 Vassar Sidwell 003010423000 Zoning of Property C-4

Requesting Approval To Convert existing building to ServiceMaster restoration business, retail space and self storage facility with 5 new residential lots on Parkville.

Applicant: Gerald Todd Clark Business/Company: ServiceMaster

Applicant's Address: 979 S. Old US Hwy 23 City: Brighton State: MI Zip Code: 48114

Applicant's Phone # (810) 225-0604 Applicant's Email msssdevelopment@gmail.com

Contact Person: Gary Gerrits Business/Company: ServiceMaster

Contact's Address: 979 S. Old US Hwy 23 City: Brighton State: MI Zip Code: 48114

Contact's Phone # (810) 225-0604 Contact's Email gary@selfstoragemyspace.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 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

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OFFICE OF THE CITY CLERK
2023 JUN -2 PM 12:24

RECEIVED
JUN 02 2023
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

15,505 sq. ft. of new construction x $20.00 per 1,000 sq. ft.	$600.00
(NOTE: Round off to nearest 1,000)	+ 320.00
Total Amount Due	$ 920.00

Owner of Property: Labeed Nouri, M.D.

Owner's Address: 5440 Whitehall Blvd. City: Oakland Twp. State: MI Zip Code: 48306

Owner's Phone # (619) 627-4440 Owner's Email labeednouri@yahoo.com

Signature of Owner: M.D. Print Name: Labeed Nouri, M.D.

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

on this 1ST day of June 2023.

Signature of Notary My commission expires 6-16-2025

Acting in the County of Macomb

KARAM SHAMMAS
NOTARY PUBLIC – MICHIGAN
MACOMB COUNTY
MY COMMISSION EXPIRES 06/16/2025
ACTING IN MACOMB COUNTY

KARAM SHAMMAS
NOTARY PUBLIC STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires 06/16/2025
Acting in the County of Macomb
STATE OF MICHIGAN

UNAPPROVED MINUTES

MINUTES OF THE 1,201st PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, July 11, 2023, the City Planning Commission of the City of Livonia held its 1,201st 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:	Wafa Dinaro	David Bongero	Sam Caramagno
	Glen Long	Peter Ventura	Ian Wilshaw

Members absent: None

Mr. Mark Taormina, Planning Director, 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 #4 PETITION 2023-06-02-06 Service Master

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster requesting special waiver use approval to develop a Planned General Development under Section 5.02 of the City of Livonia Zoning Ordinance, as amended, involving the conversion of an existing eight-story office building into climate-controlled self-storage and first-floor retail including residential and commercial restoration services, construction of drive-up self-storage units, and five (5) single-family residential lots, on

the property at 29200 Vassar Avenue, located on the north side of Vassar Avenue between Parkville Avenue and Middlebelt Road in the Southwest ı of Section 1.

Mr. Taormina: Thank you. This petition is for a Planned General Development involving the former Livonia Pavilion East office building, which is on Middlebelt Road across from the former Sears department store. The plan is to convert the eight-story building into a climate controlled self-storage facility, including retail on the first floor and a residential and commercial restoration service company called ServiceMaster. Additionally, portions of the existing parking lot on the east side of the property would be developed with two buildings that would be used for drive-up non-climate-controlled storage, plus five single family homes that would be developed along Parkville Avenue. The property was initially developed in the early 1970s. The site is about four and a half acres in size. It measures 630 feet by 300 feet. Access is available from the south off Middlebelt Road via a public street called Vassar Avenue. Vassar dead ends approximately 670 feet east of Middlebelt. It was in 1971 when the east 225 feet of Vassar was vacated. The rear of the property also has frontage along Parkville Avenue, which is a residential side street. The property is zoned C-4 (High Rise Commercial) and is shown on the Future Land Use Map as part of the former Livonia Mall Mixed Development Center. The existing building contains roughly 122,000 square feet of floor area. It is vacant and it is blighted. In 2016. approval was granted to develop a Planned General Development with commercial services on the first floor and 112 senior apartment units on floors two through eight; however, this project was never developed. The main building appears on the plans as Building A. The first floor of Building A will contain a mix of commercial uses, including office, retail and indoor storage. The plans show a leasing office for the storage units and examples of potential retail tenants such as a UPS Store and a FedEx Office. The first floor would also support the operations of a commercial and residential restoration company called Service Master and would have 22 climate controlled self-storage units. Floors two through eight would be devoted entirely to climate control self-storage. Altogether, there would be 738 climate-controlled storage units that range in size from five by five to 10 feet by 37 feet. On the outside of the building attached to the southeast corner, the plans show eight drive up units that measure 10 feet by 12-1/2 feet. These would be non-climate-controlled units and would only be accessible from the outside of the building. Building B and Building C would be developed

on the easterly portion of the site. Building B, as you can see from this plan, includes two rows of units that are arranged back-to-back. Building C would contain a single row. Separating the two buildings would be a 24-foot-wide drive aisle. Building B will contain 46 storage units, while Building C would have 29 units. All of the outdoor units would be constructed of corrugated metal panels and access would be provided via overhead metal doors. The height of these buildings would be roughly 11 feet. With respect to the single-family lots, the plan shows five lots, four of them would measure 60 feet by 120 feet, and then the fifth, which is the largest lot, would measure 90 feet by 120 feet. All five would exceed the N1 minimum lot size requirements which is 50 feet by 120 feet and 6,000 square feet. Separating the lots from the commercial, the plan shows a six-foot-high block wall. To familiarize you with the plan, this is the main office building. As you can see from the aerial photograph, it sits centrally on the property. The additional exterior units that would be attached to the main building or Building A are located here in the southeast corner, and then Building B and Building C are on the easterly part of the site. As you continue further to the east, where Parkville Avenue is located, the remaining property would be developed with five new residential homesites. Security fencing would be provided for the east part of the site, as well as portions of the north and south. These would all be enclosed with a six-foot-high decorative metal iron fence. Electronic gates would restrict access to these areas. So, the areas that would be fenced-off would be from this point along the north side of the building, connecting to here, the northwest corner. Looking at the south side, the fence would extend from this point south to the property line and then all the way across. So, this entire portion of the site, the east, the area north of the building and then south of the building would all be secured areas. All of these parking spaces would be available to the public. They would not be secured in any way. The parking areas would be reconfigured, and landscaping provided throughout the site. The site plan shows a total of 74 parking spaces that are distributed basically on the west, the north and the south sides of the property. Fifty of those spaces would be provided for customers and employees of the retail units and then the remaining 24 spaces would be located within the secured areas of the site. The landscaping plan shows 76 new trees, 610, shrubs, perennials and ornamental grasses. Sixteen of the trees would be planted along Vassar Avenue at the west end of the property bordering the C-2 district. The plan shows a landscaped courtyard. There's a park-like feature that would be enhanced

with various plant materials. There would be a gazebo, as well as benches, ornamental fencing and then paved walkways. A single trash dumpster is shown in the southeast corner of the site. The enclosure walls would be six feet in height and would be made of brick veneer. Any compactor or additional dumpsters provided at the north end of the property for the ServiceMaster operation should be shielded and fully enclosed in the same manner. The plans do show a small detention pond located on the north side of the property that is located here. Depending on the required storage volume, this pond may have to be enlarged or additional detention provided underground. The zoning ordinance requires a six-foot-high masonry wall wherever the commercial activities on the property are adjacent to residential. So, this would include the entire north portion or most of the north portion of the site, as well as the east side of the site. The north side presently contains a masonry wall and then a new wall would be built along the rear lot line of the five proposed homesites. Right now, a wall extends pretty much across the entire north and east part of the property. The wall along the east part of the property is actually along the right- of-way a Parkville. That wall would be removed and pushed back to the rear of the residential lots. There would be a wall separating the proposed lots from Building C, which backs up to the lot lines. Building C would be about 11 feet in height. There's also a wall that continues along the portion of the west lot line. I'm not sure if that's going to be retained or not, but this is where the landscaped feature would be. There's currently access provided to the commercial property located here to the west with frontage on Middlebelt Road. That access point would be closed off and this area would be maintained as landscaping. The detention basin is shown here on the site within the enclosed fenced in area. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated June 12, 2023, 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 subject parcel is assigned the address of #29200 Vassar Avenue. The legal description included with the submitted drawings appears to be correct, and should be used in conjunction with the proposed project. The existing parcel is currently serviced by public sanitary sewer, water main and storm sewer. The submitted drawings do not indicate alterations*

to the existing services, so we cannot comment on any impacts to the existing systems at this time. It should be noted that the proposed development will be required in order to meet the Wayne County Stormwater Ordinance. Per the submitted drawings, no stormwater detention is indicated, but we will need to do a thorough review of the plans once they are submitted for permitting. Also, the drawing show five (5) new residential lots in addition to the commercial buildings. Per the Land Division Act, this would exceed the number of available splits for the parcel. The maximum number of available splits would result in three (3) new residential lots. The developer should contact the Assessing Office to discuss options and limitations for the proposed splits." The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated June 22, 2023, which reads as follows: ñ*This office has reviewed the site plan submitted in connection with a request to modify a commercial building on property located at the above referenced address. We have no objections to this proposal with the following stipulations: 1. Subject building(s) are to be provided with an automatic sprinkler system, and on-site hydrants shall be located between 50 feet and 100 feet from the Fire Department connection. 2. A fire access road 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. 3. Chapters 8 & 9 shall be followed as they relate to Fire Protection features and Alarm Systems NFPA 101, 2015 edition. 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 June 13, 2023, 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 Paul Walters, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated June 27, 2023, which reads as follows: *"Pursuant to your request, the above-referenced Petition has been reviewed. 1. The petitioner's proposal is a change in use. This would require the proposed space to conform to all current barrier-free building and mechanical codes and standards. This will be addressed further during plan review if this project moves forward. 2. A minimum of one barrier-free van-accessible parking space is required. This space is to be 8' wide with an 8' wide hashed access aisle next to it. This space shall also have signage per code. 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 June 26, 2023, which reads as follows: *"I have reviewed the addresses 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 Treasurerôs Department, dated June 19, 2023, which reads as follows: *"In accordance with your request, the Treasurer's Office has reviewed the address connected with the above noted petition. At this time, there are no outstanding amounts receivable for taxes. Therefore, I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. The last letter is form the Assessing Department, dated June 12, 2023, which reads as follows: *"A request has been made by Gerald Todd Clark on behalf of ServiceMaster requesting a special waiver use approval for property at 29200 Vassar Avenue, parcel number: 003-01-0423-000. The plan involves conversion of an existing 8-story office building with a portion of the property split to include five (5) single-family residential lots. The parcel in total is 4.47 acres and would only be allowed four (4) total splits which would mean three (3) lots for the residential parcels. Please direct any questions to the Assessor's Office or Livonia.gov for the lot split and combination process."* The letter is signed by Kathie Siterlet, Residential Appraiser. That is the extent of the correspondence.

Mr. Wilshaw: Are there any questions of the Planning Director? Mr. Bongero.

Mr. Bongero: Have they pursued the Land Division Act issue?

Mr. Taormina: No. This was briefly mentioned at the study session. It is the petitionerôs intention, should this project move forward, to go through the site condominium process. That is a separate process that they would apply for or if the lots are sold to a third party, they would have to go through that. That's something that we would see in the future.

Mr. Bongero: Okay. Thank you.

Mr. Wilshaw: Thank you. Any other questions for our planning staff? If not, I believe our petitioner is in the audience, feel free to come forward to our podium and introduce yourself. Good evening.

Dennis Cowan, Plunkett Cooney. and representing, obviously, MySpace, and ServiceMaster. I do want to mention that I served eight years on the Planning Commission on Royal Oak, so I tried to help clients bridge the requirements that a city has, along with the

requirements that they have for their business and hopefully we meet in the middle, and I've been prettyé worked for several years now with both these clients and very pleased to do so. I do have with me the full team, Todd Clark, who is the owner of ServiceMaster and MySpace self-storage, Gary Gerrits, who's the head of their real estate development, and also Hunter Galbreath, who's our architect with Design House. So there'll be here to answer any of your questions. Just a little bit of background on the companies. They're both Michigan owned, and Michigan based. ServiceMaster, as you probably are familiar, is a restoration company that services both residential and commercial customers who suffer property loss or damage. Mr. Clark and his company have many franchises in the Oakland, Wayne and Livingston County areas. They used to be here in Livonia in the southern part of town for many years and moved about four years ago to Farmington Hills and had been looking to return their ServiceMaster business here to Livonia and quite frankly, Mr. Clark has been eyeing this particular property for several years. My Space self-storage is an outgrowth of the ServiceMaster business. You have to put items somewhere when they're when the building or a home is being restored. And so they got into this business and now have seven locations, including Lansing and a couple in East Point and very shortly opening in Warren. We're very pleased to be here tonight. It's been a little bit of a long and winding road. It started in January, we had two meetings with the city's rapid response team, which were organized by Mr. Taormina, and I want to thank him and his crew for all their guidance along the way. As a result of those two meetings, there were several changes made to the plans we believe are for the better. Most prominently we included the change for the five residential homes on Parkville that reduce the outdoor storage units from 295 to 83 and we think that was quite a significant and a positive change. We also met with our residential neighbors at the Clarenceville United Methodist Church on May 11 and we were very pleased to have the opportunity to unveil the plans to them and some of those neighbors are here tonight and will hopefully speak in favor. I'm not gonna go through the site plan, I think Mark did a excellent job. In specifying the various mixed uses that we have in this particular site, I do want to mention a couple features. First of all, there will be a total rehabilitation of both the inside and the outside of this building, the main primary building, and this is a significant investment. Not only are we adding additional green space with respect to the Park Lake area that's to the to the west, and also the green space as a result of the homes, but there'll be a total resurfacing of the

parking lot which is just in very deteriorated condition. There will be gate and keycard access only for self-storage customers and employees security cameras both within and without the building to monitor operations. And as has been mentioned, perhaps retention pond or underground storage on the northern side of the building for stormwater. The Service Master operations are from nine to five. The My Space self-storage operations are 7am to 9pm. By city ordinance, this is by no means a 24/7 operation, there are no problematic noise fumes or lighting problems or issues, the traffic impact will be very low, once mature and leased up fully. The experience of MySpace is about 10 to 15 visitors per day. There will be no outdoor storage, no equipment operated outside, and there will be no outside speaker system or music or any noise of that nature, which emanates through the property. It was suggested to us very early on in the process, due to other self-storage operations in the past that have come before the city, that we conduct a market study. Our client did engage Self Storage 101, which is a very prominent and recognized industry expert, to conduct their independent third-party market study. That entire study, 184 pages, was submitted to the city as promised. I'm just going to give the conclusions. There is unmet self-storage demand in this market area, which the market area is three-mile radius from the site. The site and the proposed development is ranked as a B plus, which has a high ranking and Self-Storage 101 strongly recommended that there'll be, by the developer, our clients, the completion of this project. Based upon that study, and a Public Storage analysis and Public Storage is the most significant owner and operator of self-storage in the country, but mostly with this study by self-storage 101 confirms that the due diligence they had already conducted, that this is an extremely viable site for self-storage, and they don't believe there is any great risk in moving forward. So, in conclusion, we believe this project meets the Livonia Vision 21 goals for mixed use and additional green space. It removes an eyesore from the community, to be replaced with very low impact business and new homes. It takes away the uncertainty that the neighbors, both residential and commercial, have had to live with for a number of years and what is going to happen with this property. What we are proposing is that something very positive is going to happen, and quite frankly, if you were to look at the MySpace properties, almost everyone they've taken over, it's been a problematic property from closed and shuttered car dealerships and businesses of that nature, which just couldn't find a home for a new business, and they've been able to provide a positive business climate. We also believe, and as I stated in a letter to

you, that we meet the standards of the special waiver use and the four conditions which you need to consider. So based on that information that we've presented, we respectfully request that you approve this special waiver use project so that we can move on, hopefully to our next step with the City Council, and I thank you for your time, especially at the study session. Mr. Chairman, that was very valuable to us and we stand prepared to answer any questions that you may have.

Mr. Wilshaw: Well, thank you, Mr. Cohen, for your presentation. Let's see if we have any questions from our commissioners for you qnd then we'll move along to our audience. Anyone on the commission with questions for our petitioner? I guess we covered most everything thaté Mr. Ventura.

Mr. Ventura: So, Mr. Cowan 'm pleased to see you here tonight, bringing the opportunity to redevelop this building. Nobody here knows other than my colleagues, but I'm a commercial real estate broker, and was personally involved in marketing this building for a number of years and I can attest to you that we have presented this building or did present this building to a wide range of users from medical, to residential to all kinds of multi floor warehouse and all kinds of uses. It's an essentially obsolete building and the costs to adapt this building to residential use or anything more user friendly than a warehouse, were prohibitive. That said, there is concern in the city and on the part of my colleagues and myself about putting this facility right next to an existing storage business. So, by my count, you're going to build 813 new units to put on the market. At our study session, I believe it was Mr. Clark described his ServiceMaster business as occupying part of the building and occupying as many as five floors. Initially, a couple on the lower level and some on the upper level to store the merchandise that he was restoring, and so that being the case, and I guess I'm confirming that here tonight with you and with Mr. Clark, was this survey done to determine the impact of all 813 units on the market, or was it done to determine the impact, I'll say 40% less than that, because the building would be consumed by the Service Master,

Mr. Cowan: The study did not take into account the Service Master business whatsoever. So, we wanted to compare apples to apples, and that was the appropriate way to do that. And there is no mention of that in the study. It was done purely based on a market-driven analysis. So, and that makes us feel even better, because we know that we will have use for the facility through ServiceMaster

through the customers that they have, who suffer some type of loss and need a place to put their goods and furniture until such time as their residents or businesses repaired.

Mr. Ventura: So, the net effect is that not all 813 units are going to come to market against the competition, but some significant portion less than that will actually be available for customers to come into the public.

Mr. Cowan: Yes.

Mr. Ventura: And Mr. Clark told us that he estimated that the investment he was going to make in this building would be somewhere between eight and ten million. Can you confirm that?

Mr. Cowan: Yes, that's the range. Yes.

Mr. Ventura: And is the ServiceMaster business, a tenant in the building?

Mr. Cowan: Yes, they will be a tenant. Yes.

Mr. Ventura: So, they're going to be paying rent to the ownership entity.

Mr. Cowan: Yes.

Mr. Ventura: I can't think of anything else to ask you at this point. I surrender the floor. Mr. Chairman. Thank you.

Mr. Wilshaw: Thank you, Mr. Ventura, for your questions. Is there any other questions from any of our commissioners of our petitioner? Mr. Ventura.

Mr. Ventura: I note the signage on the buildings at the second-floor level. So you're not planning any signs up in the parapet and on top ofé

Mr. Cowan: No, no. We're not planning 1-800-storage across the top or anything of that nature. We will conform with the sign ordinance

Mr. Ventura: So, a restriction in that regard would not, would noté

Mr. Cowan: No.

Mr. Wilshaw: Any other questions?

Mr. Bongero: I guess I'm struggling with the idea of this facility. Itôs nice. I mean, there's no question about it, but right next door, literally,

almost a stone's throw away, from another large facility, which I know that they had intentions when they originally came to us with having a phase two expansion. So, we're gonna have these two large competing storage facilities. Does the area demand this kind of storage?

Mr. Cowan: Based upon the study that we presented, yes, there is unmet demand, and so I think I could answer this by saying, based upon my knowledge of the My Space self-storage, and they have locations, I believe it's in Lansing, where they have other self-storage in a very close proximity. You know, a lot of the business of self-storage now is done electronically and done through a computer. Some people don't even come to visit before they sign up. So proximity is not really an issue. It's not like we're putting two competing grocery stores across the street, necessarily. It's more a function of what is the need in the area. And can one more be added? We believe based on a study, the answer is yes. This is still a growing industry. We're a very transient population in this country and when people move to Livonia, they bring their stuff with them. We have also accumulated a lot of things, and sometimes people want to move things out and so this provides that service. I think the other issue is, you know, some of us recall, when we had our first apartment, every apartment building seemed to have storage in the basement. No new facilities have any type of storage, so anybody who moves into a multifamily is going to have to have some kind of self-storage. So, that has driven a lot of the growth in the industry, but you know, we're the last ones in and we feel very confident, based upon the study, and we're talking about experienced operators here. This isn't the new kid on the block, so to speak. I feel very bullish about it, and that this will be successful.

Mr. Bongero: Okay. So, what's your anticipated projection of how long it'll take to occupy this to where it is likeé what do you project? 90% 95%? I mean, 100 would be great, buté

Mr. Cowan: Yeah, nobody actually ever gets to 100%. I mean, they may momentarily, but it's not needed. I'm gonna let Gary, speak to that, okay.

Mr. Wilshaw: Good evening, sir.

Gary Gerrits, general manager of MySpace self-storage. So typically, we consider Self Storage properties stabilized whenever it reaches about a 92% to 93% occupancy rate. That remaining 7% or 8%

is always going to be used to increase rents and test the market to see what the market will bear as far as rents go. We're anticipating based on our own experience, based upon projections that we had prepared by three of the national self-storage, real estate investment trusts that trade on the New York Stock Exchange, we're anticipating that we'll hit that 92 or 93%. mark, probably in between the third and the fourth year, probably around 137, or 38. So I'm hoping that answers your question.

Mr. Bongero: Okay. I just I'm wondering like, what's the occupancy rate of the competitor next door,

Mr. Gerrits: In a typical self-storage facility in United States, particularly a new one, and a nice one, like the competition has, right on Seven Mile, you would expect to see, I believe their facility has about 700 to 750, indoor climate-controlled units, and you would expect to see a rent rate of about two, two and a half percent per month. So, we happen to actually stop by there, back when we were first exploring this opportunity, and we found out that they had been open for a year, and they had 200 and some odd units, and it worked out to be a 26% occupancy rate. So, we think that that we believe that they're right on track, to fill their property up at the same pace as anybody else in the world, right, or anybody else in the country. We also believe that by the time we get this property, approved, converted, opened and starting to rent units, that you know, a long time is gonna go by. It'll be another year and a half or so, and we believe that they will be at the 75- 80% occupancy point when that actually occurs. So, it's not like what our market study shows is that there's adequate demand in the market to support both the facilities. So, Mr. Cowan just made reference to a facility that we have out in Lansing. It's on the corner of MLK Boulevard and Holmes Road. It's about 105,000 net rentable square feet, and sure enough, somebody opened up 100,000 net rentable square feet immediately across the street, catty corner, on the same corner. Right? And it didn't evené we didn't even experience a hiccup in our lease up rate. Right. And they are now full as well. They've been open for about two and a half, three years and they're at about an 87% occupancy right now.

Mr. Bongero: Okay, you answered my question. Thank you.

Mr. Wilshaw: Thank you, Mr. Bongero. Any other questions for petitioner? Mr. Caramagno.

Mr. Caramagno: A couple of questions. I don't know who answers these. I heard Mr. Cowan mentioned no outdoor storage, but aren't we going to have ServiceMaster trucks, vans, repair type, hauling moving van vehicles parked outdoors?

Mr. Cowan: Yes, the businessé the ServiceMaster business will have their vans out in the parking lot on the north side. Yes. What I meant to say is it'd be no outdoor storage for rent, okay, by any consumers oré customers would not be allowed to, you know, bring boats or campers right, jet skis, nothing like that. No.

Mr. Caramagno: Okay, so to go off that question, Mark, is this property zoned? Or is there a piece of the property that zoned for outdoor vehicle storage? Or is that a concern at all with us?

Mr. Taormina: The zoning will remain the C-4. Under the Planned General Development standards, the City can allow various uses to occur on the property, including recreational vehicle storage. However, that's not something they're proposing to do. So, to answer your question, would the property have to be rezoned to allow for that type of use to occur? Not necessarily. Not if this body and council determined that it would be appropriate within the context of a Planned General Development approval. That's a special waiver use approval. So, the zoning doesn't necessarily have to change. It's not a question at this point, but they would not automatically be allowed to provide that type of use without coming back for approval, whether it's under the context of the Planned General Development or a change of zoning.

Mr. Caramagno: So, this couldn't turn into 100 ServiceMaster vehicles, parked on the property with fuel systems and all kinds of things here later on down the road without special approval.

Mr. Taormina: It is part of the petition that vehicles be stored on site that are connected to the Service Master operation. It probably makes sense then to understand where those are being parked, and how many are being parked. That is addressed in the prepared resolution, and it's subject to further discussion this evening, obviously.

Mr. Caramagno: Okay. Next question I've got isé the concrete wall on the east side where the fabbed storage units are going to be. What are those fab storage units going to be backed right up to that concrete wall? Are they part of that concrete wall? How is that going toé how was that proposed to look?

Mr. Cowan: I'm going to let Mr. Gerrits's handle it.

Mr. Gerrits: So, the wall is intended to be a barrier between our new residential lots and the facility itself. And the wall will haveé there'll be like a three- or four-foot buffer between the backside of the storage unit buildings and the wall itself because all of the storage unit buildings on building C are going to slope toward the rear. And so therefore, They are all going to be single sloped toward Parkville Avenue, and so we're going to have to deal with the rainwater runoff, and so there'll be like a little trough back at the back between the backside of the buildings and the wall itself.

Mr. Caramagno: So, you're saying three- or four-feet gap there. How's that maintained? How do you maintain that? Is there some sort of way around the ends to get debris and growth?

Mr. Gerrits: Absolutely. There will be yes.

Mr. Caramagno: When you talked earlier about 90 to 93% store occupancy, I think you said 92-93%, that's considered successful.

Mr. Gerrits: That absolutely is yes.

Mr. Caramagno: And that does not include whatever ServiceMaster is going to occupy. So, you're saying 90 to 93%, I think in four years, three or four years, you said.

Mr. Gerrits: ServiceMaster space will beé so when ServiceMaster does a project for a homeowner or business owner that's experienced a fire or flood or whatever is requiring the restoration effort, ServiceMaster gets paid by the insurance companies for that storage space. So, for sure the Service Master occupancy will be a part of the 92% of the overall facility.

Mr. Caramagno: Okay, and ServiceMaster is not not committing to I think we've talked about this in the, in the study session ServiceMaster, expects to occupy a couple of floors. No more, no less?

Mr. Gerrits: Well, no. We talked about at the study session was that at any given point in time, ServiceMaster has between 25,000 and 30,000 square feet of people's contents, whether they be residences or businesses, and that's been fairly consistent. So we've been in the service master business since the mid 1990s, and we've been fairly consistent with that kind of a need for

storage space. It's what actually led us into the self-storage business from the beginning, and Mr. Clark has a much better story to tell about that than I do, but in any event, trying to commité so, ServiceMaster is an event driven business, right? It depends on the weather. If it's raining a lot outside, we're gonna get a lot of calls for sewer backups in the basements. If it's dry as a bone outside and hotter than Hades, we're gonna get a lot of fire calls. But there's also times when the weather is, why we all live here in Michigan, and almost perfect, and we get very little business, right? So, we can, at some point, we can drop down to only 10,000 square feet of people's contents. At some points, we can blow up to 40,000 and 45,000 square feet of people's contents. So, the 25,000 to 30,000 is really just a general rule of thumb, that we guide ourselves by.

Mr. Caramagno: That's an estimate, I understand. What percent of occupied space would you bring over as soon as this thing is developed? Based upon where you're at today?

Mr. Gerrits: So, we've got about 18,000 square feet that's currently occupied this minute.

Mr. Caramagno: So, if the world stays the same, 18,000 feet would come over to this facility is what you're thinking?

Mr. Gerrits: That's correct. This is our slow season, actually. Okay, so we would expect that in the winter, wintertime is generally when we get the busiest with our ServiceMaster crews because pipes freeze, people are away at work all day, their pipes freeze and they don't know it, then then the temperature rises up a little bit. The broken pipe starts spewing out water and it could run for hours before anybody gets home and realizes that that's what's going on. Wintertime is our busiest season with ServiceMaster. In the summer times, oftentimes we will go down to hurricanes and big storm events, right with our crews and pack everybody up. But, you know, in speaking to the question that was asked earlier about the Service Master vans and trucks, we don't really store equipment as such, outside of our facility, right? Our vans are, you know, like a 15-passenger van size, and our box trucks are like 16-foot U haul truck size, and most of the times during the days, those trucks are out on the road at some particular job site. On occasion, they come back and they oftentimes they come back and stay overnight. Then they get picked up by their crew the following morning at nine o'clock and away they go and they come back at five o'clock, and you know, they're not really there. Storage is kind of an awkward term to me for our service

master business, right, For our vehicles because it's really just a fleet of vehicles that are used in the operation of the business.

Mr. Caramagno: Will there be any plans to rent Budget, Ryder?

Mr. Gerrits: So, we have in the past, we've had U-Haul dealerships at a number of our storage facilities, but we at this particular facility, here in Livonia, we would have none.

Mr. Caramagno: Thank you.

Mr. Wilshaw: Thank you Mr. Caramagno. Any other questions for our petitioner? If not, I have a couple. Mr. Cowan, earlier you said and I just want to clarify, that the nature of the business has changed. To the point, something along the lines of a lot of your customers are doing their business electronically or online.

Mr. Cowan: Yes. What does that mean, from a storage perspective? Because I just can'té how do youé

Mr. Cowan: Wat that means is most of the advertising, a lot of the advertising is done online. People plug it on Google, you know, closest storage facilities or storage facilities in the area,.and then they'll just kind of scroll through and look at pricing, look at whatever feature they're looking for, if they need climate controlled, or if they need an outdoor more traditional drive up storage, which by the way, one of the features of that is that we get people with classic cars, that rent the garage, they kind of used them as a garage. They can't work on them there or anything like that, but that's like just one example of some of the demand for the traditional drive-up storage. But that's pretty much how that world is working. Do we still have people come and visit and come to the office? Absolutely. But it's becoming more and more computer driven.

Mr. Wilshaw: I see. So, you're referring to the marketing and sales of units. Okay. All right. The other question I had is probably more for the storage end of the business, perhaps architecture, this is a bit of a technical question. But in a previous life of mine, I built out rooms that were in multi-story buildings that had a lot of heavy equipment in them and floor load is a very important thing to concentrate on when you're looking at putting a lot of heavy stuff in a small space because you can collapse the floor and the building, if you're not careful. This building in particular is kind of unique in its construction in the sense that the weight bearing aspects of the building is contained by the outer walls, which is

why in previous petitions that we've seen petitioners have not been able to open up the windows to larger windows for apartments or residential use, or even very desirable for office use these days to have these little, you know, gun slot windows. That being said, if you're going to use this building for eight floors of storage, and I happen to be a person who runs one of these units and has a lot of heavy dumbbells or something that I want to put in my storage unit. Is there a limit to what I can put in? And has that been factored? From a storage aspect?

Mr. Cowan: I believe it has. I'm going to let Mr. Gerritss handle that because we've actually talked about that.

Mr. Wilshaw: Great, thank you.

Mr. Gerrits: Yeah, so typically, self-storage, interior climate control, three story Self Storage properties, which is what we're building these days are designed to the code, which requires 100 pounds per square foot live load. The building over here and on Vassar Avenue, no question, meets that criteria as well. And so, we've never had any kind of an issue or problem. We understand fully the point that you're making, and a part of our, when you sign a lease with us, we exclude or preclude you from storing certain things. We don't want any perishable items. We don't want any munition items; we don't want anything that can blow up. We don't want anything that can smell bad. And we don't want anything that's going to overtax the floor system. So those are conditions that are right in our standard storage company lease. And as to what Mr. Cowan was speaking to just a bit ago, when he talks about the computers, it really is soé back in the day, when we first got into this business, 60% of your customers came from the Yellow Pages 30% of your customers came from driving by the facility or living in the neighborhood and they said I know where I can get a storage unit, and the last 10% came from all the other sources. Today, remarkably, 85% of the units at our facilities are rented on your cell phone without anybody ever having been to the facility at all. And the first time that the customer even sees the storage unit is after they've already rented it and they're going to move their stuff in. So that's what he was talking about with the computers.

Mr. Wilshaw: Okay, yeah, that makes sense. I can understand that. You know, box is a box and there's not much you needed to look at when you see these things, but I am obviously somewhat concerned given the nature the unique nature of this being a very tall multi story building, about weight loads and so I just

wanted to raise that concern, because I certainly don't want to see in the future, you know, some story about any floor collapses or anything like that because that would be very, very bad.

Mr. Cowan: We agree. And that will be tested by the structural engineers at the appropriate time, and then forwarded to the city.

Mr. Wilshaw: Okay, great. Appreciate that. Thank you, Mr. Cowan. Any other questions from any of our commissioners? Mr. Long.

Mr. Long: Thank you. Mr. Gerrits just mentioned the conditions in the contract. How was that enforced? If I rent a storage unit and I've got forbidden contraband that you don't want stored in there, How do youé how are you enforcing that if I'm just kind of wheeling my cart up there? You don't really know what I have? Is that correct?

Mr. Clark: Well in the pasté so in the past, like if there's been marijuana and that kind of thing, we could smell it. We specificallyé it's going to be in bold about gasoline and ammunition and that type of thing. I mean, we're not going to go into somebody's unit, and that type of thing. Unless the volunteer police or the DEA or somebody like that comes, you know, I've been called out in the middle of the night, the DEA says, Hey, we've been watching somebody, and you've got an hour and a half to get here, or we're just kicking the doors down. And I'm like, well, just hang on, I'll be there as quick as I can get there. You know, and so we do monitor everything, the best that we can, but we're noté we can't get into people'sé we're not gonna go into somebody's unit and that type of thing. Right. But it's specifically in the contract that we don't allow it.

Mr. Long: I understand, and I mean, it's not a problem that's unique to you. All storage facilities are going to have that, but I was just curious about howé what your enforcement policies were. Second question that I have. Mr. Cowan, on 11th of May, you said you met with the neighbors, and just was curious, what was the general reaction? I mean, that has been an eyesore for a long time. This is, this is an interesting reuse for it, and it makes a lot of sense in a lot of ways. But I was curious what the reception was.

Mr. Cowan: It wasé I don't want to put words in anybody's mouth, but it was very positive from our view. The neighbors complained of the consistent vandalism that's occurred in that area and the need

for them calling the police. They believe that this has improperly and adversely impacted their property values and the ability to sell their homes with both not only the condition, but the uncertainty of what's going to happen to the future. When we explained the full program and the fact that we're not 24/7 or anything of that nature, there was a positive reception. But again, I see some of the audience here for them to speak for themselves.

Mr. Long: Yeah, I'm sure we're going to hear from them, but they were given the opportunity for feedback.

Mr. Cowan: Absolutely. The church was great. We were in one of their larger classrooms, we got to set everything up and we were there for about an hour and a half.

Mr. Long: Perfect. Thank you.

Mr. Wilshaw: Thank you, Mr. Long. Any other questions for a petitioner? If not, I'm gonna go to the audience and give them a chance to speak. Thank you, Mr. Cowan. Is there anyone in the audience wishing to speak for or against this petition? Feel free to come forward? Who would like to hear from you? We have one taker. Good evening, ma'am. I would just have you start with your name and address.

Laura Murray, 19461 Parkville, Livonia, MI. My husband and I have lived in our home almost 24 years now and when we first moved in the building had people in it or businesses in it. There was nobody there at night or on the weekends it was perfect. And then we ran into the dumpster that was in the corner right next to our bedroom window and we had people coming in and dumping. As the years have progressed, it's just gotten worse. We've had the cement wall, collapse onto our property, damage our property and whoever was owning it at the time, never made any attempt to make amends for that other than putting a new wall up. And now the last several years it's just gotten worse. We're constantly calling the police. I'm the mean lady in the neighborhood because I'm constantly yelling at kids find something else to do because they're over there throwing rocks we've seen him breaking into the building. In the winter we have cars come in they're doing donuts with their lights going in into our windows fireworks are getting blown off there. And now we have lovely weeds that grow over the wall the last three years I've had to have my son go over there to cut them down because it looks horrible. My yard is nicely kept it will be when

my neighbor comes and cuts my grass, but I've got these weeds coming over the fence and it looks horrible. And it's just it scares me because with especially with these kids, I see themé we've had police bring kids out of that building. I'm worried about some, you know, young girl getting raped in there or somebody getting killed in there and I'm tired of having to constantly call the police. They probably hate us, because we're always calling because I'm concerned, and it's just been a blight. It's just an eyesore. It's embarrassing. So, this project is a godsend to us. I mean, it's going to improve the neighborhood. It's just going to be wonderful. I, I'm hoping, I really am hoping, and I'm hoping you'll see this, that it will be an improvement for the city because I'm proud to live in Livonia and I'm hoping that this will improve it. So, thank you very much.

Mr. Wilshaw: Excellent. Thank you for your comments. Anyone else in our audience wishing to speak for or against. Good evening, sir.

Jerome Rigarello, Livonia Budget Storage, 29150 Seven Mile Road, Livonia, MI, approximately 300 feet from the proposed storage facility. I heard counsel for the petitioner mentioned that this proposal takes care of an eyesore and I just heard the citizen that spoke and I feel it was about three years ago that I appeared before this commission and sought your approval to remove an eyesore in Livonia and we invested millions of dollars and we developed what is Livonia Budget Storage. Shortly before we did that, there was another facility and petitioner that came in to remove another eyesore in Livonia and that was the old Clover Lanes and they invested millions of dollars to answer a demand for storage. Now, we've heard a lot about demand studies tonight and I've got demand studies. I had one done for my facility. I had one done for the proposed facility. Studies are studies. I can tell you that there are experts that have put in paper in writing that say that there are hundreds of 1000s of square feet in excess for this proposal in the market area. I can tell you that study after study after study will say what you want them to say. All of the studies that I've looked at, all of the studies that I've commissioned, show that there is an over surplus in the area in Livonia, there are 10 facilities within the market, three Mile market radius. Ten facilities, almost a million square feet. There are 22 facilities in the city at over 1.3 million square feet. I'm going to tell you about some facts that are not studies. Facts are, we've been open for 18 months and we are less than 30% occupied. The petitioner mentioned that they consider a property to be stabilized when it's 92% occupied.

We're all a long way from stabilization. years away from stabilization. I can tell you that our competitors at Clover, and they're here tonight if you want to ask them, their 100,000 plus square facility is not more than 40% occupied. If you're going to approve every abandoned building in Livonia for a storage facility, you'll become the mecca of storage in the country. What this building needs is a wrecking ball. Do not reward a property owner for letting their property go blight and ignoring ordinances for years upon years upon years, just so that they can come in and sell it or develop it. That's what's really happening. When I came before this commission, my approval leaving your body was specific to your very comprehensive ordinance right down to the type of grass that was planted behind our facility whether it was sod or hydro seed, irrigation, so on and so forth. We designed our facility based upon that ordinance. We were not allowed to have drive up. We were not allowed to have exterior buildings to put outdoor drive-up storage because we agreed to comply with your ordinance. I'm hearing council say that they're willing to comply with your very comprehensive self-storage facility ordinance, but what I'm seeing here does not comply in many, many ways. I had to come back before the board to ask to store two U haul trucks temporarily. Two trucks, and you were specific enough to tell me where they needed to be parked on my property, yet this proposal is seeking to have dozens of vehicles parked wherever they want, whenever they want. If you're going to approve it, please apply the even handedness of complying with the ordinance that you had your experts enact. Make sure that it has to comply with all of the ordinances not the ones that they choose to comply with. Otherwise, you're going to end up with another blighted project or two or three. Please don't reward blight. Make them adhere to. As far as it being an eyesore, yes, I couldn't agree more. I couldn't agree more. But that's not the only solution to make it. Make no mistake about it. What's being sought here is a storage facility. The rest is window dressing. It is a storage facility that's being sought and we've got too much already. Thank you.

Mr. Wilshaw: Thank you, sir. Anyone else in our audience wishing to speak for or against the petition? Hello, sir.

Anthony Cadilly, Clover Self Storage, 28900 Schoolcraft Road, Livonia, MI. We've been open for two and a half years, and we are 35% full. I don'té I've ran every feasibility study that you could possibly run. And we are moving rates right now. Last month, we moved in 15 positive movements. At the rate that I'm going I'll be probably another about three more years before I get the

upstairs filled. That's where we're at. So, you know, as Jerry had explained, we don't have the space available in Livonia to be able to put another facility, so that's myé this is my opinion. I mean, I don't know how it's gonna fit. There's probably 100,000 square feet of net rentable on 130,000 square foot building. That's a lot of square footage.

Mr. Wilshaw: Well, thank you for your comments and opinion. I appreciate you coming tonight. Anyone else wishing to speak for or against? Another taker your coming forward.

Debbie Silvernail, 29123 St. Martins, Livonia, MI. My property butts right up. I guess on the north side of the park where I look at it every day. Last year, I had a police officer, jump the fence. come knocking on my door. I'm sure you guys are aware of this, because there was a dead body once. Had I seen anything. If I had any camera footage if I had. We did our best to help him out however we could, but I'm just saying. I agree with the woman that just spoke. It's a menace. It's dangerous. It's filthy. It is a drug den. I see kids there all the time. I hear them all the time. I back up right to it. Right to it. And it is the north side. The only thing I aské I'm happy to know that something's going to be developed there. Very happy. My concern is that they don'té the vehicles that they're talking about parking. Is that what I'm going to be looking at. I don't want to be looking at vehicles. Are they going to up the wall, because my wall is not all that tall. They jump the fence all the time. They jump that wall all the time. When they're trying to run, we see them run into between the houses. So I would like a taller wall. And I definitely don't want to be looking at vehicles if that's where they're going to park. Other than that, I'm happy to see it utilized, because it is very bear. It's not an eyesore, it's treacherous. It is treacherous. We hear it all night long. We see it all night long. And you know, I'm not gonna go jump the wall. My husband's not gonna go jump the wall. The dogs are barking like crazy. Something's going on over there, but like I said, last year, when I got the knock on my door, I said this has got to stop. There is no monitoring. There's no police. There's no cameras. There's no nothing. So, hearing that that's going to be the case, it's going to be locked, it's going to be camerad. We're going to have all of thaté lighted. That's nice, but at the same time. I'm right there. Some of the properties have the trees, the growth, I do not. You drive back there, the one that's all clean and neat. That's me. I'm like, no, they gotta please be careful where they're parking that stuff and higher the wall or something to protect my family. And I appreciate that.

Mr. Wilshaw: Great. Well try to take that question to them. Thank you. Anyone else wishing to speak for against? Anyone else coming forward to speak to these items? Mr. Cowan, is there anything that you would like to address based on the comments that we've heard so far?

Mr. Wilshaw: Of course, Mr. Clark.

Mr. Clark: So, as far as the trucks are concerned, they are ServiceMaster business. We might have 10-12 vehicles, you know, five, six vans, four or five box trucks, maybe two or three trailers, we don't have 50 vehicles that are going to be parked all over the place. I think we have a designated area up on here. We've talked about that with the city. I think they have a designated area where we're going to be doing our work, and we're going to park our trucks over there. On the I don't know, what is that? Is it north or south? Yeah. Okay. Okay, so we have a designated area, we've talked about that with the city. And it's not like we're going to have, you know, 50 trucks in there, that's just not the case. And so when the people come in, you know, they're gonna come in, they're gonna park their car, just like anybody would, wherever they come, they're going to get into the trucks, they're going to go out into the field, do their work, come on back five, six o'clock, or whatever it happens to be just like, normal business or whatever. They're going to park them. And they're going to put up be put away. I mean, we spent, I don't know how many iterations on the landscaping to, to take into consideration the neighbors. We madeé and what the city needed for this general plan. You know, we didn't come in thinking we were going to do five houses. Right. But that was one of the criteria. It had to have a residential component, and so we agreed and we made those changes. So, I mean, if there's things that need to be tweaked, or something like that, to make the homeowners happy, that's why we had that meeting at the church. We wanted to hear from them. We showed every picture that we had had great feedback, and we want to be good neighbor.

Mr. Wilshaw: Alright, Mr. Clark, I do have a question in regardé so, what you're identifying is that your trucks are going to be parked in these designated parking spaces that are marked along the north side of the building, these are not just going to be randomlyé

Mr. Clark: I don't want them all randomly all over the place, right? You know, because we're trying to conduct basically, maybe four businesses in that area, right. So we're just not going to have them parked all over the place. Right. So the ideaé I liked the idea that were coming in, my people are going to keep that in just like everybody else, they're going to drive around to that side of the building. They're going to load and unload their contents, depending upon what type of contents they were, if our water damage or something like that, and there's no smell to it, then we'll bring it right inside we'll start processing it. If there is a little bit of a smell or something like that, you know, because it had all the fire. We don't want that getting into the building. So then we were caught we will go ahead put those in the outside units for a minute and then go ahead and bring them on in, but when I'm talking about like a smell, I mean it would be like in a kindé you couldn't smell it if you're standing out in front of the door of the roll up door but like if you're in a closed environment that's 70 or 80 degrees. You know, that kind of thing. We don't want that inside the building.

Mr. Wilshaw: And will there be a roll up door on the north side of the building? For your trucks to enter the building to do any work or unloading?

Mr. Cowan: No, there's no, there's no roll up doors for them, the trucks to come in.

Mr. Wilshaw: Okay, so there's no like service entrance,

Mr. Cowan: Right just a service entrance, and that wall, obviously will be an opaque wall. So it's not going to be a fence or anything like that, that'll be facing the neighbors to the north in their air area. So if it's a six foot wall, I think is what your ordinance requires, if we, with permission, if we need to, you know, add some kind of feature at the top so that the neighbors don't see even the tops of the trucks. But these are basically, you know, service type vans probably won't be visible from from the backyards, but if they are, we'll work with the neighbors on that.

Mr. Clark: And I would anticipate, you know, if it's a full house or a business or something like that, then we're going to load and unload just like everybody else would in that back area that has the covered canopy, you know, so we're going to use it like that.

Mr. Wilshaw: Alright, make sense? All right, good. Any other questions or anything from our commissioners for out petitioners?

Mr. Cowan: Mr. Chairman, I just wanted to clarify one thing, please. We are not the owner of the building. We will be purchasing the building, we have it under contract. Our clients would never allow a building to fall into that kind of disrepair. In fact, I think you see from what we've proposed, we're going to bring the whole area back, the entire four acres and the building. So thank you very much.

Mr. Wilshaw: Thank you, Mr. Cowan. Any other questions, comments from any of our commissioners? If not, I will close the public hearing. And a motion is an order.

On a motion by Dinaro, seconded by Ventura, and unanimously adopted, it was

#07-44-2023 ***RESOLVED***, That the City Planning Commission does hereby recommend to the City Council that Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster requesting special waiver use approval to develop a Planned General Development under Section 5.02 of the City of Livonia Zoning Ordinance, as amended, involving the conversion of an existing eight-story office building into climate-controlled self-storage and first-floor retail including residential and commercial restoration services, construction of drive-up self-storage units, and five (5) single-family residential lots, on the property at 29200 Vassar Avenue, located on the north side of Vassar Avenue between Parkville Avenue and Middlebelt Road in the Southwest ı of Section 1, be approved subject to the following conditions:

1. The Architectural Site Plan, identified as sheet AS1.1, and the Landscape Plan, identified as Sheet L1.1, both dated May 31, 2023, as revised, prepared by Designhaus Architecture, are hereby approved and shall be adhered to, except that:

   a) The metal fence shall be extended along the south property line to the southwest corner of Building ó C.ô

   b) Additional evergreen plantings shall be provided between the parking lot and the residential properties on the siteôs north side and along the vacated portion of Vassar Avenue.

c) The final design of the landscape feature at the west end of the site shall be reviewed and approved by the Planning Department.

d) Any additional trash containers or compactors provided on the site shall be fully enclosed and screened with the masonry wall.

2. All parking spaces shall be appropriately sized and marked, including any barrier-free space(s) as may be required by the State of Michigan.

3. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding.

4. Underground sprinklers shall be provided for all landscaped and sodded areas. All planted materials shall be installed to the satisfaction of the Inspection Department and, after that, permanently maintained in a healthy condition.

5. The Elevation Plans, identified as sheets A2.1 and A2.2, dated May 31, 2023, as revised, and prepared by Designhaus Architecture, are hereby approved and shall be adhered to, except that City Council shall approve the final exterior colors of the building.

6. The Elevation Plans for Buildings "B" and "C," identified as sheets A1.5 and A1.6, dated May 25, 2023, and prepared by Designhaus Architecture, are hereby approved and shall be adhered to, except that any sides visible to the public shall consist of either brick, stone, prefinished metal panels, or composite siding.

7. The number of self-storage units on the first floor of the building shall be limited to twenty-two (22).

8. The overnight outdoor parking and storage of service vehicles shall be restricted to the parking spaces adjacent to the building within the fenced area on the north side of the building.

9. There shall be no outdoor storage of vehicle parts, equipment, scrap material, waste petroleum products, junked, unlicensed or inoperable vehicles, or other similar items in connection with this operation.

10. The outdoor storage of recreational vehicles, including motorhomes, travel trailers, and boats, is prohibited.

11. All exterior light fixtures shall not exceed twenty feet (20ô) in height and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways.

12. The three walls of the trash dumpster area shall be constructed from materials that complement the building. The enclosure gates shall be solid steel or durable, long-lasting panel fiberglass.

13. Where this property abuts residential along the north side, a six foot (6ô) high masonry wall shall be required. The Inspection Department shall review the structural integrity of the existing wall to determine what, if any, improvements are needed. Along with the wall, additional evergreen landscaping shall be installed to help screen the property from the residential district.

14. The issues outlined in the correspondence dated June 22, 2023, from the Fire Marshal shall be resolved to the satisfaction of the Department of Public Safety, Livonia Fire and Rescue.

15. Only conforming signage is approved with this petition and all wall signage shall not be installed higher than the first floor of the building. Any additional signage shall be separately submitted for review and approval by the Zoning Board of Appeals.

16. No LED light band or exposed neon shall be permitted on this site, including, but not limited to, the building or around the windows.

17. Unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers, or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.

18. Final approval of the residential condominiums shall require the review and approval of the master deed and bylaws by the Planning Commission and City Council.

19. Under Section 13.13 of the Livonia Zoning Ordinance, as amended, this approval is valid for one year only from the date of approval by the City Council. 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 Zoning Ordinance, as amended.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.

PLUNKETT COONEY

July 6, 2023

Planning Commission
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154

RE: ServiceMaster/My Space Self Storage Mixed Use Project
29200 Vassar Road

Dear Commissioners:

On behalf of ServiceMaster and My Space Self Storage we wanted to thank you for the opportunity to discuss the 29200 Vassar Road project at your study session on June 27th. We want to supplement that discussion with some additional information.

MARKET STUDY

As promised, we did deliver to Mark Taormina the Pre-Development Self-Storage Site & Market Feasibility Study conducted by Self-Storage 101 ("Market Study"). Along with forwarding the complete market study we also prepared the attached Executive Summary (**see EXHIBIT A**), which highlights several important points.

The Market Study is a very comprehensive 184-page report. The conclusion stated as follows:

> "…**the project is financially viable for self-storage space contemplated by the developer and in particular climate-control space**. Various factors clearly indicate there is sufficient unmet demand for new self-storage space, particularly climate-control space contemplated by the subject development, despite the existing supply of self-storage space in the market."

Self-Storage 101 also rated both the market (3-mile radius area) and the development site as "B+". The Market Report stated:

> "We consider this a "B+" market due to the mostly moderately high to high occupancy levels, the calculation of potential unmet demand for additional self-storage space in the market, the moderate to moderately high rental rates for self-storage space, the moderate to moderately high per capital and household income levels, the moderate population density and moderate projected population growth."

ServiceMaster/My Space is greatly encouraged by this positive Market Study. In particular, Self-Storage 101 which is a national recognized independent firm recommended that "the developer of the subject site pursue the completion of this project as envisioned". We believe

this Market Report satisfies any concerns about the self-storage market being over-saturated or over-supplied.

PUBLIC STORAGE PROJECTIONS

In addition, My Space Self-Storage received additional "good news" from Public Storage which is the USA's single largest self-storage REIT. They currently own or manage over 2,200 self-storage facilities across the United States. As a matter of normal due diligence, My Space typically requests Public Storage to provide projections for occupancy lease-up rates for any new self-storage facility it is contemplating. My Space forwarded the plans and proposed unit mix to Public Storage and requested they provide 5 year projections for the proposed facility at 29200 Vassar Road. The Public Storage projection chart is attached (**see EXHIBIT B**).

Public Storage projects that the 29200 Vassar Road self-storage facility will reach nearly 60% occupancy by the end of the first year of operation. Part of this accelerated pace is because of the ServiceMaster operations that will account for an initial amount of self-storage unit rentals early in the process of opening and leasing up. It is anticipated that construction effort will likely take 8 months to complete therefore the 60% occupancy would be reached roughly 19 months from the start of the project. ServiceMaster/My Space believes that the attached projections from Public Storage, whose projections are routinely relied upon by lenders, provide further evidence that this project is financially viable and feasible.

COMPLIANCE WITH SPECIAL WAIVER USE STANDARDS

Further, ServiceMaster/My Space either complies or exceeds the four applicable standards for Special Waiver Use as stated in Section 5.02(4) of the Zoning Ordinance. We have attached to this letter evidence of such compliance **(see EXHIBIT C)**. To summarize:

(A) the proposed ServiceMaster operations, retail, self-storage service business and residential uses are in harmony and will not be detrimental to the continuing development of the properties in surrounding districts;

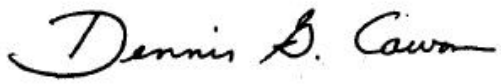
(B) the proposed uses will not create traffic which is very hazardous or inconvenient to the surrounding commercial and residential neighborhoods nor conflict with normal traffic. There will be no noise, vibration, odor, light glare or external effects which are detrimental to neighboring properties;

(C) the nature and height of the perimeter walls and landscaping will not hinder or discourage proper development of adjacent land and buildings, but proposed site improvements will encourage further development;

(D) the project has enhanced the " open space" requirements with the eastern "green space" area that and the western side of the building by adding 5 new residential homes on Parkville, each of which eliminate significant parking areas.

ServiceMaster/My Space looks forward to the opportunity to present its project in detail at the upcoming July 11th Planning Commission meeting. We firmly believe that this project is a "win-win-win" for all involved—the adjacent residents, the city and the new businesses at the project location. The 29200 Vassar Road property has been long overdue for a transformation. The residents who attended our May 11th neighborhood meeting complained about this vacant eyesore, continuing building vandalism and poor appearance which they believe adversely affects their property values. The proposed project will permanently end these negative factors to be replaced with a positive mixed-use facility.

Sincerely,



Dennis G. Cowan
Direct Dial: (248) 901-4029
Email: dcowan@plunkettcooney.com

cc: G. Todd Clark
Gary Gerrits
Mark Taormina

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Exhibit A

EXECUTIVE SUMMARY OF
SELF STORAGE 101 SITE AND MARKET FEASIBILITY STUDY
FOR 29200 VASSAR STREET, LIVONIA, MICHIGAN

Self Storage 101, a nationally recognized and independent professional firm with expertise and significant experience in self-storage properties nationwide as well as southeastern Michigan, has been engaged to prepare a site and market feasibility study for 29200 Vassar Street in Livonia, Michigan based upon the project proposed by ServiceMaster / My Space Self Storage (the "Project").

1. **Market Analysis** (Page 5)

   Self Storage 101 conducted a comprehensive study of the Project market area to determine underlying fundamentals that impact the occupancy rates and rental rates including the following:

   - Study focuses on a trade area radius of three miles with a minimum population of 50,000;
   - Survey of competing facilities within the trade area, including number of units and occupancy rate;
   - Demand for self-storage based upon demographic variables, including population, percentage of renters, average household size and average household income; and
   - Generally speaking, oversupplied markets have occupancy rates of less than 80% and undersupplied markets have rates greater than 90%.

2. **Report Conclusion** (Page 10)

   Based upon the hard data collected by Self Storage 101, they have concluded that "the project is financially viable for self-storage space contemplated by the developer and in particular climate-controlled space. Various factors clearly indicate there is sufficient unmet demand for new self-storage space, particularly climate-controlled space contemplated by the subject development, despite the existing supply of self-storage space in the market."

3. **Supporting Data** (Page 10)

   The conclusion of Self Storage 101 is based on the following:

   - Square foot demand calculations and occupancy levels indicate the subject market up to the 3-mile demographic profile is underdeveloped

for storage space and there is sufficient unmet self-storage demand for the contemplated development.

- The subject site's financial viability is positively impacted by moderately high rental rates for climate controlled self-storage space in place at market competitors.

4. **Market and Site Grade Ratings** (Page 11)

Self Storage 101 has a grade rating system for each market and site it reviews. Self Storage 101 has rated both the market and development site as "B+":

> "We consider this a "B+" market due to the mostly moderately high to high occupancy levels, the calculation of potential unmet demand for additional self-storage space in the market, the moderate to moderately high rental rates for self-storage space, the moderate to moderately high per capital and household income levels, the moderate population density and modest projected population growth."

With respect to the site rating of B+, Self Storage 101 has indicated visibility and access is "Excellent" and traffic counts, surrounding neighborhood and location are "Good."

5. **Competitor Analysis** (Pages 35-54)

This section of the study includes a comprehensive analysis of and information regarding the competitors within the market area.

6. **Self Storage 101 Recommendation** (Page 12)

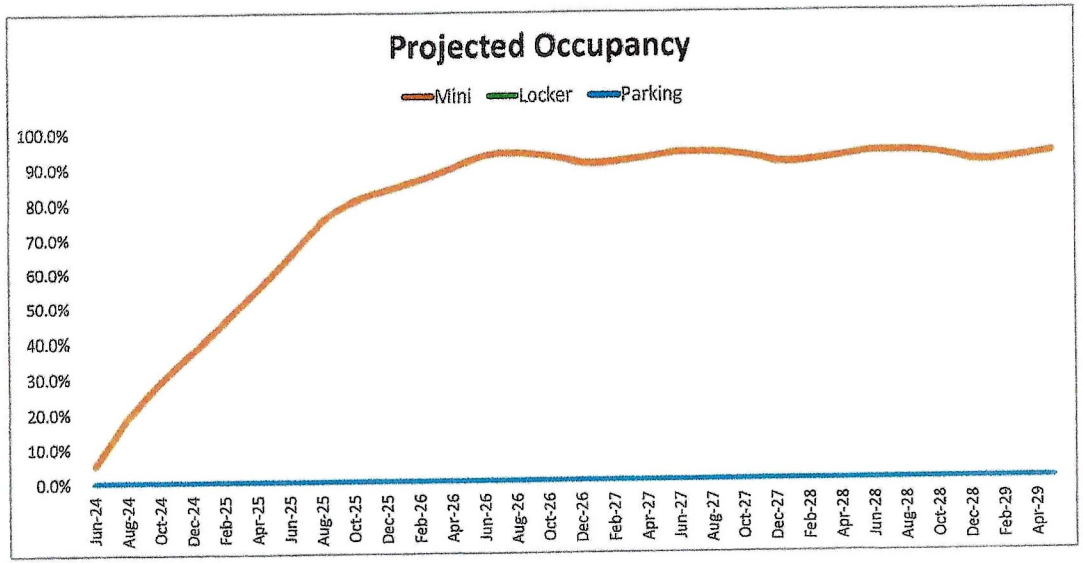
Self Storage 101's final recommendation is as follows:

> **"We highly and confidently recommend the developer of the subject site pursue the completion of this project as envisioned. We have no doubt that it will perform based on the thousands of other feasibility studies we have conducted over the years."**

Prepared by:
Plunkett Cooney
June 30, 2023

Open.26462.14972.31322320-1

Exhibit B



Public Storage

My Space Self Storage
Vassar Avenue, Livonia MI

Exhibit C

29200 VASSAR ROAD
COMPLIANCE WITH SPECIAL WAIVER USE STANDARDS FOR PLANNED DEVELOPMENTS-SECTION 5.02(4) OF LIVONIA ZONING CODE

(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.

The prior use of the property as an office building with a "sea of blacktop" for parking was not in harmony with the surrounding areas. The proposed project will correct that problem as follows:

- The development of five new family homes on the western edge of the property which will be harmonious with the existing residential neighborhood on Parkville as well as create additional buffer for the residents;
- The creation of green space on the eastern edge of the property will decrease the blacktop and provide a "park-like" space for nearby residents, customers and employees to gather and use;
- The ServiceMaster/My Space self-storage businesses will have very low impact on the surrounding uses;
- Vassar Street will remain closed so there will be no point of entry to Parkville and the residential neighborhood.

(B) The location and size of the proposed use or uses, that nature and intensity of the principal use and all accessory uses, the site layout and its relation to the streets giving access to it, shall be such that the traffic to and from the use or uses, the assembly of persons in connection therewith, will not be hazardous or inconvenient to the neighborhood nor conflict with the normal 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 the main traffic throughfare to street and road intersections; and the general character intensity of the existing potential development in the neighborhood. In addition where appropriate the Commission shall determine that noise vibration, odor, light, glare, heat, electromagnetic or act of 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.

The principal use of self-storage at the project is very low impact. Upon maturity of the self-storage facilities, the My Space's experience is there are generally only 10-15 visitors per a day. The ServiceMaster business will have approximately 20 to 30 employees on a regular basis and there maybe several more if there is a major

emergency that needs to be responded to by the company. The retail space will be two units with a total of 5255 square feet, which will not create an significant vehicular traffic.

As previously mentioned Vassar Street will remained closed so there will be no vehicular connection to or any hazards or inconvenience to the neighborhood.

The only noise that will be associated with the project uses would be vehicles, and use of the outdoor "drive-up" facilities, which will not be noise intense. Any noises will be mitigated by the new homes on Parkville and the surrounding perimeter walls. There will be no vibrations, odors, light, glare, heat, electromagnetic, or radioactive radiation or other external effects caused by ServiceMaster/My Space business operations which will be detrimental to neighboring properties.

(C) The location and height of the 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.

The building is 8 stories high. ServiceMaster/My Space has indicated that they will shield the windows so that no customer or employee will be able to look down into any of the residential neighbor's property and backyards. The perimeter walls will create a buffer and no ServiceMaster business or self-storage activities will be visible by residential neighbors.

The upgrade to the exterior of the building, the removal of the "sea of parking", green space and landscaping will encourage, not discourage, proper development and use of the adjacent land and buildings. Property values will no longer be impaired by the current condition of the Vassar Street property.

(D) The standards of density and required open space in the proposed project are at least equal to those required by this ordinance and the zoning district in which the proposed project is to be located.

Climate controlled self-storage units in building will occupy a portion of the first and the remaining seven floors. The outdoor storage units which were originally planned to be 295 units have been reduced to 84 units. Open space on the eastern side of the project replaces current blacktop parking space. Landscaping will be enhanced on Vassar Street and the entrance to the project.

June 22, 2023

Planning Commission
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154

Re: ServiceMaster / My Space Self Storage Mixed Use Project
29200 Vassar Road

Dear Planning Commissioners:

We are very pleased to present for your consideration a proposal for special waiver use for a Planned General Development, which will totally transform the long-vacant property at 29200 Vassar Road ("Vassar Property"). The site plan and proposal are the product of two sessions with the City's "Rapid Response Team," input from the City's Planning and other Departments, and a neighborhood meeting. The project has evolved to a "win-win-win" for all involved -- the adjacent residents, the City and our businesses.

Our companies, ServiceMaster and My Space Self Storage, are family-owned and Michigan-based. We will be moving our ServiceMaster headquarters from Farmington Hills to the Vassar Property. Previously, up until 2020, ServiceMaster was located at 11831 Brookfield Street in Livonia. Our goal was to return to the City and rehabilitate an existing property as we have done in several other communities. We specialize in taking underperforming and vacant eyesores in a community and turning them into productive and attractive business locations.

As the elevations show, there will be a significant transformation to the appearance of the Vassar Property. A new exterior skin will upgrade the "look" of the building. The first floor will include retail space and a ServiceMaster facility, which is a well-known brand in residential and commercial restoration services. Our site plan includes more than adequate parking, a covered entryway for customers/visitors, and other key features, including:

1. Significant greenspace and a gazebo creating a parklike atmosphere on the eastern edge of the property.

2. Five residential lots/homes along Parkville, the western border of the Vassar Property. The lot sizes meet Ordinance standards and will create an additional buffer from the project.

3. All operations of the ServiceMaster business will occur on the first floor within the building. Parking for ServiceMaster vehicles and equipment will be on the north side and adjacent to the building. These trucks and equipment will be shielded by a perimeter wall to be installed.

4. The self-storage component includes both climate-controlled interior storage and traditional outdoor units, which have been significantly reduced from our original proposal of 295 to only 84. The ServiceMaster business will consistently use about two floors of self-storage for customers' furnishings and belongings as they await property restoration to be completed.

5. The retail component will be targeted to businesses which are supplemental to self-storage such as an express delivery service or packaging.

6. There will be no outdoor storage of any kind, such as vehicles or boats. Nor will there be any truck or trailer storage or rental facilities.

As we do with every project, we held a residential neighborhood meeting on May 11th at the nearby Clarenceville United Methodist Church at 20300 Middlebelt. The residents who attended reviewed the plans and uses and were very supportive. Collectively, they believe their neighborhood and property values have suffered from this vacant eyesore, continuing building vandalism and poor appearance.

We believe all of these changes will provide dramatic improvement to the Vassar Property and reduce the current negative impact on surrounding area. From a traffic perspective, once the self-storage facilities are leased, there are generally only 10 to 15 daily visitors.

At our request and expense, an independent market feasibility study has been undertaken by Self Storage 101 shows this site is an excellent one for self-storage and both the proposed development and site are ranked at "B+." It indicates that within a three-mile market area, self-storage is not oversaturated and is, in fact, undersupplied. This "positive ranking" meets the tests required by lenders and property managers. While we do not have the finalized study yet, we are expecting to bring either the completed study or an executive summary to the meeting on June 27th.

We believe the proposed transformation of the Vassar Property will complement future efforts at the nearby former Livonia Mall. A reinvented Vassar Property will encourage redevelopment of the Livonia Mall site with an infusion of new activity and vitality and a longtime eyesore for the community will be removed.

The ServiceMaster/My Space Self Storage proposal for the Vassar Property will meet the goals of Livonia Vision 21 by:

A. Providing a mixed-use concept, including the residential homes, the self-storage facilities and the ServiceMaster business, along with other retail components.

B. Incorporating significant public green space with a gazebo on the west side of the Vassar Property greatly enhancing street level aesthetics.

C. Creating a development that is compatible with current and planned residential development. Owners or tenants of these properties will be within easy distance of self-storage facilities.

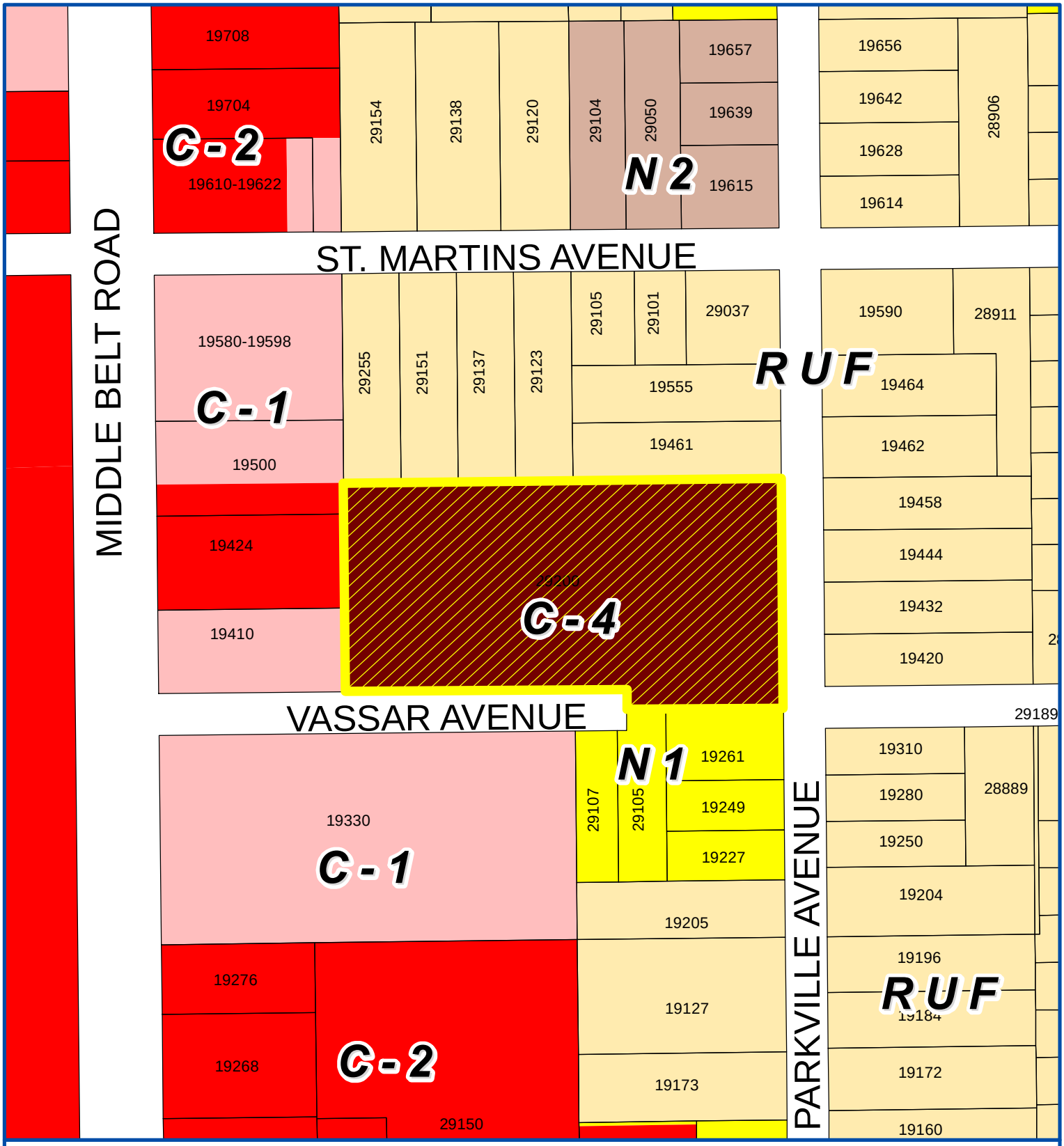
We look forward to meeting with you on June 27th to discuss our plans in more detail and answer any questions. Please feel free to contact me if you have any specific issues you would like addressed on June 27th.

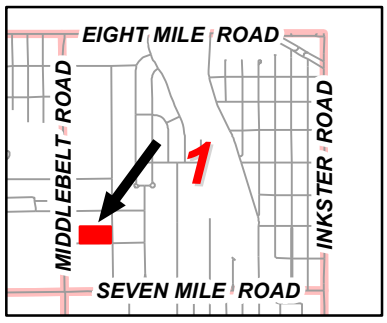
Sincerely,

SERVICEMASTER and
MY SPACE SELF STORAGE



G. Todd Clark
Principal



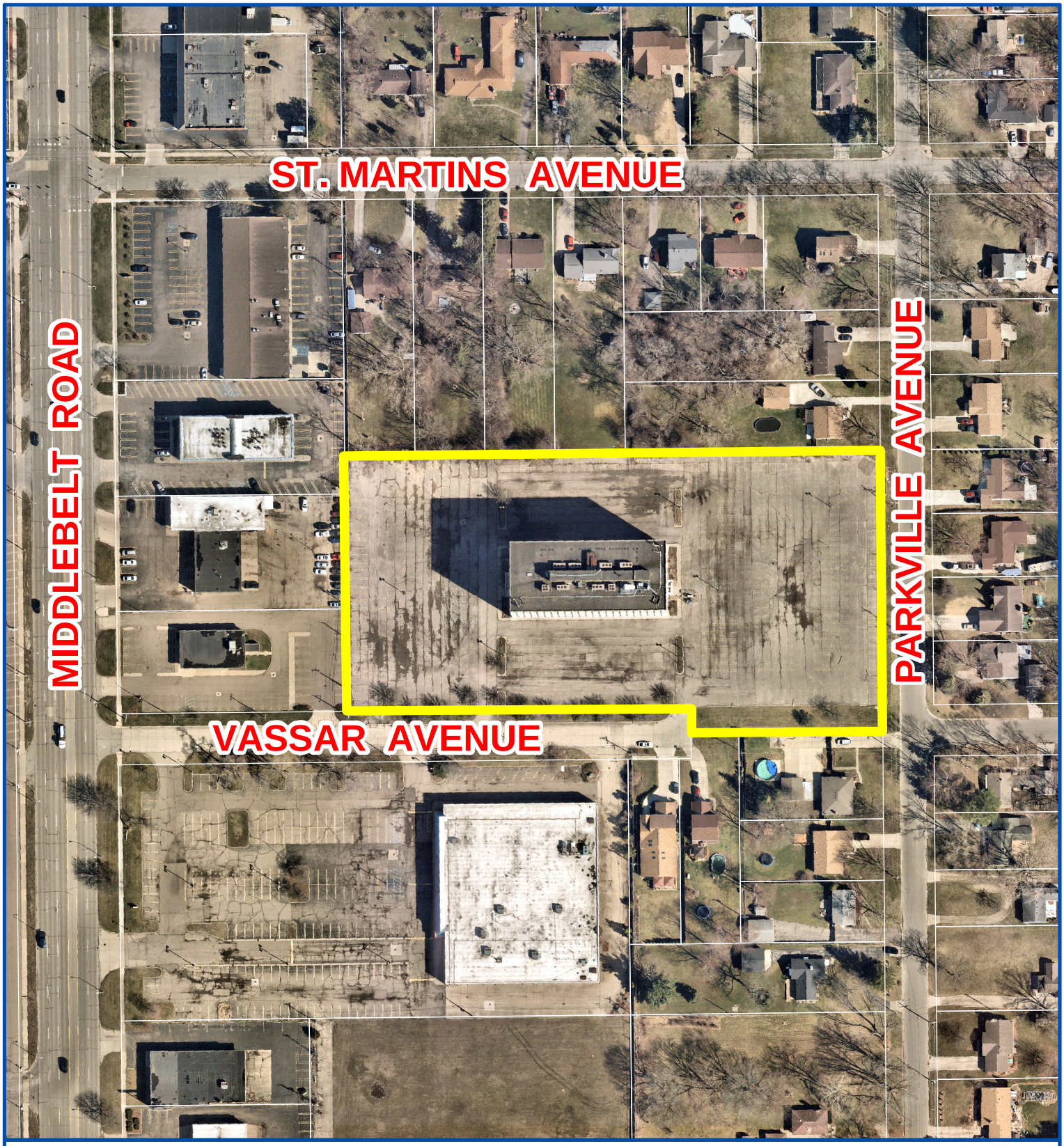


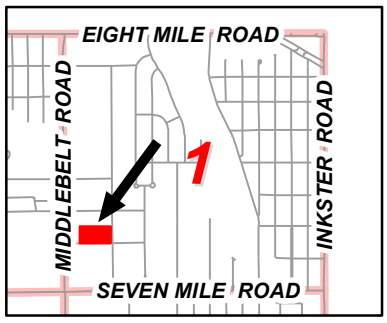
Address & Zoning Map

Petition 2023-06-02-06
Myspace Livonia
29200 Vassar Avenue

N
Not to Scale

City of Livonia
Planning Department





Aerial Map

Petition 2023-06-02-06
Myspace Livonia
29200 Vassar Avenue

N

Not to Scale

City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PUBLIC HEARING

ITEM 3

Petition 2023-06-02-06 submitted by Gerald Todd Clark on behalf of ServiceMaster requesting special waiver use approval to develop a Planned General Development under Section 5.02 of the City of Livonia Zoning Ordinance, as amended, involving the conversion of an existing eight-story office building into climate-controlled self-storage and first-floor retail including residential and commercial restoration services, construction of drive-up self-storage units, and five (5) single-family residential lots, on the property at 29200 Vassar Avenue, located on the north side of Vassar Avenue between Parkville Avenue and Middlebelt Road in the Southwest ¼ of Section 1.

June 27, 2023: Study Meeting:

This petition requests special waiver use approval for a Planned General Development involving various uses, including renovating and repurposing an existing office building into a climate-controlled self-storage facility, retail, drive-up storage, and single-family residential. The property was initially developed in the early 1970s as an eight-story office building called Livonia Pavilion East. The property measures 630ôx 300ôfeet for a total land area of 195,016 square feet, or 4.48 acres. Access is available from the south off Middlebelt Road via a public side street called Vassar Avenue. Vassar Avenue is located across from the former Sears department store and dead ends approximately 670 feet east of Middlebelt Road. In 1971, the east 225 feet of Vassar Avenue was vacated (CR #609-71) to avoid having nonresidential traffic enter the adjacent residential area. The rear of the property also has frontage along Parkville Avenue. The property is zoned C-4 (High Rise Commercial) and is shown on the Livonia Vision 21 Future Land Use Map as part of the Former Livonia Mall Mixed Development Center.

The former Pavilion East office center, which is vacant and blighted, contains approximately 122,057 square feet of floor area. In 2016, approval was granted (CR #186-16) to develop a Planned General Development consisting of commercial services on the first floor and 112 senior apartment units on floors 2 thru 8; however, the project was never developed.

Bordering the site along Parkville Avenue to the east and on St. Martins Avenue to the north are single-family homes zoned RUF (Rural Urban Farm). To the south, on the opposite side of Vassar Avenue, are single-family homes, zoned N1 (Neighborhood Single Family), and Peranič's Hockey World, zoned C-1 (Local Business). To the west, fronting along Middlebelt Road, are commercial businesses zoned C-1 and C-2 (General Business).

PLANNED GENERAL DEVELOPMENT STANDARDS
Section 5.02 of the Livonia Zoning Ordinance provides special standards for Planned General Developments (PGD), which are treated as a waiver use in commercial districts. 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 changes will result in more efficient land use and will not be injurious to the surrounding land and 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. The final determination is based on the following criteria as outlined 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 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 the 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 where the proposed project is to be located.

BUILDING óAô

The former office building appears on the plans as Building óA.ô As proposed, the first floor of Building óAôwould have a mix of commercial uses, including office, retail, and indoor storage. The plans show a leasing office for the storage units and examples of potential retail tenants, such as a UPS store and a Fed Ex office. In addition, the first floor would support the operations of a commercial and residential

restoration company called ServiceMaster. ServiceMaster would occupy most of the north half of the main level, where the plans show a large open space devoted to the Companyôs shop and operations and another area for office space. Also located on the first floor are twenty-two (22) climate-controlled indoor self-storage units of assorted sizes. Floors 2 through 8 of the building would be devoted entirely to climate-controlled self-storage. Counting the storage units on the first floor, Building óAô would contain 738 climate-controlled self-storage units. The sizes of the units would vary, with the smallest measuring 5ôx 5ôand the largest measuring 10ôx 36.8ô The plan also shows eight (8) drive-up self-storage units at the southeast corner of the building. These units would each measure 10 ft. x 12.5 ft. and only be accessible from outside the building.

BUILDINGS óBôAND óCô

To the east of Building óA,ô the plan shows two (2) outdoor (non-climate-controlled) self-storage buildings. Building óBô would have two (2) rows of units arranged back-to-back, and Building óCô would have a single row of units. Separating the two (2) is a 24-foot-wide drive aisle. Building óBô would contain forty-six (46) storage units, (twenty-three (23) units per row), each measuring 10ôx 15ôin size, and Building óCô would have twenty-nine (29) units, each measuring 10ôx 20ô All the outdoor self-storage buildings, including the ones next to the building, would be constructed of corrugated metal panels. Customer access would be provided via overhead metal doors. The building height would total just over eleven (11) feet.

SINGLE-FAMILY RESIDENTIAL

Along Parkville Avenue, the plan shows five (5) single-family lots. Four (4) of the lots would measure approximately 60ôx 120ô(7,200 square feet), and the fifth and largest lot would measure 90ôx 120ô(10,800 square feet). All five (5) would exceed the N1 minimum lot size requirements, which are 50ôx 120ô(6,000 square feet). Separating the proposed lots from the commercial phase of the project is a six-foot (6ô) high block wall. The Land Division Act limits the number of parcel divisions to four (4) within ten (10) years. As a result, creating five (5) single-family lots will require the approval of a site condominium, including copies of the master deed and bylaws. According to the Petitioner, documents completing the site condominium process will be submitted to the City for official review should approval of the Planned General Development move forward.

SECURITY

Consistent with most self-storage facilities, access to the site would be restricted for security purposes. This includes the east half of the property and portions of the north and south, where the plans show fencing, walls, and electronic gates to limit access to only customers and employees. The hours of operation for the storage units would be 9:00 am to 9:00 pm.

BUILDING óAôEXTERIOR

The exterior of Building óAô would contain insulated metal panels, aluminum ñ*wood look*ò panels, CMU, brick, smooth metal coping, and stone. The aluminum panels

(wood look) would be installed over the entrances on the south and west elevations and at the front corners of the building. Different colored insulated metal panels would cover the main body of the building, including a ñwasabiò green color that would appear on the top floor, overhead canopy, doorways, and other features to accent the building. The roofline would be trimmed with smooth metal coping. On the east side of the building, a canopy would be built over the drive-up loading area. The canopy would have a metal roof supported by CMU and metal columns.

LANDSCAPING AND PARKING

New landscaping would be installed throughout the site, and the parking areas would be reconfigured. Parking for climate-controlled, indoor self-storage facilities is based on one (1) parking space for every 1,000 square feet. Based on the overall square footage of the building (122,057 x 80% õ 1,000), this site would require ninety-eight (98) parking spaces. The plan shows seventy-four (74) parking spaces. Parking is distributed throughout the site on the buildingôs west, north, and south sides.

The landscape plan shows seventy-six (76) trees and 610 shrubs/perennials/ornamental grasses. Sixteen (16) trees, including Thornless Honey Locusts and Freeman Maples, would be planted along the right-of-way of Vassar Avenue. The plan shows a landscaped courtyard at the west end of the property. This park-like feature would be enhanced with various plant materials, a gazebo, ornamental fencing, and paved walkways. The parking on the west side of the building would contain landscaped parking islands.

DUMPSTER

A trash enclosure is shown near the siteôs southeast corner, approximately 100 feet from the building and 22ô7ò from the nearest outdoor storage unit. The enclosure walls would be six feet (6ô) tall with a brick veneer exterior. The swing gates would consist of galvanized steel frame concealed by treated boards. A second enclosure should be considered for the north end of the property for the ServiceMaster operations.

STORMWATER MANAGEMENT

A small detention pond is shown along the north side of the property. It is yet to be determined if this pond would be sufficient to handle some or all of the required stormwater detention. Details regarding the system must be submitted to the Engineering Department before obtaining building permits.

SCREENING

Separating the commercial and residential phases of the project, the plan notes the construction of a new 6ô0ò high block wall; however, details of the wall are not provided. Additionally, Building ócö, which has a height of approximately 11ô4ò, would be built at or near the property line and back up to the wall adjacent to the residential lots. The existing poured concrete wall that runs along the right-of-way of Parkville would be removed. Where the site abuts residential properties to the

north, the site plan indicates ñproposed parking lot screening.ò Here, an existing poured concrete wall runs along the entire length of the property. The distance between this masonry wall and the new curb that would be installed for the parking area of the ServiceMaster would be 7ô0ò Within this narrow greenbelt area, the landscape plan proposes twelve (12) arborvitae, which might not be sufficient as a supplement to the wall to adequately screen the operations of the ServiceMaster from the adjacent residential.

Along a portion of the south property line, for a distance of approximately 110 feet, the plan shows a new 6ô0òhigh metal fence that would extend between the electric security gate and the dumpster. The Site Details plan (Sheet S1.1) shows the height of this metal fence at 8ô0ò This should be clarified. Additionally, the fence should be extended further east to help screen the dumpster and outside storage units from the residences across the street.

LIGHTING

The submitted photometric plan provides detailed information on site lighting, including the location and type of light sources and illumination levels. All pole-mounted lights should not exceed a height of twenty feet (20ô) AFG. The photometric plan shows that the average illumination level for the overall site would not exceed the established 1.0-foot-candle Maximum Level of Illumination for the Average of the Area under Section 7.22.

MARKET ANALYSIS

A market feasibility study has been performed and should be available for the Commissionôs review at the Study Meeting. This is critical given the projectôs proximity to Livonia Budget Storage (former Toys-R-Us property).

July 11, 2023: Public Hearing:

At the June 27th meeting, the Petitioner explained that ServiceMaster would utilize the upper floors of the building for storing items related to its restoration business. Also, the final Market Feasibility Study is available (see attached). It concludes that the project is financially viable for self-storage space. The siteôs overall rating is a B+ based on several factors, including market vacancy, rental rates, population density, income levels, population growth projections, traffic counts, access, neighborhood, and location.

Approving Resolution: The request to develop a Planned General Development at 29200 Vassar Avenue is hereby approved, subject to City Council approval and the following conditions:

1. The Architectural Site Plan, identified as sheet AS1.1, and the Landscape Plan, identified as Sheet L1.1, both dated May 31, 2023, as revised, prepared by Designhaus Architecture, are hereby approved and shall be adhered to, except that:

a) The metal fence shall be extended along the south property line to the southwest corner of Building óC.ô
b) Additional evergreen plantings shall be provided between the parking lot and the residential properties on the siteôs north side and along the vacated portion of Vassar Avenue.
c) The final design of the landscape feature at the west end of the site shall be reviewed and approved by the Planning Department.
d) Any additional trash containers or compactors provided on the site shall be fully enclosed and screened with the masonry wall.

2. All parking spaces shall be appropriately sized and marked, including any barrier-free space(s) as may be required by the State of Michigan.

3. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding.

4. Underground sprinklers shall be provided for all landscaped and sodded areas. All planted materials shall be installed to the satisfaction of the Inspection Department and, after that, permanently maintained in a healthy condition.

5. The Elevation Plans, identified as sheets A2.1 and A2.2, dated May 31, 2023, as revised, and prepared by Designhaus Architecture, are hereby approved and shall be adhered to, except that City Council shall approve the final exterior colors of the building.

6. The Elevation Plans for Buildings óBôand óC,ôidentified as sheets A1.5 and A1.6, dated May 25, 2023, and prepared by Designhaus Architecture, are hereby approved and shall be adhered to, except that any sides visible to the public shall consist of either brick, stone, prefinished metal panels, or composite siding.

7. The number of self-storage units on the first floor of the building shall be limited to twenty-two (22).

8. The overnight outdoor parking and storage of service vehicles shall be restricted to the parking spaces adjacent to the building within the fenced area on the north side of the building.

9. There shall be no outdoor storage of vehicle parts, equipment, scrap material, waste petroleum products, junked, unlicensed or inoperable vehicles, or other similar items in connection with this operation.

10. The outdoor storage of recreational vehicles, including motorhomes, travel trailers, and boats, is prohibited.

11. All exterior light fixtures shall not exceed twenty feet (20ô) in height and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways.

12. The three walls of the trash dumpster area shall be constructed from materials that complement the building. The enclosure gates shall be solid steel or durable, long-lasting panel fiberglass.

13. The issues outlined in the correspondence dated June 22, 2023, from the Fire Marshal shall be resolved to the satisfaction of the Department of Public Safety, Livonia Fire and Rescue.

14. 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.

15. No LED light band or exposed neon shall be permitted on this site, including, but not limited to, the building or around the windows.

16. Unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers, or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.

17. Final approval of the residential condominiums shall require the review and approval of the master deed and bylaws by the Planning Commission and City Council.

18. Under Section 13.13 of the Livonia Zoning Ordinance, as amended, this approval is valid for one year only from the date of approval by the City Council. Unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Denying Resolution: This request to develop a Planned General Development at 29200 Vassar Avenue is denied for the following reasons:

1. The petitioner has failed to comply with all special and general standards and requirements as outlined in Sections 5.02 and 13.13 of the Livonia Zoning Ordinance, as amended.

2. The petitioner failed to demonstrate a need to use the Planned General Development option to develop the subject property.

3. The use, layout, and residential lots proposed for the development would negatively affect the neighboring properties.

4. That the proposed use is incompatible and not in harmony with the surrounding uses in the area.

5. The proposal significantly impacts 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. The petitioner has failed to comply with all the necessary concerns for the safety and welfare of the City and its residents.

EXECUTIVE SUMMARY OF
SELF STORAGE 101 SITE AND MARKET FEASIBILITY STUDY
FOR 29200 VASSAR STREET, LIVONIA, MICHIGAN

Self Storage 101, a nationally recognized and independent professional firm with expertise and significant experience in self-storage properties nationwide as well as southeastern Michigan, has been engaged to prepare a site and market feasibility study for 29200 Vassar Street in Livonia, Michigan based upon the project proposed by ServiceMaster / My Space Self Storage (the "Project").

1. **Market Analysis** (Page 5)

   Self Storage 101 conducted a comprehensive study of the Project market area to determine underlying fundamentals that impact the occupancy rates and rental rates including the following:

   - Study focuses on a trade area radius of three miles with a minimum population of 50,000;
   - Survey of competing facilities within the trade area, including number of units and occupancy rate;
   - Demand for self-storage based upon demographic variables, including population, percentage of renters, average household size and average household income; and
   - Generally speaking, oversupplied markets have occupancy rates of less than 80% and undersupplied markets have rates greater than 90%.

2. **Report Conclusion** (Page 10)

   Based upon the hard data collected by Self Storage 101, they have concluded that "the project is financially viable for self-storage space contemplated by the developer and in particular climate-controlled space. Various factors clearly indicate there is sufficient unmet demand for new self-storage space, particularly climate-controlled space contemplated by the subject development, despite the existing supply of self-storage space in the market."

3. **Supporting Data** (Page 10)

   The conclusion of Self Storage 101 is based on the following:

   - Square foot demand calculations and occupancy levels indicate the subject market up to the 3-mile demographic profile is underdeveloped

for storage space and there is sufficient unmet self-storage demand for the contemplated development.

- The subject site's financial viability is positively impacted by moderately high rental rates for climate controlled self-storage space in place at market competitors.

4. **Market and Site Grade Ratings** (Page 11)

Self Storage 101 has a grade rating system for each market and site it reviews. Self Storage 101 has rated both the market and development site as "B+":

> "We consider this a "B+" market due to the mostly moderately high to high occupancy levels, the calculation of potential unmet demand for additional self-storage space in the market, the moderate to moderately high rental rates for self-storage space, the moderate to moderately high per capital and household income levels, the moderate population density and modest projected population growth."

With respect to the site rating of B+, Self Storage 101 has indicated visibility and access is "Excellent" and traffic counts, surrounding neighborhood and location are "Good."

5. **Competitor Analysis** (Pages 35-54)

This section of the study includes a comprehensive analysis of and information regarding the competitors within the market area.

6. **Self Storage 101 Recommendation** (Page 12)

Self Storage 101's final recommendation is as follows:

> **"We highly and confidently recommend the developer of the subject site pursue the completion of this project as envisioned. We have no doubt that it will perform based on the thousands of other feasibility studies we have conducted over the years."**

Prepared by:
Plunkett Cooney
June 30, 2023

Open.26462.14972.31322320-1

CODE DATA

PROJECT IDENTIFICATION	■ ADDRESS: 29200 VASSAR ST. LIVONIA, MI 48152 ☐ PROPERTY ID: - ☐ OTHER: -	☐ -
PROJECT TYPE	☐ NEW CONSTRUCTION ☐ TENANT IMPROVEMENT ☐ FACADE RENOVATION ■ ALTERATION ☐ ADDITION ☐ REPAIR	☐ -
PROJECT DESCRIPTION	■ DEVELOPMENT OF AN EXISTING VACANT BUILDING INTO SELF STORAGE AND BUSINESS USE	☐ -
APPLICABLE CODES	■ BUILDING 2015 MICHIGAN BUILDING CODE ☐ ELECTRIC 2017 NATIONAL ELECTRIC CODE ■ FIRE 2015 INTERNATIONAL FIRE CODE ☐ ELECTRIC 2007 NATIONAL ELECTRIC CODE ☐ ENERGY MICHIGAN ENERGY CODE ☐ MECHANICAL 2015 MICHIGAN BUILDING CODE ■ LIVONIA CODE OF ORDINANCES ■ ADA 2009 ICC ANSI A117.1 ☐ FUEL GAS 2015 MICHIGAN BUILDING CODE ■ ADA 2015 MDC-CHAPTER 15	☐ -
DIFFERED SUBMITTALS	☐ FIRE PROTECTION ☐ FIRE ALARM ☐ INTERIOR ELEMENTS ☐ MEP ☐ CONVEYANCE ☐ PRE-ENG. TRUSSES ☐ PRE - ENG. BUILDING ☐ -	☐ -

CHAPTER 3 USE AND OCCUPANCY

BUILDING USE	☐ SINGLE USE ☐ PRIMARY USE WITH ACCESSORY ☐ MULTI STORY ■ MIXED USE ☐ NON SEPARATED MIXED USE ☐ SINGLE STORY ☐ MIXED OCCUPANCY SEPARATION ☐ SEPARATED MIXED USE SEE CHAPTER 5 OAA	☐ -
OCCUPANCY CLASSIFICATION	☐ A1 ☐ A2 ☐ A3 ☐ A4 ☐ A5 ■ B ☐ E ☐ F1 ☐ F2 ☐ M ☐ H2 ☐ R3 ☐ R4 ☐ H5 ☐ H ☐ I2 ☐ I3 ☐ I4 ☐ N ☐ R1 ☐ R2 ☐ R3 ☐ R4 ■ S1 ☐ S2 ☐ U ☐ -	

CHAPTER 5 GENERAL BUILDING AREA AND HEIGHTS

BUILDING HEIGHT	■ HEIGHT EXCEPTIONS NOT APPLIED ☐ MOST RESTRICTIVE USE FOR STORY - ☐ HEIGHT EXCEPTION APPLIED CHAPTERS 4 AND 5 ☐ MOST RESTRICTIVE USE FOR HEIGHT - ☐ ALLOWABLE HEIGHT - ☐ ALLOWABLE STORIES -- ■ ACTUAL HEIGHT 87' ■ ACTUAL STORIES 8	☐ -
MIXED OCCUPANCY SEPARATION	■ USE SEPARATION NOT REQUIRED ☐ - 10 - = - RATING ☐ - 10 - = - RATING ☐ USE SEPARATION REQUIRED ☐ - 10 - = - RATING ☐ - 10 - = - RATING SEE TABLE TO THE RIGHT	☐ -
BUILDING AREA	☐ SINGLE STORY ☐ MOST RESTRICTIVE USE S1 ■ ACTUAL BUILDING AREA ■ MULTI-STORY ☐ TABULAR VALUE - 1ST FLOOR 17,872.4 SQ. FT. ☐ SINGLE OCC. ☐ FRONTAGE INCREASE - 2ND FLOOR 14,883.4 SQ. FT. ☐ SINGLE OCC. / ACCESSORY TOTAL ALLOWABLE - 3RD FLOOR 14,883.4 SQ. FT. ☐ MIXED OCC. NON-SEPARATED ☐ ALLOWABLE AREA 4TH FLOOR 14,883.4 SQ. FT. ☐ MIXED OCC. SEPARATED ☐ PER FLOOR BUSINESS - 5TH FLOOR 14,883.4 SQ. FT. ☐ UNLIMITED AREA BUILDING ☐ PER FLOOR STORAGE - 6TH FLOOR 14,883.4 SQ. FT. ☐ PODIUM STYLE BUILDING ☐ TOTAL BUILDING - 7TH FLOOR 14,883.4 SQ. FT. ■ TOTAL 122,657.16 SQ. FT.	☐ -

CHAPTER 10 MEANS OF EGRESS CONTINUED

OCCUPANT LOAD

LOCATION	USE	AREA	FACTOR : SF/PERSON	SUB TOTAL	TOTAL	REMARKS
First Floor	Business	5,255.4	1/150	57.8	-	-
-	Storage	6,041.2	1/500	12.08	-	-
-	Mech.	220.4	1/300	0.73	-	-
Second Floor	Storage	3,660.7	1/500	7.32	-	-
Third Floor	Storage	3,660.7	1/500	7.32	-	-
Fourth Floor	Storage	3,660.7	1/500	7.32	-	-
Fifth Floor	Storage	4,308.8	1/500	8.61	-	-
Six Floor	Storage	4,308.8	1/500	8.61	-	-
Seven Floor	Storage	4,308.8	1/500	8.61	-	-
Eigth Floor	Storage	4,308.8	1/500	8.61	-	-
				129.81		
			TOTAL OCCUPANT LOAD		122	-

☐ TABLE COMMENTS
A. -
B. -
C. -

☐ GENERAL NOTES
1. -
2. -
3. -

PLUMBING FIXTURES COUNT

■ REQUIRED	W.C.	LAV	DRINKING FOUNTAIN	SERVICE SINK	OTHERS	REMARKS
MEN	1	1	1	1		
WOMEN	1	1				

■ PROVIDED	W.C.	LAV	DRINKING FOUNTAIN	SERVICE SINK	OTHERS
MEN	3	1	1	1	
WOMEN	4	1			
UNISEX	-	-			



Myspace Livonia

29200 Vassar St
Livonia, MI 48152

PROJECT TEAM

OWNER
MYSPACE
979 S. OLD US HWY 23
BRIGHTON, MI 48114
CONTACT: GARY GERRITS
T: 810 225 0604
E: GARYG@SELFSTORAGEMYSPACE.COM

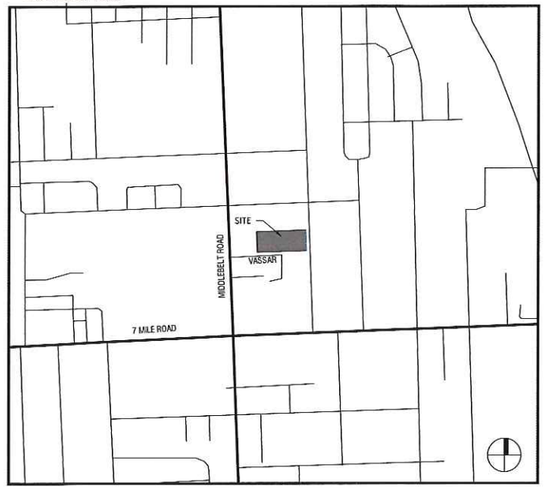
ARCHITECT
DESIGNHAUS ARCHITECTURE
3300 AUBURN RD.
AUBURN HILLS, MI 48326
T: 248.601.4422
F: 248.453.5854
PROJECT MANAGER: JOE LATOZAS
PROJECT ARCHITECT:
PETER STUHLREYER, A.I.A.

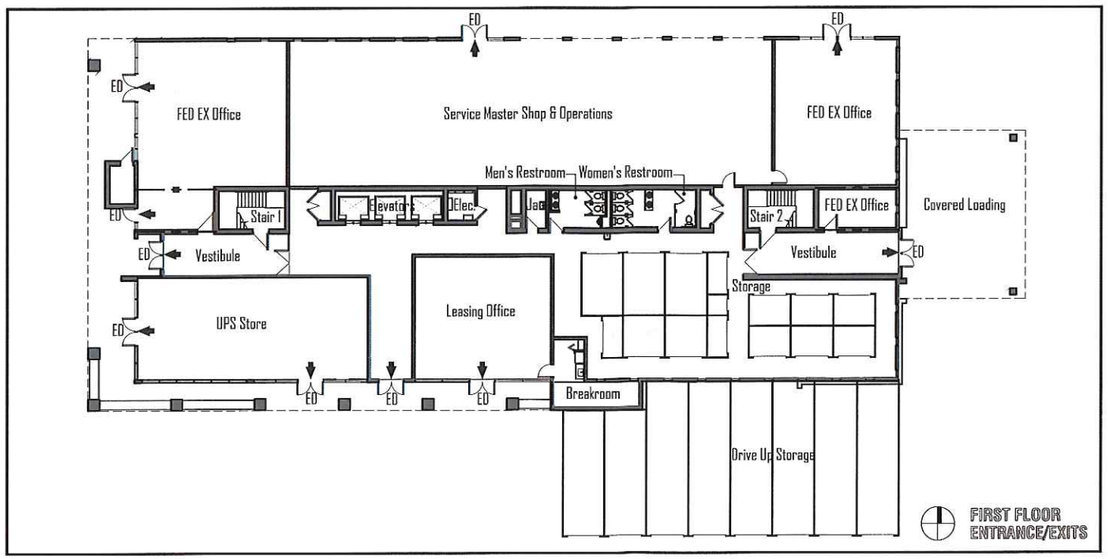
STATEMENT OF SELECTED DESIGN PROFESSIONAL

THESE CONSTRUCTION DOCUMENTS WERE PREPARED FOR COMPLIANCE WITH THE MICHIGAN CONSTRUCTION CODES IN EFFECT AT THE TIME OF PERMIT SUBMITTAL. ALL ENGINEERS, CONTRACTORS AND SUPPLIERS INVOLVED WITH THIS PROJECT SHALL COMPLY WITH THE SAME CODES ISSUED AND APPROVED CODE MODIFICATIONS AND/OR MUNICIPAL CONSTRUCTION BOARDS OF APPEALS RULINGS AND WHENEVER REQUIRED SHALL PROVIDE SHOP DRAWINGS AND SUBMITTALS CLEARLY DESCRIBING COMPLIANCE TO THE REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE FOR REVIEW AND APPROVAL.

REGISTERED DESIGN PROFESSIONAL IN CHARGE:
PETER STUHLREYER, A.I.A.
MICHIGAN IDENTIFICATION # 44668
DESIGNHAUS ARCHITECTURE

LOCATION MAP





INDEX OF DRAWINGS

☐ SHEET ISSUED
△ REVISED
■ SHEET REISSUED

	SHEET NO:	DRAWING NAME
	GENERAL	
☐	G1.1	Title Sheet & Index
	SITE & LANDSCAPE	
☐	AS1.1	Architectural Site Plan
☐	L1.1	Landscape Plan
☐	S1.1	Site Details
☐	1 of 1	Photometric Plan
	ARCHITECTURAL	
☐	A1.1	Building A First Floor Plan
☐	A1.2	Building A Second to Forth Floor Plan
☐	A1.3	Building A Fifth to Eigth Floor Plan
☐	A2.1	Building Elevations
☐	A2.2	Building Elevations
☐	A3.1	Building B Plan and Elevations
☐	A3.2	Building C Plan and Elevations

SPA 05.31.23
OWNER REVIEW 05.26.23

RECEIVED
JUN 02 2023
CITY OF LIVONIA
PLANNING COMMISSION

2023-06-02-06

DESIGNHAUS EST 1998 ARCHITECTURE
3300 AUBURN RD. SUITE 300
AUBURN HILLS, MI 48326
T:248.601.4422 F:248.453.5854
WWW.DESIGNHAUS.COM
INFO@DESIGNHAUS.COM

SPA	05.31.23
OWNER REVIEW	05.26.23
ISSUANCE	DATE

PETER M. STUHLREYER ARCHITECT 44668

Myspace Livonia
29200 Vassar St
Livonia, MI 48152

Title Sheet & Index

22176

G1.1

G1.1 Title Sheet & Index.dwg
5/31/2023
User

LEGAL DESCRIPTION

Land situated in the city of Livonia, County of Wayne and State of Michigan.

Lot(s) 423 AND 424, together with 1/2 vacated Vassar Avenue lying South of the East 225 feet of Lot 423, of Supervisor's Livonia Plat No. 7, as recorded in Liber 66 of Plats, page(s) 58, Wayne County Records.

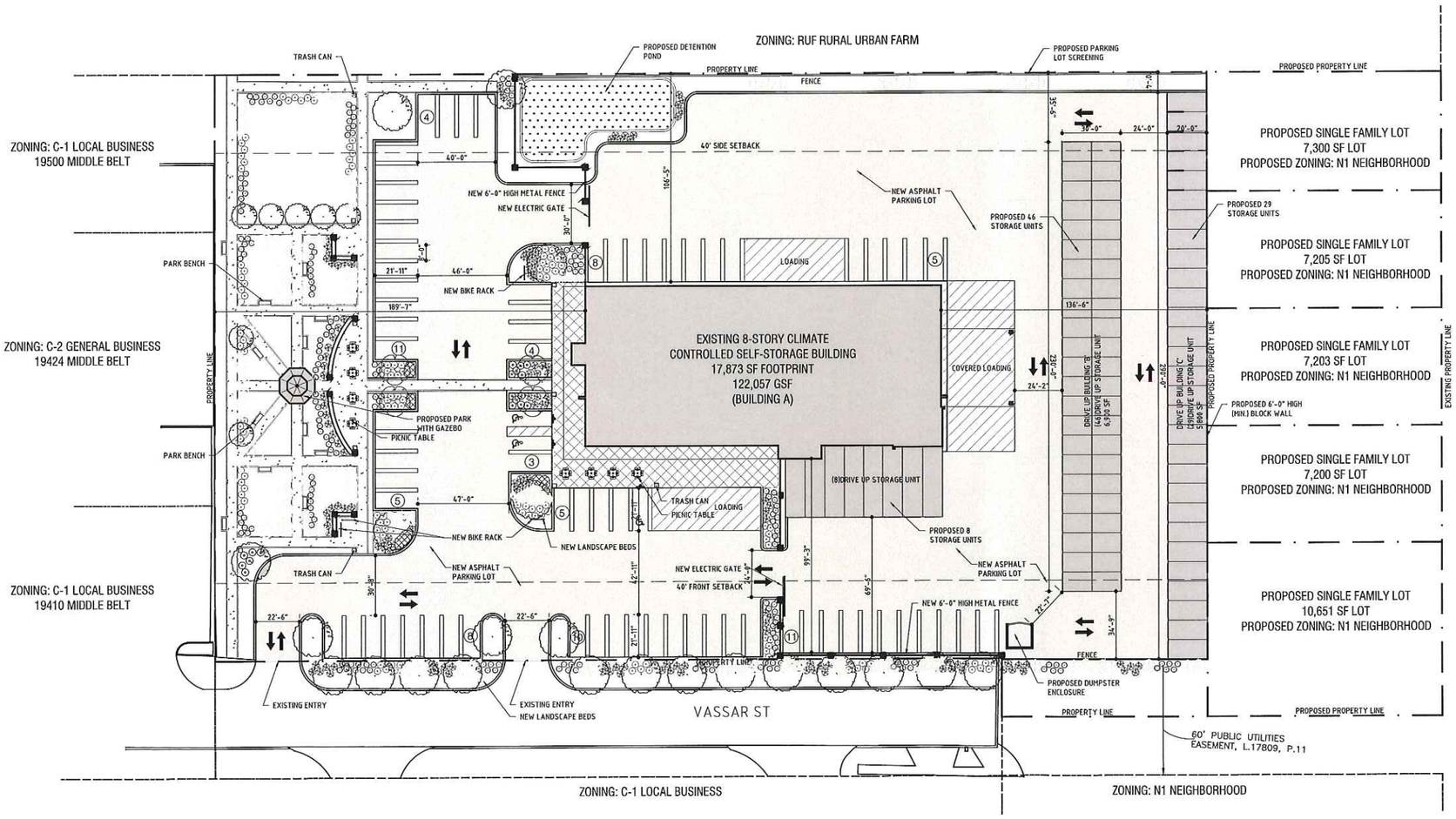
Commonly known as: 29200 Vassar, Livonia, Michigan 48152

SITE DATA

Regulation	Information
Address	29200 Vassar St., Livonia, MI 48152
Parcel ID	46003010423000
Zoning	Existing: C4 (High Rise Commercial District) Proposed: C4 (High Rise Commercial District), N1 (Neighborhood)
Parcel Area	Existing: (195,015.7 SF) ± 4.48 Acres Proposed: C4-(155,489.1 SF) ±3.57 Acres, N1-(39,526.6 SF)±0.91 Acres

ZONING SCHEDULE OF REGULATIONS

Regulation	Required	Provided
Setbacks	Front: 40' Sides: 40' Side yard abutting street or rear yard abutting side yard: 0'	Front: 69'-6" Sides: 106'-5" Side yard abutting street or rear yard abutting side yard: 0'
Building Height	85' Max.	87'-0" Existing
Min. Open Space	-	17.3%
Max. Building Coverage	-	19.6%
Parking	1 per employee spaces	74 spaces (Including 3 Accessible)



1 Architectural Site Plan
SCALE: 1"=30'-0"

NORTH

DESIGNHAUS EST 1998
ARCHITECTURE
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AUBURN HILLS, MI 48326
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ISSUANCE	DATE
SPA	05.31.23
OWNER REVIEW	05.26.23

STEVEN R. PRYER
INTERIM STRUCTURES
ARCHITECT
24908

Myspace Livonia
29200 Vassar St
Livonia, MI 48152

Architectural Site Plan

22176

AS1.1

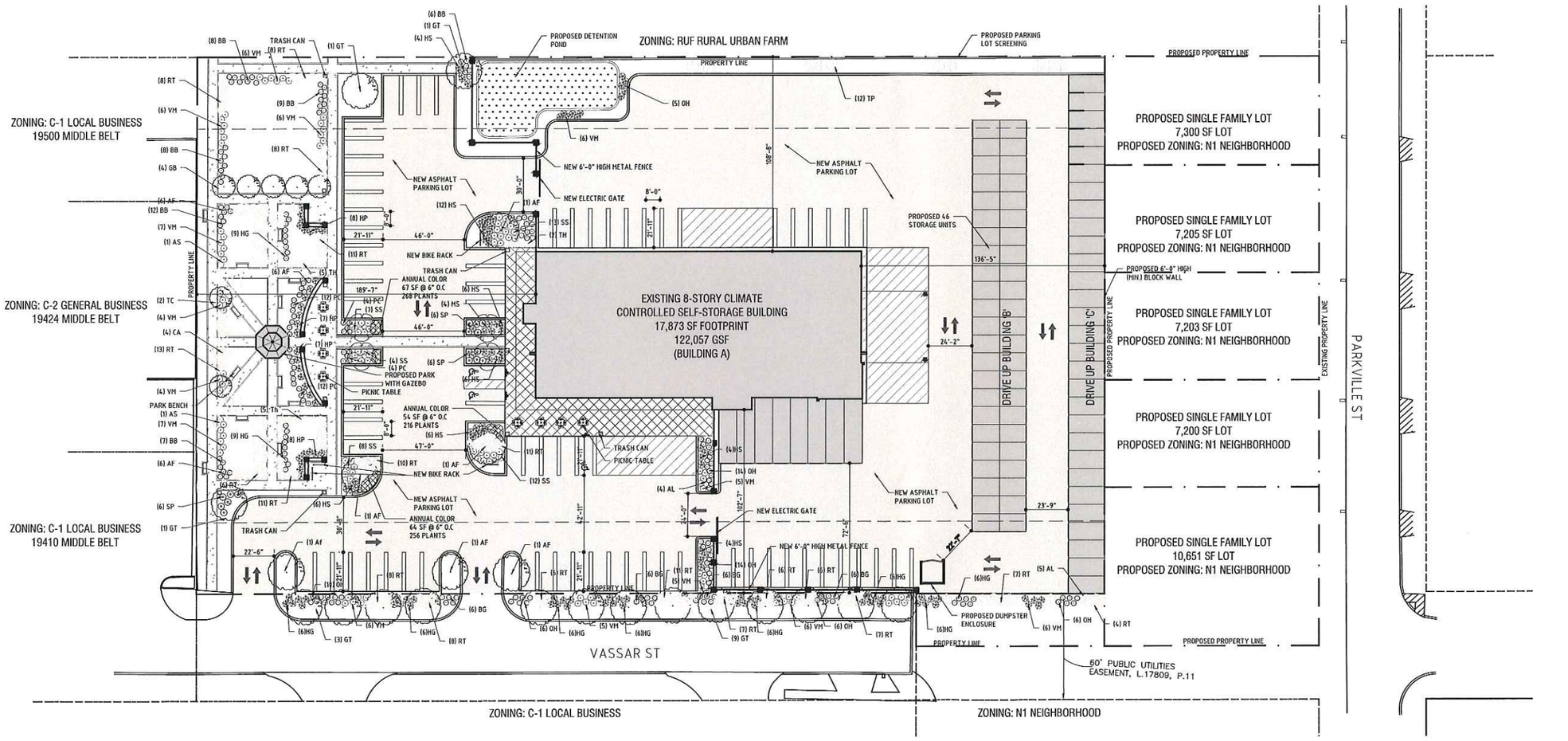
AS1.1 Architectural Site Plan.dwg
5/31/2023
Designhaus

PLANT SCHEDULE (TREES)

QTY	KEY	BOTANICAL NAME/COMMON NAME	SIZE/ROOT (min)
24	AF	ACER x freemanii 'ARMSTRONG'/FREEMAN MAPLE	3" CAL
9	AL	AMELANCHIER leavis/SERVICEBERRY	8-10' B&B
2	AS	ACER rubrum 'RED SUNSET'/RED SUNSET MAPLE	3" CAL
4	CA	MALUS 'RED BARON'/ RED BARRON CRABAPPLE	2.5" B&B
4	GB	GINKGO biloba/ GINKGO	2.5" B&B
15	GT	GLEDITSIA triacanthos f. inermis 'SKYCOLE'/ THORNLESS HONEYLOCUST	3" CAL
4	MS	AMELANCHIER ARBOREA/ MUTLI-STEM SERVICE BERRY	2.5" B&B
2	TC	TILIA CORDATA/ LITTLE-LEAF LINDEN	3" B&B
12	TP	THUJA (standish x plicata) 'GREEN GIANT'/GREEN GIANT ARBORVITAE	8' B&B
TOTAL TREES: 76			

PLANT SCHEDULE (SHRUBS/PERENNIALS/ORNAMENTAL GRASSES)

QTY	KEY	BOTANICAL NAME/COMMON NAME	SIZE/ROOT (min)
50	BB	EUONUMUS alata 'COMPACTA'/ DWARF BURNING BUSH	30" B&B
24	BG	BUXUS x 'GREEN VELVET'/GREEN VELVET BOXWOOD	3 GAL
30	HP	HYRANGEA paniculata 'JANE'/LITTLE LIME HARDY HYDRANGEA	3 GAL
48	HS	HEMEROCALLIS/STELLA D'ORO DAYLILY	1 GAL (12" O.C.)
66	HG	PENNISETUM alopecuroides 'HAMELN'/DWARF FOUNTAIN GRASS	1 GAL
51	OH	TAXUS X MEDIA/ EVERLOW YEW	24" B&B
32	PC	ECHANICEA purpurea/ PURPLE CONEFLOWER	#2 CON
156	RT	CORNUS ALBA 'SIBIRICA'/ RED TWIG DOGWOOD	2.5" B&B
31	SP	SPIREA X COCCINEA/ DWARF RED SPIREA	30" B&
31	SS	SEDUM spectablie 'AUTUMN JOY'/AUTUMN JOY STONECROP	1 GAL
12	TH	TAXUS x media 'HICKSII'/HICKSII YEW	15-18" B&B
79	VM	VIBURNUM plicatum tomentosum 'MARIESII'/DOUBLEFILE VIBURNUM	30-32" B&B
TOTAL SHRUBS/PERENNIALS/ORNAMENTAL GRASSES: 610			



1 Landscape Plan
SCALE: 1" = 30

NORTH

DESIGNHAUS EST 1998
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SPA	05.31.23
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ISSUANCE	DATE

PETER M. STAHLAVER
ARCHITECT

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Livonia, MI 48152

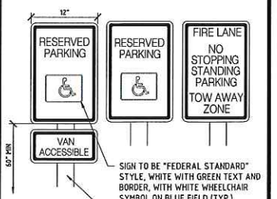
Landscape Plan

22176

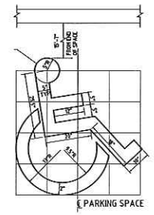
L1.1

L1.1 Landscape Plan.dwg
5/31/2023
Designhaus

HANDICAP SIGN DETAIL



PARKING SPACE PAINT DETAIL



NOTE: SYMBOL SHALL BE PAINTED WITH BLUE TRAFFIC PAINT WITHIN OUTLINE SHOWN

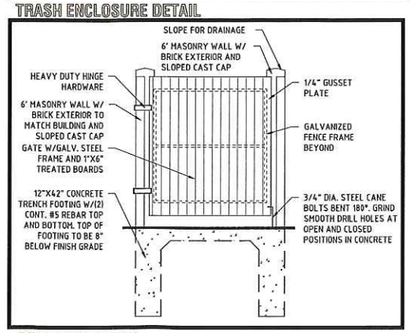
GENERAL NOTES FOR LANDSCAPE DEVELOPMENT

1. LANDSCAPE CONTRACTOR SHALL VISIT THE SITE, INSPECT EXISTING SITE CONDITIONS AND REVIEW PROPOSED PLANTING AND RELATED WORK. IN CASE OF DISCREPANCY BETWEEN PLAN AND PLANT LIST, PLAN SHALL GOVERN QUANTITIES. CONTACT LANDSCAPE ARCHITECT WITH ANY CONCERNS.
2. CONTRACTOR SHALL VERIFY LOCATIONS OF ALL ON SITE UTILITIES PRIOR TO BEGINNING CONSTRUCTION ON HIS/HER PHASE OF WORK. ELECTRIC, GAS, TELEPHONE, CABLE TELEVISION MAY BE LOCATED BY CALLING MISS DIG. ANY DAMAGE OR INTERRUPTION OF SERVICES SHALL BE THE RESPONSIBILITY OF CONTRACTOR. CONTRACTOR SHALL COORDINATE ALL RELATED ACTIVITIES WITH OTHER TRADES ON THE JOB AND SHALL REPORT ANY UNACCEPTABLE JOB CONDITIONS TO OWNER'S REPRESENTATIVE PRIOR TO COMMENCING.
3. ALL PLANT MATERIAL TO BE PREMIUM GRADE NURSERY STOCK AND SHALL SATISFY AMERICAN ASSOCIATION OF NURSERYMEN STANDARD FOR NURSERY STOCK. ALL LANDSCAPE MATERIAL SHALL BE NORTHERN GROWN, NO. 1 GRADE.
4. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON LANDSCAPE PLAN PRIOR TO PRICING THE WORK.
5. THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL NOT MEETING SPECIFICATIONS.
6. ALL SINGLE STEM SHADE TREES TO HAVE STRAIGHT TRUNKS AND SYMMETRICAL CROWNS.
7. ALL SINGLE TRUNK SHADE TREES TO HAVE A CENTRAL LEADER; TREES WITH FORKED OR IRREGULAR TRUNKS WILL NOT BE ACCEPTED.
8. ALL TREES TO HAVE CLAY OR CLAY LOAM BALLS, TREES WITH SAND BALLS WILL BE REJECTED.
9. ALL TREE LOCATIONS SHALL BE STAKED BY LANDSCAPE CONTRACTOR AND ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF THE PLANT MATERIAL.
10. CONCERNING GROUND COVER, ALL PLANTING BEDS SHALL RECEIVE 3" SHREDDED HARDWOOD BARK MULCH, SEE SPECIFICATIONS. ALL OTHER DISTURBED AREAS SHALL BE SODDED.
11. LANDSCAPING SHALL BE MAINTAINED IN A GOOD CONDITION TO PRESENT A HEALTHY, NEAT, AND ORDERLY APPEARANCE FREE FROM REFUSE AND DEBRIS. ALL UNHEALTHY AND DEAD MATERIAL SHALL BE REPLACED WITHIN ONE (1) YEAR OF THE NEXT APPROPRIATE PLANTING PERIOD.
12. OWNER TO ESTABLISH MAINTENANCE PROGRAM TO ENSURE GROUNDS AND LANDSCAPING TO REMAIN HEALTHY AND WELL GROOMED.
13. RECOMMENDED PLANTING DATES ARE MARCH 1ST TO MAY 15TH FOR ALL MATERIALS, AND OCTOBER 15TH TO DECEMBER 15TH FOR DECIDUOUS MATERIALS. PLANTINGS OUTSIDE THESE DATES SHALL HAVE PRIOR APPROVAL OF THE LANDSCAPE ARCHITECT.
14. UNDERGROUND IRRIGATION SYSTEM TO BE DESIGNED AND INSTALLED BY CONTRACTOR.
15. TURF GRASS TO BE COMMON TO MACOMB COUNTY, MI.

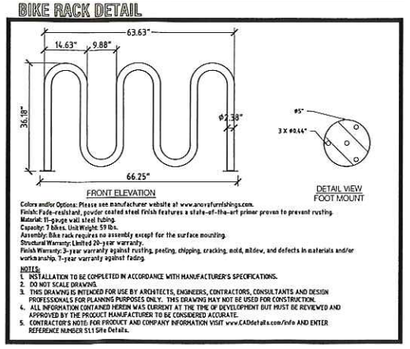
TREE PROTECTION NOTES

1. Identify on site all trees or areas of trees which are being proposed to be preserved with fluorescent orange spray paint (chalk base) or by red flagging tape.
2. Erect barriers of four (4) foot high fencing staked with metal "T-posts" five (5) feet on center or all such trees or groups of trees proposed to remain
3. Protective barriers are to be erected prior to any clearing or grubbing on the site, and barriers are to remain in tact until approved by the City to be removed, or when a Certificate of Occupancy is issued
4. Keep clear all debris or fill, equipment, and material from within the required protective barrier
5. During construction, the owner, developer, or agent shall not cause or permit any activity within the fence line of any protected tree or group of trees including, but not limited to, the storage of equipment, dumpster, boulders, dirt, and excavated material, building or waste material, or any other material harmful to the life of a tree
6. No damaging attachment, wires (other than cable wires for trees), signs or permits may be fastened to any tree protected by this Ordinance

TRASH ENCLOSURE DETAIL



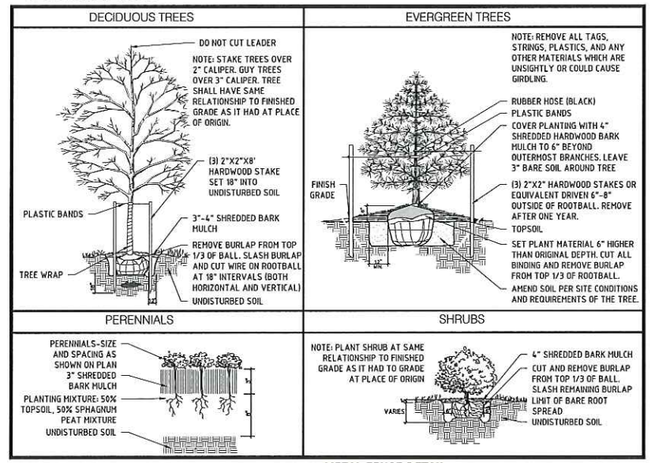
BIKE RACK DETAIL



Colors and/or Options: Please see manufacturer website at www.anovafurnishings.com.
Finish: Fade-resistant, powder coated steel finish features a state-of-the-art primer proven to prevent rusting.
Material: 11-gauge wall steel tubing.
Capacity: 7 Bikes, Unit Weight: 59 lbs.
Assembly: Bike rack requires no assembly except for the surface mounting.
Structural Warranty: Limited 20-year warranty.
Finish Warranty: 2-year warranty against rusting, peeling, chipping, cracking, mold, mildew, and defects in materials and/or workmanship. 1-year warranty against fading.

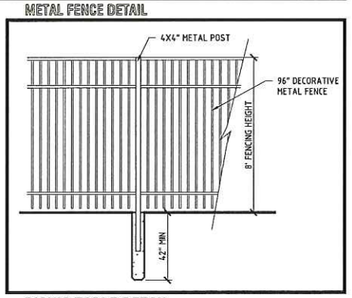
NOTES:
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
2. DO NOT SCALE DRAWING.
3. THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
4. ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.
5. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.CADdetails.com/site AND ENTER REFERENCE NUMBER S1.1 Site Details.

PLANTING DETAILS



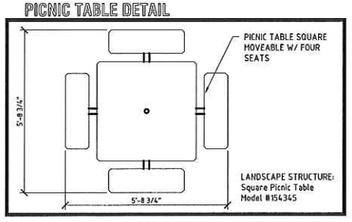


METAL FENCE DETAIL





PICNIC TABLE DETAIL



DESIGNHAUS EST 1998
ARCHITECTURE
3300 AUBURN RD. SUITE 300
AUBURN HILLS, MI 48326
T:248.601.4422 F:248.453.5854
WWW.DESIGNHAUS.COM
INFO@DESIGNHAUS.COM

SPA	05.31.23
OWNER REVIEW	05.26.23
ISSUANCE	DATE

FEDERAL REGISTERED ARCHITECT

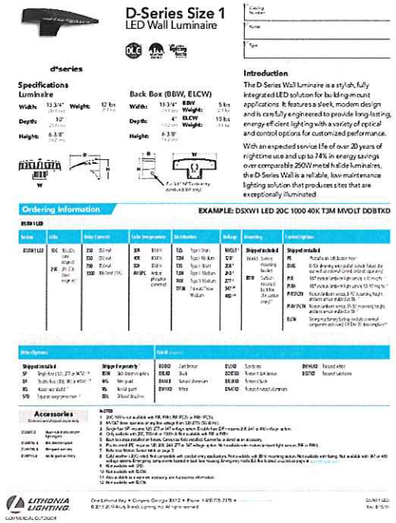
Myspace Livonia
29200 Vassar St
Livonia, MI 48152

Site Details

22176

S1.1

S1.1 Site Details.dwg
5/31/2023
User

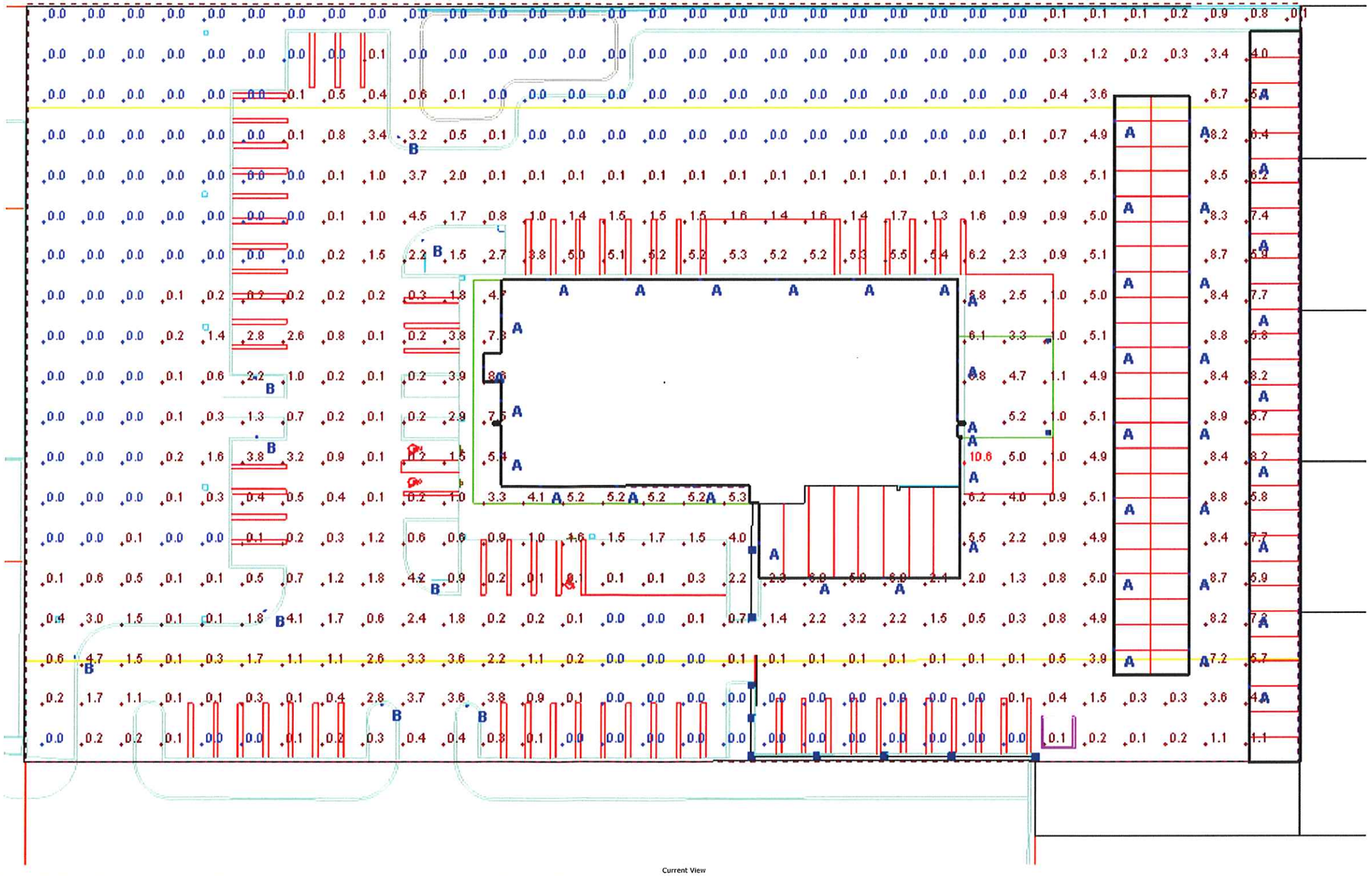


Schedule

Symbol	Label	QTY	Manufacturer	Catalog	Description	Number Lamps	Lamp Output	LLF	Input Power
	A	47	Lithonia Lighting	DSXW1 LED 10C 1000 40K T3S MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE T3S OPTIC, 4000K, @ 1000mA.	1	3912	1	38.8
	B	9	Lithonia Lighting	DSXW1 LED 10C 1000 40K T3S MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE T3S OPTIC, 4000K, @ 1000mA.	1	3912	1	38.8

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	1.5 fc	10.6 fc	0.0 fc	N/A	N/A



VISUAL

MySpace Self Storage
29200 Vassar St.
Livonia, MI

Date
05/25/2023
Scale
Not to Scale

Unit Matrix

Mark	Size	Building A 1st Floor	Building A Floor 2-4	Building A Floor 5-8	Building B	Building C	Unit Totals	Unit Area
A	5 x 5	1	15	32	-	-	48	1,200 sf
B	5 x 10	2	45	116	-	-	163	8,150 sf
C	7.5 x 10	6	12	16	-	-	34	2,550 sf
D	10 x 10	2	78	180	-	-	260	26,000 sf
E	10 x 15	3	45	60	46	-	154	23,100 sf
F	10 x 20	-	54	-	-	29	83	16,600 sf
G	10 x 12.5	-	6	8	-	-	14	1,750 sf
H	10 x 30	2	-	-	-	-	2	600 sf
J	3 x 5	-	12	16	-	-	28	420 sf
K	3 x 7	-	3	4	-	-	7	147 sf
L	7 x 9	-	3	4	-	-	7	441 sf
M	3 x 9	-	3	4	-	-	7	189 sf
N	10 x 36.8	6	-	-	-	-	6	2,205 sf
Total		22	276	440	46	29	813	83,352 sf

SPA	05.31.23
OWNER REVIEW	05.26.23
ISSUANCE	DATE

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Myspace Livonia
29200 Vassar St
Livonia, MI 48152

Building A First Floor Plan

22176

A1.1

A1.1 Building A First Floor Plan.dwg
5/31/2023
User

Unit Matrix

		Building A			Building B	Building C		
Mark	Size	1st Floor	Floor 2-4	Floor 5-8			Unit Totals	Unit Area
Ⓐ	5 x 5	1	15	32	-	-	48	1,200 sf
Ⓑ	5 x 10	2	45	116	-	-	163	8,150 sf
Ⓒ	7.5 x 10	6	12	16	-	-	34	2,550 sf
Ⓓ	10 x 10	2	78	180	-	-	260	26,000 sf
Ⓔ	10 x 15	3	45	60	46	-	154	23,100 sf
Ⓕ	10 x 20	-	54	-	-	29	83	16,600 sf
Ⓖ	10 x 12.5	-	6	8	-	-	14	1,750 sf
Ⓗ	10 x 30	2	-	-	-	-	2	600 sf
Ⓙ	3 x 5	-	12	16	-	-	28	420 sf
Ⓚ	3 x 7	-	3	4	-	-	7	147 sf
Ⓛ	7 x 9	-	3	4	-	-	7	441 sf
Ⓜ	3 x 9	-	3	4	-	-	7	189 sf
Ⓝ	10 x 36.8	6	-	-	-	-	6	2,205 sf
Total		22	276	440	46	29	813	83,352 sf

1 Floors 2-4
SCALE: 1/8" = 1'

NORTH

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SPA	05.31.23
OWNER REVIEW	05.26.23
ISSUANCE	DATE

PETER M. ETELSLEVEN ARCHITECT 44008

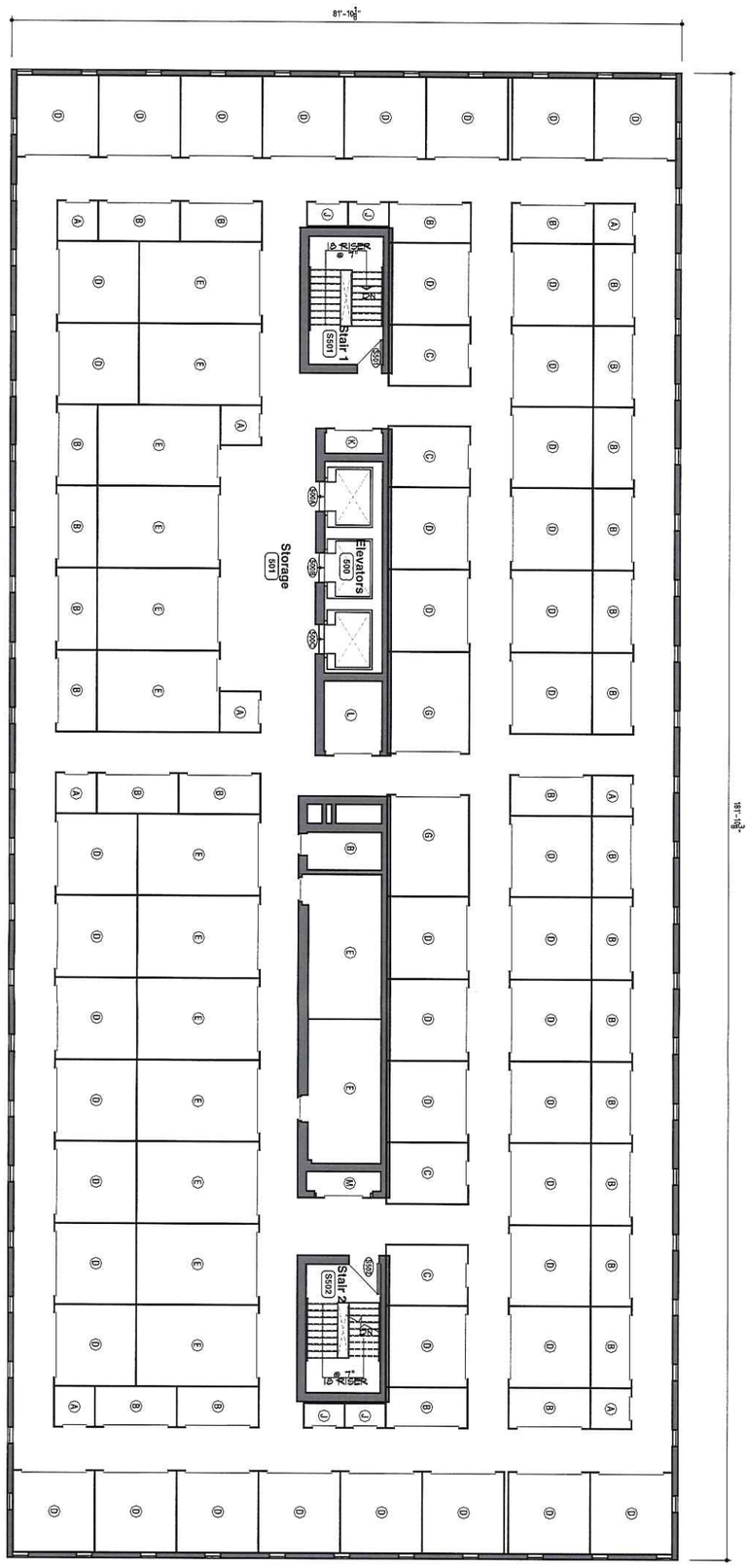
Myspace Livonia
29200 Vassar St
Livonia, MI 48152

Building A Second to Forth Floor Plan

22176

A1.2

A1.2 Building A Second to Forth Floor Plan.dwg
5/31/2023
User



Unit Matrix

Mark	Size	Building A 1st Floor	Building A Floor 2-4	Building A Floor 5-8	Building B	Building C	Unit Totals	Unit Area
(A)	5 x 5	1	15	32	-	-	48	1,200 sf
(B)	5 x 10	2	45	116	-	-	163	8,150 sf
(C)	7.5 x 10	6	12	16	-	-	34	2,550 sf
(D)	10 x 10	2	78	180	-	-	260	26,000 sf
(E)	10 x 15	3	45	60	46	-	154	23,100 sf
(F)	10 x 20	-	54	-	29	83	166	16,600 sf
(G)	10 x 12.5	-	6	8	-	-	14	1,750 sf
(H)	10 x 30	2	-	-	-	-	2	600 sf
(J)	3 x 5	-	12	16	-	-	28	420 sf
(K)	3 x 7	-	3	4	-	-	7	147 sf
(L)	7 x 9	-	3	4	-	-	7	441 sf
(M)	3 x 9	-	3	4	-	-	7	189 sf
(N)	10 x 36.8	6	-	-	-	-	6	2,205 sf
Total		22	276	440	46	29	813	83,352 sf

1 Floors 5-8
SCALE: 1/8" = 1'

NORTH

A1.3	22176	Myspace Livonia 29200 Vassar St Livonia, MI 48152 Building A Fifth to Eigth Floor Plan	ISSUANCE / DATE OWNER REVIEW 05.31.23 SPA 05.31.23

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Unit Matrix

		Building A			Building B	Building C		
Mark	Size	1st Floor	Floor 2-4	Floor 5-8			Unit Totals	Unit Area
A	5 x 5	1	-	-	-	-	-	- sf
B	5 x 10	2	-	-	-	-	-	- sf
C	7.5 x 10	6	-	-	-	-	-	- sf
D	10 x 10	2	-	-	-	-	-	- sf
E	10 x 15	46	46	-	46	-	-	- sf
F	10 x 20	-	-	29	-	29	-	- sf
G	10 x 12.5	-	-	-	-	-	-	- sf
H	10 x 30	-	-	-	-	-	-	- sf
J	3 x 5	-	-	-	-	-	-	- sf
K	3 x 7	-	-	-	-	-	-	- sf
L	7 x 9	-	-	-	-	-	-	- sf
M	3 x 9	-	-	-	-	-	-	- sf
N	10 x 36.8	-	-	-	-	-	-	- sf
Total		307	402	307	402	479	1,188	97,385 sf

ELEVATION NOTES

1	EXISTING TO BE PAINTED
2	INSULATED METAL PANEL
3	ALUMINUM PANEL (WOOD LOOK)
4	CMU
5	BRICK
6	SMOOTH METAL COPING
7	O.H. DOOR
8	ALUMINUM FRAMED GLAZING
9	EXISTING MECHANICAL
10	STONE
11	CORRUGATED METAL PANEL



5 Building B West Elevation
SCALE: 3/32" = 1'



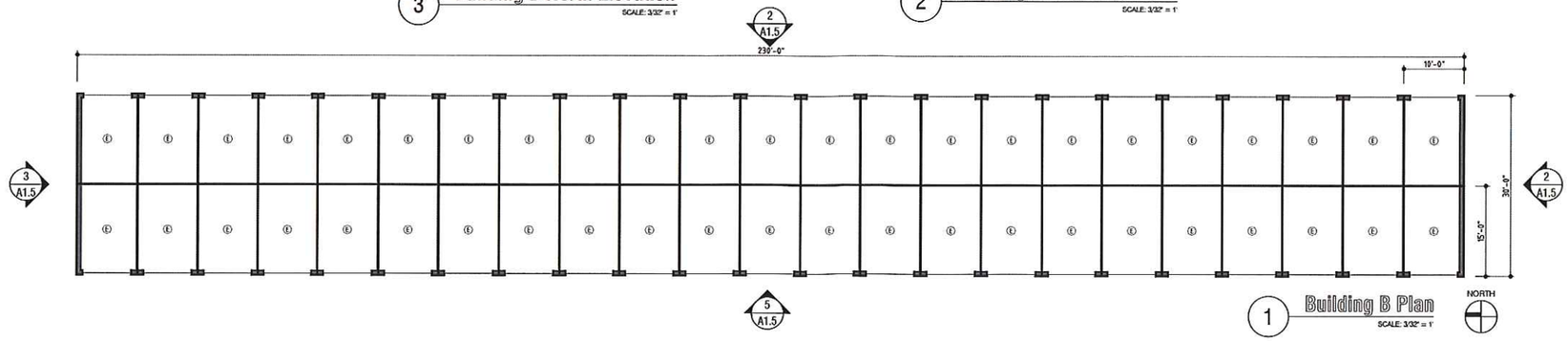
4 Building B East Elevation
SCALE: 3/32" = 1'



3 Building B North Elevation
SCALE: 3/32" = 1'



2 Building B South Elevation
SCALE: 3/32" = 1'



1 Building B Plan
SCALE: 3/32" = 1'

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ISSUANCE	DATE
SPA	05.25.23

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Livonia, MI

Building B Plan and Elevations

22176

A1.5

A1.5 Building B.dwg
5/24/2023
User

Unit Matrix

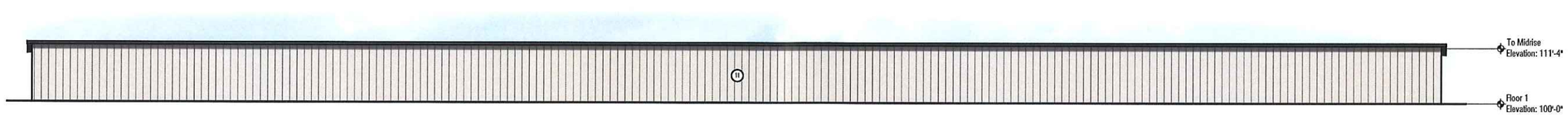
Mark	Size	Building A	Building B	Building C	Unit Totals	Unit Area
A	5 x 5	-	-	-	-	- sf
B	5 x 10	-	-	-	-	- sf
C	7.5 x 10	-	-	-	-	- sf
D	10 x 10	-	-	-	-	- sf
E	10 x 15	-	46	-	-	- sf
F	10 x 20	-	-	29	-	- sf
G	10 x 12.5	-	-	-	-	- sf
H	10 x 30	-	-	-	-	- sf
J	3 x 5	-	-	-	-	- sf
K	3 x 7	-	-	-	-	- sf
L	7 x 9	-	-	-	-	- sf
M	3 x 9	-	-	-	-	- sf
Total		307	402	479	1,188	97,385 sf

ELEVATION NOTES

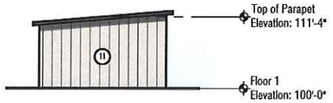
1	EXISTING TO BE PAINTED
2	INSULATED METAL PANEL
3	ALUMINUM PANEL (WOOD LOOK)
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8	ALUMINUM FRAMED GLAZING
9	EXISTING MECHANICAL
10	STONE
11	CORRUGATED METAL PANEL



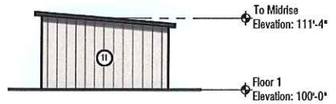
5 Building C West Elevation
SCALE: 3/32" = 1'



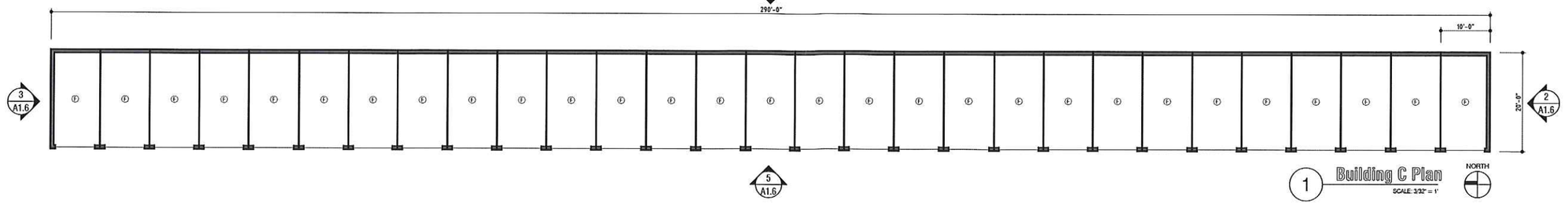
4 Building C East Elevation
SCALE: 3/32" = 1'



3 Building C South Elevation
SCALE: 3/32" = 1'



2 Building C North Elevation
SCALE: 3/32" = 1'



1 Building C Plan
SCALE: 3/32" = 1'

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Building C Plan and Elevations

22176

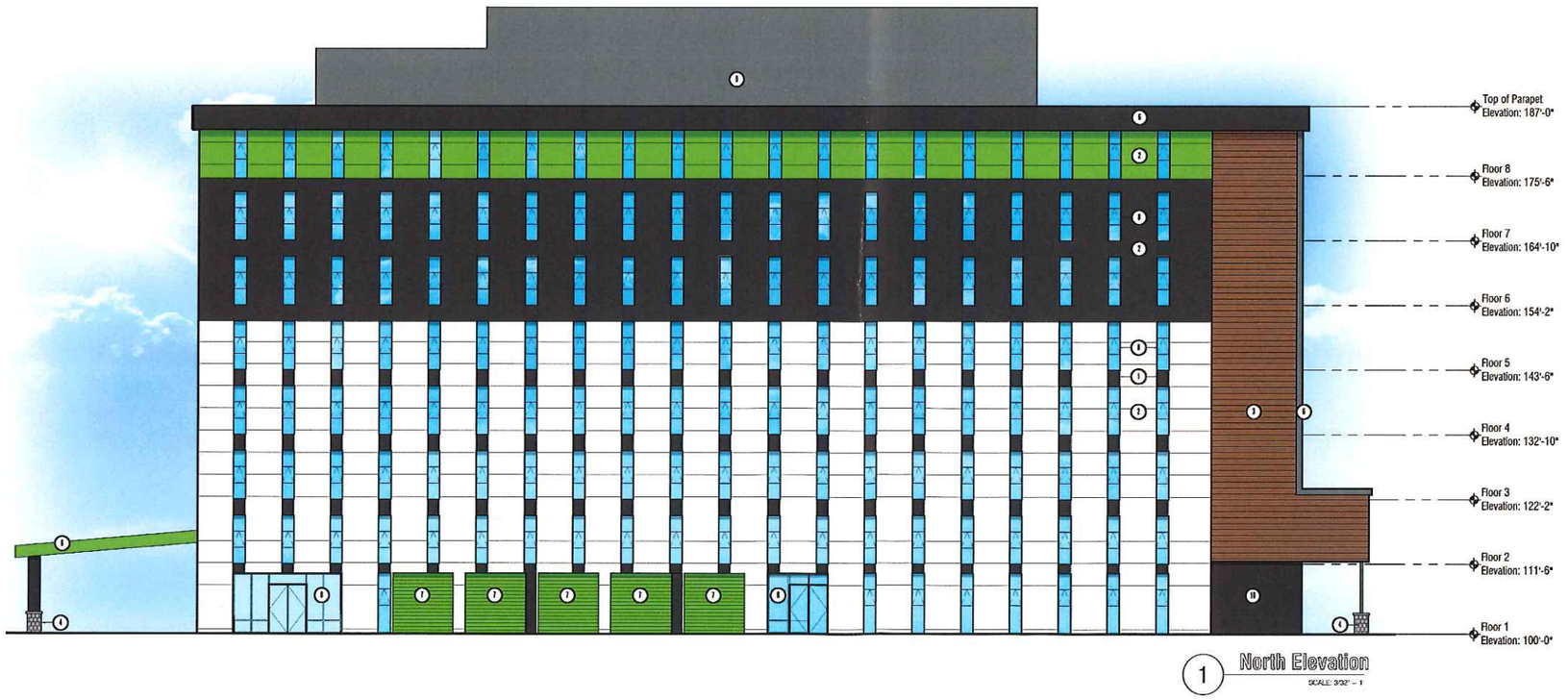
A1.6

A1.6 Building C Plan and Elevations.dwg
5/24/2023
User



2 East Elevation

SCALE: 3/32" = 1'



1 North Elevation

SCALE: 3/32" = 1'

ELEVATION NOTES	
1	EXISTING TO BE PAINTED
2	INSULATED METAL PANEL
3	ALUMINUM PANEL (WOOD LOOK)
4	CMU
5	BRICK
6	SMOOTH METAL COPING
7	O.H. DOOR
8	ALUMINUM FRAMED GLAZING
9	EXISTING MECHANICAL
10	STONE
11	CORRUGATED METAL PANEL

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SPA	05.31.23
OWNER REVIEW	05.26.23
ISSUANCE	DATE

PETER M. STUKLEVER ARCHITECT 44008

Myspace Livonia
29200 Vassar St
Livonia, MI 48152

Building Elevations

22176

A2.1

A2.1 Building Elevations.dwg
5/25/2023
User



2 West Elevation

SCALE: 3/32" = 1'



1 South Elevation

SCALE: 3/32" = 1'

ELEVATION NOTES	
1	EXISTING TO BE PAINTED
2	INSULATED METAL PANEL
3	ALUMINUM PANEL (WOOD LOOK)
4	CMU
5	BRICK
6	SMOOTH METAL COPING
7	O.H. DOOR
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9	EXISTING MECHANICAL
10	STONE
11	CORRUGATED METAL PANEL

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PETER M. STUHLREYER ARCHITECT

Myspace Livonia
29200 Vassar St.
Livonia, MI 48152

Building Elevations

22176

A2.2

A2.2 Building Elevations.dwg
5/25/2023
User



MySpace Livonia

March 7, 2023

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DESIGNHAUS ARCHITECTURE EST 1998



Exterior Rendering

March 7, 2023

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Owner Information

MySpace
979 S. Old US WHY 23
Brighton, MI 48114

Architectural Team

Designhaus Architecture LLC
3300 Auburn Rd Ste. 300
Auburn Hills, MI 48326
248.601.4422

Chief Architect: Peter Stuhlreyer AIA

Existing Building Information

- Address: 29200 Vassar St. Livonia, MI 48152
- 120,000 SF
- 8-Story Class C-Office/ Elevators
- ±15,000 SF Open Floor Plates
- 422 Surface Parking
- Parking Lot Paved 2013
- Permitted Uses: Office, Retail, Wholesale, Hotel, Senior Living, Nursing Home, Health Care, Religious, Cultural,Educational, Child Care, Academy, Parking, Restaurant
- 1972 / 2013
- Recast Concrete Building Built for the U.S. Government that may be Structurally Sound. Nearly the Whole Building has been Gutted to the Steel and Concrete – Ready for re-purposing



Site Location

Legend

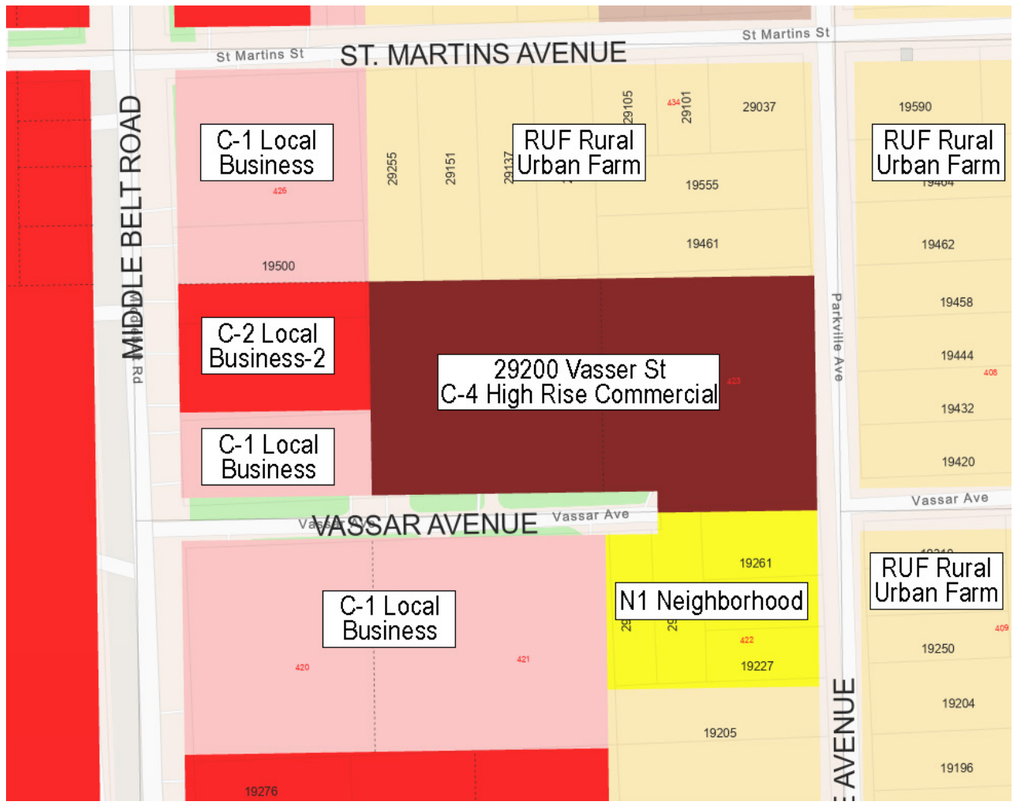
Alley

Lot Combinations

Zoning

- RUF Rural Urban Farm
- N1 Neighborhood
- N2 Neighborhood
- NM1 Neighborhood Multifamily
- NM2 Neighborhood Multifamily
- NM3 Neighborhood Multifamily
- P Parking
- C-1 Local Business
- C-2 General Business-2
- C-3 Highway Services
- C-4 High Rise Commercial
- ML Manufacturing Limited
- M-1 Light Manufacturing
- M-2 General Manufacturing
- PL Public Lands
- NP Nature Preserves

Existing Use



Legend

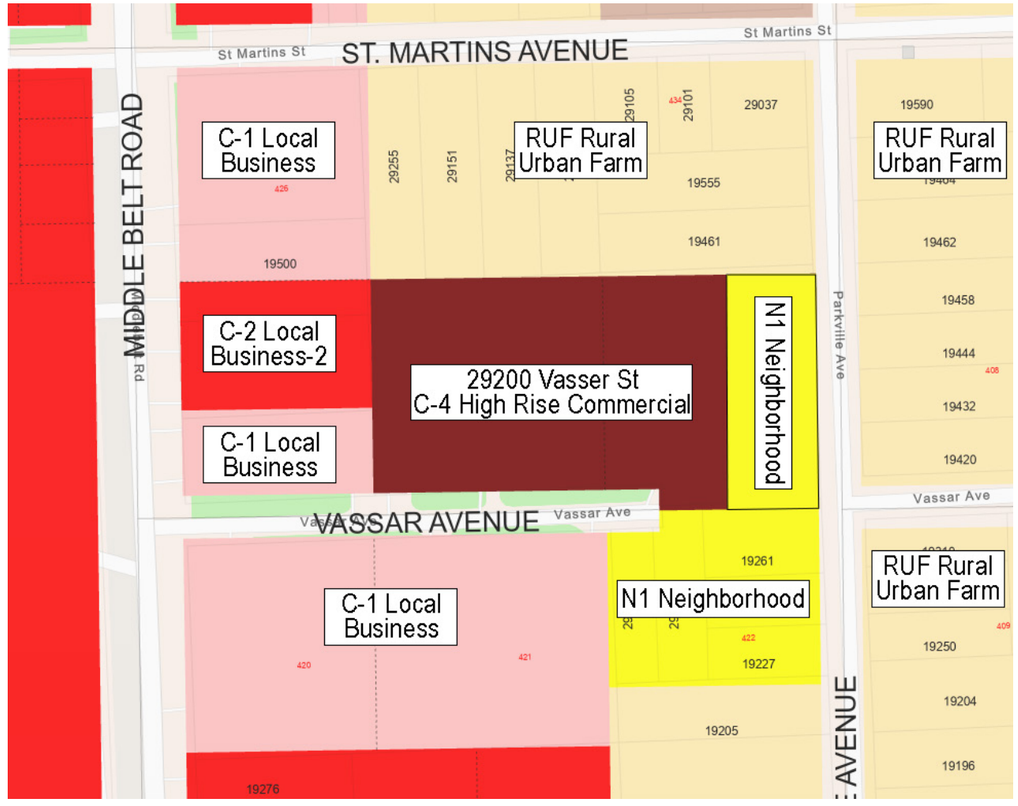
Alley

Lot Combinations

Zoning

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- C-2 General Business-2
- C-3 Highway Services
- C-4 High Rise Commercial
- ML Manufacturing Limited
- M-1 Light Manufacturing
- M-2 General Manufacturing
- PL Public Lands
- NP Nature Preserves

Proposed Use



Proposed N1 Lot Info

Minimum lot size:

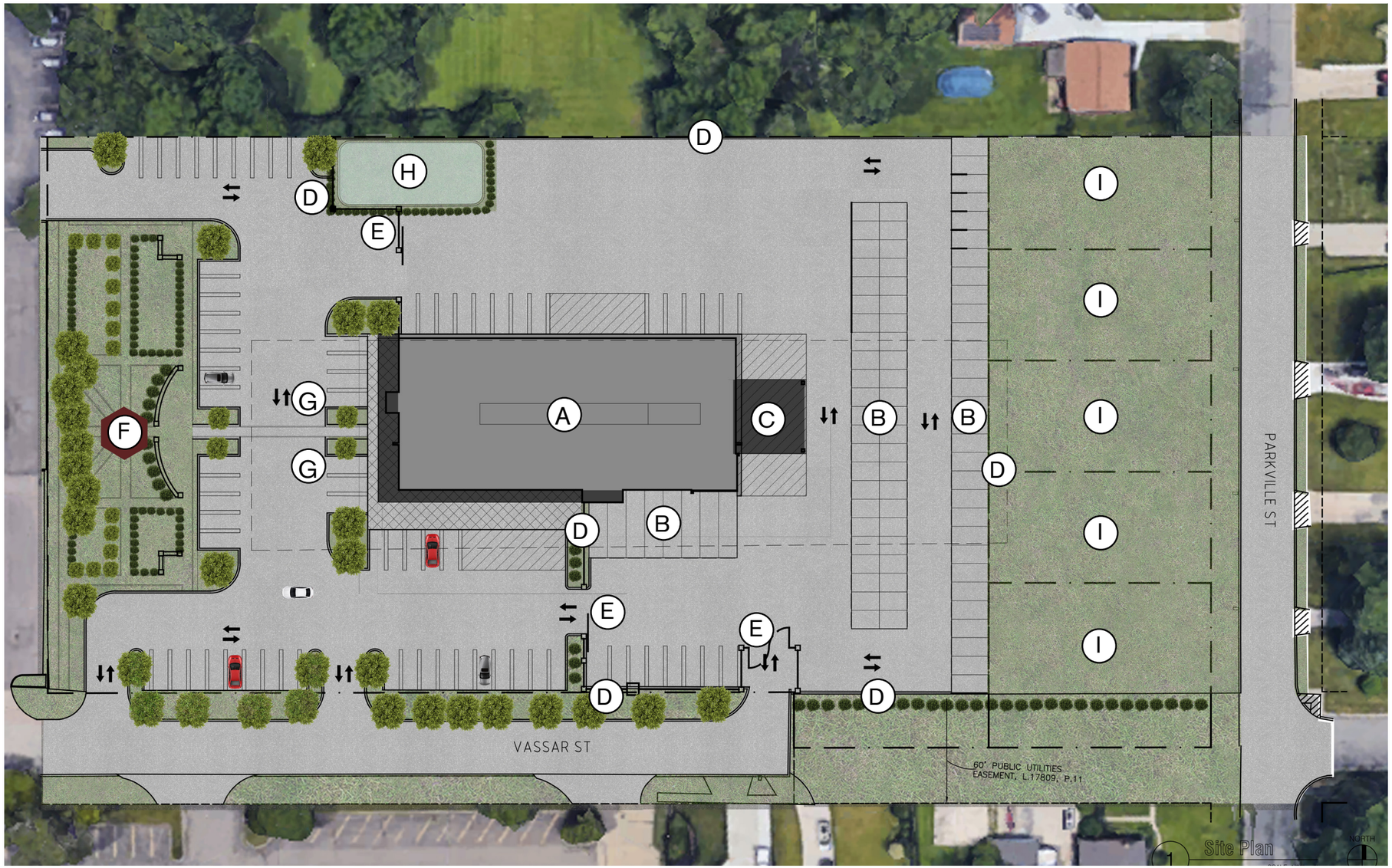
50 feet width

120 feet depth

Zoning Location

March 7, 2023

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CODE ANALYSIS

ZONING ANALYSIS

	Current:	Proposed:
Zoning District:	C-4	
Front Yard Set-back:	40ft	
Side Yard Set-back:	40ft	
Rear Yard Set-back:	40ft	
Maximum Building Height:	N/A	
Density Requirements:	N/A	
Maximum Lot Coverage:	N/A	
FAR Requirements:	N/A	
Open Space Requirements:	N/A	

Parking Requirements: Warehouse

Required: 1 per employee
Provided: 3
Total Parking:55
Handicapped Parking: 2

Exterior Loaded Storage Buildings

Total unit SF B: 21,200 ft²

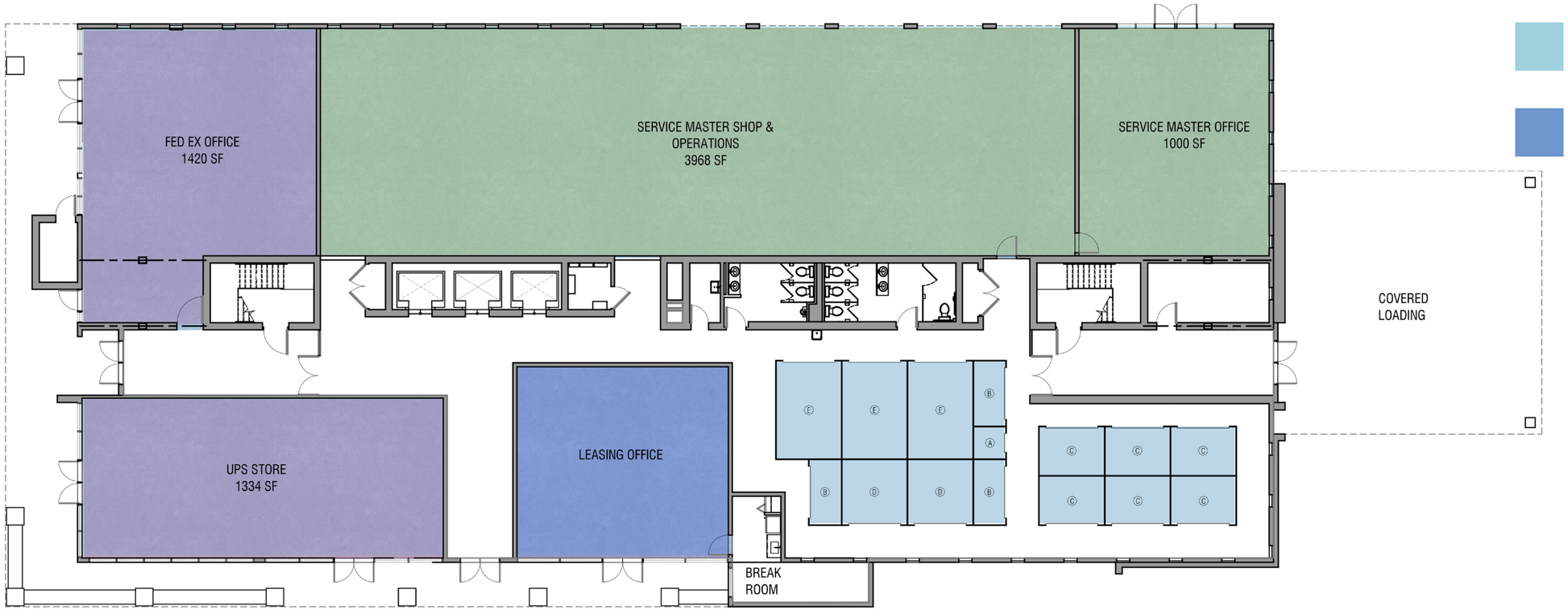
January 24, 2023 concept plan proposed 65,362 SF of exterior storage buildings

N1 Neighborhood Lot

Minimum lot size:
50 feet width
120 feet depth

Legend

- (A) Existing 8 Story Building
- (B) Exterior Loaded Storage Buildings
- (C) Loading Area
- (D) Screen Wall
- (E) Automatic Gate
- (F) Park Gazebo
- (G) Handicap Parking
- (H) Detention Pond
- (I) N1 Neighboorhood Lot Size 60'x120'



First Floor

Area: 15,110 ft²

Service Master Shop & Office
4,968 ft²

Commercial Tenant Space
2,754 ft²

Storage
1,275 ft²

Leasing Office

Building Info

First Floor	15,110 ft²
Retail rentable	7,722 ft² net
Storage	1,275 ft² net
Second Floor	14,883 ft²
Storage	10,287.66 ft² net
Third Floor	14,883 ft²
Storage	10,287.66 ft² net
Fourth Floor	14,883 ft²
Storage	10,287.66 ft² net
Fifth Floor	14,883 ft²
Storage	9,121 ft² net
Sixth Floor	14,883 ft²
Storage	9,121 ft² net
Seventh Floor	14,883 ft²
Storage	9,121 ft² net
Eighth Floor	14,883 ft²
Storage	9,121 ft² net
Exterior Storage	21,200 ft² net
Total	
Building Area	119,291 ft²
Storage Net Rentable	89,822 ft²

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- 5 x 3
- 5 x 5
- 5 x 10
- 7 x 3
- 7 x 9
- 10 x 5
- 9 x 3
- 10 x 7.5
- 10 x 10
- 10 x 12.5
- 10 x 15
- 10 x 20

Floors 2-4

Area: 14,883 ft²

Storage
10,287.66 ft²

Building Info

First Floor	15,110 ft²
Retail rentable	7,722 ft² net
Storage	1,275 ft² net
Second Floor	14,883 ft²
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Building Area	119,291 ft²
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- 5 x 3
- 5 x 5
- 5 x 10
- 7 x 3
- 7 x 9
- 10 x 5
- 9 x 3
- 10 x 7.5
- 10 x 10
- 10 x 12.5
- 10 x 15
- 10 x 20

Floors 5-8

Area: 14,883 ft²

Storage
9,121 ft²

Building Info

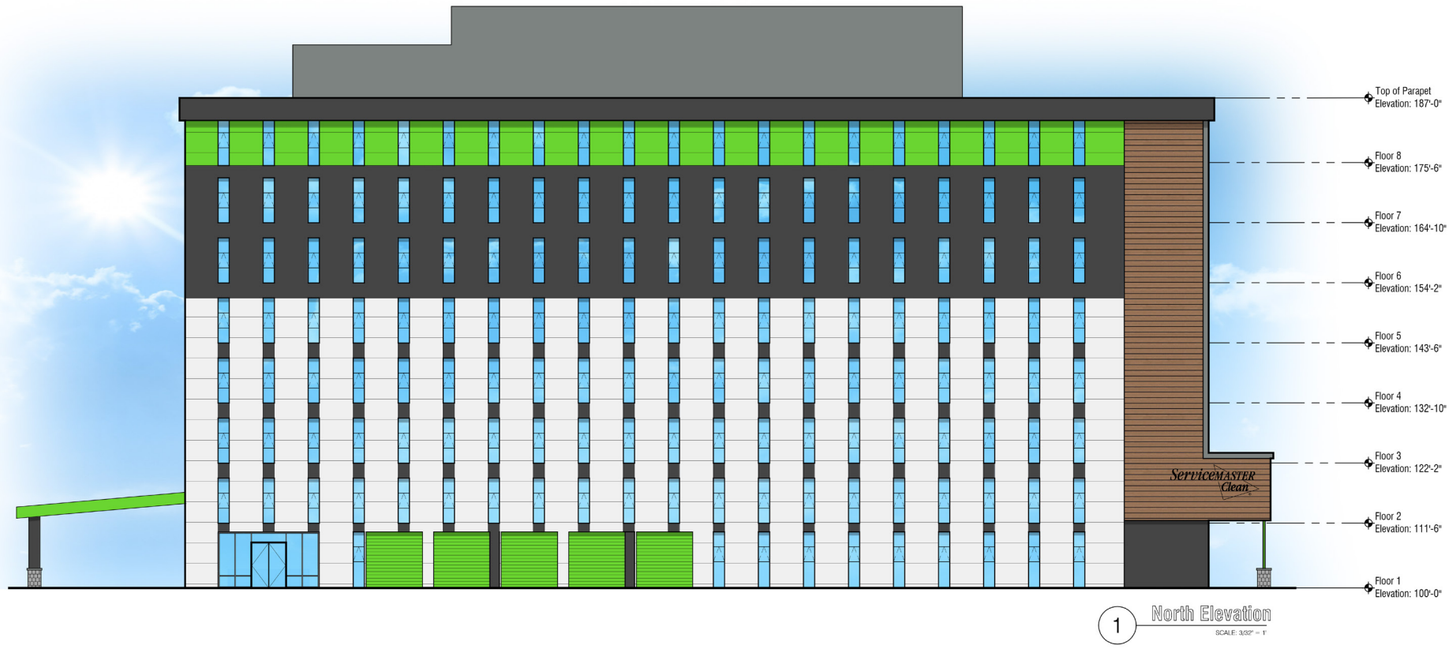
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Total	
Building Area	119,291 ft²
Storage Net Rentable	89,822 ft²

March 7, 2023
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2 East Elevation

SCALE: 3/32" = 1'



1 North Elevation

SCALE: 3/32" = 1'

North & East Elevations

March 7, 2023

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4 West Elevation



3 South Elevation

South & West Elevations

March 7, 2023

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Exterior Rendering

March 7, 2023

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Exterior Rendering

March 7, 2023

3300 Auburn Rd. Ste. 300 | Auburn Hills, MI | 48326 | p 248 601 4422 | www.designhaus.com



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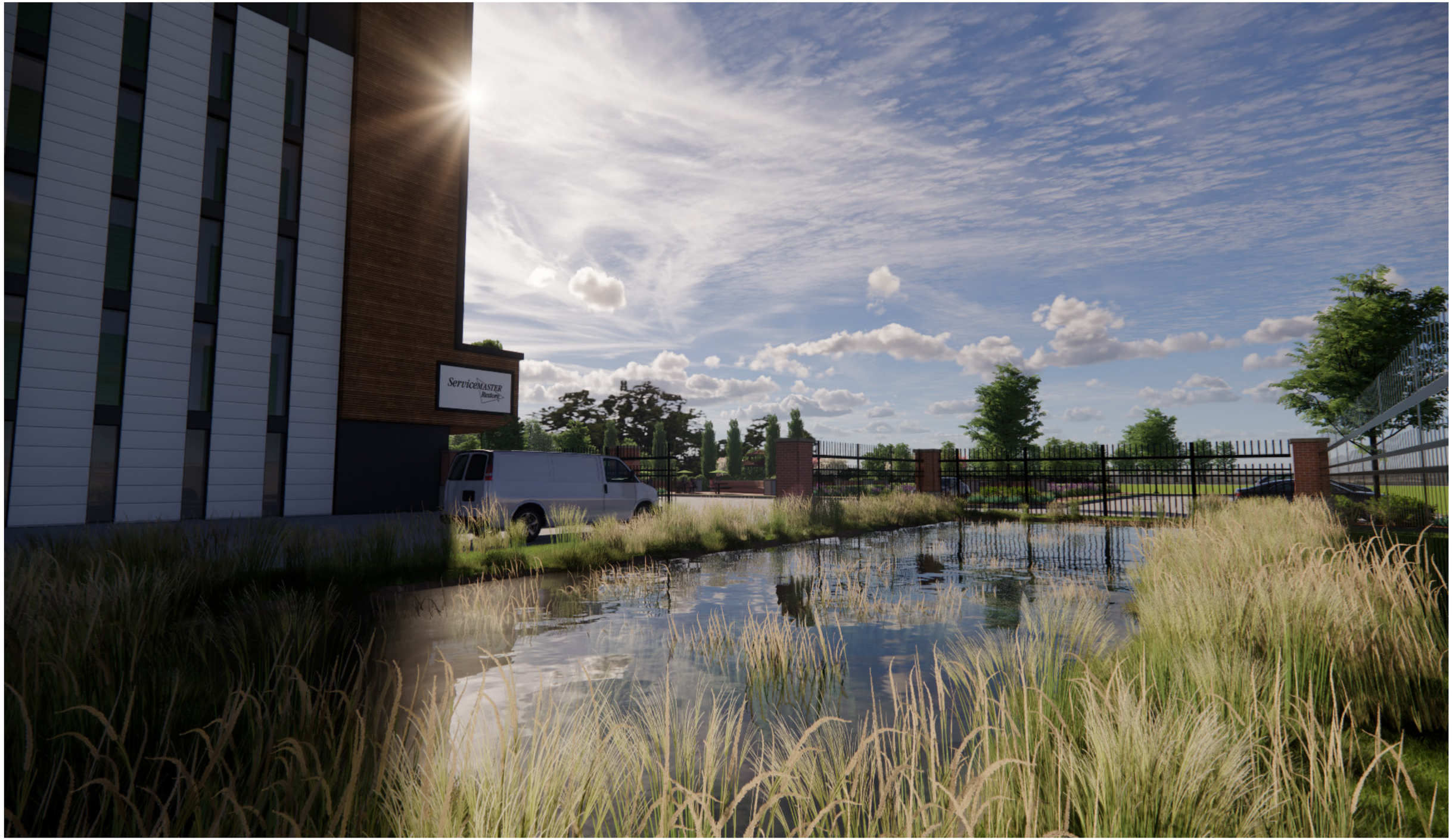
Exterior Rendering

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Exterior Rendering



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DESIGNHAUS
ARCHITECTURE
EST 1998

301 WALNUT BOULEVARD
ROCHESTER, MI 48307
TELEPHONE 248-601-4422
WWW.DESIGNHAUS.COM
INFO@DESIGNHAUS.COM

Myspace Livonia

29200 Vassar St. Livonia, MI.

MTL-1

MTL-2

MTL-3

SIDING-1

Material Schedule

Code	MFG/Contact	Specifications
SIDING-1	Manufacturer: Dizal	Type: Aluminum Panel Color: Hickory Natural 122-01 Size: 4'x8'x0.75" Location: Refer to Elevations
MTL-1	Manufacturer: CMI Corrugated Panels	Type: Insulated Metal Panel Series: FL 24 Liner Sheet Finishing: Janus International Color: EXR Wasabi
MTL-2	Manufacturer: CMI Corrugated Panels	Type: Insulated Metal Panel Series: FL 24 Liner Sheet Finishing: Sherwin Williams Color: Nebulous White 7063
MTL-3	Manufacturer: CMI Corrugated Panels	Type: Insulated Metal Panel Series: FL 24 Liner Sheet Finishing: Sherwin Williams Color: Cityscape 7067





Material Board and Details

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

June 12, 2023

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2023-06-02-06 – #29200 Vassar Avenue

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 subject parcel is assigned the address of **#29200 Vassar Avenue**. The legal description included with the submitted drawings appears to be correct, and should be used in conjunction with the proposed project.

The existing parcel is currently serviced by public sanitary sewer, water main and storm sewer. The submitted drawings do not indicate alterations to the existing services, so we cannot comment on any impacts to the existing systems at this time. It should be noted that the proposed development will be required in order to meet the Wayne County Stormwater Ordinance. Per the submitted drawings, no stormwater detention is indicated, but we will need to do a thorough review of the plans once they are submitted for permitting.

Also, the drawing show five (5) new residential lots in addition to the commercial buildings. Per the Land Division Act, this would exceed the number of available splits for the parcel. The maximum number of available splits would result in three (3) new residential lots. The developer should contact the Assessing Office to discuss options and limitations for the proposed splits

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: 2023 Petition File

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

ROBERT JENNISON
FIRE CHIEF

MAUREEN MILLER BROSNAN
MAYOR

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

DATE: June 22, 2023

TO: Scott O. Miller, Planner IV

FROM: Livonia Fire Prevention Division

SUBJECT: Petition 2023-06-02-06 29200 Vassar Ave. Self-Storage Units

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

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

1. Subject building(s) are to be provided with an automatic sprinkler system, and on-site hydrants shall be located between 50 feet and 100 feet from the Fire Department connection.
2. A fire access road 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.
3. Chapters 8 & 9 shall be followed as they relate to Fire Protection features and Alarm Systems NFPA 101, 2015 edition.

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

Sincerely,

Brian Kukla

Brian Kukla
Fire Marshal

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

June 13th 2023

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

Re: **Petitions 2023-06-02-06 - 29200 Vassar Avenue**

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,

Paul Walters, Sergeant
Traffic Bureau
(734) 466-2107

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
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: June 27, 2023

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2023-06-02-06 – 29000 Vassar Avenue

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

1. The petitioner's proposal is a change in use. This would require the proposed space to conform to all current barrier-free building and mechanical codes and standards. This will be addressed further during plan review if this project moves forward.
2. A minimum of one barrier-free van-accessible parking space is required. This space is to be 8' wide with an 8' wide hashed access aisle next to it. This space shall also have signage per code.

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

June 26, 2023

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

Petition 2023-06-02-06 - 29200 Vassar Avenue

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

June 19, 2023

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

Re: Petition 2023-06-02-06 29200 Vassar Avenue
ServiceMaster

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) 466-2220
assessorforms@livonia.gov

June 12, 2023

To: Planning Department

Re: **Petition 2023-06-02-06 29200 Vassar Ave.**

A request has been made by Gerald Todd Clark on behalf of ServiceMaster requesting a special waiver use approval for property at 29200 Vassar Avenue, parcel number: 003-01-0423-000. The plan involves conversion of an existing 8-story office building with a portion of the property split to include five (5) single-family residential lots. The parcel in total is 4.47 acres and would only be allowed four (4) total splits which would mean three (3) lots for the residential parcels. Please direct any questions to the Assessor's Office or Livonia.gov for the lot split and combination process.

Kindest Regards,

Kathie Siterlet

Kathie Siterlet
Residential Appraiser

EXECUTIVE SUMMARY OF
SELF STORAGE 101 SITE AND MARKET FEASIBILITY STUDY
FOR 29200 VASSAR STREET, LIVONIA, MICHIGAN

Self Storage 101, a nationally recognized and independent professional firm with expertise and significant experience in self-storage properties nationwide as well as southeastern Michigan, has been engaged to prepare a site and market feasibility study for 29200 Vassar Street in Livonia, Michigan based upon the project proposed by ServiceMaster / My Space Self Storage (the "Project").

1. **Market Analysis** (Page 5)

   Self Storage 101 conducted a comprehensive study of the Project market area to determine underlying fundamentals that impact the occupancy rates and rental rates including the following:

   - Study focuses on a trade area radius of three miles with a minimum population of 50,000;
   - Survey of competing facilities within the trade area, including number of units and occupancy rate;
   - Demand for self-storage based upon demographic variables, including population, percentage of renters, average household size and average household income; and
   - Generally speaking, oversupplied markets have occupancy rates of less than 80% and undersupplied markets have rates greater than 90%.

2. **Report Conclusion** (Page 10)

   Based upon the hard data collected by Self Storage 101, they have concluded that "the project is financially viable for self-storage space contemplated by the developer and in particular climate-controlled space. Various factors clearly indicate there is sufficient unmet demand for new self-storage space, particularly climate-controlled space contemplated by the subject development, despite the existing supply of self-storage space in the market."

3. **Supporting Data** (Page 10)

   The conclusion of Self Storage 101 is based on the following:

   - Square foot demand calculations and occupancy levels indicate the subject market up to the 3-mile demographic profile is underdeveloped

for storage space and there is sufficient unmet self-storage demand for the contemplated development.

- The subject site's financial viability is positively impacted by moderately high rental rates for climate controlled self-storage space in place at market competitors.

4. **Market and Site Grade Ratings** (Page 11)

Self Storage 101 has a grade rating system for each market and site it reviews. Self Storage 101 has rated both the market and development site as "B+":

> "We consider this a "B+" market due to the mostly moderately high to high occupancy levels, the calculation of potential unmet demand for additional self-storage space in the market, the moderate to moderately high rental rates for self-storage space, the moderate to moderately high per capital and household income levels, the moderate population density and modest projected population growth."

With respect to the site rating of B+, Self Storage 101 has indicated visibility and access is "Excellent" and traffic counts, surrounding neighborhood and location are "Good."

5. **Competitor Analysis** (Pages 35-54)

This section of the study includes a comprehensive analysis of and information regarding the competitors within the market area.

6. **Self Storage 101 Recommendation** (Page 12)

Self Storage 101's final recommendation is as follows:

> **"We highly and confidently recommend the developer of the subject site pursue the completion of this project as envisioned. We have no doubt that it will perform based on the thousands of other feasibility studies we have conducted over the years."**

Prepared by:
Plunkett Cooney
June 30, 2023

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Site Location:
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[ƛØ2yƛl-Σ aʟ пумрн

Client: Gary Gerrits

Market and Feasibility Analysis performed by: Self Storage 101

SELF STORAGE 101
We know storage.

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FOREWARD 4
CONCLUSIONS AND RECOMMENDATIONS 10
SUBJECT MARKET INSPECTION 13
AERIAL VIEW 13
MAP VIEW 14
SUBJECT SITE EVALUATION 15
PROJECT DESCRIPTION 16
AERIAL VIEW 18
MAP VIEW 19
SITE EVALUATION 20
SUBJECT MICRO MARKET 23
MARKET REVIEW 24
DEMOGRAPHICS 26
MARKET SUMMARY 28
NEIGHBORHOOD 30
COMPETITORS BY LOCATION 34
COMPETITOR ANALYSIS 35
COMPETITOR PROFILES 45
POTENTIAL NEW SELF STORAGE DEVELOPMENT 55
DEMAND ANALYSIS 56
UNIT MIX AND RATES 61
MARKET PRICING 65
NATIONAL RENTAL RATE TRENDS 73
REGIONAL RENTAL RATE COMPARISONS 77
LEASE-UP PERIOD 86
FINANCIAL ANALYSIS 90
INCOME STATEMENT INFORMATION 92
OPERATIONS/MARKETING/DEVELOPMENT RECOMMENDATIONS 116
10 Federal Finds Success With Self-Storage Automation: A Case Study of Unmanned Operation 124
Sales 124
Operation 125
Monitoring 126
Challenges 126
Automation Makes Its Way Into Self-Storage 128
APPENDIX 138
WHAT IS SELF STORAGE? 138
WHY PEOPLE STORE 141
SELF STORAGE ZONING 143
SELF STORAGE DEVELOPMENT LIFE CYCLE 144
PRE-OPENING TIME LINE 147
WHY INVEST IN SELF STORAGE? 149
STORAGE TYPES 150

DEVELOPER ACTIVITIES 154
DEVELOPMENT TIMEFRAME 156
DEVELOPMENT COSTS 156
DEVELOPING A SITE PLAN 162
SAMPLE SITE PLANS 163
SELF STORAGE FINANCING 166
Conduit Loans 170
Insurance Company Loans 171
Other Long-Term Loan Considerations 171
INCOME & EXPENSES 173
Rental Rates 173
Lease-up Period 173
Post Lease-up Pricing 174
Vacancies 174
Move-in Discounting 174
Non-Payment by Customers 174
Late Payment Fees 175
Merchandise Sales 175
Truck Leasing Income 175
Miscellaneous Other Income 176
Fixed & Variable Expenses 176
Fixed Expenses 176
Real Estate Taxes 177
Insurance 177
Variable Expenses 177
Payroll 178
Utilities 178
Repairs and Maintenance 178
Management Fees 178
Marketing 178
Office Expenses 179
Miscellaneous 179
Other Expense Considerations 179
Estimate Expenses 179
CAP RATES 180
SELF STORAGE VALUATION 182
Consultant Qualifications 183

FOREWARD

The client has engaged Self Storage 101 to conduct a Pre-Development Self Storage Site and Market Feasibility Study for a specific development site or conversion. The purpose of this report is to provide an in-depth review of the subject site and micro market as each relates to the potential opportunity for successful self-storage management and development at a specific site. This study researches the competitive self-storage market as related to demographic and competitive data, the subject site's location, visibility and other attributes and its place within the existing self-storage market. The report contains a complete profile of the existing self-storage competitors and provides documentation as to their relevance within the subject market and the competitive impact on the potential development of the subject property.

When reviewing the viability and 'marketability' of a potential self-storage location, Self Storage 101 reviews four distinct areas that are critical in determining the subject site's market position and potential for acceptable financial returns:

- **ЄKŜ {ЋŭŜ l·yŘ Ћŭǎ [2ŎI·ŭЋ2y◊** As self-storage has become ever more a retail-type business, facility location has become more critical than in past times when self-storage facilities were in industrial parks or behind the local airport. When looking at the specific location, we are evaluating the site for its visibility, accessibility and relation to the other self-storage competitors. While contemplating a potential site's suitability it is important to review signage and other marketing opportunities necessary to enhance the subject location's 'statement' within the market. It is also important to note the following as they relate to market position:
    a. **! Y ŜyЋŭЋŜǎ◊** Self-storage customers are becoming more discerning about their self-storage choices and those facilities lacking in 'market amenities' are finding themselves at a disadvantage.
    b. **/ʤ₩ō !LJLJŜI·fŧ◊** Self-storage customers sometimes make their decisions regarding a specific site based on the initial look of the facility. A dirty, debris-laden parking lot and trashy landscaping is likely indicative of a poorly managed facility and uncaring managers.
    c. **{LJŜŎЋI·fă l·yŘ 5ЋǎÔ2ʤyŭǎ◊** The more competitive a market, the more likely it is that a facility will be forced to integrate some type of move-in discounting in its marketing scheme.
    d. **{ŭI·ŭЋǎŭЋÔǎ◊** Most self-storage customers 'shopping' for storage end up renting storage. A critical question to ask when reviewing a self-storage facility is 'would a potential customer rent here?' and if not, why not.

нú ¢KŜ aI-₩ʅŜű. Self-storage demand in any market is determined by the needs of potential customers and thus, simply adding more self-storage inventory does nothing to increasing that potential demand. A crucial piece of the 'marketability' and viability puzzle is attempting to determine if there is sufficient demand for additional self-storage supply. New self-storage customers can come from only a small number of demand pools: population growth, commercial growth or pent up demand not being met by the existing competitors. An underlying question we must ask in evaluating a potential self-storage location is 'why would potential self-storage customers rent here?' What about the market or location indicates that the subject site should and likely will garner an acceptable and profitable share of the move-in activity?

Market Analysis

A comprehensive study of the market area is necessary to determine the underlying fundamentals that impact the occupancy rates and rental rates.

The first step is to define the trade area as a radius. Generally, a suburban property will have a trade area radius of three miles; a more rural property may have a trade area radius of five or 10 miles. Very dense areas, such as Manhattan, may only require a trade area of one mile. The general rule of thumb is to have a minimum population of 50,000, however, there are many market areas that have a much lower population and are still viable.

Next, a survey of all the facilities within the trade area must be taken. The most important information to be gathered includes the number of units, the net rentable area, and the occupancy rate. While this information can be difficult to obtain, due to its proprietary nature, estimates should be obtained from sources such as assessor's offices, phone surveys, and other public sources. This will allow the supply per foot to be calculated.

Demand for self-storage is difficult to quantify; however, the following four demographic variables have been shown to induce demand for self-storage: population, percentage of renters, average household size, and average household income. Additionally, there may be further demand factors that are difficult to quantify such as a nearby university or highway. An estimate can also be compared to the average supply on the state and national level.

On a per-person basis, if the supply is less than the demand, the market is deemed to be under-supplied. If the supply is greater than the demand, the market is deemed to be over-supplied. As a test of reasonableness, a comparison of the conclusion to the average occupancy in the trade area can be made. Generally speaking, over-supplied markets have occupancy rates less than 80 percent and under-supplied markets have rates greater than 90 percent. A market with an average occupancy rate between 80 and 90 percent is deemed to be near equilibrium.

Understanding the supply and demand of the trade area is a key component to analyzing and forecasting rental rates.

oú ¢KŜ /2YLJŜűńű2₩ă◊ Determining the rates, occupancy levels and amenities offered by the market competitors is an important factor in determining the quality of the local self-storage market and the propensity for a reasonable occupancy level and revenue growth for a new self-storage development. Our in-person evaluations of the market competitors are designed to compile both anecdotal and quantitative evidence of the 'marketability' of a self-storage facility. The days of 'build it and they will come' are long over within the self-storage industry. Therefore, more than ever before it does matter what the competitors are offering to entice potential customers. There simply may not be enough potential customers looking for storage in a market and any new development will have to be positioned within the market to garner an acceptable percentage of the existing self-storage demand.

ΠΫ ¢ΚŜ aΙ·γΙ·ΞŜ₪¢ There are very few business models that are as 'manager-centric' as self-storage. Oftentimes, customers do not remember the name of the facility but they almost always know the name of the manager. **² Ŝ ōŜ₡ŜØŜ ΰΚΙ·ΰ Ι·γ′ !Ь ₮Ι·ÖΛ₡ΰèè ØΛΰΚ Ι· /π Υ′Ι·γΙ·ΞŜ₪ ΛǎΙ· /π ƨLJŜ₪Ι·ΰΛ2γ℗** It is critical that a self-storage company hire, train and develop on-site managers at the highest level. The view of managers as 'baby sitters' reflects a view of the business model that is no longer viable. A self-storage manager must have excellent sales abilities, know how to use effective collections techniques and know how to utilize effective time management skills. In an ever increasingly competitive business cycle, self-storage facilities must have a better trained and more professional manager than their competitors. Our evidence shows that in most any self-storage market, the facilities with the most professional managers almost always have the highest occupancy levels and the highest market rates.

It is important to note that 'manager' can also indicate the 'management' of the site as a growing number of self storage facilities are being developed as automated, unattended facilities. Our commentary related to the necessity of a higher quality manager also relate to those aspects of managing an unattended facility:

- A high quality call center is vitally important to an unattended self storage facility as most rental functions are now handled by the call center:
  - Self storage rentals
  - Payments
  - Customer service issues
  - Overlock process
  - Collections calls
  - Lien and auction process
- Just as important is a high quality, professional website:
  - Online rentals and payments
  - Dynamic pricing
  - Effective SEO efforts

This report was prepared exclusively for our client. While every attempt is made to provide the highest level of accuracy and reliability, it must be recognized that the report relies in some part on written and verbal information provided by others. In some instances, these sources are competitors, who may have a vested interest in skewing data. Every attempt has been made to eliminate possible misrepresentations. Self Storage 101 accepts no responsibility and shall not be liable for misinformation, either intentional or accidental, and cannot be held responsible for any decisions the developer may make based on this report. Reliable sources and redundant checks are employed, but there is always an outside chance that data can be missed. One should be aware of that fact in decision making based on this report.

Some preliminary construction costs estimates have been provided within the report. Although we attempt to determine current materials and construction costs, no representation is made as to their entirety or accuracy. We have provided these estimates for reference and these estimates are for the purposes of making an initial determination as to the return on investment, cash-on-cash returns and other such investment analysis.

It should be noted that the assumptions herein are based on the use of seasoned professionals in the development, entitlement, design, construction, marketing and management of the property.

Self Storage 101 states that it has no financial interest in the development of this proposed project. The payment of professional fees agreed upon for this report was in no manner contingent upon the results and opinions stated within this report.

SELF STORAGE INDUSTRY[1]

FIGURE 1-1:
Total Households vs. Self Storage Renter Households

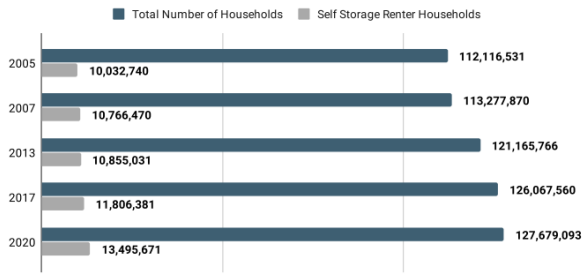


FIGURE 1-2:
Self Storage Penetration

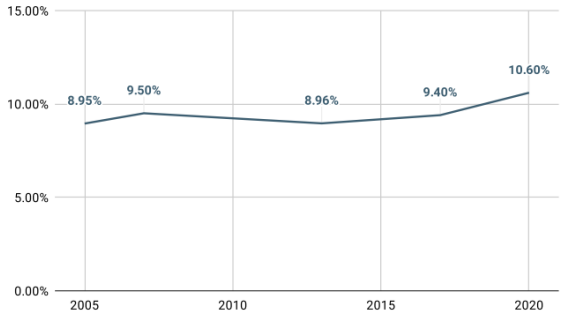
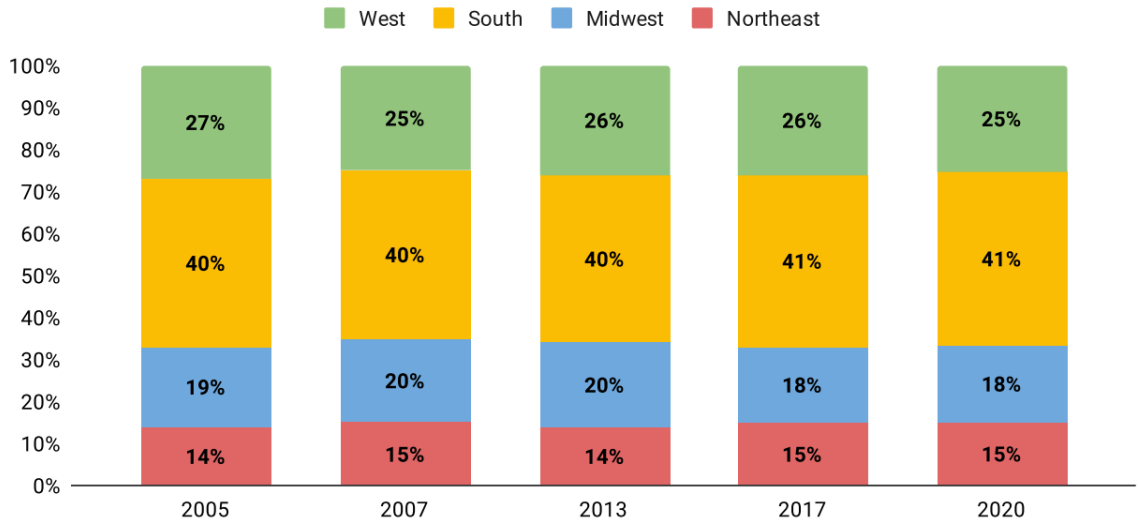
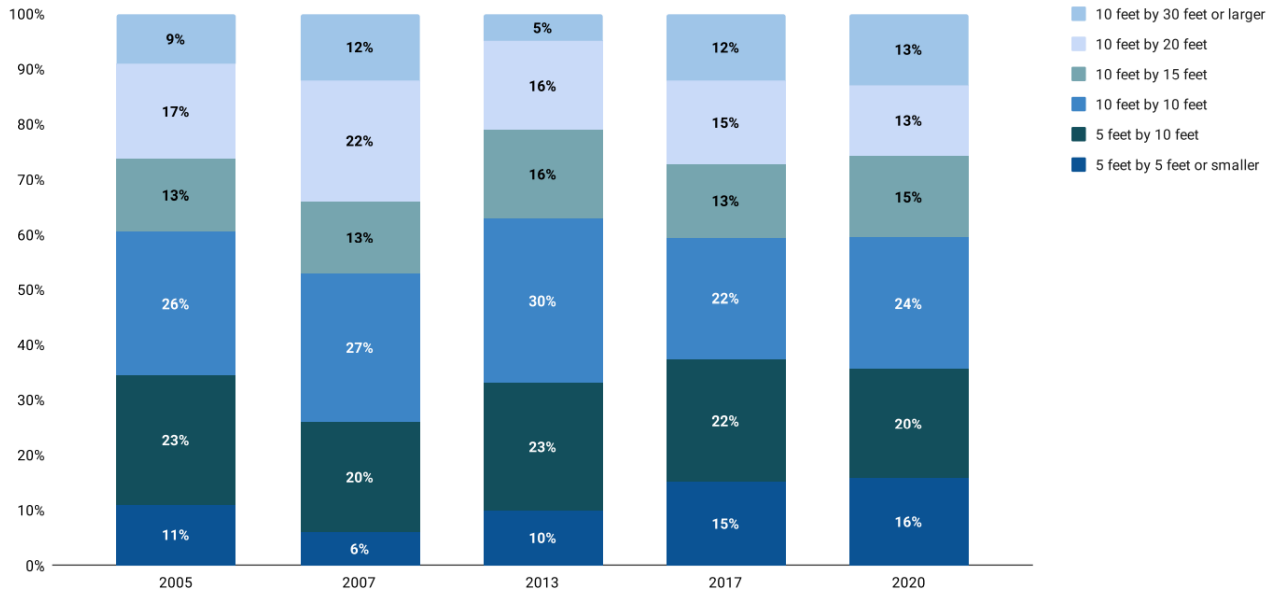


FIGURE 1-3:
Self Storage Users by Region



[1] Information from SSA 2020 Demand Study

Primary Unit Size



CONCLUSIONS AND RECOMMENDATIONS

On or about April 27, 2023, the partners of Self Storage 101 conducted a Self-Storage Market and Feasibility Study for a specific potential development or conversion site in the Livonia MI market. The study included an offsite examination of the subject property, a review of the self-storage competitors in the market and the demographic profile of the subject market.

It is our opinion, as evidenced by the hard data collected that the project is financially viable for self-storage space contemplated by the developer and in particular climate-controlled space. Various factors clearly indicate that there is sufficient unmet demand for new self-storage space, particularly climate-controlled storage space, as contemplated by the subject development, despite the existing supply of self-storage space in the market. These factors are explored further in the "Demand" section of the report. Additionally, our analysis concludes that acceptable financial assumptions and returns can be met and that these return calculations would not be negatively impacted by what we have calculated for the lease-up period and moderate rental rates.

Our opinion is based on the following:

- The square foot demand calculations and anecdotal occupancy levels indicate that the subject market up to the three-mile demographic profile is underdeveloped for storage space and there is sufficient unmet self-storage space demand for the contemplated development.
- The developer should plan to utilize the services of a professional third-party management company which will afford the subject facility a marked operational and marketing advantage over several of the market competitors.
    - The sophisticated online marketing and other marketing programs employed by these companies and their ability to garner their 'fair share" of self-storage market results in a quicker lease up period than would otherwise be expected.
    - The sophisticated revenue management systems and algorithms employed by these companies results in increased incomes and asset value than would be otherwise realized.
    - This recommendation is not intended to infer that this facility would negatively impact the neighboring self-storage facilities' performance, but simply intended to point out the benefits of professional third-party management to a developer.
- The subject site's financial viability is positively impacted by the moderately high rental rates for climate-controlled self-storage space in place at the market competitors.
    - The average rental rate for a 10x10 non climate unit is $114 per month while the average rental rate for a 10x10 climate unit is $131 per month.
    - The 'blended' rental rate for the indicated unit mix is $17.05 per square foot (per year), a rental rate generally found to be high enough to warrant new development.

- The financial viability of the subject project assumes the developer's ability to complete the development for the development costs indicated.
- The stabilized income statement would indicate an appropriate value to assure adequate and appropriate returns.

We believe the subject development is represented as a 'B+' market and the site is a 'B+' site.

We consider this a 'B+' market due to the mostly moderately high to high occupancy levels, the calculation of potential unmet demand for additional self-storage space in the market, the moderate to moderately high rental rates for self-storage space, the moderate to moderately high per capita and household income levels, the moderate population density and modest projected population growth.

a l·ℕ ⌊Ŝű ±l·ŏl·yŏè – We noted the market competitors have mostly moderately high to high occupancy levels which indicate unmet demand for units in the area.

wŜyűl·f wl·űŜă – Rental rates in the subject market area are moderate to moderately high.

t2LJdzfl·ű2y 5Ŝyãűè – The subject market has a moderate population density.

Lyŏ2Y Ŝ [ŜØŜfă – The subject market has a moderate to moderately high per capita income level and household income level.

t2LJdzfl·ű2y DN2øűK tN2ŜŏűN2yã – The subject market is projected for a +/-1.7% increase over the next five years.

5ŜYl·yŘ !yl·fèăN – The three-mile subject market is under-developed.

Factor	Excellent	Good	Average	Poor
Market Vacancy		· ·		
Rental Rates		· ·		
Population Density			· ·	
Income Levels		· ·		
Population Growth Projections			· ·	
Demand Analysis			· ·	

We consider this a ‘B+’ site due to the location with excellent visibility and good access from a moderate to moderately high traffic count roadway, the close proximity to residential customers and the potential for population drive by opportunities in close proximity.

¢ℕⅠ**·**₸ℸ**Ⅾ /2**ⅆ**ƶ**ƴ**ű**ă** – The subject site is located on a moderate to moderately high traffic count roadway.

! Ǒ**Ǒ**Ŝ**ăă** – Customers will have very good access from the roadway.

bŜ**⅄**Ǝ**K**ō**2**ℕ**K22**Ř** – The neighborhood in closest proximity to the subject site is primarily commercial enterprises, vacant land parcels and single-family homes.

[2Ǒ**I·**ű**⅄2**ƴ – The subject site does fit well into potential customers’ commute patterns.

Factor	Excellent	Good	Average	Poor
Traffic Counts		··		
Visibility	··			
Access	··			
Neighborhood		··		
Location		··		

The amount of self-storage space owned and operated by sophisticated, institutional operators in the market does indicate that rental rate increases should be expected as occupancy levels increase. Proforma increases in the rental rates will be influenced by the presence of properties owned and/or managed by institutions.

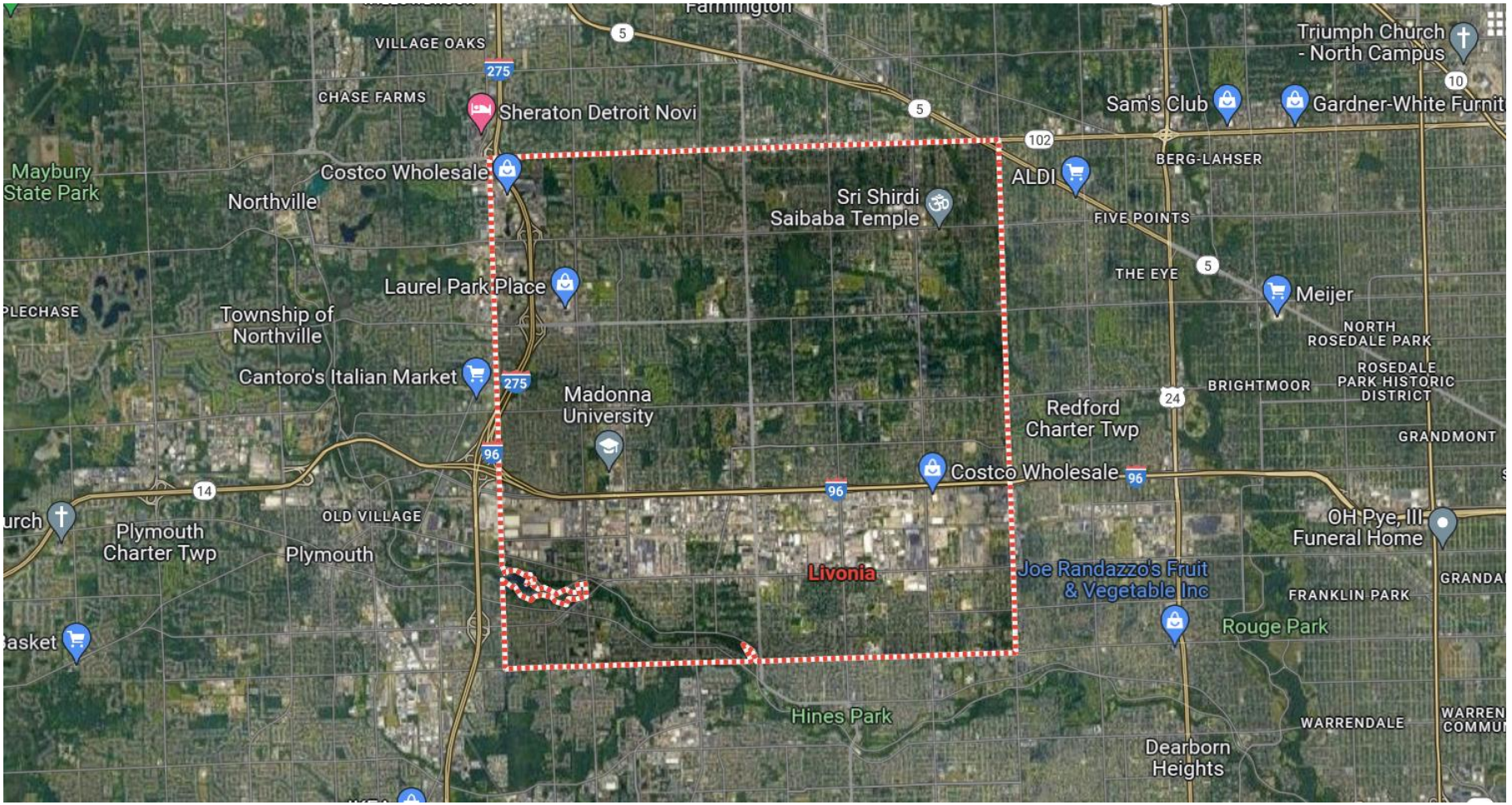
In markets where institutional investments have been made, once projects meet stabilized occupancy, rental rates tend to be aggressively managed, thus creating opportunities for increased rents. Where institutionally owned/managed projects are not prevalent, owner-managed properties tend to have lower rents and a greatly reduced propensity for annual and/or aggressive yield and revenue management. The first paradigm does exist in the Livonia market, and therefore rental rates will increase as occupancy levels increase.

We believe that a third-party management company engagement regarding the subject facility will mitigate and risk with this particular self-storage asset.

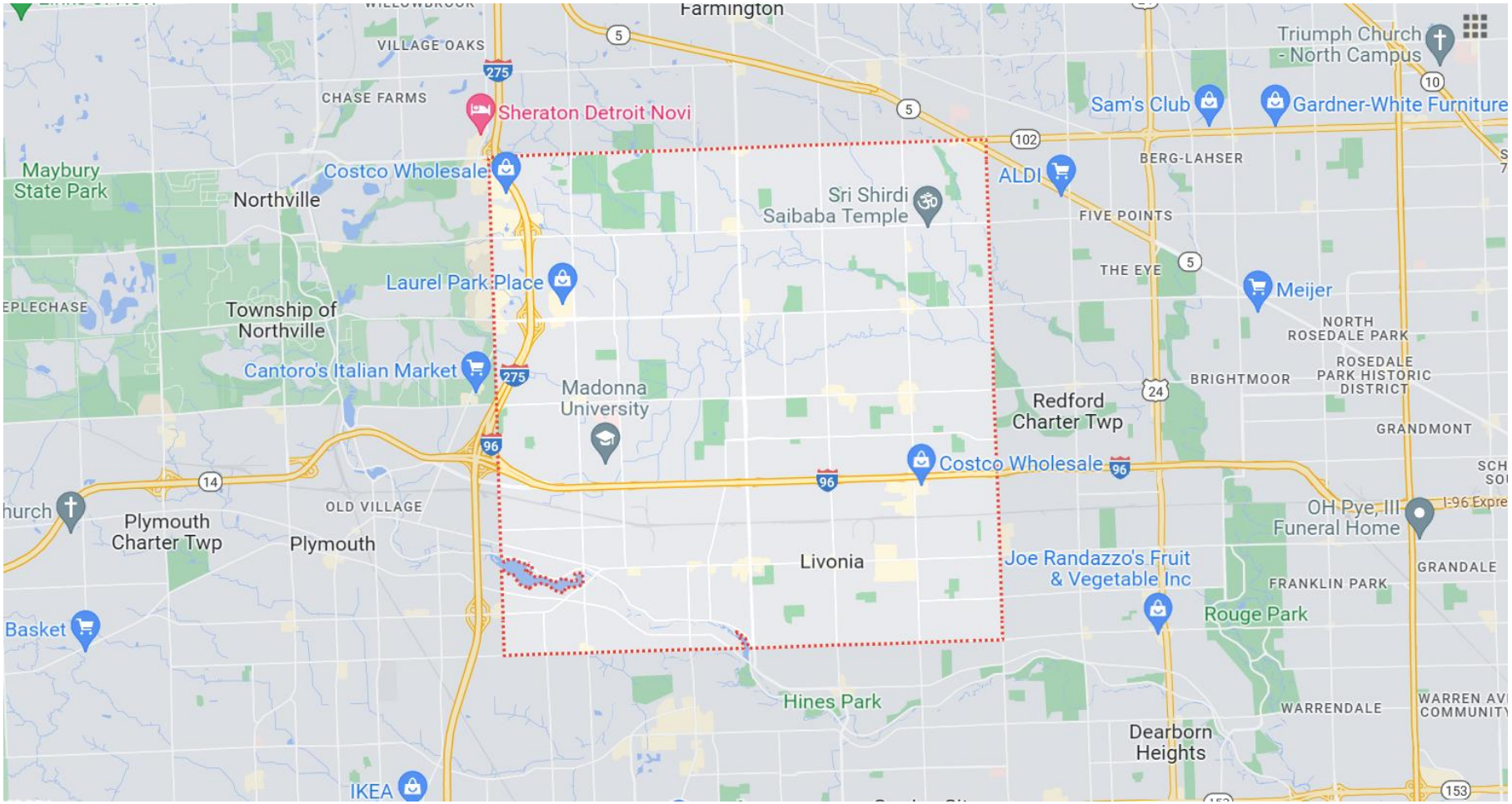
We highly and confidently recommend that the developer of the subject site pursue the completion of this project as envisioned. We have no doubt that it will perform based on the thousands of other feasibility studies we have conducted over the years.

SUBJECT MARKET INSPECTION

!9wL![±L9 ²



a ! t ±L9 ²


Farmington
VILLAGE OAKS
CHASE FARMS
Sheraton Detroit Novi
Triumph Church - North Campus
Sam's Club
Gardner-White Furniture
Maybury State Park
Northville
Costco Wholesale
Sri Shirdi Saibaba Temple
ALDI
BERG-LAHSER
FIVE POINTS
THE EYE
Meijer
Laurel Park Place
Township of Northville
NORTH ROSEDALE PARK
ROSEDALE PARK HISTORIC DISTRICT
BRIGHTMOOR
Cantoro's Italian Market
Madonna University
Redford Charter Twp
GRANDMONT
Costco Wholesale
OLD VILLAGE
Plymouth Charter Twp
Plymouth
OH Pye, III Funeral Home
Livonia
Joe Randazzo's Fruit & Vegetable Inc
FRANKLIN PARK
GRANDALE
Rouge Park
Basket
Hines Park
WARRENDALE
Dearborn Heights
IKEA

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Location: Vacant commercial land parcel located with visibility and access from a moderate to moderately traffic count roadway in the Livonia market.

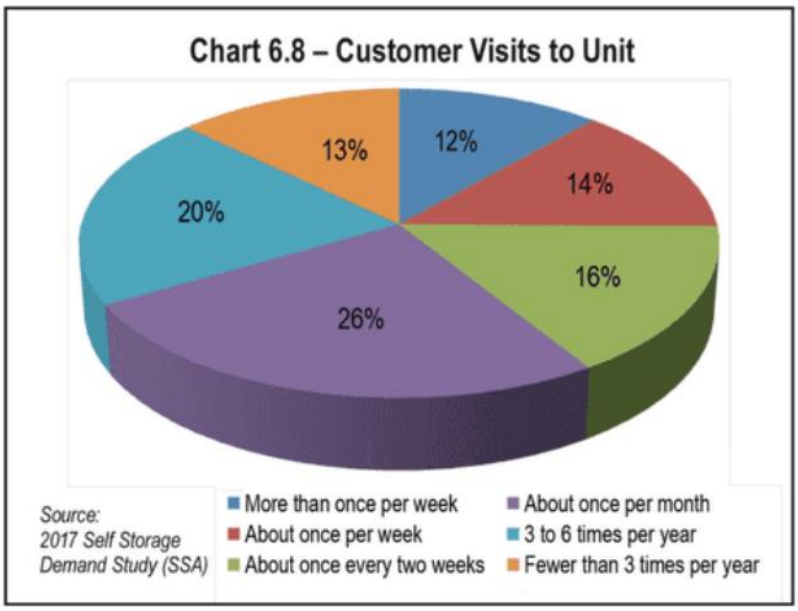


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A multi-story self-storage facility is proposed as a conversion project located at a vacant commercial building located on Vassar Street in Livonia MI The site is approximately one acre and proposed construction would include an inventory of climate controlled, interior access self storage space newly developed within the vacant commercial building. This facility will likely not include an onsite manager's apartment but will include an office conducive to conducting storage rental and sales operations. Feasibility of the project would be contingent upon all approvals, permits and licenses being obtained.

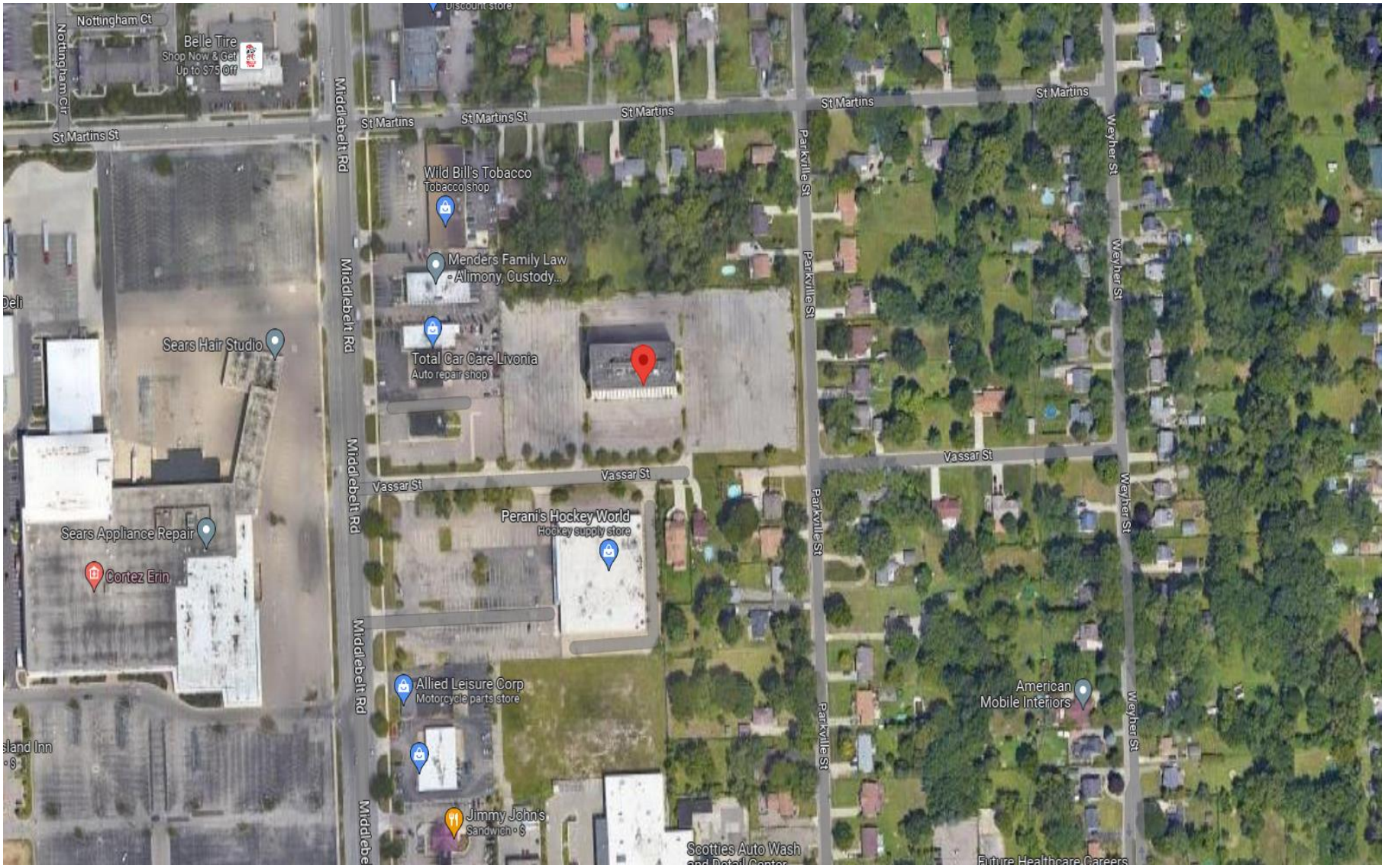
The self-storage facility project will likely have the following attributes:

- An office of approximately 750 square feet of 'A' quality which would be conducive to rental and sales operations.
- The facility would not include an onsite manager's apartment. Consider that:
    - The costs related to completion of a modest apartment can be $50,000-$60,000 or more.
    - The space used, approximately 1,200 square feet, cannot be rented, representing a potential loss in income comparable to the per square foot rate of climate-controlled space.
    - Replacing a manager who lives in an on-site apartment can prove to be problematic.
    - Acquisition-minded self-storage companies may not, and likely will not, require or prefer an apartment.
- The layout of the site should include a main entry point with a key pad entry and computer access controlled entry doors. This design:
    - Allows for better tenant monitoring as access points and histories are documented.
    - Helps control delinquencies as past due tenants are typically not allowed to access their storage unit and are hindered from doing so by way of suspension of their security access code.

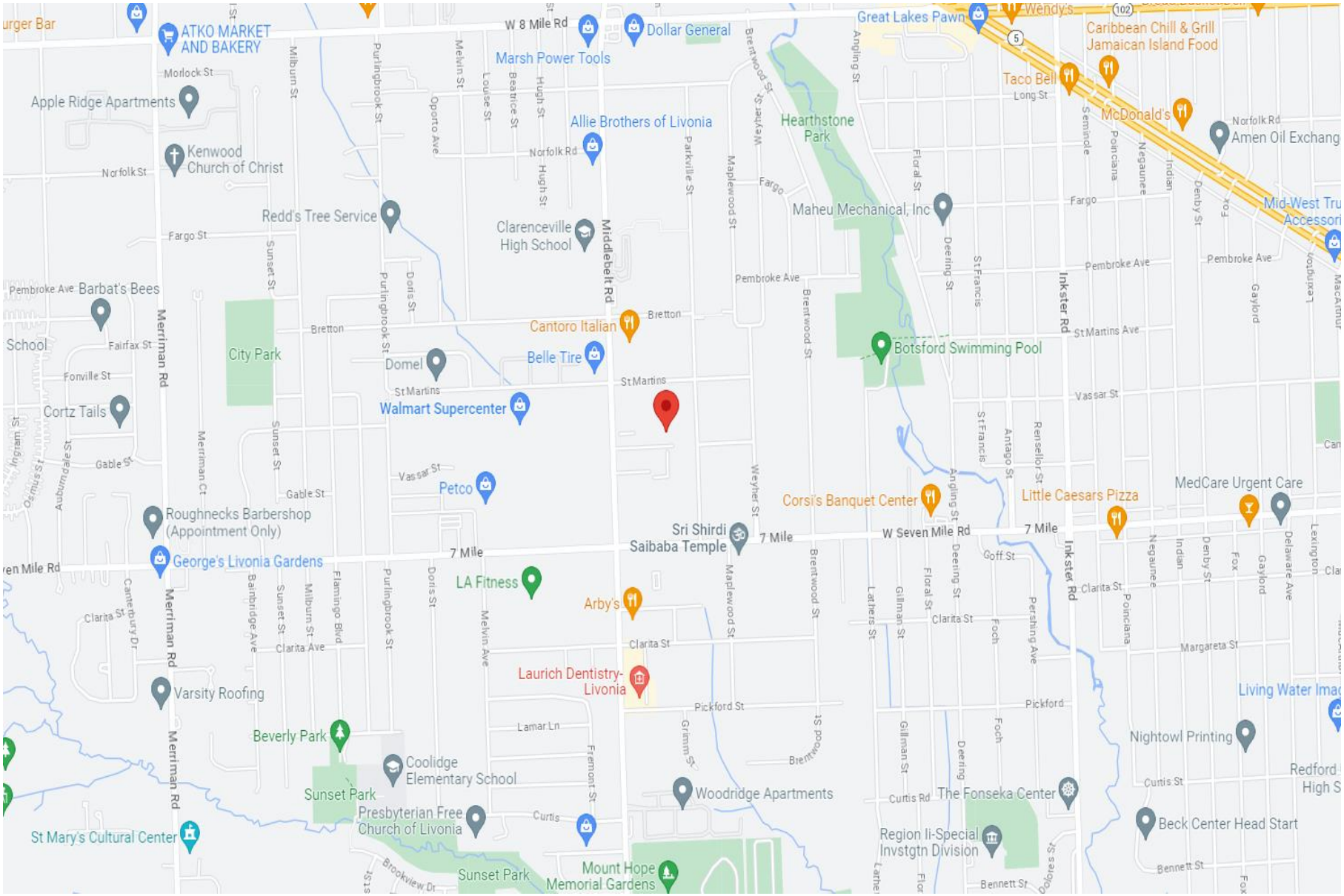


- Approximately 98,365 rentable square feet of rentable self-storage space configured as:
    - Approximately 3,143 square feet of first floor interior access climate controlled self storage space.
    - Approximately 80,222 square feet of upper floor, elevator access self storage space.
    - Approximately 15,000 square feet of drive up non climate space.

!9WL![±L9 ²

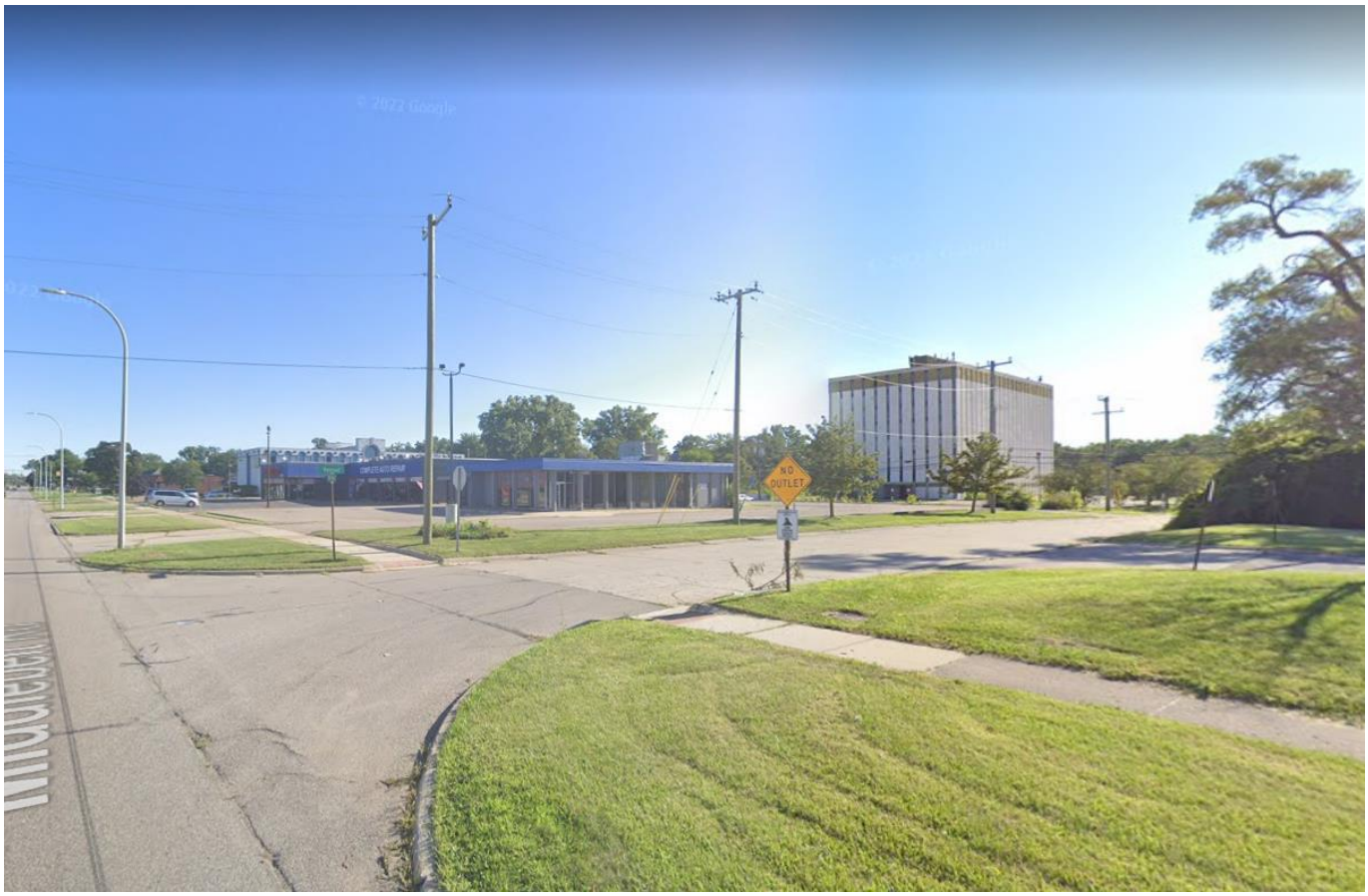

Nottingham Ct
Belle Tire
Shop Now & Get Up to $75 Off
Nottingham Cir
St Martins St
St Martins
St Martins St
St Martins
St Martins
Middlebelt Rd
Wild Bill's Tobacco
Tobacco shop
Menders Family Law - Alimony, Custody...
Parkville St
Weyher St
Deli
Sears Hair Studio
Total Car Care Livonia
Auto repair shop
Vassar St
Vassar St
Vassar St
Middlebelt Rd
Perani's Hockey World
Hockey supply store
Sears Appliance Repair
Cortez Erin
Allied Leisure Corp
Motorcycle parts store
American Mobile Interiors
Jimmy John's
Sandwich · $
Scotties Auto Wash
Future Healthcare Careers

a ! t ±Ł9 ²


ATKO MARKET AND BAKERY
W 8 Mile Rd
Dollar General
Marsh Power Tools
Great Lakes Pawn
Wendy's
Caribbean Chill & Grill Jamaican Island Food
Taco Bell
McDonald's
Amen Oil Exchang
Apple Ridge Apartments
Morlock St
Kenwood Church of Christ
Norfolk St
Allie Brothers of Livonia
Norfolk Rd
Hearthstone Park
Redd's Tree Service
Fargo St
Clarenceville High School
Middlebelt Rd
Maheu Mechanical, Inc
Fargo
Pembroke Ave
Barbat's Bees
School
Fairfax St
Fonville St
City Park
Cantoro Italian
Bretton
Belle Tire
Domel
St Martins
Walmart Supercenter
Botsford Swimming Pool
Inkster Rd
St Martins Ave
Vassar St
Cortz Tails
Gable St
Petco
Corsi's Banquet Center
Little Caesars Pizza
MedCare Urgent Care
Roughnecks Barbershop (Appointment Only)
Sri Shirdi Saibaba Temple
7 Mile
W Seven Mile Rd
George's Livonia Gardens
LA Fitness
Arby's
Goff St
Clarita St
Clarita Ave
Laurich Dentistry-Livonia
Varsity Roofing
Pickford St
Lamar Ln
Beverly Park
Coolidge Elementary School
Sunset Park
Presbyterian Free Church of Livonia
Curtis
Woodridge Apartments
Curtis Rd
The Fonseka Center
Nightowl Printing
Curtis St
Beck Center Head Start
St Mary's Cultural Center
Region Ii-Special Invstgtn Division
Bennett St
Mount Hope Memorial Gardens
Brookview Dr
Merriman Rd
Purlingbrook St
Melvin St
Louise St
Beatrice St
Hugh St
Oporto Ave
Milburn St
Parkville St
Maplewood St
Brentwood St
Weyher St
Angling St
Floral St
Deering St
St Francis
Seminole
Poinciana
Negaunee
Indian
Denby St
Fox
Gaylord
Delaware Ave
Lexington
Rensellor St
Antago St
Gillman St
Foch
Pershing Ave
Latheris St
Grimm St
Fremont St
Margareta St
Living Water Imag
Redford High S

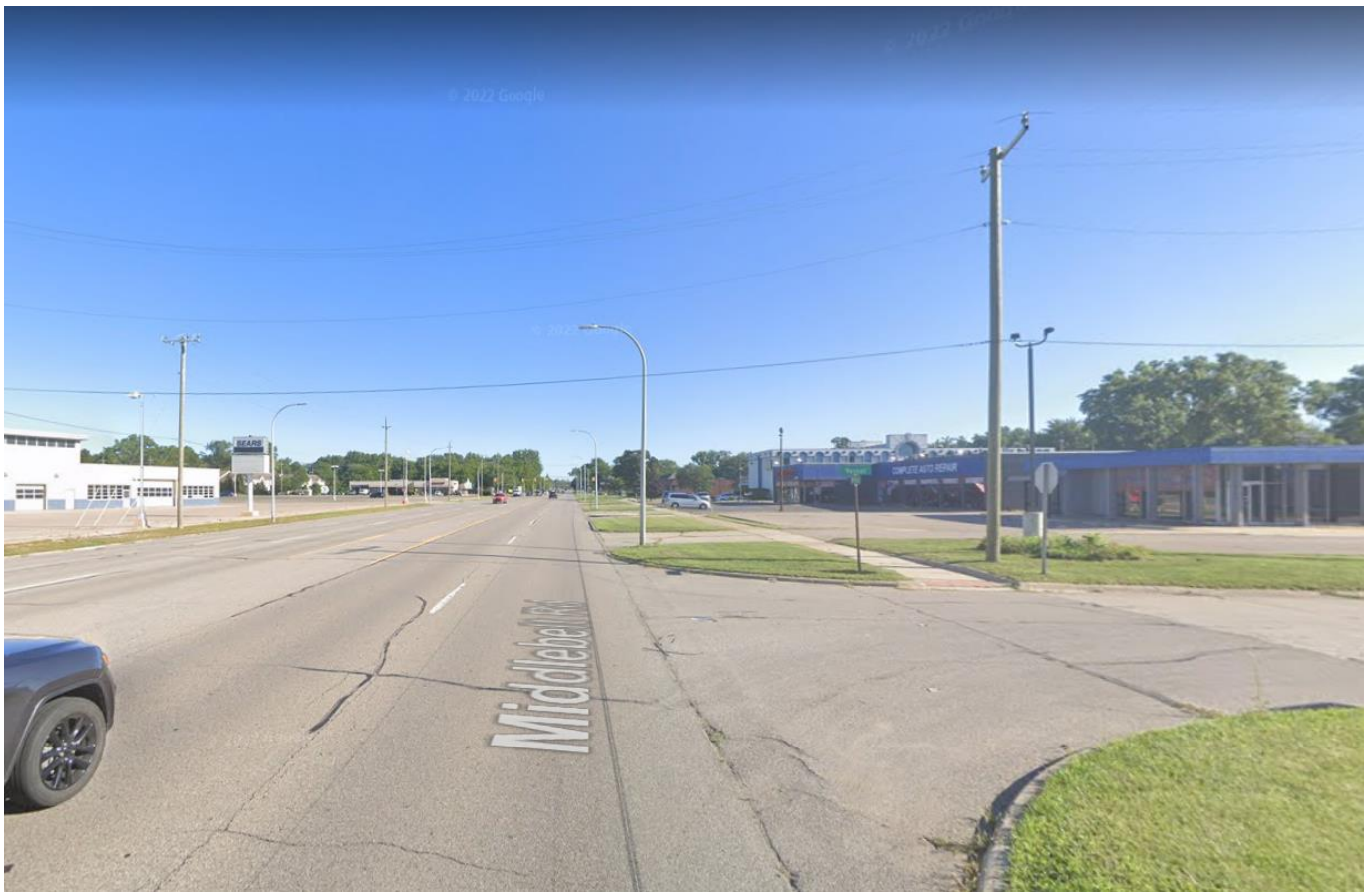
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±L{L.L[L¢¸Y ¢KŜ ădzōȼŜŎű ăλűŜ ăK2dzfŘ ōŜ ŘŜØŜf2LJŜŘ λy ădzŎK I· YI·yyŜℕ I·ă ű2 KI·ØŜ I· KλƎK fŜØŜf 2ŦØλăλōλfλűèŦℕ2Y aλŘŘfŜōŜfű w2I·ŘΣ ØKI·ű I·LJLJŜI·ℕă ű2 ōŜ I· Y2ŘŜℕI·úŜ ű2 Y2ŘŜℕI·úŜfè KλƎK űℕJI·ŦŦλŎ Ŏ2dzyű LJℕλYI·ℕè ℕ2I·ŘØI·è λy űKŜ ădzōȼŜŎű YI·ℕ⟧Ŝű¢ ² KŜy I·ă⟧ŜŘ á ² Kè ŘλŘ è2dz ℕŜyű ₹ℕ2Y I· LJI·ℕűλŎdzfI·ℕ ăŜfŦπăű2ℕI·ƎŜ ŦI·ŎλfλűèKΩ Ŧ2ℕ I· {ŜfŦ {ű2ℕI·ƎŜ aI·ℕ⟧Ŝű {ŭdzŘè Ŏ2yŘdzŎűŜŘ ōè ŭKŜ {{!Σ Ŏdzăű2YŜℕă 2ØŜℕØKŜfYλyƎfè ℕŜăLJ2yŘŜŘ ΨōŜŎI·dzăŜL ăI·ØλΩ ¢KŜℕŜ I·ℕŜ ŦŜØ YI·ℕ⟧Ŝű Ŏ2yŘλűλ2yã úKI·ú ŎI·y Y2ℕŜ LJ2ăλűλØŜfè I·ŦŤŜŎű I· LJ2ûŜyűλI·f ăλűŜΩă ØλI·ōλfλűè úKI·y KλƎK Øλăλōλfλűè ₹ℕ2Y I· KλƎK úℕI·ŦŤλŎ LJℕλYI·ℕè I·ℕúŜℕλI·f¢ ¢Ŝyl·yűă ûŜyŘ ű2 ăű2ℕŜ Ŏf2ăŜ ű2 K2YŜ I·yŘ I·ú I·ŦI·ŎλfλűèŭKI·ú ΨŦλűăΩ λyű2 űKŜλℕ y2ℕYI·f Ŏ2YYdzűŜ LJI·úűŜℕyã¢ ¢KŜ ădzōȼŜŎű ăλűŜ ăK2dzfŘ ℕI·y⟧ KλƎK 2y űKŜ ΨØλăλōλfλűèΩ ăŎI·fŜ ₹ℕ2Y aλŘŘfŜōŜfű {úℕŜŜú¢



! / / 9{{Y ¢KŜ ădzō?ŜŎű ăʎűŜ ăK2dzfŘ KI·ØŜ ØŜℕè ∃22Ř I·ŎŎŜăă ₮2ℕ ō2űK ŘʎℕŜŎűʎ2y̆ã 2₮ úℕI·ØŜfŜℕă 2y̆ ±I·ăăI·ℕ {úℕŜŜű I·yŘ aʎŘŘfŜōŜfű I·ă űKŜℕŜ I-ℕŜ y̆2 ℕ2I·Ř ŘʎØʎŘŜℕă ʎy̆ űKʎă ăŜŎűʎ2y̆ 2₮ ŜʎűKŜℕ ℕ2I·Řø I·è¢





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² Ŝ ǿ2dzfŘ I-fă2 ŜyŎ2dzNI-ƎŜ űKŜ ŘŜØŜf2LJŜN ű2 ŎNŜI-űŜ I-yŘ ʎYLJfŜYŜyű I-yŘ N2ōdzăűΣ ŜŦŦŜŎűʎØŜ ʎyűŜNyŜű YI-NJŞűʎy3 LJfI-yΣ ʎyŎfdzŘʎy3 I- LJN2₹Ŝăăʎ2yI-f ǿŜōăʎűŜ ǿʎűK 2yfʎyŜ NI-ûŜă I-yŘ NŜăŜNJØI-ûʎ2yãΣ I-ă ǿŜff I-ă Ŏ2yŎŜNJűŜŘ {9h óăŜI-NŎK ŜyƎʎyŜ 2LJűʎYʎÎI-ûʎ2yŭ ŜŦŦ2NűăΣ ʎy 2NŘŜN ű2 űI-ŞŜ ŦdzNűKŜN YI-NJŞűʎy3 I-ŘØI-yűI-ƎŜ 2ØŜN ă2YŜ 2₹ űKŜ Ŏ2YLJŜűʎű2NăΦ

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Lű ʎă ʎYLJ2NúI-yű ű2 y2ûŜ úKI-ú úKŜ ădzōʔŜŎű LJN2LJŜNűè ăK2dzfŘ KI-ØŜ I- ŘʎăűʎyŎű YI-yI-ƎŜYŜyű I-ŘØI-yűI-ƎŜ 2ØŜN I-ff 2₹ űKŜ Ŏ2YLJŜűʎű2NăΦ {ŜfŦπăű2NI-ƎŜ ʎă I- KʎƎKfè ΨYI-yI-ƎŜNπŎŜyúNʎŎΩ ōdzăʎySăă Y2ŘŜf I-yŘ úKŜ fŜØŜf 2₹ YI-yI-ƎŜYŜyű ŜÈLJŜNűʎăŜ ʎy űKŜ [ʎǾ2yʎI- ădzōπYI-NJŞű ʎăΣ I-ú ōŜăűΣ YŜŘʎ2ŎNŜ ű2 LJ22N Φ hdzN 2LJʎyʎ2y ʎă ōI-ăŜŘ 2y YI-ŞʎyƎ LJK2yŜ ŎI-ff ű2 ă2YŜ 2₹ űKŜ Ŏ2YLJŜűʎű2NăΣ ă2YŜ ŞyʔǿfŜŘƎŜ 2₹ úKʎă LJI-NűʎŎdzfI-N ădzōπYI-NJŞű I-yŘ I-y 2ØŜNI-ff ŞyʔǿfŜŘƎŜ ōI-ăŜ 2₹ űKŜ fŜØŜf 2₹ YI-yI-ƎŜYŜyű ŜÈLJŜNűʎăŜ I-ú I-ffΣ ʎ₹ yʔű Y2ăűΣ 2₹ űKŜ fI-NƎŜN ăŜfŦπ ăű2NI-ƎŜ 2LJŜNI-ű2NăΦ óC2N ŜÈI-YLJfŜΣ ¦KI-dzf ƎŜySNI-ffè KI-ă ă2YŜ 2₹ űKŜ Y2ăű Ŏ2yãʎăűŜyúfè Ψ/Ω fŜØŜf YI-yI-ƎŜNă I-yŘ tdzōfʎŎ {ű2NI-ƎŜ ƎŜySNI-ffè KI-ă Ψ.Ω ű2 Ψ.πΨ YI-yI-ƎŜNăΣ ǿKʎfŜ /dzōŜăYI-NűΣ 9ÈúNI- {LJI-ŎŜ I-yŘ [ʎ₹Ŝ {ű2NI-ƎŜ ƎŜySNI-ffè KI-ØŜ YdzŎK Y2NŜ KʎƎKfè NI-ûŜŘ 2yãʎűŜ YI-yI-ƎŜNăúΦ

! ăúN2yƎ ăI-fŜăπ2NʎŜyűŜŘ YI-yI-ƎŜN ǿʎff ƎI-NyŜN Kʎă 2N KŜN ₹I-ʎN ăKI-NŜ 2₹ űKŜ ăŜfŦπăű2NI-ƎŜ YI-NJŞű ʎy űKʎă ădzōπ YI-NJŞű 2₹ [ʎǾ2yʎI-Φ

{¦.W9/¢ aL/wh a !wY9¢

There are several self-storage competitors in the micro market. Some of the facilities are locally or regionally owned smaller sized sites with limited amenities, marketing efforts or management systems while the others are regionally or nationally owned larger sites with more up to date amenities and systems conducive to more professional management, operations and marketing.

Most of the self-storage competitors within the subject market were mostly moderately high or highly occupied, with most near or over 90% occupancy and some are closer to 95% occupancy. It is our opinion that there likely at least a modest amount of unmet demand for additional self storage space in the subject market and in particular climate controlled storage space.

The following are positive attributes relative to the micro market and the proposed development at the subject location:

- Lack of available or suitable land on high traffic roadways.
- Local zoning complications can discourage potential developers and create a higher barrier to entry.
- The prohibitive cost of suitable land would indicate that a large percentage of potential self-storage projects, either proposed or imagined, would likely lack sufficient financial returns to warrant the time, energy or financial investment necessary to start such a project.

There are various market conditions that positively impact the subject property and proposed self-storage development:

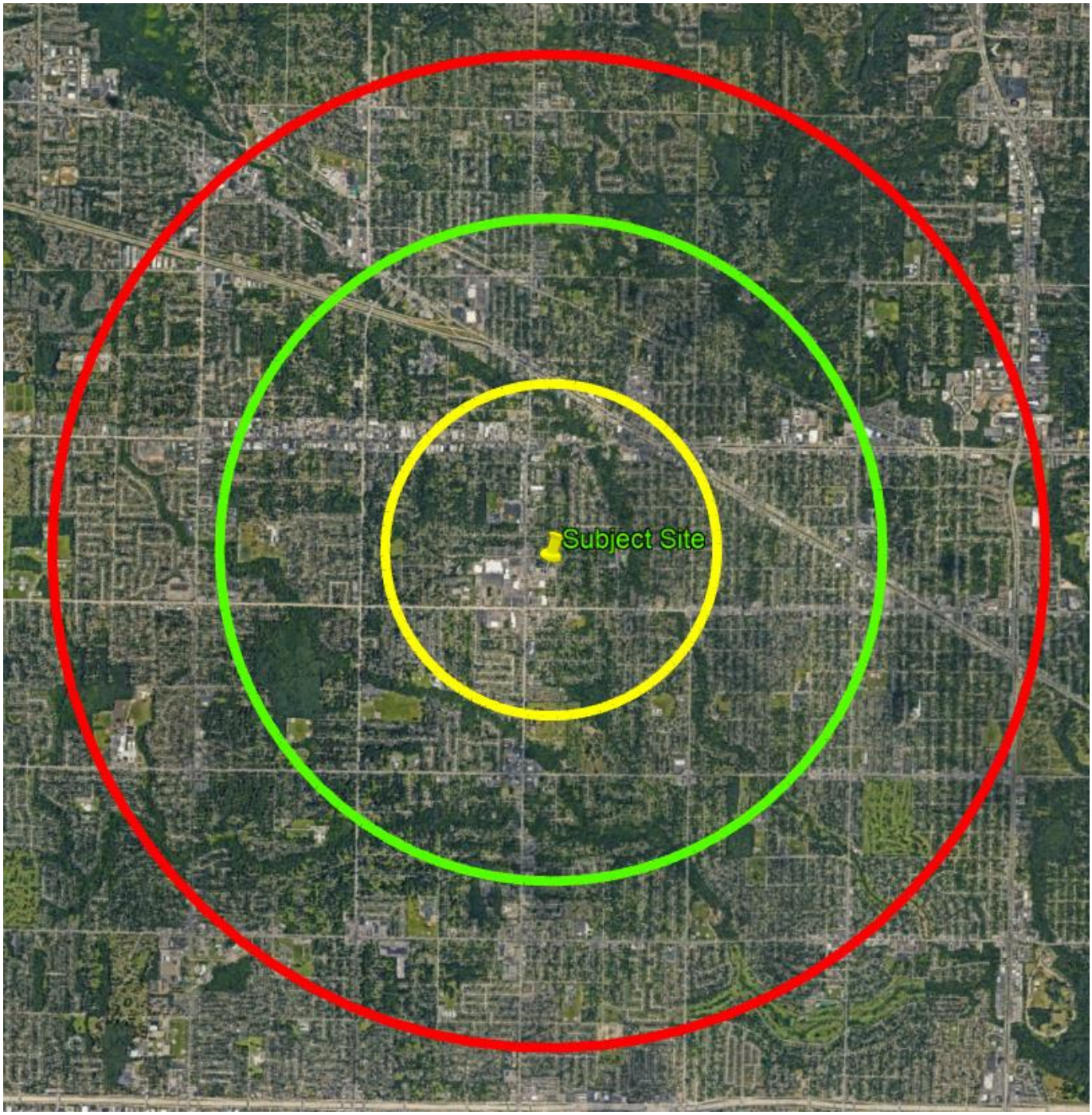
- Most of the market competitors are not aggressively marketing self-storage space. The mostly moderately high to high occupancy levels appear to preclude the necessity of aggressive move-in discounts.
- Some of the market competitors are professionally managed, either self-managed or by a sophisticated regional or national third-party management company.
- Per capita and household income levels are in the moderate to moderately high range.
- Population is projected for a modest increase in the micro market.
- Population density is in the moderate range.

There are various market conditions that negatively impact the subject property and proposed self-storage development:

- N/A

MARKET REVIEW

The following demographic profile is based on the concentric map: 1-, 2- and 3-mile radii from the subject site. It is our belief that the primary customer base for the subject site resides within three miles of the subject site.



Understanding the customer demographics of the surrounding market area is essential for storage developers, owners, and operators. Accurately identifying the types of customers, as well as their wants and needs, is critical in order to form the necessary operational and marketing decisions for a facility.

In a market area comprised of a high percentage of commercial or business tenants, add-ons such as on-site conference rooms, free Wi-Fi, central workspaces, climate control, or other amenities that carry special appeal for business customers can be profitable. In areas with older renters or senior citizens, convenience-oriented services such as professional packing and moving assistance could prove valuable.

The largest proportion of tenants is typically residential customers. While approximately 70 percent of all storage tenants tend to fall in this category, it is important to understand that these numbers can change from market area to market area. In those areas with a predominantly residential customer base, operators need to keep in mind that life changes often drive the decision to need storage. This can range from a divorce or death in the family to remodeling or selling a home.

Depending on the housing specifics in the market area, residential customers may also consist of apartment or condo dwellers who do not have enough storage space where they live. On a national basis while 68 percent of residential customers tend to live in a single-family home, nearly 30 percent reside in multi-family housing.

Another important demographic for self-storage is to know what percentage of your customers are male and female. It is noted that 85 percent of all purchases are made by women and 80 percent of all purchasing decisions are made by women. This means that although men may do the heavy lifting in terms of moving in or out of a unit, the actual rental or decision to rent was likely made by a woman. It should be noted that 57.7 percent of storage renters in 2014 were men and 42.3 percent were women. However, if 85 percent of the decisions on where to rent are actually made by women, the scales are tipped even farther in favor of women as likely storage customers.

Customer age is another demographic that should be considered, especially in terms of the amenities and services offered at a facility. The largest percentage of renters are between the ages of 46 and 55. Falling right behind that are the 36 to 45 and 56 to 65 age groups at 22 percent and 21 percent, respectively. On average, 13 percent tend to be customers over age 65. Understandably, the smallest percentage of storage customers—3 percent—is represented by millennials under age 25.

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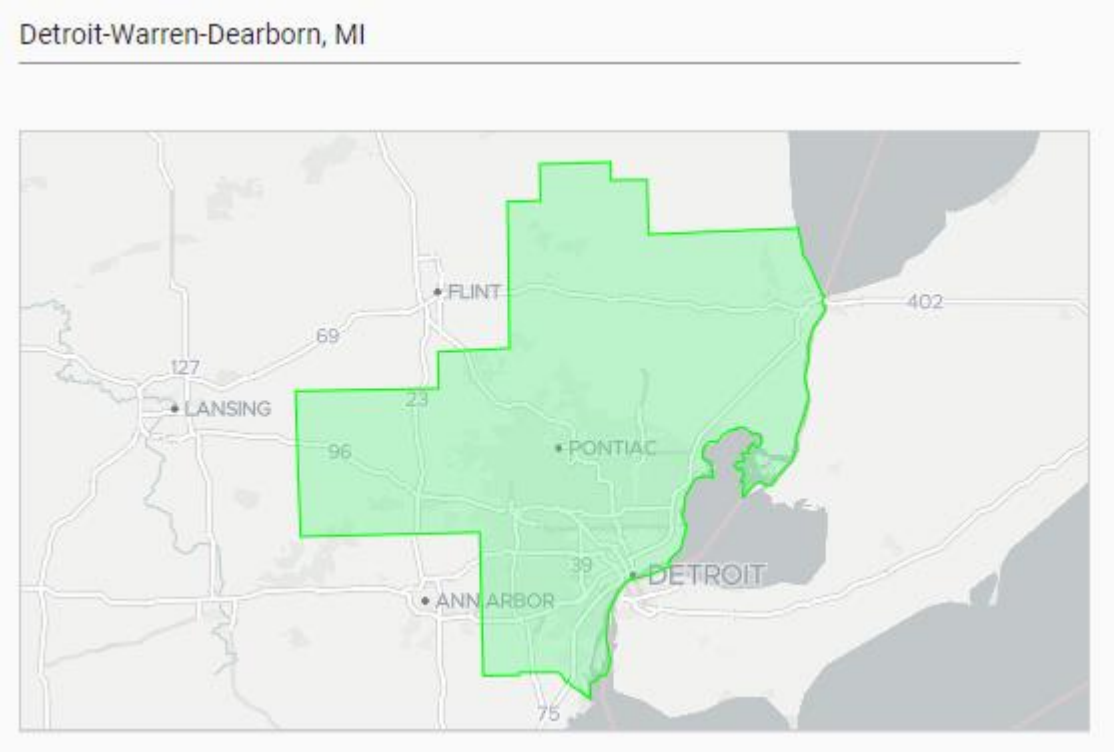
Description	1 Miles	2 Miles	3 Miles
POPULATION BY YEAR			
Population (4/1/2000)	13,078	44,666	96,461
Population (4/1/2010)	12,361	42,564	90,524
Population (4/1/2020)	12,350	42,747	92,272
Population (1/1/2022)	**12,072**	**41,972**	**90,743**
Population (1/1/2027)	12,260	42,683	92,325
Percent Growth (2022/2020)	-2.25	-1.81	-1.66
Percent Forecast (2027/2022)	**1.56**	**1.69**	**1.74**
HOUSEHOLDS BY YEAR			
Households (4/1/2000)	5,347	17,683	38,772
Households (4/1/2010)	5,150	17,474	37,196
Households (4/1/2020)	5,394	17,952	38,704
Households (1/1/2022)	5,303	17,750	38,341
Households (1/1/2027)	5,307	17,930	38,824
Percent Growth (2022/2020)	-1.69	-1.13	-0.94
Percent Forecast (2027/2022)	0.08	1.01	1.26
GENERAL POPULATION CHARACTERISTICS			
Median Age	38.7	42.4	41.5
Male	5,979	20,587	44,739
Female	6,093	21,385	46,004
Density	**3,069.0**	**3,108.4**	**3,249.4**
Urban	12,072	41,972	90,743
Rural	0	0	0
GENERAL HOUSEHOLD CHARACTERISTICS			
Households (1/1/2022)	5,303	17,750	38,341
Families	2,990	10,649	23,002
Non-Family Households	2,313	7,101	15,339
Average Size of Household	2.23	2.32	2.33
Median Age of Householder	51.7	53.1	53.6
Median Value Owner Occupied ($)	157,482	149,571	156,565
Median Rent ($)	848	882	854
Median Vehicles Per Household	2.2	2.1	2.2
GENERAL HOUSING CHARACTERISTICS			
Housing, Units	5,555	18,624	40,303
Housing, Owner Occupied	3,994	13,046	27,599
Housing, Renter Occupied	1,309	4,704	10,742
Housing, Vacant	252	874	1,962
POPULATION BY RACE			
White Alone	9,096	28,996	57,293
Black Alone	1,401	7,680	22,903
Asian Alone	534	1,488	3,128
American Indian and Alaska Native Alone	35	135	272
Other Race Alone	208	732	1,333
Two or More Races	798	2,941	5,814

1 The demographic profile is compiled through a subscription service.

POPULATION BY ETHNICITY			
Hispanic	544	1,927	3,611
White Non-Hispanic	8,865	28,287	56,025
GENERAL INCOME CHARACTERISTICS			
Total Household Income ($)	488,610,264	1,608,611,353	3,470,514,175
Median Household Income ($)	**71,249**	**71,852**	**70,883**
Average Household Income ($)	**92,138**	**90,626**	**90,517**
Per Capita Income ($)	**41,222**	**38,919**	**38,740**
RETAIL SALES			
Total Retail Sales (including Food Services) ($)	171,774	806,843	1,710,093
CONSUMER EXPENDITURES			
Total Annual Expenditures ($000)	336,880.4	1,121,576.0	2,370,184.9
EMPLOYMENT BY PLACE OF BUSINESS			
Employees, Total (by Place of Work)	9,361	24,404	39,889
Establishments, Total (by Place of Work)	462	1,195	2,205

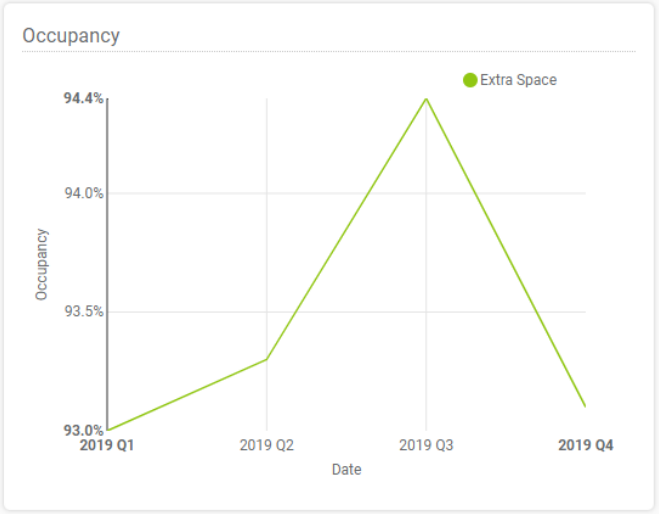
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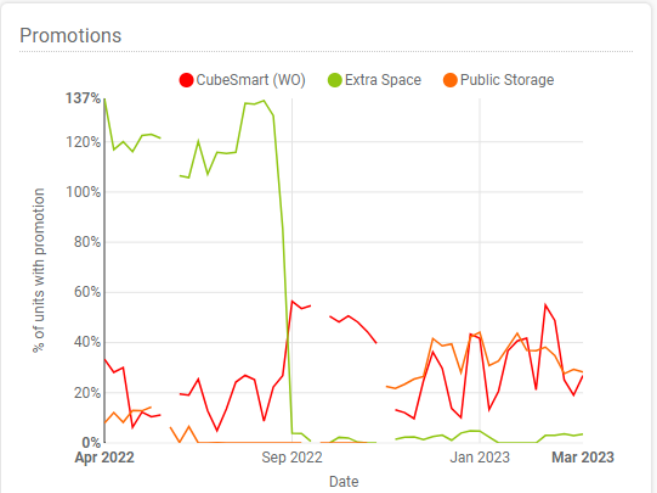
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Detroit-Warren-Dearborn, MI
FLINT
69
127
LANSING
23
96
PONTIAC
402
39
DETROIT
ANN ARBOR
75


Employment
22.3%
20.0%
15.0%
10.0%
5.0%
0.0%
-5.0%
-10.0%
-15.0%
-20.0%
-23.9%
Growth YoY
Jan 2014
Mar 2018
May 2022
Date

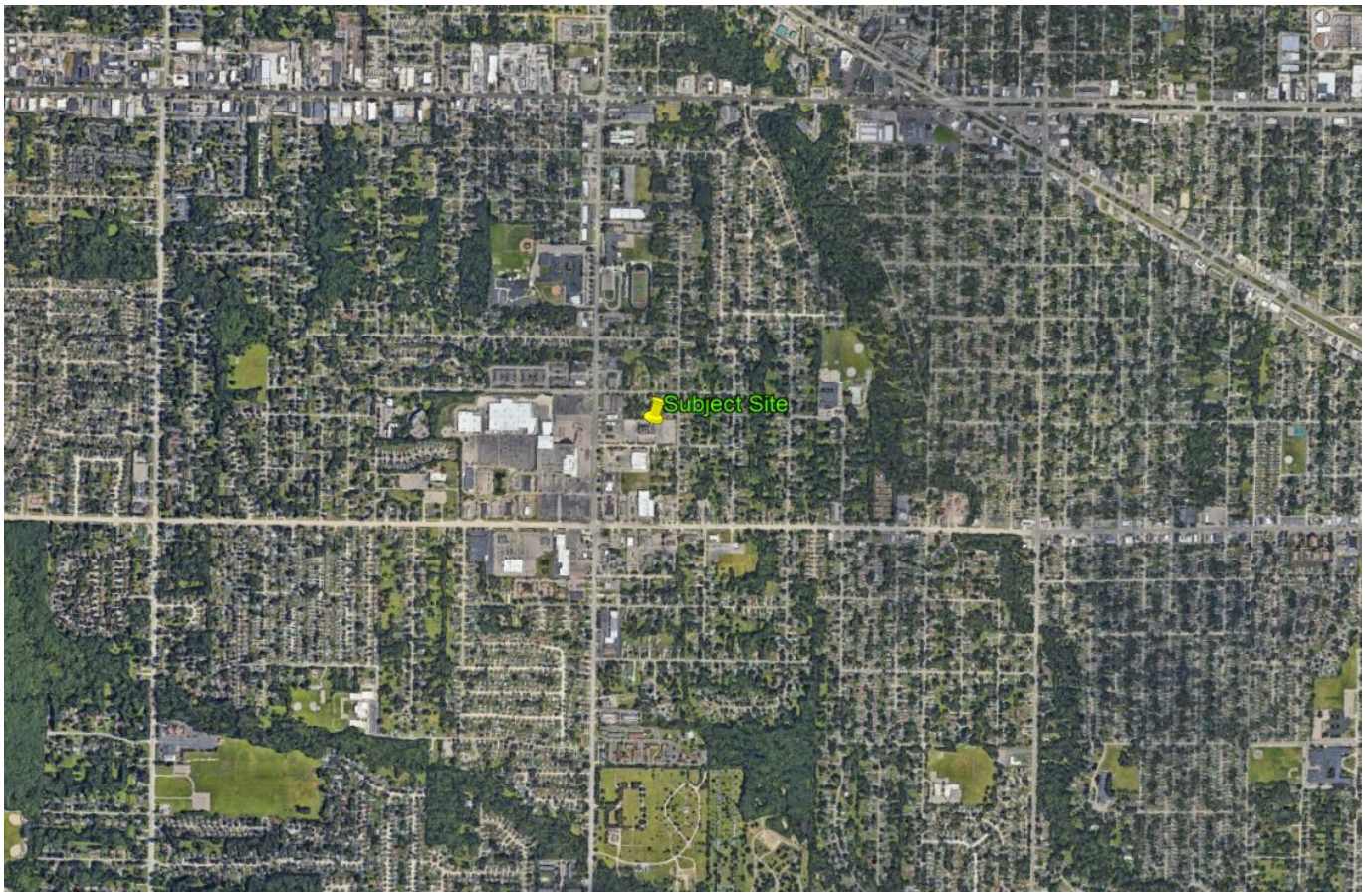

Pricing
$1.80
$1.70
$1.60
$1.50
$1.40
$1.30
$1.25
Average Price per sq. ft.
25 Oct 2021
06 Mar 2022
24 Jul 2022
11 Dec 2022
23 Apr 2023
Date


Occupancy
Extra Space
94.4%
94.0%
93.5%
93.0%
Occupancy
2019 Q1
2019 Q2
2019 Q3
2019 Q4
Date


Promotions
CubeSmart (WO)
Extra Space
Public Storage
137%
120%
100%
80%
60%
40%
20%
0%
% of units with promotion
Apr 2022
Sep 2022
Jan 2023
Mar 2023
Date

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The neighborhood in close proximity to the subject site is primarily comprised of a few vacant land parcels, single family homes and residential neighborhoods, apartments and a number of commercial enterprises of various types and sizes.










Weyher St


7 Mile


Little Caesars
iCloud Hookah

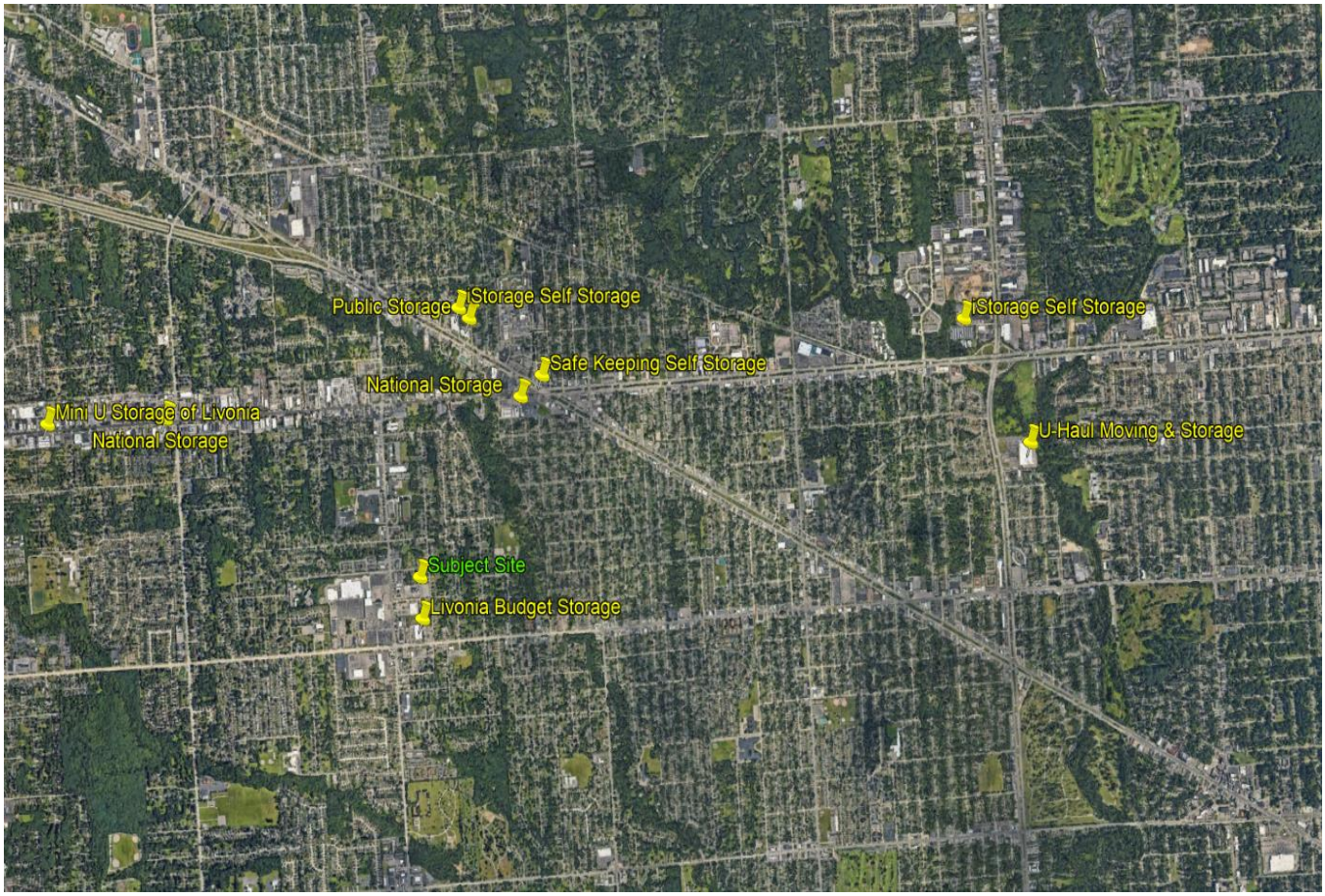

DEBBIE FELTON'S ACADEMY OF DANCE




Middlebury Rd


Merriman Rd

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We should point out that there is a clear delineation between 'primary' and 'secondary' competitors. 'Primary' competitors consist of those self-storage facilities that are the most likely to compete for the same tenant base as the subject site. These competitors are determined by proximity to the primary market, amenity level, marketing prowess and management expertise. A self-storage facility that is close in proximity may not necessarily qualify as a primary competitor if the level of amenities is low, they have no marketing in place or the management is of a very low quality.

When deciding on the primary competitors, we ask ourselves 'if a prospective tenant does not rent from the subject site, where would they rent?'

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An important step in determining the feasibility of building a self-storage facility at a location is the level and quality of competition within the target market area as well as the potential for future competition. The examination of the existing competition must be done using both market demand calculations and a review of the quality of the market competitors.

The 'quality' issues include the examination of the competitive stores' curb appeal, ingress and egress, over-all visibility, the professionalism of the management staff, security features, the facility's Unit Mix between standard and climate controlled spaces and the competitors' locations relative to the subject site within the target market area.

Competitor profiles are an important part of the feasibility analysis. The following are some of the attributes that are significant indicators of market strengths or weaknesses:

- Occupancy levels

Occupancy rates are some of the most highly scrutinized numbers in the self-storage industry. The data is often the first-place owners and operators look to gauge the success of their facilities. To sum it up in simple terms: Rising rates are considered a sign of a healthy storage business while falling rates can indicate unresolved operations problems at a self-storage facility.

Factors such as marketing campaigns, facility maintenance, and staffing issues are generally among the first areas investigated as the potential source of occupancy challenges or success. However, occupancy can expand and contract based on a variety of forces, many of which have little to do with the day-to-day
operations of a self-storage facility. Conditions outside an owner's or operator's control—such as a declining local economy or an oversaturated market.

- Rental rate growth
- Proximity to subject property
- Comparative convenience
- Comparative amenities
- Ability for competitors to expand

The competitor analysis and profiles rate the pertinent features of sites, management and product on a comparative basis. Properties are graded from A to C. This is a purely subjective analysis.

In comparative terms, the "overall" rating at the bottom of the scale (C) is typically a Generation 1 property with low visibility, poor access locations, with unattractive metal or wood buildings. The market would be an area of low density and incomes would be lower than US averages. Management would be inattentive, not sales oriented, and present themselves and the property poorly. Visibility would be poor and access would require more than one turn off the street.

At the top of the scale (A) would be a state-of-the-art property with a combination of climate controlled and direct access space. The location would be on or near "main" street, would be highly visible and access would be multi-directional. The offices would be bright and cheerful, staffed with helpful, knowledgeable salespersons. Per capita and median household incomes would be above US averages.

Self-Storage 101 also provides a notation as to the 'generation' of the self-storage competitor facilities. We note the facilities utilizing the following criteria:

- We would consider a facility '1st Generation' or Class C:
    - Either located in a smaller market or in less desirable areas of a Top 50 MSA
    - Generally 1970's or 1980's vintage properties in average to below average condition
    - Generally managed by the owner and not have an on-site manager.
    - May or may not have typical amenities such as gated access, security cameras, and/or climate controlled units.
    - May have secondary, less desirable locations with generally below average access and/or limited visibility.




C37
C38

- We would consider a facility '2nd Generation' or Class B:
    - Located in a Top 100 MSA
    - Market has typical barriers to entry
    - More than likely built in the late 1980's or 1990's in average to good condition.
    - Basic security in place, such as some cameras and a computer controlled gated access
    - May or may not have an onsite manager's apartment
    - Has a moderately sized office with a counter and some retail sales merchandise display
    - Can have non-climate space, climate space, or both
    - Most likely located in a commercial area with other retail/service oriented businesses near
    - Probably a one-story design but may be multi story
    - Storage buildings probably metal with metal partitions









- We would consider a facility ‘state of the art’ or Class A:
    - Located in a Top 50 MSA
    - Market has high barriers to entry (either through lack of developable land or a lengthy entitlement process)
    - More than likely built in the 2000’s
    - Security in place, including many cameras, large video display monitor in the office, computer controlled gated keypad access or entry door keypad access, and possibly individual door alarms
    - Most likely does not have an onsite manager’s apartment
    - Has a large sales and business office with a counter and large merchandise display, has a retail look and design
    - Facility may be 100% climate controlled and more than likely is multi-story
    - May have wine storage
    - Is most likely located in a retail area with high traffic and very good visibility and access
    - Facility most likely has split faced block or other high end architectural treatments




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SECURITY SELF STORAGE

Facility 'Class' Types:

Class A Facilities:

A prime location with good drive-by traffic and great visibility. In addition, these properties boast outstanding management professionals who may or may not live on site but who have excellent management and organizational skills including sales, customer service, and marketing. Often, these are newer facilities built with state-of-the-art construction materials and high-tech security, access control, and, in some cases, climate control.

Located in a Top 50 MSA

- Market has high barriers to entry (through either lack of developable land or a lengthy entitlement process)
- Generally newer facilities in good condition with state-of-the-art amenities, including climate controlled units and secured facilities with gated access
- Professional on-site and off-site management
- Minimum size of approximately 75,000 square feet
- Good location with access to attract tenants willing to pay rents in the upper percentile in the market place

Class B Facilities:

Are in good to average locations, often with modest visibility. Although they may be in good condition, they may not be as new or have the excellent curb appeal that a Class-A site typically has, and they usually lack the "bells and whistles" seen at newer facilities. Even with adequate security and management in place, these facilities do not command the high rents garnered at Class-A sites.

Located in a Top 100 MSA

- Market has typical barriers to entry
- Generally, facilities built since 1980 in average to good condition with amenities typical for its market, including secured facilities with gated access
- Full time on-site and off-site management
- Minimum size of approximately 40,000 square feet

Class C Facilities:

Many are first-generation sites in need of rehabbing. Built in single-story rows, they evoke the stereotypical image of self-storage. With less desirable locations and low visibility, they typically command lower rents. While not targeted by major operators or institutional investors, Class-C facilities can be a good investment for smaller entrepreneurs, especially given that they have lower operational costs. Moreover, these facilities do serve as a viable option for those who prefer a less expensive means of storing goods.

Either located in a smaller market or in less desirable areas of a Top 50 MSA

- Generally, 1970s or 1980s vintage properties in average to below-average condition
- Generally managed by the owner and may not have an on-site manager
- May or may not have typical amenities such as gated access, security cameras, and/or climate-controlled units
- May have secondary, less desirable locations with generally below-average access and/or limited visibility

Table 1.3 – Percentage of Facilities by Facility Age

Region	Before 1980	1980-1989	1990-1999	2000-2009	2010+
Midwest	16%	22%	30%	27%	5%
Northeast	15%	18%	23%	38%	6%
South Atlantic	15%	24%	27%	30%	4%
Southwest	15%	22%	26%	30%	7%
West	20%	27%	23%	26%	4%
National	**17%**	**24%**	**25%**	**29%**	**5%**

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Visibility:	A
Location:	B+
Neighborhood:	B+
Traffic Count:	B+
Access:	A
Property Condition:	A
Curb Appeal:	A
Drive Width:	A
Manager:	A
Office Quality:	A
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*Note that the 'facility' rating may differ from the 'site' rating.

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Distance from Subject	Year Built	Occupancy	Net Square Feet	% Climate	REIT?	Generation
0.17 miles	2022	Lease up	+/- 78,030	N/A	No	3rd
Climate Control	Controlled Access Gate	Single or Multi Story	Convenient Parking	Door Alarms	Cameras	Fire Sprinklers
Yes	Yes	Multi	Yes	No	Yes	No
Boat/RV Parking	Covered Parking	Truck Rental	Retail Ready Office	Resident Manager	Elevator	Drive Surface
No	No	Yes	Yes	No	Yes	Asphalt
Property Ratings	Visibility	Location	Traffic Count	Access	Condition	Curb Appeal
	A	A	A	B+	A	B+
Drive Width	Manager	Office Quality	Overall Rating	Office Hours	Office Hours	Access Hours
N/A			A	M-F 9-6	Sat 9-4 Sun 9-2	6AM-9PM Daily
Website	Online Rates?	Dynamic?	Reservations?	Specials?	Features?	Website Rating
Yes	No	No	No	No	Yes	C

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b2y /fƛYl·ύŜ						

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Distance from Subject	Year Built	Occupancy	Net Square Feet	% Climate	REIT?	Generation
0.86 miles	2017	85-90%	+/- 51,850	25%	Yes	2nd
Climate Control	Controlled Access Gate	Single or Multi Story	Convenient Parking	Door Alarms	Cameras	Fire Sprinklers
Yes	Yes	Single	Yes	No	Yes	No
Boat/RV Parking	Covered Parking	Truck Rental	Retail Ready Office	Resident Manager	Elevator	Drive Surface
No	No	No	Yes	No	No	Asphalt
Property Ratings	Visibility	Location	Traffic Count	Access	Condition	Curb Appeal
	A	A	A	B+	A	A
Drive Width	Manager	Office Quality	Overall Rating	Office Hours	Office Hours	Access Hours
B+			A	M-F 9-5:30	Sat 9-5:30 Sun Closed	6AM-10PM Daily
Website	Online Rates?	Dynamic?	Reservations?	Specials?	Features?	Website Rating
Yes	Yes	Yes	Yes	Yes	Yes	A

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/2YYŜyΰăΥ limited units available, half off first month for 10x15 and 10x20

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Distance from Subject	Year Built	Occupancy	Net Square Feet	% Climate	REIT?	Generation
1.09 miles	1975	90-95%	+/- 61,130	71%	Yes	3rd
Climate Control	Controlled Access Gate	Single or Multi Story	Convenient Parking	Door Alarms	Cameras	Fire Sprinklers
Yes	Yes	Multi	Yes	No	Yes	Yes
Boat/RV Parking	Covered Parking	Truck Rental	Retail Ready Office	Resident Manager	Elevator	Drive Surface
Yes	No	No	Yes	No	Yes	Asphalt
Property Ratings	Visibility	Location	Traffic Count	Access	Condition	Curb Appeal
	A	B+	B+	B+	A	A
Drive Width	Manager	Office Quality	Overall Rating	Office Hours	Office Hours	Access Hours
B+			A	M-F 9:30-5	Sat 9:30-5 Sun 9:30-5	6AM-9PM Daily
Website	Online Rates?	Dynamic?	Reservations?	Specials?	Features?	Website Rating
Yes	Yes	Yes	Yes	Yes	Yes	A

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Distance from Subject	Year Built	Occupancy	Net Square Feet	% Climate	REIT?	Generation
1.11 miles	2003	70-85%	+/- 121,860	79%	Yes	3rd
Climate Control	Controlled Access Gate	Single or Multi Story	Convenient Parking	Door Alarms	Cameras	Fire Sprinklers
Yes	Yes	Multi	Yes	No	Yes	Yes
Boat/RV Parking	Covered Parking	Truck Rental	Retail Ready Office	Resident Manager	Elevator	Drive Surface
Yes	No	No	Yes	No	Yes	Asphalt
Property Ratings	Visibility	Location	Traffic Count	Access	Condition	Curb Appeal
	B+	A	A	B+	A	A
Drive Width	Manager	Office Quality	Overall Rating	Office Hours	Office Hours	Access Hours
N/A			A	M-F 10-6	Sat 10-5 Sun Closed	6AM-10PM Daily
Website	Online Rates?	Dynamic?	Reservations?	Specials?	Features?	Website Rating
Yes	Yes	Yes	Yes	Yes	Yes	A

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/fΰYI·úŜ ¦LJ	**ÞпмкÞрф**	**ÞрмкÞто**	**ÞмлфкÞмрс**	**ÞмофкÞмфф**	**ÞмункÞнсл**	
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5. **bl·ΰΛ2yl·t {ΰ2ℕl·ƎŜ** 31465 8 Mile Road Livonia, MI 48152 (248) 876-4691

Distance from Subject	Year Built	Occupancy	Net Square Feet	% Climate	REIT?	Generation
1.4 miles	1990s	85-90%	+/- 15,670	N/A	Yes	2nd
Climate Control	Controlled Access Gate	Single or Multi Story	Convenient Parking	Door Alarms	Cameras	Fire Sprinklers
Yes	Yes	Multi	Yes	No	Yes	No
Boat/RV Parking	Covered Parking	Truck Rental	Retail Ready Office	Resident Manager	Elevator	Drive Surface
Yes	No	No	Yes	No	No	Asphalt
Property Ratings	Visibility	Location	Traffic Count	Access	Condition	Curb Appeal
	A	A	A	B+	A	A
Drive Width	Manager	Office Quality	Overall Rating	Office Hours	Office Hours	Access Hours
B+			A	By appt		6AM-10PM Daily
Website	Online Rates?	Dynamic?	Reservations?	Specials?	Features?	Website Rating
Yes	Yes	Yes	Yes	Yes	Yes	A

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b2y /ΰΛYl·ΰŜ			**Ртс**			

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Distance from Subject	Year Built	Occupancy	Net Square Feet	% Climate	REIT?	Generation
1.75 miles	1990s	95-99%	+/- 44,940	89%	No	2nd
Climate Control	Controlled Access Gate	Single or Multi Story	Convenient Parking	Door Alarms	Cameras	Fire Sprinklers
Yes	Yes	Single	Yes	No	Yes	No
Boat/RV Parking	Covered Parking	Truck Rental	Retail Ready Office	Resident Manager	Elevator	Drive Surface
No	No	Yes	Yes	No	No	Asphalt
Property Ratings	Visibility	Location	Traffic Count	Access	Condition	Curb Appeal
	A	A	A	B+	A	A
Drive Width	Manager	Office Quality	Overall Rating	Office Hours	Office Hours	Access Hours
B+			A	M-F 9-6	Sat 9-5 Sun 9-4:30	6AM-10PM Daily
Website	Online Rates?	Dynamic?	Reservations?	Specials?	Features?	Website Rating
Yes	Yes	Yes	Yes	Yes	Yes	A

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Distance from Subject	Year Built	Occupancy	Net Square Feet	% Climate	REIT?	Generation
1.93 miles	1976	85-90%	+/- 76,270	0%	No	2nd
Climate Control	Controlled Access Gate	Single or Multi Story	Convenient Parking	Door Alarms	Cameras	Fire Sprinklers
No	Yes	Single	Yes	No	Yes	No
Boat/RV Parking	Covered Parking	Truck Rental	Retail Ready Office	Resident Manager	Elevator	Drive Surface
No	No	No	Yes	No	No	Asphalt
Property Ratings	Visibility	Location	Traffic Count	Access	Condition	Curb Appeal
	A	A	A	B+	A	A
Drive Width	Manager	Office Quality	Overall Rating	Office Hours	Office Hours	Access Hours
B+			A	M-F 9-6	Sat 8-6 Sun 9-3	6AM-10PM Daily
Website	Online Rates?	Dynamic?	Reservations?	Specials?	Features?	Website Rating
Yes	Yes	Yes	Yes	Yes	Yes	A

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/2YYŜyűăY units available, online discount, 2 months free

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Distance from Subject	Year Built	Occupancy	Net Square Feet	% Climate	REIT?	Generation
2.84 miles	1984	90%	+/- 86,010	N/A	Yes	2nd
Climate Control	Controlled Access Gate	Single or Multi Story	Convenient Parking	Door Alarms	Cameras	Fire Sprinklers
Yes	Yes	Multi	Yes	No	Yes	no
Boat/RV Parking	Covered Parking	Truck Rental	Retail Ready Office	Resident Manager	Elevator	Drive Surface
No	No	No	No	No	No	Asphalt
Property Ratings	Visibility	Location	Traffic Count	Access	Condition	Curb Appeal
	B	B	C	B+	B	C
Drive Width	Manager	Office Quality	Overall Rating	Office Hours	Office Hours	Access Hours
B			B-	By appt		6AM-10PM Daily
Website	Online Rates?	Dynamic?	Reservations?	Specials?	Features?	Website Rating
Yes	Yes	Yes	No	Yes	Yes	A

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Distance from Subject	Year Built	Occupancy	Net Square Feet	% Climate	REIT?	Generation
3 miles	2001	95%	+/- 101,415	100%	Yes	2nd
Climate Control	Controlled Access Gate	Single or Multi Story	Convenient Parking	Door Alarms	Cameras	Fire Sprinklers
Yes	Yes	Single	Yes	Yes	Yes	Yes
Boat/RV Parking	Covered Parking	Truck Rental	Retail Ready Office	Resident Manager	Elevator	Drive Surface
No	No	Yes	Yes	No	No	Asphalt
Property Ratings	Visibility	Location	Traffic Count	Access	Condition	Curb Appeal
	A	A	A	A	A	A
Drive Width	Manager	Office Quality	Overall Rating	Office Hours	Office Hours	Access Hours
N/A			A	M-Th 7-7 Fri 7-8	Sat 7-7 Sun 9-5	24 hours
Website	Online Rates?	Dynamic?	Reservations?	Specials?	Features?	Website Rating
Yes	Yes	Yes	Yes	Yes	Yes	A

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/2YY$ŷűăʏ only have 5x5 and 5x10 available now, one month free with truck rental

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Our review of a subscription based new construction database indicated the following:

There are no new self-storage developments either in planning stages or under construction within the subject market.

It is important to note that despite any one group's due diligence efforts in determining whether or not new self storage developments may or may not be coming into a particular sub-market, there is always the possibility that a new development is planned but has not yet progressed sufficiently to have shown up in any new construction websites or databases.

Table 9.6 – First Learned About Facility

Saw self-storage facility while driving to/from home/work	27.7%
Family / friends / co-workers word-of mouth	19.0%
Online – Google, Bing, or other general search engine	15.9%
Online – Self-storage facility or related website	8.1%
Online – Reviews	7.1%
Line ad in phone book	5.0%
Online – Website aggregators (pulls together multiple sites)	3.6%
Display ad in phone book	3.2%
Don't Know	3.2%
Online – Social media site (Facebook, Pinterest, YouTube, etc.)	3.1%
Other	2.3%
Flyer – Promotional brochure	1.7%

Source: SSA 2019 Self Storage Demand Study

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A widely accepted methodology for calculating demand in a market is to examine the amount of storage square footage in the market per capita. ¢KŜ ₦ŜI·ŘŜ₦ ƛă ǑI·dzűƛ2yŜŘ űKI·ű űKŜ ăljdzI·₦ŜπŦ22űπLJŜ₦πǑI·LJƛűI·I·yl·fèăƛă fl·ǒ]ă ă2YŜ Ǒ₦ŜŘƛōƛfƛűèφ A benchmark that reflects saturation or demand levels has not been established for any U.S. market. Sufficient data is not available to determine what the threshold for demand may be. Furthermore, making use of the Self-Storage Almanac metro guides and top markets is problematic because of their methodology in determining the supply. What the Almanac has done is to apply an average size facility of 39,668 square feet and multiply the number of facilities in a market (presumably from the phone book) times 39,668. That is how they calculated the number of square feet in a market. The analysis is only as good as the analyst's confidence that the average size of stores (facilities) is the same in every market in the U.S., and that the average size is 39,668.

LűƛăI·fă2ƛYLJ2₦űI·yű ű2y2űŜűKI·ű űKƛă YŜűK2Ř2f2∃è YI·]Ŝăy2ŘƛăűƛyǑűƛ2y ōŜűøŜŜy ŘŜYI·yŘ Ŧ2₦ ǑfƛYI·ûŜ Ǒ2yű₦2ffŜŘ I·yŘ y2yπǑfƛYI·ûŜ Ǒ2yű₦2ffŜŘ ăű2₦I·∃Ŝ ălJI·ǑŜφ ¢KƛăŘƛăűƛyǑűƛ2y ƛă I· Ǒ₦ƛűƛǑI·f ŦI·Ǒű2₦ ƛy űKŜ ŜØI·fdzI·ûƛ2y 2Ŧ ŘŜYI·yŘ Ŧ2₦ űKŜ ădzō2ŜǑű LJ₦2LJŜ₦ûèφ hűKŜ₦ ƛYLJ2₦űI·yű ŘŜYI·yŘ Ř₦ƛØŜ₦ă ƛ∃y2₦ŜŘ ōè űKƛă YŜűK2Ř2f2∃è ƛyǑfdzŘŜ LJŜ₦ǑI·LJƛűI· ƛyǑ2YŜ fŜØŜfă I·yŘ YI·₦]Ŝű ₦ŜyűI·f ₦I·ûŜăφ

What one will find in making use of data from the Almanac is that it is difficult to draw any conclusion as to what the "right" or maximum square-foot-per-capita number is. For example, the highest level is in Boise ID at 12.64 square feet per capita. The lowest is in the New York metropolitan area at 2.82 square feet per capita. In both markets, occupancies can be found to be similar. You cannot, therefore, conclude that the supply threshold for New York is over 10 times the current supply.

The only way to properly assess and analyze square-foot-per-capita demand calculations is to first get an accurate count of square footage. Second, the supply needs to be juxtaposed with occupancies. There are only too many square feet per capita when there are too many available square feet, as measured by vacancy. That is to say that the number of square feet per capita has to be quantified by occupancy, and when occupancy drops, then supply has exceeded demand.

¢Kƛă YI·₦]Ŝű I·yl·fèăƛă ø2dzfŘ ƛyŘƛǑI·ûŜ űKI·ű űKŜ ûK₦ŜŜπYƛfŜ ădzō2ŜǑű YI·₦]Ŝű ƛă Y2ăű fƛ]Ŝfè ΨdzyŘŜ₦πădzLJLJfƛŜŘΩ I·ă ŜØƛŘŜyǑŜŘ ƛy LJI·₦ű ōè űKŜ I·ySǑŘ2űI·f ŜØƛŘŜyǑŜ 2Ŧ Y2ăűfè Y2ŘŜ₦I·ûŜfè Kƛ∃K û2 Kƛ∃K 2ǑǑdzLJI·yǑè fŜØŜfă ûK₦dz 2yãƛűŜ YI·yl·∃Ŝ₦ Ǒ2YYŜyűă I·yŘ ûKŜ Řèyl·YƛǑ LJ₦ƛǑƛy∃ Y2ŘŜfă dzűƛfƛÎŜŘ ōè ă2YŜ 2Ŧ ûKŜ Ǒ2YLJŜûƛű2₦ãφ (On those websites that use dynamic pricing, unit sizes with limited or no availability will either not be listed on the site or not have any promotion discounts or indicated 'call for availability' instead of 'reserve'). We believe that the review of the market and the competitors would indicate that there is some amount of unmet demand in the market for the contemplated improvements and the demand calculations and anecdotal evidence of higher occupancy levels appear to substantiate that indication.

While we do not necessarily prescribe to calculating and reviewing the demand numbers in a 'vacuum', we have made those calculations using averages facility sizes and MSA demand and supply numbers from the Self Storage Almanac and a ŴŜØłŜø 2ŦűK2ăŜ yźzYōŜŴă ø2źzfŘ ăźzLJLJ2ŴűűKŜ ŘŜØŜf2LJYŜyű 2Ŧ l·ű fŜl·ăű l· Y2ŘŜăű l·Y2źzyű 2Ŧ l·ŘŘłűł2yl·f ăŜfŦπăű2ŴI·ΞŜ ăLJl·ŌŜ l·ă Ō2yúŜYLJfl·úŜŘ øłűK űKŜ ŘŜØŜf2LJYŜyű LJŴ2ŝŜŎúφ

Those demand calculations follow.

Using the national average demand calculation number for comparison, as well as the State and National demand calculations the analysis would indicate that there is likely a substantial amount of unmet demand within the three-mile demographic profile. We should note that it is our belief that the primary demographic that would constitute a large percentage of the potential tenant base resides within three-miles of the subject site.

Notes:

- '***Radius***' refers to the mile radius within the sub-market with the subject site as the central point in that radius.
- '***Subject Property'*** is referring to the square foot per person within the subject site within the particular radius.
- The '***MSA SQ/CAP'*** is the comparison number used per the 2020 Self Storage Almanac that represents the amount of rentable square feet per person in the subject site MSA (Metropolitan Statistical Area)
- The '***State SQ/CAP'*** is the number reported by the 2020 Self Storage Almanac for the state in which the subject site is located.
- The '***US Average'*** is the amount of square footage per person across the US as reported in the 2020 Self Storage Almanac. We use this average number for our demand calculation analysis as the subject market would be considered 'under-supplied' given the low average per person number.
- The '***Highest MSA/US'*** is the highest average square foot per person noted in the US, the Boise ID MSA.
- The '***Lowest MSA/US'*** is the lowest average square foot per person noted in the US, the New York MSA.
- The first section of the calculated demand includes the market competitors.
- The second section of the calculated demand includes subject property and the market competitors.

- There are two columns of calculated demand in each section:
    - The first column calculates the demand including the population as reported in the demographic report plus an additional 10% of demand calculated for commercial users.
        - The amount of commercial users can vary from nearly 0% to a much more substantial percentage, depending on subject site location and the demographic profile of the subject market. We have used 10% for the subject site due to the location in a suburban market within a commercial/retail area.
    - The second column calculates the demand including the population as reported in the demographic report with no amount of demand calculated for commercial users.

RADIUS		SUBJECT PROPERTY		MSA SQ/CAP	STATE SQ/CAP	SF EQUIL	HIGHEST MSA US	LOWEST MSA US	US AVERAGE
				4.97	4.97	7.5	12.64	2.82	5.71
			Variances						
3 MILE		7.02		2.05	2.05	-0.48	-5.62	4.20	

CALCULATION

Demand Calculations Including the noted competitors in the subject market

	2022 POPULATIO	# OF FACILITIES	SQUARE FOOTAGE	SQUARE FEET PER CAPITA	Potential Unmet Demand Comp: MSA SF/Person Plus 10% Commercial	Potential Unmet Demand Comp: MSA SF/Person No Commercial
RADIUS						
3 MILE	90,743	9	637175	7.02	111455	43398

The GREEN highlighted numbers indicate the amount of unmet square footage demand within the various demographic profiles.

Any RED highlighted numbers would indicate the amount of over-supply within the various demographic profiles.

We should note that we have used estimated square footage sizes for the market competitors based on local assessor or other websites and/or google earth views. While it is likely these facility sizes would change with a more thorough onsite market study we do not believe the numbers would change dramatically.

While we acknowledge that consideration of a particular market's per person square footage demand is an important consideration when contemplating the development of a new self storage facility we also strongly believe that there is a temptation to assign far too much importance to this one aspect of a potential development.

These demand numbers and anecdotal occupancy levels would suggest that there is likely at least a modest amount of unmet demand within the three-mile demographic profile of the subject site and that it is more than likely that this subject market is under-supplied.

Table 5.5 –
Most Important Reasons for Using Self-Storage

No Room at Home/Residence	31.0%
Changing Residence	25.4%
Remodeling Home or Residence	7.8%
Storing Relatives' Items	6.1%
Items No Longer Wanted or Needed	5.6%
Temporary Storage While Away from Home / Residence	4.8%
Items Inherited Due to Death	4.8%
Natural Disaster	3.6%
College Student Bewtween Semesters	3.2%
Items from Vacation Home	3.1%
Items that Require Controlled Environment (e.g. wine)	2.1%
Had a Baby or Family Grew	1.8%

Source: SSA 2019 Self Storage Demand Study

Table 5.6 – Items Stored by Renters

Indoor Furniture	43.8%
Pictures / Photos / Paintings	41.9%
Clothing	40.0%
Household Supplies	39.6%
Kitchenware	39.5%
Holiday Seasonal Items	37.7%
Tools	32.3%
Books/Magazines	29.5%
Collectibles / Hobbies	29.5%
Towels / Blankets / Linens	27.1%
Sporting Equipment	23.8%
Electronic Devices (Not Appliances)	23.6%
Outdoor/Seasonal Furniture	23.0%
Family Records (Bank Statements, Tax Filings)	21.0%
Children's Toys	20.0%
Major Appliances	15.7%
Non-Perishable Food (Canned Goods)	8.1%
Vehicles	6.1%
Other	5.1%

Source: SSA 2019 Self Storage Demand Study

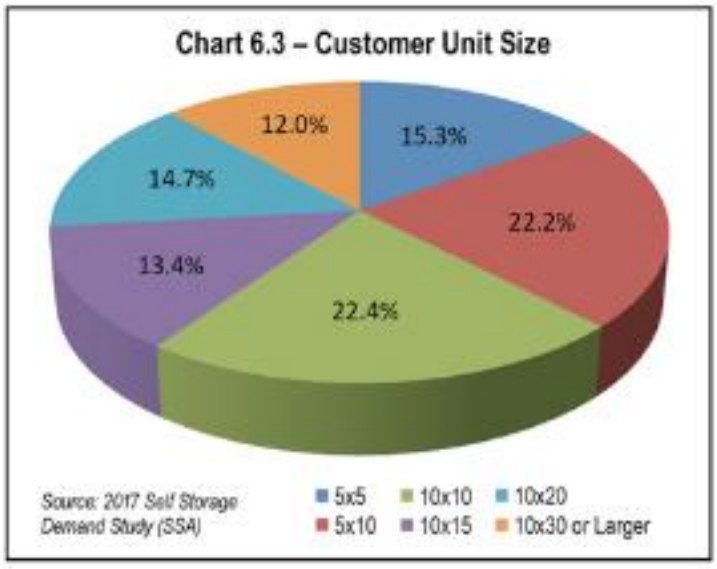
Table 9.1 – Length of Stay by Region

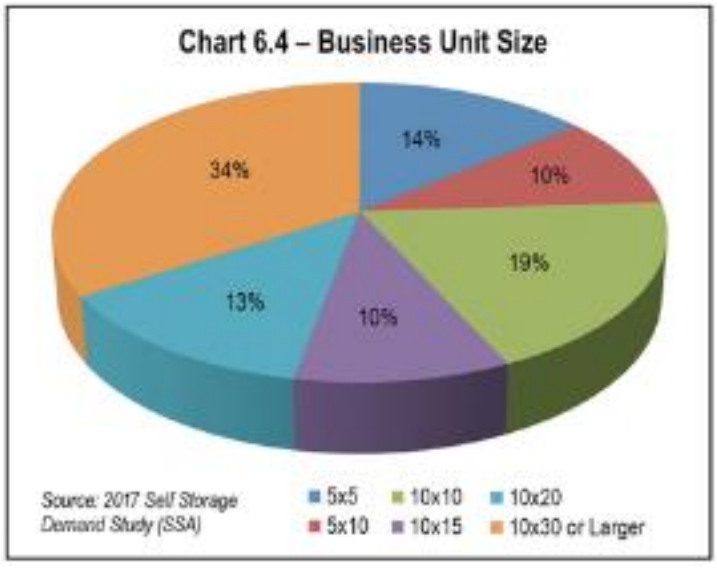
	Northeast	Midwest	South	West
Less than 3 months	10.0%	11.5%	13.2%	14.8%
3 to 6 months	17.6%	22.4%	16.8%	13.9%
7 to 12 months	17.3%	18.3%	22.1%	18.8%
1 to 2 years	30.2%	23.9%	27.2%	25.1%
Longer than 2 years	24.9%	23.9%	20.7%	27.2%

Source: SSA 2019 Self Storage Demand Study

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Due to current absorption rates in the market and the apparent demands, within the developer's proposed configuration of a multi-story construction the largest size concentration would be in the 10x10 size range. There are considerations as to the amount of net rentable square footage in any interior design, particularly with reference to the hallway square footage loss.





There are competitive, demographic and other market factors which affect unit mixes. Tenant composition (commercial vs. consumer) also affects unit mix. Dwelling structures (residences) affect unit mix, particularly regarding basements, attics, and three car garages. The basic sizes of residences have dramatic impacts as well, such as Manhattan apartments versus rural farms.

These criteria, in addition to many others, tend to make formula driven unit mixes inappropriate. Unit mix should be first determined by market conditions and THEN by site constraints.

The final unit mix footage and unit count will likely change at final construction. This proforma suggests the correct mix, given the confines of a preliminary design. Developers are always advised that unit mixes should be derived through market criteria, not construction efficiency.

Rates included are as of this date. Forecasting for future development may allow for some nominal rate increases, and it is assumed that among the primary competitors, the propensity for rate growth is likely.

Some of the primary competitors are known to be rate leaders, suggesting that rates will continue to move upward over time as occupancy levels increase. It is a common practice in revenue management for rates to increase when occupancy levels reach certain targets. Conversely, when vacancy is high, discounts may be deployed, a function of revenue management. It appears that some of the primary competitors have formal revenue management programs, which would manage rates by occupancy levels, offering specials in soft sizes, and pushing rental rates on high demand spaces. Given the subject property's proposed amenity package of cameras, paved driveways, a professional office, and professional storage counselors, it is assumed the subject property will be a rate leader in the market.

There are a few institutionally owned or managed properties in the market. The presence of institutional properties can positively affect the subject property in its ability to increase rents over time as occupancy levels increase. Institutionally owned properties have sophisticated revenue management tools which drive optimal rent growth. The presence of institutional "players" can be a significant benefit to the profitability and value increase of the subject project. The ability of the subject site to aggressively manage the posted street rates will be positively impacted by the presence of institutionally owned facilities in the market.

Typically, we forecast rents to be near the top of the market as if the project were built today. It is common that rates may increase, and while the projections typically do not include rate increases during rent-up, this factors in as a discount, as would be typically given during the absorption period. Simply stated, our rates should be on target, given the lead time between this report and store opening, coupled with rents held at flat levels during stabilization. The assumption is that discounting and rental rate increases during stabilization are a "wash".

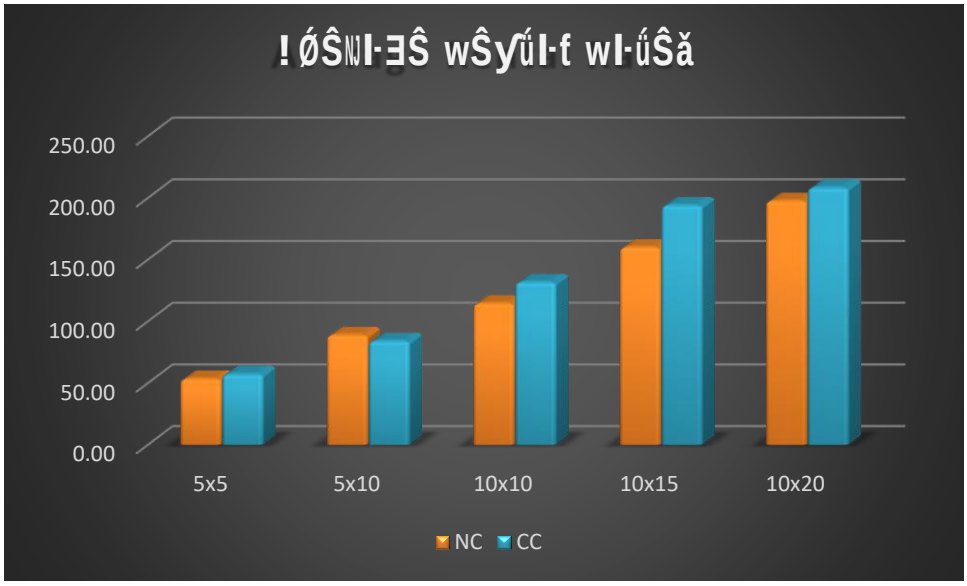
Competitor Rate Matrix:

NON CLIMATE CONTROL

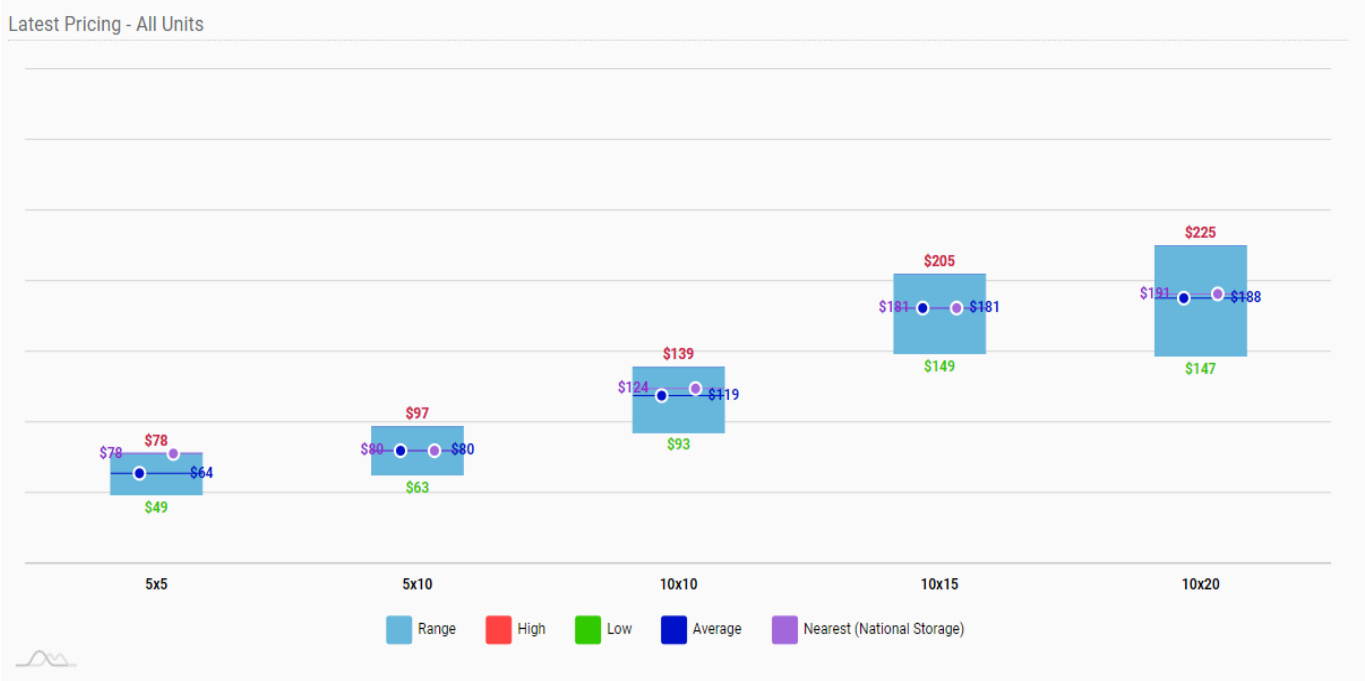
PROPERTY	Map #	5 x 5	5 x 10	10 x 10	10x15	10 x 20
Livonia Budget Storage	1	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
National Storage	2	$ 0.00	$ 0.00	$ 0.00	$ 170.00	$ 175.00
Public Storage	3	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
iStorage Self Storage	4	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
National Storage	5	$ 0.00	$ 0.00	$ 76.00	$ 0.00	$ 0.00
Safe Keeping Self Storage	6	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Mini U Storage of Livonia	7	$ 49.00	$ 89.00	$ 139.00	$ 149.00	$ 225.00
iStorage Self Storage	8	$ 58.00	$ 0.00	$ 129.00	$ 161.00	$ 193.00
U-Haul Moving & Storage	9	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Average		**$ 53.50**	**$ 89.00**	**$ 114.67**	**$ 160.00**	**$ 197.67**

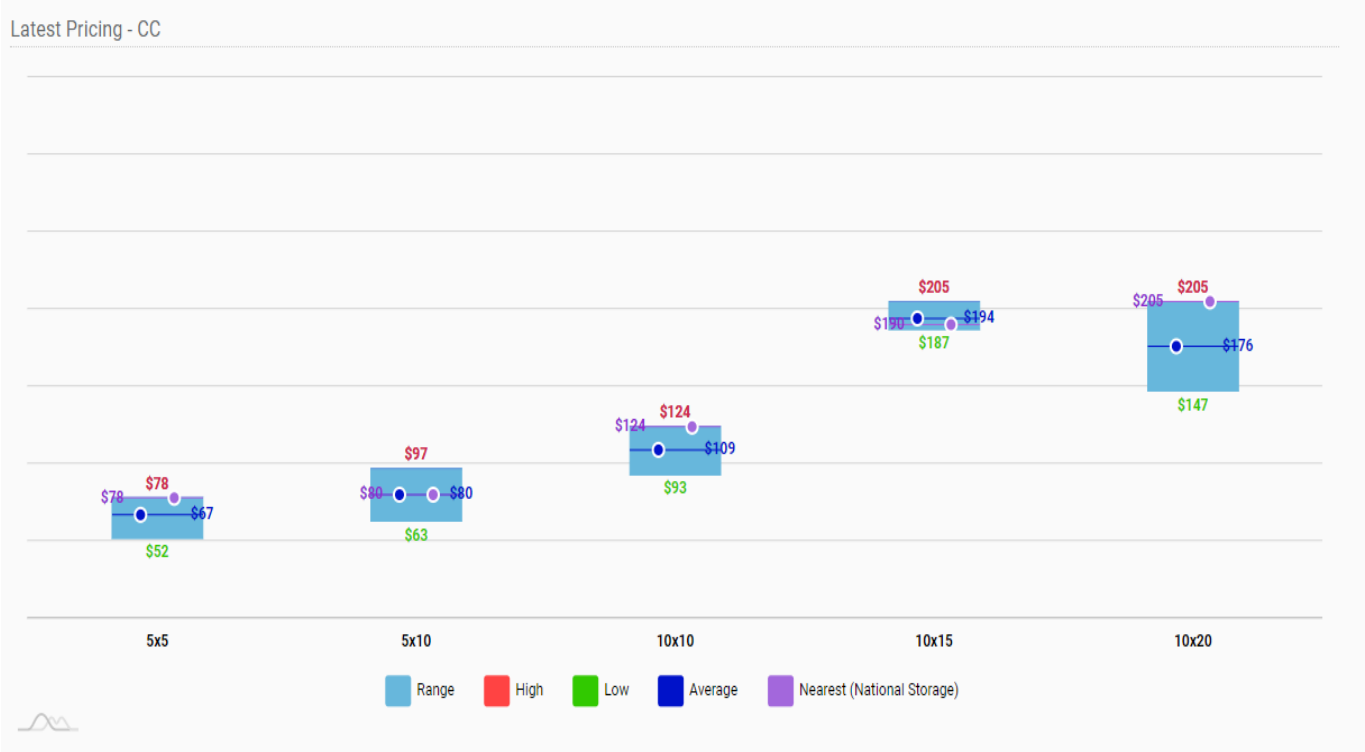
CLIMATE CONTROL

PROPERTY	Map #	5 x 5	5 x 10	10 x 10	10x15	10 x 20
Livonia Budget Storage	1	$ 0.00	$ 110.00	$ 180.00	$ 250.00	$ 295.00
National Storage	2	$ 0.00	$ 81.00	$ 121.00	$ 190.00	$ 205.00
Public Storage	3	$ 56.00	$ 66.00	$ 93.00	$ 0.00	$ 147.00
iStorage Self Storage	4	$ 41.00	$ 51.00	$ 109.00	$ 139.00	$ 182.00
National Storage	5	$ 62.00	$ 97.00	$ 113.00	$ 0.00	$ 213.00
Safe Keeping Self Storage	6	$ 67.42	$ 0.00	$ 0.00	$ 186.51	$ 0.00
Mini U Storage of Livonia	7	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
iStorage Self Storage	8	$ 42.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
U-Haul Moving & Storage	9	$ 74.99	$ 99.95	$ 174.95	$ 204.95	$ 0.00
Average		**$ 57.24**	**$ 84.16**	**$ 131.83**	**$ 194.09**	**$ 208.40**

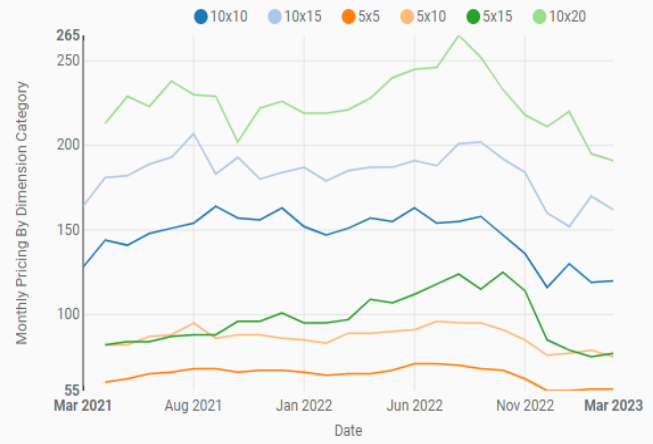

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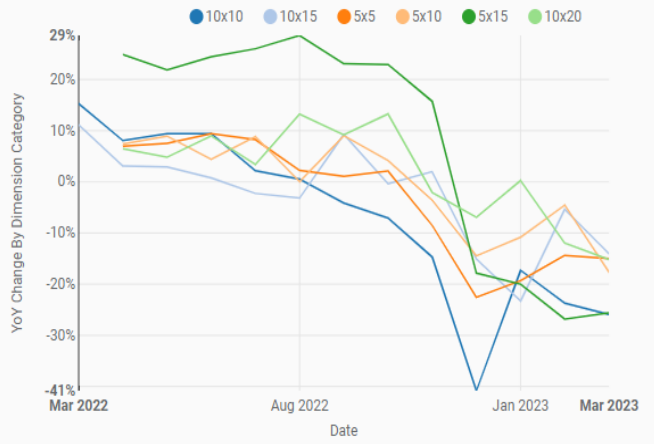

Latest Pricing - All Units
$78
$78
$64
$49
$97
$80
$80
$63
$139
$124
$119
$93
$205
$181
$181
$149
$225
$191
$188
$147
5x5
5x10
10x10
10x15
10x20
Range
High
Low
Average
Nearest (National Storage)


Latest Pricing - CC
$78
$78
$67
$52
$97
$80
$80
$63
$124
$124
$109
$93
$205
$190
$194
$187
$205
$205
$176
$147
5x5
5x10
10x10
10x15
10x20
Range
High
Low
Average
Nearest (National Storage)

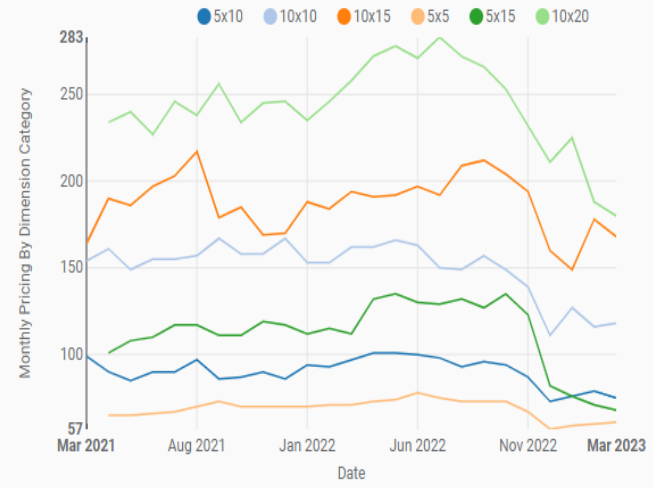
Monthly Pricing - All Units



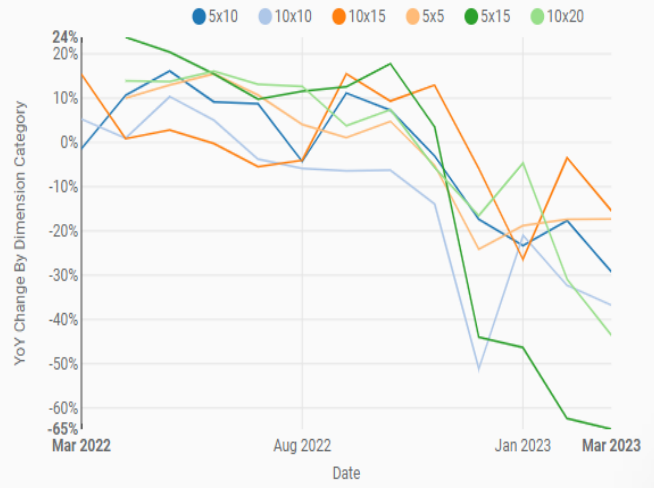
YoY Change - All Units

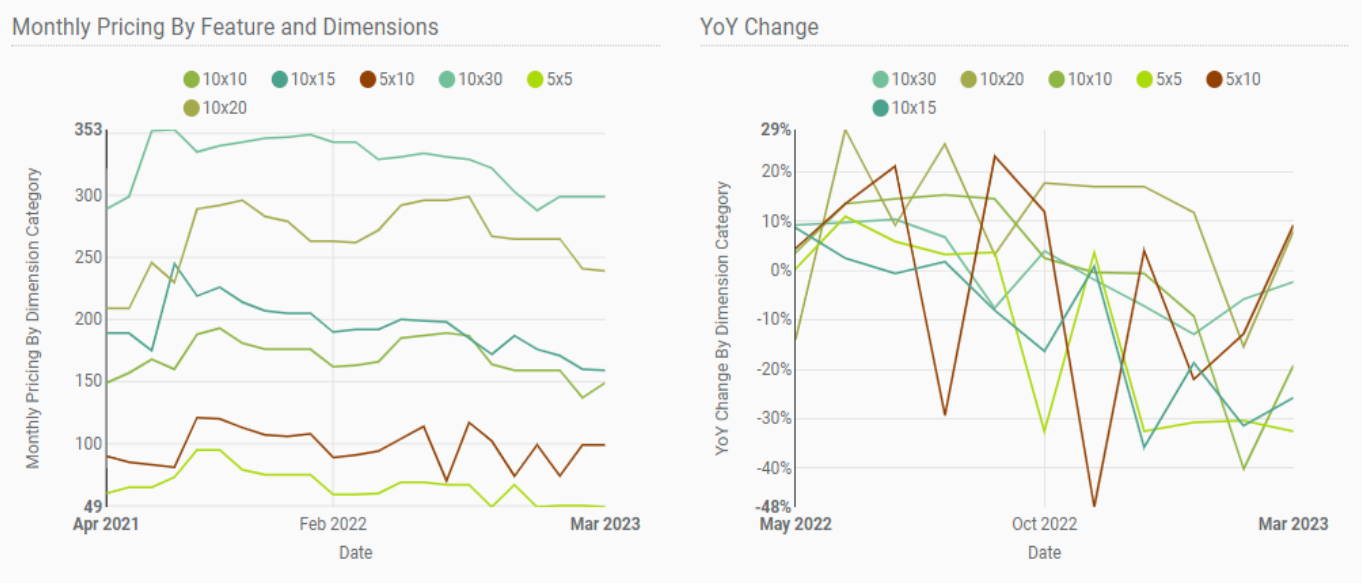


Monthly Pricing - CC



YoY Change - CC



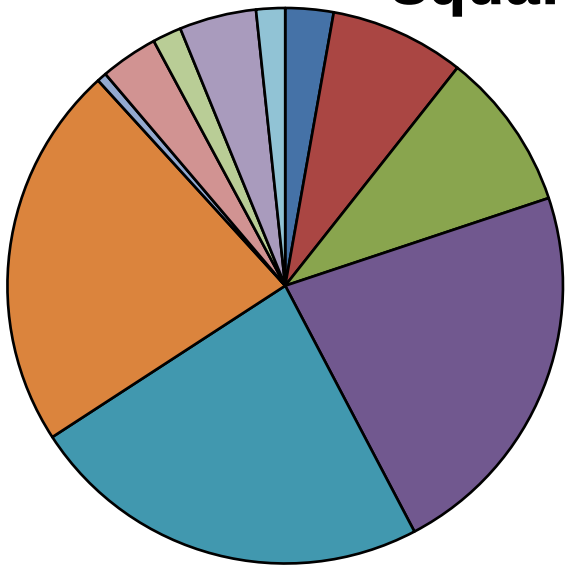

Monthly Pricing By Feature and Dimensions
10x10
10x15
5x10
10x30
5x5
10x20
353
300
250
200
150
100
49
Monthly Pricing By Dimension Category
Apr 2021
Feb 2022
Mar 2023
Date
YoY Change
10x30
10x20
10x10
5x5
5x10
10x15
29%
20%
10%
0%
-10%
-20%
-30%
-40%
-48%
YoY Change By Dimension Category
May 2022
Oct 2022
Mar 2023
Date

Unit mix for subject site:

UNIT MIX							
SIZE	UNIT SQ FT	SPACE TYPE	% OF SF TOTAL	TYPE SQ FT	# OF SPACES	% OF UNITS TOTAL
10 x 15	150	Standard DOWN	7%	6,900	46	6%
10 x 20	200	Standard DOWN	6%	5,800	29	4%
10 x 25	250	Standard DOWN	1%	500	2	0%
10 x 30	300	Standard DOWN	2%	1,800	6	1%
5 x 3	15	Standard UP	0%	420	28	4%
5 x 5	25	Standard UP	1%	1100	44	6%
5 x 10	50	Standard UP	4%	4000	80	10%
7 x 3	21	Standard UP	0%	147	7	1%
7 x 9	63	Standard UP	0%	441	7	1%
9 x 3	27	Standard UP	0%	189	7	1%
8 x 10	75	Standard UP	3%	2625	35	4%
10 x 10	100	Standard UP	21%	20900	209	26%
10 x 13	125	Standard UP	2%	2000	16	2%
10 x 15	150	Standard UP	15%	14400	96	12%
10 x 20	200	Standard UP	35%	34000	170	21%
5 x 5	25	Climate Controlled First Floor	0%	25	1	0%
5 x 7.5	37.5	Climate Controlled First Floor	0%	38	1	0%
7.5 x 10	75	Climate Controlled First Floor	0%	300	4	1%
10 x 20	200	Climate Controlled First Floor	1%	800	4	1%
20 x 33	660	Climate Controlled First Floor	2%	1,980	3	0%
			TOTAL SQ FT	AVERAGE	TOTAL UNITS	% OF SPACE
Climate Controlled First Floor			3,143	242	13	3%
Standard DOWN			15,000	181	83	15%
Standard UP			80,222	115	699	82%
BUILDINGS TOTAL			98,365		795	100%
PROJECT TOTALS			98,365		795	

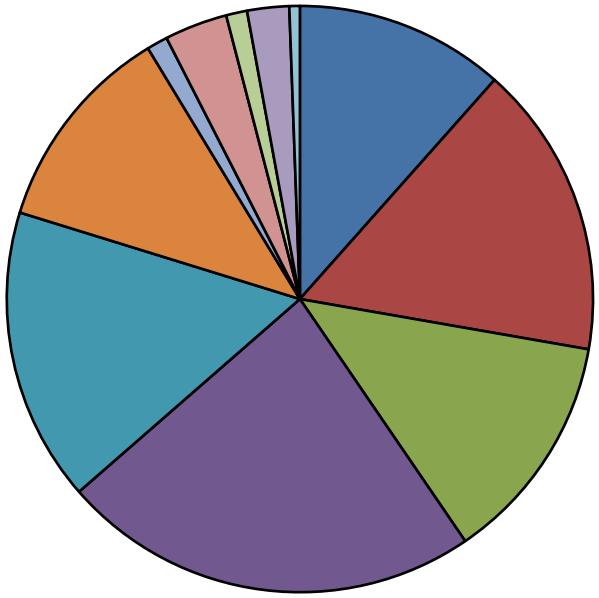
² Ŝ KI-ØŜ ŊŜŎŊŜI-ŭŜŘΣ Y'2ŊŜ 2ŊŜ tŜăăΣ ŭKŜ dzyλŭ Y'λÈ I-ă Ŏ2yŭŜY'LJtI-ŭŜŘ ōè ŭKŜ ŘŜØŜf2LJŜŊ℗

Square Footage By Percentage Unit Mix Composition



- 5 x 5 25 Climate Controlled Upper Floors
- 5 x 10 50 Climate Controlled Upper Floors
- 7.5 x 10 75 Climate Controlled Upper Floors
- 10 x 10 100 Climate Controlled Upper Floors
- 10 x 15 150 Climate Controlled Upper Floors
- 10 x 20 200 Climate Controlled Upper Floors
- 5 x 10 50 Climate Controlled First Floor
- 10 x 10 100 Climate Controlled First Floor
- 10 x 15 150 Climate Controlled First Floor
- 10 x 20 200 Climate Controlled First Floor
- 10 x 30 300 Climate Controlled First Floor

of Units By Percent Unit Mix Composition



- 5 x 5 25 Climate Controlled Upper Floors
- 5 x 10 50 Climate Controlled Upper Floors
- 7.5 x 10 75 Climate Controlled Upper Floors
- 10 x 10 100 Climate Controlled Upper Floors
- 10 x 15 150 Climate Controlled Upper Floors
- 10 x 20 200 Climate Controlled Upper Floors
- 5 x 10 50 Climate Controlled First Floor
- 10 x 10 100 Climate Controlled First Floor
- 10 x 15 150 Climate Controlled First Floor
- 10 x 20 200 Climate Controlled First Floor
- 10 x 30 300 Climate Controlled First Floor

REVENUE GENERATOR									
SIZE			UNIT SQ FT	SPACE TYPE	ANNUAL REVENUE		RATE PER SQ FT	% OF REVENUE	UNIT PRICE
10	x	15	150	Standard DOWN	$ 110,372		$ 16.00	7%	$ 199.95
10	x	20	200	Standard DOWN	$ 83,503		$ 14.40	5%	$ 239.95
10	x	25	250	Standard DOWN	$ 6,959		$ 13.92	0%	$ 289.95
10	x	30	300	Standard DOWN	$ 24,476		$ 13.60	1%	$ 339.95
5	x	3	15	Standard UP	$ 16,783		$ 39.96	1%	$ 49.95
5	x	5	25	Standard UP	$ 36,934		$ 33.58	2%	$ 69.95
5	x	10	50	Standard UP	$ 86,352		$ 21.59	5%	$ 89.95
7	x	3	21	Standard UP	$ 4,196		$ 28.54	0%	$ 49.95
7	x	9	63	Standard UP	$ 8,396		$ 33.58	0%	$ 99.95
9	x	3	27	Standard UP	$ 5,036		$ 31.98	0%	$ 59.95
8	x	10	75	Standard UP	$ 58,779		$ 22.39	3%	$ 139.95
10	x	10	100	Standard UP	$ 376,075		$ 13.20	22%	$ 149.95
10	x	13	125	Standard UP	$ 34,550		$ 20.00	2%	$ 179.95
10	x	15	150	Standard UP	$ 241,862		$ 19.71	14%	$ 209.95
10	x	20	200	Standard UP	$ 530,298		$ 15.60	32%	$ 259.95
5	x	5	25	Climate Controlled First Floor	$ 839		$ 33.58	0%	$ 69.95
5	x	7.5	37.5	Climate Controlled First Floor	$ 1,199		$ 31.98	0%	$ 99.95
7.5	x	10	75	Climate Controlled First Floor	$ 6,718		$ 22.39	0%	$ 139.95
10	x	20	200	Climate Controlled First Floor	$ 10,558		$ 13.20	1%	$ 219.95
20	x	33	660	Climate Controlled First Floor	$ 39,598		$ 20.00	2%	$ 1,099.95
					REVENUES		$/Sq . Ft.		
				Climate Controlled First Floor	$ 58,912		$ 18.75	3%	As a % of Revenue
				Standard DOWN	$ 225,310		$ 15.02	13%	
				Standard UP	$ 1,399,261		$ 17.44	83%	
					$ 1,683,483		$ 17.11	100%	
				PROJECT TOTALS	$ 1,683,483		$ 17.11	100%	

² Ŝ KI-ØŜ ₦ŜŏƧY'YŜyŘŜŘ ₦Ŝyűl-f ₦I-úŜă úKI-ú ǿŜ ōŜfΛŜØŜ ǿΛff I-ff2ǿ úKŜ ădzō?Ŝŏΰ ăΛúŜ û2 ōŜ Ŏ2YLJŜűΛűΛØŜ ǿΛúKΛy' úKŜ ădzōπYI-₦ʅŜΰ I-yŘ KI-ØŜ ŘŜ₦ΛØŜŘ úK2ăŜ ₦I-úŜă ₮₦2Y' úKŜ f2ŏI-f YI-₦ʅŜΰ Ŏ2YLJŜűΛú2₦ăΦ ² Ŝ I-fă2 ₦ŜŏƧƎyΛÎŜ úKI-ú úKŜ ûΛYŜ fI-LJăŜ ōŜűǿŜŜy' úKŜ Ŏ₦ŜI-úΛ2y' 2₮ úKΛă ₦ŜLJ2₦ú I-yŘ úKŜ 2LJŜyΛyƎ 2₮ úKΛă ăΛúŜ Ŏ2dzfŘ ₦Ŝădztű Λy' I-y' I-ŏűdzI-f dzyΛú YΛÈ ǿΛűK úKŜ ăI-YŜ ₦I-úŜăΣ KΛƎKŜ₦ ₦I-úŜăΣ 2₦ f2ǿŜ₦ ₦I-úŜăΣ ŘŜLJŜyŘΛyƎ 2y' K2ǿ úKŜ YI-₦ʅŜΰ LJŜ₦₮2₦Yă 2ØŜ₦ úKŜ Ŝyãdzʌy∃ Y'2yúKă¢

Notes:

- The unit mix contains an inventory of interior access, climate controlled self storage space and drive up access non climate space.
- We have recommended unit rates that we believe would allow the facility to effectively compete with the self-storage competitors in the market.

The creation of a marketable unit mix is an important aspect of the development of a self-storage facility and as such we would point out:

- The unit mix recommendation is created with the assumption that the facility will attract primarily residential tenants and a smaller percentage of commercial tenants.
- The market demographic considerations would indicate that a unit mix comprising an across-the-board selection of unit sizes ranging from 5x5 to 10x30 is appropriate.
- The income levels, housing types and location would dictate that the largest concentration of units should be in the mid-range sizes (5x10, 10x10 and 10x15).

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Table 8.1 – Historical National Rental Rates (Non-Climate-Controlled)

Year	Non-Climate-Controlled 5x5 Asking Rent	Non-Climate-Controlled 5x10 Asking Rent	Non-Climate-Controlled 10x10 Asking Rent	Non-Climate-Controlled 10x15 Asking Rent	Non-Climate-Controlled 10x20 Asking Rent
2011 Q4	$50.09	$69.03	$109.00	$142.70	$171.31
2012 Q1	$50.40	$69.60	$109.61	$143.35	$172.26
2012 Q2	$51.03	$70.40	$110.82	$145.07	$174.22
2012 Q3	$51.38	$71.05	$112.12	$146.31	$175.39
2012 Q4	$51.34	$70.97	$112.15	$146.43	$176.19
2013 Q1	$51.74	$71.43	$112.74	$146.93	$177.21
2013 Q2	$52.27	$72.15	$113.83	$147.89	$179.74
2013 Q3	$52.54	$72.78	$115.04	$149.02	$180.99
2013 Q4	$52.10	$72.11	$114.10	$147.93	$179.76
2014 Q1	$52.74	$73.19	$115.84	$150.30	$182.26
2014 Q2	$54.22	$75.21	$119.06	$154.05	$186.85
2014 Q3	$54.47	$75.61	$119.66	$154.78	$187.63
2014 Q4	$54.00	$74.87	$118.41	$153.53	$186.27
2015 Q1	$55.07	$76.49	$120.93	$156.81	$190.00
2015 Q2	$56.87	$79.12	$125.24	$162.22	$196.39
2015 Q3	$56.47	$78.64	$124.68	$160.98	$195.28
2015 Q4	$56.23	$78.29	$123.54	$159.81	$193.95
2016 Q1	$57.28	$79.75	$125.68	$162.94	$196.98
2016 Q2	$59.00	$82.29	$129.23	$167.59	$202.85
2016 Q3	$48.90	$69.30	$109.10	$137.00	$157.20
2016 Q4	$45.20	$65.80	$103.00	$130.80	$157.60
2017 Q1	$47.20	$64.60	$102.60	$129.30	$155.40
2017 Q2	$48.00	$68.80	$106.10	$134.30	$161.30
2017 Q3	$49.40	$71.00	$109.60	$141.40	$164.40
2017 Q4	$45.80	$66.30	$102.90	$129.50	$152.30
2018 Q1	$45.30	$65.00	$100.40	$127.40	$148.90
2018 Q2	$47.30	$68.00	$105.60	$132.70	$155.60
2018 Q3	$47.59	$68.90	$106.93	$135.84	$156.28
2018 Q4	$45.78	$66.28	$105.27	$131.71	$152.53
2019 Q1	$45.21	$65.25	$102.78	$128.77	$153.22
2019 Q2	$47.23	$67.94	$107.11	$132.97	$156.41
2019 Q3	$46.69	$66.99	$105.72	$131.59	$153.15
2019 Q4	$44.31	$63.84	$100.30	$127.07	$149.29
2020 Q1	$44.63	$63.60	$99.24	$126.59	$148.95
2020 Q2	$44.81	$63.05	$97.40	$124.07	$146.14

Source: Radius+

Table 8.2 – Historical National Rental Rates (Climate-Controlled)

Year	Climate-Controlled 5x5 Asking Rent	Climate-Controlled 5x10 Asking Rent	Climate-Controlled 10x10 Asking Rent	Climate-Controlled 10x15 Asking Rent	Climate-Controlled 10x20 Asking Rent
2011 Q4	$63.48	$89.08	$139.57	$182.92	$225.43
2012 Q1	$63.81	$89.73	$140.14	$183.17	$226.42
2012 Q2	$64.62	$91.09	$141.80	$185.30	$228.66
2012 Q3	$65.14	$91.83	$143.06	$186.89	$230.51
2012 Q4	$64.96	$91.73	$143.11	$187.32	$230.78
2013 Q1	$65.21	$92.01	$143.80	$188.81	$232.86
2013 Q2	$66.21	$93.35	$145.70	$190.81	$234.23
2013 Q3	$66.39	$93.99	$147.20	$191.75	$235.51
2013 Q4	$65.37	$92.81	$145.62	$190.01	$233.61
2014 Q1	$65.99	$93.99	$147.89	$193.15	$237.38
2014 Q2	$67.95	$96.89	$152.42	$198.69	$244.00
2014 Q3	$68.18	$97.00	$153.04	$199.28	$244.50
2014 Q4	$67.40	$95.74	$151.17	$197.38	$242.50
2015 Q1	$68.36	$97.53	$153.98	$201.05	$246.78
2015 Q2	$71.14	$101.52	$159.95	$208.45	$255.00
2015 Q3	$70.76	$100.95	$158.59	$206.64	$253.34
2015 Q4	$69.85	$99.72	$156.06	$204.28	$250.71
2016 Q1	$71.17	$101.45	$158.25	$207.25	$254.26
2016 Q2	$73.52	$104.87	$162.83	$213.39	$260.28
2016 Q3	$59.60	$89.60	$138.20	$179.60	$225.20
2016 Q4	$54.30	$84.10	$131.60	$171.50	$220.90
2017 Q1	$56.40	$84.10	$130.50	$170.80	$218.40
2017 Q2	$58.90	$87.40	$135.60	$176.80	$223.70
2017 Q3	$58.30	$88.00	$136.40	$180.50	$230.30
2017 Q4	$55.10	$83.10	$129.60	$170.70	$219.10
2018 Q1	$53.90	$80.60	$127.00	$166.50	$213.90
2018 Q2	$55.90	$83.30	$131.40	$169.70	$215.30
2018 Q3	$56.20	$84.56	$132.01	$172.40	$218.18
2018 Q4	$54.10	$81.83	$127.79	$166.57	$212.54
2019 Q1	$53.69	$81.03	$127.25	$166.11	$215.71
2019 Q2	$56.10	$84.46	$132.66	$173.32	$222.49
2019 Q3	$55.67	$82.93	$130.36	$170.69	$216.65
2019 Q4	$52.88	$79.35	$125.14	$164.95	$211.39
2020 Q1	$52.75	$78.96	$123.91	$163.57	$208.64
2020 Q2	$51.95	$77.38	$120.23	$157.83	$205.17

Source: Radius+

Table 8.3 – National Rental Rates Per Square Foot (Non-Climate-Controlled)

Date	25 Sq. Ft. 5x5	50 Sq. Ft. 5x10	100 Sq. Ft. 10x10	150 Sq. Ft. 10x15	200 Sq. Ft. 10x20
Jan-18	$1.97	$1.41	$1.14	$0.98	$0.90
Feb-18	$1.99	$1.43	$1.15	$1.00	$0.91
Mar-18	$2.03	$1.44	$1.16	$1.00	$0.91
Apr-18	$2.19	$1.57	$1.25	$1.07	$0.97
May-18	$2.24	$1.60	$1.26	$1.07	$0.98
Jun-18	$2.24	$1.62	$1.28	$1.09	$0.99
Jul-18	$2.02	$1.43	$1.11	$0.93	$0.85
Aug-18	$2.01	$1.44	$1.11	$0.97	$0.82
Sep-18	$1.91	$1.38	$1.07	$0.93	$0.79
Oct-18	$1.85	$1.34	$1.04	$0.87	$0.77
Nov-18	$1.83	$1.33	$1.03	$0.87	$0.76
Dec-18	$1.81	$1.31	$1.01	$0.85	$0.75
Jan-19	$1.81	$1.30	$1.02	$0.85	$0.76
Feb-19	$1.80	$1.31	$1.03	$0.86	$0.77
Mar-19	$1.82	$1.31	$1.04	$0.86	$0.77
Apr-19	$1.86	$1.34	$1.06	$0.87	$0.78
May-19	$1.90	$1.37	$1.07	$0.89	$0.78
Jun-19	$1.90	$1.38	$1.08	$0.89	$0.78
Jul-19	$1.91	$1.37	$1.08	$0.89	$0.78
Aug-19	$1.89	$1.35	$1.06	$0.88	$0.77
Sep-19	$1.80	$1.30	$1.03	$0.86	$0.75
Oct-19	$1.77	$1.28	$1.01	$0.86	$0.75
Nov-19	$1.77	$1.28	$1.00	$0.85	$0.74
Dec-19	$1.78	$1.27	$1.00	$0.84	$0.74
Jan-20	$1.78	$1.28	$1.00	$0.84	$0.74
Feb-20	$1.78	$1.26	$0.99	$0.85	$0.74
Mar-20	$1.80	$1.28	$1.00	$0.85	$0.75
Apr-20	$1.77	$1.24	$0.96	$0.82	$0.73
May-20	$1.78	$1.25	$0.97	$0.82	$0.72
Jun-20	$1.83	$1.29	$1.00	$0.84	$0.74

Source: Radius+

Table 8.4 – National Rental Rates Per Square Foot (Climate-Controlled)

Date	25 Sq. Ft. 5x5	50 Sq. Ft. 5x10	100 Sq. Ft. 10x10	150 Sq. Ft. 10x15	200 Sq. Ft. 10x20
Jan-18	$2.15	$1.61	$1.26	$1.11	$1.07
Feb-18	$2.16	$1.61	$1.27	$1.11	$1.08
Mar-18	$2.16	$1.61	$1.27	$1.11	$1.06
Apr-18	$2.21	$1.64	$1.30	$1.12	$1.06
May-18	$2.25	$1.67	$1.31	$1.13	$1.08
Jun-18	$2.25	$1.68	$1.32	$1.14	$1.08
Jul-18	$2.27	$1.71	$1.33	$1.15	$1.10
Aug-18	$2.26	$1.69	$1.32	$1.15	$1.10
Sep-18	$2.22	$1.68	$1.30	$1.14	$1.08
Oct-18	$2.18	$1.65	$1.28	$1.12	$1.07
Nov-18	$2.16	$1.64	$1.28	$1.11	$1.06
Dec-18	$2.15	$1.62	$1.26	$1.10	$1.06
Jan-19	$2.15	$1.62	$1.26	$1.09	$1.06
Feb-19	$2.14	$1.61	$1.27	$1.10	$1.07
Mar-19	$2.15	$1.63	$1.28	$1.13	$1.10
Apr-19	$2.21	$1.66	$1.31	$1.14	$1.11
May-19	$2.25	$1.70	$1.33	$1.15	$1.11
Jun-19	$2.27	$1.71	$1.34	$1.17	$1.11
Jul-19	$2.27	$1.69	$1.32	$1.16	$1.10
Aug-19	$2.24	$1.67	$1.31	$1.14	$1.08
Sep-19	$2.17	$1.61	$1.28	$1.12	$1.06
Oct-19	$2.14	$1.60	$1.27	$1.11	$1.07
Nov-19	$2.10	$1.58	$1.25	$1.10	$1.06
Dec-19	$2.10	$1.57	$1.24	$1.09	$1.04
Jan-20	$2.11	$1.58	$1.24	$1.09	$1.03
Feb-20	$2.10	$1.57	$1.23	$1.09	$1.04
Mar-20	$2.12	$1.58	$1.24	$1.09	$1.06
Apr-20	$2.08	$1.54	$1.20	$1.05	$1.01
May-20	$2.05	$1.53	$1.19	$1.04	$1.01
Jun-20	$2.11	$1.57	$1.22	$1.07	$1.05

Source: Radius+

Table 8.5 – Midwest Rental Rates (East North Central)

	Climate-Controlled Units					Non-Climate-Controlled Units				
	5x5	5x10	10x10	10x15	10x20	5x5	5x10	10x10	10x15	10x20
Jul-16	$49.42	$75.08	$119.69	$150.59	$190.64	$43.24	$64.51	$100.28	$127.92	$144.75
Aug-16	$51.10	$78.11	$121.66	$154.44	$190.96	$43.34	$61.88	$96.51	$121.54	$137.53
Sep-16	$50.76	$77.83	$121.95	$156.07	$193.75	$42.23	$61.21	$95.80	$120.20	$135.69
Oct-16	$49.69	$76.22	$119.92	$152.51	$192.40	$40.92	$59.51	$93.48	$118.10	$135.12
Nov-16	$47.45	$72.11	$113.52	$147.20	$182.55	$39.40	$57.38	$90.09	$115.22	$134.24
Dec-16	$43.65	$67.27	$108.35	$141.31	$174.51	$38.26	$55.89	$88.30	$114.35	$137.59
Jan-17	$44.82	$70.61	$112.37	$148.37	$184.65	$39.14	$57.13	$88.96	$114.20	$135.38
Feb-17	$47.43	$73.53	$116.26	$152.75	$190.98	$39.85	$57.78	$90.79	$114.47	$132.51
Mar-17	$47.80	$73.05	$116.97	$155.98	$191.39	$39.48	$58.08	$90.63	$114.93	$131.76
Apr-17	$49.46	$76.16	$120.19	$160.46	$195.25	$41.37	$60.28	$92.32	$117.68	$135.05
May-17	$50.64	$76.99	$121.52	$157.18	$198.57	$42.50	$61.53	$94.57	$118.95	$134.94
Jun-17	$51.33	$78.30	$121.75	$155.80	$199.24	$43.06	$62.29	$96.28	$120.91	$136.76
Jul-17	$51.13	$78.91	$121.29	$157.89	$202.83	$43.17	$63.24	$98.14	$121.73	$138.52
Aug-17	$51.85	$78.77	$122.49	$158.50	$197.93	$43.81	$63.25	$98.63	$146.50	$139.75
Sep-17	$51.27	$76.94	$121.00	$157.49	$199.66	$43.52	$60.89	$95.64	$120.33	$134.99
Oct-17	$50.04	$76.02	$119.53	$153.31	$195.70	$41.39	$59.12	$92.58	$116.99	$130.84
Nov-17	$49.33	$74.75	$117.61	$150.72	$189.48	$40.79	$58.79	$90.91	$115.14	$129.52
Dec-17	$48.06	$72.87	$114.75	$148.20	$185.81	$39.91	$57.30	$88.69	$112.42	$127.88
Jan-18	$47.80	$72.79	$113.77	$146.47	$184.11	$39.82	$56.72	$87.39	$111.31	$126.03
Feb-18	$48.03	$72.69	$113.94	$146.34	$182.25	$39.66	$56.23	$87.27	$110.38	$124.98
Mar-18	$47.74	$71.81	$113.13	$145.67	$178.67	$39.85	$56.70	$87.87	$111.01	$126.48
Apr-18	$49.11	$72.61	$116.46	$150.15	$180.51	$40.97	$57.96	$89.65	$112.99	$129.14
May-18	$49.92	$73.47	$117.09	$150.14	$184.40	$41.47	$58.40	$90.41	$112.89	$128.39
Jun-18	$49.70	$73.37	$115.15	$148.47	$183.34	$41.46	$58.64	$91.94	$114.26	$144.62
Jul-18	$49.59	$74.99	$117.68	$152.44	$185.33	$41.29	$59.93	$93.69	$117.09	$133.43
Aug-18	$49.89	$74.97	$117.27	$152.66	$187.92	$41.35	$60.07	$94.34	$117.43	$134.15
Sep-18	$48.68	$74.37	$116.34	$151.89	$187.80	$40.97	$58.86	$92.39	$114.69	$130.79
Oct-18	$47.35	$71.89	$114.08	$147.52	$184.47	$39.81	$57.50	$90.43	$113.06	$129.72
Nov-18	$46.42	$70.74	$112.76	$145.14	$181.83	$39.03	$57.37	$88.70	$111.11	$129.41
Dec-18	$45.75	$69.98	$110.40	$142.69	$179.06	$38.24	$58.09	$88.16	$111.14	$128.44
Jan-19	$45.72	$69.89	$109.79	$140.64	$179.25	$38.36	$56.52	$87.45	$109.71	$126.40
Feb-19	$45.57	$69.63	$109.71	$141.86	$179.81	$38.27	$56.19	$87.30	$109.55	$126.69
Mar-19	$46.08	$70.78	$111.77	$144.34	$182.91	$39.52	$56.62	$89.58	$111.39	$128.01
Apr-19	$46.74	$72.42	$114.18	$147.13	$184.02	$39.97	$57.45	$91.26	$113.20	$128.13
May-19	$46.97	$73.18	$115.82	$148.06	$184.47	$40.31	$58.11	$92.36	$114.05	$129.17
Jun-19	$47.36	$73.09	$116.09	$148.54	$184.64	$40.16	$58.58	$93.21	$115.06	$132.04
Jul-19	$48.53	$72.54	$115.97	$148.91	$187.69	$39.84	$58.68	$94.50	$117.15	$133.18
Aug-19	$47.76	$71.92	$116.14	$148.53	$185.78	$39.84	$57.48	$92.39	$114.06	$129.03
Sep-19	$46.49	$70.13	$112.97	$146.05	$182.88	$37.23	$55.11	$88.14	$109.83	$124.79
Oct-19	$45.49	$69.40	$112.27	$145.67	$181.74	$36.86	$54.39	$86.28	$109.64	$124.09
Nov-19	$44.97	$68.54	$110.25	$143.10	$178.92	$37.30	$54.14	$85.20	$107.66	$124.02
Dec-19	$44.64	$67.98	$109.02	$141.59	$177.19	$37.18	$53.88	$83.93	$106.80	$124.17
Jan-20	$44.83	$68.41	$109.42	$141.48	$177.55	$36.75	$53.78	$83.23	$105.63	$121.98
Feb-20	$44.61	$68.35	$108.57	$141.71	$177.51	$36.54	$53.17	$82.91	$105.77	$122.00
Mar-20	$44.78	$68.58	$109.18	$143.58	$179.47	$37.30	$53.95	$84.29	$107.95	$124.56
Apr-20	$43.79	$67.11	$106.59	$139.95	$175.74	$36.80	$52.54	$80.69	$103.58	$120.77
May-20	$43.66	$66.61	$105.80	$137.45	$174.79	$37.81	$53.41	$80.54	$102.11	$120.07
Jun-20	$44.39	$66.99	$106.63	$138.40	$178.59	$39.31	$54.10	$82.50	$103.88	$121.03

Source: Radius+

Table 8.6 – Midwest Rent Per Square Foot

(East North Central – Non-Climate-Controlled) Source: Radius+

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$1.72	$1.25	$0.97	$0.82	$0.69
2016 Q4	$1.58	$1.15	$0.91	$0.77	$0.68
2017 Q1	$1.58	$1.15	$0.90	$0.76	$0.67
2017 Q2	$1.69	$1.23	$0.94	$0.79	$0.68
2017 Q3	$1.74	$1.25	$0.97	$0.86	$0.69
2017 Q4	$1.63	$1.17	$0.91	$0.77	$0.65
2018 Q1	$1.59	$1.13	$0.88	$0.74	$0.63
2018 Q2	$1.65	$1.17	$0.91	$0.76	$0.67
2018 Q3	$1.65	$1.19	$0.93	$0.78	$0.66
2018 Q4	$1.56	$1.15	$0.89	$0.75	$0.65
2019 Q1	$1.55	$1.13	$0.88	$0.74	$0.64
2019 Q2	$1.61	$1.16	$0.92	$0.76	$0.65
2019 Q3	$1.56	$1.14	$0.92	$0.76	$0.65
2019 Q4	$1.48	$1.08	$0.85	$0.72	$0.62
2020 Q1	$1.47	$1.07	$0.83	$0.71	$0.61
2020 Q2	$1.52	$1.07	$0.81	$0.69	$0.60

Table 8.7 – Midwest Rent Per Square Foot

(East North Central – Climate-Controlled) Source: Radius+

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$2.02	$1.54	$1.21	$1.03	$0.96
2016 Q4	$1.88	$1.44	$1.14	$0.98	$0.92
2017 Q1	$1.86	$1.44	$1.15	$1.01	$0.94
2017 Q2	$2.02	$1.54	$1.21	$1.05	$0.99
2017 Q3	$2.06	$1.56	$1.22	$1.05	$1.00
2017 Q4	$1.97	$1.49	$1.17	$1.00	$0.95
2018 Q1	$1.91	$1.45	$1.14	$0.97	$0.91
2018 Q2	$1.98	$1.46	$1.16	$1.00	$0.91
2018 Q3	$1.98	$1.50	$1.17	$1.02	$0.93
2018 Q4	$1.86	$1.42	$1.12	$0.97	$0.91
2019 Q1	$1.83	$1.40	$1.10	$0.95	$0.90
2019 Q2	$1.88	$1.46	$1.15	$0.99	$0.92
2019 Q3	$1.90	$1.43	$1.15	$0.99	$0.93
2019 Q4	$1.80	$1.37	$1.11	$0.96	$0.90
2020 Q1	$1.79	$1.37	$1.09	$0.95	$0.89
2020 Q2	$1.76	$1.34	$1.06	$0.92	$0.88

Table 8.8 – Midwest Rental Rates (West North Central)

	Climate-Controlled Units					Non-Climate-Controlled Units				
	5x5	5x10	10x10	10x15	10x20	5x5	5x10	10x10	10x15	10x20
Jul-16	$62.23	$89.12	$135.24	$167.57	$216.61	$48.03	$63.26	$101.97	$126.71	$138.94
Aug-16	$65.79	$90.05	$136.17	$167.29	$214.88	$44.66	$57.97	$93.02	$114.14	$129.46
Sep-16	$64.38	$89.31	$134.08	$167.13	$223.16	$43.15	$57.95	$91.37	$113.12	$127.62
Oct-16	$59.47	$90.12	$130.49	$164.64	$213.62	$42.87	$58.86	$93.01	$114.05	$132.01
Nov-16	$60.01	$84.53	$127.80	$159.61	$223.25	$42.81	$59.02	$94.60	$117.31	$137.87
Dec-16	$55.08	$78.41	$124.29	$157.41	$217.55	$41.71	$58.65	$93.66	$117.50	$136.54
Jan-17	$54.39	$81.05	$125.06	$157.58	$211.44	$41.19	$56.09	$86.93	$109.95	$127.92
Feb-17	$54.22	$82.04	$127.23	$159.21	$205.22	$40.32	$55.23	$83.94	$106.11	$122.48
Mar-17	$56.61	$82.15	$125.57	$162.22	$205.92	$39.76	$55.04	$82.88	$103.84	$120.84
Apr-17	$57.38	$83.86	$127.27	$162.86	$204.22	$40.61	$55.89	$84.52	$104.53	$119.82
May-17	$58.53	$84.03	$128.63	$162.17	$205.86	$42.12	$57.89	$86.13	$107.09	$121.87
Jun-17	$55.72	$83.50	$126.83	$160.08	$198.74	$43.23	$58.47	$87.63	$109.23	$124.86
Jul-17	$56.98	$86.17	$129.26	$168.75	$206.96	$46.72	$65.83	$94.93	$112.89	$128.31
Aug-17	$55.57	$85.50	$128.29	$166.74	$210.49	$46.01	$67.93	$96.09	$115.17	$125.92
Sep-17	$54.26	$82.14	$125.13	$160.15	$207.52	$44.65	$61.53	$90.82	$112.73	$123.23
Oct-17	$52.37	$79.30	$121.35	$155.05	$202.91	$42.79	$58.80	$88.62	$108.43	$118.29
Nov-17	$52.52	$79.31	$120.12	$155.58	$197.98	$43.19	$58.14	$86.19	$105.40	$114.96
Dec-17	$53.95	$78.36	$120.62	$155.36	$198.91	$42.89	$57.49	$84.79	$102.34	$113.34
Jan-18	$52.67	$77.05	$116.99	$150.08	$195.93	$42.48	$56.13	$82.66	$99.46	$110.94
Feb-18	$52.53	$76.90	$116.38	$147.97	$191.68	$43.63	$60.11	$81.69	$99.94	$109.09
Mar-18	$52.23	$75.91	$117.10	$144.03	$182.88	$43.91	$56.35	$82.17	$100.46	$109.78
Apr-18	$53.52	$76.94	$120.65	$147.90	$188.41	$44.46	$58.05	$84.46	$102.46	$113.01
May-18	$54.45	$77.11	$117.17	$146.35	$180.15	$42.38	$57.76	$85.03	$102.53	$111.66
Jun-18	$53.48	$77.87	$118.66	$148.90	$196.08	$46.23	$59.04	$85.47	$101.59	$113.21
Jul-18	$52.71	$78.12	$119.67	$152.02	$191.59	$46.16	$58.95	$85.30	$102.59	$115.17
Aug-18	$52.80	$77.39	$118.20	$149.17	$188.74	$45.86	$59.86	$87.15	$104.16	$116.21
Sep-18	$52.57	$77.02	$117.33	$147.33	$186.65	$43.50	$57.99	$86.27	$103.81	$114.37
Oct-18	$52.03	$76.89	$116.08	$147.27	$186.00	$43.23	$56.21	$85.19	$101.84	$114.22
Nov-18	$52.58	$76.28	$116.26	$147.51	$183.65	$42.66	$55.93	$84.69	$104.06	$112.12
Dec-18	$51.83	$75.48	$115.69	$146.19	$183.89	$41.66	$55.23	$82.63	$101.96	$111.17
Jan-19	$51.74	$75.03	$114.43	$144.97	$183.87	$40.97	$55.04	$81.47	$99.26	$110.06
Feb-19	$51.48	$74.66	$113.99	$143.97	$181.21	$40.71	$55.94	$81.75	$98.98	$109.60
Mar-19	$50.72	$74.13	$113.40	$143.92	$181.57	$39.91	$56.36	$83.58	$99.70	$111.10
Apr-19	$52.20	$75.76	$116.77	$147.97	$185.94	$41.93	$57.54	$86.11	$100.35	$111.35
May-19	$53.08	$77.85	$118.05	$150.52	$188.93	$44.75	$59.03	$88.63	$102.33	$113.94
Jun-19	$53.67	$78.17	$118.99	$150.62	$189.40	$43.96	$59.68	$91.79	$100.81	$113.99
Jul-19	$53.95	$77.18	$117.82	$149.51	$182.60	$44.75	$59.80	$90.92	$101.85	$114.55
Aug-19	$54.21	$77.29	$118.79	$151.26	$188.95	$45.23	$57.98	$88.21	$103.76	$114.21
Sep-19	$50.97	$74.49	$115.77	$148.25	$184.59	$42.42	$55.58	$84.79	$100.41	$112.53
Oct-19	$51.75	$75.41	$114.79	$147.92	$183.10	$39.76	$54.53	$83.40	$99.20	$113.11
Nov-19	$49.39	$72.04	$110.40	$144.81	$176.74	$38.61	$53.77	$81.62	$96.15	$109.08
Dec-19	$49.14	$71.14	$108.31	$141.98	$172.35	$38.59	$52.96	$79.97	$95.18	$107.08
Jan-20	$47.10	$70.37	$107.90	$139.81	$170.75	$37.88	$53.79	$79.78	$94.85	$108.16
Feb-20	$46.45	$70.56	$106.43	$139.21	$173.82	$38.12	$52.31	$78.79	$94.98	$109.69
Mar-20	$45.98	$71.08	$107.47	$140.25	$177.62	$38.49	$51.91	$79.23	$95.59	$110.91
Apr-20	$46.67	$69.78	$105.01	$137.23	$172.51	$37.71	$50.97	$77.36	$96.19	$109.99
May-20	$47.93	$69.20	$103.62	$136.16	$169.14	$38.92	$51.95	$77.14	$95.64	$110.05
Jun-20	$48.05	$71.81	$104.25	$136.26	$175.50	$39.76	$53.13	$79.57	$96.43	$111.46

Source: Radius+

Table 8.9 – Midwest Rent Per Square Foot

(West North Central – Non-Climate-Controlled) *Source: Radius+*

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$1.80	$1.19	$0.95	$0.78	$0.65
2016 Q4	$1.70	$1.16	$0.94	$0.77	$0.68
2017 Q1	$1.62	$1.11	$0.85	$0.71	$0.62
2017 Q2	$1.68	$1.15	$0.86	$0.71	$0.61
2017 Q3	$1.83	$1.30	$0.94	$0.76	$0.63
2017 Q4	$1.72	$1.16	$0.87	$0.70	$0.58
2018 Q1	$1.73	$1.15	$0.82	$0.67	$0.55
2018 Q2	$1.77	$1.17	$0.85	$0.68	$0.56
2018 Q3	$1.81	$1.18	$0.86	$0.69	$0.58
2018 Q4	$1.70	$1.12	$0.84	$0.68	$0.56
2019 Q1	$1.62	$1.12	$0.82	$0.66	$0.55
2019 Q2	$1.74	$1.18	$0.89	$0.67	$0.57
2019 Q3	$1.77	$1.16	$0.88	$0.68	$0.57
2019 Q4	$1.56	$1.07	$0.82	$0.65	$0.55
2020 Q1	$1.53	$1.05	$0.79	$0.63	$0.55
2020 Q2	$1.55	$1.04	$0.78	$0.64	$0.55

Table 8.10 – Midwest Rent Per Square Foot

(West North Central – Climate-Controlled) *Source: Radius+*

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$2.57	$1.79	$1.35	$1.12	$1.09
2016 Q4	$2.33	$1.69	$1.27	$1.07	$1.09
2017 Q1	$2.20	$1.63	$1.26	$1.06	$1.04
2017 Q2	$2.29	$1.68	$1.28	$1.08	$1.02
2017 Q3	$2.22	$1.69	$1.28	$1.10	$1.04
2017 Q4	$2.12	$1.58	$1.21	$1.04	$1.00
2018 Q1	$2.10	$1.53	$1.17	$0.98	$0.95
2018 Q2	$2.15	$1.55	$1.19	$0.98	$0.94
2018 Q3	$2.11	$1.55	$1.18	$1.00	$0.95
2018 Q4	$2.09	$1.52	$1.16	$0.98	$0.92
2019 Q1	$2.05	$1.49	$1.14	$0.96	$0.91
2019 Q2	$2.12	$1.55	$1.18	$1.00	$0.94
2019 Q3	$2.12	$1.53	$1.17	$1.00	$0.93
2019 Q4	$2.00	$1.46	$1.11	$0.97	$0.89
2020 Q1	$1.86	$1.41	$1.07	$0.93	$0.87
2020 Q2	$1.90	$1.41	$1.04	$0.91	$0.86

Table 8.11 – Northeast Rental Rates (Middle Atlantic)

	Climate-Controlled Units					Non-Climate-Controlled Units				
	5x5	5x10	10x10	10x15	10x20	5x5	5x10	10x10	10x15	10x20
Jul-16	$71.33	$113.20	$177.90	$232.68	$287.07	$61.31	$90.87	$142.08	$179.11	$202.82
Aug-16	$71.08	$112.58	$176.42	$231.32	$284.49	$58.45	$87.42	$135.87	$169.75	$196.40
Sep-16	$68.81	$109.32	$171.93	$228.42	$284.42	$56.62	$84.83	$136.08	$167.25	$192.12
Oct-16	$66.77	$108.19	$169.05	$223.48	$276.03	$55.44	$84.44	$135.63	$165.25	$193.96
Nov-16	$64.31	$104.30	$164.14	$219.04	$273.53	$54.42	$82.81	$132.42	$165.58	$194.78
Dec-16	$63.37	$100.92	$161.81	$218.10	$271.17	$52.15	$79.98	$132.10	$168.88	$202.43
Jan-17	$64.01	$102.05	$164.32	$216.20	$270.30	$53.82	$81.48	$133.00	$168.09	$202.25
Feb-17	$64.20	$103.34	$163.46	$216.21	$273.72	$53.92	$81.69	$132.71	$166.38	$200.39
Mar-17	$64.72	$103.85	$164.75	$218.31	$275.60	$54.59	$81.97	$132.29	$167.16	$194.92
Apr-17	$67.98	$107.54	$170.27	$225.91	$287.54	$56.86	$85.56	$135.39	$170.54	$194.29
May-17	$68.65	$109.72	$169.88	$227.07	$291.87	$58.22	$88.43	$136.30	$170.95	$193.83
Jun-17	$68.69	$111.96	$173.74	$233.14	$297.95	$59.07	$89.23	$138.72	$174.47	$201.43
Jul-17	$70.10	$112.70	$177.43	$240.05	$309.68	$59.89	$90.07	$142.14	$181.16	$210.19
Aug-17	$69.79	$110.51	$174.59	$239.61	$310.27	$59.27	$89.31	$141.44	$180.69	$208.07
Sep-17	$66.99	$107.02	$170.19	$233.23	$303.90	$56.87	$84.88	$137.09	$175.52	$200.43
Oct-17	$65.87	$108.52	$167.36	$228.17	$290.83	$55.98	$84.79	$137.42	$171.52	$198.01
Nov-17	$65.66	$105.89	$166.31	$225.71	$290.46	$55.59	$83.54	$135.10	$170.63	$197.72
Dec-17	$64.18	$101.47	$163.21	$221.93	$283.84	$54.67	$81.96	$132.72	$167.59	$197.67
Jan-18	$63.38	$101.29	$163.29	$222.66	$283.75	$54.60	$81.32	$131.44	$167.07	$196.85
Feb-18	$63.33	$102.36	$164.70	$221.56	$287.42	$54.63	$82.03	$132.83	$168.97	$196.52
Mar-18	$63.72	$103.43	$167.47	$225.35	$287.92	$57.02	$84.66	$137.59	$174.80	$198.29
Apr-18	$66.10	$106.69	$172.23	$233.61	$299.35	$60.17	$86.83	$140.60	$178.12	$199.51
May-18	$69.23	$110.41	$173.83	$234.69	$304.89	$60.24	$89.72	$144.01	$181.20	$206.58
Jun-18	$69.17	$110.90	$174.27	$235.27	$301.34	$60.05	$90.73	$144.67	$181.80	$203.27
Jul-18	$69.04	$111.70	$173.88	$237.39	$307.91	$60.28	$91.11	$143.84	$181.92	$202.83
Aug-18	$69.05	$111.59	$173.66	$237.82	$312.80	$59.91	$90.82	$143.45	$181.75	$202.66
Sep-18	$67.18	$109.23	$171.94	$235.48	$308.65	$58.38	$87.37	$140.60	$177.56	$202.22
Oct-18	$66.05	$107.77	$170.50	$231.00	$302.16	$57.49	$85.89	$140.46	$174.88	$198.35
Nov-18	$65.56	$106.95	$168.96	$228.29	$303.91	$57.49	$85.33	$138.02	$175.50	$199.97
Dec-18	$65.24	$104.80	$166.90	$226.32	$296.56	$56.62	$84.59	$136.62	$175.50	$202.11
Jan-19	$64.93	$104.24	$166.41	$224.11	$297.27	$56.64	$84.15	$135.31	$172.28	$200.54
Feb-19	$64.24	$103.79	$166.16	$224.36	$298.55	$57.17	$84.30	$136.64	$173.11	$203.86
Mar-19	$64.71	$104.83	$168.24	$227.99	$304.28	$58.47	$86.37	$141.63	$177.70	$208.22
Apr-19	$65.75	$107.00	$171.05	$230.46	$304.05	$58.85	$88.67	$143.77	$180.28	$212.50
May-19	$66.39	$109.52	$173.95	$232.74	$305.08	$60.24	$90.75	$145.75	$185.94	$213.30
Jun-19	$66.51	$108.79	$174.05	$230.65	$298.30	$59.69	$91.41	$145.75	$188.16	$214.17
Jul-19	$65.99	$106.29	$171.63	$227.60	$294.02	$59.37	$90.62	$145.04	$186.39	$210.56
Aug-19	$65.18	$105.77	$170.13	$225.51	$295.64	$58.84	$88.64	$140.71	$178.49	$205.62
Sep-19	$62.26	$102.29	$164.27	$222.20	$286.70	$56.01	$84.16	$134.99	$171.43	$198.40
Oct-19	$61.61	$101.28	$161.86	$221.35	$285.48	$53.79	$81.78	$133.22	$169.89	$196.70
Nov-19	$61.18	$100.51	$160.62	$219.45	$285.29	$53.78	$81.16	$130.76	$167.10	$196.44
Dec-19	$61.16	$99.89	$159.41	$215.58	$283.60	$53.75	$81.21	$129.85	$164.63	$196.23
Jan-20	$61.11	$98.91	$158.48	$214.96	$281.33	$54.03	$81.64	$129.42	$165.67	$196.34
Feb-20	$60.10	$96.34	$155.58	$212.25	$280.66	$54.70	$80.94	$128.93	$166.45	$195.40
Mar-20	$60.79	$96.96	$156.37	$213.09	$284.54	$55.85	$81.29	$130.55	$166.75	$198.92
Apr-20	$57.97	$92.31	$147.57	$202.97	$270.38	$53.71	$77.11	$121.98	$161.18	$193.32
May-20	$57.48	$91.98	$145.89	$198.34	$264.00	$54.23	$78.99	$126.05	$159.20	$189.16
Jun-20	$61.15	$97.38	$154.84	$208.96	$278.67	$56.48	$81.67	$131.79	$166.00	$190.62

Source: Radius+

Table 8.12 – Northeast Rent Per Square Foot

(Middle Atlantic – Non-Climate-Controlled) Source: Radius+

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$2.34	$1.75	$1.38	$1.14	$0.98
2016 Q4	$2.16	$1.65	$1.33	$1.11	$0.99
2017 Q1	$2.16	$1.63	$1.33	$1.12	$1.00
2017 Q2	$2.32	$1.75	$1.37	$1.15	$0.98
2017 Q3	$2.35	$1.76	$1.40	$1.19	$1.03
2017 Q4	$2.22	$1.67	$1.35	$1.13	$0.99
2018 Q1	$2.22	$1.65	$1.34	$1.14	$0.99
2018 Q2	$2.41	$1.78	$1.43	$1.20	$1.02
2018 Q3	$2.38	$1.80	$1.43	$1.20	$1.01
2018 Q4	$2.29	$1.71	$1.38	$1.17	$1.00
2019 Q1	$2.30	$1.70	$1.38	$1.16	$1.02
2019 Q2	$2.38	$1.81	$1.45	$1.23	$1.07
2019 Q3	$2.58	$2.10	$1.69	$1.50	$1.46
2019 Q4	$2.45	$2.01	$1.61	$1.46	$1.42
2020 Q1	$2.43	$1.95	$1.57	$1.42	$1.41
2020 Q2	$2.36	$1.88	$1.49	$1.36	$1.36

Table 8.13 – Northeast Rent Per Square Foot

(Middle Atlantic – Climate-Controlled) Source: Radius+

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$2.81	$2.23	$1.75	$1.54	$1.42
2016 Q4	$2.59	$2.09	$1.65	$1.47	$1.37
2017 Q1	$2.57	$2.06	$1.64	$1.45	$1.37
2017 Q2	$2.74	$2.19	$1.71	$1.52	$1.46
2017 Q3	$2.76	$2.20	$1.74	$1.58	$1.54
2017 Q4	$2.61	$2.11	$1.66	$1.50	$1.44
2018 Q1	$2.54	$2.05	$1.65	$1.49	$1.43
2018 Q2	$2.73	$2.19	$1.73	$1.56	$1.51
2018 Q3	$2.74	$2.22	$1.73	$1.58	$1.55
2018 Q4	$2.62	$2.13	$1.69	$1.52	$1.50
2019 Q1	$2.59	$2.09	$1.67	$1.50	$1.50
2019 Q2	$2.65	$2.17	$1.73	$1.54	$1.51
2019 Q3	$2.32	$1.76	$1.40	$1.19	$1.02
2019 Q4	$2.15	$1.63	$1.31	$1.11	$0.98
2020 Q1	$2.19	$1.63	$1.30	$1.11	$0.98
2020 Q2	$2.19	$1.59	$1.27	$1.08	$0.96

Table 8.14 – Northeast Rental Rates (New England)

	Climate-Controlled Units					Non-Climate-Controlled Units				
	5x5	5x10	10x10	10x15	10x20	5x5	5x10	10x10	10x15	10x20
Jul-16	$66.00	$101.30	$156.90	$207.90	$254.60	$58.40	$88.00	$137.70	$172.70	$197.60
Aug-16	$64.70	$97.00	$156.30	$195.60	$238.10	$53.40	$79.00	$127.10	$156.40	$182.80
Sep-16	$62.70	$93.80	$154.00	$197.40	$242.40	$50.70	$77.70	$121.60	$149.90	$176.80
Oct-16	$57.70	$92.80	$151.70	$196.10	$243.50	$49.60	$75.70	$117.20	$148.20	$177.20
Nov-16	$54.90	$90.10	$149.60	$191.70	$244.10	$49.30	$73.20	$116.80	$146.20	$177.00
Dec-16	$56.70	$91.40	$145.70	$187.70	$246.10	$46.70	$71.20	$114.10	$143.80	$176.40
Jan-17	$57.70	$88.90	$145.10	$193.30	$239.00	$46.20	$70.00	$111.70	$141.40	$176.30
Feb-17	$56.10	$88.70	$145.40	$187.40	$235.50	$47.00	$69.20	$110.80	$140.40	$177.00
Mar-17	$57.00	$89.70	$144.60	$185.30	$226.70	$46.80	$70.80	$112.00	$143.90	$174.60
Apr-17	$64.40	$94.10	$151.00	$190.80	$244.00	$48.30	$76.30	$119.80	$151.10	$182.50
May-17	$63.10	$95.30	$156.10	$195.70	$249.30	$51.20	$80.80	$123.80	$154.40	$191.80
Jun-17	$64.47	$96.27	$155.91	$201.48	$254.31	$52.60	$84.15	$125.90	$159.03	$196.67
Jul-17	$64.55	$95.26	$152.95	$201.86	$245.12	$55.11	$83.62	$132.05	$159.90	$192.31
Aug-17	$62.09	$95.34	$152.94	$205.83	$253.58	$56.81	$83.58	$129.68	$159.90	$186.92
Sep-17	$61.13	$95.44	$149.74	$205.94	$257.43	$51.14	$76.75	$121.09	$151.26	$179.33
Oct-17	$59.65	$92.87	$147.94	$197.34	$255.85	$49.90	$74.68	$118.80	$147.03	$173.87
Nov-17	$58.13	$90.52	$145.26	$187.24	$246.91	$48.12	$73.30	$118.29	$143.42	$168.38
Dec-17	$57.12	$89.45	$138.70	$185.18	$237.19	$46.91	$72.35	$116.79	$142.44	$167.13
Jan-18	$56.47	$87.33	$139.14	$182.95	$237.38	$46.28	$71.17	$115.29	$142.37	$167.12
Feb-18	$57.51	$86.11	$140.71	$182.34	$233.36	$47.19	$71.70	$115.33	$145.39	$169.46
Mar-18	$57.34	$87.34	$140.06	$179.25	$229.62	$48.87	$73.76	$117.28	$147.42	$169.75
Apr-18	$60.10	$89.72	$148.22	$181.95	$224.83	$51.49	$75.79	$120.39	$151.49	$173.50
May-18	$63.86	$92.59	$147.67	$192.35	$236.20	$52.71	$77.76	$122.79	$153.82	$176.77
Jun-18	$62.79	$95.59	$149.27	$191.16	$234.88	$54.87	$80.21	$125.22	$155.17	$175.58
Jul-18	$64.17	$98.00	$150.42	$191.88	$233.88	$54.79	$81.96	$126.78	$153.58	$176.89
Aug-18	$61.96	$95.38	$148.62	$191.16	$236.73	$54.94	$81.41	$125.77	$154.52	$178.05
Sep-18	$59.96	$95.53	$145.37	$189.44	$229.95	$52.70	$79.71	$125.06	$155.19	$178.08
Oct-18	$59.15	$93.99	$143.40	$187.39	$227.62	$52.23	$79.19	$123.38	$151.72	$175.82
Nov-18	$58.18	$89.85	$143.28	$184.95	$224.22	$52.10	$77.06	$120.91	$149.57	$177.09
Dec-18	$56.12	$87.30	$140.03	$182.65	$231.11	$50.13	$75.45	$120.33	$153.40	$178.87
Jan-19	$55.41	$87.54	$138.96	$177.27	$228.10	$50.05	$74.14	$119.00	$151.14	$174.69
Feb-19	$55.80	$88.53	$140.14	$183.37	$239.20	$49.76	$73.90	$117.48	$150.93	$178.06
Mar-19	$59.42	$92.24	$146.78	$198.14	$253.54	$49.82	$73.11	$118.73	$150.76	$180.11
Apr-19	$62.30	$96.31	$149.86	$201.64	$256.65	$52.13	$75.68	$122.78	$151.61	$180.33
May-19	$67.56	$99.43	$153.80	$203.21	$256.36	$54.01	$77.71	$121.95	$149.28	$175.39
Jun-19	$68.04	$98.91	$154.72	$205.96	$255.34	$53.58	$78.36	$123.61	$149.21	$178.29
Jul-19	$67.08	$99.53	$151.88	$200.31	$248.86	$53.59	$76.40	$123.11	$148.55	$174.97
Aug-19	$64.53	$97.53	$149.96	$196.39	$249.31	$53.90	$76.61	$119.94	$147.25	$168.93
Sep-19	$62.66	$93.71	$146.90	$188.23	$238.56	$51.40	$74.26	$118.50	$144.63	$170.86
Oct-19	$59.86	$90.91	$143.12	$185.66	$236.38	$49.82	$73.41	$117.33	$146.37	$173.76
Nov-19	$58.15	$88.94	$139.69	$182.79	$235.38	$48.99	$72.99	$115.98	$146.94	$173.01
Dec-19	$58.03	$88.44	$139.20	$181.45	$230.80	$48.09	$72.72	$116.09	$147.62	$172.89
Jan-20	$58.59	$88.80	$137.89	$182.15	$231.89	$48.13	$71.75	$114.56	$144.41	$173.01
Feb-20	$59.72	$89.26	$138.57	$184.29	$235.06	$48.29	$70.86	$113.40	$146.55	$173.46
Mar-20	$61.30	$90.07	$140.06	$183.78	$239.39	$48.78	$71.74	$113.98	$147.32	$175.88
Apr-20	$60.82	$88.68	$138.09	$177.46	$230.96	$47.68	$69.62	$110.21	$143.96	$168.84
May-20	$60.86	$88.56	$137.90	$178.30	$227.82	$50.13	$70.75	$109.63	$140.35	$168.33
Jun-20	$61.29	$89.09	$138.53	$180.43	$230.70	$52.88	$75.10	$113.73	$147.11	$171.69

Source: Radius+

Table 8.15 – Northeast Rent Per Square Foot

(New England – Non-Climate-Controlled) *Source: Radius+*

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$2.15	$1.62	$1.28	$1.06	$0.92
2016 Q4	$1.94	$1.47	$1.16	$0.97	$0.88
2017 Q1	$1.86	$1.40	$1.12	$0.95	$0.88
2017 Q2	$2.03	$1.61	$1.23	$1.03	$0.95
2017 Q3	$2.17	$1.63	$1.28	$1.05	$0.93
2017 Q4	$1.93	$1.47	$1.18	$0.96	$0.85
2018 Q1	$1.90	$1.44	$1.16	$0.97	$0.84
2018 Q2	$2.12	$1.56	$1.23	$1.02	$0.88
2018 Q3	$2.17	$1.62	$1.26	$1.03	$0.89
2018 Q4	$2.06	$1.54	$1.22	$1.01	$0.89
2019 Q1	$2.00	$1.47	$1.18	$1.01	$0.89
2019 Q2	$2.13	$1.54	$1.23	$1.00	$0.89
2019 Q3	$2.12	$1.52	$1.21	$0.98	$0.86
2019 Q4	$1.96	$1.46	$1.16	$0.98	$0.87
2020 Q1	$1.94	$1.43	$1.14	$0.97	$0.87
2020 Q2	$2.01	$1.44	$1.11	$0.96	$0.85

Table 8.16 – Northeast Rent Per Square Foot

(New England – Climate-Controlled) *Source: Radius+*

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$2.57	$1.94	$1.56	$1.33	$1.22
2016 Q4	$2.26	$1.83	$1.49	$1.28	$1.22
2017 Q1	$2.28	$1.78	$1.45	$1.26	$1.17
2017 Q2	$2.56	$1.90	$1.54	$1.31	$1.25
2017 Q3	$2.50	$1.91	$1.52	$1.36	$1.26
2017 Q4	$2.33	$1.82	$1.44	$1.27	$1.23
2018 Q1	$2.28	$1.74	$1.40	$1.21	$1.17
2018 Q2	$2.49	$1.85	$1.48	$1.26	$1.16
2018 Q3	$2.48	$1.93	$1.48	$1.27	$1.17
2018 Q4	$2.31	$1.81	$1.42	$1.23	$1.14
2019 Q1	$2.28	$1.79	$1.42	$1.24	$1.20
2019 Q2	$2.64	$1.96	$1.53	$1.36	$1.28
2019 Q3	$2.59	$1.94	$1.50	$1.30	$1.23
2019 Q4	$2.35	$1.79	$1.41	$1.22	$1.17
2020 Q1	$2.39	$1.79	$1.39	$1.22	$1.18
2020 Q2	$2.44	$1.78	$1.38	$1.19	$1.15

Table 8.17 – South Atlantic Rental Rates

	Climate-Controlled Units					Non-Climate-Controlled Units				
	5x5	5x10	10x10	10x15	10x20	5x5	5x10	10x10	10x15	10x20
Jul-16	$62.81	$89.85	$142.05	$180.80	$226.95	$51.08	$72.47	$114.81	$145.00	$167.90
Aug-16	$58.82	$88.76	$137.33	$176.64	$217.57	$48.26	$67.69	$106.36	$132.78	$158.96
Sep-16	$56.23	$86.05	$133.68	$172.92	$213.68	$45.86	$65.75	$103.89	$131.93	$154.95
Oct-16	$55.01	$84.51	$131.10	$170.36	$213.52	$44.73	$64.64	$102.48	$130.54	$153.85
Nov-16	$54.13	$82.78	$130.25	$170.63	$213.26	$43.97	$64.72	$104.15	$131.73	$157.20
Dec-16	$54.10	$82.59	$130.38	$176.38	$210.91	$44.75	$66.84	$106.37	$135.71	$163.84
Jan-17	$55.40	$83.41	$127.86	$168.61	$208.44	$45.18	$65.49	$103.12	$132.10	$156.94
Feb-17	$56.41	$83.77	$128.21	$166.83	$211.09	$45.10	$65.13	$102.42	$130.38	$155.23
Mar-17	$56.01	$83.49	$128.31	$167.22	$209.76	$45.36	$64.20	$102.07	$130.50	$155.00
Apr-17	$58.41	$85.55	$131.49	$171.33	$217.75	$48.13	$66.70	$105.76	$134.37	$159.56
May-17	$60.06	$85.94	$130.49	$173.04	$221.31	$49.31	$68.21	$106.28	$135.02	$161.09
Jun-17	$60.41	$86.53	$132.73	$176.68	$223.19	$49.27	$69.34	$108.23	$136.54	$163.70
Jul-17	$60.08	$87.98	$133.74	$179.83	$231.47	$51.17	$70.53	$109.26	$140.98	$170.97
Aug-17	$58.64	$88.02	$135.47	$179.16	$231.47	$50.63	$71.37	$110.25	$162.60	$168.85
Sep-17	$57.37	$85.92	$132.82	$176.99	$227.92	$48.84	$69.84	$108.40	$174.20	$163.20
Oct-17	$55.93	$84.04	$131.01	$173.32	$222.74	$47.44	$67.24	$105.89	$134.73	$157.56
Nov-17	$54.80	$82.91	$129.48	$168.94	$214.87	$46.10	$65.81	$103.44	$131.71	$154.04
Dec-17	$53.41	$80.74	$126.47	$163.84	$208.94	$45.08	$64.49	$101.55	$128.84	$151.61
Jan-18	$53.30	$79.74	$124.56	$162.43	$208.89	$44.79	$64.03	$100.73	$127.73	$149.72
Feb-18	$53.25	$79.25	$124.77	$162.42	$208.65	$45.13	$63.93	$101.11	$128.68	$149.28
Mar-18	$53.01	$78.57	$124.43	$162.11	$209.66	$45.17	$64.45	$102.41	$129.92	$150.67
Apr-18	$54.24	$80.35	$128.29	$165.80	$213.24	$46.19	$66.06	$105.02	$132.61	$156.09
May-18	$54.71	$80.28	$129.12	$167.13	$217.12	$47.69	$66.55	$105.76	$134.92	$157.72
Jun-18	$54.50	$80.46	$130.10	$167.61	$215.02	$47.70	$67.23	$106.85	$135.71	$158.53
Jul-18	$54.91	$81.63	$132.48	$170.73	$218.74	$47.32	$67.81	$107.96	$135.64	$160.66
Aug-18	$55.02	$81.64	$131.14	$172.43	$219.34	$46.64	$67.24	$107.18	$136.23	$159.28
Sep-18	$53.80	$81.07	$128.32	$170.20	$216.34	$45.20	$65.67	$105.35	$134.47	$158.64
Oct-18	$52.68	$79.93	$126.14	$166.12	$211.91	$44.59	$65.26	$106.03	$133.23	$156.67
Nov-18	$51.92	$79.46	$125.08	$163.98	$209.05	$44.77	$65.52	$120.05	$132.29	$154.89
Dec-18	$52.81	$78.91	$123.17	$162.17	$208.04	$44.91	$64.79	$121.64	$131.10	$153.49
Jan-19	$53.18	$78.70	$123.61	$162.22	$208.62	$44.32	$64.17	$102.76	$130.59	$153.15
Feb-19	$52.98	$78.04	$123.37	$161.72	$209.36	$44.07	$64.04	$102.57	$130.96	$154.49
Mar-19	$53.09	$79.51	$125.04	$163.84	$210.03	$44.27	$65.16	$104.01	$132.04	$156.01
Apr-19	$54.32	$81.51	$127.41	$166.51	$213.50	$46.20	$67.34	$105.85	$134.34	$158.93
May-19	$55.39	$82.84	$128.75	$168.28	$217.06	$46.87	$67.74	$106.11	$137.06	$159.68
Jun-19	$55.48	$83.06	$130.88	$170.30	$220.06	$46.42	$67.90	$106.06	$138.32	$159.56
Jul-19	$55.35	$82.19	$129.39	$170.18	$221.12	$46.99	$67.68	$106.94	$139.60	$159.11
Aug-19	$54.60	$81.06	$128.23	$169.37	$218.06	$46.83	$66.77	$104.82	$136.87	$158.90
Sep-19	$52.62	$78.61	$124.70	$165.18	$214.46	$44.21	$63.38	$100.91	$131.90	$154.86
Oct-19	$51.61	$77.70	$124.18	$163.38	$209.94	$43.03	$62.11	$100.10	$129.64	$154.05
Nov-19	$50.78	$76.54	$123.09	$161.61	$207.87	$43.29	$61.87	$98.61	$127.43	$152.67
Dec-19	$50.43	$76.26	$121.10	$160.37	$204.88	$43.66	$62.28	$97.72	$126.51	$150.15
Jan-20	$50.90	$76.66	$121.73	$160.36	$203.34	$44.18	$62.56	$98.84	$127.01	$150.78
Feb-20	$50.75	$75.18	$120.38	$157.71	$203.00	$43.47	$61.45	$98.19	$126.58	$149.60
Mar-20	$51.02	$75.86	$121.66	$158.43	$204.21	$44.38	$62.40	$98.82	$127.51	$151.39
Apr-20	$48.52	$71.97	$114.82	$149.73	$194.05	$43.60	$59.91	$93.11	$120.71	$145.97
May-20	$47.30	$70.89	$111.98	$146.19	$190.81	$43.18	$59.87	$92.73	$120.66	$142.30
Jun-20	$49.25	$73.58	$116.88	$153.49	$200.28	$44.11	$62.04	$96.46	$124.48	$147.05

Source: Radius+

Table 8.18 – South Atlantic Rent Per Square Foot

(Non-Climate-Controlled) Source: Radius+

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$1.93	$1.37	$1.08	$0.91	$0.80
2016 Q4	$1.78	$1.31	$1.04	$0.88	$0.79
2017 Q1	$1.81	$1.30	$1.03	$0.87	$0.78
2017 Q2	$1.96	$1.36	$1.07	$0.90	$0.81
2017 Q3	$2.01	$1.41	$1.09	$1.06	$0.84
2017 Q4	$1.85	$1.32	$1.04	$0.88	$0.77
2018 Q1	$1.80	$1.28	$1.01	$0.86	$0.75
2018 Q2	$1.89	$1.33	$1.06	$0.90	$0.79
2018 Q3	$1.86	$1.34	$1.07	$0.90	$0.80
2018 Q4	$1.79	$1.30	$1.16	$0.88	$0.78
2019 Q1	$1.77	$1.29	$1.03	$0.87	$0.77
2019 Q2	$1.86	$1.35	$1.06	$0.91	$0.80
2019 Q3	$1.84	$1.32	$1.04	$0.91	$0.79
2019 Q4	$1.73	$1.24	$0.99	$0.85	$0.76
2020 Q1	$1.76	$1.24	$0.99	$0.85	$0.75
2020 Q2	$1.75	$1.21	$0.94	$0.81	$0.73

Table 8.19 – South Atlantic Rent Per Square Foot

(Climate-Controlled) Source: Radius+

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$2.36	$1.76	$1.37	$1.18	$1.09
2016 Q4	$2.18	$1.67	$1.31	$1.15	$1.06
2017 Q1	$2.24	$1.67	$1.28	$1.12	$1.05
2017 Q2	$2.38	$1.72	$1.32	$1.16	$1.10
2017 Q3	$2.35	$1.75	$1.34	$1.19	$1.15
2017 Q4	$2.19	$1.65	$1.29	$1.12	$1.08
2018 Q1	$2.13	$1.58	$1.25	$1.08	$1.05
2018 Q2	$2.18	$1.61	$1.29	$1.11	$1.08
2018 Q3	$2.18	$1.63	$1.31	$1.14	$1.09
2018 Q4	$2.10	$1.59	$1.25	$1.09	$1.05
2019 Q1	$2.12	$1.58	$1.24	$1.08	$1.05
2019 Q2	$2.20	$1.65	$1.29	$1.12	$1.08
2019 Q3	$2.17	$1.61	$1.27	$1.12	$1.09
2019 Q4	$2.04	$1.54	$1.23	$1.08	$1.04
2020 Q1	$2.04	$1.52	$1.21	$1.06	$1.02
2020 Q2	$1.93	$1.44	$1.15	$1.00	$0.98

Table 8.20 – South Rental Rates (East South Central)

	Climate-Controlled Units					Non-Climate-Controlled Units				
	5x5	5x10	10x10	10x15	10x20	5x5	5x10	10x10	10x15	10x20
Jul-16	$61.60	$88.80	$136.20	$177.50	$223.00	$53.20	$70.90	$110.60	$139.80	$166.00
Aug-16	$59.70	$88.10	$134.80	$175.00	$214.20	$48.00	$68.00	$104.30	$124.30	$145.50
Sep-16	$56.60	$85.60	$131.60	$172.40	$215.60	$46.00	$66.20	$102.40	$127.80	$141.60
Oct-16	$54.80	$82.80	$129.40	$168.90	$212.30	$45.00	$64.60	$100.20	$126.30	$146.10
Nov-16	$53.60	$81.50	$127.60	$167.50	$210.80	$44.00	$64.00	$100.10	$127.70	$150.90
Dec-16	$52.70	$80.60	$125.50	$170.50	$207.00	$45.20	$65.70	$100.80	$124.80	$151.70
Jan-17	$54.60	$81.50	$124.30	$165.80	$207.40	$45.80	$63.90	$98.80	$124.30	$152.00
Feb-17	$55.40	$82.30	$124.70	$164.70	$209.70	$45.20	$64.60	$98.60	$126.40	$152.90
Mar-17	$54.90	$82.30	$124.90	$165.30	$207.60	$45.50	$64.30	$97.90	$123.60	$151.90
Apr-17	$58.20	$84.30	$128.50	$169.40	$215.40	$48.40	$68.10	$103.10	$127.60	$164.10
May-17	$60.50	$85.40	$129.00	$171.00	$217.00	$49.70	$70.10	$103.70	$130.50	$164.20
Jun-17	$60.00	$86.00	$131.70	$174.50	$223.50	$50.20	$69.70	$104.90	$132.00	$169.10
Jul-17	$60.78	$87.77	$133.68	$179.72	$233.28	$51.14	$70.38	$107.02	$132.18	$178.15
Aug-17	$58.55	$87.04	$133.08	$177.77	$227.39	$50.70	$71.12	$107.71	$146.62	$171.65
Sep-17	$56.33	$84.55	$130.01	$175.00	$222.99	$48.03	$69.75	$104.91	$152.43	$162.24
Oct-17	$53.50	$79.84	$122.18	$166.42	$214.07	$45.26	$64.32	$96.64	$118.33	$154.97
Nov-17	$52.91	$78.26	$120.41	$161.37	$209.74	$44.69	$64.66	$94.92	$119.61	$154.76
Dec-17	$51.82	$77.20	$118.00	$158.85	$206.68	$44.37	$63.87	$93.96	$117.21	$152.06
Jan-18	$51.90	$75.75	$116.63	$155.59	$203.65	$43.79	$64.48	$91.88	$118.22	$149.19
Feb-18	$51.68	$75.34	$115.79	$154.92	$205.90	$43.27	$65.34	$90.24	$117.91	$142.07
Mar-18	$51.37	$77.47	$117.27	$155.96	$203.12	$44.37	$63.75	$92.78	$114.73	$149.98
Apr-18	$53.70	$79.42	$121.84	$161.04	$208.24	$45.86	$67.54	$97.07	$116.73	$160.66
May-18	$55.31	$82.84	$127.57	$164.60	$214.99	$45.56	$73.42	$103.43	$118.85	$168.92
Jun-18	$55.58	$82.90	$128.11	$165.29	$213.36	$45.75	$72.41	$101.02	$118.08	$174.36
Jul-18	$56.55	$84.27	$128.68	$166.39	$215.37	$47.81	$68.09	$99.07	$133.33	$165.29
Aug-18	$57.04	$83.01	$128.52	$169.20	$217.79	$47.25	$72.31	$101.46	$157.79	$170.99
Sep-18	$55.06	$80.86	$125.46	$166.51	$215.56	$45.34	$67.49	$99.23	$144.98	$162.83
Oct-18	$54.10	$79.36	$122.82	$163.81	$210.68	$45.25	$69.10	$97.63	$148.97	$151.74
Nov-18	$53.36	$79.18	$123.93	$160.64	$207.15	$44.95	$68.34	$94.40	$135.76	$155.09
Dec-18	$52.45	$78.03	$121.68	$155.71	$203.87	$45.61	$68.72	$94.06	$118.73	$146.87
Jan-19	$52.62	$78.90	$121.14	$156.00	$207.89	$45.18	$67.84	$97.28	$108.01	$148.11
Feb-19	$52.72	$79.61	$122.44	$156.56	$207.64	$45.03	$67.94	$100.33	$117.70	$167.01
Mar-19	$52.81	$79.42	$122.08	$158.15	$211.20	$44.58	$65.09	$100.58	$121.59	$158.23
Apr-19	$53.77	$79.97	$124.05	$160.95	$213.04	$44.41	$65.33	$105.32	$120.83	$167.03
May-19	$54.63	$81.82	$126.25	$162.19	$221.05	$45.53	$68.97	$104.28	$127.81	$167.57
Jun-19	$56.35	$83.90	$128.35	$163.43	$216.56	$45.72	$66.36	$102.96	$131.56	$165.50
Jul-19	$55.05	$84.07	$124.87	$162.43	$213.26	$44.66	$64.28	$99.66	$124.13	$160.66
Aug-19	$54.54	$82.20	$123.07	$162.59	$207.89	$43.59	$63.80	$101.52	$119.65	$158.88
Sep-19	$52.23	$77.65	$118.43	$153.97	$200.61	$42.13	$62.36	$96.54	$120.07	$154.00
Oct-19	$52.86	$78.32	$120.71	$158.85	$205.15	$42.01	$63.27	$93.91	$117.68	$153.28
Nov-19	$51.81	$75.69	$118.48	$156.90	$205.63	$42.75	$63.71	$90.55	$113.56	$151.20
Dec-19	$52.21	$75.43	$118.88	$156.42	$201.60	$43.16	$63.30	$93.76	$114.06	$145.88
Jan-20	$52.20	$76.53	$118.31	$155.92	$202.73	$44.10	$63.30	$94.14	$116.28	$148.22
Feb-20	$50.91	$75.00	$116.97	$154.77	$198.78	$45.03	$64.22	$92.15	$125.98	$152.30
Mar-20	$52.63	$77.45	$119.02	$157.27	$201.90	$47.23	$67.02	$92.45	$121.11	$154.33
Apr-20	$50.46	$75.09	$112.00	$149.34	$197.61	$48.22	$67.46	$93.44	$118.91	$151.87
May-20	$49.39	$72.65	$110.13	$145.28	$198.03	$44.64	$64.55	$91.89	$120.81	$150.77
Jun-20	$49.94	$75.24	$114.72	$147.68	$196.08	$43.23	$63.65	$91.69	$117.91	$144.57

Source: Radius+

Table 8.21 – South Rent Per Square Foot

(East South Central – Non-Climate-Controlled) *Source: Radius+*

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$1.95	$1.36	$1.05	$0.87	$0.74
2016 Q4	$1.79	$1.30	$1.00	$0.84	$0.75
2017 Q1	$1.82	$1.28	$0.98	$0.83	$0.76
2017 Q2	$1.98	$1.39	$1.04	$0.87	$0.83
2017 Q3	$2.00	$1.41	$1.07	$0.96	$0.85
2017 Q4	$1.79	$1.29	$0.95	$0.79	$0.77
2018 Q1	$1.75	$1.29	$0.92	$0.78	$0.74
2018 Q2	$1.83	$1.42	$1.00	$0.79	$0.84
2018 Q3	$1.87	$1.39	$1.00	$0.97	$0.83
2018 Q4	$1.81	$1.37	$0.95	$0.90	$0.76
2019 Q1	$1.80	$1.34	$0.99	$0.77	$0.79
2019 Q2	$1.81	$1.34	$1.04	$0.84	$0.83
2019 Q3	$1.74	$1.27	$0.99	$0.81	$0.79
2019 Q4	$1.71	$1.27	$0.93	$0.77	$0.75
2020 Q1	$1.82	$1.30	$0.93	$0.81	$0.76
2020 Q2	$1.81	$1.30	$0.92	$0.79	$0.75

Table 8.22 – South Rent Per Square Foot

(East South Central – Climate-Controlled) *Source: Radius+*

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$2.36	$1.75	$1.34	$1.16	$1.08
2016 Q4	$2.15	$1.63	$1.27	$1.13	$1.05
2017 Q1	$2.20	$1.64	$1.25	$1.10	$1.04
2017 Q2	$2.38	$1.70	$1.30	$1.14	$1.09
2017 Q3	$2.34	$1.73	$1.32	$1.18	$1.14
2017 Q4	$2.11	$1.57	$1.20	$1.08	$1.05
2018 Q1	$2.07	$1.52	$1.17	$1.04	$1.02
2018 Q2	$2.19	$1.63	$1.26	$1.09	$1.06
2018 Q3	$2.25	$1.65	$1.28	$1.12	$1.08
2018 Q4	$2.13	$1.58	$1.23	$1.07	$1.04
2019 Q1	$2.11	$1.59	$1.22	$1.05	$1.04
2019 Q2	$2.20	$1.64	$1.26	$1.08	$1.08
2019 Q3	$2.16	$1.63	$1.22	$1.06	$1.04
2019 Q4	$2.09	$1.53	$1.19	$1.05	$1.02
2020 Q1	$2.08	$1.53	$1.18	$1.04	$1.01
2020 Q2	$2.00	$1.49	$1.12	$0.98	$0.99

Table 8.23 – South Rental Rates (West South Central)

	Climate-Controlled Units					Non-Climate-Controlled Units				
	5x5	5x10	10x10	10x15	10x20	5x5	5x10	10x10	10x15	10x20
Jul-16	$51.80	$77.00	$115.30	$147.90	$182.90	$39.50	$56.40	$86.20	$115.00	$125.50
Aug-16	$56.90	$76.70	$112.60	$144.90	$178.60	$37.60	$52.30	$78.20	$100.00	$119.10
Sep-16	$56.30	$75.30	$111.90	$148.10	$176.20	$36.30	$50.80	$77.30	$97.40	$116.40
Oct-16	$53.70	$70.90	$108.80	$143.50	$175.70	$34.50	$49.40	$76.00	$94.90	$115.10
Nov-16	$47.70	$67.10	$104.60	$143.40	$172.90	$32.60	$46.70	$72.30	$90.90	$112.40
Dec-16	$44.00	$65.30	$102.60	$140.30	$167.90	$31.10	$45.30	$73.60	$91.30	$116.30
Jan-17	$48.80	$68.30	$105.00	$136.20	$171.00	$33.90	$47.80	$74.50	$93.90	$114.50
Feb-17	$52.60	$71.90	$108.80	$141.40	$176.20	$34.80	$48.80	$74.50	$93.30	$111.60
Mar-17	$52.60	$72.40	$108.70	$142.80	$176.20	$34.70	$48.30	$74.20	$93.80	$110.90
Apr-17	$54.00	$74.20	$111.20	$147.60	$174.20	$35.10	$49.90	$75.50	$96.40	$113.90
May-17	$55.10	$75.50	$112.20	$149.20	$174.60	$36.40	$51.30	$77.30	$98.10	$115.40
Jun-17	$56.40	$79.50	$112.60	$144.50	$170.90	$38.00	$52.60	$77.90	$97.50	$117.90
Jul-17	$53.97	$78.77	$111.25	$137.69	$170.92	$36.26	$52.93	$79.98	$99.94	$120.11
Aug-17	$51.68	$76.20	$109.64	$139.54	$172.64	$36.80	$52.77	$81.17	$101.39	$119.37
Sep-17	$49.99	$74.54	$110.90	$141.02	$174.70	$37.80	$52.88	$81.63	$102.09	$117.56
Oct-17	$49.95	$73.77	$109.20	$140.09	$172.15	$37.62	$52.65	$79.89	$100.60	$116.22
Nov-17	$49.74	$72.88	$108.36	$139.39	$171.40	$37.49	$52.12	$79.54	$99.04	$114.00
Dec-17	$48.43	$70.08	$106.56	$135.94	$167.90	$37.14	$51.21	$77.99	$97.61	$113.34
Jan-18	$48.54	$69.40	$105.69	$135.67	$167.93	$36.47	$50.64	$76.96	$97.12	$111.97
Feb-18	$48.70	$69.82	$106.83	$137.07	$169.54	$36.50	$50.88	$77.02	$97.69	$113.53
Mar-18	$48.10	$69.49	$105.78	$137.02	$167.96	$36.55	$51.27	$77.77	$98.79	$115.42
Apr-18	$49.79	$71.14	$107.17	$138.08	$169.95	$37.04	$51.81	$78.92	$99.73	$116.33
May-18	$49.92	$71.01	$107.58	$138.15	$171.03	$37.17	$52.09	$79.10	$99.65	$114.86
Jun-18	$50.21	$71.57	$108.66	$141.02	$173.77	$36.54	$51.40	$78.65	$99.83	$115.16
Jul-18	$50.06	$71.20	$109.10	$142.30	$176.34	$36.38	$50.84	$78.89	$100.03	$114.98
Aug-18	$49.55	$70.69	$107.82	$140.80	$179.01	$36.45	$50.60	$78.33	$98.42	$114.73
Sep-18	$48.23	$69.76	$106.71	$139.82	$176.65	$35.77	$50.53	$77.23	$97.64	$113.39
Oct-18	$47.83	$68.94	$106.07	$138.33	$171.11	$35.10	$50.07	$76.32	$96.98	$114.05
Nov-18	$47.77	$69.40	$106.35	$137.24	$172.75	$35.42	$49.73	$75.99	$97.03	$113.86
Dec-18	$47.23	$68.86	$106.04	$135.72	$171.84	$35.79	$49.40	$76.04	$97.20	$113.79
Jan-19	$47.20	$68.80	$106.56	$135.01	$172.92	$35.35	$48.97	$74.97	$96.41	$112.27
Feb-19	$47.17	$68.68	$107.00	$135.46	$172.45	$35.06	$49.74	$76.43	$97.79	$114.03
Mar-19	$47.58	$69.70	$107.51	$138.02	$173.39	$35.56	$51.14	$78.11	$98.25	$115.03
Apr-19	$48.34	$70.79	$108.46	$138.61	$174.42	$36.21	$51.95	$78.39	$98.68	$115.87
May-19	$47.89	$71.02	$109.16	$140.35	$175.33	$36.88	$52.31	$78.50	$98.79	$115.16
Jun-19	$48.43	$71.35	$108.95	$141.38	$175.86	$37.02	$52.42	$78.79	$98.49	$115.31
Jul-19	$49.24	$71.52	$108.82	$141.19	$178.05	$36.80	$51.38	$78.51	$98.76	$115.06
Aug-19	$49.16	$70.41	$108.19	$140.67	$177.45	$36.22	$50.26	$76.79	$96.00	$112.67
Sep-19	$48.15	$69.24	$105.71	$138.91	$176.79	$35.70	$49.75	$76.15	$95.26	$111.96
Oct-19	$48.21	$69.68	$106.98	$139.01	$176.02	$34.94	$49.11	$75.30	$95.29	$112.16
Nov-19	$47.08	$69.48	$106.18	$138.39	$175.05	$35.18	$48.75	$74.25	$94.21	$110.87
Dec-19	$47.60	$69.42	$106.13	$138.42	$174.64	$35.50	$49.26	$74.63	$94.79	$111.23
Jan-20	$47.84	$69.70	$106.64	$139.22	$173.99	$35.30	$49.35	$74.52	$94.82	$111.29
Feb-20	$47.53	$68.95	$105.37	$138.15	$173.77	$35.27	$49.19	$74.39	$94.85	$111.44
Mar-20	$47.68	$68.39	$105.63	$137.73	$172.42	$35.48	$49.45	$74.66	$95.51	$112.89
Apr-20	$46.63	$67.10	$103.19	$134.57	$168.67	$35.33	$48.47	$73.02	$93.82	$112.00
May-20	$45.33	$66.58	$101.65	$132.58	$169.02	$35.97	$48.34	$73.36	$94.35	$111.61
Jun-20	$46.27	$67.91	$102.89	$136.03	$171.79	$36.13	$48.99	$73.74	$93.88	$111.13

Source: Radius+

Table 8.24 – South Rent Per Square Foot

(West South Central – Non-Climate-Controlled) Source: Radius+

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$1.51	$1.06	$0.80	$0.69	$0.60
2016 Q4	$1.31	$0.94	$0.74	$0.62	$0.57
2017 Q1	$1.38	$0.96	$0.74	$0.62	$0.56
2017 Q2	$1.46	$1.03	$0.77	$0.65	$0.58
2017 Q3	$1.48	$1.06	$0.81	$0.67	$0.60
2017 Q4	$1.50	$1.04	$0.79	$0.66	$0.57
2018 Q1	$1.46	$1.02	$0.77	$0.65	$0.57
2018 Q2	$1.48	$1.04	$0.79	$0.67	$0.58
2018 Q3	$1.45	$1.01	$0.78	$0.66	$0.57
2018 Q4	$1.42	$0.99	$0.76	$0.65	$0.57
2019 Q1	$1.41	$1.00	$0.76	$0.65	$0.57
2019 Q2	$1.47	$1.04	$0.79	$0.66	$0.58
2019 Q3	$1.45	$1.01	$0.77	$0.64	$0.57
2019 Q4	$1.41	$0.98	$0.75	$0.63	$0.56
2020 Q1	$1.41	$0.99	$0.75	$0.63	$0.56
2020 Q2	$1.43	$0.97	$0.73	$0.63	$0.56

Table 8.25 – South Rent Per Square Foot

(West South Central – Climate-Controlled) Source: Radius+

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$2.21	$1.53	$1.13	$0.98	$0.89
2016 Q4	$1.94	$1.36	$1.05	$0.95	$0.86
2017 Q1	$2.04	$1.41	$1.07	$0.93	$0.87
2017 Q2	$2.21	$1.53	$1.12	$0.98	$0.87
2017 Q3	$2.08	$1.53	$1.11	$0.93	$0.86
2017 Q4	$1.97	$1.44	$1.08	$0.92	$0.85
2018 Q1	$1.94	$1.39	$1.06	$0.91	$0.84
2018 Q2	$2.00	$1.42	$1.08	$0.93	$0.86
2018 Q3	$1.97	$1.41	$1.08	$0.94	$0.89
2018 Q4	$1.90	$1.38	$1.06	$0.91	$0.86
2019 Q1	$1.89	$1.38	$1.07	$0.91	$0.86
2019 Q2	$1.93	$1.42	$1.09	$0.93	$0.88
2019 Q3	$1.95	$1.41	$1.08	$0.94	$0.89
2019 Q4	$1.91	$1.39	$1.06	$0.92	$0.88
2020 Q1	$1.91	$1.38	$1.06	$0.92	$0.87
2020 Q2	$1.84	$1.34	$1.03	$0.90	$0.85

Table 8.26 – West Rental Rates (Mountain)

	Climate-Controlled Units					Non-Climate-Controlled Units				
	5x5	5x10	10x10	10x15	10x20	5x5	5x10	10x10	10x15	10x20
Jul-16	$46.70	$76.30	$115.20	$150.00	$188.10	$41.10	$60.30	$96.90	$128.20	$144.50
Aug-16	$48.70	$74.20	$109.70	$149.00	$185.80	$40.80	$56.50	$87.30	$112.50	$133.30
Sep-16	$48.70	$73.10	$108.60	$155.20	$189.30	$40.60	$54.90	$85.70	$110.40	$130.20
Oct-16	$47.50	$72.80	$113.00	$144.80	$205.20	$39.90	$55.50	$84.70	$107.90	$130.20
Nov-16	$44.30	$71.70	$106.00	$131.30	$202.10	$38.80	$54.40	$81.10	$104.50	$129.50
Dec-16	$42.70	$73.60	$104.70	$138.40	$192.00	$38.70	$56.50	$81.70	$110.60	$135.30
Jan-17	$48.30	$72.70	$103.30	$136.80	$180.10	$40.00	$55.30	$84.20	$110.50	$131.50
Feb-17	$49.10	$72.40	$103.40	$138.50	$172.00	$40.10	$54.00	$84.30	$110.10	$129.70
Mar-17	$49.70	$73.60	$104.70	$138.20	$172.80	$39.80	$53.70	$84.60	$109.00	$127.80
Apr-17	$50.90	$75.90	$108.90	$142.20	$179.30	$42.10	$56.30	$88.60	$111.80	$131.60
May-17	$50.30	$71.50	$108.00	$144.80	$181.50	$43.20	$57.10	$90.00	$114.10	$134.20
Jun-17	$52.00	$71.00	$107.30	$142.50	$182.60	$44.60	$58.20	$92.20	$116.40	$136.30
Jul-17	$53.47	$76.13	$114.54	$151.48	$197.30	$45.44	$60.40	$94.42	$121.03	$140.28
Aug-17	$50.85	$75.04	$113.37	$152.05	$200.79	$45.00	$60.42	$92.97	$119.79	$138.20
Sep-17	$51.77	$73.79	$109.52	$147.17	$195.00	$41.59	$58.25	$89.63	$113.37	$130.24
Oct-17	$52.08	$72.12	$107.58	$145.71	$184.08	$39.83	$57.34	$88.41	$112.72	$130.60
Nov-17	$50.21	$71.24	$106.38	$143.99	$181.62	$41.24	$57.25	$89.98	$112.12	$128.44
Dec-17	$49.36	$70.38	$105.29	$141.20	$177.99	$40.80	$57.11	$88.68	$109.29	$126.17
Jan-18	$49.08	$70.46	$105.16	$143.45	$181.39	$39.67	$56.24	$87.12	$108.52	$126.78
Feb-18	$49.22	$70.83	$106.51	$143.52	$185.81	$41.03	$55.64	$86.69	$108.69	$127.84
Mar-18	$48.92	$70.78	$107.27	$143.07	$180.01	$40.98	$56.30	$86.95	$110.93	$129.45
Apr-18	$48.37	$72.05	$108.08	$143.03	$178.31	$40.52	$57.21	$88.03	$113.97	$132.83
May-18	$48.47	$72.34	$108.61	$139.35	$180.43	$41.46	$58.15	$90.26	$116.03	$134.38
Jun-18	$50.22	$72.46	$108.94	$140.26	$178.56	$41.93	$58.28	$90.45	$115.87	$134.62
Jul-18	$50.73	$72.66	$110.67	$143.88	$181.51	$41.13	$57.73	$89.54	$115.52	$133.53
Aug-18	$49.40	$73.06	$109.71	$144.39	$180.00	$41.67	$58.41	$89.21	$114.53	$132.17
Sep-18	$49.96	$73.62	$108.76	$144.32	$174.98	$41.95	$57.97	$90.00	$113.22	$131.96
Oct-18	$48.99	$72.85	$108.17	$143.23	$178.36	$40.95	$57.04	$89.06	$112.22	$131.41
Nov-18	$49.22	$71.92	$107.77	$142.28	$181.90	$40.51	$56.32	$88.28	$111.50	$132.14
Dec-18	$48.55	$71.40	$107.01	$139.25	$180.82	$40.85	$56.39	$87.98	$110.54	$132.50
Jan-19	$49.27	$71.52	$106.69	$139.66	$180.73	$40.55	$56.41	$89.40	$111.56	$134.85
Feb-19	$49.09	$71.89	$108.85	$144.16	$180.15	$40.91	$56.74	$89.86	$111.40	$136.26
Mar-19	$49.44	$71.97	$109.52	$150.73	$189.45	$41.40	$56.55	$91.10	$111.45	$137.35
Apr-19	$50.24	$73.21	$112.33	$151.62	$193.53	$42.22	$56.93	$91.99	$112.34	$139.47
May-19	$50.10	$75.36	$114.36	$150.82	$198.11	$43.57	$57.12	$92.91	$113.77	$141.28
Jun-19	$49.75	$75.12	$114.20	$158.32	$194.91	$44.16	$58.48	$92.06	$114.87	$134.87
Jul-19	$50.35	$73.94	$112.84	$153.31	$193.56	$44.14	$58.28	$92.59	$114.52	$134.28
Aug-19	$49.13	$73.20	$110.69	$146.81	$189.62	$42.42	$57.46	$91.46	$114.93	$136.76
Sep-19	$48.98	$71.72	$110.61	$146.57	$184.87	$40.46	$56.49	$89.61	$114.10	$131.99
Oct-19	$47.84	$70.74	$107.31	$143.04	$186.86	$41.89	$56.67	$89.77	$115.91	$133.35
Nov-19	$47.40	$70.06	$105.37	$143.75	$186.58	$40.68	$56.00	$87.93	$113.53	$131.08
Dec-19	$47.57	$69.08	$104.99	$138.00	$181.50	$41.08	$56.20	$87.14	$112.11	$130.01
Jan-20	$48.07	$69.21	$106.05	$142.32	$174.83	$41.34	$56.86	$87.29	$112.33	$129.72
Feb-20	$48.49	$71.02	$106.83	$143.62	$176.14	$40.90	$55.82	$86.35	$111.47	$129.33
Mar-20	$48.66	$70.24	$107.52	$141.03	$182.46	$40.57	$56.25	$86.30	$110.83	$130.18
Apr-20	$47.22	$68.76	$103.95	$136.73	$175.01	$40.41	$55.75	$85.50	$108.57	$127.21
May-20	$47.50	$69.53	$106.05	$140.05	$179.13	$41.08	$56.60	$86.69	$110.42	$127.24
Jun-20	$49.27	$69.61	$108.22	$142.90	$187.89	$41.79	$57.40	$88.31	$112.64	$130.14

Source: Radius+

Table 8.27 – West Rent Per Square Foot

(Mountain – Non-Climate-Controlled) Source: Radius+

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$1.63	$1.14	$0.89	$0.77	$0.67
2016 Q4	$1.57	$1.11	$0.83	$0.72	$0.66
2017 Q1	$1.60	$1.09	$0.84	$0.73	$0.65
2017 Q2	$1.73	$1.14	$0.90	$0.76	$0.67
2017 Q3	$1.76	$1.19	$0.92	$0.79	$0.68
2017 Q4	$1.62	$1.14	$0.89	$0.74	$0.64
2018 Q1	$1.62	$1.12	$0.87	$0.73	$0.64
2018 Q2	$1.65	$1.16	$0.90	$0.77	$0.67
2018 Q3	$1.66	$1.16	$0.90	$0.76	$0.66
2018 Q4	$1.63	$1.13	$0.88	$0.74	$0.66
2019 Q1	$1.64	$1.13	$0.90	$0.74	$0.68
2019 Q2	$1.73	$1.15	$0.92	$0.76	$0.69
2019 Q3	$1.69	$1.15	$0.91	$0.76	$0.67
2019 Q4	$1.65	$1.13	$0.88	$0.76	$0.66
2020 Q1	$1.64	$1.13	$0.87	$0.74	$0.65
2020 Q2	$1.64	$1.13	$0.87	$0.74	$0.64

Table 8.28 – West Rent Per Square Foot

(Mountain – Climate-Controlled) Source: Radius+

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$1.93	$1.49	$1.11	$1.01	$0.94
2016 Q4	$1.80	$1.45	$1.08	$0.92	$1.00
2017 Q1	$1.96	$1.46	$1.04	$0.92	$0.88
2017 Q2	$2.04	$1.46	$1.08	$0.95	$0.91
2017 Q3	$2.08	$1.50	$1.12	$1.00	$0.99
2017 Q4	$2.02	$1.42	$1.06	$0.96	$0.91
2018 Q1	$1.96	$1.41	$1.06	$0.96	$0.91
2018 Q2	$1.96	$1.45	$1.09	$0.94	$0.90
2018 Q3	$2.00	$1.46	$1.10	$0.96	$0.89
2018 Q4	$1.96	$1.44	$1.08	$0.94	$0.90
2019 Q1	$1.97	$1.44	$1.08	$0.97	$0.92
2019 Q2	$2.00	$1.49	$1.14	$1.02	$0.98
2019 Q3	$1.98	$1.46	$1.11	$0.99	$0.95
2019 Q4	$1.90	$1.40	$1.06	$0.94	$0.92
2020 Q1	$1.94	$1.40	$1.07	$0.95	$0.89
2020 Q2	$1.92	$1.39	$1.06	$0.93	$0.90

Table 8.29 – West Rental Rates (Pacific)

	Climate-Controlled Units					Non-Climate-Controlled Units				
	5x5	5x10	10x10	10x15	10x20	5x5	5x10	10x10	10x15	10x20
Jul-16	$75.30	$118.20	$196.70	$254.60	$330.60	$72.80	$107.80	$175.00	$231.00	$275.10
Aug-16	$71.40	$114.50	$187.00	$239.70	$327.20	$71.10	$95.20	$160.70	$217.00	$243.60
Sep-16	$69.20	$112.20	$184.20	$235.40	$317.40	$66.80	$94.40	$158.80	$197.10	$235.60
Oct-16	$68.60	$111.30	$183.00	$236.40	$307.40	$66.90	$97.60	$160.10	$207.60	$251.60
Nov-16	$68.50	$107.40	$180.40	$231.90	$293.30	$66.10	$99.60	$160.00	$213.70	$276.10
Dec-16	$65.20	$107.90	$178.10	$225.60	$292.10	$64.60	$102.90	$155.50	$211.30	$274.20
Jan-17	$66.00	$108.80	$182.60	$235.40	$315.60	$64.50	$98.00	$156.40	$204.20	$250.40
Feb-17	$67.40	$108.90	$186.50	$238.00	$322.40	$63.00	$96.20	$153.80	$207.20	$247.50
Mar-17	$70.10	$112.10	$187.10	$237.90	$312.80	$63.20	$95.30	$158.90	$214.90	$252.70
Apr-17	$72.80	$115.30	$195.10	$247.00	$324.50	$64.40	$100.60	$162.20	$218.30	$257.10
May-17	$73.30	$116.00	$194.90	$249.60	$331.30	$65.70	$98.70	$162.60	$216.30	$255.20
Jun-17	$71.30	$116.30	$196.60	$257.20	$323.10	$68.00	$99.70	$166.40	$211.40	$257.90
Jul-17	$70.33	$115.27	$196.31	$256.13	$321.23	$67.14	$97.67	$166.96	$218.62	$270.94
Aug-17	$72.74	$113.85	$193.99	$255.57	$327.07	$65.02	$99.72	$160.83	$214.75	$251.95
Sep-17	$70.70	$111.44	$184.46	$247.03	$320.87	$61.93	$98.56	$154.80	$204.46	$249.77
Oct-17	$68.50	$108.57	$181.01	$236.54	$313.53	$61.05	$95.44	$150.73	$195.60	$248.77
Nov-17	$68.51	$108.48	$181.33	$239.07	$317.53	$60.16	$96.51	$148.75	$198.06	$245.05
Dec-17	$68.48	$106.96	$179.77	$234.35	$306.10	$59.96	$94.61	$146.94	$197.98	$233.12
Jan-18	$67.13	$105.05	$180.10	$236.22	$309.89	$61.43	$93.17	$145.65	$192.71	$234.65
Feb-18	$68.23	$104.60	$180.16	$236.98	$325.31	$61.35	$90.58	$146.53	$195.61	$236.19
Mar-18	$69.55	$106.01	$179.01	$235.76	$303.32	$60.28	$92.02	$148.87	$198.08	$233.73
Apr-18	$70.30	$107.18	$184.29	$236.17	$299.16	$61.29	$94.76	$155.79	$205.45	$235.58
May-18	$69.73	$107.54	$181.61	$235.12	$300.15	$63.16	$96.09	$161.55	$208.20	$236.58
Jun-18	$68.97	$109.56	$184.33	$240.78	$315.80	$62.55	$93.99	$156.74	$210.00	$236.59
Jul-18	$69.68	$112.08	$184.65	$240.16	$312.45	$64.09	$97.47	$160.13	$207.91	$235.29
Aug-18	$70.98	$110.43	$184.12	$238.20	$302.26	$62.97	$101.09	$164.27	$207.04	$241.68
Sep-18	$70.42	$107.93	$179.21	$230.96	$302.27	$61.63	$100.86	$163.74	$205.07	$242.83
Oct-18	$68.53	$106.85	$175.88	$223.48	$297.15	$61.46	$94.70	$157.38	$201.31	$236.80
Nov-18	$68.38	$106.94	$175.72	$228.75	$299.79	$60.84	$92.59	$156.83	$197.11	$233.76
Dec-18	$69.29	$107.43	$173.75	$228.51	$291.52	$60.51	$91.71	$151.45	$196.80	$234.14
Jan-19	$69.37	$108.25	$176.08	$228.95	$298.57	$60.98	$90.42	$150.35	$195.33	$232.76
Feb-19	$68.66	$105.84	$178.16	$232.05	$313.95	$60.74	$91.46	$151.72	$196.77	$230.93
Mar-19	$67.00	$104.93	$177.08	$232.41	$315.49	$62.94	$91.36	$149.22	$194.04	$232.67
Apr-19	$69.15	$105.36	$179.62	$231.42	$320.86	$62.70	$93.48	$150.73	$199.24	$232.30
May-19	$70.07	$107.64	$181.38	$234.91	$297.75	$61.91	$97.11	$157.79	$205.55	$230.10
Jun-19	$72.64	$110.16	$185.46	$238.91	$306.58	$63.03	$99.98	$162.74	$205.14	$227.51
Jul-19	$71.15	$109.16	$181.59	$235.26	$309.40	$63.92	$100.93	$162.68	$204.90	$231.02
Aug-19	$71.90	$106.48	$176.71	$228.29	$284.86	$63.14	$101.54	$162.85	$204.71	$227.71
Sep-19	$69.63	$101.49	$175.44	$225.19	$284.77	$60.54	$98.32	$156.62	$197.19	$228.58
Oct-19	$68.29	$102.01	$174.58	$224.46	$299.51	$59.19	$92.44	$151.63	$198.08	$225.53
Nov-19	$67.91	$104.24	$176.59	$229.30	$308.93	$62.94	$93.60	$153.54	$200.93	$222.86
Dec-19	$68.85	$105.68	$172.90	$227.43	$296.13	$64.11	$93.79	$154.48	$195.14	$229.62
Jan-20	$70.77	$106.63	$176.00	$229.69	$293.17	$63.44	$93.46	$154.76	$197.76	$226.86
Feb-20	$70.07	$105.72	$176.23	$229.86	$302.92	$63.13	$91.23	$151.53	$196.80	$222.61
Mar-20	$71.26	$107.71	$176.34	$229.67	$306.49	$63.52	$93.86	$156.32	$198.98	$228.94
Apr-20	$70.40	$104.72	$169.67	$222.37	$289.86	$62.05	$89.41	$147.79	$191.66	$220.89
May-20	$66.75	$105.49	$167.72	$216.14	$291.89	$60.41	$89.74	$151.31	$185.52	$217.61
Jun-20	$70.55	$107.44	$175.45	$227.53	$312.63	$63.62	$95.63	$159.91	$197.27	$225.43

Source: Radius+

Table 8.30 – West Rent Per Square Foot

(Pacific – Non-Climate-Controlled) *Source: Radius+*

	5x5	5x10	10x10	10x15	10x20
2016 Q3	$2.80	$1.97	$1.64	$1.43	$1.23
2016 Q4	$2.63	$2.00	$1.58	$1.40	$1.33
2017 Q1	$2.55	$1.93	$1.57	$1.39	$1.25
2017 Q2	$2.64	$1.99	$1.64	$1.43	$1.28
2017 Q3	$2.59	$1.97	$1.61	$1.42	$1.29
2017 Q4	$2.42	$1.91	$1.49	$1.31	$1.21
2018 Q1	$2.44	$1.84	$1.47	$1.30	$1.17
2018 Q2	$2.49	$1.90	$1.58	$1.39	$1.18
2018 Q3	$2.52	$2.00	$1.63	$1.38	$1.20
2018 Q4	$2.44	$1.86	$1.55	$1.32	$1.17
2019 Q1	$2.46	$1.82	$1.50	$1.30	$1.16
2019 Q2	$2.50	$1.94	$1.57	$1.36	$1.15
2019 Q3	$2.50	$2.01	$1.61	$1.35	$1.15
2019 Q4	$2.48	$1.87	$1.53	$1.32	$1.13
2020 Q1	$2.53	$1.86	$1.54	$1.32	$1.13
2020 Q2	$2.48	$1.83	$1.53	$1.28	$1.11

Table 8.31 – West Rent Per Square Foot

(Pacific – Climate-Controlled) *Source: Radius+*

	5x5	5x10	10x10	10x15	10x20
2016 Q4	$2.87	$2.29	$1.89	$1.61	$1.62
2017 Q1	$2.70	$2.18	$1.80	$1.54	$1.49
2017 Q2	$2.71	$2.20	$1.85	$1.58	$1.58
2017 Q3	$2.90	$2.32	$1.96	$1.68	$1.63
2017 Q4	$2.85	$2.27	$1.92	$1.69	$1.61
2018 Q1	$2.74	$2.16	$1.81	$1.58	$1.56
2018 Q2	$2.73	$2.10	$1.80	$1.58	$1.56
2018 Q3	$2.81	$2.20	$1.83	$1.58	$1.53
2018 Q4	$2.75	$2.14	$1.75	$1.51	$1.48
2019 Q1	$2.73	$2.13	$1.77	$1.54	$1.55
2019 Q2	$2.82	$2.15	$1.82	$1.57	$1.54
2019 Q3	$2.84	$2.12	$1.78	$1.53	$1.47
2019 Q4	$2.73	$2.08	$1.75	$1.51	$1.51
2020 Q1	$2.83	$2.13	$1.76	$1.53	$1.50
2020 Q2	$2.77	$2.12	$1.71	$1.48	$1.49

LEASE-UP PERIOD

To deliver the most successful pricing plans, many factors are evaluated including street rates, discounts, inventory levels, historic trends, and move-in specials. Combining the data to determine optimal target occupancy for a specific self-storage store is somewhat of an art form. As always, business conditions in a facility's immediate market area must be considered when creating occupancy strategies for individual storage stores.

Since self-storage is a highly localized industry, conditions in the immediate market area surrounding the store can have a major impact on occupancy rates. Factors such as a depressed local economy or the opening of a new storage facility in the area can potentially lead to a decline in occupancy.

On the other end of the spectrum, new home developments, an explosion in recruitment at local companies, and other dynamics are often met with sharp increases in occupancy rates.

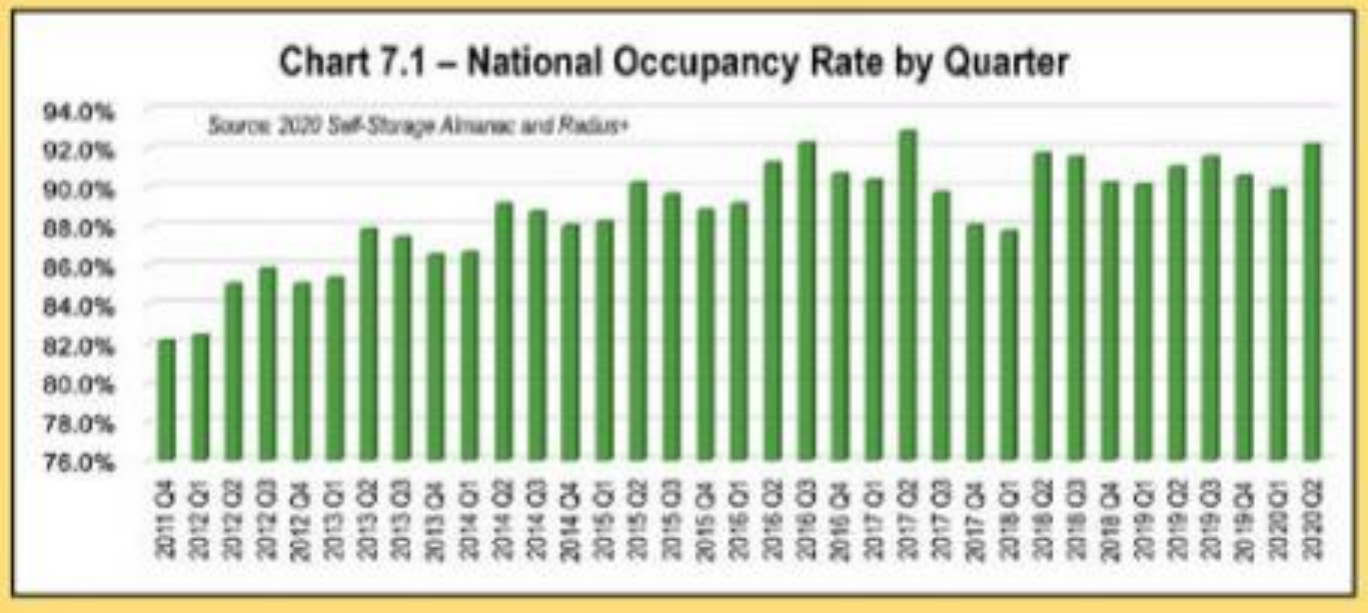
In general, most industry experts agree that target occupancy rates for self-storage stores in the U.S. should hover in the 90 to 95 percent range. When a store has too many unoccupied units, it is unable to generate money to its full potential. On the other hand, self-storage facilities with too few vacant storage
spaces will have to turn customers away—some of whom would have been willing to pay more for a unit than the current tenants are paying. In addition, most unserved potential customers will end up as tenants at competing self-storage stores.

Due to the current unmet demand for self-storage space in the micro market as represented by the mostly moderately high to high occupancy levels in the market, it is our opinion that the subject facility should anticipate a 42-48 month lease-up period to stabilization. This assumption is predicated upon the belief that the market will remain as strong as it currently is and that the developer will upgrade, manage and market the facility as an 'A+' facility using most, if not all, of the included recommendations (such as employing only the highest caliber of onsite management). We also predicate this opinion on the recognition that the developer is an experienced self-storage operator or will utilize the services of an experienced self-storage operator or third-party management company.

This assumption is based on the following:

- There is some amount of calculated and anecdotal unmet demand for new self-storage inventory near the subject facility based on the estimated and known occupancy levels of the market competitors as well as comments from competitor managers.
- There are no other known potential self-storage projects in development within the subject micro-market.

- The management expertise level at the subject site should afford the new facility a substantial sales and marketing advantage over the market competitors.



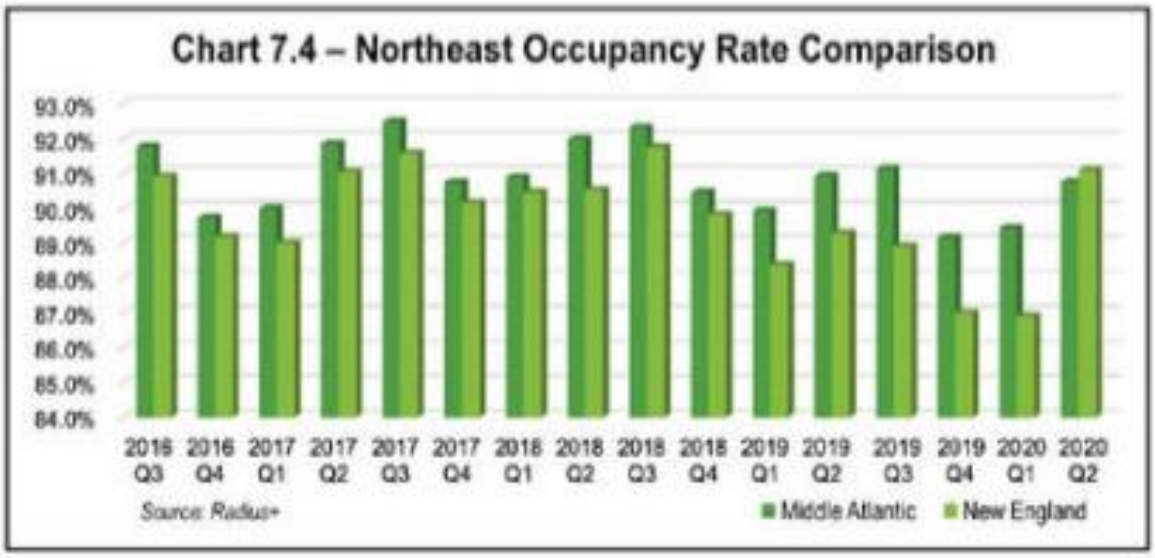
Stepping back and looking at the country, it is clear that occupancy rates are exceptionally high and appear to be on the rise at self-storage stores across the nation. Demand for storage space is strong and continues to grow year-by-year and quarter-over-quarter. Average occupancy rates are robust in every region of the country and in every size category analyzed.

Table 7.3 – 2019-2020 Occupancy by Region*

Region	2019 Occupancy	2020 Occupancy
Midwest (East North Central)	91.0%	90.4%
Midwest (West North Central)	89.6%	91.1%
Northeast (Middle Atlantic)	90.9%	90.8%
Northeast (New England)	89.3%	89.9%
South Atlantic	90.7%	90.6%
South (East South Central)	90.4%	90.4%
South (West South Central)	89.8%	90.2%
West (Mountain)	91.4%	92.3%
West (Pacific)	92.1%	92.3%
National	**91.0%**	**92.2%**

* *Based on 2nd Quarter Numbers* *Source: Radius+*


Chart 7.3 – Midwest Occupancy Rate Comparision
93.0%
92.0%
91.0%
90.0%
89.0%
88.0%
87.0%
86.0%
85.0%
84.0%
83.0%
2016 Q3
2016 Q4
2017 Q1
2017 Q2
2017 Q3
2017 Q4
2018 Q1
2018 Q2
2018 Q3
2018 Q4
2019 Q1
2019 Q2
2019 Q3
2019 Q4
2020 Q1
2020 Q2
Source: Radius+
East North Central
West North Central


Chart 7.4 – Northeast Occupancy Rate Comparison
93.0%
92.0%
91.0%
90.0%
89.0%
88.0%
87.0%
86.0%
85.0%
84.0%
2016 Q3
2016 Q4
2017 Q1
2017 Q2
2017 Q3
2017 Q4
2018 Q1
2018 Q2
2018 Q3
2018 Q4
2019 Q1
2019 Q2
2019 Q3
2019 Q4
2020 Q1
2020 Q2
Source: Radius+
Middle Atlantic
New England

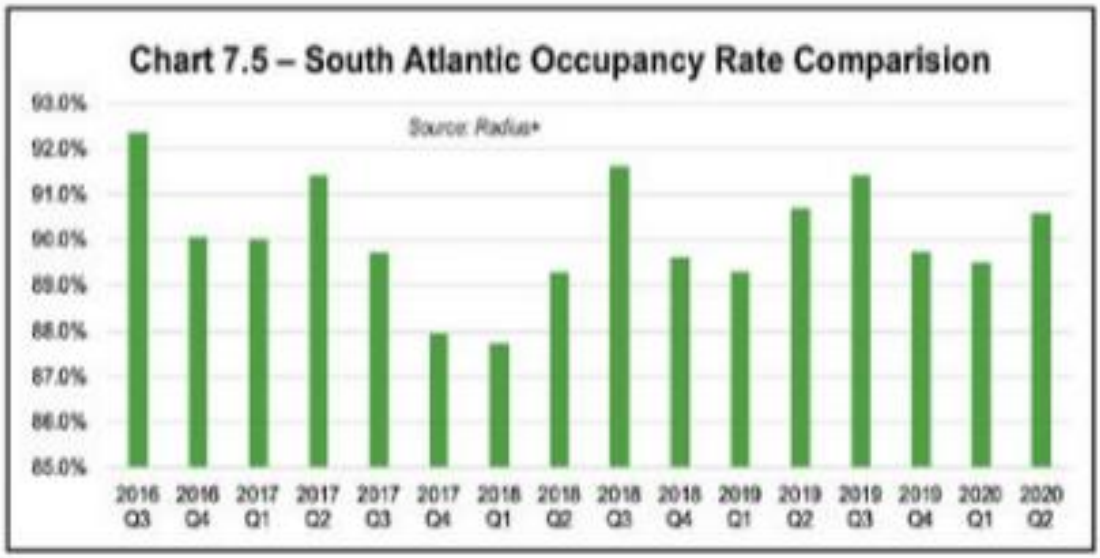
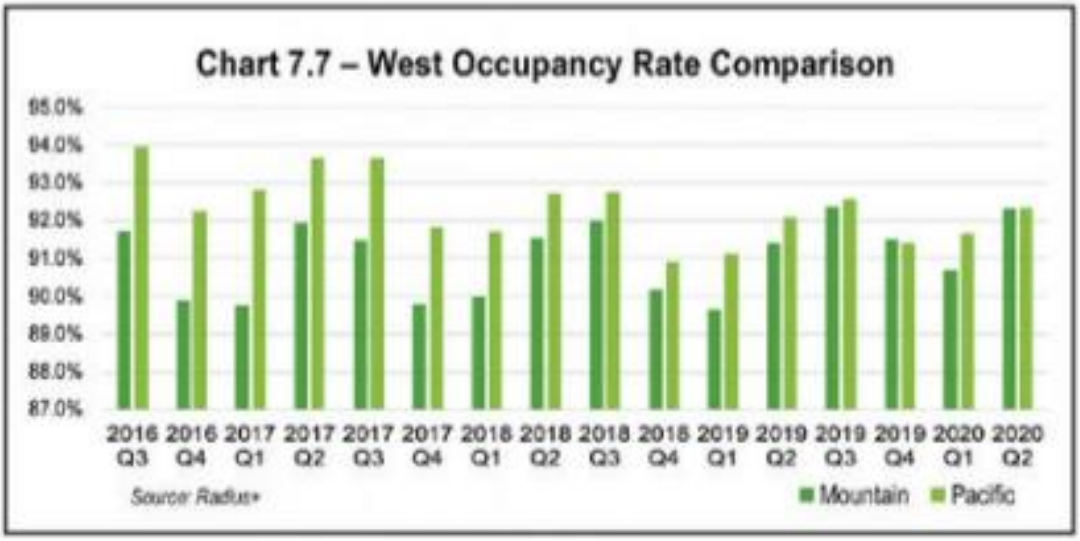

Chart 7.5 – South Atlantic Occupancy Rate Comparision
Source: Radius+
93.0%
92.0%
91.0%
90.0%
89.0%
88.0%
87.0%
86.0%
85.0%
2016 Q3
2016 Q4
2017 Q1
2017 Q2
2017 Q3
2017 Q4
2018 Q1
2018 Q2
2018 Q3
2018 Q4
2019 Q1
2019 Q2
2019 Q3
2019 Q4
2020 Q1
2020 Q2


Chart 7.6 – South Occupancy Rate Comparison
93.0%
92.0%
91.0%
90.0%
89.0%
88.0%
87.0%
86.0%
2016 Q3
2016 Q4
2017 Q1
2017 Q2
2017 Q3
2017 Q4
2018 Q1
2018 Q2
2018 Q3
2018 Q4
2019 Q1
2019 Q2
2019 Q3
2019 Q4
2020 Q1
2020 Q2
Source: Radius+
East South Central
West South Central


Chart 7.7 – West Occupancy Rate Comparison
95.0%
94.0%
93.0%
92.0%
91.0%
90.0%
89.0%
88.0%
87.0%
2016 Q3
2016 Q4
2017 Q1
2017 Q2
2017 Q3
2017 Q4
2018 Q1
2018 Q2
2018 Q3
2018 Q4
2019 Q1
2019 Q2
2019 Q3
2019 Q4
2020 Q1
2020 Q2
Source: Radius+
Mountain
Pacific

FINANCIAL ANALYSIS

The current full development unit mix would calculate, using the current rates, a gross potential of $1,683,483. Our analysis assumes a stabilized occupancy of 90% and within the income statement preparation we have used the development costs as are typical for a facility in the configuration of the subject site and expenses as represented by those expenses as reported by the Self Storage Association and we would comment that those provided expenses are well within the 'industry norms' we have noted in reviewing actual financial statements.

Basic Development Assumptions:

Name of Project	**Vasser Street Self Storage**				
Location	**Livonia MI**				
Land Cost:		$ 3,150,000.00	**Land Cost Analysis**		
Site Size-Acres:		1	Cost of Land Per Acre (Total Cost)	$	3,150,000.00
Site Size-Square Feet:		43,560	Cost of Land Per Square Foot	$	72.31
Number of Floors:		8	Total Land Costs	$	3,150,000.00
Number of Elevators:		2	Total Land Costs Per NR Square Feet	$	32.02
Number of Feet of Frontage:		500			
Number of Parking Spaces:		7			
Number of Months For Construction:		12			
Number of Buildings:		1			
Number of Gates:		1			
Building Configuration:	**Fortress**				
Office Size(Sq Ft)		750	**Net Rentable Square Footage Cost Analysis**		
Primary Construction Material:	**Metal**		Total NR Square Feet		98,364.50
Roofing Material:	**Metal**		Total Hard Costs	$	5,500,000.00
Manager Lives:	**Off-Site**		Total Hard Costs Per NR Square Feet	$	55.91
Current Annual Real Estate Taxes		$ 50,000.00	Total Soft Costs	$	322,470.00
Minimum Management Fee:		$ 2,500.00	Total Soft Costs Per NR Square Feet	$	3.28
Vertical Configuration	**Multi-Story**		Total Other Costs	$	1,313,593.22
Purchase Price Or Total Project Cost:		$ 10,566,063.00	Total Other Costs Per NR Square Feet	$	13.35
			Total Builders Fees	$	280,000.00
INCOME/ EXPENSES			Total Builders Fees Per NR Square Feet	$	2.85
Number of Months to Stabilization		42	Total Land Costs	$	3,150,000.00
Effective Actual Gross Income		$ 1,683,483	Total Land Costs Per NR Square Feet	$	32.02
Stabilized Occupancy %		92.00%	Total Construction Costs	$	7,416,063.22
Other Income %		5.00%	Total Construction Costs Per NR Square Feet	$	75.39
Management Fee %		6.00%	Total Project Cost	$	10,566,063.22
Expenses w/ Management and Reserves %		42%	Total Project Cost Per NR Square Feet	$	107.42
Anticipated Increase in rent and expenses					
Gross Income Annual % Increase		4.00%			
Expense Anticipated Annual % Increase		3.00%			
CASH INVESTED					
Down payment Percent of Purchase Price		33.00%			
Total Cash Invested		$ 3,486,800.79			
Mortgage					
Loan Amount		$13,520,852			
Perm Loan Amount As % of Stabilized Value		75%			
Annual Interest Rate		6.50%			
Amortization (Months)		300			
Term (Years)		7			
Construction Loan					
Loan Amount		$7,079,262			
Interest Rate		6.50%			
Disposition Data					
Sale Price @ Disposition (Year 7)		$ 21,573,183			
Terminal Cap Rate		6.00%			
Terminal Cost of Sales (%)		3.0%			
Proceeds From Sale @ Disposition		$ 7,752,617			

We should note that the 'Loan Amount' of $13,520,952 listed under Mortgage' is assuming a refinance at stabilization with a 75% loan to value calculation.

Estimated Development Costs:

	Unit	Unit Qty	Cost	Total	Per Sq.Ft.	% of Hard Cost	% of Project Cost
Land Costs							
Land				$ 3,150,000	$ 26.25	57%	0%
TOTAL LAND COSTS				**$ 3,150,000**	**$ 26.25**	**57%**	**0%**
Hard Costs							
Buildings Standard Multi Story	SF	1.00	$ 5,500,000.00	$ 5,500,000	$ 45.83	100%	52%
TOTAL HARD COST				**$ 5,500,000**	**$ 45.83**	**100%**	**52%**
BUILDERS FEES							
Construction Contingency	%	100%	$ 280,000.00	$ 280,000	$ 2.33		3%
TOTAL BUILDERS FEES				**$ 280,000**	**$ 2.33**		**3%**
SOFT COSTS							
Soft Costs	EA	1	$ 322,470.00	$ 322,470	$ 2.69		3%
TOTAL OTHER COSTS				**$ 322,470**	**$ 2.69**		**3%**
OTHER COSTS							
Operating Deficit (Including Construction Interest)			$ 1,313,593.22	$ 1,313,593	$ 10.95		12%
TOTAL OTHER COSTS				**$ 1,313,593**	**$ 10.95**		**12%**
TOTAL HARD AND SOFT COSTS EXCLUDING LAND				**$ 7,416,063**	**$ 61.80**		**70%**
TOTAL PROJECT COST INCLUDING LAND				**$ 10,566,063**	**$ 88.05**		**100%**

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Income generated at a facility, excluding rent revenue, is a major contributor to profit. Managing the other income sources, and recognizing the impact on NOI, is critical to maximizing the profitability of the facility.

Other income sources include:

- Late fees
- Lien fees
- Lock cut fees
- Tenant insurance payments
- Truck rentals
- Moving and packing supplies

It is important to note that expenses can vary widely, particularly when analyzed solely on a single unit of analysis such as per square foot of rentable building area. Therefore, we offer the following clarification on some of the expenses listed above:

• On-Site Management – On-site management expenses account for full-time management including assistant managers, relief managers, and payroll-related costs. In today's self-storage industry, hiring quality managers is essential, especially given their direct impact on rental rates, occupancy, and ancillary income such as merchandise sales. This expense ranges $.60 - $1.25 per square foot.

• Administrative Expenses – In this category, expenses relate to office functions such as dues, subscriptions, copy machine, professional fees including legal services (eviction costs), data processing, travel expenses, partnership professional fees (legal and accounting), local licensing and permit fees, and other expenses incurred in the operation of a self-storage facility. This expense ranges $.25 - $.75 per square foot.

Insurance – Insurance includes property, liability and casualty insurance expenses. Due to the significant variables involved when underwriting insurance, lower rates may in some cases be achieved by blanket policies with significant rate reductions. This expense ranges $.08 - $.20 per square foot.

Therefore, unless there are special circumstances such as portfolio analysis, insurance rates are typically forecast for a single property. Other items that must be considered when seeking insurance are property specific technology in fire, life, and safety construction and design.

• Management Fee – This category includes either:

Any costs associated with a third-party management service

All general and administrative costs associated with expenses at the corporate office for a facility operated by vertically integrated ownership.

The cost allocation to this expense generally covers corporate salaries, accounting staff, systems, and all the other corporate office expense. Generally, it is charged to the property as a percentage of collected gross revenue and ranges from 5%-6% of gross revenues.

- Advertising - This expense element is crucial for the successful operation of a self-storage property. Expenses include *Yellow Pages* advertisement, maintaining a website, promotions, and other marketing expenses. This expense ranges $.15 - $.30 per square foot.

• Real Estate Taxes – Taxes account for real property taxes only. In most forecasts of income and expenses, real estate taxes are adjusted to market value according to an iterative process that multiplies market value against the tax rate. As a result, there tends to be a "lag effect" in the data which results in current taxes being somewhat higher than those indicated in the historical data. As such, it is imperative that local tax statutes are carefully analyzed and considered when estimating property taxes.

Other expenses that may require clarification are:

• Utilities – This expense category includes natural or propane gas, electricity, water, sewer service, and regular trash service. The age of the facility can have an impact on this category especially given that many newer sites utilize motion detectors to control lighting, thereby reducing utility costs. Moreover, single-level facilities with drive-up access only will have lower utility costs than multi-story facilities with indoor/elevator access. This expense ranges $.20 - $.50 per square foot.

Maintenance & Repairs – This expense category will be influenced by the age of the facility, the quality of construction, and overall condition of the property. This expense ranges $.15 - $.40 per square foot. Actual expenses may include but are not limited to items such:

1. Electrical repairs
2. Elevator maintenance and repairs
3. Gate maintenance and repairs
4. Landscaping
5. Pest control
6. Plumbing repairs

Roll-up door maintenance and repairs

8. Roof repairs and maintenance
9. Security system, alarms, and monitor maintenance
10. Site clean-up

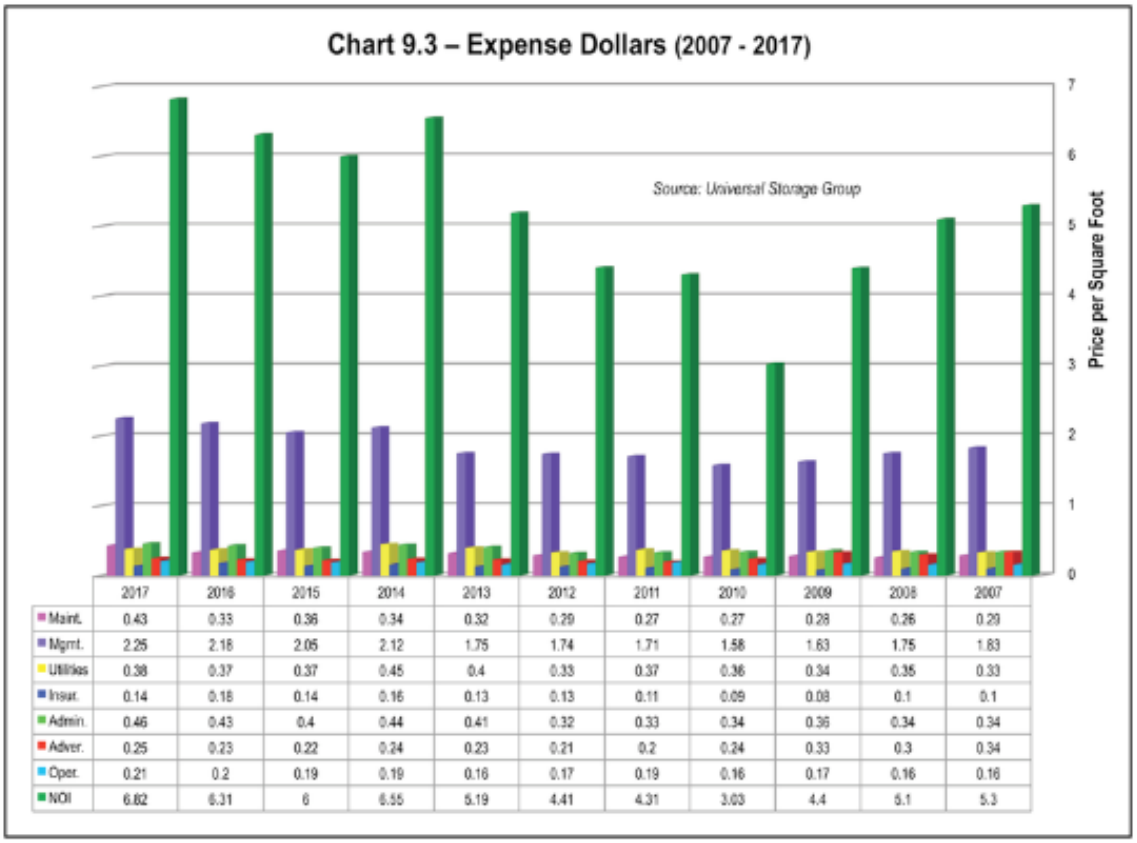
11. Trash removal

• Other – This category of expenses primarily accounts for all other variables. It is used as a catch-all for miscellaneous expenses that vary between sites, are infrequently used and do not match the other categories. Amounts in this category typically account for less than ten-percent of the total expenses at a given property.

Table 14.1 – Typical Expense Conclusions *Source: Cushman & Wakefield*

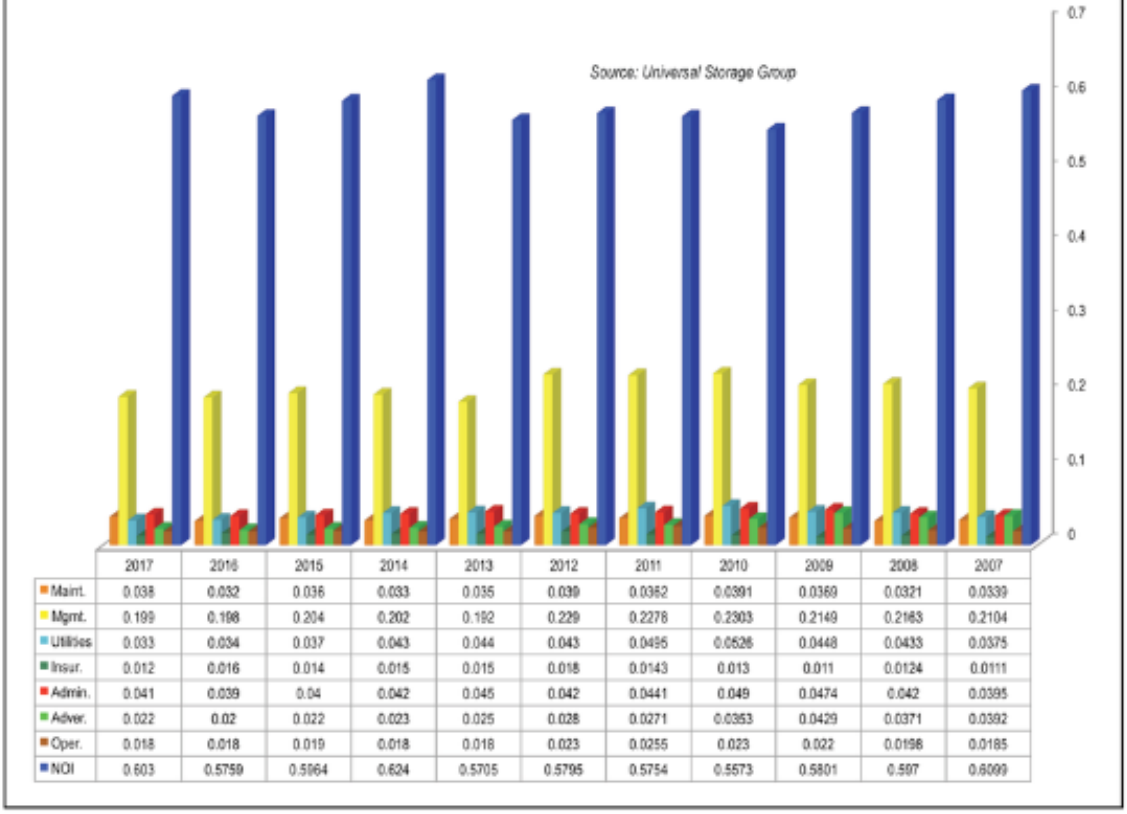
Expense Item	Typical Ranges	Description & Analysis
Real Estate Taxes	Varies by Location	This expense includes all taxes related to the real estate. Each state has its own process of determining the assessed values. In some states, the assessment is to be based on 100 percent of market value, whereas another state may only be able to increase an assessment a certain percentage per year. It is important to not only understand the possible changes on a year-to-year basis, but also the impact of a sale on an assessment.
Property Insurance	$0.08 - $0.20 / SF	This expense includes costs associated with building insurance. Location factors into the cost of insurance. Areas that are more prone to flooding, hurricanes, or other natural disasters will experience higher premiums.
Repairs & Maintenance	$0.15 - $.40 / SF	This expense category includes elements typical to self-storage maintenance, such as all maintenance contracts, sweeping and landscaping, pest control, gate repairs, and other general maintenance of the building.
General & Administrative	$0.25 - $0.75 / SF	Administration expenses related to office functions, such as telephone, postage, bank charges, credit reports, professional fees (including legal services), data processing, and other expenses incurred in the operation of a self-storage property.
On-Site Management	$0.60 - $1.25 / SF	On-site management expenses account for full-time management, including relief managers and payroll-related costs.
Off-Site Management	5% - 6 % of EGI	Prudent ownership will incur fees for outside management and overhead expenses, calculated as three to six percent of the effective gross income for self-storage properties.
Utilities	$0.20 - $0.50 / SF	Utility expenses include electricity, trash, water, and sewer. The climate of the facility, as well as the percentage of climate-controlled units, will impact the utility expense.
Advertising	$0.15 - $0.30 / SF	This expense element is crucial for the successful operation of a self-storage property. Expenses include SEO placement, maintaining a website, promotions, and other marketing expenses.

Chart 9.3 – Expense Dollars (2007 - 2017)



	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007
Maint.	0.43	0.33	0.36	0.34	0.32	0.29	0.27	0.27	0.28	0.26	0.29
Mgmt.	2.25	2.18	2.05	2.12	1.75	1.74	1.71	1.58	1.63	1.75	1.83
Utilities	0.38	0.37	0.37	0.45	0.4	0.33	0.37	0.36	0.34	0.35	0.33
Insur.	0.14	0.18	0.14	0.16	0.13	0.13	0.11	0.09	0.08	0.1	0.1
Admin.	0.46	0.43	0.4	0.44	0.41	0.32	0.33	0.34	0.36	0.34	0.34
Adver.	0.25	0.23	0.22	0.24	0.23	0.21	0.2	0.24	0.33	0.3	0.34
Oper.	0.21	0.2	0.19	0.19	0.16	0.17	0.19	0.16	0.17	0.16	0.16
NOI	6.82	6.31	6	6.55	5.19	4.41	4.31	3.03	4.4	5.1	5.3

Chart 9.4 – Expenses as Percent of Actual Income (Stabilized Stores 2007 - 2017)



	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007
Maint.	0.038	0.032	0.036	0.033	0.035	0.039	0.0362	0.0391	0.0369	0.0321	0.0339
Mgmt.	0.199	0.198	0.204	0.202	0.192	0.229	0.2278	0.2303	0.2149	0.2163	0.2104
Utilities	0.033	0.034	0.037	0.043	0.044	0.043	0.0495	0.0526	0.0448	0.0433	0.0375
Insur.	0.012	0.016	0.014	0.015	0.015	0.018	0.0143	0.013	0.011	0.0124	0.0111
Admin.	0.041	0.039	0.04	0.042	0.045	0.042	0.0441	0.049	0.0474	0.042	0.0395
Adver.	0.022	0.02	0.022	0.023	0.025	0.028	0.0271	0.0353	0.0429	0.0371	0.0392
Oper.	0.018	0.018	0.019	0.018	0.018	0.023	0.0255	0.023	0.022	0.0198	0.0185
NOI	0.603	0.5759	0.5964	0.624	0.5705	0.5795	0.5754	0.5573	0.5801	0.597	0.6099

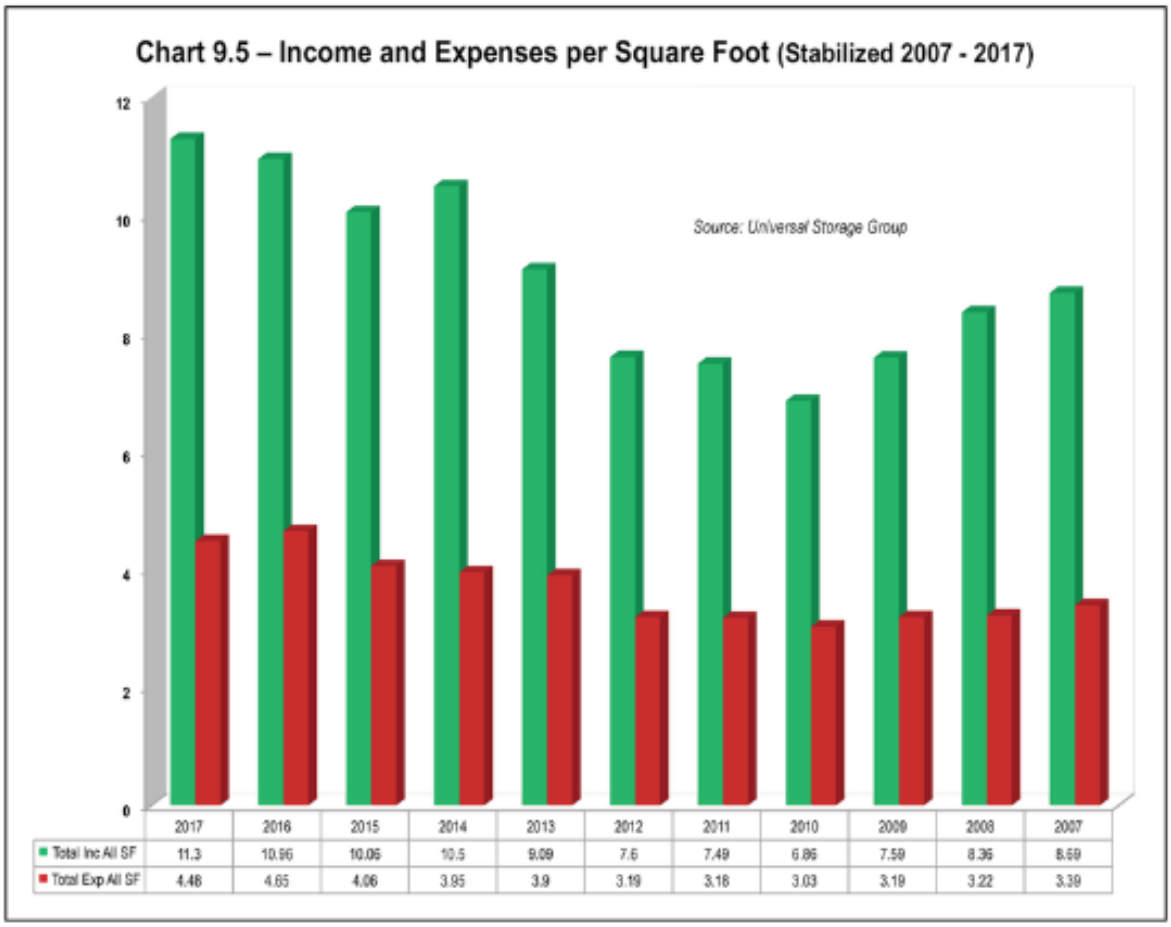

Chart 9.5 – Income and Expenses per Square Foot (Stabilized 2007 - 2017)
Source: Universal Storage Group
12
10
8
6
4
2
0
2017 2016 2015 2014 2013 2012 2011 2010 2009 2008 2007
Total Inc All SF 11.3 10.96 10.06 10.5 9.09 7.6 7.49 6.86 7.59 8.36 8.59
Total Exp All SF 4.48 4.65 4.06 3.95 3.9 3.19 3.18 3.03 3.19 3.22 3.39

Table 5 – Average Facility Income Per Square Foot

Region/Division	Storage Rental Income	Miscellaneous Income	Total Revenue
East Region	**$17.85**	**$0.88**	**$18.73**
Mideast Division	$14.57	$0.58	$15.15
Northeast Division	$18.70	$0.96	$19.65
Midwest Region	**$9.38**	**$0.39**	**$9.77**
East North Central Division	$9.49	$0.41	$9.90
West North Central Division	$8.73	$0.30	$9.03
South Region	**$9.85**	**$0.51**	**$10.37**
Southeast Division	$11.36	$0.62	$11.98
Southwest Division	$7.96	$0.38	$8.34
West Region	**$14.19**	**$0.66**	**$14.85**
Mountain Division	$8.34	$0.52	$8.86
Pacific Division	$16.31	$0.71	$17.02
National	**$13.26**	**$0.64**	**$13.90**

Table 4 – Average Facility Income

Region/Division	Self-Storage Income	Miscellaneous Income	Miscellaneous Income (% of Self-Storage Income)	Total Revenue
East Region	**$288,026,143**	**$14,213,244**	**4.93%**	**$302,239,386**
Mideast Division	$48,339,527	$1,929,484	3.99%	$50,269,011
Northeast Division	$239,686,616	$12,283,760	5.12%	$251,970,376
Midwest Region	**$62,092,531**	**$2,609,417**	**4.20%**	**$64,701,948**
East North Central Division	$53,602,463	$2,317,030	4.32%	$55,919,493
West North Central Division	$8,490,068	$292,387	3.44%	$8,782,455
South Region	**$194,655,537**	**$10,167,334**	**5.22%**	**$204,822,871**
Southeast Division	$124,996,998	$6,816,648	5.45%	$131,813,646
Southwest Division	$69,658,540	$3,350,686	4.81%	$73,009,226
West Region	**$290,683,816**	**$13,504,367**	**4.65%**	**$304,188,183**
Mountain Division	$45,469,746	$2,839,579	6.24%	$48,309,326
Pacific Division	$245,214,070	$10,664,788	4.35%	$255,878,858
National	**$835,458,027**	**$40,494,362**	**4.85%**	**$875,952,389**

Table 2 – Self-Storage Operating Expense Report

Expense Category	National	East			Midwest			South			West		
		East Region	Mideast Division	Northeast Division	Midwest Region	East North Central Division	West North Central Division	South Region	Southeast Division	Southwest Division	West Region	Mountain Division	Pacific Division
Real Estate Taxes	$1.41	$2.37	$1.65	$2.55	$1.14	$1.12	$1.24	$1.10	$1.03	$1.19	$1.05	$0.81	$1.13
Property Insurance	$0.23	$0.20	$0.11	$0.22	$0.12	$0.12	$0.14	$0.24	$0.30	$0.17	$0.27	$0.13	$0.33
Utilities	$0.34	$0.45	$0.30	$0.49	$0.24	$0.23	$0.25	$0.32	$0.35	$0.28	$0.32	$0.28	$0.34
Repairs & Maintenance	$0.47	$0.61	$0.39	$0.67	$0.40	$0.40	$0.39	$0.37	$0.40	$0.33	$0.47	$0.31	$0.53
Administration	$0.61	$0.71	$0.61	$0.73	$0.45	$0.45	$0.42	$0.50	$0.56	$0.43	$0.69	$0.53	$0.75
Off-Site Management	$0.76	$1.05	$0.98	$1.06	$0.52	$0.56	$0.34	$0.57	$0.69	$0.43	$0.78	$0.49	$0.89
On-Site Management	$1.06	$1.27	$1.07	$1.32	$0.90	$0.90	$0.92	$0.89	$0.99	$0.76	$1.11	$0.80	$1.22
Advertising	$0.29	$0.35	$0.35	$0.35	$0.27	$0.27	$0.23	$0.25	$0.29	$0.19	$0.29	$0.27	$0.30
Miscellaneous	$0.58	$0.50	$0.00	$0.63	$0.24	$0.27	$0.01	$0.43	$0.56	$0.27	$0.89	$0.58	$1.00
Total Expenses (SF):	**$5.75**	**$7.50**	**$5.48**	**$8.02**	**$4.26**	**$4.32**	**$3.95**	**$4.68**	**$5.17**	**$4.07**	**$5.87**	**$4.20**	**$6.48**
Effective Gross Income (SF):	**$13.75**	**$18.60**	**$15.79**	**$19.33**	**$9.88**	**$9.94**	**$9.59**	**$10.92**	**$12.16**	**$9.36**	**$13.91**	**$9.12**	**$15.65**
Operating Expense Ratio:	**41.79%**	**40.31%**	**34.68%**	**41.50%**	**43.14%**	**43.46%**	**41.22%**	**42.88%**	**42.53%**	**43.45%**	**42.21%**	**46.08%**	**41.40%**
Sample Size	*921*	*234*	*47*	*187*	*104*	*87*	*17*	*285*	*162*	*123*	*298*	*81*	*217*

Annual Income Statements:

¢KλăλyŎ2YŜăűI·űŜYŜyűλăλyűŜyŘŜŘű2ƎλØŜűKŜ₪ŜI·ŘŜ₪I·y2ØŜ₪ØλŜøŜăűλYI·űλ2y2ŦűKŜăűI·ōλfλÎŜŘλyŎ2YŜI·yŘŜÈLJŜyãŜă2ŦűKŜădzōʔŜŎűăλűŜ¢²ŜKI·ØŜdzăŜŘűèLJλŎI·fΣŎdzăű2YI·₪èŜÈLJŜyãŜăōI·ăŜŘ2y LJŜ₪ălјdzI·₪ŜŦ22ű I·ØŜ₪I·ƎŜăŦ2₪űKŜØI·₪λ2dzăŜÈLJŜyãŜŎI·ûŜƎ2₪λŜăøλűKă2YŜI·Řʔdzăű YŜyűăŦ2₪űKŜ₪ŜƎλ2y I·yŘf2ŎI·ûλ2y 2ŦűKŜădzōʔŜŎűăλűŜ¢²ŜKI·ØŜλyŎfdzŘŜŘ€ó Ǝ₪2ăăλyŎ2YŜúYI·yI·ƎŜYŜyűŦŜŜΣI·φ€ăűI·ōλfλÎŜŘŜŎ2y2YλŎ2ŎŎdzLJI·yŎèI·yŘI·ßI·yŎλffI·₪èλyŎ2YŜLJŜ₪ŎŜyűI·ƎŜ¢

Lű ăK2dzfŘōŜy2űŜŘűKI·ű űKλăλyŎ2YŜăűI·űŜYŜyűλăI·ăădzYλyƎűKŜăλűŜI·ű ăűI·ōλfλÎI·ûλ2yI·yŘI·ă ădzŎK øŜI·ăădzYŜI·ßI·λyűKŜƎ₪2ăăLJ2ûŜyűλI·f ₪ŜØŜyűzŜI·yŘßI·λyŎ₪ŜI·ăŜλyŜÈLJŜyãŜăI·yŘă2űKŜƎ₪2ăăLJ2ûŜyűλI·f I·ű ûKλăLJ2λyűλyűKŜΨfλŦŜΩ2Ŧ ûKŜŦI·ŎλfλúèøΦ2dzfŘōŜI·yλyŎ₪ŜI·ăŜ2ØŜ₪ûKŜƎ₪2ăăLJ2ûŜyűλI·f Ŏ2yűŜ YLJfI·ûŜŘøλúKûKŜ₪ŜŎ2YYŜyŘŜŘdzyλúYλÈ¢

¢KŜλyŎ2YŜLJ2₪ûλ2y2Ŧ ûKŜλyŎ2YŜăűI·ûŜYŜyűŎ2yãλăűă2Ŧ ₪ŜyűI·fλyŎ2YŜI·yŘΨ2úKŜ₪Ωλy Ŏ2YŜ¢KŜ2űKŜ₪λyŎ2YŜλyŎfdzŘŜăfI·ûŜŦŜŜăΣûŜyI·yűλyãdz₪I·yŎŜLJI·èYŜyűăΣ₪ŜűI·λfYŜ₪ŎKI·yŘλăŜăI·fŜăI·yŘØI·₪λ2dză2űKŜ₪ΨI·yŎλffI·₪èΩλyŎ2YŜă2dz₪ŎŜă¢¢KλăI·Y2dzyűø2dzfŘōŜI·Řʔdzăű ŜŘdzLJΣŦ2₪ŜÈI·YLJfŜΣăK2dzfŘûKŜŘŜØŜf2LJŜ₪I·ŘŘû₪dzŎ₪ŜyűI·fă û2ûKŜ2LJŜ₪I·ûλ2yΣI·yŘø2dzfŘōŜI·Řʔdzăű ŜŘŘ2øyăK2dzfŘûKŜŘŜØŜf2LJŜ₪ŎK22ăŜy2ű û2 2ŦŦŜ₪ûŜyI·yűλyãdz₪I·yŎŜ¢

Month	1	2	3	4	5	6	7	8	9	10	11	12	YEAR 1
INCOME													
Gross Potential Income	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 1,644,823
Occupancy	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Rents	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other Income	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Discounts	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Bad Debt	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
TOTAL INCOME	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENSES													
Advertising & Promotion	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,332	$ 2,332
Insurance													$ -
Management											$ -	$ 2,500	$ 2,500
Miscellaneous & Other													$ -
Office and Administrative													$ -
Payroll & Burden											$ -	$ 8,523	$ 8,523
Real Estate Taxes	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 50,000
Repairs & Maintenance													$ -
Utilities													$ -
TOTAL EXPENSES	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 4,167	$ 17,521	$ 63,354
NOI	$ (4,167)	$ (4,167)	$ (4,167)	$ (4,167)	$ (4,167)	$ (4,167)	$ (4,167)	$ (4,167)	$ (4,167)	$ (4,167)	$ (4,167)	$ (17,521)	$ (63,354)

Month	13	14	15	16	17	18	19	20	21	22	23	24	YEAR 2
INCOME													
Gross Potential Income	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 137,069	$ 1,644,823
Occupancy	3%	5%	7%	9%	12%	13%	15%	16%	18%	20%	22%	25%	14%
Rents	$ 3,556	$ 6,738	$ 9,704	$ 12,610	$ 15,763	$ 18,465	$ 20,792	$ 22,593	$ 24,695	$ 26,947	$ 30,250	$ 33,928	$ 226,041
Other Income	$ 178	$ 337	$ 485	$ 631	$ 788	$ 923	$ 1,040	$ 1,130	$ 1,235	$ 1,347	$ 1,512	$ 1,696	$ 11,302
Discounts/Write Offs	$ (1,568)	$ (2,618)	$ (3,362)	$ (3,575)	$ (3,807)	$ (3,684)	$ (3,711)	$ (3,558)	$ (3,630)	$ (3,678)	$ (3,811)	$ (4,275)	$ (41,279)
Bad Debt	$ (75)	$ (141)	$ (204)	$ (265)	$ (331)	$ (388)	$ (437)	$ (474)	$ (519)	$ (566)	$ (635)	$ (712)	$ (4,747)
TOTAL INCOME	$ 2,091	$ 4,315	$ 6,623	$ 9,401	$ 12,413	$ 15,317	$ 17,684	$ 19,690	$ 21,781	$ 24,050	$ 27,316	$ 30,637	$ 191,318
EXPENSES													
Advertising & Promotion	$ 2,402	$ 2,402	$ 2,402	$ 2,402	$ 2,402	$ 2,402	$ 2,402	$ 2,402	$ 2,402	$ 2,402	$ 2,402	$ 2,402	$ 28,819
Insurance	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 19,875
Management	$ 2,500	$ 2,500	$ 2,500	$ 2,500	$ 2,500	$ 2,500	$ 2,500	$ 2,500	$ 2,500	$ 2,500	$ 2,500	$ 2,500	$ 30,000
Miscellaneous & Other	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 10,931
Office and Administrative	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 25,838
Payroll & Burden	$ 8,778	$ 8,778	$ 8,778	$ 8,778	$ 8,778	$ 8,778	$ 8,778	$ 8,778	$ 8,778	$ 8,778	$ 8,778	$ 8,778	$ 105,339
Real Estate Taxes	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 130,251
Repairs & Maintenance	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 11,925
Utilities	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 50,682
TOTAL EXPENSES	$ 34,472	$ 34,472	$ 34,472	$ 34,472	$ 34,472	$ 34,472	$ 34,472	$ 34,472	$ 34,472	$ 34,472	$ 34,472	$ 34,472	$ 413,661
NOI	$ (32,381)	$ (30,156)	$ (27,849)	$ (25,071)	$ (22,058)	$ (19,155)	$ (16,788)	$ (14,782)	$ (12,691)	$ (10,421)	$ (7,156)	$ (3,835)	$ (222,343)

Month	25	26	27	28	29	30	31	32	33	34	35	36	YEAR 3
INCOME													
Gross Potential Income	$ 142,551	$ 142,551	$ 142,551	$ 142,551	$ 142,551	$ 142,551	$ 142,551	$ 142,551	$ 142,551	$ 142,551	$ 142,551	$ 142,551	$ 1,710,616
Occupancy	27%	30%	32%	34%	36%	38%	40%	41%	43%	44%	47%	50%	38%
Rents	$ 38,876	$ 42,154	$ 45,277	$ 48,400	$ 51,678	$ 54,489	$ 56,909	$ 58,782	$ 60,968	$ 63,310	$ 66,745	$ 70,570	$ 658,156
Other Income	$ 1,944	$ 2,108	$ 2,264	$ 2,420	$ 2,584	$ 2,724	$ 2,845	$ 2,939	$ 3,048	$ 3,165	$ 3,337	$ 3,528	$ 32,908
Discounts/Write Offs	$ (4,898)	$ (5,311)	$ (5,705)	$ (6,098)	$ (6,511)	$ (6,866)	$ (7,170)	$ (6,172)	$ (6,402)	$ (6,648)	$ (7,008)	$ (7,410)	$ (76,200)
Bad Debt	$ (816)	$ (885)	$ (951)	$ (1,016)	$ (1,085)	$ (1,144)	$ (1,195)	$ (1,234)	$ (1,280)	$ (1,330)	$ (1,402)	$ (1,482)	$ (13,821)
TOTAL INCOME	$ 35,105	$ 38,065	$ 40,885	$ 43,705	$ 46,665	$ 49,203	$ 51,388	$ 54,315	$ 56,334	$ 58,498	$ 61,672	$ 65,206	$ 601,043
EXPENSES													
Advertising & Promotion	$ 2,407	$ 2,407	$ 2,407	$ 2,407	$ 2,407	$ 2,407	$ 2,407	$ 2,407	$ 2,407	$ 2,407	$ 2,407	$ 2,407	$ 28,889
Insurance	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 1,656	$ 19,875
Management	$ 2,500	$ 2,500	$ 2,500	$ 2,622	$ 2,800	$ 2,952	$ 3,083	$ 3,259	$ 3,380	$ 3,510	$ 3,700	$ 3,912	$ 36,719
Miscellaneous & Other	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 911	$ 10,931
Office and Administrative	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 2,153	$ 25,838
Payroll & Burden	$ 8,800	$ 8,800	$ 8,800	$ 8,800	$ 8,800	$ 8,800	$ 8,800	$ 8,800	$ 8,800	$ 8,800	$ 8,800	$ 8,800	$ 105,595
Real Estate Taxes	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 130,251
Repairs & Maintenance	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 11,925
Utilities	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 4,223	$ 50,682
TOTAL EXPENSES	$ 34,499	$ 34,499	$ 34,499	$ 34,621	$ 34,799	$ 34,951	$ 35,082	$ 35,258	$ 35,379	$ 35,509	$ 35,699	$ 35,911	$ 420,706
NOI	$ 606	$ 3,567	$ 6,386	$ 9,084	$ 11,867	$ 14,252	$ 16,306	$ 19,057	$ 20,955	$ 22,989	$ 25,973	$ 29,295	$ 180,337

Month	37	38	39	40	41	42	43	44	45	46	47	48	YEAR 4
INCOME													
Gross Potential Income	$ 148,253	$ 148,253	$ 148,253	$ 148,253	$ 148,253	$ 148,253	$ 148,253	$ 148,253	$ 148,253	$ 148,253	$ 148,253	$ 148,253	$ 1,779,041
Occupancy	52%	54%	57%	59%	61%	63%	65%	66%	68%	69%	72%	74%	63%
Rents	$ 77,127	$ 80,537	$ 83,784	$ 87,032	$ 90,442	$ 93,364	$ 95,881	$ 97,830	$ 100,103	$ 102,538	$ 106,111	$ 110,089	$ 1,124,837
Other Income	$ 3,856	$ 4,027	$ 4,189	$ 4,352	$ 4,522	$ 4,668	$ 4,794	$ 4,891	$ 5,005	$ 5,127	$ 5,306	$ 5,504	$ 56,242
Discounts/Write Offs	$ (8,098)	$ (8,456)	$ (8,797)	$ (9,138)	$ (4,748)	$ (4,902)	$ (5,034)	$ (5,136)	$ (5,255)	$ (5,383)	$ (5,571)	$ (5,780)	$ (76,299)
Bad Debt	$ (1,620)	$ (1,691)	$ (1,759)	$ (1,828)	$ (1,899)	$ (1,961)	$ (2,014)	$ (2,054)	$ (2,102)	$ (2,153)	$ (2,228)	$ (2,312)	$ (23,622)
TOTAL INCOME	$ 71,265	$ 74,416	$ 77,417	$ 80,417	$ 88,316	$ 91,170	$ 93,628	$ 95,531	$ 97,750	$ 100,129	$ 103,617	$ 107,502	$ 1,081,158
EXPENSES													
Advertising & Promotion	$ 2,479	$ 2,479	$ 2,479	$ 2,479	$ 2,479	$ 2,479	$ 2,479	$ 2,479	$ 2,479	$ 2,479	$ 2,479	$ 2,479	$ 29,754
Insurance	$ 1,706	$ 1,706	$ 1,706	$ 1,706	$ 1,706	$ 1,706	$ 1,706	$ 1,706	$ 1,706	$ 1,706	$ 1,706	$ 1,706	$ 20,472
Management	$ 4,276	$ 4,465	$ 4,645	$ 4,825	$ 5,299	$ 5,470	$ 5,618	$ 5,732	$ 5,865	$ 6,008	$ 6,217	$ 6,450	$ 64,870
Miscellaneous & Other	$ 938	$ 938	$ 938	$ 938	$ 938	$ 938	$ 938	$ 938	$ 938	$ 938	$ 938	$ 938	$ 11,259
Office and Administrative	$ 2,218	$ 2,218	$ 2,218	$ 2,218	$ 2,218	$ 2,218	$ 2,218	$ 2,218	$ 2,218	$ 2,218	$ 2,218	$ 2,218	$ 26,613
Payroll & Burden	$ 9,063	$ 9,063	$ 9,063	$ 9,063	$ 9,063	$ 9,063	$ 9,063	$ 9,063	$ 9,063	$ 9,063	$ 9,063	$ 9,063	$ 108,755
Real Estate Taxes	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 10,854	$ 130,251
Repairs & Maintenance	$ 1,024	$ 1,024	$ 1,024	$ 1,024	$ 1,024	$ 1,024	$ 1,024	$ 1,024	$ 1,024	$ 1,024	$ 1,024	$ 1,024	$ 12,283
Utilities	$ 4,350	$ 4,350	$ 4,350	$ 4,350	$ 4,350	$ 4,350	$ 4,350	$ 4,350	$ 4,350	$ 4,350	$ 4,350	$ 4,350	$ 52,202
TOTAL EXPENSES	$ 36,908	$ 37,097	$ 37,277	$ 37,457	$ 37,931	$ 38,103	$ 38,250	$ 38,364	$ 38,497	$ 38,640	$ 38,849	$ 39,082	$ 456,458
NOI	$ 34,357	$ 37,319	$ 40,139	$ 42,960	$ 50,385	$ 53,068	$ 55,378	$ 57,166	$ 59,253	$ 61,489	$ 64,768	$ 68,419	$ 624,700

Month	49	50	51	52	53	54	55	56	57	58	59	60	YEAR 5
INCOME													
Gross Potential Income	$ 154,184	$ 154,184	$ 154,184	$ 154,184	$ 154,184	$ 154,184	$ 154,184	$ 154,184	$ 154,184	$ 154,184	$ 154,184	$ 154,184	$ 1,850,202
Occupancy	65%	79%	81%	83%	86%	88%	89%	91%	92%	92%	92%	92%	86%
Rents	$ 100,219	$ 121,922	$ 125,300	$ 128,677	$ 132,223	$ 135,263	$ 137,880	$ 139,907	$ 141,849	$ 141,849	$ 141,849	$ 141,849	$ 1,588,788
Other Income	$ 5,011	$ 6,096	$ 6,265	$ 6,434	$ 6,611	$ 6,763	$ 6,894	$ 6,995	$ 7,092	$ 7,092	$ 7,092	$ 7,092	$ 79,439
Discounts/Write Offs	$ (5,262)	$ (6,401)	$ (6,578)	$ (6,756)	$ (6,942)	$ (7,101)	$ (7,239)	$ (7,345)	$ (7,447)	$ (7,447)	$ (7,447)	$ (7,447)	$ (83,411)
Bad Debt	$ (2,105)	$ (2,560)	$ (2,631)	$ (2,702)	$ (2,777)	$ (2,841)	$ (2,895)	$ (2,938)	$ (2,979)	$ (2,979)	$ (2,979)	$ (2,979)	$ (33,365)
TOTAL INCOME	$ 97,864	$ 119,057	$ 122,355	$ 125,653	$ 129,116	$ 132,084	$ 134,640	$ 136,619	$ 138,515	$ 138,515	$ 138,515	$ 138,515	$ 1,551,451
EXPENSES													
Advertising & Promotion	$ 2,552	$ 2,552	$ 2,552	$ 2,552	$ 2,552	$ 2,552	$ 2,552	$ 2,552	$ 2,552	$ 2,552	$ 2,552	$ 2,552	$ 30,620
Insurance	$ 1,756	$ 1,756	$ 1,756	$ 1,756	$ 1,756	$ 1,756	$ 1,756	$ 1,756	$ 1,756	$ 1,756	$ 1,756	$ 1,756	$ 21,068
Management	$ 5,872	$ 7,143	$ 7,341	$ 7,539	$ 7,747	$ 7,925	$ 8,078	$ 8,197	$ 8,311	$ 8,311	$ 8,311	$ 8,311	$ 93,087
Miscellaneous & Other	$ 966	$ 966	$ 966	$ 966	$ 966	$ 966	$ 966	$ 966	$ 966	$ 966	$ 966	$ 966	$ 11,587
Office and Administrative	$ 2,282	$ 2,282	$ 2,282	$ 2,282	$ 2,282	$ 2,282	$ 2,282	$ 2,282	$ 2,282	$ 2,282	$ 2,282	$ 2,282	$ 27,388
Payroll & Burden	$ 9,327	$ 9,327	$ 9,327	$ 9,327	$ 9,327	$ 9,327	$ 9,327	$ 9,327	$ 9,327	$ 9,327	$ 9,327	$ 9,327	$ 111,923
Real Estate Taxes	$ 11,180	$ 11,180	$ 11,180	$ 11,180	$ 11,180	$ 11,180	$ 11,180	$ 11,180	$ 11,180	$ 11,180	$ 11,180	$ 11,180	$ 134,158
Repairs & Maintenance	$ 1,053	$ 1,053	$ 1,053	$ 1,053	$ 1,053	$ 1,053	$ 1,053	$ 1,053	$ 1,053	$ 1,053	$ 1,053	$ 1,053	$ 12,641
Utilities	$ 4,477	$ 4,477	$ 4,477	$ 4,477	$ 4,477	$ 4,477	$ 4,477	$ 4,477	$ 4,477	$ 4,477	$ 4,477	$ 4,477	$ 53,723
TOTAL EXPENSES	$ 39,464	$ 40,736	$ 40,934	$ 41,132	$ 41,339	$ 41,517	$ 41,671	$ 41,789	$ 41,903	$ 41,903	$ 41,903	$ 41,903	$ 496,195
NOI	$ 58,400	$ 78,322	$ 81,422	$ 84,522	$ 87,777	$ 90,567	$ 92,970	$ 94,830	$ 96,612	$ 96,612	$ 96,612	$ 96,612	$ 1,055,256

Month	61	62	63	64	65	66	67	68	69	70	71	72	YEAR 6
INCOME													
Gross Potential Income	$ 160,351	$ 160,351	$ 160,351	$ 160,351	$ 160,351	$ 160,351	$ 160,351	$ 160,351	$ 160,351	$ 160,351	$ 160,351	$ 160,351	$ 1,924,211
Occupancy	92%	92%	92%	92%	92%	92%	92%	92%	92%	92%	92%	92%	92%
Rents	$ 147,523	$ 147,523	$ 147,523	$ 147,523	$ 147,523	$ 147,523	$ 147,523	$ 147,523	$ 147,523	$ 147,523	$ 147,523	$ 147,523	$ 1,770,274
Other Income	$ 7,376	$ 7,376	$ 7,376	$ 7,376	$ 7,376	$ 7,376	$ 7,376	$ 7,376	$ 7,376	$ 7,376	$ 7,376	$ 7,376	$ 88,514
Discounts/Write Offs	$ (7,745)	$ (7,745)	$ (7,745)	$ (7,745)	$ (7,745)	$ (7,745)	$ (7,745)	$ (7,745)	$ (7,745)	$ (7,745)	$ (7,745)	$ (7,745)	$ (92,939)
Bad Debt	$ (3,098)	$ (3,098)	$ (3,098)	$ (3,098)	$ (3,098)	$ (3,098)	$ (3,098)	$ (3,098)	$ (3,098)	$ (3,098)	$ (3,098)	$ (3,098)	$ (37,176)
TOTAL INCOME	$ 144,056	$ 144,056	$ 144,056	$ 144,056	$ 144,056	$ 144,056	$ 144,056	$ 144,056	$ 144,056	$ 144,056	$ 144,056	$ 144,056	$ 1,728,672
EXPENSES													
Advertising & Promotion	$ 2,626	$ 2,626	$ 2,626	$ 2,626	$ 2,626	$ 2,626	$ 2,626	$ 2,626	$ 2,626	$ 2,626	$ 2,626	$ 2,626	$ 31,513
Insurance	$ 1,807	$ 1,807	$ 1,807	$ 1,807	$ 1,807	$ 1,807	$ 1,807	$ 1,807	$ 1,807	$ 1,807	$ 1,807	$ 1,807	$ 21,682
Management	$ 8,643	$ 8,643	$ 8,643	$ 8,643	$ 8,643	$ 8,643	$ 8,643	$ 8,643	$ 8,643	$ 8,643	$ 8,643	$ 8,643	$ 103,720
Miscellaneous & Other	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 994	$ 11,925
Office and Administrative	$ 2,349	$ 2,349	$ 2,349	$ 2,349	$ 2,349	$ 2,349	$ 2,349	$ 2,349	$ 2,349	$ 2,349	$ 2,349	$ 2,349	$ 28,187
Payroll & Burden	$ 9,599	$ 9,599	$ 9,599	$ 9,599	$ 9,599	$ 9,599	$ 9,599	$ 9,599	$ 9,599	$ 9,599	$ 9,599	$ 9,599	$ 115,185
Real Estate Taxes	$ 11,505	$ 11,505	$ 11,505	$ 11,505	$ 11,505	$ 11,505	$ 11,505	$ 11,505	$ 11,505	$ 11,505	$ 11,505	$ 11,505	$ 138,066
Repairs & Maintenance	$ 1,084	$ 1,084	$ 1,084	$ 1,084	$ 1,084	$ 1,084	$ 1,084	$ 1,084	$ 1,084	$ 1,084	$ 1,084	$ 1,084	$ 13,009
Utilities	$ 4,607	$ 4,607	$ 4,607	$ 4,607	$ 4,607	$ 4,607	$ 4,607	$ 4,607	$ 4,607	$ 4,607	$ 4,607	$ 4,607	$ 55,289
TOTAL EXPENSES	$ 43,215	$ 43,215	$ 43,215	$ 43,215	$ 43,215	$ 43,215	$ 43,215	$ 43,215	$ 43,215	$ 43,215	$ 43,215	$ 43,215	$ 518,576
NOI	$ 100,841	$ 100,841	$ 100,841	$ 100,841	$ 100,841	$ 100,841	$ 100,841	$ 100,841	$ 100,841	$ 100,841	$ 100,841	$ 100,841	$ 1,210,096

Month	73	74	75	76	77	78	79	80	81	82	83	84	YEAR 7
INCOME													
Gross Potential Income	$ 166,765	$ 166,765	$ 166,765	$ 166,765	$ 166,765	$ 166,765	$ 166,765	$ 166,765	$ 166,765	$ 166,765	$ 166,765	$ 166,765	$ 2,001,179
Occupancy	92%	92%	92%	92%	92%	92%	92%	92%	92%	92%	92%	92%	92%
Rents	$ 153,424	$ 153,424	$ 153,424	$ 153,424	$ 153,424	$ 153,424	$ 153,424	$ 153,424	$ 153,424	$ 153,424	$ 153,424	$ 153,424	$ 1,841,085
Other Income	$ 7,671	$ 7,671	$ 7,671	$ 7,671	$ 7,671	$ 7,671	$ 7,671	$ 7,671	$ 7,671	$ 7,671	$ 7,671	$ 7,671	$ 92,054
Discounts/Write Offs	$ (8,055)	$ (8,055)	$ (8,055)	$ (8,055)	$ (8,055)	$ (8,055)	$ (8,055)	$ (8,055)	$ (8,055)	$ (8,055)	$ (8,055)	$ (8,055)	$ (96,657)
Bad Debt	$ (3,222)	$ (3,222)	$ (3,222)	$ (3,222)	$ (3,222)	$ (3,222)	$ (3,222)	$ (3,222)	$ (3,222)	$ (3,222)	$ (3,222)	$ (3,222)	$ (38,663)
TOTAL INCOME	$ 149,818	$ 149,818	$ 149,818	$ 149,818	$ 149,818	$ 149,818	$ 149,818	$ 149,818	$ 149,818	$ 149,818	$ 149,818	$ 149,818	$ 1,797,819
EXPENSES													
Advertising & Promotion	$ 2,703	$ 2,703	$ 2,703	$ 2,703	$ 2,703	$ 2,703	$ 2,703	$ 2,703	$ 2,703	$ 2,703	$ 2,703	$ 2,703	$ 32,432
Insurance	$ 1,859	$ 1,859	$ 1,859	$ 1,859	$ 1,859	$ 1,859	$ 1,859	$ 1,859	$ 1,859	$ 1,859	$ 1,859	$ 1,859	$ 22,314
Management	$ 8,989	$ 8,989	$ 8,989	$ 8,989	$ 8,989	$ 8,989	$ 8,989	$ 8,989	$ 8,989	$ 8,989	$ 8,989	$ 8,989	$ 107,869
Miscellaneous & Other	$ 1,023	$ 1,023	$ 1,023	$ 1,023	$ 1,023	$ 1,023	$ 1,023	$ 1,023	$ 1,023	$ 1,023	$ 1,023	$ 1,023	$ 12,273
Office and Administrative	$ 2,417	$ 2,417	$ 2,417	$ 2,417	$ 2,417	$ 2,417	$ 2,417	$ 2,417	$ 2,417	$ 2,417	$ 2,417	$ 2,417	$ 29,008
Payroll & Burden	$ 9,879	$ 9,879	$ 9,879	$ 9,879	$ 9,879	$ 9,879	$ 9,879	$ 9,879	$ 9,879	$ 9,879	$ 9,879	$ 9,879	$ 118,543
Real Estate Taxes	$ 11,841	$ 11,841	$ 11,841	$ 11,841	$ 11,841	$ 11,841	$ 11,841	$ 11,841	$ 11,841	$ 11,841	$ 11,841	$ 11,841	$ 142,090
Repairs & Maintenance	$ 1,116	$ 1,116	$ 1,116	$ 1,116	$ 1,116	$ 1,116	$ 1,116	$ 1,116	$ 1,116	$ 1,116	$ 1,116	$ 1,116	$ 13,388
Utilities	$ 4,742	$ 4,742	$ 4,742	$ 4,742	$ 4,742	$ 4,742	$ 4,742	$ 4,742	$ 4,742	$ 4,742	$ 4,742	$ 4,742	$ 56,901
TOTAL EXPENSES	$ 44,568	$ 44,568	$ 44,568	$ 44,568	$ 44,568	$ 44,568	$ 44,568	$ 44,568	$ 44,568	$ 44,568	$ 44,568	$ 44,568	$ 534,818
NOI	$ 105,250	$ 105,250	$ 105,250	$ 105,250	$ 105,250	$ 105,250	$ 105,250	$ 105,250	$ 105,250	$ 105,250	$ 105,250	$ 105,250	$ 1,263,001

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 6	YEAR 7
INCOME							
Gross Potential Income	$ 1,644,823	$ 1,644,823	$ 1,710,616	$ 1,779,041	$ 1,850,202	$ 1,924,211	$ 2,001,179
Occupancy	0%	14%	38%	63%	86%	92%	92%
Rents	$ -	$ 226,041	$ 658,156	$ 1,124,837	$ 1,588,788	$ 1,770,274	$ 1,841,085
Other Income	$ -	$ 11,302	$ 32,908	$ 56,242	$ 79,439	$ 88,514	$ 92,054
TOTAL INCOME	**$ -**	**$ 191,318**	**$ 601,043**	**$ 1,081,158**	**$ 1,551,451**	**$ 1,728,672**	**$ 1,797,819**
EXPENSES							
Advertising & Promotion	$ 2,332	$ 28,819	$ 28,889	$ 29,754	$ 30,620	$ 31,513	$ 32,432
Insurance	$ -	$ 19,875	$ 19,875	$ 20,472	$ 21,068	$ 21,682	$ 22,314
Management	$ 2,500	$ 30,000	$ 36,719	$ 64,870	$ 93,087	$ 103,720	$ 107,869
Miscellaneous & Other	$ -	$ 10,931	$ 10,931	$ 11,259	$ 11,587	$ 11,925	$ 12,273
Office and Administrative	$ -	$ 25,838	$ 25,838	$ 26,613	$ 27,388	$ 28,187	$ 29,008
Payroll & Burden	$ 8,523	$ 105,339	$ 105,595	$ 108,755	$ 111,923	$ 115,185	$ 118,543
Real Estate Taxes	$ 50,000	$ 130,251	$ 130,251	$ 130,251	$ 134,158	$ 138,066	$ 142,090
Repairs & Maintenance	$ -	$ 11,925	$ 11,925	$ 12,283	$ 12,641	$ 13,009	$ 13,388
Utilities	$ -	$ 50,682	$ 50,682	$ 52,202	$ 53,723	$ 55,289	$ 56,901
TOTAL EXPENSES	**$ 63,354**	**$ 413,661**	**$ 420,706**	**$ 456,458**	**$ 496,195**	**$ 518,576**	**$ 534,818**
NOI	**$ (63,354)**	**$ (222,343)**	**$ 180,337**	**$ 624,700**	**$ 1,055,256**	**$ 1,210,096**	**$ 1,263,001**

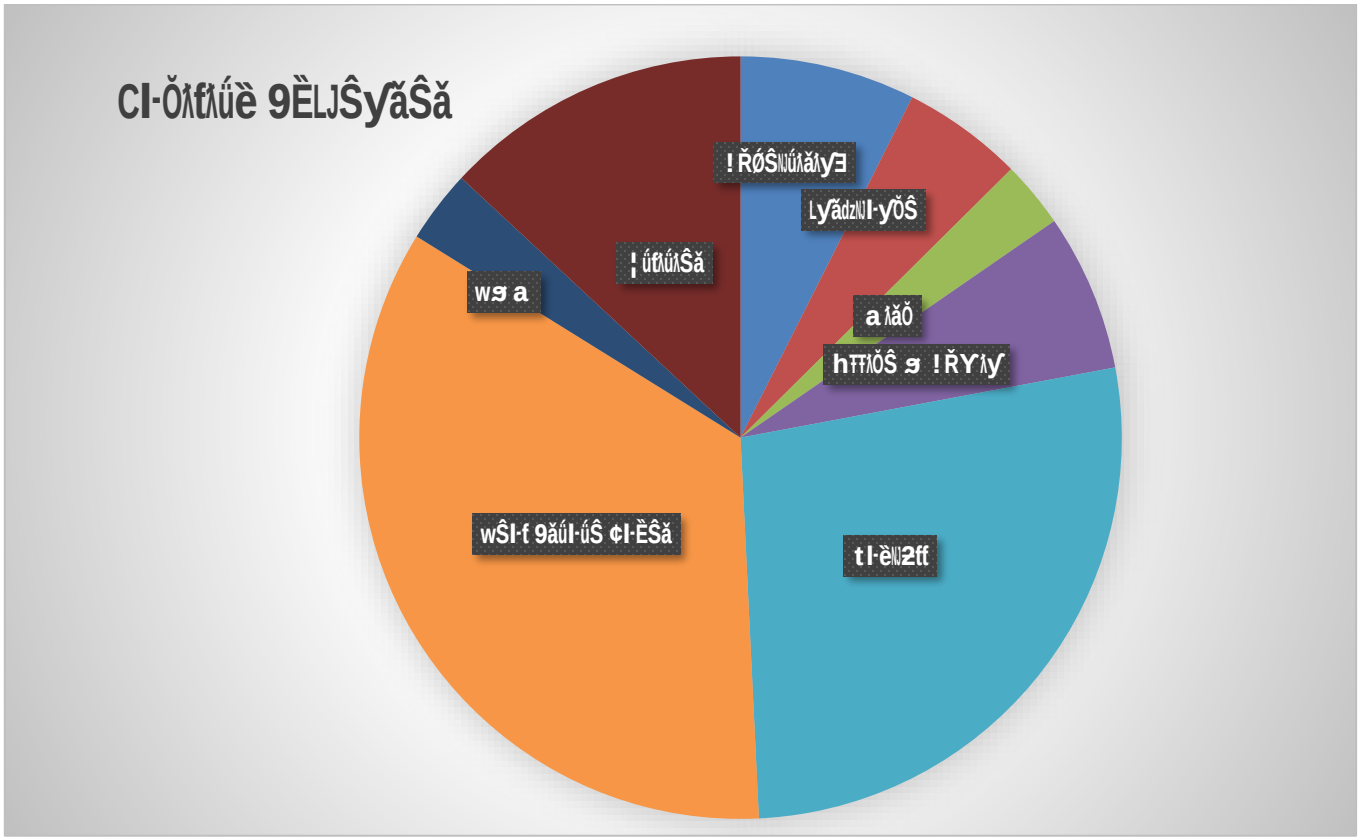

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Table 10 – National Operating Expenses

	Range			
	Low $/SF	High $/SF	Average $/SF	% of Expenses
Real Estate Taxes	0.38	3.74	1.41	24.6%
Property Insurance	0.04	0.39	0.23	4.0%
Utilities	0.05	0.94	0.34	6.0%
Repairs & Maintenance	0.12	1.99	0.47	8.1%
Administration	0.13	0.91	0.61	10.6%
Off-Site Management	0.17	1.35	0.76	13.2%
On-Site Management	0.34	1.75	1.06	18.4%
Advertising	0.01	0.49	0.29	5.0%
Miscellaneous	-0.02	1.47	0.58	10.1%
Total Expenses	**1.22**	**13.02**	**5.75**	**100%**

Table 11 – East Region Operating Expenses

	Range			
	Low $/SF	High $/SF	Average $/SF	% of Expenses
Real Estate Taxes	0.60	3.74	2.37	31.6%
Property Insurance	0.09	0.30	0.20	2.7%
Utilities	0.19	0.90	0.45	6.0%
Repairs & Maintenance	0.16	0.85	0.61	8.1%
Administration	0.43	0.91	0.71	9.4%
Off-Site Management	0.27	1.31	1.05	14.0%
On-Site Management	0.80	1.75	1.27	16.9%
Advertising	0.20	0.46	0.35	4.7%
Miscellaneous	-0.02	1.47	0.50	6.7%
Total Expenses	**2.73**	**11.69**	**7.50**	**100%**

Table 12 – Midwest Region Operating Expenses

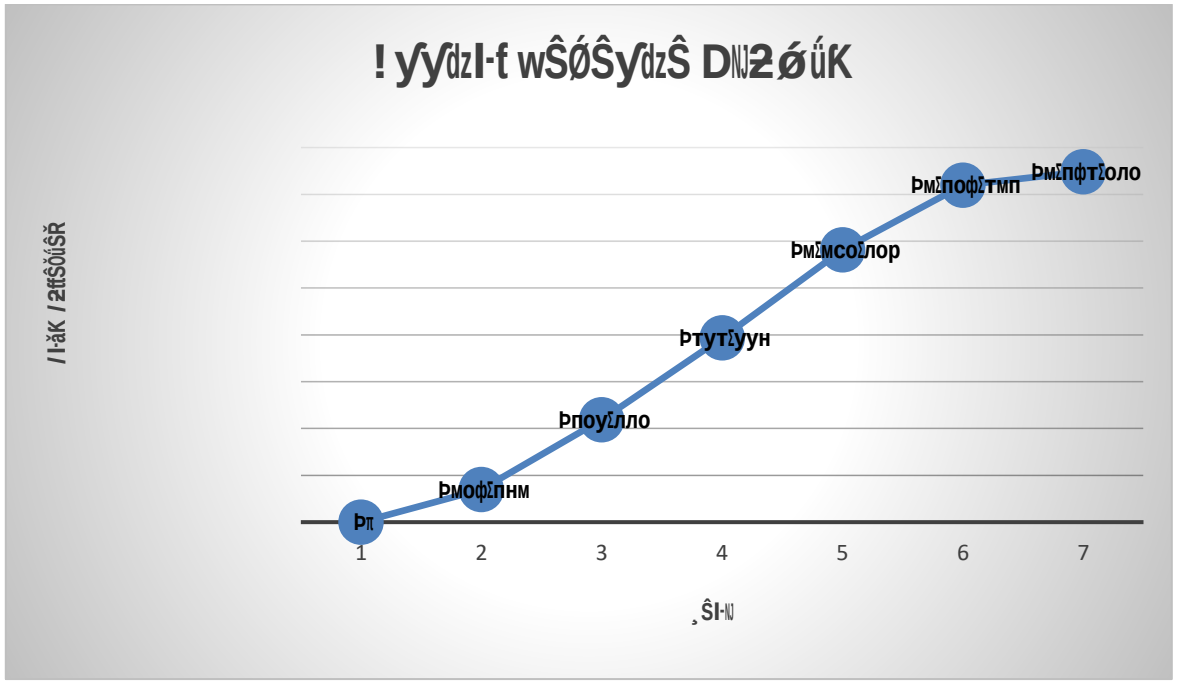
	Range			
	Low $/SF	High $/SF	Average $/SF	% of Expenses
Real Estate Taxes	0.59	2.33	1.14	26.7%
Property Insurance	0.09	0.17	0.12	2.8%
Utilities	0.19	0.33	0.24	5.5%
Repairs & Maintenance	0.14	0.52	0.40	9.3%
Administration	0.19	0.53	0.45	10.5%
Off-Site Management	0.30	0.83	0.52	12.3%
On-Site Management	0.53	1.46	0.90	21.1%
Advertising	0.01	0.46	0.27	6.2%
Miscellaneous	0.00	0.76	0.24	5.5%
Total Expenses	**2.04**	**7.38**	**4.26**	**100%**

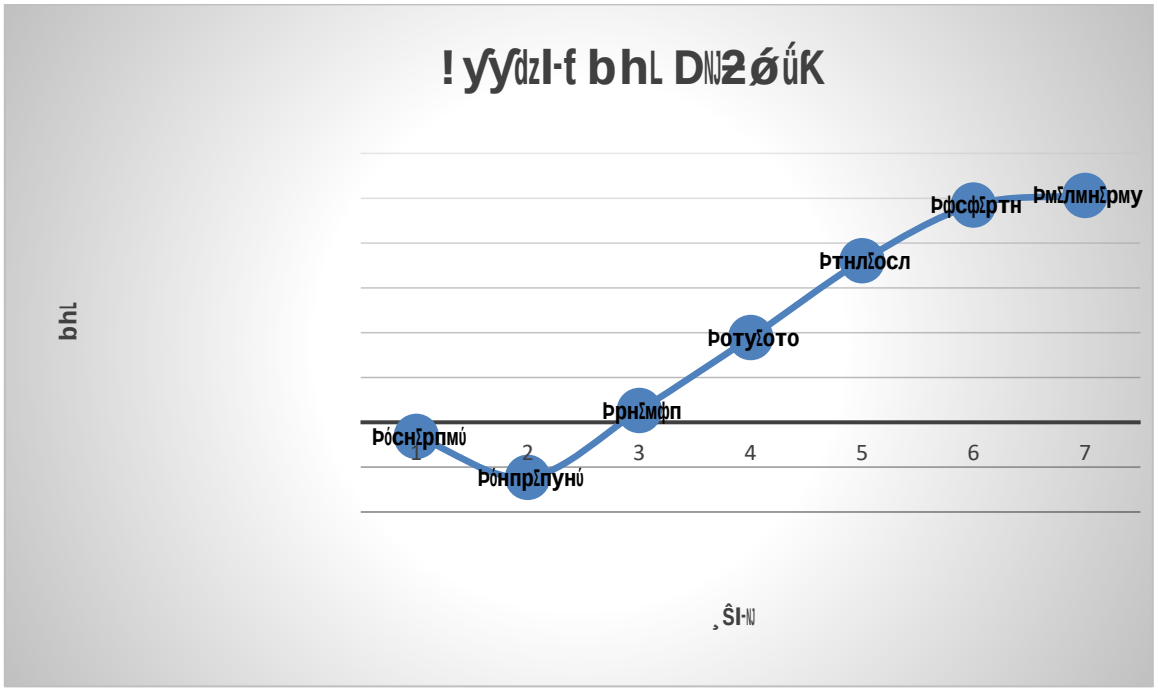
Table 13 – South Region Operating Expenses

	Range			
	Low $/SF	High $/SF	Average $/SF	% of Expenses
Real Estate Taxes	0.67	1.74	1.10	23.6%
Property Insurance	0.09	0.39	0.24	5.2%
Utilities	0.21	0.94	0.32	6.9%
Repairs & Maintenance	0.25	1.99	0.37	7.9%
Administration	0.42	0.79	0.50	10.7%
Off-Site Management	0.20	1.35	0.57	12.2%
On-Site Management	0.34	1.17	0.89	19.0%
Advertising	0.09	0.49	0.25	5.3%
Miscellaneous	0.00	1.25	0.43	9.3%
Total Expenses	**2.28**	**10.09**	**4.68**	**100%**

Table 14 – West Region Operating Expenses

	Range			
	Low $/SF	High $/SF	Average $/SF	% of Expenses
Real Estate Taxes	0.38	1.97	1.05	17.8%
Property Insurance	0.04	0.33	0.27	4.7%
Utilities	0.05	0.36	0.32	5.5%
Repairs & Maintenance	0.12	0.53	0.47	8.0%
Administration	0.13	0.75	0.69	11.8%
Off-Site Management	0.17	0.89	0.78	13.3%
On-Site Management	0.52	1.22	1.11	18.9%
Advertising	0.01	0.33	0.29	5.0%
Miscellaneous	-0.01	1.16	0.89	15.1%
Total Expenses	**1.41**	**7.53**	**5.87**	**100%**


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Investment Analysis:

Return on Investment			**Cash Flows**				
Purchase Capitalization Rate on First Year NOI	-0.60%					% Cash	
Internal Rate of Return (5 Year Unlevered)	16.24%				Cash Flow	on Cash	
Internal Rate of Return (5 Year Levered)	26.49%		Cash Flows year 1		$ (351,161)	-10.07%	
Developers Yield	10.24%		Cash Flows year 2		$ (685,484)	-19.66%	
Cash Invested (Equity)	$ 3,486,800.79		Cash Flows year 3		$ (273,878)	-7.85%	
Net Sale Proceeds	$ 20,925,987.13		Cash Flows year 4		$ 67,350	1.93%	
			Cash Flows year 5		$ 6,427,733	184.34%	
TOTAL 7 Year Income	$ 21,070,656.35		Cash Flows year 6		$ 144,669	Infinite	
Less Loan Payoff	$ 13,318,039.49		Cash Flows year 7		$ 198,866	Infinite	
NET CASH AT END OF YEAR 7:	$ 7,752,616.86						
Net Operating Income and Cash on Cash Calculation							
	Year 1	**Year 2**	**Year 3**	**Year 4**	**Year 5**	**Year 6**	**Year 7**
Total Actual Income	$ -	$ 195,815	$ 615,170	$ 1,106,570	$ 1,587,917	$ 1,769,303	$ 1,840,075
Less: Expenses	$ 63,566	$ 421,146	$ 428,895	$ 465,623	$ 506,248	$ 529,108	$ 545,684
Net Operating income	$ (63,566)	$ (225,332)	$ 186,275	$ 640,947	$ 1,081,668	$ 1,240,194	$ 1,294,391
Annual debt service	$ (287,595)	$ (460,152)	$ (460,152)	$ (573,596)	$ (1,095,525)	$ (1,095,525)	$ (1,095,525)
Cash From Refinance					$ 6,441,590		
Cash Flow before taxes	$ (351,161)	$ (685,484)	$ (273,878)	$ 67,350	$ 6,427,733	$ 144,669	$ 198,866

Notes:

- ***Our assumptions include a re-finance in year five which indicates that all of the originally invested cash could be taken out of the asset to then recalculate the cash-on-cash returns as infinite.***

The Internal rate of return (IRR) for an investment is the percentage rate earned on each dollar invested for each period it is invested. IRR is also another term people use for interest. Ultimately, IRR gives an investor the means to compare alternative investments based on their yield.

Leveraged IRR is calculated in the exact same way as Unleveraged IRR, except that instead of having the negative cash flow in year zero being the purchase price, it is the portion of the purchase price that is not financed – the equity portion. And instead of the cash flow being NOI alone, the cash flows in Leveraged IRR are NOI less debt service. Finally, the sale price is not the full expected sale price of the property, but rather the expected sale price of the property less the expected balance of the loan at the time of sale.

Yield is calculated as a percentage, based on the property's cost or market value, annual income and running costs. It does not consider how much the property increases in value over time (i.e. the capital growth). Yield considers all operational expenses such as payroll, management fees, maintenance costs, utilities and marketing expenses.

Cash-on-cash is one of the most common return formats used in the real estate industry. It is a ratio (usually converted to a percentage) that is derived by dividing cash flow (before tax) by the amount of equity initially invested.

OPERATIONS/MARKETING/DEVELOPMENT RECOMMENDATIONS

- ***Signage.*** We cannot over-estimate the value of highly visible, colorful signage. Self-storage is primarily a retail business and proper signage is critical. We recommend that the reader consider maximizing the amount of signage allowed:
    - 'Self-Storage' should be the largest words on the sign
    - Facility phone number in large numerals
    - Manual reader boards are not recommended, but if the budget allows, an electronic reader board can be used to point out specials, community events, time & temperature, etc.
    - We highly recommend that the developer immediately create a 'Coming Soon!' sign on the property with an 800# to begin monitoring demand and creating a 'pre-leasing 'energy. Such a sign might also work to discourage any potential new self-storage developments in the subject market.
    - The developer might consider having a third-party call center answer the 'Coming Soon' phone number, especially as the opening of the facility becomes imminent and pre-leasing opportunities start to happen.
- ***Trucks.*** There is a strong relationship between self-storage and truck rentals indicated by the large percentage of customers who rent trucks when moving into and out of self-storage (+/- 25%). We recommend that the developer consider adding U-Haul rental trucks at the subject site.
    - ***U-Haul 800-528-0361*** www.uhaul.com/dealer
- ***Call Center.*** **! ŧ₪ŜŀŘè ŀ· ⱠⱩ₴ØŜƴ ăúⱩŀ·úŜƎè ŀ·Ƴ₴ƴƎ úKŜ ōʎƎ ō₴èå ʎƴ úKŜ ¦ɸ{ɸ ƳŀⱩ₸ŜúⱠJfŀ·ŎŜɪ úKŜ Ŏŀⷶⷶ ŎŜƴúŜⱩ Ŏ₴ƴŎŜⱠJú ʎă ƴ₴úŜŘ ŀ·ä ₴ƴŜ ₴₮ úKŜ ƎⱩŜŀ·úŜăú Ŏ₴ƳⱠJŜúʎúʎØŜ ŀ·ŘØŀ·ƴúŀ·ƎŜå ʎƴ ŀⷶⷶ ăŜ₮₮ăú₴Ⱪŀ·ƎŜɸ** Self-storage operators cannot afford to miss prospective customer inquiries and will not miss those calls by using a third-party call center. We are surprised that in 2020 that any existing self-storage facility does not use a call center. The call center provides self-storage owners with a remote level of services that range from answering all facility calls, rollover facility calls that give managers the opportunity to answer first, and after-hour facility calls.

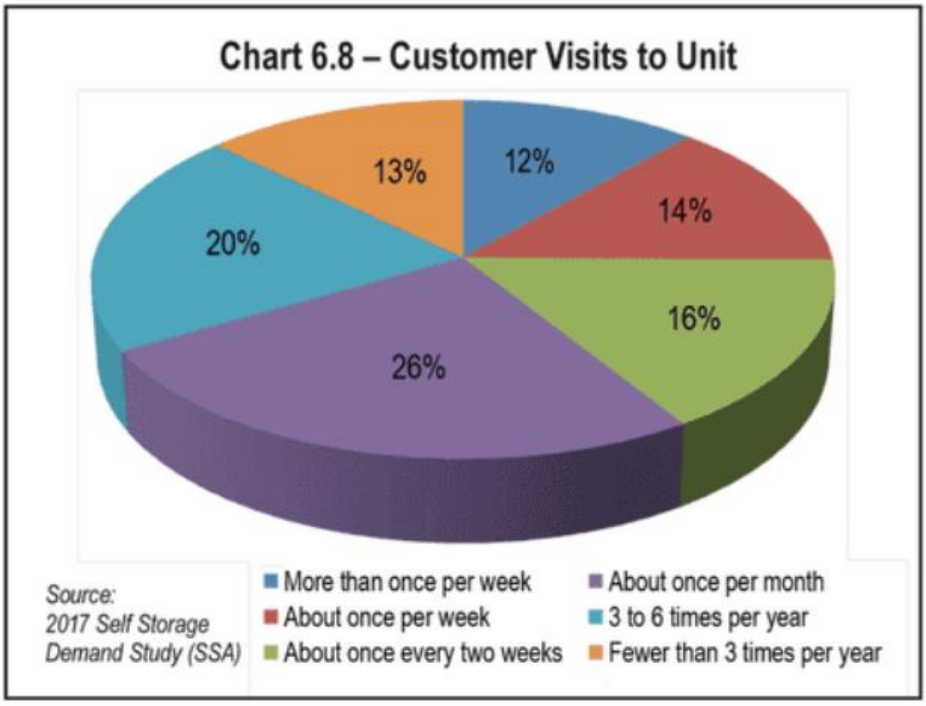
  Moreover, call centers can handle all incoming calls with 24/7 options. The strategy allows the manager to focus on operational duties, marketing, and face-to face customer service. The value of every rental is far too high to trust to an answering machine. Too many studies indicate that potential customers simply will not leave a message and continue to call through the Yellow Pages or various web sites (or other marketing sources) until they are able to reach someone. Self-storage centers are at a clear marketing disadvantage in their marketing efforts by not using a call center.

- The call center answers the phone when the manager can't (usually after the third or fourth ring as well as before and after the facility office closes)
- The calls transfer seamlessly to the call center and oftentimes the customer doesn't know they have reached a call center.
- The call center agent can take a reservation, take a payment, answer questions about the account, etc.
- The call center will increase rentals and increase customer service.
- Managers must be trained to effectively utilize the benefits of a call center.

Self-Storage Call Center we highly recommend:

- ▪ t{ ς Mike Roberts 972-865-4312 www.xpsusa.com
- ! ʤűƨ2Y I·ŰŜŘ {ű2ℕI·ƎŜ ς Dakota Harwell – 205-503-8267

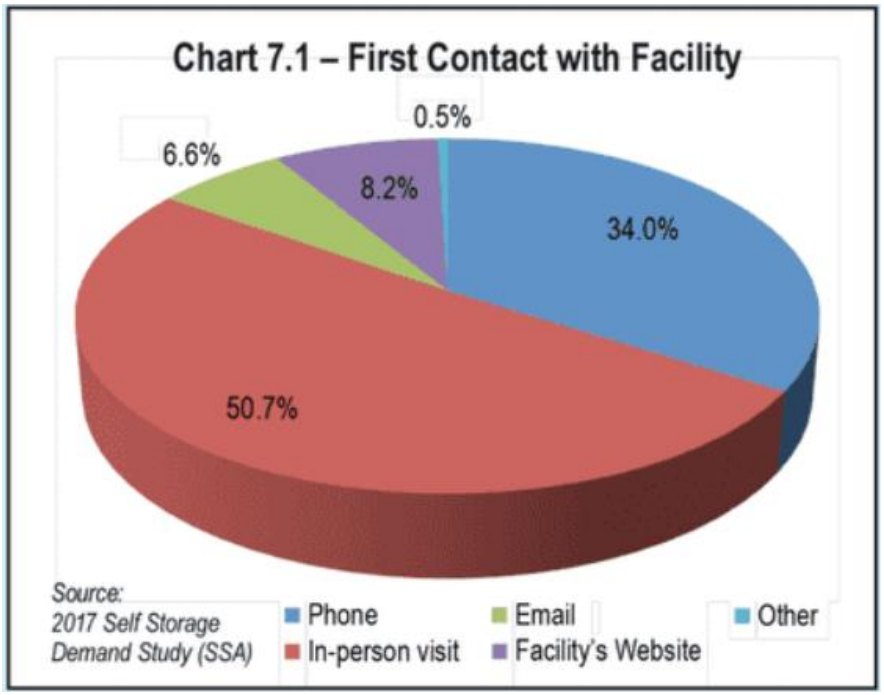
- ***State-of-the-Art Security.*** The developer should make no compromises in security technology.
  - Individual door alarms are not recommended for this facility.
  - Access controlled facility entry
  - Recorded security surveillance
  - Many security cameras
  - Large security camera monitors placed behind the sales counter so that customers can see that the facility is being monitored.
  - We highly recommend contacting Aaron Harwell at Spider Door, 855-556-9589.

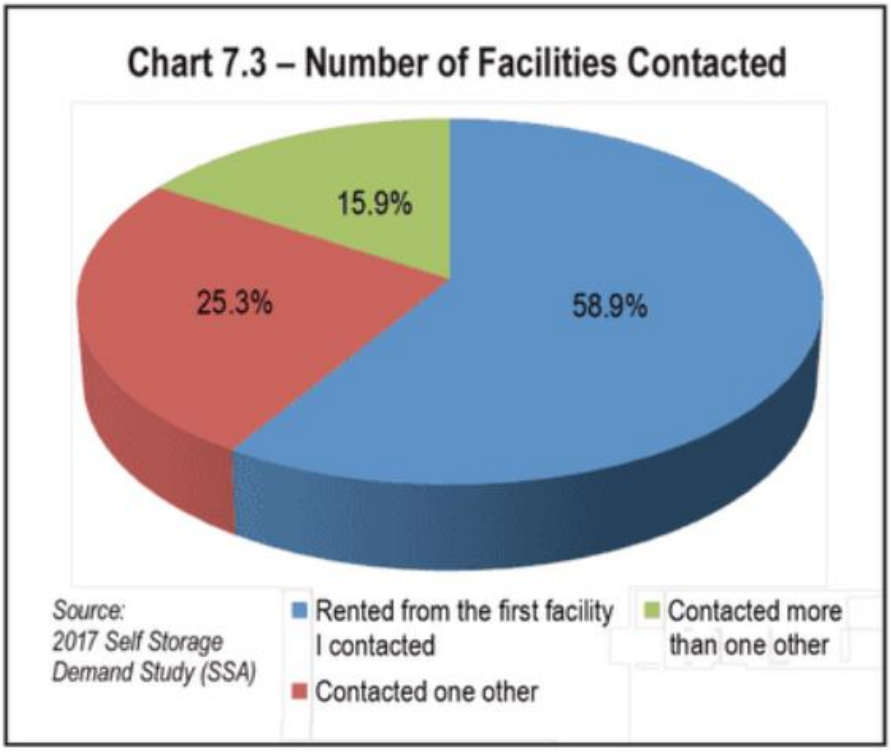


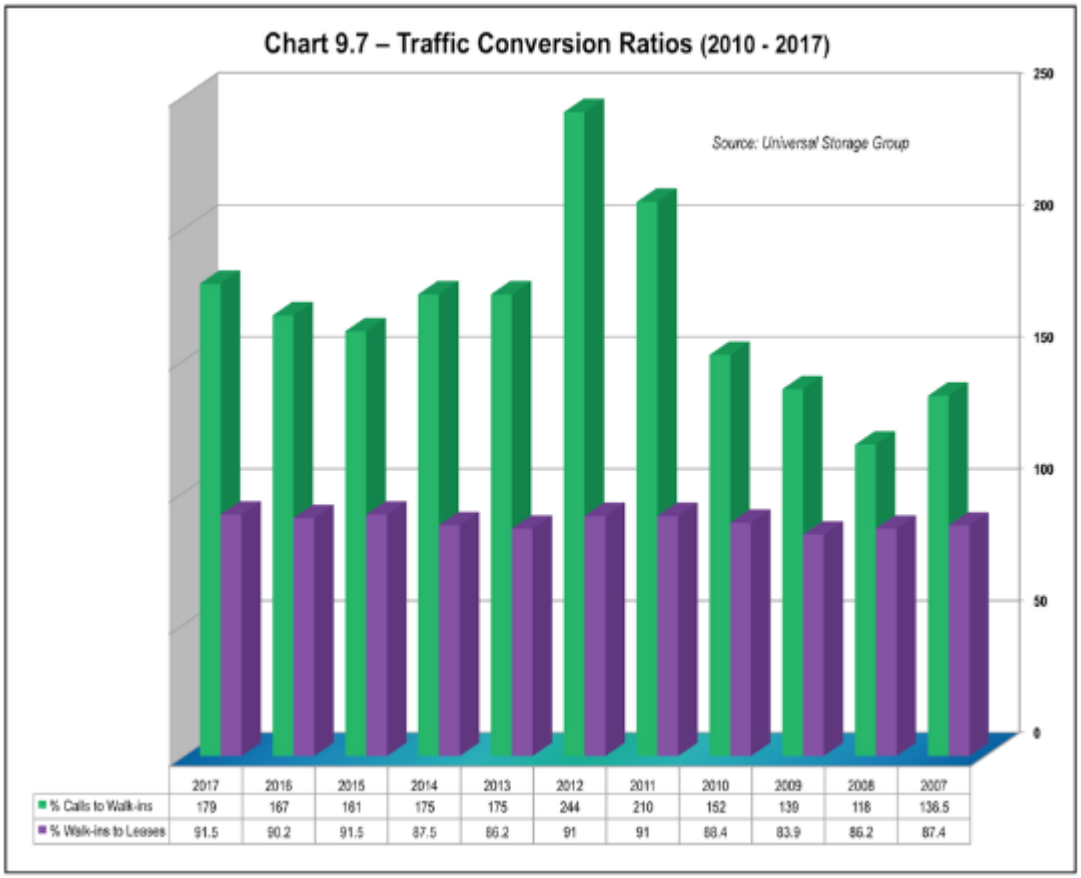
- ***Tenant Goods Insurance.*** The facility should offer the benefit of pay-with-payment tenant goods insurance to the tenants.
    - Tenant goods insurance is designed to protect tenant goods for various maladies typically including theft and natural disasters.
    - We highly recommend contacting the following tenant insurance companies:
        - **.ŘŜ /2Y Ljl·yè** – Tim Parnell 888-223-3726 www.baderco.com
        - **{ű2Ŝ{Yl·ű Lyădzl·yŏŜ** – Michael Rhoads 888-545-7627 www.storsmartinsurance.com
- ***Manager considerations.*** There are few businesses as 'manager-centric' as the self-storage business. Oftentimes customers won't know the name of the facility but will know the name of the manager. While an established, stabilized facility can 'make do' with a sub-par manager, a facility in lease-up or a challenging market cannot. We believe it would be difficult to implement most if not all the recommendations with a subpar manager. We highly recommend that the developer implement an intensive hiring and training program.
    - Given the increased importance of the Internet and email as a marketing source to attract customers, it has also shifted the dynamics of self-storage managers. No longer can they be merely efficient at renting space in person or on the phone.
    - Self-storage is a sales business. Managers must have the skills to professional 'sell' prospects on renting and on paying their rent.
    - The professionalism and appearance of the on-site manager should match or be superior to the facility itself ('a nice facility with a poor manager is a poor facility').
    - We would recommend not including on-site living quarters and employing a professional manager that does not live on site.
    - The manager for this facility needs to be professional, outgoing, have the ability to market and represent the facility in the community.
- ***It's understood industry-wide that today's self-storage managers must be skilled professionals; gone is the caretaker role of the past. This type of manager has gone the way of first-generation facilities that served as a placeholder until the land could be used for some higher purpose. Fittingly, the job benefits enjoyed by self-storage managers have grown in correlation with their required talents and abilities.***
- We highly recommend contacting Brett Copper, Self Storage 101 VP of Marketing and Manager Training, for a complete description of our manager training opportunities, including webinars, books and videos and in-person training sessions and workshops.

Consideration should also be given to employing the services of a professional third party management company. We highly recommend contacting the following companies to discuss their third party management program:

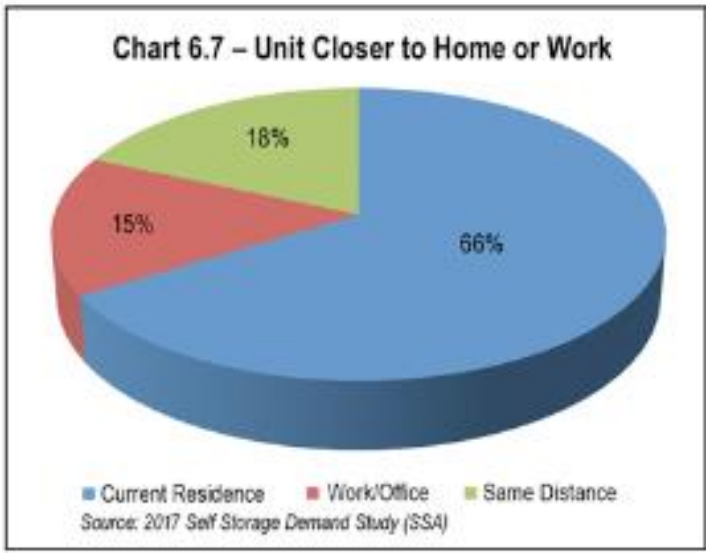
- ***Cubesmart*** *Guy Middlebrooks 610-535-5000* www.cubesmart.com
- ***Extra Space*** *Noah Springer 801-365-4600* www.extraspace.com
- ***Life Storage*** *Dale Payne 877-270-4665* https://www.lifestorage.com/company/life-storage-solutions/
- ***Absolute Management*** *Jasmine Jones, 901-737-7336, ext 715* www.absolutemgmt.com
- ***Storage Asset Management*** *Alyssa Quill 717-779-0044* www.storageassetmanagement.com
- ***StorQuest*** *Alyssa Parker 813-380-5015* www.storquest.com
- ***Store Here Management*** Tron Jordheim 573-268-5217 **www.storehere.com**
- ***Ten Federal Management*** Brad Minsley 800-462-5860 https://10federal.com/ss-property-management/
- ***Pagoda Companies*** Adam Pagoda 248-877-3912 www.selfstoragespecialist.com




Chart 7.3 – Number of Facilities Contacted
15.9%
25.3%
58.9%
Source:
2017 Self Storage
Demand Study (SSA)
Rented from the first facility I contacted
Contacted more than one other
Contacted one other


Chart 9.7 – Traffic Conversion Ratios (2010 - 2017)
Source: Universal Storage Group
250
200
150
100
50
0
2017 2016 2015 2014 2013 2012 2011 2010 2009 2008 2007
% Calls to Walk-ins 179 167 161 175 175 244 210 152 139 118 136.5
% Walk-ins to Leases 91.5 90.2 91.5 87.5 86.2 91 91 88.4 83.9 86.2 87.4

- ***Marketing Plan***Ɣ The developer should immediately employ a consultant to develop a complete and detailed marketing plan for the store. The marketing plan should include many of the suggestions listed ƛyǑfdzŘƛyƎ l· ŘΛNŜǑű Ɣl·ƛf ЧŘNΛLJЧ ǑI·ƔLJI·ΛƎƴ ű2 f2ǑI·f ōdzǎƛySǎǎŜǎ l·yŘ l· ЧŘŜǑfdzűűŜN ǎI·fŜ NŜI·Řě¶ ǎŜNØƛǑŜ ŦƧN NŜI·fű2NǎΦ The marketing plan should give specific costs and implementation strategies.



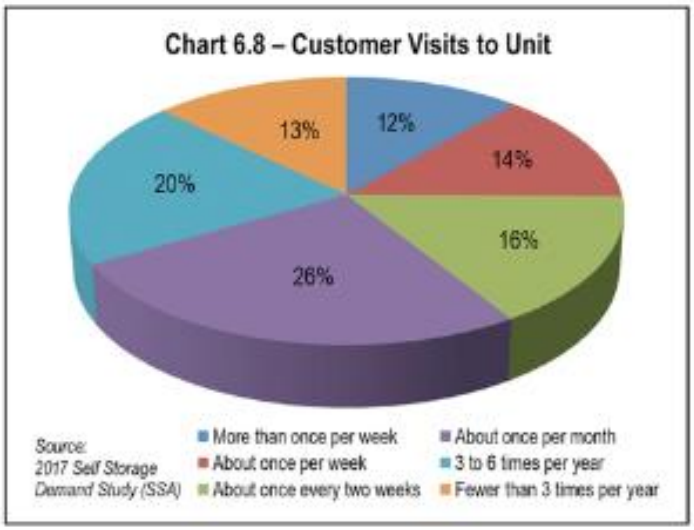


Table 6.8 – Important Features for Customers	
Anytime access to self storage unit (24-hours, 7-days)	56.9%
Electronic gates that only allow authorized people to enter facility	56.5%
Close to place of residence	55.1%
Drive-up parking to self storage unit	54.4%
Pest control	51.4%
Discount rates for long-term rental agreements	47.6%
Flexible means of payment (online, automatic deduction from bank account, credit card, check)	46.8%
Flexible contracts	45.9%
Fire sprinklers in storage unit	43.1%
Humidity of self storage unit is controlled	38.1%
Storage unit has its own security alarm	37.0%
Tools to assist loading/unloading (dollies, carts, ramps)	37.0%
Self storage unit is air-conditioned	33.2%
Self storage unit is heated	25.0%
Self storage unit contains shelving	21.2%
Close to work place/school	20.3%
Wide-range of storage accessories are sold in storage facility office (locks, plastic containers, cardboard boxes, tape, etc.)	19.9%
Availability of truck rentals	19.5%
Availability of specialized containers for storing unique items such as wine, stamp collections, etc.	13.7%

Source: 2017 Self Storage Demand Study (SSA)

- ***Sales Management***ϒ A specific plan for monitoring on-site sales effectiveness and retail sales should be a strong component of the management plan.
- ***Extended Access Hours:*** The store should offer extended access hours and, commensurate with the extended access, increased security. The recommended gate hours are 6:00 am to 10:00 pm, seven days a week. Commercial tenants should be offered extended hours as needed.
- ***7 Day-Per-Week Office Hours:*** The office should be open seven days per week. Some of the market competitors are not open on Sundays but the subject property should have some Sunday hours at least during the lease-up process. The recommended office hours are **фϒлл** a.m. to **сϒлл** p.m. Monday through Friday, **уϒлл** a.m. to **пϒлл** p.m. on Saturdays and **млϒлл** a.m. to **пϒлл** p.m. on Sundays. During lease-up late hours on Friday until 7:00 p.m. are suggested.
    - A recent retail organization's study indicated that a large percentage of people shop between 6pm and 8pm.
- ***Internet Strategy:*** Today, more and more self-storage owners are continuing to incorporate self-service into their website storefronts to compete for added rentals. Consumers are carrying around smartphones—business tools in the palms of their hands. And as a result, storage companies with optimized websites are enjoying great success by renting units on-demand. For new online tenants, it is a welcome reprieve from the task of visiting a store during office hours and dealing with all the paperwork in person.

  Should this trend continue, facilities that dismiss the use of a functional website will find themselves unable to serve and engage a broader customer base through Web and mobile channels. In fact, current case studies reveal how online storage shoppers are responding when facilities implement a personalized Web-mobile rental channel.

The Marketing plan should have an E-Commerce component and should deploy a strong Internet presence. The E-Commerce strategy should include:

- Website
  - Easy to navigate
  - Clear 'call to action'
  - 'clutter-free'
- On-line rental capability
  - Allows potential customers to conduct business with you when you are not open
  - Research clearly indicates this is a highly desirable service for customers.
- Search engine optimization
  - It is important that facility's website ranked consistently high among web searches within the subject market
- On-line payment options
  - Credit cards
  - Debit cards
  - ACH
- Link to call center during business hours
  - Call center can implement 'live chat' for facility
- Real-time inventory management
  - Accurate availability.

- We highly recommend contacting Jill Baker at ¢KŜ {ú2ℕI·ƎŜ Dℕ2ʤLJ, 407-392-1485 www.storageinternetmarketing.com

- ***Automated Technology***. We recommend that the developer consider adding automated technology to the subject facility. This technology extends the reach of customer acquisition and customer service. In an industry that typically serves customers in person between the hours of 9 to 5, incremental sales and reduced labor costs represent the top drivers that motivate owners to integrate automated technology. In turn, the reality of losing recurring business to nearby competitors marks these new technologies as one of the most prominent strategic solutions. This is because automated technology is always onsite to take care of a new renter—keeping a facility open when others in the marketplace are closed.
  - This technology has several benefits:
    - Low cost for the initial investment.
    - Extends rental hours when tied to one of the third party call centers.
    - Reduces staff activities and may allow for reduction of operating hours.
    - Reduced operating costs and increased profits, NOI and asset values.
    - Creates a unique marketing and sales position for the subject facility.
    - Automation allows owners and operators the ability to conduct business both during and outside of normal office hours, thereby helping to maximize income for self-storage facilities.

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The owner of 10 Federal Storage discusses the role of technology in his company's successful operation of 15 unmanned facilities. Learn how they do it and challenges they've faced when implementing new tools.

At 10 Federal, our focus is on operating unmanned, autonomous self-storage facilities. Over the past four years, we've tried numerous technologies and methods to refine the process, and I'm pleased to report the model is succeeding. Properties that have been on our platform for a minimum of six months have increased net operating income an average of 18 percent. With our debt leverage, this equates to a 52 percent increase in the value of equity invested!

What's important to recognize is technology is replacing labor. It doesn't matter what industry you're in—there are more machines, computers and robots than ever performing work that used to be done by people, and productivity is increasing tremendously through technology use. For example, we have one property manager who oversees all 15 of our locations. That's pretty efficient!

Our goal is to find the maximum point on the curve where one axis is customer satisfaction and the other is cost. Effectively, we're looking for the best tenant experience at the lowest rate. We'll look at any technology that can improve convergence. However, the tools we employ can be used by any self-storage operator. Pick one or all. Any will increase the efficiency of your operation and save you time, money or both.

Before I dive into the details of the technology we use, I want to emphasize that the following is not a definitive list. Our industry is full of great vendors who are constantly refining and improving their products. This is simply what we're using for our current model. I'll distill items into three categories: sales, operation and monitoring. I'll also shared challenges we faced to implement new technology and the effect it's had on our customers.

Sales

Our sales revolve around a leasing-enabled website and kiosk as well as a call center. A leasing-enabled website allows a prospective renter to create an account, select a unit, enter payment information, create a gate code, electronically sign the lease and move into the unit all on his own. Twenty-four percent of our tenants rent through our website without ever talking to us. Not only is this optimal efficiency, it gives us a big advantage. We can lease 24 hours a day, whereas our competition can only rent during business hours. We average three to five leases per facility per month through after-hours leasing.

A leasing-enabled kiosk performs all the same functions as the website. Though only 6 percent of our leases originate through this tool, I still recommend having one. The use is enough to justify the investment, and the kiosk doubles as a pay station and information terminal for customers. Further, it establishes an "office" where renters begin their onsite journey.

Another critical item you need if you're operating an unmanned facility is a model unit, since after price, the next most common question from customers is, "What size unit do I need?" We either convert an existing office or buy a 10-by-20 portable-storage unit to use as the model. We mark the smaller unit sizes on the floor using colored tape. Placing this near the kiosk allows customers to visualize the space they'll need.

The call center is the final and most critical sales channel. Seventy percent of our leases originate here. Units are rented over the phone, or the customer can complete the lease at the kiosk or website. You can't escape having a call center if you go unmanned. We established our own, as unmanned sites were pretty specialized when we started. Now, there are many great call-center options.

None of the above is relevant, however, if the customer doesn't know about your store, so it's critical to have an online presence. Start with getting a Google My Business Listing, then supplement with Google AdWords. I love this advertising channel because you can turn it on and off as needed.

Operation

For payments, we only accept electronic—no cash or checks. We lose 10 percent of customers when we acquire a facility and enforce this requirement, but we recover that loss quickly and the system is very efficient.

Next is the overlock challenge, specifically how to release an overlocked renter if there's no manager onsite. We use a lock system we developed ourselves, but there are other automated lock options in the industry. Even if your facility is staffed, an overlock system will help with efficiency, as the manager won't have to spend time removing overlocks, and locks can be removed even after hours. It's a better customer experience.

We do employ part-time maintenance techs who invest an average of 10 to 20 hours per facility per month. That's still far better than 160 hours per month for a full-time manager. A maintenance tech mows, blows, cleans, overlocks units, takes auction photos and handles other routine tasks. We're experimenting with 360-degree cameras and virtual-reality headsets that will allow our maintenance director to be "present" with the tech to do things such as walk-throughs or troubleshooting a gate.

Monitoring

We rely heavily on our camera system and are experimenting with analytics cameras. A legacy system records what has occurred on site, but an analytics system can be trained to recognize if a door or vehicle gate is stuck open. Plus, the cameras can see thermally, so they can recognize if a climate-controlled building's temperature is outside of its target range or there's water on the floor, indicating a leak. Our goal this year is to make the analytics cameras our central nervous system to monitor all aspects of the facility and actively notify us of exceptions.

Challenges

We have experienced some challenges when introducing technology at our properties, and they can be divided into two categories. The first we've defined as "the incident of failure rate" and the second is simplicity.

With unmanned operations, we have no one on site to deal with things that fail or break; hence, our goal is to get the frequency of something not working as close to zero as possible. There are a lot of amazing whiz-bang technologies out there, but if they're not extremely reliable, they aren't a good fit for unmanned sites.

Also, when you're unmanned, there's no one on site to explain how anything works. Every process must be as simple as possible so anyone without prior self-storage experience can jump right in and execute.

We work hard to get tenants onboard with our technology. When we acquire a facility and implement new tools, we lose 10 percent of the rent roll, on average. That may sound bad, but that same technology allows us to quickly recover those lost tenants. And, by the way, those are our "least efficient" customers—the ones who insist on paying by cash or check—so we're not exactly sad to see them go.

Most tenants are remarkably comfortable with our technology, as we try to keep it in the vein of interfaces they're already used to, such as a website, kiosk or combination lock. It's all familiar to them thanks to online shopping, Redbox and ATMs.

Whether you're thinking of going unmanned or just looking to find new efficiencies, I encourage you to attend industry tradeshows and see the technologies firsthand. Consider things that are easy to implement, such as connecting your gate to your website and management software. Chances are, everything is already in place, you just need your software provider to flip that switch. Then you can rent units 24 /7! This is just one way you can better serve customers and lower your operating costs.

Brad Minsley is a co-founder of 10 Federal Storage LLC, responsible for operations including new-technology development, acquisitions, management functions and finance. 10 Federal operates 17 unmanned facilities in the Carolinas and Virginia

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Many industries are adopting automation to make everyday transactions faster, easier and more convenient for consumers while increasing business efficiency. It was only a matter of time before this trend made it to self-storage. Whether you're depositing a check or buying groceries, many aspects of your daily routine may look very different than they did 10 years ago. Technology has given us tools including bank mobile apps and self-checkout lanes to make everyday transactions faster, easier and more convenient for consumers while increasing business efficiency. Many industries are adopting automation to provide customers and users with fast, real-time results. It was only a matter of time before this trend made it to self-storage. Five years ago, kiosks weren't readily accessible in storage facilities. Customers came in, visited with the manager, went to their units and left. Believe it or not, there wasn't nearly as much hustle and bustle back in 2013. Many sites didn't even have a website, so payments were made in person or through the mail.

Whether you're depositing a check or buying groceries, many aspects of your daily routine may look very different than they did 10 years ago. Technology has given us tools including bank mobile apps and self-checkout lanes to make everyday transactions faster, easier and more convenient for consumers while increasing business efficiency. Many industries are adopting automation to provide customers and users with fast, real-time results. It was only a matter of time before this trend made it to self-storage.

Five years ago, kiosks weren't readily accessible in storage facilities. Customers came in, visited with the manager, went to their units and left. Believe it or not, there wasn't nearly as much hustle and bustle back in 2013. Many sites didn't even have a website, so payments were made in person or through the mail.

Automation is changing the self-storage landscape, enabling owners to cut costs and enhance the customer experience. The one-on-one interaction between tenants and a real person is still significant, however, there are ways to increase efficiency and return on investment without losing that personal touch.

For a self-storage operator, automation allows you to control expenses and increase margins. Online reservations/rentals and keypad gate access will enable you to securely operate your facility beyond traditional business hours, without the incremental cost of an hourly employee. With rental-rate increases slowing down, expense reduction is one way to add more to the bottom line.

Automation may not work at every facility, but it’s an option for facilities in rural and urban areas. "Automation can provide a far superior customer experience, which results in higher occupancy and higher rents. We are experiencing these effects first hand on the deals we are acquiring and automating," says Brad Minsely, owner of 10 Federal, which operates 11 self-storage locations in North Carolina.

If you’re looking to add technology to your self-storage facility, you’re one of many. There are ample benefits to automation.

- ***USP:*** The store should have a strong Unique Selling Proposition to set it apart from the competition.
    - Automated payments and rentals.
    - Free rental truck with move-in.
    - Climate controlled units.
    - Complete selection of moving and packing supplies.

Table 6.9 – Important Features by Generation

Important Features	Millennials	Gen-X	Boomers	Greatest
Anytime access to self storage unit (24-hours, 7-days)	60.9%	58.0%	55.2%	45.2%
Availability of truck rentals	34.1%	15.7%	12.0%	13.5%
Self storage unit is heated	37.4%	19.9%	21.3%	17.1%
Self storage unit is air-conditioned	45.7%	31.3%	27.6%	19.0%
Humidity of self storage unit is controlled	51.0%	35.0%	33.3%	24.3%
Drive-up parking to self storage unit	52.6%	53.9%	57.9%	49.1%
Wide-range of storage accessories are sold in storage facility office (locks, plastic containers, cardboard boxes, tape, etc.)	32.0%	17.4%	13.8%	12.1%
Availability of specialized containers for storing unique items such as wine, stamp collections, etc.	25.8%	11.3%	7.7%	4.2%
Self storage unit contains shelving	32.6%	18.6%	16.3%	10.8%
Pest control	57.7%	51.7%	51.9%	26.8%
Flexible contracts	52.8%	46.9%	43.6%	27.2%
Flexible means of payment (online, automatic deduction from bank account, credit card, check)	51.3%	44.8%	47.9%	35.1%
Discount rates for long-term rental agreements	50.9%	47.7%	47.8%	35.2%
Close to place of residence	52.8%	55.6%	58.6%	47.8%
Close to work place/school	27.4%	25.2%	12.3%	7.0%
Storage unit has its own security alarm	43.9%	36.8%	35.7%	18.2%
Electronic gates that only allow authorized people to enter facility	56.3%	56.6%	58.6%	49.2%
Fire sprinklers in storage unit	47.2%	42.4%	43.5%	30.4%
Tools to assist loading/unloading (dollies, carts, ramps)	46.0%	32.9%	37.0%	22.0%

Source: 2017 Self Storage Demand Study (SSA)

- ***Affiliations to Gain Sales:*** The developer should consider Preferred Partner Programs to increase traffic.
    - Apartment managers
    - Home Owner's Associations
    - Pizza Delivery stores
    - Realtors
- ***Guerilla Marketing:*** The Marketing Plan should address a direct sales effort to area businesses and multi-family communities.
- ***Direct Marketing and Community Involvement*** The store managers should be active in the local Chamber of Commerce. **{Ŝťŧăů2₪I-ƎŜ ǻă I· f2ǒI·f ōʤǎńyŜăă** that relies on referrals. Chamber members know many people in the community.
- ***Direct Mail Campaign:*** The Marketing Plan should identify the targets, frequency and nature of a direct mail campaign. The plan may or may not include Val-Pak recommendations.

- ***Collateral Materials:*** Hire a self-storage marketing consultant to create a logo, brochures, collateral, web page, property signs, etc. The developer can contact Brett Copper at Self Storage 101, 205-643-0712, the Self Storage Association or the Michigan Self Storage Association for recommendations.

SELF STORAGE ASSOCIATION
Contact: Tim Dietz, CEO
1901 N. Beauregard Street, Suite 106
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Email: tdietz@selfstorage.org
Website: www.selfstorage.org

STATE ASSOCIATIONS

ALABAMA SELF STORAGE ASSOCIATION
Contact: Brent Fields
PO Box 2904
Mobile, AL 36652
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Email: williambrentfields@gmail.com
Website: www.alabamassa.org

ARKANSAS SELF STORAGE ASSOCIATION
Contact: Bill Humble
PO Box 55715
Little Rock, AR 72215
Phone: (501) 607-4775
Fax: (501) 421-8189
Email: info@arssa.org
Website: www.arssa.org

ARIZONA SELF-STORAGE ASSOCIATION
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Email: azsahq@azselfstorage.com
Website: www.azselfstorage.com

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Rancho Cucamonga, CA 91730
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Fax: (949) 861-9425
Email: erin.king@cssaweb.com
Website: www.californiaselfstorage.org

COLORADO SELF STORAGE ASSOCIATION
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Website: www.coloradossa.com

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FLORIDA SELF STORAGE ASSOCIATION
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Self-Storage Associations

GEORGIA SELF STORAGE ASSOCIATION
Contact: Samantha Kilgore, Exec. Director
PO Box 1128
LaGrange, GA 30241
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Website: www.gassa.org

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Email: INSSAExecDir@selfstorage.org
Website: www.ssaindiana.org

KANSAS SELF STORAGE OWNERS ASSOCIATION
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7321 N.W. Rochester Road
Topeka, KS 66617
Phone: (785) 286-1110
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Email: herrick.shawn@gmail.com
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Self-Storage Associations

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Email: info@nycapcon.com

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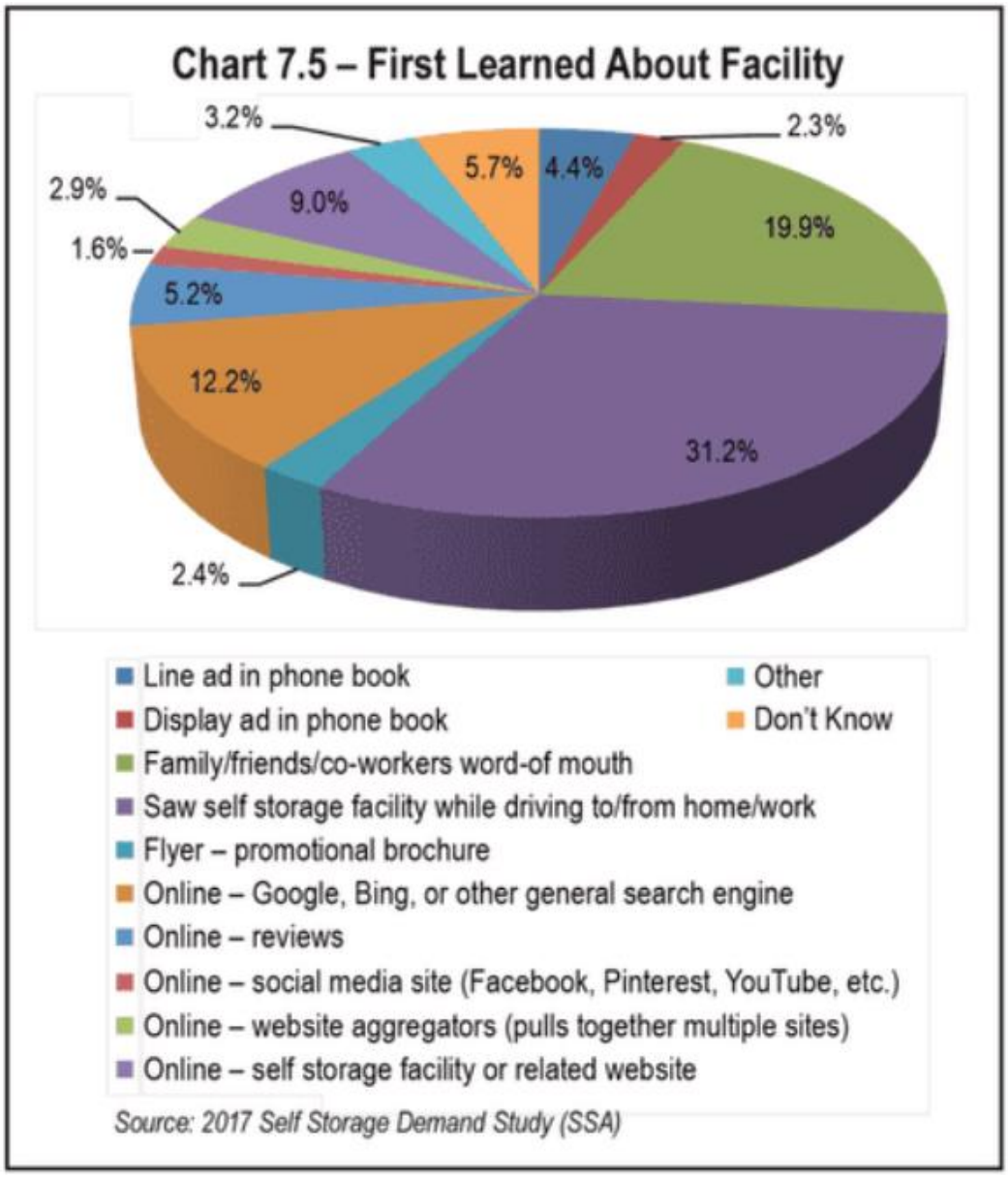
WASHINGTON (DC) AREA SELF-STORAGE ASSOCIATION
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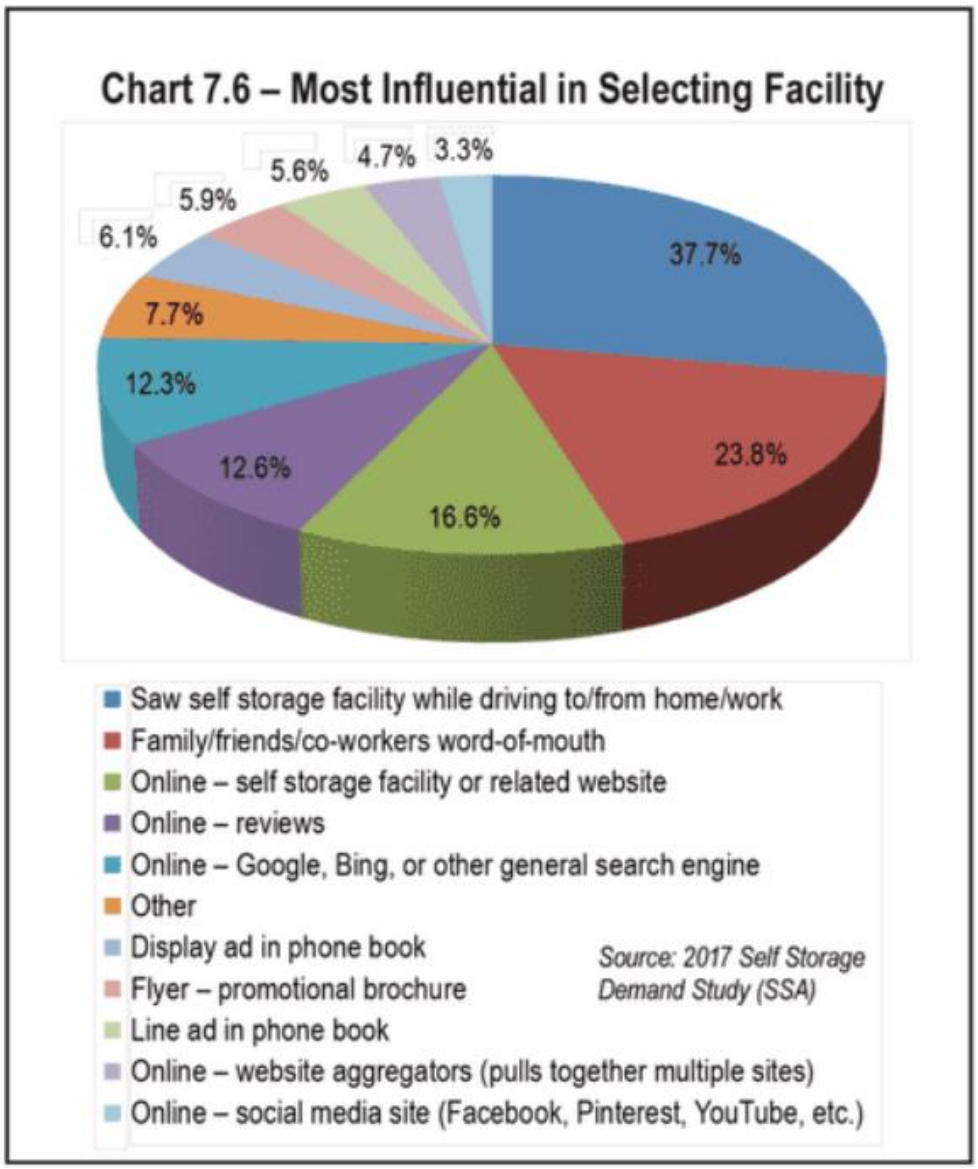
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Email: pat.reilly@urbanstorage.com
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Email: storage_solutions@adelphia.net

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- ***Competitor Referral Program:*** A program to receive referrals from competitors should be developed.
- ***Tenant Retention Program:*** A specific program for tenant retention should be developed as part of the management plan.
- ***B2B Marketing*** A specific marketing effort to attract commercial customers should be presented.
- ***Custodial Management:*** Commit to keeping the property "clean and green." There is longstanding value to keeping the property in exceptional condition. Landscaping doesn't need to be elaborate, just well-maintained.





- ***Management Software:*** The subject facility should use a web-based management software system. The newer programs now available to the self-storage industry allow owner-operators to review reports and on-site activities in real time and the array of reports allows for more effective oversight of the facility. Owners can more readily review various rent change scenarios, check for rent allowances and discounts and implement tenant rent increases, all without necessarily engaging the onsite manager. (We are not recommending that all functions, such as rent increases, be implemented without manager 'buy-in.) We highly recommend contacting the following companies about their management software programs:

    - Syrasoft Mark Somers 315-236-5496, www.syrasoft.com
    - storEdge Austin Jones 913-954-4110, www.storedge.com
    - WebSelfStorage Toni Colasso 866-693-6683 www.webselfstorage.com
    - Sitelink Dave McCormack 919-865-0789, ext. 1 www.sitelink.com

- ***Development Recommendations:***
  - ***Financing your facility***
    - ***Live Oak Bank – specializing in SBA Loans***
      Anna Taylor, 910-202-550-2272
      www.liveoakbank.com/self-storage

  - ***Metal Building Companies***
    - ***Betco***
      - *704-872-2999*
        www.betcoinc.com
    - ***Storage Structures***
      - Health Mulkey, 770-456-1602
      - www.storagestructuresinc.com
    - ***Mako Steel***
      - Buster Owens, 407-492-4331
      - www.makosteel.com
    - ***Trachte Building Systems***
      - Jamie Lindau, 608-837-7899
      - www.trachte.com
    - ***Miller Buildings***
      - Louis Gilmore, 215-233-9300
      - www.millerbldgs.com

WHAT IS SELF STORAGE?

So, just what is self-storage? Self-storage facilities provide places for individuals and businesses to temporarily store their items. From a self-storage owner's perspective, self-storage is a unique type of real estate investment. Self-storage serves as an excellent investment opportunity for both small and large investors and Self-storage companies provide private spaces which are assigned to the customers who lease them. The spaces are normally rented on a month-to-month basis. The rental spaces vary in sizes and shapes to meet a variety of customer size requirements. Spaces typically range from 25 square feet to 300 square feet with eight to ten-foot ceiling heights. The most common size is 10 feet wide by 10 feet deep which can normally hold the contents of most two-bedroom dwellings.

Today's self-storage facilities are designed to be convenient and accommodating to a wide variety of uses. Facilities are established near residential neighborhoods, light commercial or retail areas, and recreational areas. Items commonly placed in storage include household furniture and belongings, recreational items, tools and equipment, business records, and inventories. Some facilities offer environmentally controlled spaces to lessen adverse temperature and humidity effects on susceptible stored items. Some facilities may provide dock level loading areas and some will offer spaces that can accommodate recreational vehicles and pleasure boats.

The general wealth of today's society, joined with its mobility and desire to accumulate possessions, create a strong demand for self-storage. Persons relocating from one area to another often use self-storage while in transition. Realtors often suggest to home sellers that they use self-storage to clear clutter from their homes, thus making them show better. Home buyers often use self-storage while waiting for their new home purchases to close. In addition, people place a high sentimental value on their possessions and tend to hang onto items that they are unsure of whether to keep. Self-storage is a perfect place to safely store these items until they decide whether to keep them. Intentions to store items for only a short time are often extended because many procrastinate and, whereas the items stored may not be worth what has been spent to store them, they are usually worth more than next month's rent.

Today's businesses have many reasons to use self-storage. For example, a home-based business may use self-storage to house its materials or inventories. Handymen and landscapers often store their equipment and supplies. Large businesses use self-storage to store seasonal displays and inventories. Businesses and professionals are subject to greater record keeping requirements and find self-storage as an economical means for compliance. Economically, the rents may be much less than the cost of providing storage spaces at their business locations.

Self-storage companies provide additional levels of security beyond that established by the tenant's own lock. At a minimum, the facility perimeter is usually secured by a fence and gate. Access through the gate is limited to users of the facility by assigned security codes. Additionally, many facilities are designed to include surveillance systems, door alarms, motion sensors, and lighting to further supplement security.
On the other hand, the self-storage facility does not provide care, custody, or control over the stored contents. The storage space is leased "as is" and the tenant is responsible for properly placing items in the space and removing items from the space. The tenant secures the space with his or her own lock and solely controls access to the space. Nearly all storage companies have restrictions on what they will allow to be stored on their premises. These restrictions are to protect both the storage company and the items being stored.

Storage companies will vary in what they allow to be stored. They usually will not allow such items as hazardous or combustible materials, perishables such as food, plants, and live animals to be stored. Further, self-storage managers are usually told to advise their tenants that they should not store items of extraordinary value, such as antiques, furs, or coin collections in their storage spaces unless the facility specializes in storing such items.

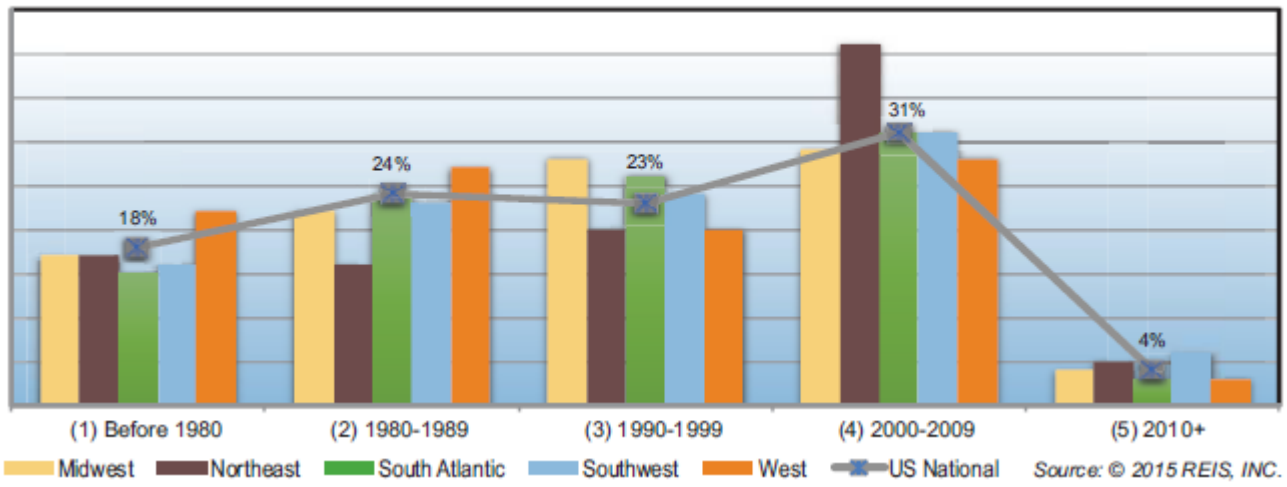
The industry remains highly fragmented. Owners with three or less facilities represent nearly ninety percent of the industry. The five largest operators make up the remaining 10% of the total industry.

Investors have turned to self-storage to meet an assortment of financial goals. These investors come from all income levels and with a variety of educational and professional backgrounds. Many have chosen to invest in self-storage because it requires only a relatively low initial investment, is not overly complex, and can quickly establish a valuable income producing asset. Others invest because they seek the stable, long-term generation of cash flows that are commonly achieved by self-storage investments.

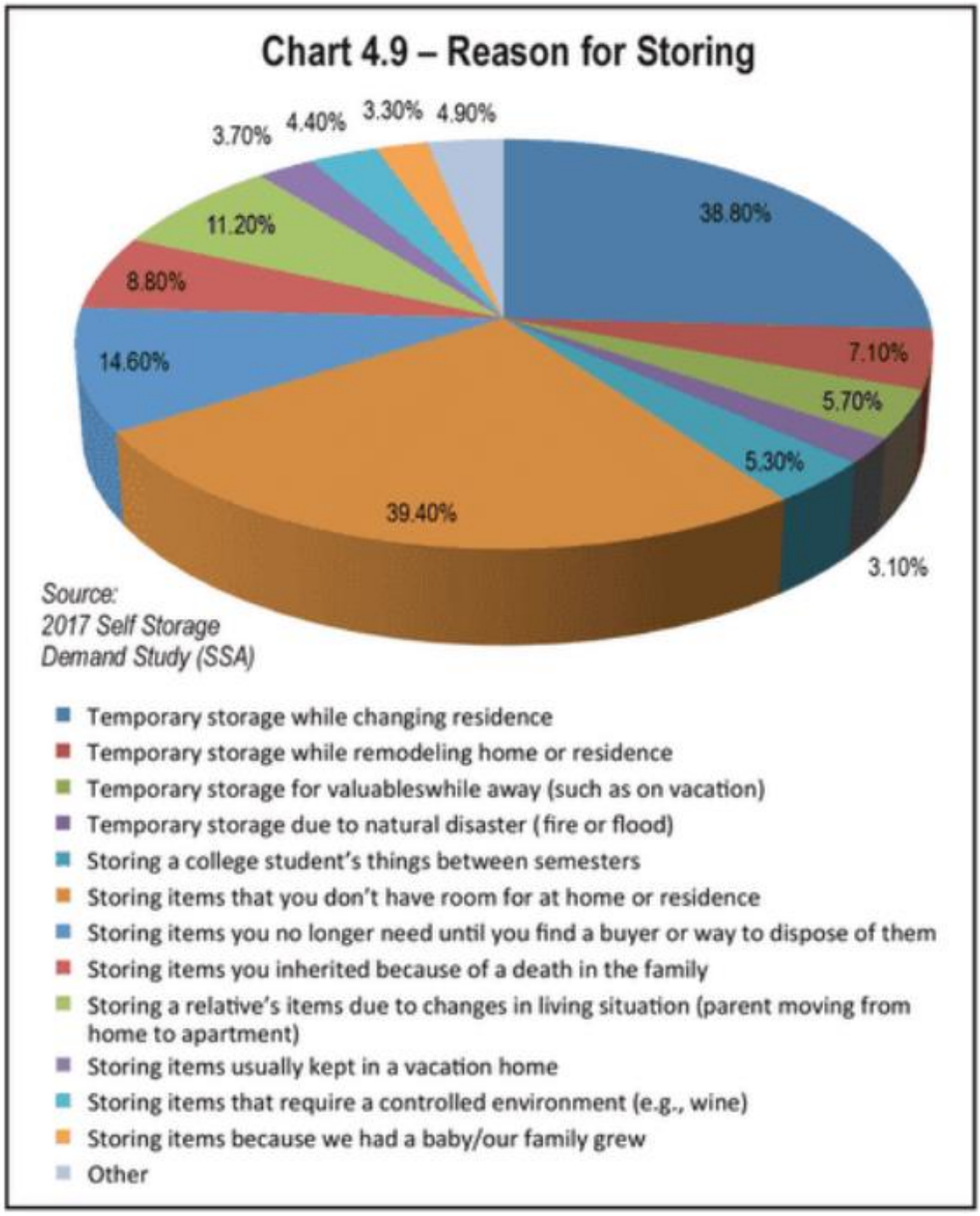
Because of a strong demand for self-storage, the rental income per square foot of self-storage spaces can often approach that of apartments, offices, and other forms of real estate. In addition, development costs of self-storage facilities are typically much less than those of other types of real estate. Furthermore, because the management of the self-storage facility is comparatively easy, the operating costs of self-storage facilities are typically much lower than those of other forms of real estate.

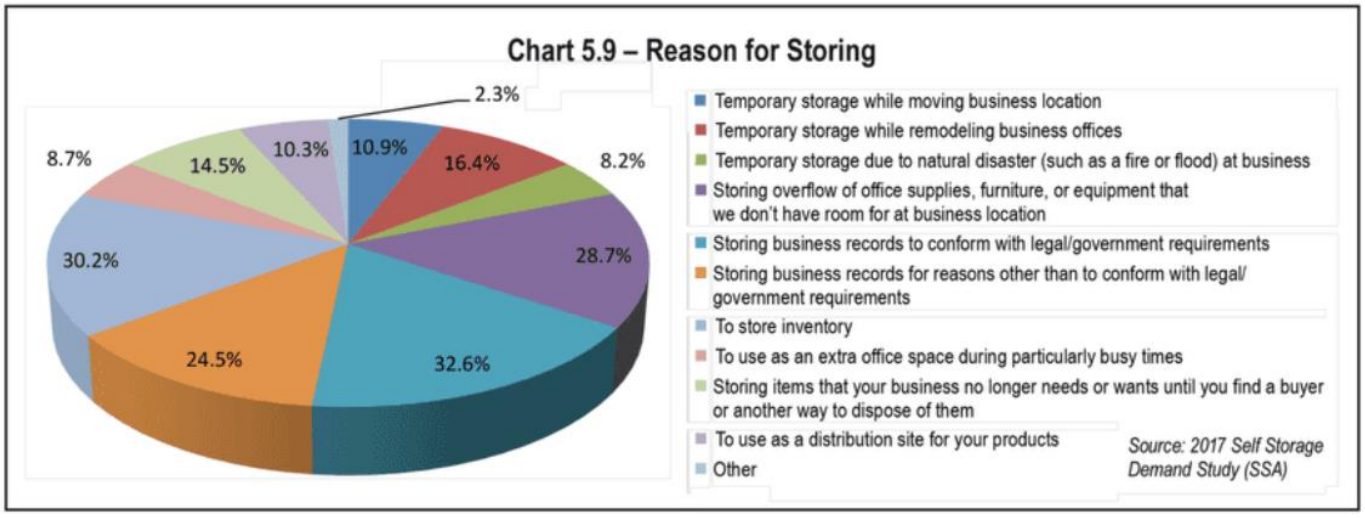
Well-located facilities that are professionally managed are in high demand by both the small and large operators in the industry. As a result, the market value of these facilities is currently at an all-time high. The prudent investor who develops such a facility will find many profitable options from which to choose.

Chart 1.1 – Percentage of Facilities by Facility Age



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Chart 4.9 – Reason for Storing
38.80%
7.10%
5.70%
5.30%
3.10%
39.40%
14.60%
8.80%
11.20%
3.70%
4.40%
3.30%
4.90%
Source:
2017 Self Storage
Demand Study (SSA)
Temporary storage while changing residence
Temporary storage while remodeling home or residence
Temporary storage for valuableswhile away (such as on vacation)
Temporary storage due to natural disaster (fire or flood)
Storing a college student's things between semesters
Storing items that you don't have room for at home or residence
Storing items you no longer need until you find a buyer or way to dispose of them
Storing items you inherited because of a death in the family
Storing a relative's items due to changes in living situation (parent moving from home to apartment)
Storing items usually kept in a vacation home
Storing items that require a controlled environment (e.g., wine)
Storing items because we had a baby/our family grew
Other



It is important to understand what your customers are storing, why they are storing, and why they choose a specific
facility. It should be noted that 35 percent of storage customers are renting because they have excess belongings. The second most prevalent reason for storing (32 percent) is because the customer is moving. This category includes not only those who are storing their goods during the moving process but also those who store household items when staging a home for sale. Businesses account for 17 percent of storage customers, followed by 17 percent who are going through a life change such as marriage, divorce, or death of a family member.

Overall furniture and boxes account for 68 percent of the items stored in a unit. It is interesting to note that 10 percent of customers are using storage for RV parking. This also includes other types of vehicles and boats. This percentage can increase substantially in market areas with HOA restrictions that forbid the parking of cars, RVs, boats or trailers on the streets or in driveways. It is also higher in areas close to vacation destinations.

Location still tends to be the primary reason for choosing a facility. While 56 percent of the respondents indicated this was the primary reason for choosing a facility, it is highly significant that 27.4 percent chose a facility due the management or the features at the facility.

On the other end of the scale, less that 10 percent indicated that price and/or a special incentive motivated them to choose a specific facility. And while 1.27 percent indicated they made a choice based on some other reason, less than 1 percent chose a facility based on advertising.

SELF STORAGE ZONING

The process of securing the ability to develop self-storage, otherwise known as the entitlement process, varies tremendously depending on the county or city you are working with for approvals. Typically, the more urban the area, the more involved the entitlement process may be. In dense urban areas, or large cities, an attorney or entitlement "specialist" may be required to assist in the process, as there will be numerous departments and requirements to navigate through before approvals are granted. In more rural areas, there will typically be less government entities involved and the property owner may attain entitlements with the assistance of architectural and civil documents for submittal and presentation.

Once a site is selected, and before a great deal of resources is devoted to it, it is important to learn as much as possible about the zoning regulations for that specific area. If the selected site falls into a zoning category where self-storage is permitted, a facility that complies with all the applicable building regulations can be constructed.

Begin your research by visiting the city or county's planning department that has jurisdiction over the site. Ask to speak with one of the planners. If a planner is available, often, they will make time available to spend a few minutes with you. Be prepared to ask the following questions:

- What municipality has zoning authority over the site?
- What departments have authority over zoning?
- What is the proper zoning for self-storage?
- If a zoning change or variance is needed what is the process?

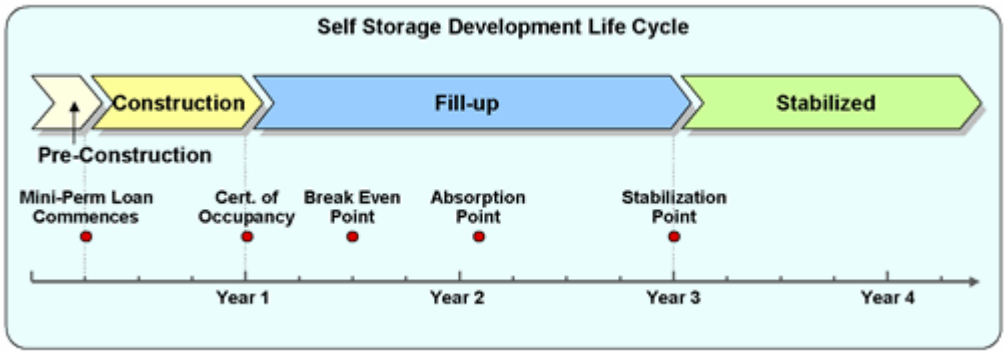
After the correct zoning is known, you will need to understand the requirements that will affect the layout and design of the facility. This information will be very useful when drawing up your preliminary site plan.

- What are the required building setbacks?
- What is the maximum building coverage ratio?
- What are the parking requirements?
- Is green space required?
- Are there any requirements for driveways such as widths or the material used?
- Are there any construction restrictions that dictate the appearance of the property?

This initial meeting should provide you with an understanding of the likelihood of being able to develop a self-storage facility on the site.

SELF STORAGE DEVELOPMENT LIFE CYCLE

You find it, you build it, and you lease it up. That pretty much sums up the self-storage development lifecycle. But in more detail, what events can a self-storage investor expect to occur when venturing into developing and owning a self-storage? The diagram below illustrates the various stages that occur and the milestones that are achieved along the way.



As you may have noticed, the development life cycle can be broken down into four stages: Pre-Construction, Construction, Lease-up, and Stabilized.

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The first stage represents the Pre-Construction period. The length of time associated with this phase depends upon the sophistication or complexity of the project. Less sophisticated projects require just a few months of pre-construction activities whereas more complex projects can take more than a year.

This period typically commences when you begin taking significant steps toward developing your facility. You have completed your initial evaluation and have chosen your site. You know that the seller of the land will accept your offer. At this point, preliminary due diligence is reviewed and further expanded upon. Market area analysis and feasibility is revisited and confirmed. It is common for the investor to utilize the services of an independent consultant to establish an unprejudiced opinion of the investment. Any additional investors or lenders may require this independent opinion to effectively lower their perceived risk. A rock-solid independent opinion often leads to the most favorable financing terms.

Development cost estimates are replaced by actual bids during the pre-construction period. It is important to establish a bidding process to obtain quotes for any services or materials required to complete the facility's construction. The process should involve an organized approach at requesting, collecting, and reviewing proposals.

The services of a professional engineer and architect may be necessary to finalize the design of the facility and obtain the municipality's approval for construction. The site will need to be surveyed and the soils tested. Soil tests are needed for construction specifications and environmental site assessments that are commonly required. Environmental assessments reveal if any incidences such as chemical spills, hazardous waste, PCB's, abandoned industrial operations, or underground storage tanks exist. The existence of such can impact the liability of a buyer, seller, or lending institution.

The documents and activities associated with a land purchase often involve the assistance of a qualified attorney. Efforts are taken to obtain the approval for any necessary financing. Upon closing, the land's new owner is responsible for the property taxes imposed upon the site.

The pre-construction period is generally viewed as completed when financing is secured, the land is owned, and the building permits are issued.

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The Construction period is set in motion once the necessary building permits are in hand. The sophistication of the project, weather, and coordination of the construction efforts will impact the amount of time that this stage requires. Some construction projects may be completed in just a few months while others can take more than a year.

Site preparation such as grade work or any necessary demolition begins. Often the construction manager coordinates the establishment of all drive area pavement and floor slabs to be installed before the delivery of any of the building components. This greatly improves the cleanliness of the facility upon construction completion. The buildings are built, security features are installed, signage and landscaping are established, and the office and apartment are completed.

In conjunction with the construction activities, the operations management typically initiates its preopening actions. This includes the selection and establishment of office furniture, equipment, management software, leasing agreements, merchandise fixtures and inventory, and office supplies. On-site management is hired and trained. Any necessary operating permits and licenses are applied for.

Yellow pages or other advertising is coordinated. The annual publishing deadlines for phone book advertising may require that a facility be listed well before it opens. "Coming Soon" signage on the construction site is often installed with a phone number where persons can call to obtain leasing information. Support for these telephone inquiries is put in place to establish a pre-leasing program for the site. "Now Renting" signage and Grand Opening activities are coordinated.

Final construction inspections are completed and a certificate of occupancy is issued. This signifies the completion of the construction stage and the commencement of the lease-up stage.

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The lease-up stage for a self-storage facility begins with the first rental and concludes upon the achievement of a stabilized level of occupancy and income. The lease-up stage for the average self-storage facility will vary in length. Most owners would enjoy seeing the facility lease up in less than a year. Most plan for a two to three-year period. Location, competitiveness, and management are three major factors that influence the lease-up rate.

Operating expenses are usually slightly lower during the initial stages of lease-up. Fixed expenses such as property taxes and insurance will be constant regardless of occupancy. Other expenses such as payroll, utilities, management fees, and repairs can be slightly lower when the property is less occupied. These, however, are typically offset by higher than normal marketing and advertising expenditures incurred to boost lease-up.

As the facility leases up, income generated from the operations increases and achieves a level matching that of the operational expense level. At this point, the facility is recognized as achieving its break-even level. This is followed by the absorption point, which occurs when the income from a facility covers the operating expenses plus any financing costs. The income generated from the property is, at a minimum, able to pay for its own existence.

Income generated after the absorption point represents cash flowing from the investment and in to the pocket of the investor. This cash flow amount generally grows to a point where the occupancy and subsequent income becomes stable. That point in time, referred to as the stabilization point, signifies the completion of the lease-up stage and the commencement of the stabilized level of performance stage.

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A stabilized level of operating performance represents the final stage of the life cycle. At this point, some investors replace their initial financing with permanent, long-term financing. The reason for this is because lenders will value the facility based upon it being an income producing investment rather than a physical asset which often results in more favorable loan terms and thus cash flows. Many developers find that an opportunity exists to obtain a loan amount that is greater than the amount necessary to pay off the original loan. This financing allows the developer to recover their initial investment and may prompt the investor to expand their investment portfolio with another self-storage development project.

It is common to see further improvement in income derived from periodic rental rate increases. This is normally somewhat offset by higher maintenance costs for an aging facility or from the effect of inflation on operating costs.

PRE-OPENING TIME LINE

8 WEEKS OUT:

- Run ad for manager
- Develop a logo
- Develop an operational and marketing budget
- Set up 'Grand Opening' message on voice mail
- Set up 'Coming Soon' sign on property
- If appropriate set up Yellow Page Ad
- Engage with web design company

7 WEEKS OUT:

- 1ST manager interviews

6 WEEKS OUT:

- 2nd manager interviews
- Order management software
- Order gate control software
- Apply for property insurance
- Join state self-storage association
- Join local Chamber of Commerce

5 WEEKS OUT:

- Layout unit numbers
- Set up bank account
- Order checks
- Set up credit card processing

4 WEEKS OUT:

- Purchase computer, printer
- Purchase DVR and monitor
- Start manager
- Train manager
- Run ad for assistant manager and/or maintenance person
- Order forms and other printing
- Order signage and banners
- Set up truck rental
- Order unit number for doors
- Schedule phone and internet service
- Establish email address

3 WEEKS OUT:

- Program computer and set up inventory
- Interview assistant manager
- Order tenant insurance point of sale materials
- Sales tax registration
- Install phone lines
- Order employee shirts
- Set up marketing brochures
- Set up self-storage aggregators (if applicable)

TWO WEEKS OUT:

- Hire and train assistant manager
- Purchase office and maintenance supplies
- Purchase golf cart
- Number the storage units
- Make sales calls to apartments, movers, real estate agents, etc.

ONE WEEK OUT:

- Sales calls to area businesses
- Clean and set up office
- Secure occupational license
- Set up water and power deposits
- Secure Certificate of Occupancy

WHY INVEST IN SELF STORAGE?

wŜfI·ΰΛØŜ KΛƎK ℕŜyΰăϒ The average monthly rental rate per square foot for self-storage falls somewhere close to $0.70. This equates to $8.40 per foot per year. We are talking about garages with concrete floors, metal walls, and roll-up doors. Some facilities may require fire sprinkler systems and additional security features such as electronic access gates and surveillance systems. However, that is essentially the extent of improvement that supports these rents.

tℕŜŘΛŎΰI·ōfŜ ŜÈLJŜyΰăŜăϒ Monthly operating expenses are quite stable and predictable. Expenses are somewhat lower during the initial lease-up stage. Upon stabilization, expenses level out and are generally subject to economic inflation, which can easily be offset by regular increases to the overall rental rate structure. Periodic, major repairs are typically paid for from maintenance reserves that are put in to place.

{ŜfŦπăΰ2ℕI·ƎŜ ΛăℕŜŎŜăăΛ2y′ ℕŜăΛfΛŜyΰϒ People and businesses demand self-storage when they are in transition. Whether they are upsizing, which is often found in economic upturns or downsizing during economic downturns, they find themselves needing storage. This creates continuous demand. The economy's impact on the self-storage business has more to do with influencing finance rates and the overall acquisitions climate.

9I·ăŜ ΰ2 2LJŜℕI·ΰŜϒ The level of staffing required to accomplish the day-to-day operations of even the largest facilities is quite low. One or two people can effectively lease most facilities except for the peak inquiry and leasing periods which commonly occur in the spring. Only a minor amount of additional manpower is necessary to accomplish the remaining day-to-day duties.

Collecting rents is generally easy because use occurs at the facility. Although some customers should be reminded by phone or mail, controlling access to the space provides much of the necessary leverage to collect the rent.

[ΛYΛΰŜŘ ΰdzℕy2ØŜℕ ŜÈLJ2ădzℕŜϒ Self-storage facilities rarely have a tenant that occupies more than a percent or two of the overall occupancy. No single tenant who chooses to vacate causes a significant drop in occupancy. This cannot be said for commercial real estate that may be supported by a significantly sized anchor tenant. A vacated self-storage space is rarely in need of anything beyond a new light bulb and a quick sweeping.

STORAGE TYPES

There are a variety of storage types that are available for customers needing storage. The perceived needs of the customer typically dictate the type of storage that they choose. It is common to see properties offering a combination of the following storage types:

SINGLE OR GROUND LEVEL STORAGE



Single-story, ground level access buildings create the most convenient type of storage space for customers. This type of building offers drive-up and interior accessed storage spaces. The buildings are built upon slabs and generally do not require complicated foundations. The nature of the building design prevents the need for any heavy structural members. Demand for this type of space is generally greater thus creating the opportunity to charge higher prices. Typically, the cost to construct such buildings is relatively inexpensive.

MULTI-STORY STORAGE

Multi-story facilities are advantageous for sites on expensive land or that are limited in size. However, the savings in land cost is somewhat offset by higher construction costs. Multi-story buildings may make the facility more visible if the building rises above other buildings in the area.



Multiple story buildings typically require the establishment of a passenger/freight elevator to provide access to the upper level spaces. Some make use of a less expensive lift to transport items to upper floors. In this case, customers load their items onto the lift and send it unmanned to the desired floor. The customer then uses a stairwell to meet and retrieve their items. In some cases, customers are required to simply carry their items on a stairwell to load or unload their space. Most modern, multi-story storage facilities utilize a passenger/freight elevator based on it being the easiest for the customers.

EXTERIOR DRIVE-UP STORAGE



Exterior access spaces are by far the most convenient type of space access. Customers simply drive up to the space and then load or unload. The space layout is typically established where units are back-to-back, thus creating somewhat narrow buildings that can be of any length. It is also common to see buildings containing a single row of exterior access space forming a perimeter around the property. These buildings create a fortress type of perimeter that lends to higher security. Exterior access spaces are rarely temperature controlled due to the inability to effectively insulate the exterior door and wall.

INTERIOR ACCESSED STORAGE

Interior accessed spaces are those that require a customer to enter the building through a common access point and navigate down hallway corridors to arrive at his or her space.



Generally, interior accessed spaces are less accessible then exterior spaces. Therefore, the rates that are commanded are usually less. To make these spaces more attractive, modern facilities use hallway systems that create comfortable, well-lit corridors. Motion sensors control the lighting and some hallways have an intercom system for customers to use to communicate with office personnel. Some facilities pipe music into the hallway areas to create an appealing atmosphere. Oftentimes handcarts are made available to assist customers with the moving of their items down the hallways. The inclusion of hallways reduces the leasable area of the overall building.

Buildings containing interior access spaces typically have exterior accessed spaces around the perimeter. These buildings can generally be wider and can also be of any length.

NON-TEMPERATURE CONTROLLED STORAGE



Non-Temperature Controlled Storage is simply enclosed storage space that is like a typical residential garage. These spaces are ideal in moderate temperature climates or for use by customers who are unconcerned about the temperature of their stored items. Most facilities offer some, if not all, non-temperature controlled storage space.

TEMPERATURE CONTROLLED STORAGE



Temperature Controlled Storage utilizes HVAC (heating, ventilation, and air conditioners) to control the temperature of the storage space. In most cases, thermostats are utilized to prevent temperatures within the building from temperature extremes that can be harmful for some stored items. Temperature settings normally cool the building to 75 degrees in the summer and heat to 60 degrees during winter. Controlling the temperature also makes customer visits to their storage spaces more enjoyable on particularly hot or cold days. Although there are additional costs for establishing and maintaining HVAC systems, most storage operators find that they can price temperature-controlled spaces anywhere from 30% to 100% higher than non-temperature controlled spaces.

BI-LEVEL STORAGE



A bi-level building design allow buildings to be constructed upon land that has significant changes in elevation. Two story buildings are constructed so that the upper level is accessed at street level on one side of the building and access to the lower level is accessed at street level on the other. This translates to more drive-up storage units which are often in greater demand and maximizes the net rentable area for the building.

OFFICE-WAREHOUSE STORAGE

Office-warehouse space typically offers customers a small (usually 150 square feet), tiled or carpeted office with electricity and a phone line that is attached to a medium to larger storage space (150 – 300 square feet). This type of space is ideal for a small business, sales representative, or local delivery service business.

LOCKER STORAGE / WINE STORAGE



Locker Storage typically represents small storage spaces (4H X 4W X 4D) that are stacked one on top of the other. Customers with small quantities of items needed to store prefer these small spaces that prevent them for having to pay for a space that is too large.



Climate controlled Wine Storage is becoming increasingly popular. Like Locker Storage, facilities offer smaller storage spaces sizes, but with Wine Storage, temperature and humidity are kept in ideal ranges for storing wines. Facilities typically offer varying sizes to accommodate big collectors and wine enthusiasts of all sizes, as well as wine merchants and restaurants.

FULLY ENCLOSED STORAGE



Fully Enclosed boat and RV storage is like traditional storage, the exception being the eve height and door size requirement. Larger RVs require a minimum 14-foot eve and door height clearance and a 10-foot door width. Although most enclosed spaces have concrete or asphalt floors, some customers do not mind parking in an enclosed space with a gravel floor. Most customers prefer some type of electricity service in their space to assist them with keeping batteries charged while their RV or boat is in storage. Facilities often charge an extra fee to customers who use electricity.

COVERED STORAGE



Boat and RV owners commonly demand Covered Storage. Where this is not as secure or private as enclosed storage, it does provide the stored contents protection from the sun and precipitation. Although most covered spaces have concrete or asphalt floors, some customers do not mind parking in a covered space with a gravel floor. Most customers prefer some type of electricity service in their space to assist them with keeping batteries charged while their vehicle or boat is in storage. Facilities often charge an extra fee to customers who use electricity.

OPEN STORAGE

Open Storage is like an uncovered parking lot and is typically used by customers needing storage for boats, RVs, trailers, campers, etc. These customers either utilize their own covers or are not concerned with the elements and are typically seeking a low-cost solution to their storage needs.



DEVELOPER ACTIVITIES

Whether you plan to do it yourself or involve the service of an experienced builder, it ultimately is the responsibility of the owner to make certain that an effective plan is created and that the facility is constructed per that plan. To determine your level of involvement you should consider the complexity of the project, your abilities, your available time, and the required activities.

The development of a self-storage facility requires careful planning and execution to complete the process in an organized and timely fashion. The goal should be to ensure the proper construction of the facility, within a budget, and with the least amount of problems.

Whether you plan to build the facility yourself or involve the services of an experienced builder, it ultimately is the responsibility of the owner to make certain that an effective plan is created and that that the facility is constructed per that plan. You should consider the complexity of the project, your abilities, your available time, and the required activities to determine your level of involvement. The following is a list of activities which are generally required when developing a self-storage facility.

9ăúl·ōfłăKłyƎ [ŜƎl·f /2dzyãŜf¢ The complexity of the project and the developer's previous experience will dictate the level of legal counsel and support that is needed. This support should be from someone experienced in real estate law to assist with purchasing the property (contract preparation) and with managing the loan and construction documents. Even the most experienced developers utilize legal support to protect their interests.

LyűŜNl·ŏűłyƎ ølűK .dzłfŘłyƎ l·yŘ ½2yłyƎ 5ŜLJl·NűŸŜyűă¢ These activities will make known the specific requirements for developing the site and submitting building plans. It may be advisable to employ experienced support if the project requires significant variances to existing regulations.

² 2N]łyƎ ølűK 5Ŝăł3y′ tN2ŦŜăăł2yl·fă¢ This includes the selection and utilization of an architect and engineer to prepare specific working drawings. Consider selecting those professionals who are experienced with self-storage. These drawings will be used for submittal to local building officials and to contractors for pricing.

² 2N]łyƎ ølűK hűKŜN ¢KłNŘ tl·NűłŜă¢ This involves the selection and utilization of professionals to complete required surveys, environmental evaluations, title report, subsurface analysis, and appraisals.

5ŜØŜf2LJłyƎ /2ăű 9ăűłŸl·űŜă¢ This includes the production of detailed cost estimates of the entire development project based upon the actual building plans.

bŜƎ2űłl·űłyƎ /2yűNl·ŏűă¢ This consists of the necessary actions to ensure that qualified contractors and service professionals are employed at favorable terms.

{dzōŸłűűłyƎ tfl·yã¢ This includes the submittal of plans to the local building officials to obtain all building permits required to construct the facility.

{dzLJŜNØłăłyƎ /2yãúNdzŏűł2y¢ This includes the day-to-day supervision of the contractors hired to complete the construction.

tNŜLJl·NΛyƎ [ŜyŘŜN tl·èY'Ŝyű wŜljdzŜăűă This involves the preparation and approval of payment requests to the lender as work is completed and approved.

/2Y'LJfŜűΛyƎ CΛyl·f LyãLJŜŐúΛ2yã This is the process of ensuring that contractors complete all the work as required and that all final inspections are completed so that a final Completion Certificate can be issued.

The prudent investor needs to thoroughly understand these requirements and will make a realistic assessment to determine their intensity of involvement. The effective execution of these activities will lead to making certain that a successful self-storage development is established.

DEVELOPMENT TIMEFRAME

The pre-construction period is the time after the closing on the land purchase and up to the point in time that actual construction begins. Pre-construction activities such as interacting with building and zoning departments, working with design professionals, etc. are completed during this period. The pre-construction period will vary according to the amount of time the developer devotes to those activities and to the complexity of the development. Aggressive efforts usually result in pre-construction periods being as little as three months for a relatively uncomplicated project to more than nine months for the more complex.

One central consideration is that once the land is purchased, property taxes begin accruing. Additionally, any costs associated with financing also begin to accumulate. These preconstruction months create such carrying costs that can normally be worked into the development financing.
The construction period begins when actual construction commences and ends when the certificate of occupancy is issued. Many factors can influence the construction period to include development complexity, weather, the amount of focus, etc. Generally, construction periods range from as little as six months to more than 12 months.

DEVELOPMENT COSTS

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Also known as the “brick and mortar” costs, hard costs consist of those expenses to physically improve the site including excavation, buildings, paving, landscaping, and security.

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Physical Improvements consist of all direct costs associated with the building of your storage facility. They include all concrete slab work, building material and labor costs, hallway systems, overhead doors, electrical, plumbing, and heating ventilation and air conditioning systems. Additionally, physical improvements include the office and apartment construction costs. In general, once cost per square foot estimates are developed to meet a specific type of physical improvement, that amount can be held constant for the region. Variations may occur as labor and material costs sometimes fluctuate from one region to another.

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Demolition costs are specific to the site you choose. Your site may be currently undeveloped or vacant and therefore not require any demolition costs. There are many opportunities to take a previously developed site and raze the existing structures to create a self-storage property. Demolition costs should include costs to raze the building, removal of the debris from the site and the filling of any holes or depressions left from the previous structures. There are specific contractors who specialize in this type of work. Demolition estimates should also include the fees to disconnect all existing utilities, the remediation of any hazardous or environmentally sensitive materials from the structures before demolishing, and any special permits required for demolition purposes.

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Site work relates to the improvements needed to make a specific parcel capable of working as a self-storage site. These costs could include the remediation of wetlands, the treatment of specific soil types to stabilize the structural capacity of the soils, the balancing of different grades across the site, etc. Site work is usually projected as a separate cost from the physical improvements cost. This is because you can establish a physical improvement estimate that can be applicable to multiple sites if the type of facility will be the same. Conversely, site work costs will vary dependent upon the unique characteristics of each site.

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The costs associated with establishing a security system for the self-storage facility will vary depending on the comprehensiveness of security features incorporated into the facility. The owner/operator may choose to put alarms on every unit or may feel that extra cameras would bring the customer more comfort. There are numerous security system providers in the self-storage industry which can provide a specific system that incorporates minimum requirements or all the “bells and whistles” available.

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This category can include costs you anticipate but do not believe should be included in the above groups. As an example, you may want to track “offsite” costs such as extending curbs and sidewalks that the local government required to approve your project.

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This is a very important consideration when estimating costs. There will be cost adjustments during the development of your property, as unforeseen conditions do arise whether caused by a change in material costs or simply by weather conditions. You would want to consider a higher contingency if you are converting an old building into self-storage, as an example, as the unforeseen conditions have more risk associated with them. Sites requiring large amounts of Site Work may need a higher contingency as well.

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Soft costs are distinguished from the hard costs and consist of legal, financing, architectural and other fees required for construction. They also include startup costs such as office setup, facility signage, and pre-opening marketing activities.

Soft costs are distinguished from the hard costs and consist of legal, financing, architectural and other fees required for the project. They also include start-up costs such as office set-up, facility signage, and pre-opening marketing activities. Soft costs are usually those costs not included in a contract with a general contractor. Soft costs are often underestimated by the inexperienced developer and require careful consideration.

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Architectural and Engineering should include the cost associated with the development of all construction drawings and specifications required for a project. Typically, the architect will establish the sub-contracting of the HVAC, plumbing, electrical, and structural engineering and landscaping drawings within the architect's proposal. The contract for civil engineering can be included within the architect's contract, but is often retained by the developer separately from the architect. Usually, "shop drawings" or the engineered drawings for fire protection, security systems, and storage partitions and doors are included in the general contractor's bid and would not be included under this category.

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This category should reflect the expected legal fees associated with negotiating and closing on the property. Obviously, there exists a broad range of hourly fees charged by various legal experts.

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The category for Entitlements should include the expected costs associated with securing governmental approval to build self-storage on the proposed parcel of real estate. The process of securing entitlements varies tremendously depending on the county or city you are working with for approvals. Typically, the more urban the area, the more involved the entitlement process may be. In dense urban areas, or large cities, an attorney or entitlement "specialist" may be required to assist in the process, as there will be numerous departments and requirements to navigate through before approvals are granted. In more rural areas, there will typically be less government entities involved and the property owner may attain entitlements with the assistance of architectural and civil documents for submittal and presentation.

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In most cases, if you are using a lending institution to finance your project, you will need to provide an environmental study showing the condition of the property from an environmental standpoint. Environmental Studies are typically split into two phases. A "Phase I" study will determine the historic uses of the site through simple research and will determine if a "Phase II" study is required. If a Phase I determines that the property, as an example, has always been a ranch, there probably is no need to conduct a Phase II study. As a further example, if the property was used for a short period of time as a gas station, regardless of the land's current use, your lender would most likely require a Phase II Environmental Study to be conducted. Phase II studies include the sampling and testing of the soils and ground water at the site.

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Before closing on a property, or building on one already owned, there are some basic tests and verifications recommended. The prudent developer will have a Structural Soils Test completed to help the architect and structural engineer design a foundation, slab, and structural system best suited for the soil type and ground water conditions specific to your site. An ALTA survey will be required to verify proper title for the property and identify any existing easements or encumbrances associated with the property.

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Your construction loan lender will most likely require certain tests during the construction process. Typical tests include compaction testing of newly placed soils, slump tests on the concrete mix and/or masonry mortar, pressure test on new water pipes, etc. The lender may discourage the use of the general contractor for the responsibility of testing and may require the owner to sign an independent

testing firm. The lender may also require an additional “as is” survey of the completed project before releasing the final draw on the construction loan.

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If a title company or escrow agent is used to assist with the closing on the property, the fees associated with their work are typically split between seller and buyer. There may also be transfer taxes or other governmental fees associated with the transfer of property. The party responsible for paying these fees is determined by the traditions in a specific market. Your title or escrow agent can assist in determining the party traditionally responsible for the payment of these fees in your specific market. Responsibility of transfer fees can also be negotiated in the Purchase and Sale Agreement between Seller and Buyer.

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Your lending institution will require an appraisal of the property based on either comparable land sales or the potential income production of your parcel before approving the lending of funds on the project.

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This category is in addition to the inclusion of property taxes under the section of estimating Operating Expenses. As you may not open your new facility for several months after purchasing the property, there will be a tax cycle that will need to be accounted for during construction. The Property Tax number in this section will most likely be considerably less than the projected future property taxes. The property tax from the previous calendar year would be a good indication of property tax due for a year of construction.

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You can get an estimate of all approval and permitting fees from the local government entity overseeing your project. Outside of typical permitting fees, you need to establish if there are any unique fees associated with your parcel, district, or use type. As an example, if a use is determined by a city to generate higher than usual traffic patterns, that city may impose a Traffic Impact Fee. Sometimes a specific border is established around an area and there may be a one-time TIF charged to a parcel in that area. Your local government can provide an estimate of all fees and permits.

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Some of these costs may be included in the contract with the general contractor, but are typically items provided directly by the owner. This would include all appliances if an apartment is provided and all office furniture and equipment required outside of the security system.

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Signage may be included in the general contractor's scope of work, but many owners prefer to work directly with a sign company. Consider having the assistance of the sign contractor during the entitlements process to assure approval by the city of all proposed signage.

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As with property taxes, you should include a marketing number under soft costs in addition to the estimate in the Operational Expenses section. As a development soft cost, the Marketing estimate is the dollars projected to be spent on marketing during the construction period. A typical marketing expense during construction would be yellow page ads, which typically run in an annual cycle and may need to be started early if your project is projected to open within that cycle. You may also want to erect an "Opening Soon" sign on the property during construction.

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This category can include costs you anticipate but do not believe should be included in the above groups. As an example, there may have been a contingency associated with the city approvals that requested that the owner provides a service or donation that would not be categorized in the above sections.

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As with Hard Cost, it is prudent to figure in a contingency estimate for soft cost overruns. Most estimates start with a 4% contingency. However, as an example, if it is believed that the entitlement process will be difficult, a higher percentage should be allocated under the Contingency category.

DEVELOPING A SITE PLAN

A site plan is a bird's-eye drawing, prepared to scale, showing the property boundaries. Included are the dimensions and location of all buildings proposed on the parcel of land. Features of a site plan generally show the building setback, driveway network, parking spaces, and property access points. More detailed plans will show utility networks and account for local zoning and jurisdictional regulations.

Developing a detailed and accurate site plan takes time and money. It involves hiring a building designer or civil engineering that assists you in the process. A detailed site plan considers multiple items, including:

- Zoning requirements on building setbacks and landscape buffers
- Utilities servicing the property and where those utilities terminate
- Land features such as a steep grade or poor drainage that might increase development costs

Developing a *preliminary* site plan is a good first step in evaluating a parcel of land for a potential self-storage investment. This preliminary plan allows for an initial estimate of gross building area and subsequently the rentable area. A preliminary site plan typically includes the building layout with consideration given to the building setbacks, driveway network, parking spaces, and property access points.

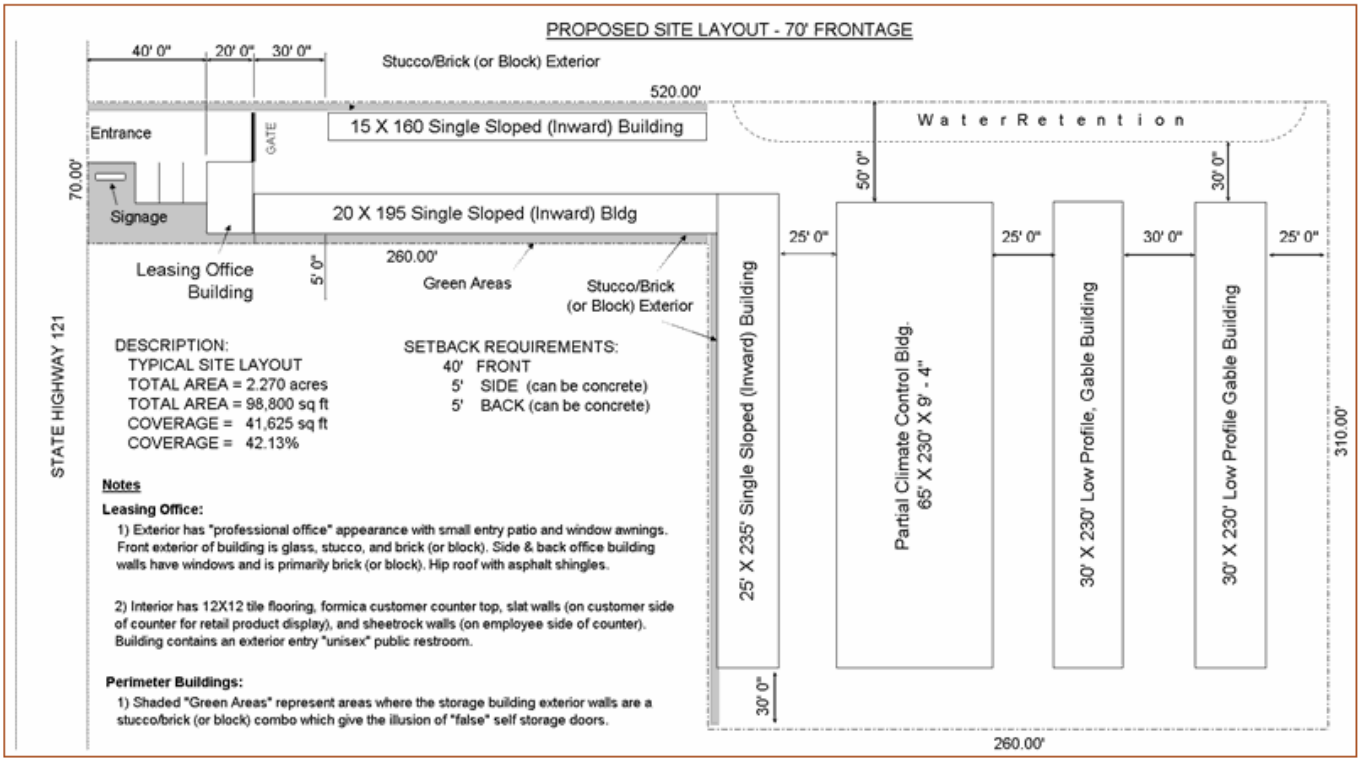
Determine the required building setbacks and layout of the desired buildings. Keep a close eye on drive isle widths. Drive isle widths should rarely be less than 20 feet and are more commonly 30 feet. 30-foot widths allow customers to park in front of their spaces while loading and loading, leaving room for other site traffic to pass by. Some municipalities require fire lanes to be established that will influence the width of drive isles.

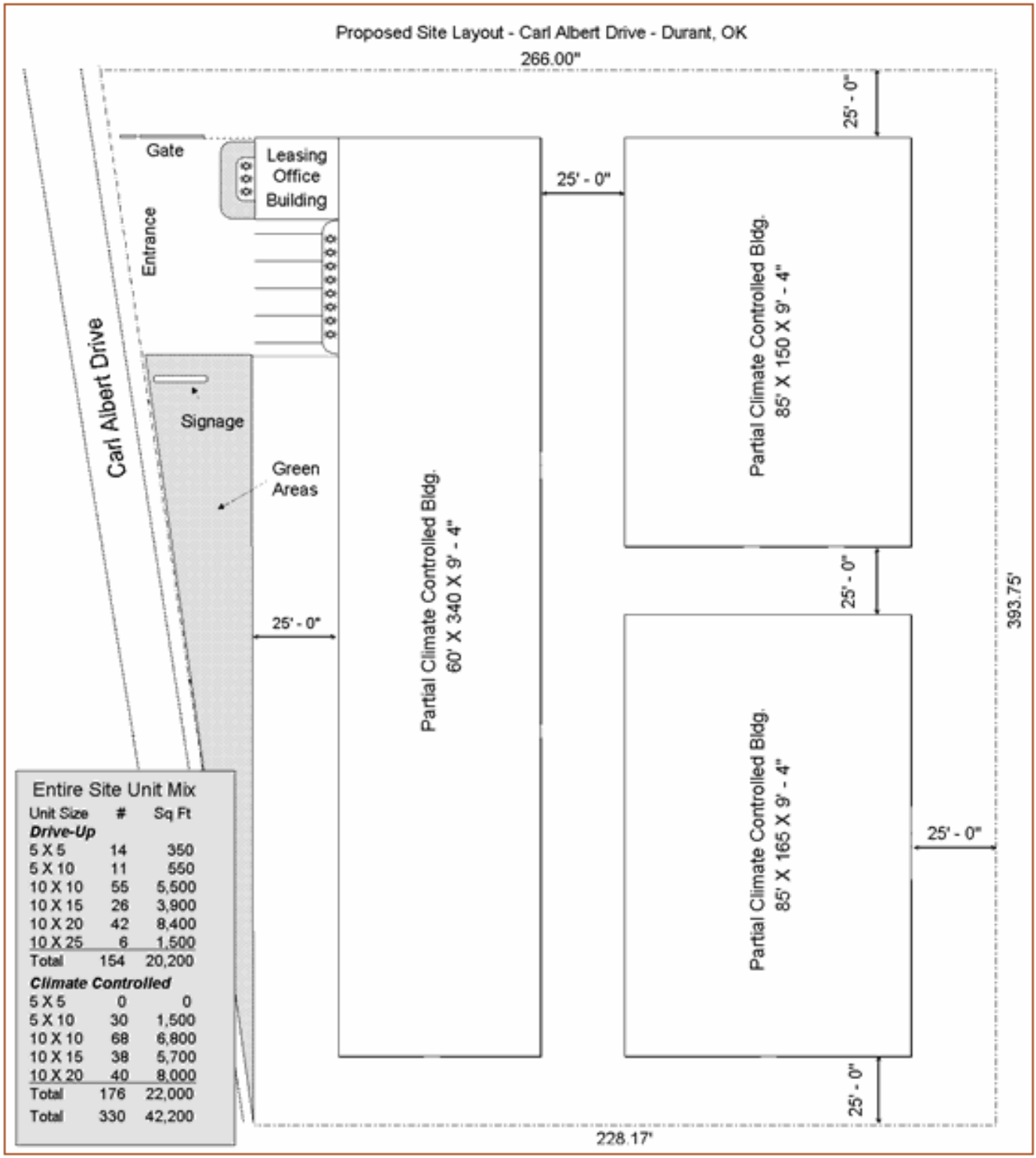
Next, identify the desired property access point. Identify the gate’s location if you are planning to utilize an access gate. Consider how vehicles and trucks will stage as they pull up to the gate. Most municipalities will require a gate location that does not allow vehicles to stack up into the street. They will also want to see that vehicles can turn around on the property if access through the gate is denied.

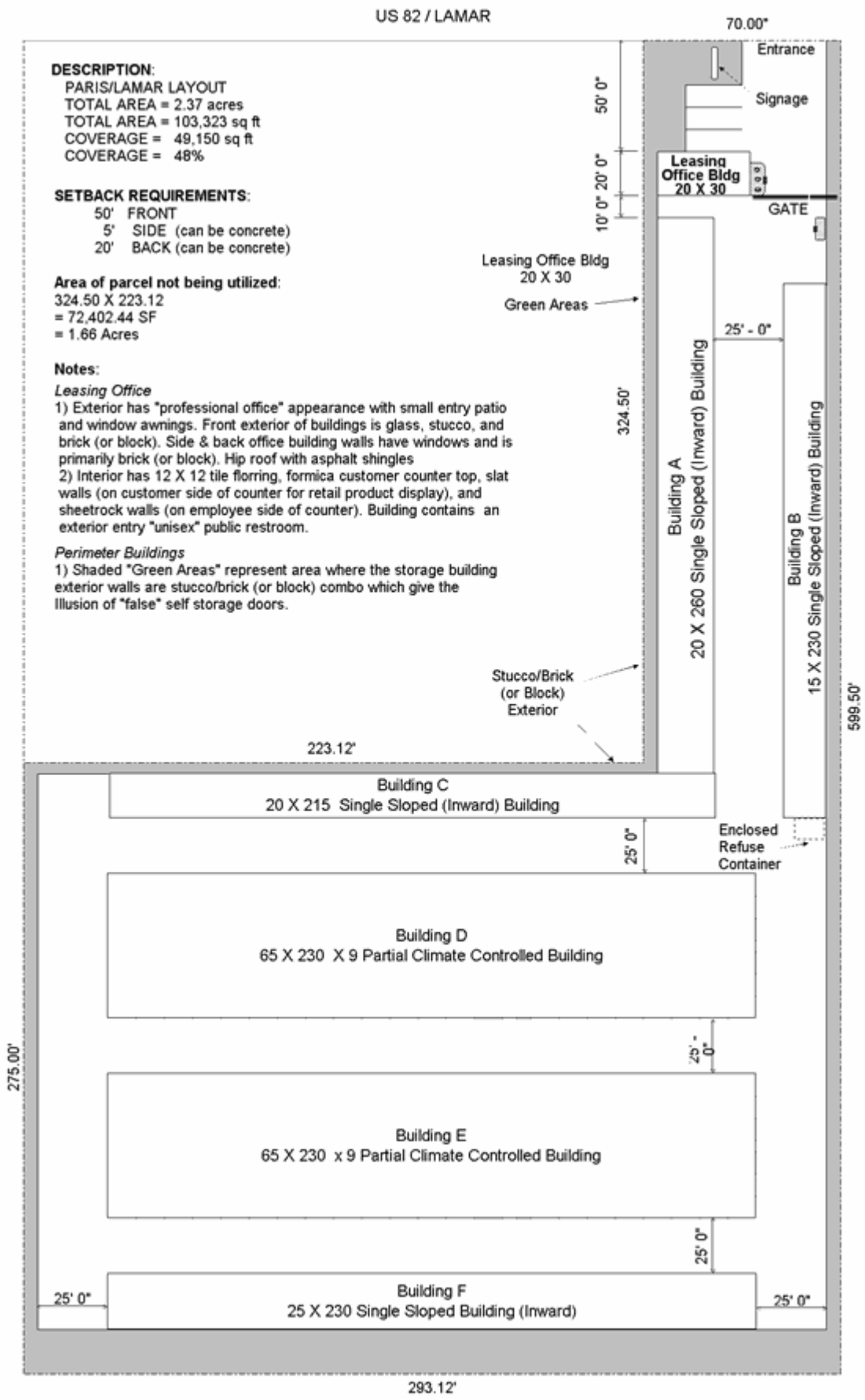
Last, establish the parking spaces that will be utilized by employees and customers upon visiting the site. Again, most municipalities will have parking space requirements that are often based upon the overall building area of the facility.

Total the square footage of each planned building to determine the gross building area of the facility.

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PROPOSED SITE LAYOUT - 70' FRONTAGE
40' 0"
20' 0"
30' 0"
Stucco/Brick (or Block) Exterior
520.00'
Entrance
GATE
15 X 160 Single Sloped (Inward) Building
W a t e r R e t e n t i o n
70.00'
50' 0"
30' 0"
Signage
20 X 195 Single Sloped (Inward) Bldg
25' 0"
25' 0"
30' 0"
25' 0"
Leasing Office Building
5' 0"
260.00'
Green Areas
Stucco/Brick (or Block) Exterior
25' X 235' Single Sloped (Inward) Building
Partial Climate Control Bldg. 65' X 230' X 9' - 4"
30' X 230' Low Profile, Gable Building
30' X 230' Low Profile Gable Building
310.00'
STATE HIGHWAY 121
DESCRIPTION:
TYPICAL SITE LAYOUT
TOTAL AREA = 2.270 acres
TOTAL AREA = 98,800 sq ft
COVERAGE = 41,625 sq ft
COVERAGE = 42.13%
SETBACK REQUIREMENTS:
40' FRONT
5' SIDE (can be concrete)
5' BACK (can be concrete)
Notes
Leasing Office:
1) Exterior has "professional office" appearance with small entry patio and window awnings. Front exterior of building is glass, stucco, and brick (or block). Side & back office building walls have windows and is primarily brick (or block). Hip roof with asphalt shingles.
2) Interior has 12X12 tile flooring, formica customer counter top, slat walls (on customer side of counter for retail product display), and sheetrock walls (on employee side of counter). Building contains an exterior entry "unisex" public restroom.
Perimeter Buildings:
1) Shaded "Green Areas" represent areas where the storage building exterior walls are a stucco/brick (or block) combo which give the illusion of "false" self storage doors.
30' 0"
260.00'


Proposed Site Layout - Carl Albert Drive - Durant, OK
266.00"
Gate
Leasing Office Building
Entrance
Carl Albert Drive
Signage
Green Areas
25' - 0"
Partial Climate Controlled Bldg.
60' X 340 X 9' - 4"
Partial Climate Controlled Bldg.
85' X 150 X 9' - 4"
Partial Climate Controlled Bldg.
85' X 165 X 9' - 4"
393.75'
228.17'
Entire Site Unit Mix
Unit Size # Sq Ft
Drive-Up
5 X 5 14 350
5 X 10 11 550
10 X 10 55 5,500
10 X 15 26 3,900
10 X 20 42 8,400
10 X 25 6 1,500
Total 154 20,200
Climate Controlled
5 X 5 0 0
5 X 10 30 1,500
10 X 10 68 6,800
10 X 15 38 5,700
10 X 20 40 8,000
Total 176 22,000
Total 330 42,200


US 82 / LAMAR
70.00'
Entrance
Signage
50' 0"
10' 0"
20' 0"
Leasing Office Bldg 20 X 30
GATE
DESCRIPTION:
PARIS/LAMAR LAYOUT
TOTAL AREA = 2.37 acres
TOTAL AREA = 103,323 sq ft
COVERAGE = 49,150 sq ft
COVERAGE = 48%
SETBACK REQUIREMENTS:
50' FRONT
5' SIDE (can be concrete)
20' BACK (can be concrete)
Area of parcel not being utilized:
324.50 X 223.12
= 72,402.44 SF
= 1.66 Acres
Notes:
Leasing Office
1) Exterior has "professional office" appearance with small entry patio and window awnings. Front exterior of buildings is glass, stucco, and brick (or block). Side & back office building walls have windows and is primarily brick (or block). Hip roof with asphalt shingles
2) Interior has 12 X 12 tile florring, formica customer counter top, slat walls (on customer side of counter for retail product display), and sheetrock walls (on employee side of counter). Building contains an exterior entry "unisex" public restroom.
Perimeter Buildings
1) Shaded "Green Areas" represent area where the storage building exterior walls are stucco/brick (or block) combo which give the Illusion of "false" self storage doors.
Leasing Office Bldg 20 X 30
Green Areas
324.50'
25' - 0"
Building A
20 X 260 Single Sloped (Inward) Building
Building B
15 X 230 Single Sloped (Inward) Building
599.50'
Stucco/Brick (or Block) Exterior
223.12'
Building C
20 X 215 Single Sloped (Inward) Building
25' 0"
Enclosed Refuse Container
Building D
65 X 230 X 9 Partial Climate Controlled Building
25' - 0"
275.00'
Building E
65 X 230 x 9 Partial Climate Controlled Building
25' 0"
25' 0"
Building F
25 X 230 Single Sloped Building (Inward)
25' 0"
293.12'

SELF STORAGE FINANCING

Self-storage's status in the financing community has never been healthier. As a result, there are many sources of financing offering a variety of loan types. The cost of such financing varies depending upon the borrower's strength and the strength of the development site.

There are numerous ways to finance a self-storage investment. The basic practice is to put short-term financing in place to acquire the land, pay for construction, and lease-up of the facility. Long term financing then replaces the short-term financing.

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A typical real estate development makes use of two short term loans: a construction loan and a bridge loan that is in place during lease-up. The trend in the self-storage industry is to utilize a mini-permanent loan. Also known as a mini-perm, this loan combines the construction loan and bridge loan into one.
Short term financing is usually in place from the time the land is purchased to the time that the facility produces a stabilized level of occupancy and income. Although there are a variety of terms that can be negotiated, one popular structure involves establishing short term financing that requires interest only payments to be made on the note.

Interest rates on short term loans are generally higher than more secure, long term financing. Short term loans often incorporate an adjustable or floating interest rate that uses either the current Prime rate or LIBOR (London Inter Bank Offer Rate) as indices for determining the interest rate on the loan. The term of the financing will vary dependent upon the type of short term financing that is utilized.

When developing investment real estate there are two common short term loan types that are used. The Construction Loan and the Bridge Loan. Self-storage developers are discovering a third type of short term loan, called a mini-permanent loan, which has some very beneficial and unique characteristics.

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The Construction Loan is well-titled as it usually begins releasing funds to the borrower as construction costs are incurred. The Construction Loan is a short-term loan (12 – 36 months), often secured by a personal guaranty, and established to finance the costs of acquiring the land and/or the construction of the facility. Normally borrowers can obtain 70% of the total land and construction costs. The lender generally requires the payoff of the loan to come from the proceeds of the borrower's subsequent mortgage loan.

Most Construction Loan lenders will require pre-approved “Draw Requests” which show that materials and labor have been completed on the project before funds are released. All contracts, change orders, and schedules are usually required to be shared with the lender. Traditional Construction Loans usually require that permits exist to begin construction before becoming effective.

Further, the terms require that the loan must be paid off within a few months after the buildings have received the final Certificate of Occupancy from the city signifying completion. They are truly meant to only cover the construction process.

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The Bridge Loan is a short-term loan (3 – 36 months) that is typically used in two ways. One use is to cover initial project costs up to the construction loan commencement. As an example, the developer may utilize a Bridge Loan to cover land and soft costs needed to bring a project far enough along to get the Construction Loan started.
Bridge Loans have also been used to bridge the gap between paying down the Construction Loan and having a stabilized property to secure attractive long-term financing. Built into the loan are amounts necessary to cover the cash-flow deficits that occur prior to absorption. It normally has little or no pre-payment penalties and is used to give the owner time to maximize the income potential of the facility before securing long term financing.

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SBA loan products have only been available to self-storage owners since 2010 but have proven especially beneficial to those owners in secondary or tertiary markets where traditional financing options may be more difficult to find. Through 7a and 504 programs, self-storage owners have been able to secure fixed or floating rate loans when above average leverage is necessary. The following briefly outlines the two programs:

504 Program:
- Commonly fixed-rate
- Proceeds of $125,000 to $13 million available
- Up to 20-year loan term available, fully amortizing
- Declining prepayment penalty structure for the first 10 years, starting with 10 percent in year one
- Currently only available for acquisition financing

7a Program:

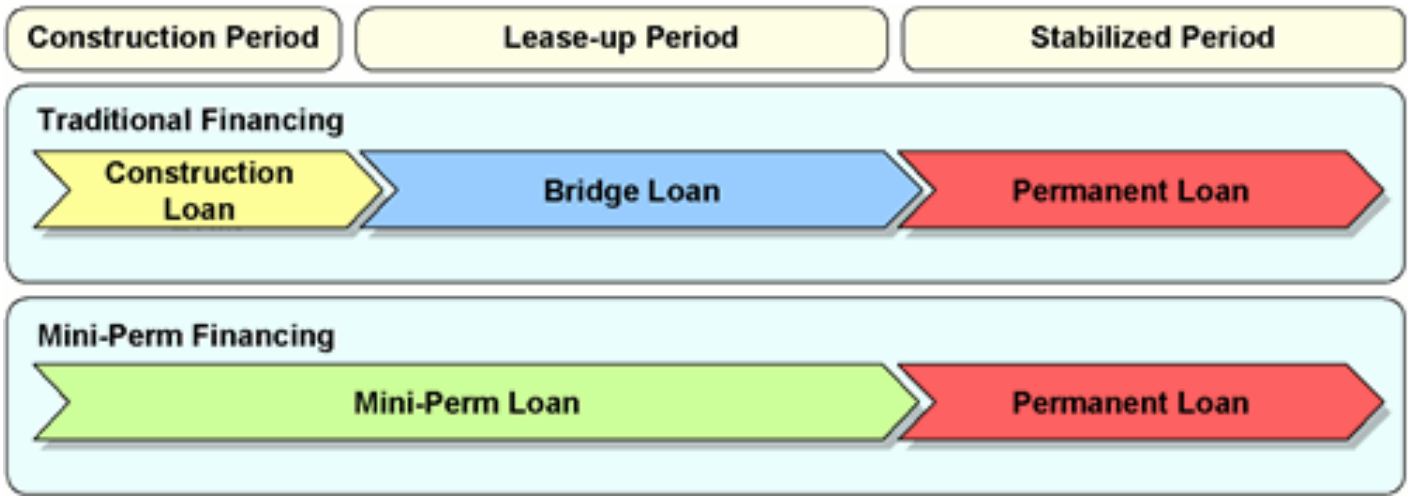
- Commonly floating-rate
- Rate generally resets quarterly based on a prime-based rate
- Proceeds of $50,000 to $5 million available
- Up to 25-year loan term available, fully-amortizing
- Prepayment allowed after three years, following a 5 percent, 3 percent, 1 percent penalty in the first three years
- Applicable for both acquisition and refinance

Rates for both programs vary depending on several factors. As with many federal programs, SBA loans are document heavy, and thus the processing, underwriting, approval, and closing on these loans can take longer than other programs. When applying, seek a lender that is Preferred Lender Program (PLP) certified, allowing them to approve loans on behalf of the association, which can speed up the process. Contact a district SBA office to learn which lenders are PLP certified. SBA financing has been positive for the self-storage industry overall, acting as another medium through which capital and liquidity are injected into the market.

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Mini permanent financing has become a popular means to establish short term financing for self-storage. This loan allows the facility to establish an operating history prior to applying for long-term, permanent financing. These loans are commonly referred to as a Mini-Perm loan. Mini-Perms are unique in that they are used to finance both the construction and lease-up period. A mini-perm loan term is generally up to 36 months, often with options to extend.

The following diagram shows how the mini-perm loan compares to the more traditional construction loan and bridge loan:



The loan functions initially as a construction loan and features funding components such as draw requests, etc. Thereafter, it functions as a bridge loan. The real advantage is that a borrower who has a mini-perm loan does not have to obtain financing at the end of construction. This is the point where the cost to construct the facility has been spent and the facility is not yet producing any net operating income. A bridge loan at this point would be perceived as a higher risk to a lender who would likely offer less favorable terms.

It is initially an interest only loan and the cost of the interest is built in to the loan amount. The loan does not require payments to be made until the facility can afford to do so. Payment deficits caused by the income shortfall are rolled back in to the loan amount. At stabilization, it can be structured to convert to an amortizing loan or may be replaced with long term financing.

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Short term loans usually require a personal guaranty from the borrower that indicates that the borrower is putting personal possessions up as collateral if there is any default on the loan. This can be a severe issue for the self-storage developer who does not have a net worth in proportion to the principal associated with the loan size. Many self-storage developers will look for a partner who meets the guarantor requirement to join as a partner in the deal for a favorable position and return.

Enter your financing terms in the worksheet below to forecast your short-term financing. Enter 0% for the percent financed if you do not want to forecast financing. Typically, mini-perm interest rates range from 2% to 2.5% over the current ten-year treasury rate.

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Long term financing involves establishing a permanent loan to pay off the short-term financing. Terms for the permanent loan can be quite favorable for a facility that has established a solid track record. Long term financing rates are typically lower than short term rates. The typical permanent loan has a term of five to ten years with a 25-year amortization period.

Some investors prefer to evaluate feasibility without establishing long term financing. Their reasoning is that it could be difficult to predict the terms that will be available in the future. Thus, for feasibility evaluation purposes, they leave the short-term financing in place.

Long term financing involves establishing a permanent loan to pay off the bridge or mini-perm loan. Terms for a permanent loan can be quite favorable for a facility that has established a solid track record. A permanent loan is typically a five to ten-year loan with a 25-year amortization.

Long term financing is normally established upon reaching stabilization. The amount of financing available is based upon valuation of the stabilized annual net operating income. It is common to find that the amount of long-term financing that is available will exceed the amount needed to pay off the prior loans balance. Some borrowers will finance the maximum amount available.

This may allow them to recover their initial equity investment. In this case, the income being produced by the facility at stabilization can afford the payments on this higher financed amount.

Long term financing is typically more desirable than short term financing because it usually offers lower interest rates and can be structured as a non-recourse loan. Non-recourse means that the lender can secure the loan with the property in question, but cannot look beyond the property as recourse on a defaulted loan. This eliminates the need for the borrower to provide a personal guaranty on the loan.

There are many questions that you need to answer to properly evaluate the right long-term financing for your project. How long do you plan to own the property? How important is locking in the interest rate to control what will most likely be the biggest annual operating expense? How crucial is a lower interest rate, which can be obtained with long term financing, but may require burdensome pre-payment penalties?
There are a variety of sources for permanent loans. These sources include traditional loans from a bank or credit union, “conduit” loans or CMBS loans, or even loans from insurance companies.

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Included in this category are loans offered by banks, savings and loans and credit unions. These represent most of self-storage financing, partially due to existence of pre-established lender/borrower relationships. These loans are relatively low cost and generally close in a timely fashion.
These lenders commonly offer fixed-rate options for five, seven, or ten years. They typically offer amortizations of 15 to 25 years. Loan-to-values can go to 80 percent but are usually 70 to 75 percent.

Conduit Loans

Conduit Loans are often a viable source of low, fixed-rate financing. Interest rates are often established as a percentage above (ranging from 1 to 1.5) the corresponding Treasury (usually the 10-year Treasury). Providers of conduit loans are, for the most part, commercial mortgage bankers and mortgage brokers.
Conduit loans carry higher costs than bank loans. Prepayment penalties are usually tied to defeasance, where the lender replaces the cash flow of the original loan with actual treasury securities. The borrower’s penalty repays the lender enough money to buy these securities and the lender buys a combination of bonds to replace the yield lost when a loan is paid off. Once these bonds are purchased, the lender releases their collateral in the property.

Ordinarily, the minimum loan amounts for most conduits are $2 million or more. Loan terms typically include a clause that bars the lender from holding the borrower personally liable for default. Although conduit loans often take more time to close, they may allow the borrower to lock in the rate upfront.

Insurance Company Loans

Insurance companies provide fixed-rate financing with terms of five to 25 years with amortizations up to 25 years. Their rates are typically 1.25 to 1.75 percentage points over the Treasury.
Insurance company loans have higher costs than bank loans and are typically restricted to higher-quality facilities. Loan-to-values are generally lower than those offered by banks and are normally 70 to 75 percent.

Other Long-Term Loan Considerations

It may be advisable to work with a lender with whom you already have a relationship. A lender who already has self-storage experience is a real plus. Combined, these characteristics would greatly assist with obtaining the most favorable loan terms, rate, and structure.

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Commercial real estate construction in 2015 built on momentum from 2014, following several years of minimal new development in the wake of the financial crisis. Several market experts have predicted that the nonresidential construction sector will continue to expand, with the Associated Builders and Contractors (ABC) projecting 7 percent nominal growth in 2016. While new development has and will continue to present self-storage owners with opportunities, employment growth in the construction saw an increase in jobs in October that followed several months of minimal job growth.

This slow growth can create a gap in skilled workers in the industry as compared with the potential demand. A lack of skilled workers can drive wages up and can increase project completion time and cost. On the other hand, costs for construction materials were down by 1.2 percent year over year in August 2015. Still, lenders are selective when it comes to construction loans, preferring to lend to well-capitalized borrowers with healthy past development experience.

For a developer with a viable project in a high-demand trade area, the most likely lending partner is a local or regional bank willing to build a relationship and partner with the sponsor. Construction loans are riskier than other debt products by nature, because there is no cash flow during the construction and lease-up period. Full recourse with a completion guarantee is typical of construction financing, at least until the Certificate of Occupancy is obtained, after which a burn down to limited or partial recourse may be allowed.

Currently, conventional lenders are advancing up to 75 percent LTC at attractive fixed or floating rates, with “break-even” interest carry often built in. Other specialized self-storage lenders recognize the need for new product in select markets and may be willing to offer up to 90 percent of construction costs on a non-recourse basis, under a participating debt structure for qualified projects. Alternatively, borrowers may find higher leverage available with SBA financing.

When negotiating a construction loan, it is critical to structure an interest-only period that mirrors the timeline required to bring the property to break-even occupancy. In addition, be sure to factor the necessary interest carry into the budget. These structural features help minimize the stress associated with the financing. The key element in a successful construction financing request is planning. By budgeting construction costs and development timeframes carefully, it will assist in identifying the appropriate loan structure and help to ensure the success of the project.

INCOME & EXPENSES

Rental income is the revenue that is collected from renting storage spaces. It is the primary revenue source for a self-storage facility. Excluded is income from fees, merchandise sales, etc. Rental income typically accounts for 95% of a storage facility's total income.

Rental Rates

Rental rate projections are used to forecast rental income. The average rental rate is the average monthly rental rate per rentable square foot. To understand the average rental rate, consider the following example:

		Square Feet		Rental Rate		Gross
Size	# Units	Per Unit	Total	Monthly	Per Sq Ft	Potential
5 X 10	30	50	1,500	$45	$0.90	$1,350
10 X 10	35	100	3,500	$75	$0.75	$2,625
10 X 15	20	150	3,000	$110	$0.73	$2,200
10 X 20	15	200	3,000	$135	$0.68	$2,025
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In this example, the average rental rate per square feet is $0.75. Calculate this by taking the gross potential of the facility ($8,200) and dividing by the total square feet of the facility (11,000).
Rental rates are typically market driven and are affected by the location, visibility, access, and facility features such as security. Your competitor rate survey of the market area will provide understanding of the area's pricing. The average rental rate of the competitor property will typically fall somewhere near the rate they are charging for their 10 X 10 space. If this space (100 square feet) rents for $65, you can estimate their monthly average rental rate:

Monthly Average Rental Rate = $65 / 100 square feet = $0.65 per square foot.

If you are planning a facility that is comparable to the competition, forecast a comparable average rate. Superior facilities can justify a premium, whereas inferior facilities may need to be priced at a discount.

Lease-up Period

After opening for business, a self-storage facility will have few, if any, tenants. The period that it takes a facility to reach a stabilized level is called its lease-up period.

During the early years of the industry, investors enjoyed rapid lease-up periods due to the absence of competition. Longer lease-up periods came about as the size of facilities increased and as more competitors entered the market. Today, investors are typically experiencing lease-up periods ranging from 24 to 36 months.

Post Lease-up Pricing

You will have an opportunity to increase your storage rates once the facility reaches stabilization. During lease-up, your facility demonstrated that the rates were marketable and you should now test for higher rates. Every size may not get the same level of increase. Notice which sizes rented rapidly and administer a relatively higher increase to those sizes. Those that leased slowly may not support any adjustment.
Many operators increase their rates an average of 3% to 7% upon reaching their stabilized level.

Most businesses do not collect 100% of their potential income. This is true of self-storage as well. Uncollected rent is caused by vacancies, move-in discounts, and non-payment by customers.

Vacancies

Losses due to vacancy occur when rental spaces are not rented. Rarely does a facility maintain a 100% average occupancy and if it is, it signals that rental rates are too low and should be raised. A fully leased facility is an indication that demand is not being met and thus encourages new competition. Most effective operators strive to achieve a stabilized, average annual occupancy of 90%. This is achieved through successful marketing and by effectively managing rental rates.

Move-in Discounting

Some operators will establish higher monthly rental rates and utilize move-in discounts (such as half off the first month's rent) to induce customers to rent at a higher monthly rate. Many customers are more concerned about how much it costs to move in today versus considering the monthly cost thereafter.

Generally, storage customers anticipate a shorter lease period than occurs. Whereas the average customer projects a two-month lease period at the time of move-in, the Self-Storage Almanac reports that the average length of stay is actually in excess of 10 months. Move-in discounts are commonly used to induce the rental.

Non-Payment by Customers

Nearly every facility experiences non-payment activity from customers that can no longer afford their rent and abandon their goods. State law allows for the contents of the space to be auctioned so that the facility can re-gain the space for leasing and attempt to recover past-due rent. In most cases, the auction proceeds do not generate enough income to match what was owed.

hűKŜ₪ Lÿ0ƧŶŜ is money that you collect from customers other than that for the actual rental of space. This could include late payment fees, the sale of ancillary products (padlocks, packing/moving supplies), and possibly income from leasing rental trucks.

Late Payment Fees

Generally, self-storage facilities generate more late fee revenue if they service a lower income area. Such facilities may collect late fees up to 7% of their rental income. Facilities located in higher income areas collect closer to 2%.

Most states have laws specific to the self-storage industry concerning collection activities. These laws govern the timing and maximum amounts that can be assessed. Check with your state self-storage association for guidelines on collection regulations for your state.

Merchandise Sales

Self-storage facilities often generate revenues from the sale of merchandise. These facilities will sell moving and packing supplies such as boxes, locks, tape, and packing paper. Aside from the revenue that these sales generate, the person buying the boxes may find a need for storage in the future and will have been introduced to the storage solutions offered at the facility.

Facilities located in strong retail areas that effectively advertise take on a "retail approach". This approach includes:

- A retail-oriented office design (built-in displays, large floor space, additional lighting)
- Additional promotional signage for both in the office and drive-by traffic
- Separate yellow page advertising under the "Boxes" heading
- Increased payroll costs to cover a retail oriented staff

There are several suppliers of products and displays that offer signs, posters and other promotional materials that add color and interest to the store. These will make the office look pleasant and increase sales.

Facilities can generate merchandise sales ranging from 0% to 4% of their rental income, with those following the retail approach at the upper end of this range.

Truck Leasing Income

Truck leasing and self-storage go hand in hand. Drive by any self-storage facility over the weekend and you will probably see one or more rental trucks being used by the storage customers moving their items on or off the facility.

As with merchandise sales, many customers who rent storage spaces will seek a rental truck before securing a storage space. If the self-storage facility effectively promotes their rental truck availability, they can indirectly promote their storage spaces. Some facilities will offer a discount on a truck lease to a customer who also rents a storage space from them.

If you are considering leasing trucks you should:

- Design an area in the front of property to display the trucks
- Budget for additional signage related to truck leasing
- Budget for separate truck advertising in the local yellow page directory

To establish truck leasing activities at your facilities, you could purchase and lease your own fleet of trucks. Another option is to become a dealer for a truck leasing company such as U-Haul or Budget Truck Rental. These companies can help you forecast the amount of income that your facility could produce.

Miscellaneous Other Income

Some facilities can generate additional income from leasing ground space for cellular phone towers or billboards. Others establish private mailboxes that they lease on a monthly basis. Still others establish shipping services, car washes, or wine storage to augment their revenues. There are a few who have leased their rooftops for collecting solar energy. Today's self-storage operators are finding creative ways to maximize the revenue production from their facilities.

Fixed & Variable Expenses

An appealing aspect of self-storage is that expenses are generally predictable. These expenses are classified as either fixed or variable. Self-storage fixed expenses include real estate taxes and insurance. Self-storage variable expenses consist of payroll, utilities, repairs and maintenance, management fees, marketing, office expenses, and other miscellaneous costs. These variable expenses fluctuate with occupancy. As facility use increases, utility costs will increase as will maintenance costs. On the other hand, a lower occupancy requires increased advertising costs.

Operating Expenses are the costs incurred for the day-to-day operation of the site and vary from facility to facility. Factors that influence operating costs include facility size, type, occupancy, and location. Additionally, management decisions such as staffing compensation, advertising programs, and property upkeep cause varying levels of expense. Operating expenses generally fall between 30 and 40 percent of the facility's gross income.

Fixed Expenses

An appealing aspect of self-storage is that expenses are generally predictable. These expenses are classified as either fixed or variable. Self-storage fixed expenses include real estate taxes and insurance.

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Also referred to as property taxes, this represents local government taxes levied on the ownership of real estate. Real estate taxes can be one of the most impactful items when calculating property return and therefore requires careful consideration. These taxes will vary from community to community. Most cities publish their tax rates on their website. Otherwise contact the city's taxing authority's office to obtain the applicable tax rates.

Initially, taking the total development cost (hard, soft, and land costs) and multiplying by the local tax rate can be performed to forecast real estate taxes.

There are specialists who can do a thorough job of forecasting property taxes for your specific site or market. You may want to consider utilizing such a specialist due to the consequence of the impact.

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Self-storage property and liability insurance is available which is specifically designed for the unique exposures of the self-storage business. The facility will need to insure its buildings and other physical improvements. Beyond this coverage, insurance is available to cover against loss or damage to customers' personal property for which the business may become legally liable. Further consideration should be given to maintaining coverage to protect against sale and disposal liability that provides coverage for claims against the business for negligent acts arising from the lockout, sale, removal or disposal of customers' property. This could occur when reclaiming rented space for which rental or other charges are past due. Hazardous waste removal should also be considered which pays for the appropriate removal of such materials from a storage space.

Special consideration should be given to flood, earthquake, hurricane, or other natural disaster areas. Typical range for this category is $0.10 to $0.20/SF. It is common for lower rates to be achieved through blanket policies. According to insurance providers, over the last couple of years insurance premiums have remained flat.

Variable Expenses

Self-storage variable expenses consist of payroll, utilities, repairs and maintenance, management fees, marketing, office expenses, and other miscellaneous costs. These variable expenses fluctuate with occupancy. As facility use increases, utility costs will increase as will maintenance costs. On the other hand, a lower occupancy requires increased advertising costs.

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This includes the salaries, employee benefits, and bonuses paid to the facility staff. Larger facilities typically staff the facility with at least two persons during the office hours. This allows one person to be in the office greeting customers and handling administrative matters while the other is outside, showing spaces to prospective customers, policing the property, or performing marketing activities. This category is greatly impacted by location and average living expenses. Unless zoning restricts, it is common for resident managers to live on-site. Expenses are often higher for facilities not offering living accommodations for managers. Typical range for this category is $0.75 to $1.25/SF. Depending on the size of the facility, this category also includes a part time assistant.

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This category includes costs for electricity, gas, fuel, oil and water. Temperature controlled facilities incur higher costs for supporting the HVAC equipment on the property. Both location and climate play a role in this category. Densely populated areas typically see higher energy costs. The number of climate controlled units at a facility should also be considered. Typical range for this category is $0.15 to $0.40/SF.

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This category includes the costs for paint, doors, paving, roofs, fencing and gates, and other things routinely repaired during the year. Landscaping, HVAC maintenance and pest control are included along with any snow removal costs that the property may be subject to. This category includes cleaning out the units, replacing doors, landscaping and any maintenance associated with the facility. Areas that require a snow removal expense and/or elevator servicing typically command higher expenses. Long term expenditures are also affected by climate; however, these expenses are typically covered in the reserves category. Typical range for this category is $0.15 to $0.30/SF. Age and physical characteristics play a part in budgeting for this category.

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This is typically done on a percentage basis of the Effective Gross Income (EGI). Therefore, areas with higher rents result in higher management costs. However, when a property is stabilized and generating strong rental rates, it is common to see downward pressure on the overall percentage. Typical costs range from 5% to 6% of the EGI.

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This category includes all costs associated with promoting the facility. Included are advertising costs such as Yellow Pages, print, and Internet advertising. Any additional marketing such as direct mail campaigns, newspaper or radio advertising, etc. would also be captured in this category. The amount of competing facilities and the property's access and exposure are primary considerations for this category. Typical expenses range from $0.20 to $0.40/SF. This category has consistently declined over the last couple of years as facilities have taken advantage of technology.

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This category includes telephone services, supplies, software repairs and fees, bank fees, and other miscellaneous office expenses. Operating and business licenses are also normally included. This expense includes accounting, legal fees, other professional fees, and general administrative costs. Typical expenses for this category range from $0.25 to as high as $0.75/SF. This category can often include expenses associated with U-Haul rentals and credit card fees.

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This is the category where other necessary but minor expenses are included.

Other Expense Considerations

Many lenders require the borrower to deposit a portion of revenues into a capital reserve account for major maintenance and repairs to include gate, HVAC, or roof replacement. Generally, 10 to 15 cents per gross building square feet is required each year. Reserves are not considered as an operating expense. This category takes into consideration capital improvements over a typical holding period; it does not include items of on-going maintenance that are included in the Repairs and Maintenance category discussed above. Typical range for this category is $0.10 to $0.20/SF.

Estimate Expenses

Expenses are typically projected either as (1) a percentage of gross potential income, (2) an expense per net rentable square foot, or (3) a monthly or annual amount. Whichever approach you employ, you should forecast operating expense based upon the facility operating at a stabilized occupancy level.

People unfamiliar with self-storage may find it challenging to forecast expenses. Some forecast expenses using gross potential income when preparing their initial analysis. Using this approach, they estimate total operating expenses between 30% and 40% of the gross potential income. Establishing a forecast at 40% usually leads to a safe projection of operating expenses.

Others with more experience often utilize historical, actual expense data (also known as trailing expenses) that are applied as an expense per rentable square foot.

CAP RATES

Sellers and buyers of self-storage facilities utilize a Capitalization Rate, also known as a "Cap Rate" to determine a property's value. This rate represents the yield or return the buyer anticipates receiving from the acquisition investment. Annual net operating income is divided by the cap rate to establish the capitalized value of the facility. The lower the cap rate, the higher the property value. Questions contemplated when considering a cap rate:

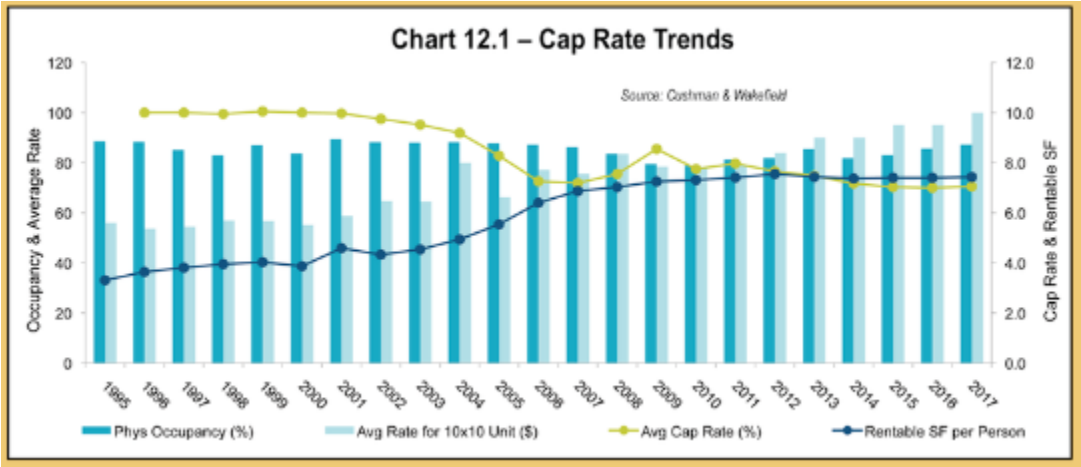
Where is your property located?

- What is your occupancy (physical and economic)?
- What is market occupancy?
- Are there any facilities under construction in your neighborhood?
- Are you offering concessions?
- How old is your property?
- What are the construction materials?
- What is the NRSF?
- What is your unit mix?
- Is there excess/surplus land available for expansion?

Cap rates are used by buyers to compare investments. Cap Rates tend to rise and fall with the returns on competitive investments and interest rates. Strong interest in real estate investing, specifically self-storage, will cause cap rates to be lower. Alternatively, cap rates will trend upward when there is a period of strong performance in the stock market. Lower interest rates make financing less expensive thus resulting in lower cap rates. Similar self-storage properties are likely to sell with similar cap rates. Facilities with strong, stable historical results, located in growing metropolitan areas, and are operated professionally tend to have lower cap rates than those that do not. Other considerations such as facility size, visibility, competition, and maintenance often impact cap rates.

In simple terms, the cap rate can be determined by dividing the investment’s net operating income (NOI) by the current market value or the sales price of the property with the NOI being the annual return on the property minus all operating costs.

Historically, cap rates have ranged from a low of 7% (high prices paid for exceptional properties) to a high of 14% (low prices paid for inferior properties). More recently, cap rates have trended downward (5% to 7%) due to the outstanding investment opportunity that self-storage represents.


Chart 12.1 – Cap Rate Trends
Source: Cushman & Wakefield
Occupancy & Average Rate
Cap Rate & Rentable SF
120
100
80
60
40
20
0
12.0
10.0
8.0
6.0
4.0
2.0
0.0
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
Phys Occupancy (%)
Avg Rate for 10x10 Unit ($)
Avg Cap Rate (%)
Rentable SF per Person

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When dealing with valuation there are three standard approaches that are considered, though not always utilized: Cost Approach, Sales Comparison Approach, and Income Capitalization Approach.

Cost Approach - The Cost Approach is a set of procedures through which a value indication is derived for the fee simple interest in a property by estimating the current cost to construct a replacement for the existing structure, including an entrepreneurial incentive; deducting depreciation from the total cost; and adding the estimated land value. Adjustments may then be made to the indicated fee simple value of the subject property to reflect the value of the property interest being appraised.

Sales Comparison Approach – This approach is based on the principle of substitution, which asserts that no one would pay more for a property than the value of similar properties in the market. In active markets with sufficient comparables, this approach is an accurate measure of value that can reflect market behavior. Alternatively, this approach may offer limited reliability because many properties have unique characteristics, including a significant amount of RV storage or miscellaneous income that are difficult to account for in the adjustment process.

Income Capitalization Approach – This approach is based on the premise that investors purchase facilities based upon their income-producing ability. In the Income Approach, market rents for the subject property are estimated, an economic vacancy and applicable operating expenses are deducted, and the resulting net income is capitalized into a value estimate.

Direct Capitalization – This method analyzes the relationship of one year's stabilized net operating income to total property value. The stabilized net operating income is capitalized at a rate that implicitly considers expected growth in cash flow and growth in property value over a buyer's investment horizon. The implied value may be adjusted to account for non-stabilized conditions or required capital expenditures to reflect an "as is" value.

Discounted Cash Flow (DCF) – The DCF analysis models a property's performance over a buyer's investment horizon from the current as is status of the property, to projected stabilization of operations and through the projected sale of the property at the end of the holding period. Net cash flows from property operations and the reversion are discounted at a rate reflective of the property's economic and physical risk profile.



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www.selfstorage101.com

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Founder of Self Storage 101, the industry's leading consultancy firm specializing in Development and Market Feasibility, Operational Improvement and Marketing Implementation. Bob has worked with 100's of independent owners and operators to assist in making informed and profitable decisions in all aspects of self-storage. He has developed, own and managed his own facilities and so has a unique perspective that easily relates to those operators he has consulted with over the years. Bob and the Team at Self Storage 101 specialize in:

- Market and Feasibility Studies
- Acquisition Due Diligence Projects
- Facility Operational Auditing
- Owner, Operator and Manager Training
- Third party management services

Bob has authored several highly popular books and training manuals related to self-storage and is a regular contributor to most of the industry trade journals. He is a regular speaker at national, regional and local self-storage meetings and conventions.

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Oversaw three district managers in four states for Metro Storage, one of the largest operators of self-storage facilities in the US. Had complete P&L responsibility as well as asset management, portfolio growth, marketing and adding value to the assets. Developed training programs and assisted district managers with personnel decisions and financial statement reviews.

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Successfully managed the largest Public Storage district in the country (17 properties). Took over two under-performing districts and turned them into some of the highest performing districts. Responsible for all personnel management, expense control, manager training, property management and operational reporting. Involved in several acquisitions and new-store openings.

Professional References gladly provided.

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Field Auditor and Data Analyst with Self Storage 101, the industry's leading consultancy firm specializing in Development and Market Feasibility, Operational Improvement, and Marketing Implementation. Bill has worked with dozens of independent owners and operators to assist in making informed and profitable decisions in all aspects of self-storage.

Bill has developed and implemented systems for analyzing and collecting relevant data to:

- Improve operational efficiency
- Measure operational effectiveness
- Assist in determining project viability
- Measure Capital Rate of Return on acquisition projects

Bill has worked closely with clients and industry vendors to aid in market research and development viability for many independent-owner and institutional self-storage projects:

- Provide comprehensive market data and analysis to determine unmet demand or over-supply in specific markets
- Participated in several community neighborhood meetings, municipal presentations and investment group conferences to provide anecdotal and empirical evidence regarding market demand and viability of specific self-storage projects
- Prepared many complete bank package or self-storage feasibility studies, documenting "develop or not develop" recommendations

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Professional References gladly provided upon request.















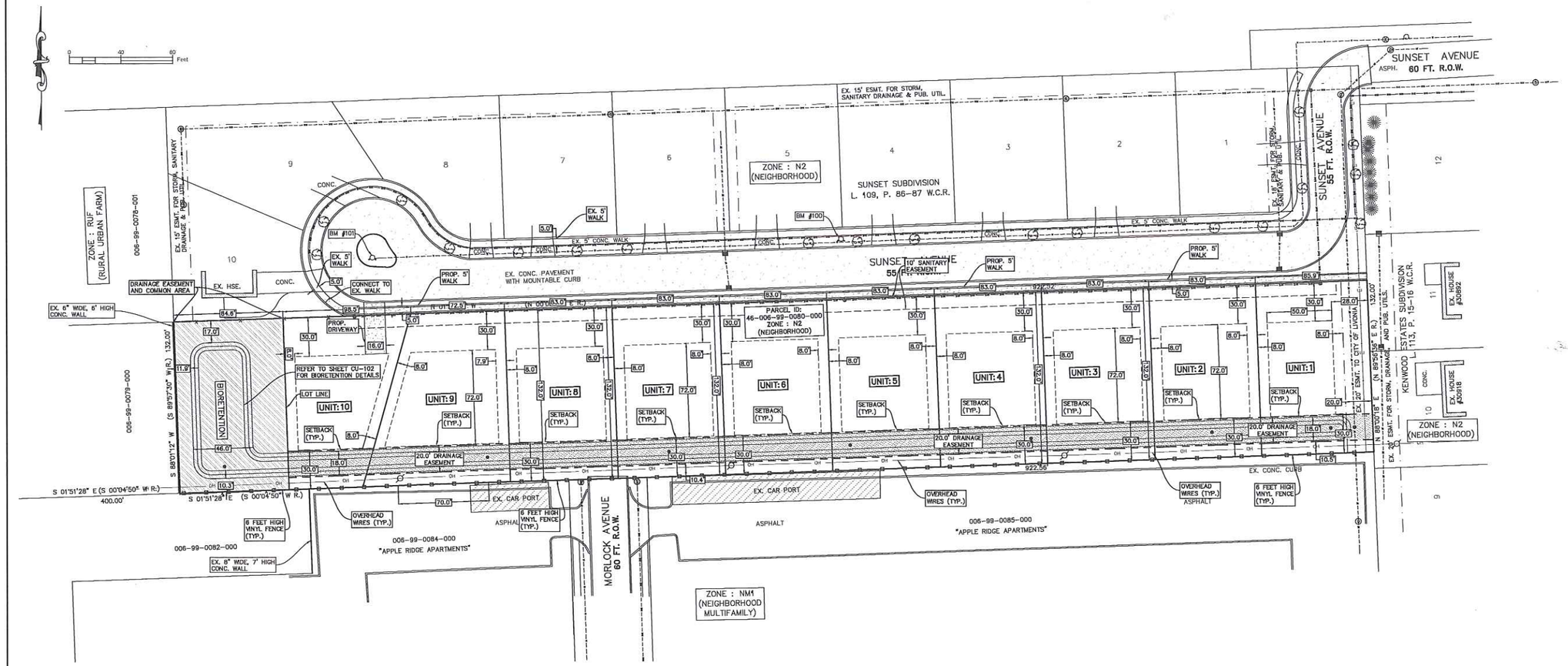








NEW DATA RECEIVED AT THE COMMITTEE OF THE WHOLE MEETING OF NOVEMBER 20, 2023



SITE DATA:	
*NET AREA	2.82 ACRES
SITE ZONING:	
*EXISTING ZONING DISTRICT	"N2" (NEIGHBORHOOD DISTRICT)
TOTAL NUMBER OF PROPOSED UNITS	10 UNITS
SITE SETBACKS:	
*FRONT YARD	30'
*REAR YARD	30'
*SIDE YARD	6' (TOTAL 16')

PARKING PROVIDED:
EACH UNIT WILL HAVE ONE (1) CAR GARAGE AND ONE (1) CAR CAN PARK IN THE DRIVEWAY.

LEGEND

= DRAINAGE EASEMENT AND COMMON AREA

= DRAINAGE EASEMENT

CLIENT
LEO SOAVE
(586-219-7880)
LEO SOAVE BUILDING COMPANY, INC.
37771 SEVEN MILE ROAD
LIVONIA, MI 48152

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ISSUES

No.	DESCRIPTION	DATE
1	SITE PLAN	07-19-2023
2	REVISED SITE PLAN	08-01-2023
3	REVISED SITE PLAN	09-01-2023
4	REVISED SITE LAYOUT	09-14-2023
5	REVISED SITE LAYOUT	11-20-2023

NOT FOR CONSTRUCTION

MISS DIG 811



LOCATION MAP

SEAL



Angle Design & Engineering
22417 Cranbrooke Drive Novi, Michigan 48375
Phone: (313) 258-2036 Email: FadiAngleDesignLLC.com
Website: WWW.ANGLEDESIGNLLC.COM

PROJECT
30250 MORLOCK AVE.
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

PROJECT NO:	SCALE:
2023-700	1"=40'
DRAWN BY: M. K.	CHECKED BY: F. K.
PROJECT MGR: F. K.	APPROVED BY: F. K.

SHEET TITLE
SITE PLAN

SHEET NUMBER	ISSUE
CS-100	

LETTER TO THE LIVONIA CITY COUNCIL

Planning
October 2, 2023

MEETING DATE	PREPARED BY
S090623/R091823/COW112023/R120423	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

The subject matter of Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C. (CR 288-23)

BACKGROUND DETAILS

At the Regular Meeting of September 18, 2023:

On a motion by Councilmember Bahr, supported by Councilmember McIntyre and unanimously adopted, it was:

#288-23 RESOLVED, that having considered a communication from the City Planning Commission, dated August 24, 2023, which transmits its resolution #08-55-2023, adopted on August 15, 2023, with regard to Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C., requesting approval of the Master Deed, Bylaws and site plan to develop a site condominium (Sunset View) consisting of eleven (11) single-family homes on the property at 30250 Morlock Avenue located on the west side of Sunset Avenue between Fargo Avenue and Eight Mile Road in the Northwest ı of Section 2, and further having considered several email communications from City residents in opposition to Petition 2023-07-08-06, the Council does hereby refer this item to the Committee of the Whole for its report and recommendation.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To discuss the subject matter of Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C.

ATTACHMENTS

1. R091823 Petition 2023-07-08-06 Leo Soave Building Company to COW CR 288-23
2. R091823 NEW DATA - 2023-07-08-06 (Sunset Drive-Revised Layout)
3. S090623 Petition 2023-07-08-06, Leo Soave Bldg Co. Minutes
4. S090623 LTC 2023-07-08-06 Leo Soave Bldg Co
5. S090623 Petition 2023-07-08-06 - Resident Response 4
6. S090623 Petition 2023-07-08-06 - Resident Response 3
7. S090623 Petition 2023-07-08-06 - Resident Response 2
8. S090623 Petition 2023-07-08-06 - Resident Response
9. 2023-07-08-06_E-COUNCIL Pkt

A communication from the Planning Commission regarding the Site Plan identified as Sheet CS-100, dated September 14, 2023, as revised, prepared by Angle Design & Engineering, was received and placed on file for the information of the Council.

On a motion by Councilmember Bahr, supported by Councilmember McIntyre and unanimously adopted, it was:

> **#288-23** RESOLVED, that having considered a communication from the City Planning Commission, dated August 24, 2023, which transmits its resolution #08-55-2023, adopted on August 15, 2023, with regard to Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C., requesting approval of the Master Deed, Bylaws and site plan to develop a site condominium (Sunset View) consisting of eleven (11) single-family homes on the property at 30250 Morlock Avenue located on the west side of Sunset Avenue between Fargo Avenue and Eight Mile Road in the Northwest ı of Section 2, and further having considered several email communications from City residents in opposition to Petition 2023-07-08-06, the Council does hereby refer this item to the Committee of the Whole for its report and recommendation.

UNFINISHED BUSINESS ITEM 6 (Regular Meeting of September 18, 2023)

Motion:	**Bahr**
Second:	**McIntyre**
Ayes:	**Toy, Bahr, Donovic, McCullough, McIntyre, Jolly**
Nays:	**None**
Absent:	**Morgan**

MEW DATA RECEIVED FOR THE REGULAR
MEETING OF SEPTEMBER 18, 2023 - ITEM 6

From: Fadi-angle
To: Kasprowicz, Sara
Cc: Leo soave; Taormina, Mark
Subject: Sunset Drive-Revised Layout for City Council Meeting
Date: Thursday, September 14, 2023 5:18:51 PM
Attachments: 2023-09-14 SUNSET DRIVE.PDF

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Fadi Khalil PE. PMP.

Principal

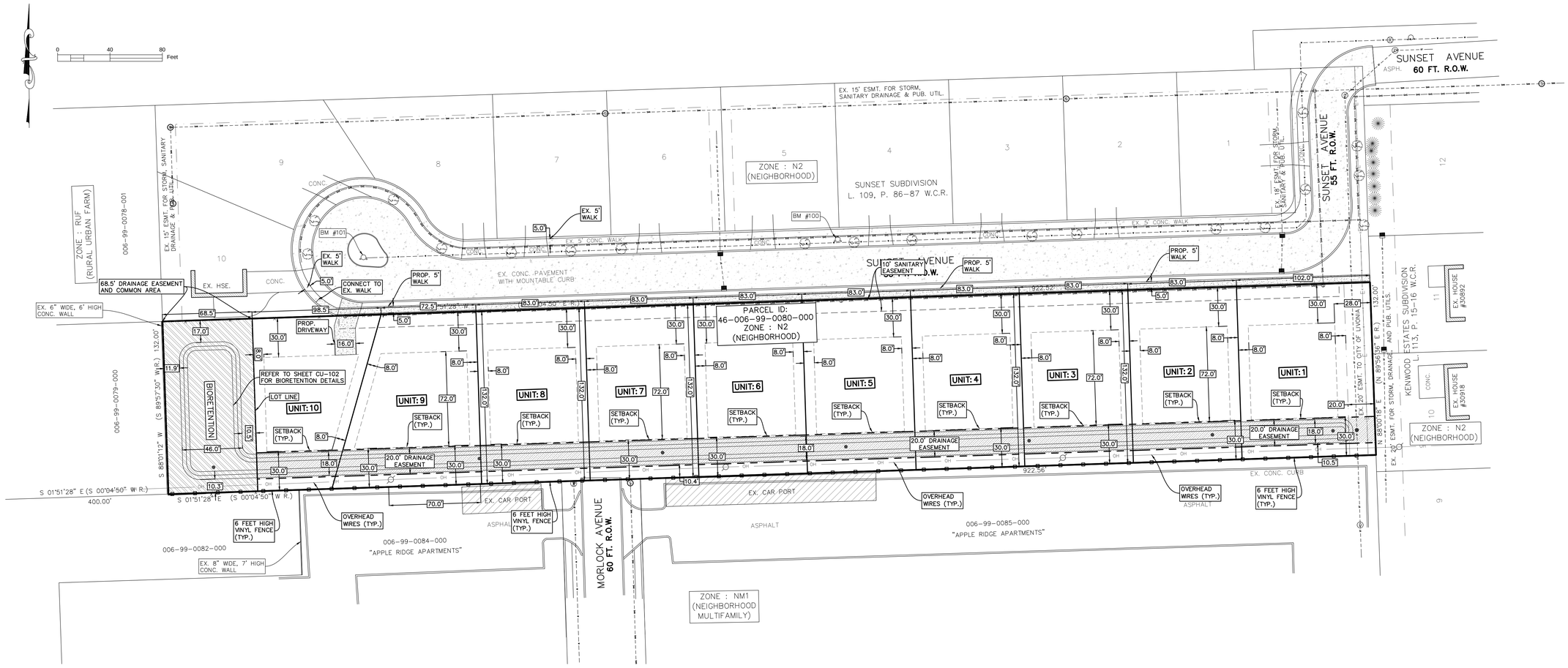
Fadi@AngledesignLLC.com

C. 313.258.2036

Angle Design & Engineering LLC.

22417 Cranbrooke drive

Novi, MI 48375



SITE DATA:	
*NET AREA	2.82 ACRES
SITE ZONING:	
*EXISTING ZONING DISTRICT	"N2" (NEIGHBORHOOD DISTRICT)
TOTAL NUMBER OF PROPOSED UNITS	10 UNITS
SITE SETBACKS:	
*FRONT YARD	30'
*REAR YARD	30'
*SIDE YARD	6' (TOTAL 16')
PARKING PROVIDED:	
EACH UNIT WILL HAVE ONE (1) CAR GARAGE AND ONE (1) CAR CAN PARK IN THE DRIVEWAY.	

LEGEND

= DRAINAGE EASEMENT AND COMMON AREA

= DRAINAGE EASEMENT

CLIENT

LEO SOAVE
(586-219-7880)
LEO SOAVE BUILDING COMPANY, INC.
37771 SEVEN MILE ROAD
LIVONIA, MI 48152

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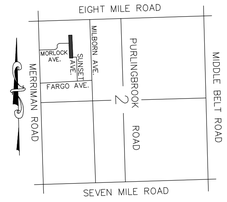
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ISSUES

No.	DESCRIPTION	DATE
1	SITE PLAN	07-19-2023
2	REVISED SITE PLAN	08-01-2023
3	REVISED SITE PLAN	09-01-2023
4	REVISED SITE LAYOUT	09-14-2023

NOT FOR CONSTRUCTION

MISS DIG 811



LOCATION MAP

SEAL

STATE OF MICHIGAN
FADI ABBAS KHALIL
ENGINEER
No. 6201053170
LICENSED PROFESSIONAL ENGINEER

Angle Design & Engineering
22417 Cranbrooke Drive. Novi, Michigan. 48375
Phone: (313) 258-2036 Email: Fadi@AngledesignLLC.com
Website: WWW.ANGLEDESIGNLLC.COM

PROJECT

30250 MORLOCK AVE.
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

PROJECT NO:	SCALE:
2023-700	1"=40'
DRAWN BY: M. K.	CHECKED BY: F. K.
PROJECT MGR: F. K.	APPROVED BY: F. K.

SHEET TITLE

SITE PLAN

SHEET NUMBER	ISSUE
CS-100	

CITYOF LIVONIA ï CITY COUNCIL
MINUTES OF STUDY MEETING HELD SEPTEMBER 6, 2023

Meeting was called to order at 8:33 p.m. by Council President Jim Jolly. Present: Kathleen McIntyre, Vice President Toy, Scott Bahr, Rob Donovic, Scott Morgan, Brandon McCullough, and President Jim Jolly. Absent: None.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; Mark Taormina, Planning and Economic Development Director; Todd Zilincik, City Engineer; and Jacob Rushlow, Assistant Director of DPW.

Councilmember McIntyre led the Pledge of Allegiance.

3. SITE PLAN PETITION: Planning Commission, re: Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C. requesting approval of the Master Deed, Bylaws and site plan to develop a site condominium (Sunset View) consisting of eleven (11) single-family homes on the property at 30250 Morlock Avenue located on the west side of Sunset Avenue between Fargo Avenue and Eight Mile Road in the Northwest ı of Section 2.

   Mark Taormina, Planning and Economic Development Director, presented the request to Council.

   President Jolly asked if the property on the east and west side of the street were all a single piece of property at one time.

   Mr. Taormina said he has no record of a parcel split of this development.

   President Jolly feels the development should conform to the east side of Sunset and asked why we would put eleven homes in rather than eight like the other side.

   Councilmember Donovic indicated that the Ordinance calls for 70-foot widths and that is why there would be additional lots available. This would also allow for two large retention areas on the sides.

   Mr. Taormina said they can meet the requirements and still provide the stormwater detention. Lot eleven would be 108 feet in width which could be spread among other lots but would push that lot farther for the west and wouldn't have the frontage along the right of way.

   Councilmember Donovic said 70-foot lots and the width of the road are common throughout the community.

   Todd Zilincik, City Engineer, verified that the that they need a greenbelt area for snow plowing and to allow for parking of two cars and an emergency vehicle throughway.

   Vice President Toy asked for the width of the lots to the east. She also asked if the petitioner must have a monument sign.

Mr. Taormina said they are about 87 feet wide by 110 feet depth. They are about 10 feet shy of what the Ordinance requires as a minimum which is why they are wider. He also indicated the petitioner can request the monument sign requirement be waived.

President Jolly said he feels it is a good choice to waive the monument signs when we can do so.

Councilmember McCullough asked if there are only four catch basins on that current road. He said he used GIS at that site and measured more like 27 feet and has mountable curbs. He asked if there are any plans for additional drainage structures or the geometrics to the road.

Mr. Taormina said there are not.

Councilmember McCullough is concerned about having 10 or 11 new driveways and only four catch basins.

Mr. Zilincik indicated there may be some additional storm sewer that maybe be added to the roadway itself. There is a storm manhole at the curb at sunset as you go around the corner itself.

Councilmember McCullough also asked where the easement for Fire would be placed. He has issues with the number of homes and the infrastructure not being in place.

President Jolly asked Mr. Taormina if Council could require larger lot sizes to make this a conforming plan.

Mr. Taormina indicated Council can require larger lot sizes based on findings or if there's a consensus that is needed to make this a conforming plan. Currently, the plan meets those minimum lot size requirements and requiring something additional would probably need to have to have a basis for that in terms of the Ordinance, whether it's engineering standards being complied with, or other issues that are spelled out in the Ordinance.

Paul Bernier, City Attorney, agreed with Mr. Taormina that there must be adequate and sufficient reasons to increase the requirements.

President Jolly said he thinks it would make sense in terms of a density from a water runoff standpoint to do so.

Councilmember Bahr indicated this area was rezoned by a previous Council from rural urban farm to residential years ago. His concern is it looks like we are packing homes in here and they should be compatible with the surrounding area, and he is not in favor of the plan currently in front of them. He would like to see this item put into Committee of the Whole.

Joe Eadeh, representative for Soave Building, indicated they have worked diligently on this to be sure it meets all the requirements of the city. He indicated that development and redevelopment are what keep communities strong. He did object to the term of ñjammingò 11 houses in the space as that number of homes are fully within the requirements.

President Jolly asked if there are such narrow parameters regarding approving or denying things like this, why is this even a petition before us under our ordinances and why itôs not just something that can be built upon Administrative Approval? We are hearing from neighbors who don't like things like this, we may not agree with what we're seeing, but our hands are tied regarding what the outcome might be in regard to what we have to do per our ordinances. He feels that this is a fundamental flaw of what we're looking at in terms of the obligations of this Council.

Mr. Bernier said that there must be sufficient and rational reason to vote no on something like this and just because the neighbors want a Greenbelt is not one of the reasons.

Councilmember McIntyre said we do have options and she likes Councilmember Bahrôs recommendation to put this into Committee to work with a developer to make sure that what we're approving is in harmony and legally defensible.

Councilmember Donovic asked what the purpose of lot size requirements are if we arenôt going to abide by them and then must vote on them. He said in looking at the plan, all the infrastructure is there leading him to believe this was meant to be developed. He asked Mr. Zilincik if it would be possible to install two more catch basins to manage more water run off without ripping up the road portion and causing more issues for the existing homeowners.

Mr. Zilincik said they could remove and replace the road or bored it out.

Councilmember Bahr indicated he had no ill will when he used the term jamming homes in, he just feels that we donôt need that level of density here. He responded to Councilmember Donovicôs comment as to the purpose of the Ordinance and it is to establish a minimum, not to dictate what the width would be. He feels it is within the purview of the Council to push for plans that are compatible with the surrounding neighborhoods.
Councilmember McCullough asked Mr. Zilincik if the established road already there if it is part of the site plan and permitting process to provide stormwater calculations for the existing roads.

Mr. Zilincik said it would typically exclude that just for the new development itself and then on the parcel that was developed.

Councilmember McCullough reiterated he is not in support of this plan the way it is.

Councilmember Morgan asked Mr. Zilincik if he thinks there is enough run off and we are looking at a plan that is going to work perfectly.

Mr. Zilincik asked for clarification of the question, is there enough capacity in the bio retention system proposed or enough capacity in the storm system of the existing sunset Avenue.

Councilmember Morgan said he is asking both.

Mr. Zilincik said he would have to look at the C factor of the detention area but suspects there would probably be more impervious area added once you add the home plus the driveways and whatever area patios that nature itself, but we want to make sure it all depends on the size of the pipe and the slope of the pipe. There could be enough capacity in the pipe. There are only four catch basins which may be enough capacity based on the size of the pipe. Typically, one side of the street has a two-foot inlet with a 12-inch storm sewer goes across to the main trunk line. And again, it's depending on the size of the pipe and the slope. He would want to make sure that we don't have any flooding back there so we may have to increase the detention, which may shave off a lot.

Councilmember Morgan asked what the size of the existing storm is. He also asked if adjustments would be made after the development started if Engineering determined that another catch basin or wider runoff were needed.

Mr. Zilincik said he believes the size is 27 and it is on the south side. He indicated that Council is approving the site plans and Engineering must make sure it works functionally.

Mr. Eadeh said he the storm sewers are usually installed to handle the full development planned even if it will be done in phases.

The following residents voiced opposition to the development due to basement flooding, narrow roads, loss of Greenspace, number of homes in the plan, and the lack of shared information:

Emma Chapman, 20230 Sunset Street
Donald Brockway, 20234 Sunset
Juliette Abbott, 20226 Sunset
Angela Booth, 20311 Milburn
Ryan Molnar, 20218 Sunset
Michael Doyle, 20210 Sunset
Paul Abbott, 20226 Sunset
Sylvia Kaoud, 30892 Kenwood Court
Zofia Milcarz, 30869 Kenwood Court

Councilmember Bahr offered a motion to refer this to matter to Committee of the Whole on the Regular agenda.

DIRECTION: COMMITTEE OF THE WHOLE REGULAR

LETTER TO THE LIVONIA CITY COUNCIL

3.

Planning
August 24, 2023

MEETING DATE	PREPARED BY
S090623/R09823	Stephanie Reece, Program Supervisor,

AGENDA ITEM

SITE PLAN PETITION: Planning Commission, re: Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C. requesting approval of the Master Deed, Bylaws, and site plan to develop a site condominium (Sunset View) consisting of eleven (11) single-family homes on the property at 30250 Morlock Avenue located on the west side of Sunset Avenue between Fargo Avenue and Eight Mile Road in the Northwest ı of Section 2.

BACKGROUND DETAILS

August 24, 2023

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2023-07-08-06 - Sunset View

Dear Council Members:

At the 1,203rd Public Hearings and Regular Meeting held by the City Planning Commission on August 15, 2023, the following resolution was adopted:

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

#08-55-2023 RESOLVED, That the City Planning Commission does hereby recommend to City Council that Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C. requesting approval of the Master Deed, Bylaws and site plan pursuant to Section 7.27 of the Livonia Zoning Ordinance, as amended, to develop a site condominium (Sunset View) consisting of eleven (11) single-family homes on the property at 30250 Morlock Avenue located on the west side of Sunset Avenue between Fargo Avenue and Eight Mile Road in the Northwest ı of Section 2, be approved subject to the following conditions:

1. The Site Plan identified as Sheet CS-100, dated August 1, 2023, as revised, prepared by Angle Design & Engineering, is hereby approved and shall be adhered to.

2. The Landscape Planting Plan, identified as Sheet LP-1, and the Landscape Notes & Details, identified as Sheet LP-2, dated July 20, 2023, prepared by Nagy Devlin Land Design, are hereby approved and shall be adhered to.

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

4. 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. A sidewalk shall be installed throughout the development to the satisfaction of the Engineering Department.

6. The condominium Master Deed and Bylaws comply with the requirements of the Subdivision Control Ordinance, Title 16, Chapter 16.04-16.40 of the Livonia Code of Ordinances, and Section 7.27 of the Livonia Zoning Ordinance, as amended.

7. The petitioner shall include language in the Master Deed and Bylaws that requires the condominium association to reimburse the City of Livonia for any maintenance or repair costs incurred for the stormwater detention/retention and outlet facilities and gives the City the right to impose liens in the event the charges are not paid within thirty (30) days.

8. This site shall meet either the City of Livonia or the Wayne County Storm Water Management Ordinance, whichever applies, and the developer shall secure a soil erosion and sedimentation control permit before commencing any grading activities on the site.

9. 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.

10. 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.

11. 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

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

A roll call vote on the foregoing resolution resulted in the following:

AYES: Dinaro, Ventura, Caramagno
NAYS: Long, Wilshaw
ABSENT: Bongero
ABSTAIN: None

ATTACHMENTS

1. S090623 Petition 2023-07-08-06 - Resident Response 4
2. S090623 Petition 2023-07-08-06 - Resident Response 3
3. S090623 Petition 2023-07-08-06 - Resident Response 2
4. S090623 Petition 2023-07-08-06 - Resident Response
5. 2023-07-08-06_E-COUNCIL Pkt

APPROVED BY



Date: August 28, 2023

Mark Taormina, Planning and Economic Development Director



Date: August 31, 2023

Maureen Miller Brosnan, Mayor

From: Simmons, Jennifer
To: Brosnan, Maureen Miller
Cc: Mayor Staff; Planning; CityCouncil
Subject: FW: Development up for consideration at 8/Merriman - Murlock
Date: Tuesday, August 29, 2023 9:34:32 AM

Jennifer Simmons
Constituent Relations Specialist
City of Livonia | Mayor's Office
(734) 466-2204
jsimmons@livonia.gov

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² Ŝ I·₪Ŝ I· ₣₪λŜуŘfè I·уŘ Э₪2ØλуЭ è2dzуЭ ₣I·Υλfè ōf2Ŏ]Σ L ØλfftfŜΰ Υè 2ØẏI·уŘ Υè уŜλЭΚō2₪◊ă ŜΥI·λfăκfŜΰΰŜ₪ă Ř2 ΰΚŜ ₪Ŝăΰ 2₣ ΰΚŜ ΰI·f]λуЭ◊ L I·Υ I·ă]λуЭ ΰΚI·ΰ è2dz ₪ŜØλŜØ ΰΚŜ Ŏ2уΰŜуΰ I·уŘ ăŜŜ 2dz₪ Ŏ2уŎŜ₪уã ōŜ₣2₪Ŝ ΰΚŜ ΥŜŜΰλуЭ I·уŘ I·ă L ăI·λŘ I·ō2ØŜ Ø2dzfŘ fλ]Ŝ ΰ2 Κ2ăΰ è2dz ΰ2 ăŜŜ 2dz₪ ōf2Ŏ] I·уŘ ΚŜI·₪ 2dz₪ Ŏ2уŎŜ₪уã◊ LΥ λуŎfdzŘλуЭ I· è2dzΰdzōŜ fλy] ΰ2 ΰΚŜ LJfI·ẏẏλуЭ ØλŘŜ2Σ ØŜ ăΰI·₪ΰ I·₪2dzуŘ Υλуdzΰ$ pn◊ I·уŘ Ø2dzfŘ fλ]Ŝ ΰ2 LJfŜI·Ř 2dz₪ ŎI·ăŜH

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From: brockfiger
To: Kasprowicz, Sara
Subject: Morlock/sunset nee home development.
Date: Thursday, August 24, 2023 2:23:06 PM

Hello,
My name is Donald Brockway, I live at 20234 Sunset St. Livonia mi 48152.

There is a possible property development in the works for the woods across from our home.

Like the rest of my neighbors, we moved into this home because it was tucked away and had a nice wooded lot across from it. It's a natural buffer between the apartments on the other side and outer home. It cuts down on the noise, the street lights, the cars and people coming and going all hours in the apartments.

If these woods are cut down we will have no buffer. Even with the new homes oir beautiful view and quiet will be gone. We have deer that live in the woods and large birds. The birds cut down on the rodent problem caused by the dumpsters in the back of apartments.

The whole street has little kids. And it's so tucked away being a dead end we don't worry much about street traffic. We would lose this with the new homes.

Separately the new development plan is calling for condos but the plan shows single family homes. It's very confusing. The plan is for 11 properties which would make that are very cramped area. The home in the corner closest to 8 mile would have trouble with chemical runoff from the industrial building next to it. No one in their right mind would move in there.

The homes on the next street will be affected as well. Some of us were hoping the city would buy the property to leave it as woodlands.

We (all the neighbors) ask that this lot be left alone. Please.

Sent via the Samsung Galaxy S22+ 5G, an AT&T 5G smartphone

From:	Michael Doyle
To:	Kasprowicz, Sara
Subject:	Letter for Murlock development packet
Date:	Thursday, August 24, 2023 8:26:14 PM
Attachments:	Murlock.8 and merriamn development Citizen Concern - Doyle - 20210 Sunset St..docx

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Hi Sara! i called a few days ago and finally had time to write this. can you include in the packet you planned to build tomorrow for the murlock developement - 11 homes approved for recommendation by the planning commission? This i believe is for the 9/6 study meeting, can you also confirm which council meeting this is for?

im also paranoid that I recorded your email wrong, can you confirm you received this and possibly 1 or 2 others? thanks!

thanks!

Michael and Nikki Doyle
20210 Sunset Street
Livonia, MI 48152

To whom it may concern,

I am a resident on a block that is being considered for 11 new homes at 30250 Morlock, Livonia, MI 48152 on a September 6th study meeting and wanted to share concerns. I will start by saying I do acknowledge that the land is privately owned, the land is within zoning (which none of us knew but happened years ago) and that our concerns are mostly personal but there are other factual concerns as well.

This is a summary of our concerns that I will spell out after these bullet points:

- Traffic and congestion concerns – neighbors on adjoining roads have concerns about already high traffic volumes (Fargo for instance). Fargo is the only entrance to our subdivision and is a rather busy road to begin with.
- Repeated attempts to develop – what is different now if this did not get approval in the past.
- A multi-year construction cycle on a dead-end road with a curve which is not easy at times to traverse. I live on that corner and have seen larger trucks have issues. During the winter, I have helped shovel neighbors' cars out of the corner due to lack plowing.
- I spoke about wildlife, currently there are a few families of deer who call that land home. I know there is an increased population and would be worried about consolidation of their living environments. We also are concerned the deer will come and eat our vegetation and invade our own personal space beyond what we are used to. We all like having the deer, a neighbor who lives near me asked me to pass along notes said she loves the rustic feel and why she has lived here for decades.

I would like to note that 8 of our 10 homes were present at the planning commission meeting. While it passed for your review it was a 3-2 vote. I want to point out the president and vice president both voted no and asked the most questions of the 5 members of the planning commission. There was also a commission member who did not question anything as the other 4 did. This worried me as all 5 members questioned things on another approval that passed 5-0

This property which is a wooded area separating us from an apartment complex has been tried (as I have heard up to 5 times) to be developed and it has failed each time. If there were concerns in the past with water/ sewage/ plot size or traffic I would think that would still apply. There is a past history of failed attempts and would like it to be considered when approving or denying.

While I will not speak for the whole block, I know we have concerns about a multi-year construction cycle – that the developer could not give any kind of timelines beyond " im not sure, 2 years maybe", on a dead end with what we call a "dead mans curve". There was talk at the planning meeting also about the integrity about our road and curbs with the large trucks by someone who understands infrastructure much better than then rest of us. His father I believed helped build the current homes and spoke to his concerns.

I also want to add that in talking to near by blocks, the consensus is 100% no one wants the development and were presented with the fact it is zoned and privately owned. Some of those concerned are unable to attend meetings and asked I pass on their concerns.

Another concern is the make up of our block, I understand that blocks have many kids and evolve over time. Currently we do have 10 kids on our block, 9 of which are under 5 years old and one due in October and we don't have many sidewalks to walk them beyond our block. This I know is not a good enough reason to say no to a new development, but in a few years, having 10+ kids playing with up to 40 cars coming and going, plus increased parcel trucks, construction trucks and other traffic concerns all of the young families on the block and also those on the block who don't have young kids.

As a block we have seen maybe 1 or 2 plow trucks in the 6 years I have lived here. We shovel / snow blow our road as a block but with more homes if we did see plow trucks, having cars on each side of what we consider a narrow road, could not pass in my opinion. This also could affect emergency vehicles if cars are across from each other as well and is a concern. I owned a home in Berkley on a dead end and the road was much wider and was still a "tight fit" in terms of driving down the road.

I moved to Livonia in 2017 after getting engaged and sold my home in Berkley, Michigan. I loved Berkley and spent near my whole life there but chose to move into my Wife's home for the ambiance, privacy and how the city seemed to support forested area, wild-life etc. My wife has lived here very happily for over 8 years. She chose this house because of the quietness and seclusion. This area also allows our kids (and others on the block) to enjoy nature even in a small

form. I would be disappointed if this moved forward. Many members of my block stay here because they bought their homes for the area and the addition of more than doubles the homes from 10 to 21 would cause multiple of my neighbors to consider moving.

We also have gone around explaining the situation to neighboring blocks, and each person had concerns about traffic down Fargo, Sunset and other roads.

Lastly, as I have seen this week this land absorbs a lot of precipitation, as well as snow. The removal of that dirt and forest would concern me as we get flooding already, and having more precipitation go into the road would not be ideal. Only our side of the road has water drains/sewer access. Needing to install drains on the other side since the forest can't absorb the moisture would lead to (again in my opinion) road issues with construction.

If nothing else, I appreciate you reading this and hope it paints a picture of our concerns. Some are emotional, some are more factual but at the end of the day I love this city and I know whether it is passed or rejected, it is done so in the best interest of the city and its citizens. I have some of the best neighbors, each of which are just as passionate about this issue and I hope this will be considered when making your final decision. I do welcome you out to our block to see our concerns.

Michael Doyle
248-259-0579
Michael.Doyle25@gmail.com

Also on behalf with thoughts from Patricia who does not email and cannot attend meetings.

Patricia Ervin
313-399-8180

From: Rhonda Brooks
To: Kasprowicz, Sara
Subject: Building on Sunset
Date: Wednesday, August 23, 2023 9:28:12 AM

Good Morning-

I've heard about the building of more houses on Sunset. I am a resident that lives on Fargo. I am hoping that this doesn't happen. Fargo has a lot of traffic already ..... and that traffic is often speeding. We need a stop or yield sign at Fargo and Sunset.

Respectfully,
Rhonda Maxfield

Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C. requesting approval of the Master Deed, Bylaws and site plan pursuant to Section 7.27 of the Livonia Zoning Ordinance, as amended, to develop a site condominium (Sunset View) consisting of eleven (11) single-family homes on the property at 30250 Morlock Avenue located on the west side of Sunset Avenue between Fargo Avenue and Eight Mile Road in the Northwest ı of Section 2.

CITY OF LIVONIA, MICHIGAN
APPLICATION FOR SITE PLAN REVIEW & APPROVAL

All petitions for Site Plan Approval shall be filed with the City Planning Commission, 33000 Civic Center Drive, Livonia, MI 48154-3097.

For filing fee see computation below

Date Filed: **07-20-2023** Petition 2023-07-08-06

Site Address: 30250 Morlock Ave. Sidwell 46-006-99-0080-000

Requesting Approval to Construct a Condominium consisting of 11 Units

Applicant: Leo Soave Business/Company: Leo Soave Building Company, LLC

Applicant's Address: 37771 Seven Mile Rd. City: Livonia State: MI Zip Code: 48152

Applicant's Phone # (586) 219-7880 Applicant's Email Leosoavebuilding@gmail.com

Contact Person: Fadi Khalil Business/Company: Angle Design & Engineering LLC.

Contact's Address: 22417 Cranbrooke Dr. City: Novi State: MI Zip Code: 48375

Contact's Phone # (313) 258-2036 Contact's Email Fadi@angledesignllc.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 (if proposed must submit separate sign application)
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:** planning@livonia.gov
6) **Legal Description** of the property to be considered (Clearly Printed)
7) One (1) completed application form & **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: Leo Soave

Owner's Address: 37771 Seven Mile RD. City: Livonia State: MI Zip Code: 48152

Owner's Phone # (586) 219-7880 Owner's Email Leosoavebuilding@gmail.com

Signature of Owner: Leo Soave Print Name: Leo Soave

UNAPPROVED MINUTES

MINUTES OF THE 1,203rd PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, August 15, 2023, the City Planning Commission of the City of Livonia held its 1,203rd 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: Wafa Dinaro, Sam Caramagno, Glen Long, Peter Ventura, Ian Wilshaw

Members absent: David Bongero

Mr. Mark Taormina, Planning Director, 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 #2 PETITION 2023-03-08-02 Sunset View

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C. requesting approval of the Master Deed, Bylaws and site plan pursuant to Section 7.27 of the Livonia Zoning Ordinance, as amended, to develop a site condominium (Sunset View) consisting of eleven (11) single-family homes on the property at 30250 Morlock Avenue located on the west side of Sunset Avenue between Fargo Avenue and Eight Mile Road in the Northwest ı of Section 2.

Mr. Taormina: This is a request to construct a site condominium that would be known as Sunset View. The site is on the west side of Sunset Avenue, which is south of Eight Mile and east of Merriman Road. The property is 2.82 acres in size. It is 132 feet deep by 923 feet in length. A little bit on the history of the site. In 2005 the property was rezoned from RUF (Rural Urban Farm) to R-3 (One Family Residential). One year later, in 2006, the city approved Sunset View condominiums consisting of 10 conforming R-3 lots. The project, which a previous owner of the property proposed, was never developed. In 2021, with the adoption of the Livonia Vision Zoning Ordinance, the R-3 district was eliminated and replaced with the N2 zoning and as a result, the minimum required lot width was reduced from 80 feet to 70 feet. Directly across Sunset Avenue, are homes zoned N2 Neighborhood. To the west is the Whispering Woods apartment complex, zoned NM1. To the south, are residential homes, also zoned N2. And directly to the north, are industrial properties, mostly zoned to M-1 (Light Manufacturing). All 11 site condominiums would front on the existing Sunset Avenue, which has a right-of-way width of 55 feet. Lots 1 through 10 would all measure 70 feet in width by 132 feet in depth. Lot 11, which is the northernmost unit, would measure 168 feet in width by 132 feet in depth. In comparison, the lots across the street are all over 80 feet in width, reflecting the zoning that was in place in 1996 at the time the Sunset Subdivision was platted, which was R-3. The plans show a bioretention basin that would run along the south, north, and west sides of the development. The basin would be approximately 62 feet in width at the north end of the project adjacent to Lot 11. It would be 18 feet wide on the west side along the rear of all 11 lots. And at the south end adjacent to Lot 1, the basin would be about 55 feet in width. This feature would be planted with a wetland seed mix and would provide onsite treatment of all the stormwater runoff. There is landscaping including a tree shown being planted for each lot as required by the ordinance. The plans do not show a sidewalk, although one will be required. The sidewalk is going to have to continue along the west side of the street as part of this development. The development is allowed one sign at a maximum of 20 square feet in area and five (5) feet in height. There are no drawings specific for the homes, although the petitioner has brought some renderings and can describe those in more detail this evening. We received the master deed and bylaws for the project, which indicate that the exterior of the multi-story residences will be at least 65% brick, and for the ranch-style homes, there will be a minimum of 80% brick. The

minimum home sizes would be 1,300 square feet for the single-story homes and 1,500 square feet for Cape Cod's and colonials. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: Mr. Taormina: The first item is from the Engineering Division, dated June 30, 2023, which reads as follows: ñ*In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed project at this time, but would like to note the following items: 1. The subject parcel is assigned the address of #30250 Morlock Avenue. Once the plans have been submitted for permits, the Engineering Department will assign addresses to the individual units. 2. The legal descriptions included with the submitted drawings both close per surveying standards, but there are multiple discrepancies between the description shown on the title page and on the "Topographic and Boundary Survey" sheet. The Owner should provide one description that matches on all sheets. 3. The existing parcel is currently serviced by public sanitary sewer, water main and storm sewer. The submitted drawings indicate extensions of the existing utilities to service the proposed units, which we do not believe will impact the existing systems negatively. 4. The proposed development will be required to meet the Wayne County Stormwater Ordinance. Per the submitted drawings, stormwater detention is indicated, but we will need to do a thorough review of the plans once they are submitted for permitting. 5. Per the proposed layouts, all storm sewers, including detention basins, will be privately- owned. Sanitary sewer and water main will be public, located within dedicated easements on the site or in the existing right-of-way. 6. The submitted drawings do not show sidewalks along the front of the proposed condominiums, which are required with all new developments. The sidewalk* should be *shown on the drawings unless waived by the City Council, and it should connect to the existing sidewalk at the north end of the development. 7. No construction or soil disturbance (including dumping of materials) should occur on the site until the owner obtains the appropriate permits. (Engineering Earthwork, SESC, etc.). 8. The Master Deed and Bylaws that were submitted on July 26th do not include the referenced Exhibit "B" drawings which show proposed easements, so we are not able to review those items at this time. Since those items are vital to the placement of site utilities, it is our position that this petition should not be approved until all of the pertinent information has*

been submitted for review." The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated August 1, 2023, which reads as follows: *"This office has reviewed the site plan submitted in connection with a request to construct a commercial building & roadway on property located at the above referenced address. We have no objections to this proposal with the following stipulations: 1. A fire access road 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. Any curves or corner of streets shall accommodate emergency vehicles with a turning radius of fifty-three feet wall to wall and an inside turning radius of twenty-nine feet six inches. 3. Standard for residential cul-de-sacs is 50' with a minimum right-of-way radius of 60' to provide for sidewalks and utilities. 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 July 26, 2023, 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 Paul Walters, Sergeant, Traffic Bureau. The next letter is from the Inspection Department, dated August 1, 2023, 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 August 3, 2023, which reads as follows: *"I have reviewed the addresses 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 July 25, 2023, 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 taxes due, but they are not delinquent, therefore I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. That is the extent of the correspondence.

Mr. Wilshaw: Thank you, Mr. Taormina. Is there any questions for our planning staff? I don't see any questions. Our petitioner's representative is in the audience. Please come forward again. Good evening.

Joe Eadah, representing Leo Soave.

Mr. Wilshaw: Thank you, sir, and anything else you'd like to add to the presentation?

Mr. Eadah: The sidewalks, absolutely. We are putting them in, and there was also I think question about fencing in the back, which is going to be vinyl fencing. And the one fence that's in the front there, that isé I think is the black chain link fence that's going to be removed. I think those were the questions last meeting.

Mr. Wilshaw: Okay. Thank you for addressing those issues. Let's see if there's any other questions for you from any of our commissioners, any questions for our petitioner?

Mr. Wilshaw: No questions at all.

Mr. Caramagno: Joe, thanks for answering those questions, those sidewalk and the fencing questions. Whatôs the proposed size of these houses you're going to put in there?

Mr. Eadah: Probably between 1,800 to 2,000, except for the ranches, as Mark said, you know, and we're hoping to keep them in the low fours.

Mr. Caramagno: Okay, you've got pictures here too. These are renderings of what they may look like.

Mr. Eadah: Yes, correct.

Mr. Caramagno: Will they have concrete driveways or asphalt driveways? What do they have?

Mr. Eadah: No, concrete driveways. I don't believe in the ordinance that you can have asphalt driveways. So there would be concrete driveways.

Mr. Caramagno: Okay. Thank you.

Mr. Wilshaw: Thank you, Mr. Caramagno. Any other questions for our petitioner? If there's no other questions for our petitioner, then I'll go to our audience to see if there's any comments from anyone in our audience wishing to speak for or against this petition. Please come to either one of the podiums. That's fine. We will be here as long as you need to be. Hi, Hello, good evening.

Juliette Abbott, 20226 Sunset Street, Livonia, MI. Represented here are all but two houses. We are small but mighty. So, eight out of ten houses are represented in the audience right now. So, this plan has come to you all maybe in a different rendition five times, okay, or there abouts. And each time it has been denied for a variety of reasons. And I realized a few years ago that the ordinance did change. We didn't know that when we purchased our home as did I think everyone on the street, I think I can speak for most of you. Um, we bought our home because of the wooded area. That I think was for my husband and I personally 50% of the reason was the secluded nature of the property, and we had good confidence that nothing would be built there because on the other side, as you can see, there are apartments. So, we are blocked from the view of these apartments by beautiful trees that have been there for so long. If you drive down our street, they are over 100 feet tall. They're gorgeous, and should be preserved. Our green spaces are necessary. In terms of the data, I have to politely disagree with your sewageé I'm not sure what department it is but the water and sewer. As someone who lives on that street, I can say with confidence that any time it rains, the area across where they're proposing these buildings, it turns into a marsh if you walk back there it is soggy. The road in front, the dead man's curve as we call it, floods every single time that it rains heavily. So to add more houses there, to lose the green space that right now contains much of the water that falls, I think will put an undue burden on that sewer system. The road is not wide. If you park one car there, two cars cannot pass. We have this issue with trucks coming in and out for deliveries. Eleven more houses in that area when across the street, we have more space and less houses is going to be pretty congested. Currently, the snowplows do not service our streets. We collectively as a team of residents service our streets. And lastly, the butterflies. Butterflies are an endangered species. Across the street from us there is milkweed all along that property. We enjoy the butterflies every year. And that's going to be a next step if it goes there, but we are very much against any building in that area. Thank you.

Mr. Wilshaw: Thank you, ma'am. Appreciate your comments. Anyone else wish to come forward and speak. Good evening, sir.

Audience member: Good evening. Hello. Did we play soccer together?

Mr. Wilshaw: You do look very familiar to me.

Donald Brockway. 20234 Sunset, Livonia, MI. Like my neighbor was saying we're small street. Everybody knows each other. Most of the street has small children that being on kind of a dead end everybody kind of is able to go out in the street and play and we have all that area. The woods, the kids go back there. At one point there was almost a trail for everybody to walk on. We very much did not expect anything to beé to happen with the woods. This, like she said. The secludeness and the woods being there was a big part of buying the home in that area. Several of the other residents of this neighborhood and street have voiced an opinion of possibly moving if there's going to be new construction. I would hate to see for a mass exodus from that street especially when it's not a very good time to buy homes. These trees block the apartments that are on the other side of the woods. Thereôs nothing wrong with apartments. We just like our trees and the neighborhood and the aesthetics that we have. They cut about 15 - 20 feet into the woods when they had to remove brush for the electrical lines this past year. And now we're starting to see the apartments, as it is. With this proposed plan, we will all be able to see the tops of the apartments, the areas is going on there, and in some places on the street, we'll be able to see all the way to Merriman. It's a big buffer between the main roads, and then the apartments, if we're putting another set of houses there, it just seems like it would be too congested. You had mentioned about the fire trucks and the streets. Anytime, even the garbage trucks which are shorter than the fire trucks come down the streets, when they get to the end, they have to back up and make a two or three point turn to come back down the street. We've had several large delivery trucks that have had to come down there and they've actually backed up into the woods and broken all kinds of trees because they couldn't turn around. It is very narrow, and you know, if we do have some people that are parking on the street, we wouldn't be able to have that. On the other side, it would be too many cars back and forth. I don't know that we have any legal ramifications itô s just that a good majority of us don't want the woods to go. And I don't know how far that goes with, with planning and construction or how far that is. But we just wanted to be heard. In addition, there's been some talk about the particular company that's putting in these houses as far as their track record. Maybe I shouldn't speak on that. Is that, Mr. Long, is that what you're shaking your head that?

Mr. Wilshaw: Mr. Long, feel free to comment if you wish.

Mr. Brockway: I mean, it's just open source, it seems like there's a lot of people that are very unhappy with that particular company, and long, long times for building projects being overdue, things not being up to code or up toé but that's, you know, this could be anybody building houses there. It's not just this company. So maybe we'll leave that out.

Mr. Wilshaw: Yeah, I think the key thing is, is to focus on, on the fact that houses are being proposed there, as opposed to the actual person that's going to put them in, and, what concerns do you have about residential development across the street from your house,

Mr. Brockway: If they are to be put in, it's just going to be overly crowded in my belief, and then we also would want houses that are going to be é f they did put something there, we would want something that's going to be equal to the same types of property we have. So everybody keeps the same land value as we have now, nothing's going to be decreased or increased or things of that nature. We all do like the butterflies like she was saying I don't have anything additional at this time.

Mr. Wilshaw: We appreciate your comments. Mr. Brockway. Thank you for coming. Thank you. Anyone else wishing to speak on this item, please come forward. Hi, good evening.

Clara Lawrence, 20222 Sunset, Livonia, MI. I'm the original owner, when the homes were built in 1997. I saw my home being built. I saw my neighbors move in. I saw children being born. Right now. I'm a single woman living on this street. I'm the only grandmother on the street to 10 almost 11 little children under the age of 10. I porch sit. I know my neighbors. I love my neighbors. I love the animals that come to our forest across the street, and two of usé we all have forests in our backyard. Two of us do not have fences in our backyard. So the deer, the rabbits, everything comes from across the street that you're planning to destroy, and travelled through our two backyards to go to the next forest to go to the next forest and the next forest. I think you all know that animals are in big trouble because of our community developments. And just I hope and pray that this new development does not go through. Thank you.

Mr. Wilshaw: Thank you ma'am. Appreciate your comments. Anyone else wishing to speak feel free to come forward. Good evening, sir.

Michael Doyle, 20210 Sunset Street, Livonia, MI. I do have a small speech issue. So, I apologize if it holds this up. First of all, I am the first house, as you come on, on what she called the Dead Man's curve. If you can imagine coming down the road, there was a curve. And then there's a curve right after that. I am on that corner. She had mentioned about kids on the block. We do have 10 and I have one coming in two months. And it's myé it's gonna be my third in the house. My second and my wife's third and just give you some backstory, when I met my wife, I owned a house in Berkeley, Michigan. I loved Berkeley, I grew up in Berkeley, I wanted to live there my entire life. Once I saw this house in this area, I wanted to move to her house, and I sold mine to move onto our block. And I'm sorry, this is kind of a emotional thing. Because I really love our block. As you can tell, we're almost all here. I just amé I've seen cars, delivery trucks, people who don't understand and who don't know our block, whip around that corner. And I work in my living room right next to the big window. So I see every car come in, I'm kind of that guy who was like, hey, there's a person trying to survey out there. And I'm telling them about it. so I love this block. And actually, they've covered most of my topics, it was mostly, you know, we have a lot of young kids and adding 20 more cars onto our block, having parking on both sides. And on that road, you don't have to pull your car in at night. So if you have parking on both sides at night, now you're trying to get things going, I don't believe we have lights on our road. We don't have lights on our road. She had mentioned the animals. There are multiple families of deer living in those woods. And in our little area of say, between Eight and Seven Mile Merriman to Middle Belt, there's probably seven or eight families that I've seen. There's two or three families in that area alone. So now they're going to be going into other areas, or they're going to be eating up our gardens or doing this or that, or they're going to be coming in our yards, and they've beené things like that. They're in a happy place there. This is gonna sound kind of weird. I actually named them because I worked from, you know, right there. And it's like, Oh, hey, John. But I'm sorry, that was dumb. But yeah, just mainly, um, you know, one concern that I had was that when I did talk to one of our neighbors who was not here, she said, this has been tried five times, it's been failed five times. And so I would like to understand, you know, if you have time, after I talk, why this has changed with, you know, with the changes a couple of years ago, but I also want to bring up I called a couple months ago and I asked, and I, it took a couple of times to get in touch with the right person, but they had measured it out and said it's 130 feet. And I didn't know if that was like depth or width

or, or you know this or that. The person on the phone told me it would be 150 feet would be required. And so it would have to be rezoned. So, I felt better, because he told me I would get a letter about that. When I called three weeks ago to find out when this was going to be on the agenda. They said if it has to be rezoned that, not only us but people on the other blocks would be told and that they could also come and we didn't get anything. So I'm assuming that has to do with the thing that happened a couple of years ago, which we didn't get anything on. I know that there's probably five or six people on the other dead end next to us who are fully against it because they will be impacted. And there's people even over on Fargo. She didn't have time to write in and she's hurt right now and she couldn't come in. But she's even worried about the traffic on Fargo as well coming in. I am not against growth of the city. I love this city. I've been here now for six years, and I have no problem with growth. But when I look at the whole idea of the reason why I wanted to move to this city and my and mind you this is my own personal thing. Taking down those woods and putting up homes and you know, just adding in more cars, more congestion, more chances for one of our 1011 kids to be hit. You know, that does make me worry. And the last thing that I will sayé I didn't make a lot of notes here. But the last thing that I'll say is I just hope that you do take our words to heart and understand where we're coming from where we came as a you know, a small army, if you will. And I hope that if this does pass and you know, we don't have a chance to say no, that the developer would work with us to try and eliminate most of our concerns.

Mr. Wilshaw: Well, thank you, Mr. Doyle, for coming up and speaking. You did a great job. Thank you so much. And what I can say is I'm not going to get into a back and forth as to you know why this petition is here before us today, other than to say that this property is owned by an individual. They have a right to develop, or to propose development on that property. So that's why they're coming to us now. They've done that in the past, perhaps itôs been different owners. I'm not sure the exact background scenario, but at any point, anybody that owns property is always willing and capable of coming to us to ask. It's our job to look at that and say, is it appropriate, you know, is this the best development for that property, is that the best use of the property, we evaluate all those factors, what residents in the area have to say, and so on and, and try to make the best decision we can. And our decision is a recommended decision, which will go on to city council with that recommendation. So ultimately, they will make the final decision. But just to give you

at least a little bit of that background, and explain some of those things and you are correct that the zoning change that occurred a couple of years ago, which occurred throughout the city, all areas, and all zoning and were pretty much affected by that. It did change some of the dimensions and so on, and is probably facilitating why this is looking a little bit different than it may have before.

Mr. Doyle: Okay, so and then also, I'm sorry, last thing I promise. She talked about how we all kind of pitched in to do the road. I've lived here for six years; I've seen a plow once and that was after we had taken care of the road. I'm that first house as you come in, and I can tell you right now there is water buildup there all the time. So, if that forest isn't able to absorb all of that, then I would have even more worries about that. So, thank you.

Mr. Wilshaw: We appreciate that comment. Thank you. Anyone else wishing to speak for or against, feel free to come forward? Good evening, sir.

Ryan Molnar, 20218 Sunset, Livonia, MI. A lot of my notes have already been brought up, one of which you are speaking upon the rezoning and how it's conveniently gotten smaller. And with the proposal, counting the units, that would allow for one more house to be developed on the opposite side of our black. Also, it was mentioned that sidewalk would have to be placed as well. Limiting even more space for anybody that moves in. So anybody that moves in, is already given very limited space. It's been brought up that we have 10 children that have free range of this wonderful part of Livonia that we all chose for the same reasons. We would all be directly impacted, some of which are considering moving, which would impact me, which would impact us, because we are more than a community. You know, these are my neighbors, we look out for each other, our children play together. I'm not opposed to new families joining our block, but I do have safety concerns. Our street is not very wide as it's already been brought up. If we have more homes, you could assume that they're gonna want to park in the road as well, which would only allow one lane of traffic and if we have trucks, a fire truck, an ambulance that needs to get down there quickly. I wouldn't want those emergency vehicles to have to weave in and out of parked traffic. Another concern of mine is our elderly neighbor, who we consider our neighborhood grandmother. How long is this construction going to be for eleven homes, one lane of traffic. I just recently lost my grandmother. And I wouldn't want anybody else to be put in the situation. My grandmother

was going through the same thing. She was going to have construction down the road and that was the big concern of ours. What if an emergency vehicle needed to make it to Grandma's, they wouldn't be able to do it. She would have to go pick up her mail somewhere different for months. We're not going to do that. We're standing up. We are voicing our opinions but it's mainly concern of safety for me. I am the neighbor that made that nature trail In the woods for our children. Called it the dyno trail. It's already been impacted by DTE removing about 30 feet of the woods, which really blocked the sound barrier, the light barrier between our block and the apartment buildings. Once those trees were removed, you knew those apartments were there. And when we first moved there, I promise you, I didn't even know apartments were there until a year after we moved in, you know, that following winter, when the leaves fell. brought out the nature, the beauty for us to make even more of an impact on the nature. I think, rezoning and making things smaller, makes it convenient for bigger business to come in and make some money. I guess that's what this world is all about is making money. But we're family men here. It's not about making money. It's about family and keeping people safe. So my main concern is the safety with the development of that's and the time period that it's going to take for that and the impact that they'll have on my children's upbringing. I don't see them playing in the front yard when there's bulldozers. You know, that's just the safety concern. Also the one neighbor that doesn't have a fence, I let my chickens run free. Chickens, me and my children. So I just wanted to thank you for your time. Greatly appreciate it. Please take our thoughts and consideration.

Mr. Wilshaw: Thank you. Appreciate your comments. Anyone else wishing to speak feel free to come forward? Good evening, sir.

Randall Smith, 20222 Sunset, Livonia, MI. I don't care about the woods. I know someone owns it, it's private property. I've represented plenty of people who've done developments, but I wouldn't represent someone who was doing this development. I would the previous one. It was very nice use of space to get the proper zoning for an abandoned industrial space or commercial space and put in housing, that's a great use of land. And it's a great duty for the city to provide. This is not. That road is soft asphalt, and, like Ryan said, if you have construction on that street up and down there for at least a good year, probably two for 11 houses, you're gonna destroy the street. It is not a conforming street that they will build in the Livonia width wise. You cannot park two cars and get through. Maybe on a bicycle or walk. And I don't

know if that's been even looked at by the city engineers or planning. But I can't imagineé the curbs will get destroyed and it was a shoddy construction in the first place in 1996. It wasn'té not a lot of things were up to snuff. With not just with the houses, but with the roads and the sidewalks. But I think it's a terrible use and a terrible approval of this project, considering that road and who lives on it and the nature of the road. And if anyone has been down that road, you could probably have a good sized pickup truck or a moving truck that would destroy that the surface on the tarmac. So that's my concern. The woods are great. And it is kind of putting a square peg in a round hole at this point to chop that off. And there's probably 500 apartments there. There are halogen lights, there's buzzing, there's all kinds of noise. And to just cut that land out in the middle of that square mile thereé is a very wooded area. And like Clara said, the deer go through there the turkeys go through there. That's just really, I think that's a poor use of management abilities for the city to allow someone to stick houses in there just because there's land. That's all I have to say.

Mr. Wilshaw: Thank you, Mr. Smith. I appreciate your comments. Anyone else wishing to speak for or against, feel free to come forward and Good evening. Hello, ma'am.

Gwen Schenkelberger, 20238 Sunset, Livonia, MI. I've worked for the second largest developer in the United States. So believe me when I say I am pro-development, but when I talked to my coworkers, they agreed with me that this was not a good idea. And they were on my side and I said exactly what I said if I was in these shoes. I would not be allowing development here. For one, I know that the children have been brought upé I personally have a special needs child. She doesn't know the meaning of stop when we try to tell her not to run into the street adding more chaos, cars. It's just going to make things so much harder for even the typical child and like other people have said, that curveé I've had my car personally stop there and not be able to move and Mike luckily was outside that day and was able to help me push my car so I can imagine all the large trucks, the other cars that are going to congest, this little area. Tthe other thing is just the noise is loud enough, I work from home. And the work that's being done on Eight Mile is already very loud. There's a lot of like auto construction kind of work that goes on there. And just to add more people, more sounds during our work day, it's very difficult. I know several of us do work from home all the time. So that's just a huge inconvenience for all of

us that are trying to be productive during our day. That's all. Thank you.

Mr. Wilshaw: Well, thank you for your comments. Anyone else wishing to speak for or against this item? Good evening, ma'am.

Diane Hill, 20242 Sunset Street, Livonia, MI. I've lived there since 1996. My husband and I were one of the original owners, We bought the last house available and that is one of the reasons why we bought there because of the property. We never had kids, but I have seen three generations of kids just like these people within the area, they've come and gone. for other reasons, bigger houses, whatever. My main concern is, while I have a couple concerns, the trees, and the privacy and the noise from the apartments. We're going to see dumpsters on the back. We don't know what's going to come from them dumpsters, it could be rats, we don't know. And I live in the lot, where you see a car. And Ié my trees are all falling down because of the weather. And I have to see all these construction vehicles first of all, which is ridiculous. And now I got to look at apartments through more houses. It is a safety concern for all the kids. I do agree with all these people here and I just think there isn't enough room to do all of the planning and then the other thing I and I just heard tonight, the size of the houses, we are all have 1,500-1,600 square foot houses, pretty much 1,600. Now you bring in these 1,800 square foot houses, 2,000 square foot houses, who's going to want to buy our house when we go to sell it, because they want the bigger houses. They aren't going to when our little houses have been there for 20 years. So I don't really want those houses developed for all of the reasons that I've stated. And pretty much what everybody else has said. So I think to see all this go on..

Mr. Wilshaw: Thank you. All right. Anyone else wishing to speak for or against this item? Have one more gentleman, Good evening, sir.

Paul Abbott, 20226 Sunset, Livonia, MI. Okay, just give me a second.

Mr. Wilshaw: Take your time.

Mr. Abbott: I am in support of everything. Can you read this? I don't know why I'm having an issue with this. Do I need to say this or can she read what I'm sayingé she support like the congestion would be ridiculous having trucks coming in all the time. In winter, when the leaves fall off the trees, the lights from the apartments like they shine in to our house. So it's a problem but

when in the summer in the spring, it's not an issue. So, the delivery trucks as well I have to I have to say they can be a problem as well. Often they use our driveway to turn around they don't again because at the end, it's a very tight turn. So oftentimes the trucks will use my driveway to turn around which I'm not opposed to but I didn't know about the asphalt. Like I didn't know that was an issue. Fargo by the way is a bus route. So anyway, there's a bus that goes down Fargo anyway. I don't know how much that would impact trucks delivering supplies and whatnot but also Fargo never gets plowed at all. And how that's a bus route and never gets plowed, I don't know. Also these houses that are proposed, their backyards would be the apartments. So in terms of size, I wouldn't want to live in something like that. I understand that there would be nice houses and good size but have apartments as your backyard that I would be opposed to that. And also my wife and Ié

Mr. Wilshaw: Just take a deep breath, it's fine

Mr. Abbott: We love living here. That's all I have.

Mr. Wilshaw: Thank you, Mr. Abbott. We appreciate your comments. Anyone else wishing to speak for or against this? I think we've covered everybody from the residents, so thank you for speaking. Mr. Eadah, would you like to address anything that was discussed? Again, we don't we don't want to create a back and forth debate. But if there's anything that was addressed, or anything that was raised that you would like to address feel free to us.

Mr. Eadah: I mean, we are very sensitive to the traffic. They are right, there will be some congestion. I'm not gonna sit here and lie to anybody. But that's during business hours. I mean, we're not going to have guys there at night when the kids come home from school or anything like that. And if they are, if they hire somebody to plow the snow, we'll be more than happy to chip in on that the plow the snow to.I can't speak for any new residents that go in there.

Mr. Wilshaw: Right. Okay. Is there any questions from any of the commissioners? Mr. Ventura.

Mr. Ventura: Mr. Eadah, are there going to be dumpsters there or are you going to do curbside trash pickup?

Mr. Eadah: I believe that's curbside trash pickup over there.

Mr. Ventura: It would be curbside

Mr. Eadah: Yeah, we're not gonna be putting dumpsters at a residential site. Now, during construction we will have the large dumpsters. They will be on the site.

Mr. Ventura: Yeah. But on an ongoing basis, there will be no dumpsters. When do you anticipate, if this is approved, to start construction?

Mr. Eadah: Now by the time we get to City Council and everything, probably either late fall or early spring.

Mr. Ventura: And how long would you anticipate it would go on?

Mr. Eadah: If I was to answer that question, I'd be a liar too because it just depends. It depends on the market.

Mr. Ventura: Your best guess.

Mr. Eadah: It depends on the market. One resident said two years. I'm gonna go with that. I would say at tops would be two years.

Mr. Ventura: Okay, thank you.

Mr. Wilshaw: Thank you, Mr. Ventura. Any other questions for our petitioner? Please stay up there for we may have some additional questions.

Mr. Caramagno: All right. Yeah, I've got a couple.. Okay. Joe. That's a private road. So, how do you split the ownership of a private road for access to your condos?

Mr. Eadah: I did not know it was a private road.

Mr. Caramagno: Is that a private road, Mark? The city doesn't maintain it?

Mr. Taormina: This is the first time Iôve heard that it doesn't get plowed. Thatôs a little surprising to me. That's a question for DPW why they wouldn't plow that road? I was not aware of that.

Mr. Caramagno: Okay, so that is a city street.

Mr. Taormina: Public road, yes.

Mr. Caramagno: Okay. I was

Mr. Taormina: It should be a city-maintained street. Yeah.

Mr. Caramagno: Okay. So there's no issueé

Mr. Taormina: That's part of a platted subdivision. So, it's absolutely a public road.

Mr. Caramagno: Sorry for being confused there. If there's any damage to the road as a result of this potential subdivision or 11 houses going in there, who maintains the road? If there's damage done with heavy equipment coming down, there has to beé

Mr. Taormina: Typically, maintenance bonds are posted that would ensure that the road would be properly maintained through construction, and if any damage, the bonds would be forfeited to cover the cost of repairs, or the developer would have to make the corrections before receiving the money back.

Mr. Caramagno: So, I would assume it's reviewed before and after.

Mr. Taormina: Yes, that's all handled through our engineering division. That's correct.

Mr. Caramagno: Okay. As far as the large trees go in the back, I heard some of the folks mention the large trees shield the apartments, and the utility company came and took some trees down, which I believe is closer to the apartment side of that property, is that right? So what's down is down? And Joe, is there any chance that you can leave some big trees on the back of that property? Or is that not really feasible?

Mr. Eadah: We want to leave as much trees as possible, but part of the plan I think the city wants us to do this too, is to put a vinyl fence in the back. So, we would have to tear down any of those trees that we'd have to put a vinyl fence in the back. The tear down of those trees was DTE not ours, because there's probably wire there. And that's why they did it. So, we didn't go there and tear the trees down.

Mr. Caramagno: So, in your plans for development, have you looked and seen if there's large trees that can stay as a result of developing this property, or they are they just mostly got to come down to allow for access?

Mr. Eadah: Only if they're good, if they're nice trees, we want them to stay because it makes it nicer for us to as a developer for sale. Because we don't want to build 11 houses and just sit on them. We want to sell them, and one of the things we do look at is what trees we could keep. And most of these, as Mark probably will tell you there's also tree ordinances so you can just rip down whatever you want, anytime you want.

Mr. Caramagno: It's beneficial for you to leave as many as you can, it is less expensive to have to not have to take them down. And it would be more satisfactory probably to the residents, if you could keep some large trees in there.

Mr. Eadah: Absolutely.

Mr. Caramagno: That's all I got.

Mr. Wilshaw: Thank you. Mr. Caramagno. Any other questions or comments? Mr. Long.

Mr. Long: On the street. I guess my one largest concern with this is the intention to put 11 houses, but on the other side there, you only have I think it's 10, and so you're going to have kind of squeezed in and the driveways aren't going to line up, and you know, it's been pointed out that it's a real narrow street. So I'm sure there are many reasons for the desire to put 11 sites in there. But what's consideration given to one putting 10 in.

Mr. Eadah: I would have to talk to Mr. Soave. I couldn't answer that for you. As it sits right now, it is what theé the 11 is meeting and or exceeding all requirements to the zoning.

Mr. Long: Yes, it is. I understand that just, you know, that my concern about that isé I do see the safety concerns of that and some of the problems that it could present. Thank you. Thank you, Mr. Chair.

Mr. Wilshaw: Thank you, Mr. Long. Any other questions or comments?

Mr. Ventura: My question is for Mr. Taormina. I wonder, I'm under the impression that this plan conforms in every way with the current zoning ordinance.

Mr. Taormina: In terms of the lot dimensions and everything else, that is correct.

Mr. Ventura: There's been some concern expressed about the width of the road does ité Is it unusual to have a road this width in the city?

Mr. Taormina: Rights-of-way widths vary. A standard residential street is usually 60 feet wide, the right-of-way, that is. The right-of-way usually includes a sidewalk on either side. The road itself, from curb to curb, is typically around 35 feet in width. However, road cross-sections can vary. In older subdivisions, the roads can be anywhere from 25 to 28, 29, or 30 feet wide, curb-to-curb. Sunset Avenue is somewhere around 28 to 30 feet wide. The 55-foot right-of-way is not uncommon. We have many streets where the right-of-way is only 50 feet. But typically, the standard right-of-way for a residential street is 60 feet.

Mr. Ventura: Okay, and finally, there's expressed concern about drainage, and my understanding is that the petitioner is providing drainage areas on site so that any runoff is contained on the site,.as opposed to migrating over to the condos, over to the apartments or to the homes across the street.

Mr. Taormina: That is correct. That's something that the Engineering Department will review to make sure that that is the case when the final design is approved.

Mr. Ventura: Thank you.

Mr. Wilshaw: Sure Any other questions from any other commissioners? I donôt see any other questions? Mr. Eadah, is there anything else that you'd like to add before we make our decision?

Mr. Eadah: No, Iôm good. Thank you.

Mr. Wilshaw: Okay. Mr. Caramagno?

Mr. Caramagno: The lot furthest to the north is quite large, considerably larger than the other lots. Has there been any consideration to maybe putting a littleé making that lot smaller and putting a playground area over there?

Mr. Eadah: We haven't discussed that.

Mr. Caramagno: Would there be space for it?

Mr. Eadah: I don't know, until I sit down with our engineers to find out.

Mr. Caramagno: Mark, how big is that last lot?

Mr. Taormina: I think we noted in the presentation. It wasé

Mr. Caramagno: 168.

Mr. Taormina: Yes, that's correct.

Mr. Caramagno Has Soave Building done something like that in other areas, put a little playground area for the children to play?

Mr. Eadah: I can't answer that question because I just started representing Mr. Soave.

Mr. Caramagno: Okay. Thank you, Joe.

Mr. Wilshaw: Thank you, Mr. Taormina wasn't a playground type facility part of the Washingtoné Washington Woods or something down by Hicks and Ann Arbor Road?

Mr. Taormina: Correct. In that case, a portion of the land was dedicated to the city for a playground. That's the park right at the corner. That became a public park. In this particular case, I don't think Parks and Recreation would have any interest in maintaining such a small area, with any type of structure. That would have to be something that would have to go before the Parks Commission. If thereôs interest in adding a small park, I would suggest that it be the responsibility of the condominium association for both ownership and maintenance.

Mr. Wilshaw: All right, it's a privately owned Park. Okay. It's just a thoughté it is one of the only times I can think of something like that being done. But yeah, that's justé

Mr. Caramagno: Just a question.

Mr. Wilshaw: Yeah, it's a good question.

Mr. Taormina: Right now, I believe the legal description for Unit 11 includes the portion of the area for bio-retention. But Iôm not certain, and that doesn't have to be the case. It would be more appropriate if it was part of a common area element. But if that area is where the bio-retention has to go, then it would be limited for any type of playground area. Without knowing the final design of the basin, , whether or not it would be usable for any type of active play area would have to be investigated further.

Mr. Wilshaw: All right. I will just make a couple of notes as some of our audience may not realize I am limited in what I can comment on or discuss because as chairman, I can't be doing anything that sways any decision making. But I did want to make a couple notes that, as I read through the minutes of the original development of Sunset View, which is your property, which I remember happening back in the early 2000s. I've been around doing this for a while. Originally, it was proposed to be 11 Lots and then was lessened down to 10. Lots. You do also have water retention that was required as part of that development, and it's done as an underground development. There's no above ground water retention facility. It's all placed underground because of the limited size of your site. So just a couple notes there of differences between that petition and this one. I just wanted to throw that out there. Is there any other questions or comments from any of the commissioners? Mr. Long.

Mr. Long: Mark, it came up a handful of times that this has been presented to us or presented to the Planning Commission or some kind of city body about five times. I don't recall seeing this before. Do you know the history of other attempts to develop this parcel?

Mr. Taormina: There have been multiple attempts to rezone the property. But the successful rezoning occurred in 2005. As I noted in the opening remarks, a 10-unit site condominium project was approved for this site in 2006.

Mr. Long: Okay. Thank you.

Mr. Taormina But prior to that, there were other attempts to rezone the property that were unsuccessful. Thank you, Mr. Chairman.

Mr. Wilshaw: Thank you, Mr. Long. Thank you, Mr. Taormina. Any other questions comments? If not, then a motion would be an order.

On a motion by Ventura, seconded by Caramagno, and adopted, it was

#08-55-2023 ***RESOLVED***, That the City Planning Commission does hereby recommend to City Council that Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C. requesting approval of the Master Deed, Bylaws and site plan pursuant to Section 7.27 of the Livonia Zoning Ordinance, as amended, to develop a site condominium (Sunset View) consisting of eleven (11) single-family homes on the property at 30250 Morlock Avenue located on the west side of Sunset Avenue between

Fargo Avenue and Eight Mile Road in the Northwest ı of Section 2, be approved subject to the following conditions:

1. The Site Plan identified as Sheet CS-100, dated August 1, 2023, as revised, prepared by Angle Design & Engineering, is hereby approved and shall be adhered to.

2. The Landscape Planting Plan, identified as Sheet LP-1, and the Landscape Notes & Details, identified as Sheet LP-2, dated July 20, 2023, prepared by Nagy Devlin Land Design, are hereby approved and shall be adhered to.

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

4. 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. A sidewalk shall be installed throughout the development to the satisfaction of the Engineering Department.

6. The condominium Master Deed and Bylaws comply with the requirements of the Subdivision Control Ordinance, Title 16, Chapter 16.04-16.40 of the Livonia Code of Ordinances, and Section 7.27 of the Livonia Zoning Ordinance, as amended.

7. The petitioner shall include language in the Master Deed and Bylaws that requires the condominium association to reimburse the City of Livonia for any maintenance or repair costs incurred for the stormwater detention/retention and outlet facilities and gives the City the right to impose liens in the event the charges are not paid within thirty (30) days.

8. This site shall meet either the City of Livonia or the Wayne County Storm Water Management Ordinance, whichever applies, and the developer shall secure a soil erosion and sedimentation control permit before commencing any grading activities on the site.

9. 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.

10. 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.

11. 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

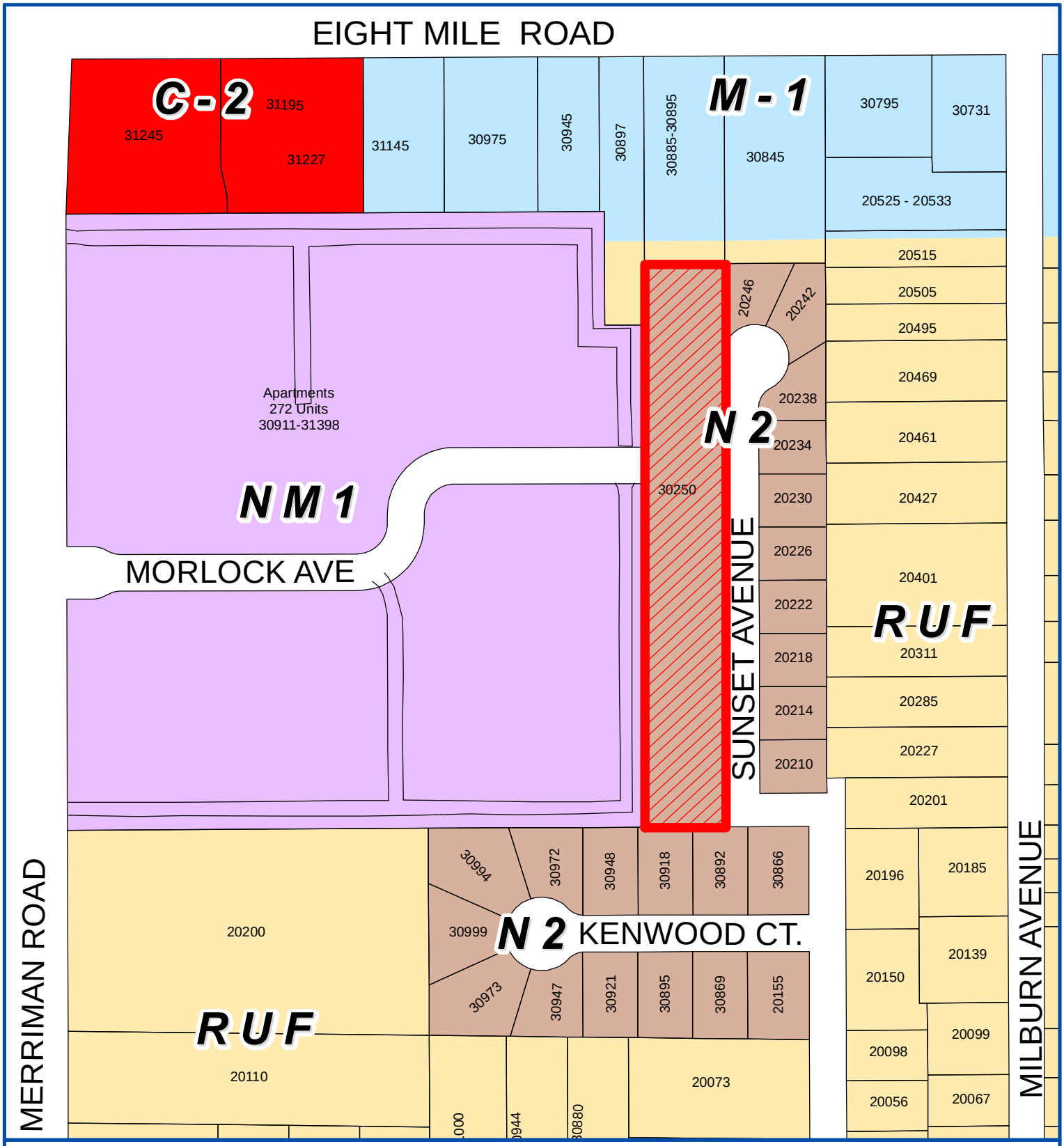
12. Pursuant to Section 13.13 of the Livonia Zoning Ordinance, as amended, this approval is valid for a period of one year only from the date of approval by the City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

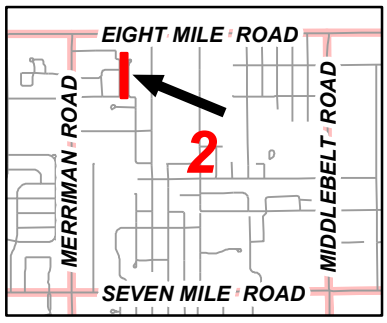
Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Dinaro, Ventura, Caramagno
NAYS: Long, Wilshaw
ABSENT: Bongero
ABSTAIN: None





Address & Zoning Map

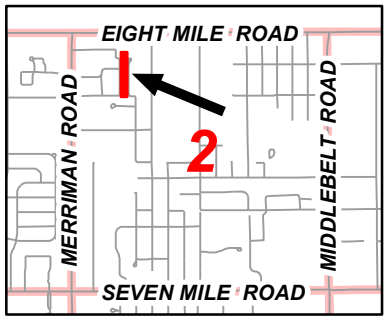
Petition 2023-07-08-06
Sunset View Condominium
30250 Morlock Avenue

N

Not to Scale

City of Livonia
Planning Department





Aerial Map

Petition 2023-07-08-06
Sunset View Condominium
30250 Morlock Avenue

N

Not to Scale

City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

MISCELLANEOUS

ITEM 2

Petition 2023-07-08-06 submitted by Leo Soave Building Company, L.L.C. requesting approval of the Master Deed, Bylaws, and site plan under Section 7.27 of the Livonia Zoning Ordinance, as amended, to develop a site condominium (Sunset View) consisting of eleven (11) single-family homes on the property at 30250 Morlock Avenue located on the west side of Sunset Avenue between Fargo Avenue and Eight Mile Road in the Northwest ı of Section 2.

August 1, 2023: Study Meeting:

This review is for a new condominium subdivision consisting of eleven (11) lots located on the west side of Sunset Avenue just south of Eight Mile Road. The zoning of the property is N2, Neighborhood. Until recently, the property was owned by General Properties Company, Inc., which owned and operated the adjacent Merriman Woods Apartments, which later changed to Apple Ridge Apartments and then Whispering Woods Apartments. In 2005, General Properties successfully petitioned to have the property rezoned from RUF, Rural Urban Farm, to R-3, One Family Residential, requiring a minimum lot size of 80ôx 120ô One year later, in 2006, the City approved Sunset View Condominiums consisting of ten (10) conforming R-3 lots. With the adoption of the Livonia Vision 21 Zoning Ordinance in 2021, the R-3 District was eliminated and replaced with the N2 District. This change reduced the minimum required lot width to 70 feet, thus enabling the development of eleven (11) conforming lots, which the current plan proposes.

The subject parcel is undeveloped and covered with trees and other natural vegetation. Rectangular in shape, it measures 132.0ôx 922.52ôfor a total of 2.82 acres. On the east side of Sunset Avenue, directly across from the site, are ten (10) platted single-family lots that make up the Sunset Subdivision, also zoned N2. Sunset Subdivision was platted in 1996 at a time when the zoning of the property was R-3. To the south are residential homes which are part of the Kenwood Estates Subdivision, zoned N2. Whispering Woods Apartments, zoned NM1, Neighborhood Multifamily, are directly to the west. And to the north are industrial properties, zoned M-1, Light Manufacturing. Located at the rear of the industrial properties, between this site and the M-1 District, is a forty-foot (40ô) wide ñbufferò strip zoned RUF.

All of the proposed lots would front on Sunset Avenue, which has a right-of-way width of fifty-five feet (55ô). Lots 1 through 10 would all measure 70ôx 132ô and Lot 11 would measure 168ôx 132ô By comparison, the lots across the street are all over 80 feet in width, reflecting the R-3 zoning that was in place when the subdivision was platted.

The plans show a stormwater bioretention basin along the south, north, and west sides of the condominium development. The basin would be about sixty-two feet (62ô) wide at the north end adjacent to Lot 11, eighteen (18) feet wide along the rear of the lots, and fifty-five (55) feet at the south end adjacent to Lot 1. This feature would be planted with a wetland seed mix and would provide on-site treatment of stormwater runoff until

it slowly seeps into the ground. The submitted landscape plan shows a tree along the frontage of every lot. The plans do not show or indicate any network of sidewalks.

With respect to the entry details, residential subdivisions are allowed one (1) identification sign measuring no more than twenty (20) square feet in sign area and five feet (5ô in height.

The City has not yet received a copy of the master deed and bylaws outlining the rules and regulations for this project. Additionally, the Petitioner has not submitted any drawings or floor plans of the potential homes of the development.

August 15, 2023: Regular Meeting:

On Wednesday, July 26, 2023, the condominium master deed and bylaws were delivered to the City. The following sections pertain to the size and type of homes proposed for Sunset View Condominiums:

> **7.6 Specific Requirements.** All approvals required by this section shall comply with the following requirements:
>
> a. **Construction Materials.** Each residence shall be finished with wood, masonry (brick or stone), or vinyl exterior with a minimum of 65% of the exterior shall be finished in brick or stone for multi-story residences and 80% of the exterior shall be finished in brick or stone for one story residences. Exposed chimneys shall have an exterior finish of brick or stone and on all other visible improvements shall be finished with wood, brick, stone, or vinyl. Roofs must be of shingle construction using fiberglass or asphalt shingles. Driveways may be of brick or cement. All exterior paints, stains, and material colors must be shown as part of the plan submitted for approval, and samples shall be furnished to the Review Committee on request.
>
> b. **Size and Space Requirements.** No residence shall be constructed on any Unit with less than the following sizes of finished living areas (as calculated on exterior dimensions), exclusive of decks, porches, patios, garages, and basements (whether full basements, daylight basements, or walkout basements):
>
> ÅOne-story home (Ranch) ï 1,300 sq. ft.
> ÅMulti-story home (Cape Cod or Colonial) ï 1,500 sq. ft.

Approving Resolution: The request to develop a site condominium on the property at 30250 Morlock Avenue is hereby approved subject to City Council approval and the following conditions:

1. The Site Plan identified as Sheet CS-100, dated August 1, 2023, as revised, prepared by Angle Design & Engineering, is hereby approved and shall be adhered to.

2. The Landscape Planting Plan, identified as Sheet LP-1, and the Landscape Notes & Details, identified as Sheet LP-2, dated July 20, 2023, prepared by Nagy Devlin Land Design, are hereby approved and shall be adhered to.

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

4. 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. A sidewalk shall be installed throughout the development to the satisfaction of the Engineering Department.

6. The condominium Master Deed and Bylaws comply with the requirements of the Subdivision Control Ordinance, Title 16, Chapter 16.04-16.40 of the Livonia Code of Ordinances, and Section 7.27 of the Livonia Zoning Ordinance, as amended.

7. The petitioner shall include language in the Master Deed and Bylaws that requires the condominium association to reimburse the City of Livonia for any maintenance or repair costs incurred for the stormwater detention/retention and outlet facilities and gives the City the right to impose liens in the event the charges are not paid within thirty (30) days.

8. This site shall meet either the City of Livonia or the Wayne County Storm Water Management Ordinance, whichever applies, and the developer shall secure a soil erosion and sedimentation control permit before commencing any grading activities on the site.

9. 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.

10. 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.

11. 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

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

Denying Reasons: The request to develop a site condominium on the property at 30250 Morlock Avenue is hereby denied for the following reasons:

1. The petitioner has failed to comply with all general standards and requirements as set forth in Sections 1.02 and 13.13 of the Livonia Zoning Ordinance, as amended.

2. The layout and number of site condominiums proposed for the development would have a detrimental effect on the neighboring properties.

3. That the proposed use would unduly tax and conflict with the established and normal traffic flow of the area.

4. That the proposal creates significant adverse impacts on adjoining parcels, public services, and community planning efforts.

5. Allowing this type of development would be detrimental to the aesthetic quality and appeal of the area, and thereby, inappropriately altering the character of the neighborhood; and

6. The petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

PROPOSED
30250 MORLOCK AVE.
WAYNE COUNTY, MI

LEGAL DESCRIPTION (PARCEL ID-07-317-002-13)

PART OF THE NORTHWEST 1/4 OF SECTION 2, T.1S., R.9E., CITY OF LIVONIA, WAYNE COUNTY MICHIGAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST 1/4 CORNER OF SECTION 2, T.1S., R.9E., CITY OF LIVONIA, THENCE ALONG THE NORTH LINE OF SAID SECTION 2 AND CENTERLINE OF EIGHT MILE ROAD, N. 88°10'52" E., 1006.37'; THENCE S. 01°41'48" E., 400.00' TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE N. 88°10'52" E., TO THE NORTHWEST CORNER OF SUNSET SUBDIVISION RECORDED IN LIBER 109 PGS. 86–87, WAYNE COUNTY RECORDS, 132.00'; THENCE ALONG THE WEST LINE OF SAID SUNSET SUBDIVISION, S.01°51'28"E., TO A POINT THE NORTH LINE OF KENWOOD ESTATES SUB, RECORDED IN LIBER 113, PAGES 15–16 WAYNE COUNTY RECORDS, 922.52'; THENCE ALONG THE NORTH LINE OF SAID KENWOOD ESTATES SUB, S.88°09'54" W., 134.59'; THENCE N. 01°41'48", 922.56' TO THE POINT OF BEGINNING CONTAINING 2.82 ACRES SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

SITE DATA:	
*NET AREA	2.82 ACRES
SITE ZONING:	
*EXISTING ZONING DISTRICT	"N2" (NEIGHBORHOOD DISTRICT)
TOTAL NUMBER OF PROPOSED UNITS	11 UNITS
SITE SETBACKS:	
*FRONT YARD	30'
*REAR YARD	30'
*SIDE YARD	6' (TOTAL 16')

PARKING PROVIDED:
EACH UNIT WILL HAVE ONE (1) CAR GARAGE AND ONE (1) CAR CAN PARK IN THE DRIVEWAY.

FLOODPLAIN NOTE:

PER THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP, NO FLOOD PLAIN IS EVIDENT ON THE SITE. (COMMUNITY–PANEL NUMBER 26163C0055E)

WETLAND NOTES:

THE PROPOSED SITE IS NOT LOCATED WITHIN ANY WETLAND AREA.

BENCHMARKS

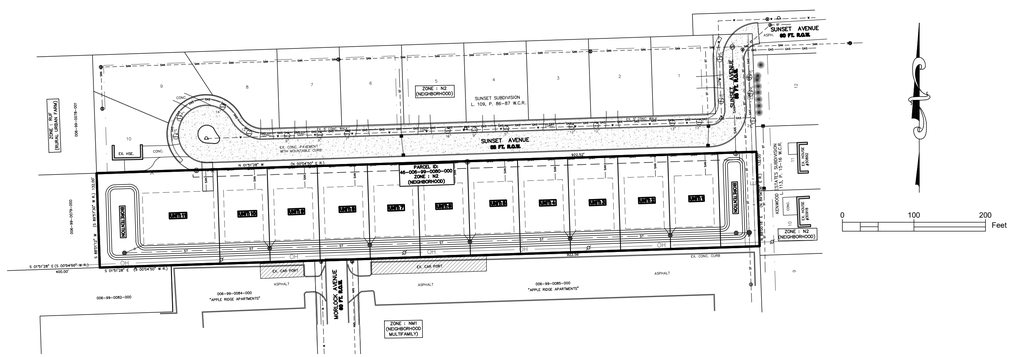
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1. BENCHMARK #101: ARROW ON HYDRANT ELEV. 676.14

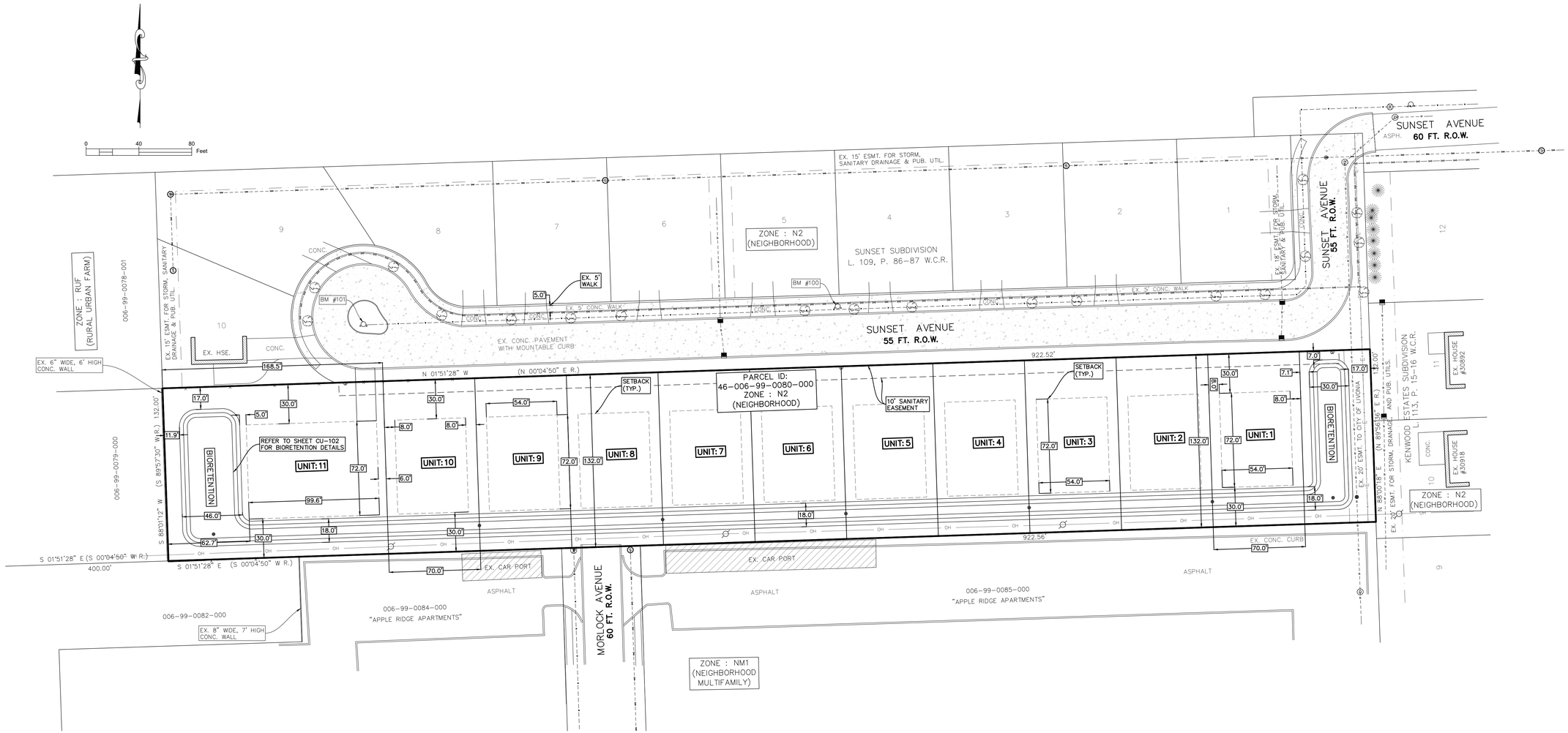


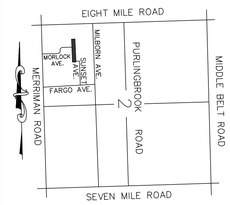
Sheet List Table	
Sheet Number	Sheet Title
CS1–100	COVER SHEET
CS–100	SITE PLAN
CG–100	GRADING PLAN
CG–101	DRAINAGE AREA PLAN
CU–100	UTILITY PLAN
CU–101	STORM SEWER PLAN
CU–102	BIORETENTION CALCULATIONS & DETAILS
CU–300	SANITARY SEWER PROFILE
CU–400	STORM SEWER PROFILE
CS–300	SOIL EROSION & SEDIMENTATION PLAN
CS–301	SOIL EROSION & SEDIMENTATION NOTES

REFERENCE SHEETS:

1– TOPOGRAPHIC & BOUNDARY SURVEY
2– LANDSCAPE PLAN


SUNSET AVENUE
66 FT. R.O.W.
MORLOCK AVENUE
66 FT. R.O.W.
SUNSET SUBDIVISION
L. 109, P. 86–87 W.C.R.
ZONE : N2
(NEIGHBORHOOD)
ZONE : NM1
(NEIGHBORHOOD MULTIFAMILY)
PARCEL ID:
46–006–99–0002–000
(NEIGHBORHOOD)
EX. HSE.
EX. GAS POST
EX. CTRL. FIXTURE
WITH MOUNTING CURB
EX. SANITARY MANHOLE
RIM=676.00
INV=666.00
EX. STORM MANHOLE
RIM=676.00
INV=666.00
EX. CATCH BASIN
RIM=676.00
INV=666.00
EX. CATCH BASIN
RIM=676.00
INV=666.00
EX. CATCH BASIN





LOCATION MAP

CLIENT

LEO SOAVE
(586-219-7880)
LEO SOAVE BUILDING COMPANY, INC.
37771 SEVEN MILE ROAD
LIVONIA, MI 48152

COPYRIGHT

This drawing has been prepared solely for the intended use, thus any reproduction or distribution for any purpose other than authorized by Angle Design is forbidden. Written dimensions shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job, and Angle Design shall be informed of any variations from the dimensions and conditions shown on the drawing. Shop drawings shall be submitted to Angle Design for general conformance before proceeding with fabrication.

ISSUES

No.	DESCRIPTION	DATE
1	SITE PLAN	07-19-2023
2		
3		
4		

NOT FOR CONSTRUCTION

MISS DIG 811

SEAL

STATE OF MICHIGAN
FADI ABBAS KHALIL
ENGINEER
No. 6201053179
LICENSED PROFESSIONAL ENGINEER

Angle Design & Engineering
22417 Cranbrooke Drive. Novi , Michigan. 48375
Phone: (313) 258-2036 Email: Fadi@Angledesignl.LLC.com
Website: WWW.ANGLEDESIGNLLC.COM

PROJECT

30250 MORLOCK AVE.
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

PROJECT NO: 2023-700	SCALE: 1"=40'
DRAWN BY: M. K.	CHECKED BY: F. K.
PROJECT MGR: F. K.	APPROVED BY: F. K.

SHEET TITLE

SITE PLAN

SHEET NUMBER	ISSUE
CS-100	

PROPERTY DESCRIPTION

THE FOLLOWING DESCRIBED PREMISES SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, AND STATE OF MICHIGAN:
THE WEST 4 ACRES OF THE EAST 9 ACRES OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWN 1 SOUTH, RANGE 9 EAST, EXCEPT THE NORTH 400.00 FEET THEREOF, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 2, TOWN 1 SOUTH, RANGE 9 EAST, AND PROCEEDING THENCE ALONG THE NORTH LINE OF SAID SECTION 2 NORTH 89 DEGREES 57 MINUTES 30 SECONDS EAST, 1006.37 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 50 SECONDS WEST 400.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 00 DEGREES 04 MINUTES 50 SECONDS WEST 922.56 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 36 SECONDS EAST, 132.00 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 50 SECONDS EAST 922.52 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 30 SECONDS WEST 132.00 FEET TO THE POINT OF BEGINNING,
CONTAINING 2.7956 ACRES AND BEING SUBJECT TO ANY EASEMENTS THAT MAY BE OF RECORD OVER SAID PARCEL.
TAX PARCEL NO..: 46-006-99-0080-000
COMMONLY KNOWN AS: 30250 MORLOCK, LIVONIA,MI 48152

BENCH MARKS

BM #100
ARROW ON HYDRANT ON EAST SIDE OF SUNSET AVENUE NEAR LOT LINE OF LOTS 4 & 5 OF SUNSET SUBDIVISION.
ELEVATION = 672.64 NGVD29

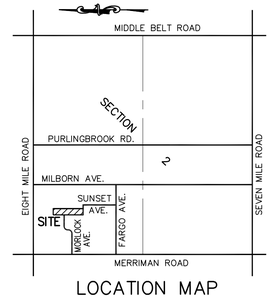
BM#101
ARROW ON HYDRANT IN CUL-DE-SAC ISLAND AT NORTH END OF SUNSET AVENUE.
ELEVATION = 676.14 NGVD29

BEARING BASIS:

BEARINGS BASED ON THE WEST LINE OF "SUNSET SUBDIVISION" AS RECORDED IN LIBER 109, PAGE 86-87 WAYNE COUNTY RECORDS.

FLOOD HAZARD NOTE:

THIS PROPERTY IS NOT LOCATED WITHIN THE FLOOD HAZARD AREA INDICATED BY FLOOD INSURANCE RATE MAP FIRM NO. 26163C0055E, DATED: FEBRUARY 2, 2012.

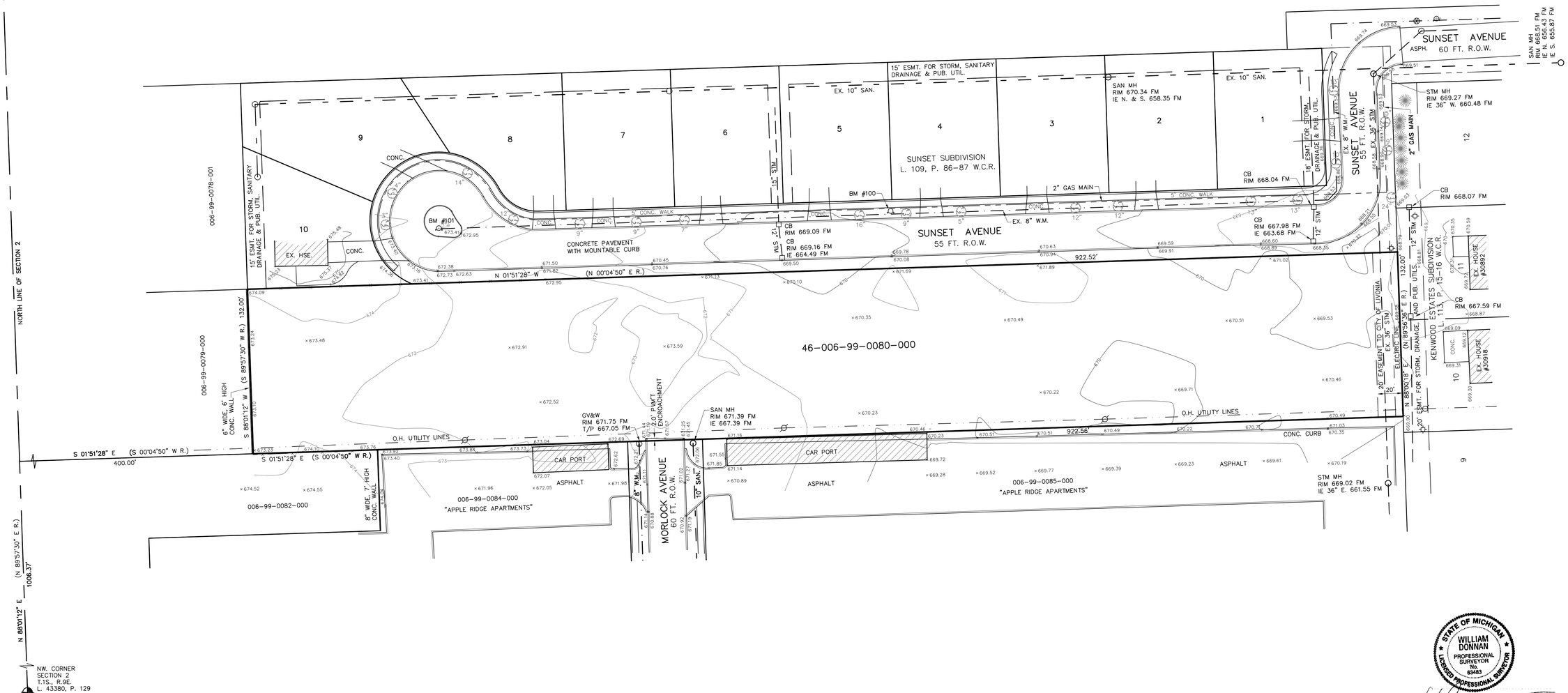


LOCATION MAP
NO SCALE

LEGEND

(R.) RECORDED AS
FIRE HYDRANT
GATE VALVE & WELL
SEWER MANHOLE
CATCH BASIN
SIGN
TELEPHONE BOX
UTILITY POLE
LIGHT POLE
GUY ANCHOR
932.63 SPOT ELEVATION
TREE
SANITARY SEWER
STORM SEWER
WATER
OVERHEAD
GAS
CONTOUR INTERVAL = 1 FOOT

40 0 20 40
SCALE: 1 IN. = 40 FT.



REVISIONS

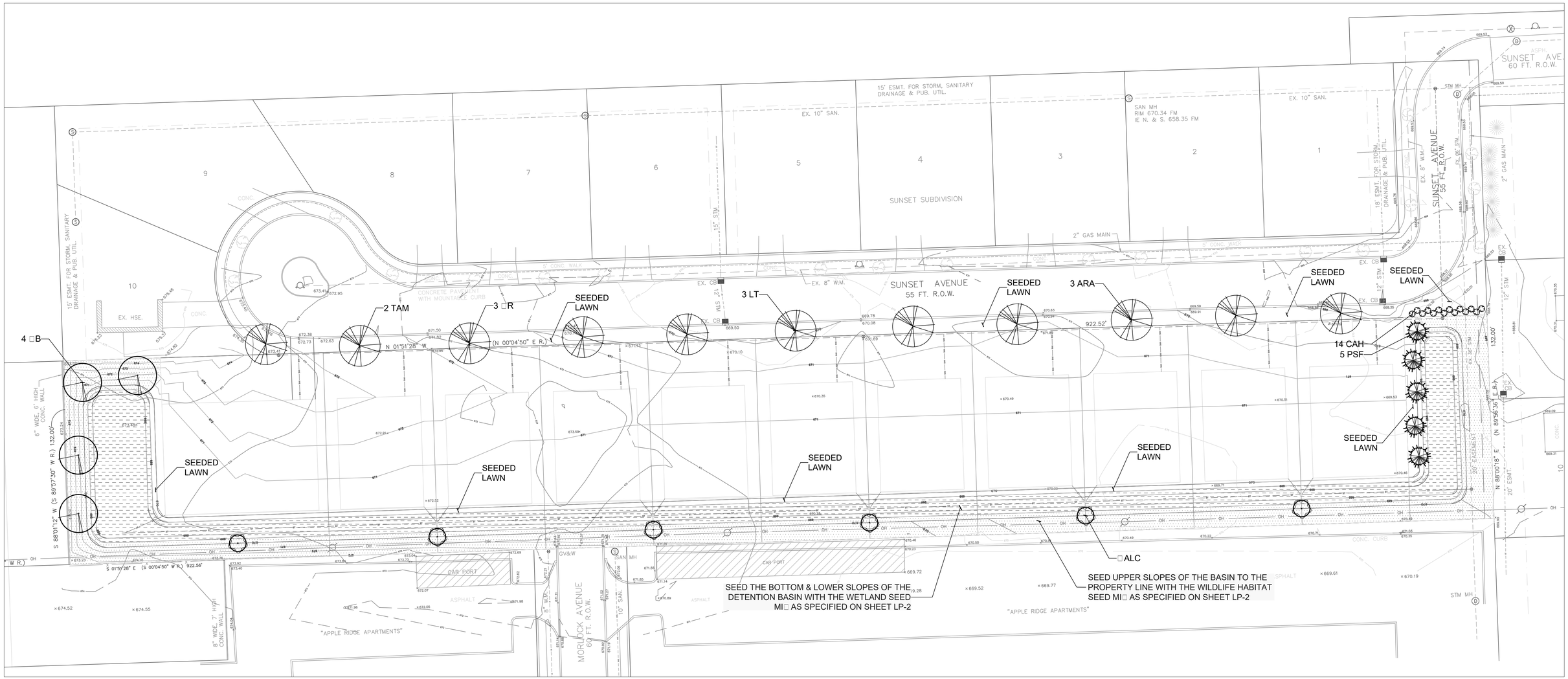
PREPARED FOR
LEO SOAVE BUILDING CO.
37771 SEVEN MILE ROAD
LIVONIA, MICHIGAN 48152
(586 219-7880

ARPEE/DONNAN, INC.
LAND SURVEYING · ENGINEERING · MAPPING
32233 SCHOOLCRAFT RD., SUITE 103
LIVONIA, MICHIGAN 48150
PHONE (734) 953-3335 FAX (734) 953-3324

TOPOGRAPHIC & BOUNDARY SURVEY
46-006-99-0080-000 (30250 MORLOCK)
PART OF THE NORTHWEST 1/4 OF SECTION 2
T. 1 S., R. 9 E., CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

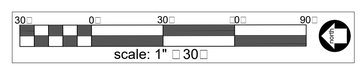
DATE	07/14/23
DRAFTED BY	WRD
CHECKED BY	WGD
F.B.	286
FILE:	
JOB #	23023

SH. 1 OF 1



LANDSCAPE PLANTING PLAN

scale: 1" □ 30□



PLANT LIST

KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE
OPEN SPACE LANDSCAPING				
ALC	□	*Amelanchier laevis* 'Cumulus□	Cumulus Allegheny Serviceberry	2" cal. B&B
CAH	14	*Clethra alnifolia* 'Hummingbird□	Hummingbird Summersweet	3□" ht., 5 gal. pot
PSF	5	*Pinus strobus* 'Fastigiata□	Fastigiate Eastern White Pine	12□ht. B&B
□B	4	*Quercus bicolor*	Swamp White Oa□	3" cal. B&B
STREET TREES				
ARA	3	*Acer rubrum* 'Autumn Flame□	Autumn Flame Red Maple	3" cal. B&B
LT	3	*Liriodendron tulipifera*	Tuliptree	3" cal. B&B
□R	3	*Quercus rubra*	Red Oa□	3" cal. B&B
TAM	2	*Tilia americana* 'McSentry□	McSentry American Linden	3" cal. B&B

LANDSCAPE CALCULATIONS:

OPEN SPACE LANDSCAPING □38,990 s□. ft.□
□One □1□deciduous or evergreen tree per 3,000 s□. ft. of open area
□38,990 s□. ft. divided by 3,000 s□. ft. e□uals 13 trees
STREET TREES
□One □1□street tree per unit

NOTES:
□See Sheet LP - 2: LANDSCAPE NOTES & DETAILS for landscape development notes, landscape planting details, detention pond notes, and seed mi□compositions.

date: July 20, 2023
revised:

Know what's below. Call before you dig. 811

LANDSCAPE PLAN FOR:
Angle Design & Engineering, L.L.C.
22417 Cranbrooke Drive
Novi, Michigan 48375
(313) 258-2036

PROJECT LOCATION:
Proposed Residential Development
30250 Morlock
Livonia, Michigan

LANDSCAPE PLAN BY:
Nagy Devlin Land Design
3173□ West Chicago Ave.
Livonia, Michigan 48150
□734□□34-9208
R.L.A. State of Michigan □12□0

STATE OF MICHIGAN J. BRIAN DEVLIN NO.1260 REGISTERED LANDSCAPE ARCHITECT

J. Brian Devlin
AUTOCAD SIGNATURE ORIGINAL IN BLUE

LP - 1: LANDSCAPE PLANTING PLAN

□ Base data provided by Angle Design & Engineering, L.L.C.

LANDSCAPE PLANTING NOTES:

PLANTING

1. Installation of all plant material shall be in accordance with the latest edition of the *American Association of Nurserymen Standards for Nursery Stock* and with the specifications set forth by the City of Livonia, Michigan.
2. The plant materials shall conform to the type stated on the plant list. Sizes shall be the minimum stated on the plant list or larger. All measurements shall be in accordance with the latest edition of the *American Association of Nurserymen Standards for Nursery Stock*.
3. The plant material shall be nursery grown and inspected by the Owner's representative before planting. The Owner's representative reserves the right to reject any plant material at any time.
4. Plants designated "B&B" shall be balled and burlapped with firm balls of earth.
5. Dig shrub pits one foot (1') larger than the shrub rootball, tree pits three (3') times the width of the tree rootball and backfill with one (1) part topsoil and one (1) part soil from excavated pit. Plant trees and shrubs at the same grade level at which they were planted at the nursery. If wet, clay soils are evident, plant trees and shrubs slightly higher.
6. The Contractor is responsible for planting the materials at the correct grades and spacing. The plants shall be oriented to give the best appearance.
7. When the plant has been properly set, the pit shall be backfilled with the topsoil mixture, gradually filling, patting, and settling with water.
8. Trees in lawn areas to have a four foot (4') circle of mulch, four inches (4") deep, and three inches (3") away from the trunk. Shrub beds are to be mulched with shredded bark mulch to a minimum depth of three inches (3"). Only natural color shredded hardwood bark mulch will be accepted.
9. Remove all twine, wire, and burlap from the top one third (1/3) of tree and shrub root balls and from tree trunks. Remove all non-biodegradable material such as plastic or nylon completely from branches and stems.
10. All plant materials shall be pruned and injuries repaired. The amount of pruning shall be limited to the removal of dead or injured limbs and to compensate for the loss of roots from transplanting. Cuts should be flush, leaving no stubs. Cuts over three quarters of an inch (3/4") shall be painted with tree paint. Shrubs along the site perimeter shall be allowed to grow together in a natural form.
11. Organic, friable topsoil shall be evenly distributed and fine graded over all areas to receive lawns at uniform depth of four inches (4") after settlement.
12. All lawn areas shall be sodded with a Grade A Kentucky Blue Grass blend over the topsoil.
13. All plantings shall be completed within three (3) months, and no later than November 30, from the date of issuance of a certificate of occupancy if such certificate is issued during the April1 thru September 30 period if the certificate is issued during the October 1 thru March 31 period, the planting shall be completed no later than the ensuing May 31. plantings shall thereafter be reasonably maintained, including permanence and health of plant materials to provide a screen to abutting properties and including the absence of weeds and refuse.
14. Backfill directly behind all curbs and along sidewalks and compact to the top of curbs or walls to support vehicle and pedestrian weight without settling.
15. All landscape areas, especially parking lot islands and landscape beds next to buildings shall be excavated of all building materials and poor soils to a depth of twelve inches to eighteen inches (12"-18") and backfilled with good, medium-textured planting soil (loam or light yellow clay loam). Add four inches to six inches (4"-6") of topsoil over the fill material and crown a minimum of six (6) inches (") above the top of curbs and/or walls after earth settling unless otherwise noted on the landscape plan.

16. Conversion of all asphalt and gravel areas to landscape planting beds shall be done in the following manner: a. Remove all asphalt, gravel, and compacted earth to a depth of six (6) inches to eighteen inches (12"-18") depending on the depth of the sub base and dispose of off site. b. Call the City for an inspection prior to backfilling. c. Replace excavated material with good, medium-textured planting soil (loam or light yellow clay loam) to a minimum of two inches (2") above the top of the curb and sidewalk, add four inches to six (6) inches (4"-6") of topsoil and crown to a minimum of six (6) inches (") above the adjacent curb and wall after earth settling, unless otherwise noted on the landscape plan.
If conversion from asphalt to landscape occurs in or between an existing landscape areas, replace excavated material from four inches to six (6) inches (4"-6") below adjacent existing grade with good, medium-textured planting soil (loam or light yellow clay loam) and add four inches to six (6) inches (4"-6") of topsoil to meet existing grades after earth settling.

MATERIAL

1. Plants shall not be located within four feet (4') of the property line.
2. Required landscape material shall satisfy the criteria of the *American Association of Nurserymen Standards for Nursery Stock* and be: a. Nursery grown. b. State Department of Agriculture inspected. c. No. 1 grade material with a straight, unscarred trunk, and well-developed uniform crown (par. grade trees will not be accepted). d. Staked, wrapped, watered, and mulched according to the details provided. and e. Guaranteed for one (1) year.
3. Topsoil shall be friable, fertile soil of clayloam character containing at least five percent (5%) but not more than twenty percent (20%) by weight of organic matter with a pH range between 6.0 and 7.0. The topsoil shall be free from clay lumps, coarse sand, plant roots, sticks, and other foreign materials.
4. The seed mixture shall consist of the following types and proportions: Kentucky Blue Grass blend "Baron/Sheri/Adelphi" sixty percent (60%), Chewing Fescue twenty-five percent (25%), Creeping Red Fescue ten percent (10%), and Perennial Rye Grass five percent (5%). Weed content shall not exceed one percent (1%). The mix shall be applied at a rate of 200 pounds per acre.
5. Sod shall be two (2) year old "Baron/Sheri/Adelphi" Kentucky Blue Grass blend grown in a sod nursery on loam soil.
6. Callery Pear (*Pyrus calleryana*) and Norway Maple (*Acer platanoides*) shall not be substituted for any tree species in the plant list. Contact the Landscape Architect for acceptable plant substitutions.
7. Proposed perennials shall be full, well-rooted plants.

GENERAL

1. Do not plant deciduous or evergreen trees directly over utility lines or under overhead wires. Maintain a six (6) foot (6') distance from the centerline of utilities and twenty feet (20') from the centerline of overhead wires for planting holes. Call MISS DIG forty-eight (48) hours prior to landscape construction for field location of utility lines.
2. The Contractor agrees to guarantee all plant material for a period of one (1) year. At that time, the Owner's representative reserves the right for a final inspection. Plant material with twenty-five percent (25%) die back, as determined by the Owner's representative shall be replaced. This guarantee includes the furnishing of new plants, labor, and materials. These new plants shall also be guaranteed for a period of one (1) year.
3. The work shall consist of providing all necessary materials, labor, equipment, tools, and supervision required for the completion as indicated on the drawings.
4. All landscape areas be irrigated by an automatic underground irrigation system. Lawns and shrub landscape areas shall be watered by separate zones to minimize overwatering.
5. All written dimensions override scale dimensions on the plans.
6. Report all changes, substitutions, or deletions to the Owner's representative.
7. All bidders must inspect the site and report any discrepancies to the Owner's representative.
8. All specifications are subject to change due to existing conditions.
9. The Owner's representative reserves the right to approve all plant material.
10. All ground mounted mechanical units shall be screened on three (3) sides with living plant material.

MAINTENANCE

1. The Owner of the landscaping shall perpetually maintain such landscaping in good condition so as to present a healthy, neat, and orderly appearance, free from refuse and debris.
2. The Owner shall conduct a seasonal landscape maintenance program including regular lawn cutting (at least once per week during the growing season), pruning at appropriate times, watering, and snow removal during winter.
3. The Contractor is responsible for watering and maintenance of all seed areas until a minimum of ninety percent (90%) coverage, as determined by the Owner's representative.
4. All diseased and/or dead material shall be removed within sixty (60) days following notification and shall be replaced within the next appropriate planting season or within one (1) year, whichever comes first.
5. Any debris such as lawn clippings, fallen leaves, fallen limbs, and litter shall be removed from the site on a weekly basis at the appropriate season.
6. All planting beds shall be maintained by removing weeds, fertilizing, and replenishing mulch as needed.
7. Annual beds shall be kept free of weeds and mulched with sphagnum peat of a neutral pH as needed. Perennial beds shall be kept free of weeds and mulched with fine textured shredded bark as needed. Cut spent flower stalks from perennial plants at regular intervals.

DETENTION POND LANDSCAPE NOTES:

PLANTING:

1. Follow the Supplier's recommended procedures for bed preparation, installation, and soil erosion control measures of the proposed seeded areas. After the plants germinate and begin to grow follow the maintenance guidelines included below.
2. Rototill four inches (4") of compost or topsoil into the top six inches (6") of the surface of the detention pond. Compost may be obtained from the municipal facility at Six Mile and Ridge Roads. Call Onyx Environmental at 248 305-8377 or 248 349-7230 for hours of operation and general information.
3. Provide a cover crop of annual rye at a rate of ten pounds (10#) per acre and seed oats at a rate of thirty pounds (30#) per acre over the entire area to be seeded.
4. All plant material and planting applications shall meet all guidelines an specifications set forth by the *American Standard of Nursery Stock.*

MAINTENANCE OF THE DETENTION POND

1. ESTABLISHMENT: During the first growing season, the native seed areas should be mowed two (2) to four (4) times to a height of four inches to six inches (4"-6") when the plants reach a height of ten inches to twelve inches (10"-12"). Hand pulling may be needed to control unwanted weed populations. If a mower cannot be set high enough, a string trimmer can be used. During the second growing season, the native seed areas should be mowed a few times to a height of about eight inches (8"), when the plants reach a height of ten inches to eighteen inches (10"-18"). Hand pulling may be needed to control unwanted weed populations. By the second growing season it should be apparent if some areas need reseeding. Long term management includes mowing and hand pulling of weeds. The native planting may be mowed to a short height and the clippings removed in the early Spring before birds begin nesting.
2. WATERING: Watering should be performed as needed. During the establishment period after the initial planting, watering is very important and should be conducted every two to three (2-3) days. The initial planting should be checked regularly for appropriate moisture availability. Two (2) methods for determining adequate moisture levels include the following: a. If the plants wilt during the day when the temperature is at its highest, but revive during the night, then watering is not necessary, and b. by testing the soil moisture at a depth of four inches (4") by inserting a small rod into the soil. If the rod is wet, then the soil is moist at a depth of four inches (4") and watering is not necessary.
3. EROSION CONTROL: Provide an erosion control blanket on the side slopes of the seeded areas of the detention pond. The erosion control blanket shall be pegged in place.
4. EDGING: The edge of the detention pond should be maintained to avoid grass growing into the storage area. The edge can be maintained with a V-notch cut edge. The channel should be maintained at four inches (4") or greater and renewed every six (6) to eight (8) weeks.
3. CUTTING BACK: Tall wildflowers should be cut back by one-third. Early flowering plants can be cut back in late June or early July and late flowering plants in late October.
4. THINNING: After the detention pond has become established and thriving, it may be necessary to thin perennials by dividing individual plants in Spring or Fall.
5. REPLACEMENT: Any plants that die or become diseased should be replaced. Plant health should be checked regularly with replanted material occurring in the Spring or Fall.
6. REMOVAL OF LITTER AND DEBRIS: Litter, trash, and debris should be removed on a regular basis to insure that inlets remain free flowing and to keep the area in a neat and attractive appearance.
7. INORGANIC APPLICATIONS: In general, detention ponds do not need fertilization as nutrients from surrounding areas is usually at an elevated level. If soil fertility appears to be an issue, the soil should be tested and appropriate actions taken based on the results. Insecticides, herbicides, fungicides, and rodenticides should not be used in the detention pond. If a plant is diseased or infested with insects, it should simply be removed and replaced.

SEED MIX COMPOSITIONS

WETLAND SEED MIX
MICHIGAN WILDFLOWER FARM
A composition of wildflowers, sedges, and grasses.
Application rate: 3 oz. per 1000sq. ft. or 7 lbs. per acre

BOTANICAL NAME	COMMON NAME
Wildflowers	
Asclepias incarnata	Swamp Milkweed
Aster novae-anglae	New England Aster
Aster puniceus	Swamp Aster
Aster umbellatus	Flat-Top Aster
Eupatorium maculatum	Joe-Pye Weed
Eupatorium perfoliatum	Boneset
Euthamia graminifolia	Grassleaved Goldenrod
Liatris spicata	Marsh Blazing Star
Pedicularis lanceolata	Swamp Betony
Rudbeckia subtomentosa	Sweet Black-Eyed Susan
Silphium serfoliatum	Cupplant
Silphium terebinthinaceum	Prairie Dock
Solidago patula	Swamp Goldenrod
Solidago riddellii	Riddell's Goldenrod
Verbena hastata	Blue Vervain
Vernonia missurica	Ironweed
Veronicastrum virginicum	Culver's Root
Sedges/Grasses	
Andropogon gerardii	Big Bluestem
Carex crinita	Fringed Sedge
Carex stricta	Tussock Sedge
Scirpus cyperinus	Wool Grass
Scirpus atrovirens	Bulrush

WETLAND SEED MIX

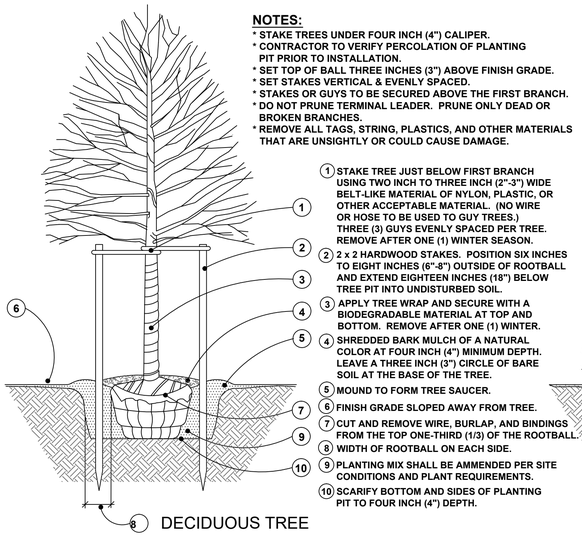
SEED MIX COMPOSITIONS

WILDLIFE HABITAT SEED MIX
MICHIGAN WILDFLOWER FARM
Twenty percent (20%) Forbs Eighty percent (80%) Grass.
Application rate: 5 oz. per 1000 sq. ft. or ten pounds (10#) per acre.

BOTANICAL NAME	COMMON NAME
Forbs	
Achillea millefolium	Yarrow
Asclepias syriaca	Common Milkweed
Aster novae-angliae	New England Aster
Aster pilosus	Hairy Aster
Coreopsis lanceolata	Sand Tickseed
Echinacea purpurea	Purple Coneflower
Monarda fistulosa	Wild Bergamot
Oenothera biennis	Common Evening Primrose
Ratibida pinnata	Yellow Coneflower
Rudbeckia hirta	Black-Eyed Susan
Silphium integrifolium	Rosin Weed
Solidago rigida	Stiff Goldenrod
Sedges/Grasses	
Andropogon gerardii	Big Bluestem
Bouteloua curtipendula	Side Oats Grama
Schzachyrium scoparius	Little Bluestem
Sorgastrum nutans	Indian Grass

WILDLIFE HABITAT SEED MIX

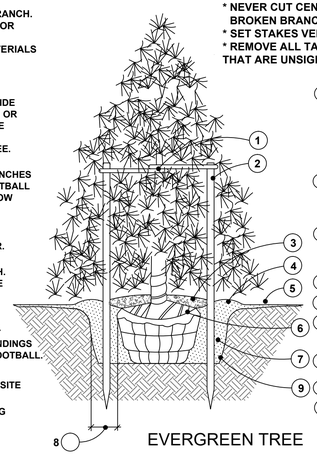
MICHIGAN WILDFLOWER FARM
11770 Cutler Road
Portland, Michigan 48875-9452
Phone: (517)647-7010 Fax: (517)647-7072



NOTES:
* STAKE TREES UNDER FOUR INCH (4") CALIPER.
* CONTRACTOR TO VERIFY PERCOLATION OF PLANTING PIT PRIOR TO INSTALLATION.
* SET TOP OF BALL THREE INCHES (3") ABOVE FINISH GRADE.
* SET STAKES VERTICAL & EVENLY SPACED.
* STAKES OR GUYS TO BE SECURED ABOVE THE FIRST BRANCH.
* DO NOT PRUNE TERMINAL LEADER. PRUNE ONLY DEAD OR BROKEN BRANCHES.
* REMOVE ALL TAGS, STRING, PLASTICS, AND OTHER MATERIALS THAT ARE UNSIGHTLY OR COULD CAUSE DAMAGE.

1. STAKE TREE JUST BELOW FIRST BRANCH USING TWO INCH TO THREE INCH (2"-3") WIDE BELT-LIKE MATERIAL OF NYLON, PLASTIC, OR OTHER ACCEPTABLE MATERIAL. (NO WIRE OR HOSE TO BE USED TO GUY TREES.) THREE (3) GUYS EVENLY SPACED PER TREE. REMOVE AFTER ONE (1) WINTER SEASON.
2. 2 x 2 HARDWOOD STAKES. POSITION SIX INCHES TO EIGHT INCHES (6"-8") OUTSIDE OF ROOTBALL AND EXTEND EIGHTEEN INCHES (18") BELOW TREE PIT INTO UNDISTURBED SOIL.
3. APPLY TREE WRAP AND SECURE WITH A BIODEGRADABLE MATERIAL AT TOP AND BOTTOM. REMOVE AFTER ONE (1) WINTER.
4. SHREDDED BARK MULCH OF A NATURAL COLOR AT FOUR INCH (4") MINIMUM DEPTH. LEAVE A THREE INCH (3") CIRCLE OF BARE SOIL AT THE BASE OF THE TREE.
5. MOUND TO FORM TREE SAUCER.
6. FINISH GRADE SLOPED AWAY FROM TREE.
7. CUT AND REMOVE WIRE, BURLAP, AND BINDINGS FROM THE TOP ONE-THIRD (1/3) OF THE ROOTBALL.
8. WIDTH OF ROOTBALL ON EACH SIDE.
9. PLANTING MIX SHALL BE AMMENDED PER SITE CONDITIONS AND PLANT REQUIREMENTS.
10. SCARIFY BOTTOM AND SIDES OF PLANTING PIT TO FOUR INCH (4") DEPTH.

DECIDUOUS TREE



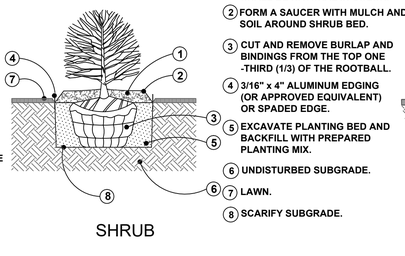
NOTES:
* STAKE ALL EVERGREEN TREES UNDER TWELVE FEET (12') HIGH. GUY ALL EVERGREEN TREES TWELVE FEET (12') HIGH AND OVER.
* CONTRACTOR TO VERIFY PERCOLATION OF PLANTING PIT PRIOR TO INSTALLATION.
* NEVER CUT CENTRAL LEADER. PRUNE ONLY TO REMOVE DEAD OR BROKEN BRANCHES.
* SET STAKES VERTICAL AND EVENLY SPACED.
* REMOVE ALL TAGS, STRING, PLASTICS, AND OTHER MATERIALS THAT ARE UNSIGHTLY OR COULD CAUSE GIRDLING.

1. STAKE TREE AS INDICATED USING TWO INCH TO THREE INCH (2"-3") WIDE BELT-LIKE MATERIAL OF NYLON, PLASTIC, OR OTHER ACCEPTABLE MATERIAL. (NO WIRE OR HOSE TO BE USED TO GUY TREES.) THREE (3) GUYS EVENLY SPACED PER TREE. REMOVE AFTER ONE (1) WINTER SEASON.
2. 2 x 2 HARDWOOD STAKES. POSITION SIX INCHES TO EIGHT INCHES (6"-8") OUTSIDE OF ROOTBALL AND EXTEND EIGHTEEN INCHES (18") BELOW TREE PIT INTO UNDISTURBED SOIL.
3. SHREDDED BARK MULCH OF A NATURAL COLOR AT FOUR INCH (4") MINIMUM DEPTH. LEAVE A THREE INCH (3") CIRCLE OF BARE SOIL AT THE BASE OF THE TREE.
4. MOUND TO FORM TREE SAUCER.
5. FINISH GRADE SLOPED AWAY FROM TREE.
6. CUT AND REMOVE WIRE, BURLAP, AND BINDINGS FROM THE TOP ONE-THIRD (1/3) OF THE ROOTBALL.
7. PLANTING MIX SHALL BE AMMENDED PER SITE CONDITIONS AND PLANT REQUIREMENTS.
8. WIDTH OF ROOTBALL ON EACH SIDE.
9. SCARIFY BOTTOM AND SIDES OF PLANTING PIT TO FOUR INCH (4") DEPTH.

EVERGREEN TREE

GENERAL NOTES FOR ALL PLANTINGS:
* DO NOT CUT CENTRAL LEADER.
* REMOVE ALL TAGS, STRINGS,PLASTICS, AND ANY OTHER NON-BIODEGRADABLE MATERIALS (EXCEPT LABEL FOR PLANT NAME) FROM PLANT STEMS OR CROWN WHICH ARE UNSIGHTLY OR COULD CAUSE GIRDLING.
* PLANTS SHALL BEAR THE SAME RELATION TO FINISH GRADE AS IT BORE TO THE PREVIOUS GRADE IN THE NURSERY. SET THE BASE OF THE PLANT SLIGHTLY HIGHER THAN EXISTING GRADE IF PLANTING IN CLAY SOILS.
* CENTER THE ROOTBALL IN THE PLANTING HOLE. LEAVE THE BOTTOM OF THE PLANTING HOLE FIRM. USE WATER TO SETTLE THE PLANTING MIX AND REMOVE ANY AIR POCKETS AND FIRMLY SET THE TREE OR SHRUB. GENTLY TAMP IF NEEDED.

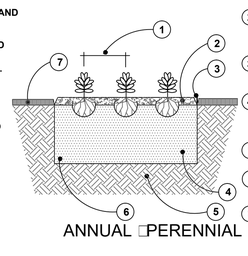
NOTE:
* CONTRACTOR TO VERIFY PERCOLATION OF PLANTING PIT PRIOR TO INSTALLATION.



1. SHREDDED BARK MULCH AT THREE INCH (3") MINIMUM DEPTH. MULCH SHALL BE NATURAL IN COLOR.
2. FORM A SAUCER WITH MULCH AND SOIL AROUND SHRUB BED.
3. CUT AND REMOVE BURLAP AND BINDINGS FROM THE TOP ONE -THIRD (1/3) OF THE ROOTBALL.
4. 3/16" x 4" ALUMINUM EDGING (OR APPROVED EQUIVALENT) OR SPADED EDGE.
5. EXCAVATE PLANTING BED AND BACKFILL WITH PREPARED PLANTING MIX.
6. UNDISTURBED SUBGRADE.
7. LAWN.
8. SCARIFY SUBGRADE.

SHRUB

NOTE:
* CONTRACTOR TO VERIFY PERCOLATION OF PLANTING PIT PRIOR TO INSTALLATION.
* PERENNIALS TO BE PLANTED UP TO THE EDGE OF THE SAUCER AROUND A TREE OR SHRUB BED.



1. SEE PLANT LIST FOR SPACING DISTANCE.
2. SHREDDED HARDWOOD BARK OF A NATURAL COLOR MULCH AT FOUR INCH (4") MINIMUM DEPTH.
3. 3/16" x 4" ALUMINUM EDGING (OR APPROVED EQUIVALENT) OR SPADED EDGE.
4. EXCAVATE PLANTING BED AND BACKFILL WITH PREPARED PLANTING MIX AT A TEN INCH (10") DEPTH.
5. UNDISTURBED SUBGRADE.
6. PLANTING MIX TO CONSIST OF EQUAL PARTS OF SAND, LEAF COMPOST, AND NATIVE SOIL.
7. LAWN.

ANNUAL / PERENNIAL / GROUNDCOVER

NOTE:
See Sheet LP-1: LANDSCAPE PLANTING PLAN for overall landscape planting plan, plant list, and calculations for landscape requirements.

date: July 20, 2023
revised:

scale: as indicated

Know what's below. Call before you dig. 811

LANDSCAPE PLAN FOR:
Angle Design & Engineering, L.L.C.
22417 Cranbrooke Drive
Novi, Michigan 48375
(313) 258-2036

PROJECT LOCATION:
Proposed Residential Development
30250 Morlock
Livonia, Michigan

LANDSCAPE PLAN BY:
Nagy Devlin Land Design
3173 West Chicago Ave.
Livonia, Michigan 48150
(734)634-9208
R.L.A. State of Michigan (120)

STATE OF MICHIGAN J. BRIAN DEVLIN NO.1260 REGISTERED LANDSCAPE ARCHITECT

J. Brian Devlin AUTOCAD SIGNATURE ORIGINAL IN BLUE

PLANTING DETAILS — not to scale

LP - 2: LANDSCAPE NOTES & DETAILS

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

July 31, 2023

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2023-07-08-06 – #30250 Morlock Avenue

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed project at this time, but would like to note the following items:

1. The subject parcel is assigned the address of **#30250 Morlock Avenue**. Once the plans have been submitted for permits, the Engineering Department will assign addresses to the individual units.

2. The legal descriptions included with the submitted drawings both close per surveying standards, but there are multiple discrepancies between the description shown on the title page and on the "Topographic and Boundary Survey" sheet. The Owner should provide one description that matches on all sheets.

3. The existing parcel is currently serviced by public sanitary sewer, water main and storm sewer. The submitted drawings indicate extensions of the existing utilities to service the proposed units, which we do not believe will impact the existing systems negatively.

4. The proposed development will be required to meet the Wayne County Stormwater Ordinance. Per the submitted drawings, stormwater detention is indicated, but we will need to do a thorough review of the plans once they are submitted for permitting.

5. Per the proposed layouts, all storm sewers, including detention basins, will be privately-owned. Sanitary sewer and water main will be public, located within dedicated easements on the site or in the existing right-of-way.

6. The submitted drawings do not show sidewalks along the front of the proposed condominiums, which are required with all new developments. The sidewalk should be

shown on the drawings unless waived by the City Council, and it should connect to the existing sidewalk at the north end of the development.

7. No construction or soil disturbance (including dumping of materials) should occur on the site until the owner obtains the appropriate permits. (Engineering Earthwork, SESC, etc.)

8. The Master Deed and Bylaws that were submitted on July 26th do not include the referenced Exhibit "B" drawings which show proposed easements, so we are not able to review those items at this time. Since those items are vital to the placement of site utilities, it is our position that this petition should not be approved until all of the pertinent information has been submitted for review.

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: 2023 Petition File

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

ROBERT JENNISON
FIRE CHIEF

MAUREEN MILLER BROSNAN
MAYOR

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

DATE: August 1, 2023

TO: Scott O. Miller, Planner IV

FROM: Livonia Fire Prevention Division

SUBJECT: **Petition 2023-07-08-06 30250 Morlock**

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

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

1. A fire access road 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. Any curves or corner of streets shall accommodate emergency vehicles with a turning radius of fifty-three feet wall to wall and an inside turning radius of twenty-nine feet six inches.
3. Standard for residential cul-de-sacs is 50' with a minimum right-of-way radius of 60' to provide for sidewalks and utilities.

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

Sincerely,

Brian Kukla

Brian Kukla
Fire Marshal

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

July 26th 2023

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

Re: Petition 2023-07-08-06 - 30250 Morlock Avenue

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,

Paul Walters, Sergeant
Traffic Bureau
(734) 466-2107

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
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: August 1, 2023

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2023-07-08-06 – 30250 Morlock Avenue

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

August 3, 2023

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

Petition 2023-07-08-06 - 30250 Morlock Avenue

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

July 25, 2023

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

Re: Petition 2023-07-08-06 30250 Morlock Ave
Leo Soave Bldg. Inc.

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 taxes due, but they are not delinquent, therefore I have no objections to the proposal.

Sincerely,

Lynda L. Scheel
Lynda L. Scheel
Treasurer, City of Livonia

OTHER ITEMS RELATED TO THE PETITION

McDowell & Associates

Geotechnical, Environmental & Hydrogeological Services • Materials Testing & Inspection

21355 Hatcher Avenue, Ferndale, MI 48220
Phone: (248) 399-2066 • Fax: (248) 399-2157
www.mcdowasc.com

July 13, 2023

Leo Soave Building Company
37771 Seven Mile Road
Suite C
Livonia, Michigan 48152

Job No. 35193

Attention: Mr. Leo Soave

Subject: Test Pit Exploration
Proposed Sunset View Subdivision
Sunset Avenue
Livonia, Michigan

Dear Mr. Soave:

In accordance with the request of Mr. Aboud Atiyeh, McDowell & Associates witnessed the excavation of test pits at the subject project on July 5, 2023. The purpose of the test pits was to verify the subsurface soil and groundwater conditions.

Two (2) Test Pits, designated as TP-1 and TP-2, were performed at the subject property at the approximate locations shown on the Test Pit Location Plan which accompanies this letter. Soil descriptions, laboratory test results and groundwater observations can be found on the accompanying Test Pit Log Reports.

If you have any questions or if we can be of any further service, please do not hesitate to call.

Very truly yours,

McDOWELL & ASSOCIATES

Ihsan Aljawaheri, P.E.
Staff Engineer

IA/jb

Mid-Michigan Office
3730 James Savage Road, Midland, MI 48642
Phone: (989) 496-3610 • Fax: (989) 496-3190

McDowell & Associates
21355 Hatcher Ave
Ferndale, MI 48220
Phone: (248) 399-2066
Fax: (248) 399-2157

TEST PIT LOG REPORT

PROJECT: Proposed Sunset View Subdivision **REPORT NO.:**

LOCATION: Livonia, Michigan **OUR JOB NO.:** 35193

CLIENT: Leo Soave Building Company **CLIENT'S JOB NO.:**

WEATHER: Sunny **TEMPERATURE RANGE:** °F

DATE: 7/5/2023 **TIME:**

TEST PIT NO.: TP-1

DEPTH (in.)	SOIL	DEPTH (in.)	SOIL DESCRIPTION	HOUSEL BLOWS/6"
0'6"				
1'0"			Moist dark brown sandy TOPSOIL	
1'6"		1'5"		
2'0"				
2'6"				
3'0"			Moist brown silty fine to medium SAND with traces of gravel and clay	
3'6"				
4'0"			(Permeability = 7.7 x 10^{-4} cm/sec)	
4'6"				
5'0"				
5'6"		5'6"		
6'0"				
6'6"				
7'0"				
7'6"			Moist gray silty SAND with moist to wet gray silt lenses	
8'0"				
8'6"				
9'0"		9'0"		
9'6"				
10'0"				

Seepage water encountered at 7'4".

jb

FIELD REPRESENTATIVE: Ihsan Aljawaheri, P.E.

McDowell & Associates
21355 Hatcher Ave
Ferndale, MI 48220
Phone: (248) 399-2066
Fax: (248) 399-2157

TEST PIT LOG REPORT

PROJECT: Proposed Sunset View Subdivision **REPORT NO.:**

LOCATION: Livonia, Michigan **OUR JOB NO.:** 35193

CLIENT: Leo Soave Building Company **CLIENT'S JOB NO.:**

WEATHER: Sunny **TEMPERATURE RANGE:** °F

DATE: 7/5/2022 **TIME:**

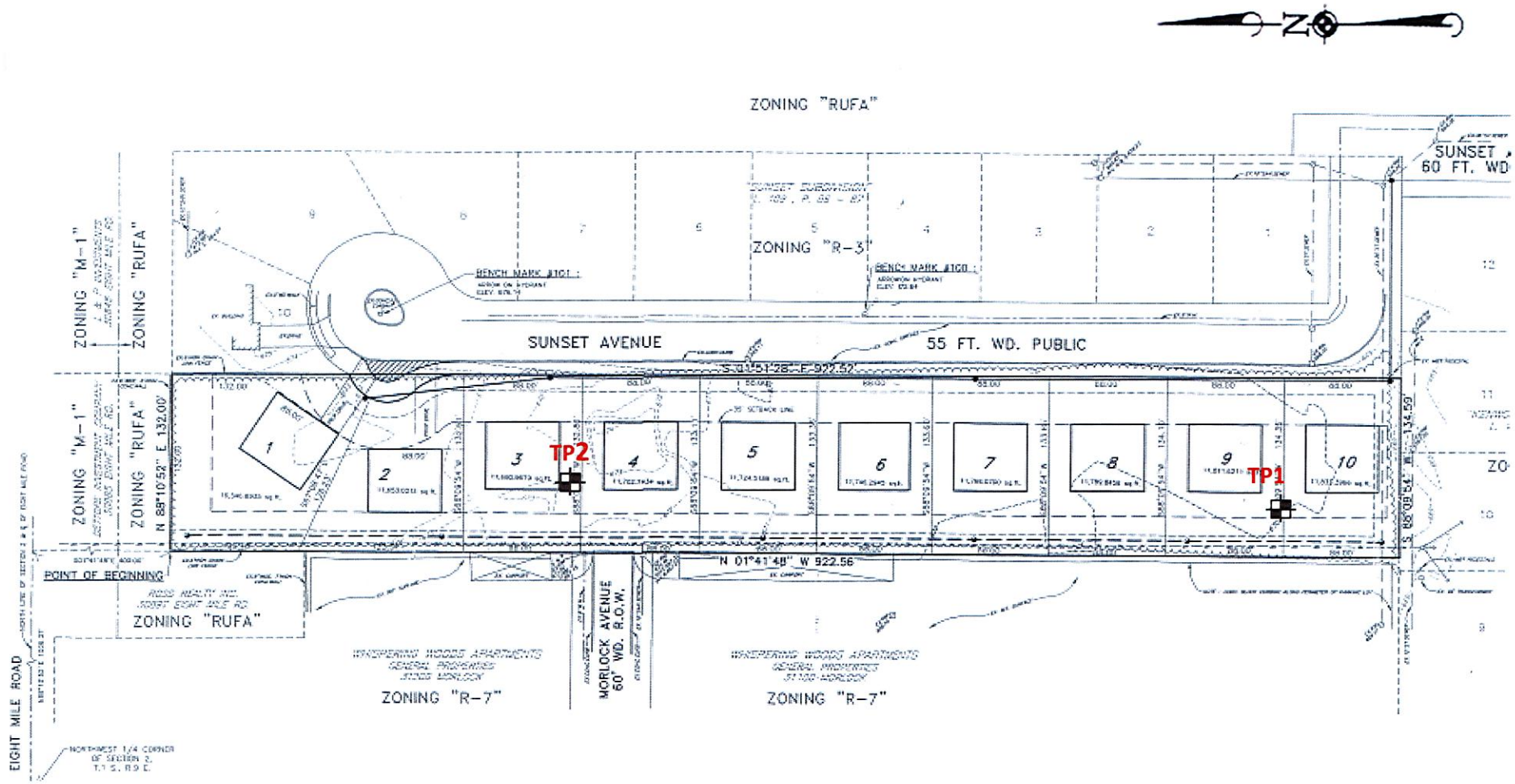
TEST PIT NO.: TP-2

DEPTH (in.)	SOIL	DEPTH (in.)	SOIL DESCRIPTION	HOUSEL BLOWS/6"
0'6"				
1'0"			Moist dark brown sandy TOPSOIL	
1'6"		1'3"		
2'0"				
2'6"				
3'0"				
3'6"			Moist brown silty fine to medium SAND with gray silt lenses	
4'0"				
4'6"			(Permeability = 8.2 x 10^{-4} cm/sec)	
5'0"				
5'6"				
6'0"		6'0"		
6'6"				
7'0"			Moist to wet brown to gray silty SAND with gray silt lenses	
7'6"				
8'0"		8'0"		
8'6"				
9'0"				
9'6"				
10'0"				

Seepage water encountered at 7' and 8'.

jb

FIELD REPRESENTATIVE: Ihsan Aljawaheri, P.E.



Note: Base drawing prepared by others.

LEGEND

Test Pit Locations, 1 and 2:
Witnessed by McDowell & Associates

McDowell & Associates
21355 Hatcher Avenue
Ferndale, Michigan 48220
Phone: (248) 399-2066
Fax: (248) 399-2157

Test Pit Location Plan

Job No. 35193

MASTER DEED OF SUNSET CONDOMINIUM
(Pursuant to the Condominium Act, PA 59 of 1978 as amended;
MCL 559.101 et seq.)

Wayne County Condominium Subdivision Plan No. _____containing:

1. Master Deed establishing Sunset Condominium;

2. Exhibit A to Master Deed: Condominium Bylaws; and

3. Exhibit B to Master Deed: Condominium Subdivision Plan.

The above-mentioned exhibits are incorporated into and made a part of this Master Deed.

This document is exempt from transfer tax under MCL 207.505(a) and MCL 207.526(t).

This document is drafted by and after recording return to:

Crosswinds Court Subdivision, Inc.
Leo Soave
37771 Seven Mile Road, Suite C
Livonia, Michigan 48152

TABLE OF CONTENTS

SECTION 1. ESTABLISHMENT OF CONDOMINIUM

1.1 Project

1.2 Establishment of Condominium

1.3 Project Description

1.4 Co-Owner Rights

SECTION 2. LEGAL DESCRIPTION OF THE PROPERTY

2.1 Condominium Property

2.2 Beneficial Easements

SECTION 3. DEFINITIONS

3.1 Definitions

3.2 Applicability

SECTION 4. COMMON ELEMENTS

4.1 General Common Elements

4.2 Limited Common Elements

4.3 Maintenance Responsibilities

4.4 Assignment of Limited Common Elements

4.5 Power of Attorney

4.6 Separability

SECTION 5. UNITS

5.1 Description of Units

5.2 Percentage of Value

5.3 Unit Modification

SECTION 6. NONEXPANDABILITY OF CONDOMINIUM

SECTION 7. CONTRACTABILITY OF CONDOMINIUM

7.1 Withdrawal of Land

7.2 Contraction Not Mandatory

7.3 Amendments to Master Deed

7.4 Additional Provisions

SECTION 8. CONVERTIBLE AREAS

SECTION 9. EASEMENTS

9.1 Easements for Maintenance and Repair

9.2 Easements Reserved by Developer

SECTION 10. AMENDMENT, TERMINATION, AND WITHDRAWAL

10.1 Preconveyance Amendments

10.2 Postconveyance Amendments

10.3 Project Termination

10.4 Withdrawal of Property

SECTION 11. ASSIGNMENT OF DEVELOPER RIGHTS

Exhibit A—Condominium Bylaws of Sunset Condominium

Exhibit B—Condominium Subdivision Plan for Sunset Condominium

MASTER DEED of SUNSET CONDOMINIUM

This Master Deed is signed and delivered on July 26, 2023, by CROSSWINDS COURT SUBDIVISION, INC, a Michigan corporation, 37771 Seven Mile Road, Suite C, Livonia, Michigan 48152 (Developer), on the terms and conditions set forth below.

Section 1. ESTABLISHMENT OF CONDOMINIUM

1.1 Project. Developer is engaged in the development of an 11 Unit site condominium project known as Sunset Condominium (the Project), in the City of Livonia, Wayne County, Michigan, on a parcel of land as described in Section 2 below.

1.2 Establishment of Condominium. Developer desires, by recording this Master Deed together with the Condominium Bylaws attached as Exhibit A and the Condominium Subdivision Plan attached as Exhibit B to establish the real property described in Section 2 below (the Property), together with the improvements located and to be located on the Property, as a condominium project (the Condominium) under the provisions of the Michigan Condominium Act (the Act). Developer declares that on the recording of this Master Deed, the Condominium shall be a Project under the Act and shall be held, conveyed, encumbered, leased, rented, occupied, improved, or in any other manner used subject to the provisions of the Act and to the covenants, conditions, restrictions, uses, limitations, and affirmative obligations in this Master Deed, all of which shall be deemed to run with the land and to be a burden on and a benefit to Developer; its successors and

assigns; any persons who may acquire or own an interest in the Condominium; and their grantees, successors, heirs, personal representatives, administrators, and assigns.

1.3 Project Description. The Project is a residential site condominium. The Condominium units that may be developed in the Project, including the number, boundaries, dimensions, and area of each unit (Unit), are shown on the Condominium Subdivision Plan set forth in Exhibit B hereof. Each of the Units is capable of individual use by reason of having its own entrance from and exit to a public road.

1.4 Owner Rights. Each owner of a Unit (Owner) in the Project shall have an exclusive property right to Owner's Unit and to the limited common elements that are appurtenant to Owner's Unit and shall have an undivided right to share with other Owners in the ownership and use of the general common elements of the Project as described in this Master Deed.

Section 2. LEGAL DESCRIPTION OF THE PROPERTY

2.1 Condominium Property. The land that is being submitted to Condominium ownership in accordance with the provisions of the Act is legally described as follows:

Legal Description (Parcel ID 07-317-002-13)

PART OF THE NORTHWEST 1/4 OF SECTION 2, T.1S., R.9E., CITY OF LIVONIA, WAYNE COUNTY MICHIGAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST 1/4 CORNER OF SECTION 2, T.1S., R.9E., CITY OF LIVONIA, THENCE ALONG THE NORTH LINE OF SAID SECTION 2 AND CENTERLINE OF EIGHT MILE ROAD, N. 88°10'52" E., 1006.37'; THENCE S. 01°41'48" E., 400.00' TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE N. 88°10'52" E., TO THE NORTHWEST CORNER OF SUNSET SUBDIVISION RECORDED IN LIBER 109 PGS. 86-87, WAYNE COUNTY RECORDS, 132.00'; THENCE ALONG THE WEST LINE OF SAID SUNSET SUBDIVISION, S.01°51'28"E., TO A POINT THE NORTH LINE OF KENWOOD ESTATES SUB, RECORDED IN LIBER 113, PAGES 15-16 WAYNE COUNTY RECORDS, 922.52'; THENCE ALONG THE NORTH LINE OF SAID KENWOOD ESTATES SUB, S.88°09'54" W., 134.59'; THENCE N. 01°41'48", 922.56' TO THE POINT OF BEGINNING CONTAINING 2.82 ACRES SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

2.2 Beneficial Easements. Easements are created and conveyed in this Master Deed to and for the benefit of the Project and the Units located in the Project, and the Project and the Units located in the Project are benefited and burdened by the ingress, egress, utility, and other easements described or shown on Exhibit B.

Section 3. DEFINITIONS

3.1 Definitions. Certain terms used in this Master Deed are defined terms and have the meaning given them in the text where they are defined, and the same meaning shall be ascribed to the term in various other instruments with regard to the Project such as, by way of example and not limitation, the Articles of Incorporation, Association Bylaws, and Rules and Regulations of Sunset Condominium Association, a Michigan nonprofit corporation, and various deeds, mortgages, land contracts, easements, and other instruments affecting the establishment or transfer of interests in the Project. As used in documents regarding the Project, unless the context otherwise requires:

a. *Act* or *Condominium Act* means the Michigan Condominium Act, PA 59 of 1978; MCL 559.101 et seq.

b. *Association* or *Association of Owners* means Sunset Condominium Association, the Michigan nonprofit corporation of which all Owners shall be members, which shall administer, operate, manage, and maintain the Project.

c. *Association Bylaws* means the corporate bylaws of the Association organized to manage, maintain, and administer the Project.

d. *Common Elements* means the portions of the Project other than the Condominium Units, including all general and limited common elements described in Section 4 of this Master Deed.

e. *Condominium Bylaws* means Exhibit A to this Master Deed, which are the bylaws that describe the substantive rights and obligations of the Owners.

f. *Condominium Documents* means this Master Deed with its Exhibits, the Articles of Incorporation and Bylaws of the Association, the Rules and Regulations adopted by the board of directors of the Association, and any other document that affects the rights and obligations of an Owner in the Condominium.

g. *Condominium Property* or *Property* means the land referenced in Section 2, as that may be amended, together with all structures, improvements, easements, rights, and appurtenances on or belonging to the Condominium Property.

h. *Condominium Subdivision Plan* or *Subdivision Plan* means Exhibit B to this Master Deed, which are the survey and other drawings depicting the real property and improvements to be included in the Project.

i. *Condominium Unit* or *Unit* means the portion of the Project that is designed and intended for separate ownership and use, as described in this Master Deed.

j. *Owner* means the person, firm, corporation, partnership, association, trust, other legal entity, or combination of entities that owns a Condominium Unit in the Project, including both the vendees and vendors of any land contract of purchase.

k. *Developer* means Crosswinds Court Subdivision, Inc., a Michigan corporation, which has signed, delivered, and recorded this Master Deed, and its successors and assigns.

l. *Development and Sales Period* means the period continuing for as long as Developer or its successors continue to own and offer for sale any Unit in the Project, excepting any Unit that was previously conveyed by Developer and then repurchased by Developer.

m. *General Common Elements* means the Common Elements described in Section 4.1, which are for the use and enjoyment of all Owners in the Project.

n. *Limited Common Elements* means the Common Elements described in Section 4.2, which are reserved for the exclusive use of the Owners of a specified Unit or Units.

o. *Master Deed* means this document, together with the exhibits attached to it and all amendments that may be adopted in the future, by which the Project is being submitted to condominium ownership.

p. *Percentage of Value* means the percentage assigned to each Unit by this Master Deed, which is determinative of the value of an Owner's vote at meetings of the Association and the proportionate share of each Owner in the Common Elements of the Project.

q. *Project* or *Condominium* means Sunset Condominium, a residential site condominium development of Eleven (11) Units established under the provisions of the Act.

r. *Transitional Control Date* means the date on which a board of directors for the Association takes office pursuant to an election in which the votes that may be cast by eligible Owners unaffiliated with Developer exceed the votes that Developer may cast.

3.2 Applicability. Whenever any reference is made to one gender, it will be assumed to include both genders where the reference is appropriate; similarly, whenever a reference is made to the singular, it will be assumed to include the plural where the reference is appropriate.

Section 4. COMMON ELEMENTS

4.1 General Common Elements. The General Common Elements are the following:

a. **Real Estate.** The Property referenced in Section 2 of this Master Deed (except for that portion of the Property described in Section 5.1 constituting a part of a Unit and any portion of the Property designated in Exhibit B as a Limited Common Element),

including easement interests appurtenant to the Condominium, including but not limited to easements for ingress, egress, and utility installation over, across, and through non-Condominium property or individual Units in the Project;

b. **Improvements.** The non-public roadways; the common sidewalks (if any); and the lawns, trees, shrubs, and other improvements not located within the boundaries of a Unit (all structures and improvements located within the boundaries of a Unit shall be owned in their entirety by the Owner of the Unit within which they are located and shall not, unless expressly provided in the Condominium Documents, constitute Common Elements);

c. **Electrical.** The electrical transmission system throughout the Project up to, but not including, the point of lateral connection for service to each residence now located or subsequently constructed within Unit's boundaries;

d. **Gas.** The natural gas line network and distribution system throughout the Project, up to, but not including, the point of lateral connection for service to each residence now located or subsequently constructed within Unit boundaries;

e. **Water.** The underground sprinkling system for the Common Elements, if any, and the water distribution system throughout the Project up to, but not including, the point of lateral connection for service to each residence now located or subsequently constructed within Unit boundaries;

f. **Sanitary Sewer.** The sanitary sewer system throughout the Project, up to, but not including, the point of lateral connection for service to each residence now located or subsequently constructed within Unit boundaries;

g. **Storm Drainage.** The storm drainage and water retention system throughout the Project;

h. **Telephone.** The telephone wiring system throughout the Project up to, but not including, the point of lateral connection for service to each residence now located or subsequently constructed within Unit boundaries;

i. **Telecommunications.** The cable television and other telecommunications systems installed throughout the Project up to, but not including, the point of lateral connection for service to each residence now located or subsequently constructed within Unit boundaries;

j. **Project Entrance Improvements.** Any entry signage and other improvements located at or near the entrance to the Project;

k. **Delivery Boxes.** The mail and delivery boxes that are to be located on the General Common Elements to serve and be utilized by the Unit Owners; and

l. **Miscellaneous Common Elements.** All other Common Elements of the Project not designated as Limited Common Elements and not enclosed within the boundaries of a Condominium Unit, which are intended for common use or are necessary to the existence, upkeep, or safety of the Project.

Some or all of the utility lines, equipment, and systems (including mains and service leads) and the telecommunications systems described above may be owned by the local public authority or by the company that is providing the pertinent service. Accordingly, such utility or telecommunication lines, equipment, and systems shall be General Common Elements only to the extent of the Owners' interest in them, and Developer makes no warranty with respect to the nature or extent of that interest.

4.2 Limited Common Elements. The Limited Common Elements are

a. **Utility Service Lines.** The pipes, ducts, wiring and conduits supplying service to or from a Unit for electricity, gas, water, sewage, telephone, television and other utility or telecommunication services, up to and including the point of lateral connection with a General Common Element of the Project or utility line or system owned by the local public authority or company providing the service;

b. **Subterranean Land.** The subterranean land located within Unit boundaries, from and below a depth of 20 feet as shown on Exhibit B, including all utility and supporting lines located on or beneath that land;

c. **Subsurface Improvements.** The portion of any footing or foundation extending more than 20 feet below surrounding grade level;

d. **Yard Areas.** The portion of any yard area designated as a Limited Common Element on the Condominium Subdivision Plan in Exhibit B, which is limited in use to the Unit of which it is a part;

e. **Driveways and Walkways.** The portion of any driveway and walkway, if any, exclusively serving the residence constructed within a Unit, located between the Unit and the paved roadway; and

f. **Miscellaneous.** Any other improvement designated as a Limited Common Element appurtenant to a particular Unit or Units in the Subdivision Plan or in any future amendment to the Master Deed made by Developer or the Association.

If no specific assignment of one or more of the Limited Common Elements described in this section has been made in the Subdivision Plan, Developer (during the Development and Sales Period) and the Association (after the Development and Sales Period has expired) reserve the right to designate each such space or improvement as a Limited Common Element appurtenant to a particular Unit or Units by subsequent amendment to this Master Deed.

4.3 Maintenance Responsibilities. Responsibility for the cleaning, decoration, maintenance, repair, and replacement of the Common Elements will be as follows:

a. **Limited Common Elements.** Each Owner shall be individually responsible for the routine cleaning, snow removal, maintenance, repair, and replacement of all Limited Common Elements appurtenant to the Owner's Unit.

b. **Unit Improvements and Other Owner Responsibilities.** Unless otherwise stated in this Master Deed, Unit Owners shall be responsible for the maintenance, repair, and replacement of all structures and improvements and the maintenance and mowing of all yard areas situated within the boundaries of a Unit. Unit Owners shall also be responsible for snow removal of that portion of the General Common Element sidewalk (if any) crossing the Unit. If an Owner elects, with the prior written consent of the Association, to construct or install any improvements within a Unit or on the Common Elements that increase the costs of maintenance, repair, or replacement for which the Association is responsible, those increased costs or expenses may, at the option of the Association, be specially assessed against the Unit.

c. **Association Oversight.** The exterior appearance of all structures, improvements, and yard areas (to the extent visible from any other Unit or from a Common Element) shall be subject at all times to the approval of the Association and to any reasonable aesthetic and maintenance standards prescribed by the Association in duly adopted rules and regulations. The Association may not disapprove the appearance of an improvement so long as it is maintained as constructed by Developer or constructed with Developer's approval.

d. **Other Common Elements.** The cost of cleaning, decoration, maintenance, repair, replacement, and snow removal of all Common Elements, open spaces, appurtenant structures, other than that described above, shall be the responsibility of the Association, except for the repair or replacement of a Common Element due to an act or the neglect of an Owner or an Owner's agent, invitee, family member, or pet.

e. **Maintenance by the Association.** If an Owner fails, as required by this Master Deed, the By-laws, or any rules or regulations promulgated by the Association, to properly and adequately decorate, repair, replace, or otherwise maintain the Owner's Unit, any structure or improvement located within the Unit, or any appurtenant Limited Common Element, the Association (or Developer during the Development and Sales Period) shall have the right, but not the obligation, to undertake periodic exterior maintenance functions with respect to improvements constructed or installed within any Unit boundary as it deems appropriate (including, without limitation, painting or other decoration, lawn mowing, snow removal, tree trimming, and replacement of shrubbery and other plantings). The Association (or Developer) will in no event be obligated to repair or maintain any such Common Element or improvement. Failure of the Association (or Developer) to take any such action shall not be deemed a waiver of the Association's (or Developer's) right to take any such action at a future date.

f. **Assessment of Costs.** All costs incurred by the Association or Developer in performing any maintenance functions that are the primary responsibility of an Owner shall be charged to the affected Owner or Owners on a reasonably uniform basis and collected in accordance with the assessment procedures established by the Condominium Bylaws. A lien for nonpayment shall attach to Owner's Unit for any such charges, as with regular assessments, and may be enforced by the use of all means available to the Association under the Condominium Documents or by law for the collection of assessments, including, without limitation, legal action, foreclosure of the lien securing payment, and the imposition of fines.

4.4 Assignment of Limited Common Elements. A Limited Common Element may be assigned or reassigned by written application to the board of directors of the Association by all Owners whose interest will be affected by the assignment. On receipt and approval of an application, the board shall promptly prepare and execute an amendment to this Master Deed assigning or reassigning all rights and obligations with respect to the Limited Common Elements involved and shall deliver the amendment to the Owners of the Units affected on payment by them of all reasonable costs for the preparation and recording of the amendment.

4.5 Power of Attorney. By acceptance of a deed, mortgage, land contract, or other document of conveyance or encumbrance, all Owners, mortgagees, and other interested parties are deemed to have appointed Developer (during the Development and Sales Period) or the Association (after the Development and Sales Period has expired) as their agent and attorney to act in connection with all matters concerning the Common Elements and their respective interests in the Common Elements. Without limiting the generality of this appointment, Developer or the Association will have full power and authority to grant easements over, to sever or lease mineral interests in, and to convey title to the land or improvements constituting the General Common Elements or any part of them; to dedicate as public streets any parts of the General Common Elements; to amend the Condominium Documents to assign or reassign the Limited Common Elements; and in general to sign and deliver all documents and to do all things necessary or convenient to exercise such powers.

4.6 Separability. Except as provided in this Master Deed, Condominium Units shall not be separable from their appurtenant Common Elements, and neither shall be used in any manner inconsistent with the purposes of the Project or in any other way that might interfere with or impair the rights of other Owners in the use and enjoyment of their Units or their appurtenant Common Elements.

Section 5. UNITS

5.1 Description of Units. The Condominium consists of 11 Units numbered 1 through 11 inclusive. A complete description of each Unit in the Project, with elevations referenced to an official benchmark of the U.S. Geological Survey sufficient to accurately relocate the space enclosed by the description without reference to any structure, is contained in

the Subdivision Plan as surveyed by the Project's consulting engineers and surveyors. Each Unit shall include all the space within the Unit boundaries and above to a depth of 20 feet below and a height of 50 feet above the surface as shown on Exhibit B, together with all appurtenances to the Unit.

5.2 Percentage of Value. The total percentage value of the Project is 100, and the Percentage of Value assigned to each of the Condominium Units in the Project shall be equal to every other Unit. The determination that Percentages of Value for all Units should be equal was made after reviewing the comparative characteristics of each Unit, including those that may affect maintenance costs, and concluding that the Units should each have an equal Percentage of Value. The Percentage of Value assigned to each Unit shall be changed only in the manner permitted by section 10, expressed in an Amendment to this Master Deed and recorded in the register of deeds office in the county where the Project is located.

5.3 Unit Modification. The number, size, style, boundary, or location of a Unit or of any Limited Common Element appurtenant to a Unit may be modified from time to time by Developer or its successors without the consent of any Owner, mortgagee (except as provided in the Act), or other interested person, so long as the modifications do not unreasonably impair or diminish the appearance of the Project or the view, privacy, or other significant attribute of any Unit that adjoins or is proximate to the modified Unit or Limited Common Element. However, no Unit that has been sold or is subject to a binding Purchase Agreement shall be modified without the consent of the Owner or Purchaser and the mortgagee of the Unit. Developer may also, in connection with any modification, readjust Percentages of Value for all Units in a manner that gives reasonable recognition to the changes based on the method of original determination of Percentages of Value for the Project. All Owners, mortgagees of Units, and other persons interested or to become interested in the Project from time to time shall be deemed to have granted a Power of Attorney to Developer and its successors for any purpose that is similar in nature and effect to that described in Section 4.5 of this Master Deed.

Section 6. EXPANDABILITY OF THE CONDOMINIUM

The Condominium is not an expandable project under the Michigan Condominium Act.

Section 7. CONTRACTIBILITY OF CONDOMINIUM

7.1 Withdrawal of Land. The number of Units in the Project may, at Developer's option, from time to time within a period ending not later than six years after the recording of this Master Deed be decreased by the withdrawal of all or any portion of the lands described in Section 2.1. However, no Unit that has been sold or is the subject of a binding Purchase Agreement may be withdrawn without the consent of the Owner or purchaser and the mortgagee of the Unit. Developer may also, in connection with any contraction, readjust the Percentages of Value for Units in the Project in a manner that gives reasonable recognition to the number of remaining Units, based on the method of original determination of the Percentages of Value. Other than as provided in this Section

7, there are no restrictions or limitations on Developer's right to withdraw lands from the Project or on the portion or portions of land that may be withdrawn, the time or order of the withdrawals, or the number of Units or Common Elements that may be withdrawn. However, the lands remaining shall not be reduced to less than that necessary to accommodate the remaining Units in the Project with reasonable access and utility service to the Units.

7.2 Contraction Not Mandatory. There is no obligation on the part of Developer to contract the Project, nor is there any obligation to withdraw portions of the Project in any particular order or to construct particular improvements on any withdrawn lands. Developer may, in its discretion, establish all or a portion of the lands withdrawn from the Project as a separate condominium project (or projects) or as any other form of development. Any development on the withdrawn lands will not be detrimental to the adjoining condominium project.

7.3 Amendments to the Master Deed. A withdrawal of lands from this Project by Developer will be given effect by appropriate amendments to the Master Deed, which will not require the consent or approval of any Owner, mortgagee, or other interested person. Amendments will be prepared by and at the sole discretion of Developer and may adjust the Percentages of Value assigned by Section 5.2 to preserve a total value of 100 percent for the entire Project resulting from any amendment.

7.4 Additional Provisions. Any amendments to the Master Deed made by Developer to contract the Condominium may also contain provisions as Developer determines are necessary or desirable (i) to create easements burdening or benefiting portions or all of the parcel or parcels being withdrawn from the Project and (ii) to create or change restrictions or other terms and provisions, including designations and definition of Common Elements, affecting the parcel or parcels being withdrawn from the Project or affecting the balance of the Project, as reasonably necessary in Developer's judgment to preserve or enhance the value or desirability of the parcel or parcels being withdrawn from the Project.

Section 8. CONVERTIBLE AREAS

The Condominium does not have any convertible areas.

Section 9. EASEMENTS

9.1 Easements for Maintenance and Repair. If any portion of a Unit or Common Element encroaches on another Unit or Common Element due to the shifting, settling, or moving of a building or due to survey errors or construction deviations, reciprocal easements shall exist for the maintenance of the encroachment for so long as the encroachment exists and for the maintenance of the encroachment after rebuilding in the event of destruction. There shall also be permanent easements in favor of the Association (or Developer during the Development and Sale Period) for the maintenance and repair of Common Elements for which the Association (or Developer) may from time to time be

responsible or for which it may elect to assume responsibility, and there shall be easements to, through, and over those portions of the land (including the Units) as may be reasonable for the installation, maintenance, and repair of all utility services furnished to the Project. Public utilities shall have access to the Common Elements and to the Units at reasonable times for the installation, repair, or maintenance of those services; and any costs incurred in the opening or repairing of any Common Element or other improvement to install, repair, or maintain common utility services to the Project shall be an expense of administration assessed against all Owners in accordance with the Condominium Bylaws.

a. **Landscape Easement.** Throughout the Condominium Project exists a 12' landscape easement in favor of the Association for the preservation of landscape barrier between the Project and adjacent property owners.

b. **Ingress/Egress Easement.** The roadways that service the Condominium Project are private at the time of recording this Master Deed and an easement for ingress and egress exists to provide access to and from a public roadway. This nonexclusive easement is for the benefit of the Condominium Project and in favor of the public.

9. 2 Easements Reserved by Developer. Developer reserves nonexclusive easements for the benefit of itself and its successors and assigns, which may be used at any time or times,

a. to use, improve, or extend all roadways, drives, and walkways in the Project for the purpose of ingress and egress to and from any Unit or real property owned by it and to and from all or any portion of the land described in Section 6 and

b. to use, tap, tie into, extend, or enlarge all utility lines and mains, public and private, located on the land described in Section 2

for the benefit of real property in which Developer owns an interest that adjoins the Project. The easements described in this section are subject to payment by the owners of the benefited property of a reasonable share of the cost of maintenance and repair of the improvements constructed on the easements.

Section 10. AMENDMENT, TERMINATION, AND WITHDRAWAL

10.1 Preconveyance Amendments. If there is no Owner other than Developer, Developer may unilaterally amend the Condominium Documents or, with the consent of any interested mortgagee, unilaterally terminate the Project. All documents reflecting an amendment to the Master Deed or the Condominium Bylaws or a termination of the Project shall be recorded in the register of deeds office in the county where the Project is located.

10.2 Postconveyance Amendments. If there is an Owner other than Developer, the recordable or recorded Condominium Documents may be amended for a proper purpose as follows:

a. **Nonmaterial Changes.** An amendment may be made without the consent of any Owner or mortgagee if the amendment does not materially alter or change the rights of any Owner or mortgagee of a Unit in the Project, including, but not limited to, (i) amendments to modify the types and sizes of unsold Condominium Units and their appurtenant Limited Common Elements; (ii) amendments correcting survey or other errors in the Condominium Documents; or (iii) amendments to facilitate conventional mortgage loan financing for existing or prospective Owners and enable the purchase of such mortgage loans by the Federal Home Loan Mortgage Corporation, the Federal National Mortgage Association, the Government National Mortgage Association, or any other agency of the federal government or the State of Michigan.

b. **Material Changes.** An amendment may be made even if it will materially alter or change the rights of the Owners with the consent of not less than two-thirds of the Owners and, to the extent required by law, mortgagees. However, an Owner's Unit dimensions or Limited Common Elements may not be modified without that Owner's consent, nor may the method or formula used to determine the percentage of value of Units in the Project for other than voting purposes be modified without the consent of each affected Owner and mortgagee. Rights reserved by Developer, including without limitation rights to amend for purposes of contraction or modification of units, shall not be amended without the written consent of Developer so long as Developer or its successors continue to own and to offer for sale any Unit in the Project.

c. **Compliance with Law.** Amendments may be made by Developer without the consent of Owners and mortgagees, even if the amendment will materially alter or change the rights of Owners and mortgagees, to achieve compliance with the Act, administrative rules, or orders adopted by the courts pursuant to the Act or with other federal, state, or local laws, ordinances, or regulations affecting the Project.

d. **Reserved Developer Rights.** Developer may also unilaterally make a material amendment without the consent of any Owner or mortgagee for the specific purposes reserved by Developer in this Master Deed. During the Development and Sales Period, this Master Deed and Exhibits A and B shall not be amended nor shall provisions be modified in any way without the written consent of Developer or its successors or assigns.

e. **Costs of Amendments.** A person causing or requesting an amendment to the Condominium Documents shall be responsible for costs and expenses of the amendment, except for amendments based on a vote of the Owners, the costs of which are expenses of administration. The Owners shall be notified of proposed amendments under this section not less than 10 days before the amendment is recorded.

10.3 Project Termination. If there is an Owner other than Developer, the Project may be terminated only with consent of Developer and not less than 80 percent of the Owners and mortgagees, in the following manner:

a. **Termination Agreement.** Agreement of the required number of Owners and mortgagees to termination of the Project shall be evidenced by the Owners' execution of a Termination Agreement, and the termination shall become effective only when the Agreement has been recorded in the register of deeds office in the county where the Project is located.

b. **Real Property Ownership.** On recordation of a document terminating the Project, the property constituting the Condominium shall be owned by the Owners as tenants in common in proportion to their respective undivided interests in the Common Elements immediately before recordation. As long as the tenancy in common lasts, each Owner and their heirs, successors, or assigns shall have an exclusive right of occupancy of that portion of the property that formerly constituted their Condominium Unit.

c. **Association Assets.** On recordation of a document terminating the Project, any rights the Owners may have to the net assets of the Association shall be in proportion to their respective undivided interests in the Common Elements immediately before recordation, except that common profits (if any) shall be distributed in accordance with the Condominium Documents and the Act.

d. **Notice to Interested Parties.** Notification of termination by first-class mail shall be made to all parties interested in the Project, including escrow agents, land contract vendors, creditors, lienholders, and prospective purchasers who have deposited funds.

10.4 Withdrawal of Property. Notwithstanding anything in this Master Deed to the contrary, if Developer has not completed development and construction of Units or Improvements in the Project that are identified as "need not be built" during a period ending 10 years after the date of commencement of construction by Developer of the Project, Developer has the right to withdraw from the Project all undeveloped portions of the Project not identified as "must be built" without the prior consent of any Owners, mortgagees of Units in the Project, or any other person having an interest in the Project. If this Master Deed contains provisions permitting the expansion, contraction, or rights of convertibility of Units or Common Elements in the Project, the time period is the greater of (a) the 10-year period set forth above or (b) 6 years after the date Developer exercised its rights with respect to either expansion, contraction, or rights of convertibility, whichever right was exercised last. The undeveloped portions of the Project withdrawn shall also automatically be granted easements for utility and access purposes through the Project for the benefit of the undeveloped portions of the Project, subject to the payment of a reasonable pro rata share of the costs of maintaining the easements. If Developer does not withdraw the undeveloped portions of the Project from the Project before the time periods expire, those undeveloped lands shall remain part of the Project as General Common Elements, and all rights to construct Units on that land shall cease.

Section 11. ASSIGNMENT OF DEVELOPER RIGHTS

Developer may assign any or all of the rights and powers granted to or reserved by Developer in the Condominium Documents or by law, including without limitation the power to approve or to disapprove any act, use, or proposed action, to any other entity or person, including the Association. Any such assignment or transfer shall be made by an appropriate document in writing and shall be duly recorded in the register of deeds office in the county where the Project is located.

This Master Deed has been signed by Developer and shall be effective as of the date set forth below.

DEVELOPER: Crosswinds Court Subdivision, Inc., a Michigan Corpration

/s/_____
By: Leo Soave
Its: President

Date:_____

STATE OF MICHIGAN)
WAYNE COUNTY)

Acknowledged before me in Wayne County, Michigan on _____, by Leo Soave, President of Crosswinds Court Subdivision, Inc, a Michigan corporation, on behalf of the company.

/s/_____
Notary Public:
Notary public, State of Michigan, County of _____.
My commission expires _____.

EXHIBIT A
CONDOMINIUM BYLAWS OF SUNSET CONDOMINIUM

TABLE OF CONTENTS

Section 1. ASSOCIATION OF OWNERS

1.1 Organization

1.2 Compliance

Section 2. MEMBERSHIP AND VOTING

2.1 Membership

2.2 Voting Rights

2.3 Eligibility to Vote

2.4 Designation of Voting Representative

2.5 Proxies

2.6 Majority

Section 3. MEETINGS AND QUORUM

3.1 Initial Meeting of Members

3.2 Annual Meeting of Members

3.3 Advisory Committee

3.4 Board Composition

3.5 Owner Control

3.6 Mathematical Calculations

3.7 Quorum of Members

Section 4. ADMINISTRATION

4.1 Board of Directors

4.2 Powers and Duties

4.3 Books of Account

4.4 Maintenance, Repair, and Replacement

4.5 Reserve Fund

4.6 Construction Liens

4.7 Managing Agent

4.8 Officers

4.9 Indemnification

Section 5. ASSESSMENTS

5.1 Administrative Expenses

5.2 Determination of Assessments

5.3 Apportionment of Assessments

5.4 Expenses of Administration

5.5 Collection of Assessments

5.6 Financial Responsibility of Developer

Section 6. TAXES, INSURANCE, AND REPAIR

6.1 Real Property Taxes

6.2 Insurance Coverage

6.3 Reconstruction and Repair

6.4 Eminent Domain

Section 7. CONSTRUCTION REQUIREMENTS

7.1 Design Standards

7.2 Developer Approvals

7.3 Review Committee

7.4 Architectural Review

7.5 Approval of Contractor

7.6 Specific Requirements

7.7 Codes and Ordinances

7.8 Time for Construction

7.9 Reserved Developer Rights

7.10 Review Committee Appointment

7.11 Permitted Variance

7.12 Setback Lines

7.13 Landscaping Requirement

Section 8. USE AND OCCUPANCY RESTRICTIONS

8.1 Residential Use

8.2 Common Areas

8.3 Use and Occupancy Restrictions

8.4 Zoning Compliance

8.5 Rules of Conduct

8.6 Enforcement by Developer

8.7 Owner Enforcement

8.8 Remedies on Breach

8.9 Reserved Rights of Developer

8.10 Assignment and Succession

Section 9. MORTGAGES

9.1 Notice to Association

9.2 Insurance

9.3 Rights of Mortgagees

9.4 Additional Notification

Section 10. LEASES

10.1 Notice of Lease

10.2 Terms of Lease

10.3 Remedies of Association

10.4 Liability for Assessments

Section 11. TRANSFER OF UNITS

11.1 Unrestricted Transfers

11.2 Notice to Association

Section 12. ARBITRATION

12.1 Submission to Arbitration

12.2 Disputes Involving Developer

12.3 Preservation of Rights

Section 13. OTHER PROVISIONS

13.1 Definitions

13.2 Severability

13.3 Notices

13.4 Amendment

13.5 Conflicting Provisions

CONDOMINIUM BYLAWS

Section 1. ASSOCIATION OF OWNERS

1.1Organization. Sunset Condominium is a residential site condominium project located in the City of Livonia, Wayne County, Michigan, being developed in a single phase, to comprise of Eleven (11) building sites. On the recording of the Master Deed, the management, maintenance, operation, and administration of the Project shall be vested in an Association of Owners organized as a nonprofit corporation under the laws of the State of Michigan. The Association will keep current copies of the Master Deed, all amendments to the Master Deed, and other Condominium Documents for the Project available at reasonable hours for inspection by Owners, prospective buyers, mortgagees, and prospective mortgagees of Units in the Project.

1.2Compliance. All present and future Owners, mortgagees, lessees, or other persons who may use the facilities of the Condominium in any manner shall be subject to and comply with the provisions of the Act, the Master Deed and any amendments, the Condominium Bylaws, the Association's Articles of Incorporation, the Association Bylaws, and other Condominium Documents that pertain to the use and operation of the Project. The acceptance of a deed of conveyance, the entering into of a lease, or the act of occupying a Condominium Unit in the Project shall constitute an acceptance of the terms of the Condominium Documents and an agreement to comply with their provisions.

Section 2. MEMBERSHIP AND VOTING

2.1 Membership. Each Owner of a Unit in the Project shall be a member of the Association during the period of ownership, and no other person or entity will be entitled to membership. The share of a member in the funds and assets of the Association may be assigned, pledged, or transferred only as an appurtenance to a Unit.

2.2 Voting Rights. Each Owner will be entitled to one vote for each Unit owned when voting by number and one vote, the value of which shall equal the total of the percentages assigned to the Unit or Units owned, when voting by value. Voting shall be by number except when the Master Deed or Bylaws specifically require voting to be by number and value, and no cumulation of votes shall be permitted.

2.3 Eligibility to Vote. No Owner other than Developer will be entitled to vote at any meeting of the Association until the Owner has presented written evidence of ownership of a Unit in the Project, nor shall the Owner be entitled to vote (except for elections pursuant to Section 3.4) before the Initial Meeting of Members. An Owner shall be permitted to vote only if the Owner is not in default in payment of assessments levied against the Owner's unit. Developer shall be entitled to vote only those Units to which Developer still holds title to.

2.4 Designation of Voting Representative. The person entitled to cast the vote for each Unit and to receive all notices and other communications from the Association shall be designated by a certificate signed by all the record owners of a Unit and filed with the secretary of the Association. The certificate shall state the name and address of the individual representative designated; the number of the Unit owned; and the name and address of the person or persons, firm, corporation, partnership, association, trust, or other legal entity who is the Unit owner. All certificates shall be valid until revoked, until superseded by a subsequent certificate, or until a change has occurred in the ownership of the Unit.

2.5 Proxies. Votes may be cast in person or by proxy. Proxies may be made by any designated voting representative who is unable to attend the meeting in person. Proxies will be valid only for the particular meeting designated and any adjournment and must be filed with the Association before the appointed time of the meeting.

2.6 Majority. At any meeting of members at which a quorum is present, 51 percent of the Owners entitled to vote and present in person or by proxy (or written vote, if applicable) shall constitute a majority for the approval of the matters presented to the meeting, except when these Bylaws, the Master Deed, or law required a majority exceeding a simple majority.

Section 3. MEETINGS AND QUORUM

3.1 Initial Meeting of Members. The initial meeting of the members of the Association may be convened only by the Developer and may be called at any time after three or more of the Units in the Project have been sold and the buyers qualified as members of the Association. In no event, however, shall the initial meeting be called later than (a) 120 days after the conveyance of legal or equitable title to nondeveloper Owners of 75 percent of the total number of Units that may be created in the Project or (b) 54 months after the first conveyance of legal or equitable title to a nondeveloper Owner of a Unit, whichever first occurs, at which meeting the eligible Owners may vote for the election of directors of the Association. The maximum number of Units that may be added to the Project under Section 6 of the Master Deed shall be included in the calculation of the number of Units that may be created. Developer may call meetings of members of the Association for informational or other appropriate purposes before the initial meeting, but no such informational meeting shall be construed as the initial meeting of members.

3.2 Annual Meeting of Members. After the initial meeting has occurred, annual meetings of the members shall be held in each year on a date and at a time and place selected by the Board of Directors. At least 20 days before the date of an annual meeting, written notice of the date, time, place, and purpose of the meeting shall be mailed or delivered to each member entitled to vote at the meeting; but no less than 30 days written notice shall be provided to each member of any proposed amendment to these Bylaws or to other recorded Condominium Documents.

3.3 Advisory Committee. Within one year after the initial conveyance by Developer of legal or equitable title to an Owner of a Unit in the Project or within 120 days after conveyance of one-third of the total number of Units that may be created in the Project, whichever first occurs, Developer shall select two or more persons from the nondeveloper Owners to serve as an advisory committee to the Board of Directors (the Advisory Committee). The purpose of the Advisory Committee is to facilitate communication between the Developer-appointed Board of Directors and the nondeveloper Owners and to aid in the ultimate transition of control to the Owners. The members of the Advisory Committee shall serve for one year or until their successors are selected, and the Committee shall automatically cease to exist at the Transitional Control Date. The Board of Directors and the Advisory Committee shall meet with each other at the request of the Advisory Committee, but there shall be not more than two such meetings each year unless both parties agree.

3.4 Board Composition. Not later than 120 days after conveyance of legal or equitable title to nondeveloper Owners of 25 percent of the Units that may be created in the Project, at least one director and not less than one-fourth of the Board of Directors of the Association shall be elected by nondeveloper Owners. Not later than 120 days after conveyance of legal or equitable title to nondeveloper Owners of 50 percent of the Units that may be created in the Project, not less than one-third of the Board of Directors shall be elected by nondeveloper Owners. Not later than 120 days after conveyance of legal or equitable title to nondeveloper Owners of 75 percent of the Units that may be created in the Project and before conveyance of 90 percent of those Units, the nondeveloper Owners shall elect all directors on the board except that Developer shall have the right to designate at least one director as long as Developer owns and offers for sale at least 10 percent of the Units in the Project or as long as 10 percent of the Units remain that may be created.

3.5 Owner Control. If 75 percent of the Units that maybe created in the Project have not been conveyed within 54 months after the first conveyance of legal or equitable title to a nondeveloper Owner, the nondeveloper Owners shall have the right to elect the percentage of members of the Board of Directors of the Association equal to the percentage of Units they hold, and Developer will have the right to elect the percentage of members of the board equal to the percentage of Units that are owned by Developer and for which all assessments are payable by Developer. This election may increase, but shall not reduce, the minimum election and designation rights of directors otherwise established in Section 3.4. Application of this provision does not require a change in the size of the board as designated in the Association bylaws.

3.6 Mathematical Calculations. If the calculation of the percentage of members of the board that the nondeveloper Owners have a right to elect or the product of the number of members of the board multiplied by the percentage of Units held by the nondeveloper Owners results in a right of nondeveloper Owners to elect a fractional number of members of the board, a fractional election right of 0.5 or greater shall be rounded up to the nearest whole number. After application of this formula, Developer shall have the right to elect the remaining members of the board. Application of this

provision shall not eliminate the right of Developer to designate at least one member as provided in Section 3.4.

3.7 Quorum of Members. The presence in person or by proxy of 50 percent of the Owners entitled to vote shall constitute a quorum of members. The written vote of an Owner properly furnished at or before a meeting at which the Owner is not present in person or by proxy shall be counted in determining the presence of a quorum with respect to the question on which the vote is cast.

Section 4. ADMINISTRATION

4.1 Board of Directors. The business, property, and affairs of the Association shall be managed by a five (5) member board of directors (the Board of Directors) to be elected in the manner described in these Bylaws. The directors designated in the Articles of Incorporation shall serve until their successors have been duly elected and qualified at the initial meeting of members. All actions of the first Board of Directors designated in the Articles of Incorporation or any successors to the directors selected by Developer before the initial meeting of members shall be binding on the Association as though the actions had been authorized by a Board of Directors elected by the members of the Association so long as the actions are within the scope of the powers and duties that a Board of Directors may exercise under the Condominium Documents. A service contract or management agreement entered into between the Association and Developer or affiliates of Developer shall be voidable without cause by the Board of Directors on the Transitional Control Date or within 90 days after the initial meeting has been held and on 30 days' notice at any time for cause.

4.2 Powers and Duties. The Board shall have all powers and duties necessary to administer the affairs of the Association and may take all actions in support of the administration that are not prohibited by the Condominium Documents or specifically reserved to the members, including the following:

a. care, upkeep, and maintenance of the Common Elements

b. development of an annual budget and the determination, levy, and collection of assessments required for the operation and affairs of the Condominium

c. employment and dismissal of contractors and personnel as necessary for the efficient management and operation of the Condominium Property

d. adoption and amendment of rules and regulations governing the use of the Condominium Property not inconsistent with these Bylaws

e. opening bank accounts, borrowing money, and issuing evidences of indebtedness in furtherance of the purposes of the Association and designating signatories required for those purpose

f. obtaining insurance for the Common Elements, the premiums of which shall be an expense of administration

g. granting licenses for the use of the Common Elements for purposes not inconsistent with the provisions of the Act or of the Condominium Documents

h. authorizing the execution of contracts, deeds of conveyance, easements, and rights-of-way affecting any real or personal property of the Condominium on behalf of the Owners

i. making repairs, additions, and improvements to or alterations of the Common Elements and repairs to and restoration of the Common Elements after damage or destruction by fire or other casualty or as a result of condemnation or eminent domain proceedings

j. asserting, defending, or settling claims on behalf of all Owners in connection with the Common Elements of the Project and, on written notice to all Owners, instituting actions on behalf of and against the Owners in the name of the Association

k. further duties as may be imposed by resolution of the members of the Association or that may be required by the Condominium Documents or the Act

4.3 Books of Account. The Association shall keep books and records containing a detailed account of the expenditures and receipts of administration, which will specify the maintenance and repair expenses of the Common Elements and any other expenses incurred by or on behalf of the Association and its members. The accounts shall be open for inspection by the Owners and their mortgagees during reasonable hours. The Association shall also prepare and distribute a financial statement to each Owner at least once a year, the contents of which will be defined by the Association. The books and records shall be reviewed annually and audited at times required by the Board of Directors by qualified independent accountants (who need not be certified public accountants), and the cost of the review or audit shall be an expense of administration.

4.4 Maintenance, Repair, and Replacement. The responsibility for maintenance, repair, and replacement of Units and Common Elements (other than following casualty damage, which is described in Section 6.3 of the Bylaws) is as follows:

a. All maintenance, repair, and replacement of the structures and other improvements located within a Unit or Limited Common Elements that are the responsibility of the Owner of a Unit as set forth in the Master Deed shall be made by the Owner of the Unit. Each Owner shall be responsible for all damages to the Common Elements resulting from the repairs or from any failure of the Owner to perform maintenance and repairs to a Unit.

b. All maintenance, repair, and replacement of the General Common Elements, whether located inside or outside the Units, and of Limited Common Elements to the extent required by the Master Deed shall be made by the Association and shall be charged to all the Owners as a common expense unless necessitated by the negligence, misuse, or neglect of a particular Owner, in which case the expense shall be charged to the responsible Owner. The Association or its agent shall have access to each Unit (but not to the interior of any residence or garage within a Unit) from time to time during reasonable hours, on notice to the occupant, to maintain, repair, or replace any of the Common Elements located within or accessible only from a Unit that are the responsibility of the Association. The Association or its agents shall also have access to each Unit at all times without notice for making emergency repairs necessary to prevent damage to other Units or the Common Elements.

4.5 Reserve Fund. The Association shall maintain a reserve fund, to be used for major repairs and replacement of the Common Elements, as provided by MCL 559.205. The fund shall be established in the minimum amount required on or before the Transitional Control Date and shall, to the extent possible, be maintained at a level that is equal to or greater than 10 percent of the then current annual budget of the Association on a noncumulative basis. The minimum reserve standard required by this section may prove to be inadequate, and the Board should carefully analyze the Project from time to time to determine if a greater amount should be set aside or if additional reserve funds should be established for other purposes.

4.6 Construction Liens. A construction lien arising as a result of work performed on a Unit or on an appurtenant Limited Common Element shall attach only to the Unit on which the work was performed, and a lien for work authorized by Developer or the principal contractor shall attach only to Condominium Units owned by Developer at the time of recording the lien. A construction lien for work authorized by the Association shall attach to each Unit only to the proportionate extent that the Owner of the Unit is required to contribute to the expenses of administration. No construction lien shall arise or attach to a Condominium Unit for work performed on the General Common Elements not contracted for by the Association or Developer.

4.7 Managing Agent. The Board may employ a management company or managing agent at a compensation established by the Board to perform the duties and services as the Board shall authorize, including, but not limited to, the powers and duties described in Section 4.2. Developer or any person or entity related to Developer may serve as managing agent, but any compensation paid to Developer shall be at competitive rates.

4.8 Officers. The Association Bylaws shall provide for the designation, number, terms of office, qualifications, manner of election, duties, removal, and replacement of officers of the Association and may contain any other provisions pertinent to officers of the Association not inconsistent with these Bylaws. Officers may be compensated, but only on the affirmative vote of 67 percent or more of all Owners.

4.9 Indemnification. All directors and officers of the Association shall be entitled to indemnification against costs and expenses incurred as a result of actions (other than willful or wanton misconduct or gross negligence) taken or failed to be taken on behalf of the Association on 10 days' notice to all Owners in the manner and to the extent provided by the Association Bylaws. If no judicial determination on indemnification has been made, an opinion of independent counsel on the propriety of indemnification shall be obtained if a majority of Owners vote to procure such an opinion.

Section 5. ASSESSMENTS

5.1 Administrative Expenses. The Association shall be assessed as the entity in possession of any tangible personal property of the Condominium owned or possessed in common, and personal property taxes levied on such property shall be treated as expenses of administration. All costs incurred by the Association in satisfaction of any liability arising within, caused by, or connected with the Common Elements or the administration of the Project shall be expenses of administration, and all sums received as proceeds of or pursuant to any policy of insurance covering the interests of the Owners against liabilities or losses arising within, caused by, or connected with the Common Elements or the administration of the Common Elements shall be receipts of administration.

5.2 Determination of Assessments. Assessments will be determined in accordance with the following provisions:

a. **Initial Budget.** The Developer, in the initial maintenance budget for the Association, shall be entitled to determine the nature and extend of such services and reasonable rules and regulations may be promulgated in connection with establishing the initial maintenance budget for the Association. The Association shall collect from each initial purchaser of a Unit a charge of $350.00, which includes $200.00 for a management set-up fee and $150.00 for the Condominium Association management capitalization fee, at closing for the capitalization and management of the Association.
Thereafter, the Board of Directors of the Association shall establish a budget in advance for each fiscal year that will project all expenses for the coming year that may be required for the proper operation, management, and maintenance of the Condominium Project, including a reasonable allowance for contingencies and reserves. The annual assessment to be levied against each Unit in the Project shall then be determined on the basis of the budget. Copies of the budget shall be delivered to each Owner, although the failure to deliver a copy to each Owner will not affect or in any way diminish the liability of an Owner for any existing or future assessment.

b. **Budget Adjustments.** If the Board of Directors determines at any time, in its sole discretion, that the initial assessments levied are insufficient (i) to pay the costs of operation and maintenance of the Common Elements, (ii) to provide for

the replacement of existing Common Elements, (iii) to provide for additions to the Common Elements not exceeding $5,000 annually, or (iv) to respond to an emergency or unforeseen development; the Board is authorized to increase the initial assessment or to levy any additional assessments it deems necessary for such purposes. The discretionary authority of the Board of Directors to levy additional assessments will rest solely with the Board of Directors for the benefit of the Association and its members and may not be attached by or subject to specific performance by any creditors of the Association.

c. **Special Assessments.** The Board of Directors may make special assessments in excess of those permitted by subsections (a) and (b) from time to time following the approval of the Owners as provided in this subsection to meet other needs or requirements of the Association, including but not limited to (i) assessments for additions to the Common Elements costing more than $5,000 in any year, (ii) assessments to purchase a Unit on foreclosure of the lien described in Section 5.5, or (3) assessments for any other appropriate purpose not specifically described. Special assessments referred to in this subsection (but not those assessments referred to in subsections (a) and (b), which will be levied in the sole discretion of the Board of Directors) will not be levied without the prior approval of 67 percent or more (in number and in value) of all Owners. The authority to levy assessments pursuant to this subsection is solely for the benefit of the Association and its members and may not be attached by or subject to specific performance by any creditors of the Association.

5.3 Apportionment of Assessments. All assessments levied against the Unit Owners to cover expenses of administration shall be apportioned among and paid by the Owners in accordance with the Percentage of Value allocated to each Unit in the Master Deed and any other assessment provisions in the Master Deed, without increase or decrease for the existence of any rights to the use of Limited Common Elements appurtenant to a Unit. Unless the Board elects some other periodic payment schedule, annual assessments will be payable by Owners in 4 equal quarterly installments, commencing with the acceptance of a deed to or a land contract vendee's interest in a Unit or with the acquisition of title to a Unit by any other means. The payment of an assessment will be in default if the assessment, or any part, is not received by the Association in full on or before the due date for the payment established by rule or regulation of the Association. However, the Board of Directors, including the first Board of Directors appointed by Developer, may relieve a Unit Owner who has not constructed a residence within a Unit from payment, for a limited period of time, of all or some portion of the assessment for the Unit's respective allocable share of the Association budget. The purpose of this provision is to provide fair and reasonable relief from Association assessments for nonresident Owners until those Owners begin to use the Common Elements on a regular basis.

5.4 Expenses of Administration. The expenses of administration shall consist, among other things, of the amounts the Board deems proper to operate and maintain the Condominium property under the powers and duties delegated to it and may

include, without limitation, amounts to be set aside for working capital of the Condominium, for a general operating reserve, for a reserve for replacement, and for meeting any deficit in the common expense for any prior year. Any reserves established by the Board before the initial meeting of members shall be subject to approval by the members at the initial meeting. The Board shall advise each Owner in writing of the amount of common charges payable by the Owner and shall furnish copies of each budget containing common charges to all Owners.

5.5 Collection of Assessments. Each Owner shall be obligated for the payment of all assessments levied on the Owner's Unit while that person is the Owner of the Unit, and no Owner may become exempt from liability for the Owner's contribution toward the expenses of administration by waiver of the use or enjoyment of any of the Common Elements or by the abandonment of a Unit.

a. **Legal Remedies.** In the event of default by any Owner in paying the assessed common charges, the Board may declare all unpaid installments of the annual assessment for the pertinent fiscal year to be immediately due and payable. In addition, the Board may impose reasonable fines or charge interest at the legal rate on assessments from and after the due date. Unpaid assessments, together with interest on the unpaid assessments, collection and late charges, advances made by the Association for taxes or other liens to protect its lien, attorney fees, and fines in accordance with the Condominium Documents, shall constitute a lien on the Unit prior to all other liens except tax liens in favor of any state or federal taxing authority and sums unpaid on a mortgage of record recorded before the recording of any notice of lien by the Association; and the Association may enforce the collection of all sums due by suit at law for a money judgment or by foreclosure of the liens securing payment as provided by MCL 559.208. In a foreclosure proceeding, whether by advertisement or by judicial action, the Owner or anyone claiming under the Owner shall be liable for assessments charged against the Unit that become due before the redemption period expires, together with interest, advances made by the Association for taxes or other liens to protect its lien, costs, and reasonable attorney fees incurred in their collection.

b. **Sale of Unit.** On the sale or conveyance of a Unit, all unpaid assessments against the Unit shall be paid out of the sale price by the buyer in preference over any other assessment or charge except as otherwise provided by the Condominium Documents or by the Act. A buyer or grantee may request a written statement from the Association for the amount of unpaid assessments levied against the Unit being sold or conveyed, and the buyer or grantee shall not be liable for, nor shall the Unit sold or conveyed be subject to, a lien for any unpaid assessments in excess of the amount stated in a written response from the Association. However, unless the buyer or grantee requests a written statement from the Association at least five days before the sale as provided in the Act, the buyer or grantee shall be liable for any unpaid assessments against the Unit together with interest, late charges, fines, costs, and attorney fees.

c. **Self-Help.** The Association may enter the Common Elements, Limited or General, to remove and abate any condition constituting a violation or may discontinue the furnishing of services to an Owner in default under any of the provisions of the Condominium Documents on seven days' written notice to the Owner of the Association's intent to do so. An Owner in default shall not be entitled to use any of the General Common Elements of the Project and shall not be entitled to vote at any meeting of the Association so long as the default continues, but this provision shall not operate to deprive any Owner of ingress and egress to and from the Owner's Unit.

d. **Application of Payments.** Money received by the Association in payment of assessments in default shall be applied as follows: first, to costs of collection and enforcement of payment, including reasonable attorney fees; second, to any interest charges and fines for late payment on the assessments; and third, to installments of assessments in default in order of their due dates.

5.6 Financial Responsibility of Developer. The responsibility of Developer for assessments is as follows:

a. **Preturnover Expenses.** Before the Transitional Control Date, it will be Developer's responsibility to keep the books balanced and to avoid any continuing deficit in operating expenses, but the Developer shall not be responsible for the payment of any general or special assessments. At the time of the initial meeting, Developer will be liable for the funding of any continuing deficit of the Association that was incurred before the Transitional Control Date.

b. **Postturnover Expenses.** After the Transitional Control Date and continuing for any remaining Development and Sales Period, Developer shall NOT be responsible for any payment of either general or special assessments levied by the Association on Units owned by Developer.

c. **Exempted Transactions.** Under no circumstances will Developer be responsible for the payment of any portion of any assessment that is levied for deferred maintenance, reserves for replacement, capital improvements, or additions or to finance litigation or other claims against Developer.

Section 6. TAXES, INSURANCE, AND REPAIR

6.1 Real Property Taxes. Real property taxes and assessments shall be levied against the individual Units and not against the Property of the Project or any phase of the Project, except for the calendar year in which the Project or phase is established. Taxes and assessments that become a lien against the Property in the year in which the Project was established shall be expenses of administration and shall be assessed against the Units located on the land with respect to which the tax or assessment was levied in proportion to the Percentage of Value assigned to each Unit. Real property taxes and assessments levied in any year in which a vacation of the Project occurs

shall be assessed only against the individual Units. For tax and special assessment purposes, no Unit shall be combined with any other Unit or Units, and no assessment of any fraction of a Unit or combination of any Unit with other whole or partial Units shall be made, nor shall any division or split of the assessment or taxes of a single Unit be made, whether the Unit is owned by an individual or multiple Owners. Taxes for real property improvements made to or within a specific Unit shall be assessed against that Unit only, and each Unit shall be treated as a separate, single parcel of real property for purposes of property taxes and special assessments.

6.2 Insurance Coverage. The Association shall be appointed as attorney-in-fact for each Owner to act on insurance matters and shall be required to obtain and maintain, to the extent applicable, casualty insurance with extended coverage, vandalism, and malicious mischief endorsements; liability insurance (including director's and officer's liability coverage if deemed advisable); and worker's compensation insurance pertinent to the ownership, use, and maintenance of the Common Elements of the Project. All insurance shall be purchased by the Board of Directors for the benefit of the Association, the Owners, the mortgagees, and Developer, as their interests may appear. The insurance, other than title insurance, shall be carried and administered according to the following provisions:

a. **Owner Responsibilities.** Each Owner will be responsible for obtaining casualty insurance coverage at the Owner's expense with respect to the residence and all other improvements constructed or located within the perimeters of the Owner's Unit and for the Limited Common Elements appurtenant to the Owner's Unit. It shall also be each Owner's responsibility to obtain insurance coverage for the Owner's personal property within the Owner's Unit or elsewhere on the Condominium, for personal liability for occurrences within the Owner's Unit or on the Limited Common Elements appurtenant to the Owner's Unit, and for alternative living expenses in the event of fire or other casualty causing temporary loss of the Owner's residence. All insurance carried by the Association or any Owner shall contain provisions permitting the waiver of the right of subrogation for any claims against any Owner or the Association for insured losses.

b. **Common Element Insurance.** The General Common Elements of the Project shall be insured by the Association against casualties covered by a standard extended coverage endorsement, to the extent deemed applicable and appropriate, in an amount to be determined annually by the Board of Directors. The Association shall not be responsible for maintaining insurance with respect to the Limited Common Elements, the Units themselves, or any improvements located within the Units.

c. **Fidelity Insurance.** The Association may obtain, if desired, fidelity coverage to protect against dishonest acts by its officers, directors, employees, and all others who are responsible for handling funds of the Association.

d. **Power of Attorney.** The Board of Directors is irrevocably appointed as the agent for each Owner, each mortgagee, other named insured's and their beneficiaries, and any other holder of a lien or another interest in the Condominium or the Property to adjust and settle all claims arising under insurance policies purchased by the Board and to execute and deliver releases on the payment of claims.

e. **Indemnification.** Each individual Owner shall indemnify and hold harmless every other Owner, Developer, and the Association for all damages, costs, and judgments, including actual attorney fees, that any indemnified party may suffer as a result of defending claims arising out of an occurrence on or within an individual Owner's Unit or appurtenant Limited Common Elements. This provision shall not be construed to give an insurer any subrogation right or other right or claim against an individual Owner, Developer, or the Association, which rights are waived.

f. **Premium Expenses.** Unless otherwise provided, all premiums for insurance purchased by the Association pursuant to these Bylaws shall be expenses of administration of the Association.

6.3 Reconstruction and Repair. If any part of the Condominium Property is damaged or destroyed by fire or other casualty, the decision whether or not it will be reconstructed or repaired will be made in the following manner:

a. **General Common Elements.** If the damaged property is a General Common Element, the damaged property shall be repaired or rebuilt unless 80 percent or more of the Owners and the institutional holders of mortgages on any Unit in the Project agree to the contrary. However, if the damaged property is common roadway and is the sole means of ingress and egress to one or more Units in the Project, it will be repaired or rebuilt unless the 80 percent or more of the Owners agreeing not to repair or rebuild includes the Owners of all such Units.

b. **Limited Common Elements and Improvements.** If the damaged property is a Limited Common Element or an improvement located within the boundaries of a Unit, the Owner of the affected Unit alone shall determine whether to rebuild or repair the damaged property, subject to the rights of any mortgagee or other person having an interest in the property, and the Owner shall be responsible for the cost of any reconstruction or repair that the Owner elects to make. The Owner shall in any event remove all debris and restore the Unit and its improvements to a clean and sightly condition satisfactory to the Association within a reasonable period of time following the occurrence of the damage.

c. **Reconstruction Standards.** Any reconstruction or repair shall be substantially in accordance with the Master Deed and the original plans and specifications for the improvements located within the Unit, unless prior written approval for changes is obtained from the Architectural Review Committee.

d. **Procedure and Timing.** Immediately after the occurrence of a casualty causing damage that is to be reconstructed or repaired by the Association, the Association shall obtain reliable and detailed estimates of the cost to place the damaged property in a condition as good as that existing before the damage. If the proceeds of insurance are not sufficient to cover the estimated cost of reconstruction or repair required to be performed by the Association or if at any time during the reconstruction or repair the funds for the payment of the costs by the Association are insufficient, assessment shall be levied against all Owners in sufficient amounts to provide funds to pay the estimated or actual costs of reconstruction or repair. This provision shall not be construed to require the replacement of mature trees and vegetation with equivalent trees or vegetation.

6.4 Eminent Domain. The following provisions will control on any taking by eminent domain:

a. **Condominium Units.** In the event of the taking of all or any portion of a Condominium Unit or any improvements located within the perimeters of a Unit, the award for the taking shall be paid to the Owner of the Unit and any mortgagee, according to their interests. If an Owner's entire Unit is taken by eminent domain, the Owner and any mortgagee shall, after acceptance of the condemnation award, be divested of all interest in the Project.

b. **Common Elements.** In the event of the taking of all or any portion of the General Common Elements, the condemnation proceeds relative to the taking shall be paid to the Association for use by or distribution to its members. The affirmative vote of 80 percent or more of the Owners in number and in value shall determine whether to rebuild, repair, or replace the portion taken or to take another action.

c. **Amendment to the Master Deed.** If the Project continues after the taking by eminent domain, the remaining portion of the Project shall be resurveyed and the Master Deed amended accordingly; and if any Unit has been taken, section 5 of the Master Deed shall also be amended to reflect the taking and to proportionately readjust the Percentages of Value of the remaining Owners based on the continuing total value of the Condominium of 100 percent. The amendment may be completed by an officer of the Association duly authorized by the Board of Directors without the necessity of execution or specific approval by any Owner.

d. **Notice to Mortgagees.** If any Unit in the Condominium, the Common Elements, or any portion of them is made the subject matter of an eminent domain proceeding or is otherwise sought to be acquired by a condemning authority, the Association shall promptly notify each holder of a publicly recorded mortgage lien on any of the Units in the Condominium.

e. **Inconsistent Provisions.** To the extent not inconsistent with the provisions of this section, MCL 559.233 shall control on any taking by eminent domain.

Section 7. CONSTRUCTION REQUIREMENTS

7.1 Design Standards. Design standards for Units in the Project are set forth in this section. Design standards promote quality, value, and stability for Unit Owners. The standards in this section are intended to promote consistency of architecture and landscape design and to enhance and preserve real estate values.

7.2 Developer Approvals. During the Development and Sales Period, no residences, buildings, fences, walls, drives, walks, or other improvements shall be commenced, erected, or maintained; no addition to or external change in the appearance of any structure shall be made (including color and design); and no hedges, trees, plantings, or landscaping modifications shall be made until plans or specifications acceptable to Developer, showing the nature, kind, shape, height, materials, color scheme, location, and approximate cost of the structure or improvement and the grading and landscaping plan of the area to be affected, have been submitted to and approved in writing by Developer. Developer shall have the right to refuse to approve any plans or specifications, including the grading and landscaping plan that are not suitable or desirable in its opinion for aesthetic or other reasons. In passing on such specifications or grading or landscaping plans, Developer shall have the right to take into consideration the suitability of the proposed structure, improvement, or modification; the site on which it is proposed to be erected; and the degree of harmony with the Condominium as a whole.

7.3 Review Committee. Developer has or will establish an architectural review committee (the Review Committee). The mission of the Review Committee is to ensure that all plans submitted for review, and all subsequent exterior changes or modifications, meet the criteria established in the design standards. The design standards for the Project are intended to provide a compatible neighborhood image.

7.4 Architectural Review. Following the Development and Sales Period, no residence, structure, or other improvements shall be constructed within a Unit or elsewhere on the Property and no exterior modification shall be made to any existing residence, structure, or improvement unless plans and specifications containing whatever detail the Review Committee reasonably requires has first been approved in writing by the Review Committee. The Review Committee shall have the right to refuse to approve any plans and specifications, color or material applications, grading or landscaping plans, or building location plans that are not suitable or desirable in its opinion for aesthetic or other reasons. In passing on the plans and specifications, the Review Committee shall have the right to take into consideration the lity of the proposed structure, improvement, or modification, the site on which it is proposed to be constructed, the proposed location of any improvement within the Unit, the location of structures within adjoining Units and the degree of harmony with the Condominium as a whole.

7.5 Approval of Contractor. All residences and other structures shall be constructed only by residential home builders licensed by the State of Michigan and approved in

writing by Developer or, following the Development and Sales Period, by the Review Committee. If building construction is intended to commence within three months after the date of plan approval, the name of the proposed residential builder must be submitted when the plans and specifications are submitted. If construction is to be delayed beyond three months, the name of the proposed residential builder must be submitted for approval at least 60 days before the commencement of construction. In its approval process, the Review Committee may take into consideration the qualifications of the proposed builder along with its reputation in the community before deciding whether or not that builder will be approved for participation in the Project. Construction of all other improvements, including swimming pools and landscaping, must also be done by contractors approved in writing by the Review Committee.

7.6 Specific Requirements. All approvals required by this section shall comply with the following requirements:

a. **Construction Materials.** Each residence shall be finished with wood, masonry (brick or stone), or vinyl exterior with a minimum of 65% of the exterior shall be finished in brick or stone for multi-story residences and 80% of the exterior shall be finished in brick or stone for one story residences. Exposed chimneys shall have an exterior finish of brick or stone and on all other visible improvements shall be finished with wood, brick, stone, or vinyl. Roofs must be of shingle construction using fiberglass or asphalt shingles. Driveways may be of brick or cement. All exterior paints, stains, and material colors must be shown as part of the plan submitted for approval, and samples shall be furnished to the Review Committee on request.

b. **Size and Space Requirements.** No residence shall be constructed on any Unit with less than the following sizes of finished living areas (as calculated on exterior dimensions), exclusive of decks, porches, patios, garages, and basements (whether full basements, daylight basements, or walkout basements):

- One-story home (Ranch) – 1,300 sq. ft.
- Multi-story home (Cape Cod or Colonial) – 1,500 sq. ft.

c. **Improvements and Outbuildings.** Each residence must be equipped with an attached front entry garage of not less than two stalls and outside parking for a minimum of two vehicles shall be provided on or along the driveway. One additional detached structure of a size as determined by the Review Committee will be permitted for storage or accessory garage space.

d. **Letter and Delivery Boxes.** The Developer or Review Committee will install and determine the location, design, and permitted lettering of all mail and paper delivery boxes which shall be a cluster delivery/mailbox or mailboxes and to be located within the General Common Areas of the Project. Each Owner is responsible for the pro-rata cost of the cluster mailboxes and the installation

thereof which the estimated cost is $175.00 per Unit Owner and this mailbox fee must be paid at the closing of each Unit.

7.7 Codes and Ordinances. In addition to the construction requirements in this Section, all buildings and other structures must comply with applicable building, mechanical, electrical, and plumbing codes of the applicable jurisdictions in effect when the building or structure is erected.

7.8 Time for Construction. At the time of submitting the name of a proposed residential builder for approval, a date for commencement of construction (which shall not be more than two years after the date of approval) must be agreed on and approved by the Review Committee. Once construction has started, work on the building must be diligently pursued and completed within a maximum of 12 months from the date of commencement. The Committee may extend the time for commencement or completion when, in its opinion, conditions warrant an extension.

7.9 Reserved Developer Rights. The purpose of Section 7 is to ensure the continued maintenance of the Condominium as an attractive and harmonious residential development, and its provisions shall be binding on both the Association and all Owners in the Project. Developer (or any residential builder to whom Developer has assigned such rights) shall have the right to maintain a model unit, sales office, advertising display signs, storage areas, and reasonable parking incident to its sales efforts and to access to, from, and over the Property as may be reasonable to enable development and sale of the entire Project.

7.10 Review Committee Appointment. Following the Development and Sale Periods, if rights of appointment have not previously been assigned to the Association, Developer's representatives shall resign from the Review Committee, and the Board of Directors of the Association shall appoint three new members to the Review Committee. In each succeeding year or at whatever other intervals the Board of Directors decides, the Board of Directors shall appoint or reappoint the three members to serve on the Review Committee.

7.11 Permitted Variance. The Review Committee may, on a showing of practical difficulty or other good cause, grant variances from the requirements of this section, but only to an extent and in a manner that does not violate the spirit and intent of the requirements.

7.12 Setback Lines. No building will be erected on any Unit nearer to the street line or to either side Unit boundary or closer to the rear Unit boundary than permitted by the setback requirements of the Planned Development District for the Condominium or zoning applicable to the Unit that is in effect at the time of the contemplated construction of any building unless a variance or other permission for the setback is obtained from the applicable authority. If compliance with these setback requirements is impracticable or would create a hardship for a corner Unit or an odd-shaped building site, the Review Board may specify front yard, side yard, and rear yard

widths and depths that are less than those required by this section. When $1^1/_2$ or more Units are acquired as a single building site, the side Unit boundaries will refer only to the Unit boundary lines bordering the property of adjoining owners.

7.13 Landscaping Requirement. Each Unit must be completely landscaped as soon as possible during the planting season (April through November) but, in any event, no later than 60 days (weather permitting) after initial occupancy of the Dwelling. The reasonable value of the landscaping surrounding a Dwelling shall be not less than five thousand ($5,000.00) dollars, excluding landscape architectural fees. The Developer shall have the right to determine the reasonable value of the landscaping. After landscaping has been installed, the Unit Owner shall maintain the landscape in a good and aesthetically pleasing condition. If at the time of conveyance from Developer, construction of a Dwelling on the Unit has commenced or has been completed, but the landscaping has not been completed, the Developer shall require the Unit Owner, at closing, to escrow one thousand five hundred dollars ($1,500.00) with the title company conducting the closing of the Unit until such time the landscape is installed. All landscape escrow deposits made shall be released to the Unit Owner upon completion of the landscaping as set forth herein. To the extent that the escrow deposit earns interest, the interest shall be paid to the Unit Owner at such time as the landscaping of the Unit has been completed. However, the Developer shall not be required to maintain the escrow deposit in an interest-bearing account or to otherwise generate a return on the escrow deposit.
In the event the Unit Owner fails or refuses to comply with the foregoing, the Developer may, in its sole discretion, instruct the title company to release the escrow deposit amount to Developer and the Unit Owner shall have forfeited all of his or her rights to the landscape escrow deposit.

Section 8. USE AND OCCUPANCY RESTRICTIONS

8.1 Residential Use. Condominium Units shall be used exclusively for residential occupancy, and no Unit or appurtenant Common Element shall be used for any purpose other than that of a single-family residence and purposes incidental to residential use. Home occupations conducted entirely within the residence and participated in solely by members of the immediate family residing in the residence that do not generate unreasonable traffic by members of the general public and do not change the residential character of the Unit or neighborhood are permitted as incidental to primary residential use. No building intended for other business uses and no apartment house, rooming house, day care facility, foster care residence, or other commercial or multiple-family dwelling of any kind shall be erected, placed, or permitted on any Unit.

8.2 Common Areas. The Common Elements shall be used only by the Owners of Units in the Condominium and their agents, tenants, family members, invitees, and licensees for access, ingress to, and egress from the respective Units and for other purposes incidental to use of the Units. Any parking areas or other Common Elements designed for a specific purpose shall be used only for those purposes or other uses

approved by the Board. The use, maintenance, and operation of the Common Elements shall not be obstructed, damaged, or unreasonably interfered with by any Owner and shall be subject to any lease or easement presently in existence or entered into by the Board at some future date that affects all or any part of the Common Elements.

8.3 Use and Occupancy Restrictions. In addition to the general requirements of Sections 8.1–8.2, the use of the Project and its Common Elements by any Owner shall be subject to the following specific restrictions:

a. **Exterior Changes.** No Owner shall make any additions, alterations, or modifications to any of the Common Elements or any changes to the exterior appearance of the building or other improvements within the perimeters of the Owner's Unit without prior approval of Developer or the Review Committee. A change in the color of a residence or a significant landscaping change are included within the meaning of a change in exterior appearance.

b. **Unit Rental.** No portion of a Unit may be rented and no transient tenants be accommodated in any building, but this restriction shall not prevent the rental or sublease of an entire Unit together with its appurtenant Limited Common Elements for residential purposes in the manner permitted by these Bylaws.

c. **Nuisances.** No nuisances shall be permitted on the Property, nor shall any use or practice be permitted that is a source of annoyance to or that unreasonably interferes with the peaceful possession or proper use of the Project by its residents. No Unit shall be used in whole or in part for the storage of rubbish or trash or for the storage of any property or thing that may cause the Unit to appear in an unclean or untidy condition. No substance or material shall be kept on a Unit that will emit foul or obnoxious odors or that will cause excessive noise that will or might disturb the peace, quiet, comfort, or serenity of the occupants of surrounding Units.

d. **Prohibited Uses.** Nothing shall be done or kept in any Unit or on the Common Elements that will increase the rate of insurance for the Project without the prior written consent of the Association. No Owner shall permit anything to be done or kept in the Owner's Unit or elsewhere on the Common Elements that will result in the cancellation of insurance on any Unit or any part of the Common Elements or that will violate any law.

e. **Signs.** No sign or billboard of any kind shall be placed, erected or maintained on any Unit excepting that the provisions of this paragraph shall not apply to such signs as may be for purposes of resale by any Owner. Signs for purposes of resale shall be limited to one sign per Unit not exceeding four square feet and shall be subject to review and approval of the Association and the Developer so long as the Developer shall hold title to any Unit. Furthermore, signs for the purposes of resale do not include "for rent" and "for lease" signs or any signage that pertains

to renting or leasing any Unit. The provisions of this paragraph shall not apply to signs installed or erected on any Common Element or Unit by the Developer, its successors or assigns during such periods as any Unit shall be "for sale" or used as a model or for display purposes by the Developer or other entity. Political signs for a period of three months (90) days prior to an election may be displayed, one sign per candidate, ground-mounted, on the Unit. No political sign shall be permitted on any of the General Common Element areas. No political sign shall exceed four square feet. Garage sale signs may be displayed for three days at a time on any Unit, and one sign may be displayed at the Entrance to the Condominium, but no garage sale sign shall be displayed on any Unit or General Common Element for more than three days. Signs shall be subject to City of Livonia Code of Ordinances.

f. **Fences and Walls.** Fences, walls, or hedges shall not be permitted on any Unit. However, fences are permitted in the rear yard only and can only be installed on a Unit so long as a completed home exists on both sides of the proposed Unit requesting a fence. Additionally, NO fence is permitted to be installed without the prior written consent of the Developer or Review Committee.

g. **Pets.** No animals or fowl (except common domestic household pets) shall be kept or maintained within the Condominium.

h. **Personal Property.** No Owner shall display, hang, or store any clothing, sheets, blankets, laundry, or other items of personal property outside a residence or ancillary building. This restriction shall not be construed to prohibit an Owner from placing and maintaining outdoor furniture and accoutrements and decorative foliage of a customary nature and appearance on a patio, deck, or balcony of a Unit, though no such furniture or other personal property shall be stored on any open patio, deck, or balcony that is visible from another Unit or from the Common Elements of the Project.

i. Firearms and Weapons. No Owner shall use or permit the use by any occupant, agent, tenant, invitee guest, or member of the Owner's family of any firearms; air rifles; pellet guns; BB guns; bows and arrows; illegal fireworks; or other dangerous weapons, projectiles, or devices anywhere on or about the Property.

j. **Recreational and Commercial Vehicles.** No recreational vehicles, boats, or trailers shall be parked or stored in any garage if the storage would prevent full closure of the garage door or elsewhere on the Property without the written approval of the Association. No commercial vehicle, mobile home, trailer, house or camping trailer, tent shack, tool storage, shed, barn, tree house or other similar Structure shall be placed on a Unit at any time either temporary or permanently. No snowmobile, all-terrain vehicle, or other motorized recreational vehicle shall be operated on the Property. No maintenance or repair shall be performed on any

boat or recreational vehicle except within a garage or residence which is totally isolated from public view.

k. **Recreational Facilities.** No above-ground pools, tennis courts, or dog runs will be permitted on any Unit. All exterior hot tubs and spas must be approved by the Developer or the Review Committee before installation.

l. **Trash Containers and Pick Up.** All trash shall be placed in containers approved by the Review Committee and kept inside the garage or other fully enclosed area except for short periods of time reasonably necessary to permit collection.

m. **Use of Common Elements.** The General Common Elements shall not be used for the storage of supplies or personal property (except for the short periods of time that are reasonably necessary to permit the placement of trash for collection the next day). No Owner shall in any way restrict access to any utility line or other area that must be accessible to service the Common Elements or that affects an Association responsibility in any way. In general, no activity shall be carried on or condition maintained by any Owner either in the Owner's Unit or on the Common Elements that despoils the appearance of the Condominium.

n. **Application of Restrictions.** Unless arbitration is elected pursuant to these Bylaws, a dispute or question whether a violation of any specific regulation or restriction in this section has occurred shall be submitted to the Board of Directors of the Association, which shall conduct a hearing and render a decision in writing, which shall be binding on all owners and other parties with an interest in the Project.

o. **Decks, Patios, Balconies, and Accessory Structures.** Any deck, patio, balcony, and/or accessory structure located within a Condominium Unit shall not be located on or encroach into any easement or the General Common Elements of the Project. No Unit Owner shall construct or cause to be constructed any deck, patio, balcony, and/or accessory structure without the prior written approval by the Developer or Review Committee.

8.4 Zoning Compliance. In addition to the restrictions in Section 8, the use of any Unit or structure on the Property must satisfy the requirements of the zoning ordinances of the municipality where the Project is located in effect at the time of the contemplated use unless a variance for the use is obtained from a unit of government with jurisdiction over the use of the Unit and Property.

8.5 Rules of Conduct. Additional rules and regulations consistent with the Act, the Master Deed, and these Bylaws concerning the use of Units and Common Elements may be promulgated and amended by the Board. Copies of the rules and regulations must be furnished by the Board to each Owner at least 10 days before their effective

date and may be revoked at any time by the affirmative vote of the Board or 60 percent or more of all Owners.

8.6 Enforcement by Developer. The Project shall at all times be maintained in a manner consistent with the highest standards of a private residential community used and occupied for the benefit of the Owners and all other persons interested in the Condominium. If at any time the Association fails or refuses to carry out its obligations to maintain, repair, replace, and landscape in a manner consistent with the maintenance of such standards, Developer, or any person to whom it assigns this right, may, at its option, elect to maintain, repair, or replace any Common Elements or to do any landscaping required by these Bylaws and to charge the cost to the Association as an expense of administration. Developer shall have the right to enforce these Bylaws throughout the Development and Sales Period, and this right of enforcement shall include (without limitation) an action to restrain the Association or any Owner from any prohibited activity.

8.7 Owner Enforcement. An aggrieved Owner will also be entitled to compel enforcement of the Condominium Documents by an action for injunctive relief or damages against the Association, its officers, or another Owner in the Project.

8.8 Remedies on Breach. In addition to the remedies granted by Section 5.5 for the collection of assessments, the Association shall have the right, in the event of a violation of the restrictions on use and occupancy imposed by this Section 8, to enter the Unit and to remove or correct the cause of the violation. The entry will not constitute a trespass, and the Owner of the Unit will reimburse the Association for all costs of the removal or correction. Failure to enforce any of the restrictions in this section will not constitute a waiver of the right of the Association to enforce restrictions in the future.

8.9 Reserved Rights of Developer. The restrictions in this section shall not apply to the commercial activities of Developer during the Development and Sale Period. Developer shall also have the right to maintain a sales office, advertising display sign, storage areas, and reasonable parking incident to its sales efforts and to reasonable access to, from, and over the Property to enable development and sale of the entire Project.

8.10 Assignment and Succession. Developer may be assigned any of the rights granted to or reserved by it in the Condominium Documents or by law to any other entity or to the Association. Any assignment or transfer shall be made by an appropriate document in writing, signed by Developer and recorded in the register of deeds office for the county where the Project is located. On qualification, the assignee will have the same rights and powers as those granted to or reserved by Developer in the Condominium Documents.

Section 9. MORTGAGES

9.1 Notice to the Association. Any Owner who mortgages a Unit shall notify the Association of the name and address of the mortgagee (in this section, the Mortgagee), and the Association will maintain this information. The information relating to Mortgagees will be made available to Developer or its successors as needed to obtain consent from or give notice to Mortgagees concerning actions requiring consent from or notice to Mortgagees under the Condominium Documents or the Act.

9.2 Insurance. The Association shall notify each of the Mortgagees of the name of each company insuring the Condominium against fire, perils covered by extended coverage, and vandalism and malicious mischief, with the amounts of the coverage.

9.3 Rights of Mortgagees. Except as otherwise required by applicable law or regulations, a Mortgagee of a Unit will be granted the following rights:

a. **Inspection and Notice.** On written request to the Association, a Mortgagee will be entitled (i) to inspect the books and records relating to the Project on reasonable notice, (ii) to receive a copy of the annual financial statement that is distributed to Owners; (iii) to notice of any default under the Condominium Documents by its mortgagor in the performance of the mortgagor's obligations that is not cured within 30 days; and (iv) to notice of all meetings of the Association and its right to designate a representative to attend the meetings.

b. **Exemption from Restrictions.** A Mortgagee that comes into possession of a Unit pursuant to the remedies provided in the mortgage or by deed (or assignment) in lieu of foreclosure shall be exempt from any option or right of first refusal on the sale or rental of the mortgaged Unit in the Condominium Documents.

9.4 Additional Notification. When notice is to be given to a Mortgagee, the Board of Directors shall also give such notice to the Federal Home Loan Mortgage Corporation, the Federal National Mortgage Association, the Veterans Administration, the Federal Housing Administration, the Farmer's Home Administration, the Government National Mortgage Association, and any other public or private secondary mortgage market entity participating in purchasing or guarantying mortgages of Units in the Condominium if the Board of Directors has notice of their participation.

Section 10. LEASES

10.1 Notice of Lease. An Owner, including Developer, who intends to lease a Unit shall disclose that fact in writing to the Association at least 10 days before presenting a lease form to the prospective tenant and, at the same time, shall supply the

Association with a copy of the lease form. No Unit shall be leased for a period of less than one (1) year without the prior written consent of the Association.

10.2 Terms of Lease. All occupants of a Unit shall comply with all the conditions of the Condominium Documents of the Project, and all lease and rental agreements must require compliance.

10.3 Remedies of the Association. If the Association determines that any non-Owner occupant has failed to comply with any conditions of the Condominium Documents, the Association may take the following action:

a. **Notice.** The Association shall notify the Owner by certified mail advising of the alleged violation by the non-Owner occupant.

b. **Investigation.** The Owner will have 15 days after receipt of the notice to investigate and correct the alleged breach by the non-Owner occupant or to advise the Association that a violation has not occurred.

c. **Legal Action.** If, after 15 days the Association believes that the alleged breach has not been cured or may be repeated, it may institute an action for eviction against the non-Owner occupant and a simultaneous action for money damages (in the same or in a separate action) against the Owner and the non-Owner occupant for breach of the conditions of the Condominium Documents. The relief provided for in this section may be by summary proceeding. The Association may hold both the non-Owner occupant and the Owner liable for any damages to the Common Elements caused by the Owner or the non-Owner occupant in connection with the Unit or the Project.

10.4 Liability for Assessments. If an Owner is in arrears to the Association for assessments, the Association may give written notice of the arrearage to a non-Owner occupant occupying the Owner's Unit under a lease or rental agreement and the non-Owner occupant, after receiving such notice, shall deduct from rental payments due the Owner the full arrearage and future assessments as they fall due and pay them to the Association. Such deductions shall not be a breach of the lease agreement by the non-Owner occupant.

Section 11. TRANSFER OF UNITS

11.1 Unrestricted Transfers. An individual Owner may, without restriction under these Bylaws, sell, give, devise, or otherwise transfer the Owner's Unit or any interest in the Unit.

11.2 Notice to Association. Whenever an Owner sells, gives, devises, or otherwise transfers the Owner's Unit or any interest in the Unit, the Owner shall give written notice to the Association within five days after consummating the transfer. The notice shall be accompanied by documents evidencing the title or interest transferred.

Section 12. ARBITRATION

12.1 Submission to Arbitration. Any dispute, claim, or grievance arising out of or relating to the interpretation or application of the Master Deed, Bylaws, or other Condominium Documents and any disputes, claims, or grievances arising among or between Owners or between Owners and the Association may, on the election and written consent of the parties to the dispute, claim, or grievance and written notice to the Association, be submitted to arbitration; and the parties shall accept the arbitrator's decision and award as final and binding. The Arbitration Rules for the Real Estate Industry of the American Arbitration Association, as amended and in effect from time to time, shall apply to all such arbitrations.

12.2 Disputes Involving Developer. A contract to settle by arbitration may also be executed by Developer and any claimant for any claim against Developer that might be the subject of a civil action, provided as follows:

a. **Buyer's Option.** At the exclusive option of a Buyer or an Owner in the Project, Developer shall execute a contract to settle by arbitration any claim that might be the subject of a civil action against Developer that involves an amount less than $2,500 and arises out of or relates to a purchase agreement, a Unit, or the Project.

b. **The Association's Option.** At the exclusive option of the Association of Owners, Developer shall execute a contract to settle by arbitration any claim that might be the subject of a civil action against Developer that arises out of or relates to the Common Elements of the Project if the amount of the claim is $10,000 or less.

12.3 Preservation of Rights. Election by any Owner or by the Association to submit any dispute, claim, or grievance to arbitration shall preclude that party from litigating the dispute, claim, or grievance in the courts. Except as provided in this section, however, all interested parties shall be entitled to petition the courts to resolve any dispute, claim, or grievance in the absence of an election to arbitrate.

Section 13. OTHER PROVISIONS

13.1 Definitions. All terms used in these Bylaws will have the same meaning assigned by the Master Deed to which the Bylaws are attached or as defined in the Act.

13.2 Severability. If any of the terms, provisions, or covenants of these Bylaws or of any Condominium Document are held to be partially or wholly invalid or unenforceable for any reason, that holding shall not affect, alter, modify, or impair any of the other terms, provisions, or covenants of the documents or the remaining portions of any terms, provisions, or covenants held to be partially invalid or unenforceable.

13.3 Notices. Notices provided for in the Act, Master Deed, or Bylaws shall be in writing and shall be addressed to the Association at its registered office in the State of Michigan and to any Owner at the address in the deed of conveyance or at another address subsequently provided. The Association may designate a different address for notices to it by giving written notice of the change of address to all Owners. Any Owner may designate a different address for notices by giving written notice to the Association. Notices addressed as above shall be deemed delivered when mailed by U.S. mail with postage prepaid or when delivered in person.

13.4 Amendment. These Bylaws may be amended, altered, changed, added to, or repealed only in the manner prescribed by section 10 of the Master Deed.

13.5 Conflicting Provisions. In the event of a conflict between the Act (or other laws of the State of Michigan) and any Condominium Document, the Act (or other laws of the State of Michigan) shall govern. In the event of a conflict between the provisions of any one or more of the Condominium Documents themselves, the following order of priority shall be applied, and the provisions of the document having the highest priority shall govern:

1. the Master Deed, including the Condominium Subdivision Plan but excluding these Bylaws

2. these Condominium Bylaws

3. the Articles of Incorporation of the Association

4. the Association Bylaws

5. the Rules and Regulations of the Association (if any)

LETTER TO THE LIVONIA CITY COUNCIL

Council Office
October 2, 2023

MEETING DATE	PREPARED BY
COW112023/R120423	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

The subject matter of city user fees. (CR 221-23)

BACKGROUND DETAILS

At the Regular Meeting of July 24, 2023:

On a motion by Councilmember Donovic, supported by Vice President Toy, and unanimously adopted it was:

#221-23 RESOLVED, that upon the motion by Councilmember Rob Donovic, seconded by Council Vice President Laura Toy, at the Regular Meeting held July 24, 2023, the Council does hereby refer the subject matter of city user fees to the Committee of the Whole for its report and recommendation

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To discuss the subject matter of city user fees.

ATTACHMENTS

1. R072423 Subject matter of city user fees to COW CR 221-23

APPROVED BY

On a motion by Councilmember Donovic, supported by Vice President Toy, and unanimously adopted it was:

> **#221-23** RESOLVED, that upon the motion by Councilmember Rob Donovic, seconded by Council Vice President Laura Toy, at the Regular Meeting held July 24, 2023, the Council does hereby refer the subject matter of city user fees to the Committee of the Whole for its report and recommendation.

RESOLUTION REQUESTED BY COUNCILMEMBER R. DONOVIC
(Regular Meeting of July 24, 2023)

Motion:	**Donovic**
Second:	**Toy**
Ayes:	**Toy, Bahr, Donovic, Morgan, McCullough, McIntyre, Jolly**
Nays:	**None**
Absent:	**None**

COMMITTEE OF THE WHOLE MEETING
MONDAY, NOVEMBER 20, 2023
7:00PM

A Committee of the Whole meeting was held on Monday, November 20, 2023, at Livonia City Hall in the Council Chambers.

Committee Members Present: Jim Jolly, City Council President
Scott Bahr
Rob Gjonaj Donovic
Brandon McCullough
Kathleen McIntyre
Scott Morgan

Committee Members Absent: Laura Toy, Council Vice President

City Officials Present: Lynda Scheel, City Treasurer
Susie Nash, City Clerk
Leo Neville, Assistant City Attorney
Mike Slater, Finance Director
Jerome Hanna, Inspection Director
Mark Taormina, Planning and Economic Dev. Director

Additional attendees: See attached.

1. **CR 130-23** The subject matter of the vacant and abandoned fee schedule.

The meeting convened at 7:00 PM

The subject matter was introduced by Councilmember McCullough.

Jerome Hanna, Inspection Director, explained the processes and procedures of the Ordinance Enforcement Department for vacant and abandoned buildings.

Councilmember McIntyre asked about different types of taxation for vacant and abandoned buildings.

Councilmember Donovic asked about the enforcement process.

A motion was made by Councilmember McCullough for a report and recommendation from both Law and Ordinance Departments about costs expended and for comparables from other communities regarding vacant and abandoned buildings.

Mike Slater, Finance Director, explained fees that are put on taxes when unpaid and their subsequent actions. He indicated that in most cases the city recoups the amount expended during the process unless buildings are not sold for the amount owed or have lesser interests.

The Committee recommends:

1. For the Ordinance and Law Departments to both provide a report and recommendation of the costs expended and for comparables from other communities regarding vacant and abandoned buildings.

Note: This item will remain in Committee.

This item is to be placed on the **Regular Meeting Agenda of December 4, 2023**

2. **CR 221-23** The subject matter of city user fees.

The subject matter was introduced by Councilmember Donovic.

Councilmember Scott Bahr explained that he did not like that any fees could be charged without Council approval. Councilmember McIntyre was in agreement.

Council President Jolly explained the Parks and Recreation Commission fee setting ability.

Mike Slater, Finance Director, explained the extent of fees within the city.

Councilmember Bahr offered a motion for a report and recommendation to include all fees currently charged by the city and whether they require Council approval.

The Committee recommends:

1. For the Administration to provide a report and recommendation to include all fees currently charged by the city and whether they require Council approval.

Note: This item will remain in Committee.

This item is to be placed on the **Regular Meeting Agenda of December 4, 2023**.

3. **CR 288-23** The subject matter of Petition 2023-07-08-06 submitted by Leo Soave Building Company, LLC.

A plan overview was presented by Mark Taormina, Planning and Economic Development Director. An explanation was given of the property zoning history, that it has changed from R-U-F to R2 to N2 and was previously abandoned.

There were eleven (11) conforming N2 lots originally proposed. The site plan has since changed to show ten (10) lots.

M. Doyle, resident, spoke on behalf of the existing area neighbors, along with resident P. Abbott.

Joe Eadeh, petitioner, was present for any questions and provided additional insight and considerations for neighbor concerns.

Councilmember Bahr offered an approving motion of the revised plan that included ten (10) lots.

The Committee recommends:

1. For the Law Department to prepare an approving resolution for the revised site plans

Note: This item will be out of Committee.

The meeting adjourned at 8:09 PM

This item is to be placed on the **Regular Meeting Agenda of December 4, 2023**

Jim Jolly, Council President

LETTER TO THE LIVONIA CITY COUNCIL

Council Office
October 2, 2023

MEETING DATE	PREPARED BY
COW112023/R120423	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

The subject matter of the vacant and abandoned fee schedule. (CR 130-23)

BACKGROUND DETAILS

At the Regular Meeting of May 8, 2023:

On a motion by Councilmember McCullough, supported by Vice President Toy and unanimously adopted, it was:

#130-23 RESOLVED, that upon the motion by Councilmember Brandon McCullough, seconded by Council Vice President Laura Toy, at the Regular Meeting held May 8, 2023, the Council does hereby refer the subject matter of the vacant and abandoned fee schedule to the Committee of the Whole for its report and recommendation.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To discuss the subject matter of the vacant and abandoned fee schedule.

ATTACHMENTS

1. COW100923 LTC Vacant and abandoned fee schedule

APPROVED BY

LETTER TO THE LIVONIA CITY COUNCIL

3.

Council Office
October 2, 2023

MEETING DATE	PREPARED BY
	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

The subject matter of the vacant and abandoned fee schedule. (CR 130-23)

BACKGROUND DETAILS

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

DETAILED WORK BEING PERFORMED

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc):

ATTACHMENTS

None

APPROVED BY

COMMITTEE OF THE WHOLE MEETING
MONDAY, NOVEMBER 27, 2023
7:00PM

A Committee of the Whole meeting was held on Monday, November 27, 2023, in the Livonia City Hall Auditorium.

Committee Members Present:	Laura Toy, Council Vice President Rob Gjonaj Donovic Brandon McCullough Kathleen McIntyre Scott Morgan
Committee Members Absent:	Scott Bahr
Committee Members Recused:	Jim Jolly, City Council President
City Officials Present:	Maureen Miller Brosnan, Mayor Susie Nash, City Clerk Paul Bernier, City Attorney Mark Taormina, Planning and Economic Dev. Director Martha Ptashnik, Councilmember Elect Carrie Budzinski, Councilmember Elect
Additional attendees:	See attached.

1. **CR 308-23** The subject matter of Petition 2022-12-01-02, submitted by the Basilica of St. Mary, requesting to rezone parts of the properties at 18100 Merriman Road and 30600Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) toN2 (Neighborhood).

The meeting convened at 7:00 PM

The meeting was led by Vice President Laura Toy.

Brandon Grysko, Attorney representing The Basilica of St. Mary, spoke on environmental issues and concerns, stating the church hired EGLE to evaluate the site.

Jerry Richardson, Representative from EGLE provided new data for review.

Points were made during the meeting:

- EGLE reported no concerns about the wetlands or floodplain. The concept plan from the church shows they will be 198-200 feet away.
- Wetland Authority may need approval in the future by the Planning Commission.

A question was raised regarding any tax collection on this site.

Various residents provided their concerns regarding the petition.

Councilmember Katheen McIntyre offered an approving resolution.

Councilmember Brandon McCullough offered a denying resolution.

The meeting adjourned at 8:06 PM

The Committee recommends:

For the Law Department to prepare an approving and denying resolution.

Note: This item will be out of Committee.

This item is to be placed on the **Regular Meeting Agenda of December 4, 2023**

Laura M. Toy

_____

Laura M. Toy, Council Vice President

COMMITTEE OF THE WHOLE
MONDAY, NOVEMBER 27, 2023, 7:00PM

NAME	DEPT OR CONTACT INFO FOR NOTIFICATIONS* *PERTAINING TO THE SUBJECT MATTER OF THIS MEETING
Ellen Glynn	17240 Doris
Conni Sroka	17499 Doris
Frank Cie	30112 Brookview Dr.
Larry Naser	33691 Ponduiew
Nasser Naser	11704 Farmington Road
Michele + Ernie Baban	30890 Mayville St.
Mikhail Chakhoub	16928 Ryan Rd Mi 48152
Venus Chakhoub	11 11 11
Fares Warra	8875 Fremont St. 48150
Nadia Hanania	35185 Banbury Livonia 48152
Ken Harb	Montesori
Salem Samaan	20000 Garylane Livonia
Abeer Samaan	11 11 11
Dicke Laura	30533 Brookview
Pat Krupinat	30448 Brookview
Diane Nichols	30525 Brookview
Emilija Vilkaiye	31716 Curtis Rd.
Ron York	30549 Brookview Dr.
Martha Ptasnik	
Kerry + Jody Kirsch	30858 Mayville

COMMITTEE OF THE WHOLE
MONDAY, NOVEMBER 27, 2023, 7:00PM

NAME	DEPT OR CONTACT INFO FOR NOTIFICATIONS* *PERTAINING TO THE SUBJECT MATTER OF THIS MEETING
Margaret Rudis	31038 Mayville - 48152
Darius Rudis	" " "
Andrea Milsema	726 Eagle Dr " 48073
Samantha Raj	30208 Brookview "
Isam Salah	31031 Margaret 48152
Ibtisam Hasan	38606 Rutgers Northville 48167
Amy Bense	17525 Hillcrest St Livonia 48152
~~Robert Hoelscher~~	~~30524 JEANNE - LIVONIA 48152~~
Tim Barill	30540 Janine Livonia 48152
David Cusin	31098 Bobrick Livonia 48152
Cindy Lutts	30653 Bobrick Livonia 48152
Cathy Kevra	30732 Bobrick Livonia 48152
Kimberly Shay	23606 Wesley Farmington 48335
Carrie Budzinski	
Lisa Nash	
Margaret Yon	30562 Brookview Livonia 48152
Rima Hadi	31711 GRENADA Liv 48154
Colleen Badgero	17415 Sunset Liv. 48152
Alex Villarreal	17415 SUNSET ST LIVONIA, MI 48152
Diana Albarchini	14179 cranston st Livonia 48154

COMMITTEE OF THE WHOLE
MONDAY, NOVEMBER 27, 2023, 7:00PM

NAME	DEPT OR CONTACT INFO FOR NOTIFICATIONS* *PERTAINING TO THE SUBJECT MATTER OF THIS MEETING
Nicholas G. Miller	40701 Woodward Ave, Bloomfield Hills, MI 48304
Dan & Gale Powell	30080 Brookview 48152

NEW DATA RECEIVED FOR THE REGULAR MEETING OF DECEMBER 4, 2023 - ITEM 14

From: Taormina, Mark
To: awiseman@nfe-engr.com; Kasprowicz, Sara
Cc: ghassan@gavassociates.com; sfsamaan@gmail.com; pwilliams@nfe-engr.com
Subject: FW: St. Mary - City Council meeting 11/27/23
Date: Tuesday, November 28, 2023 8:47:55 AM
Attachments: image002.png
image003.png
image004.png
12725 ASTI Wetland Delineation Letter 18100 Merriman Road, Livonia FINAL.pdf
Full_FIRM_3ce2bd12-5319-477a-8467-f732f276ee07.pdf
St. Mary-Survey.pdf

Andrew,

Thanks. I'm copying Sara Kasprowicz in the City Council Office to include this information as New Data for consideration at the December 4th meeting.

Mark

Mark Taormina
Planning and Economic Development Director
City of Livonia | Planning Department
(734) 466-2292
mtaormina@livonia.gov

From: Andrew Wiseman <awiseman@nfe-engr.com>
Sent: Tuesday, November 28, 2023 8:26 AM
To: Taormina, Mark <mtaormina@livonia.gov>
Cc: Ghassan Abdelnour <ghassan@gavassociates.com>; Salem Samaan <sfsamaan@gmail.com>; Patrick Williams <pwilliams@nfe-engr.com>
Subject: St. Mary - City Council meeting 11/27/23

Good morning Mark,

For your information, and as a follow-up to some of the (off-topic) issues brought up by the public during last night's City Council Committee meeting regarding the proposed re-zoning of the subject site, please find the following attached files:

1. ASTI's Wetland Delineation report. ASTI flagged and provided a GPS survey of the 5 Wetland areas including the Tarabusi Creek. The flagged wetland locations, which NFE surveyed, are identified and shown on the attached topographic survey of the site.

2. The FEMA flood insurance rate map (FIRM) used to assist NFE in plotting the 100 year base flood elevation (BFE) shown the attached survey of the site.

3. NFE's Boundary and Topographic Survey for reference.

Please let me know if you have any questions.

Thank you,

Andrew P. Wiseman
Project Manager

Nowak & Fraus Engineers
46777 Woodward Avenue
Pontiac, Michigan 48342

T: 248.332.7931

In response to the recent community health challenge facing us all, we will be working remotely and limiting the time we are physically in the office for the time being.

Electronic Data Notice – The information contained in this electronic communication is considered part of Nowak & Fraus Engineers' (NFE) instrument of service and shall not be used on other
projects. Since data stored on electronic media can be altered, translated or modified; NFE will not be liable for the accuracy, completeness, or readability of the electronic data. The electronic data should be checked against the hard copy. Hard copies of all NFE data are on file and available upon request if needed for comparison.

NEW DATA RECEIVED FOR THE REGULAR
MEETING OF DECEMBER 4, 2023 - ITEM 14

ASTI ENVIRONMENTAL

Assessment • Remediation • Compliance
Restoration • Incentives

10448 Citation Drive, Suite 100
Brighton, MI 48116

800 395-ASTI
Fax: 810.225.3800

www.asti-env.com

Sent Via Email Only

April 5, 2023

Patrick Williams
Nowak & Fraus Engineers
46777 Woodward Avenue
Pontiac, MI 48342

RE: Wetland Delineation and Jurisdictional Assessment with GPS Survey
18100 Merriman Road
Livonia, Wayne County, Michigan
ASTI Project 12725

Patrick Williams:

On March 20 and March 27, 2023, ASTI Environmental (ASTI) conducted a site investigation to delineate wetland boundaries on approximately 21 acres of land at the above-referenced property in Livonia, Wayne County, Michigan ("Subject Property"). One watercourse and five wetlands likely regulated by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) were found on the Subject Property (Figure 1 – *GPS-Surveyed Wetland Boundaries*). Wetland boundaries, as depicted on Figure 1, were located using a professional grade, hand-held Global Positioning System unit (GPS).

SUPPORTING DATA AND MAPPING

The USDA Web Soil Survey (WSS), the National Wetland Inventory Map (NWI), EGLE Wetlands Map Viewer web site, and digital aerial photographs were all used to support the wetland delineation and subsequent regulatory status determination. The NWI showed a riverine (R2UBH) wetland in the northern portion of the Subject Property. The EGLE map indicated the presence of wetland in the northern portions of the Subject Property.

In addition, the WSS indicated the Subject Property is comprised of the soils Ceresco-Sloan complex (0-3% slopes), Anthroportic Udorthents (0-2% slopes), Livonia sandy loam (0-4% slopes), Livonia-Urban land complex (0-4% slopes), and Urban land-Fortress family complex (0-4% slopes). A watercourse is also shown in the northern portion of the Subject Property.

FINDINGS

ASTI investigated the Subject Property for the presence of any lakes, ponds, wetlands, and watercourses. This work is based on *MCL 324 Part 301 (Inland Lakes and Streams)* and *Part 303 (Wetland Protection).*

It should be noted that some municipalities have local wetland ordinances and natural features setbacks that may apply to this property. In addition, in some circumstances the US Army Corps of Engineers (ACOE) may also have jurisdiction of wetlands or watercourses on the Subject Property. Neither is the case for your site.

The delineation protocol used by ASTI for this delineation is based on the US Army Corps of Engineers' *Wetland Delineation Manual,* 1987, the *Regional Supplement to the Corps of Engineer Wetland Delineation Manual: Northcentral and Northeast Region*, and related guidance/documents, as appropriate. Wetland vegetation, hydrology, and soils were used to locate the wetland boundaries.

One watercourse and five wetlands were found on the Subject Property and are discussed below.

Watercourses

Tarabusi Creek occurs on the northern portion of the Subject Property. ASTI identified the ordinary high-water marks at a number of locations along the channel (Figure 1). It is ASTI's opinion that the creek is regulated by EGLE as a stream under Part 301, Inland Lakes and Streams, given that it has defined bed, banks, and evidence of flow. Please also note that there may be 100-year floodplain associated with the watercourse on site.

Wetland 1

Wetland 1 is a forested wetland located in the northwestern portion of the Subject Property (Figure 1). Wetland 1 is 0.25 acre on-site and continues off-site to the northwest. Dominant vegetation found within Wetland 1 included silver maple (*Acer saccharinum)*, American elm (*Ulmus americana*), green ash (*Fraxinus pennsylvanica*), common buckthorn (*Rhamnus cathartica*), late goldenrod (*Solidago gigantea*), and reed canary grass (*Phalaris arundinacea*). Soils with Wetland 1 were mucky loam/ clay and are considered hydric because criteria for redox dark surface, redox depressions and loamy mucky mineral were met. Indicators of wetland hydrology observed within Wetland 1 included saturation, water-stained leaves, oxidized rhizospheres on living roots, and crayfish burrows.

Dominant vegetation observed within the upland adjacent to Wetland 1 included black walnut (*Juglans nigra*), American elm and amur honeysuckle (*Lonicera maackii*). Upland soil data was not taken, and no evidence of wetland hydrology was observed.

It is ASTI's opinion that Wetland 1 is regulated by EGLE because it is contiguous with a watercourse (Tarabusi Creek).

Wetland 2
Wetland 2 is a 0.05-acre, emergent wetland located in the northern portion of the Subject Property (Figure 1). Dominant vegetation found within Wetland 2 included silver maple, green ash, skunk-cabbage (*Symplocarpus foetidus*), and reed canary grass. Soils within Wetland 2 were loamy clay and are considered hydric because criteria for redox dark surface, redox depressions and loamy mucky mineral were met. Indicators of wetland hydrology observed within Wetland 2 included surface water, saturation, and oxidized rhizospheres on living roots.

Dominant vegetation observed within the upland adjacent to Wetland 2 included box-elder (*Acer negundo*), silver maple, amur honeysuckle, and common buckthorn. Upland soils were a silty clay, and no evidence of wetland hydrology was observed.

It is ASTI's opinion that Wetland 2 is regulated by EGLE because it is contiguous with a watercourse (Tarabusi Creek).

Wetland 3
Wetland 3 is a 0.25-acre, forested wetland located in the northeast portion of the Subject Property (Figure 1). Dominant vegetation found within Wetland 3 included silver maple), swamp white oak (*Quercus bicolor*), American elm, and green ash. Soil data was not taken within this wetland. Indicators of wetland hydrology observed within Wetland 3 included saturation, sparsely vegetated concave surface, and water-stained leaves.

Dominant vegetation observed within the upland adjacent to Wetland 3 included cottonwood (*Populus deltoides*), sugar maple (*Acer* saccharum), box-elder, amur honeysuckle and common buckthorn. Upland soil data was not taken, and no evidence of wetland hydrology was observed.

It is ASTI's opinion that Wetland 3 is regulated by EGLE because it is contiguous with a watercourse (Tarabusi Creek).

Wetland 4
Wetland 4 is a forested and emergent wetland located in the eastern portion of the Subject Property (Figure 1). Wetland 4 is 0.08 acre on-site and continues off-site to the south. Dominant vegetation found within Wetland 4 included silver maple, swamp white oak, green ash, and reed canary grass. Soils with Wetland 4 were mucky loam/ clay and are considered hydric because criteria for redox dark surface and redox depressions were met. Indicators of wetland hydrology

observed within Wetland 4 included saturation, surface water, and oxidized rhizospheres on living roots.

Vegetation observed within the upland adjacent to Wetland 4 consisted of mowed lawn grasses, dominated by Kentucky bluegrass (*Poa pratensis*) and English plantain (*Plantago lanceolata*). Upland soils were sandy to sandy clay, and no evidence of wetland hydrology was observed.

It is ASTI's opinion that Wetland 4 is regulated by EGLE because it is contiguous with a watercourse (Tarabusi Creek).

Wetland 5

Wetland 5 is a forested wetland located in the east portion of the Subject Property (Figure 1). Wetland 5 is 0.18 acre on-site and continues off-site to the northeast. Dominant vegetation found within Wetland 5 included silver maple , American elm and common buckthorn. Soils within Wetland 5 were mucky loam/clay and are considered hydric because criteria for redox dark surface and redox depressions were met. Indicators of wetland hydrology observed within Wetland 5 included high water table, saturation, surface water, sparely vegetated concave surface, water-stained leaves, and oxidized rhizospheres on living roots.

Dominant vegetation observed within the upland adjacent to Wetland 5 included black walnut, amur honeysuckle and Kentucky bluegrass. Upland soils were sandy to sandy clay and no evidence of wetland hydrology was observed.

It is ASTI's opinion that Wetland 5 is regulated by EGLE because it is contiguous with a watercourse (Tarabusi Creek).

Wetland and Stream Flagging

Wetland and watercourse boundaries were marked in the field with day-glow pink and black striped flagging with the following flagging numbers:

Wetland 1:	AA-1 though AA-19
Wetland 2:	A-1 through A-9
Wetland 3:	A-88 through A-108
Wetland 4:	A-67 through A-84
Wetland 5:	B-1 through B-16
Tarabusi Creek:	A-9 through A-67
	A-84 through A-115
Upland Island:	AAA-1 through AAA-6

SUMMARY

Based upon the data, criteria, and evidence noted above, it is ASTI's professional opinion that the Subject Property includes one stream (Tarabusi Creek) and five wetlands regulated by EGLE under the Natural Resources and

Environmental Protection Act (1994 P.A. 451), Part 301 Inland Lakes and Streams and Part 303 Wetland Protection, respectively. However, please note that EGLE has the final authority on the extent of regulated wetlands, lakes, and streams in the State of Michigan. Any proposed impact to the areas that ASTI has identified as regulated will require an EGLE permit.

Attached are Figure 1, which shows the GPS-surveyed locations of wetland flagging on the Subject Property and completed US Army Corps of Engineers (ACOE) Wetland Data Forms. Please note that the data sheet numbers match the data collection sampling points shown on Figure 1.

Thank you for the opportunity to assist you with this project. Please let us know if we can be of any further assistance in moving your project forward.
Sincerely yours,

ASTI ENVIRONMENTAL

Shane Jennings
Ecologist/Certified Arborist

Dianne C. Martin
Vice President
Professional Wetland Scientist #1313

Attachments: Figure 1 – *GPS-Surveyed Wetland Boundaries*
Completed ACOE Wetland Data Forms

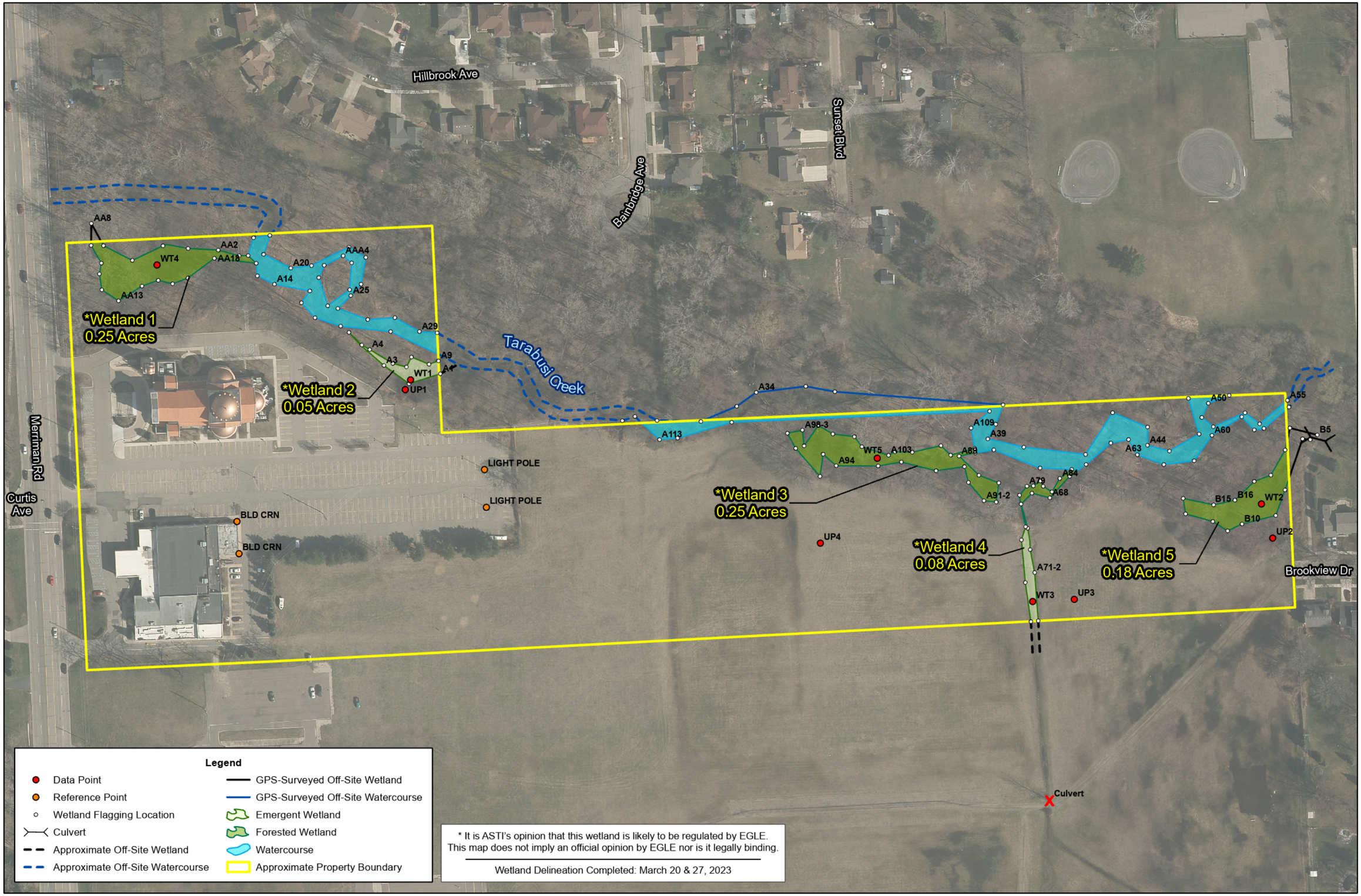


Figure 1 - GPS-Surveyed Wetland Boundaries

Basilica of St. Mary's

18100 Merriman Rd,
Livonia, MI

Client: Patrick Williams
Created by: RMH, March 31, 2023, ASTI Project 12725
Imagery: Livonia 2015

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region
See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Bacilica of St. Mary's, 18100 Merriman Road City/County: Livonia, Wayne Co. Sampling Date: 3/20/23

Applicant/Owner: Nowak & Fraus Engineers State: MI Sampling Point: WT1

Investigator(s): ASTI- SPJ Section, Township, Range: Sec. 11, T.1S, R.9E

Landform (hillside, terrace, etc.): Slope Local relief (concave, convex, none): Concave Slope %: 0-1%

Subregion (LRR or MLRA): LRR L Lat: 42.419617 Long: -83.352775 Datum: NAD 83

Soil Map Unit Name: Ceresco-Sloan complex NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** **Yes** X **No** ____
Hydric Soil Present?	Yes X	No ____	If yes, optional Wetland Site ID:
Wetland Hydrology Present?	Yes X	No ____	

Remarks: (Explain alternative procedures here or in a separate report.)
Associated with Wetland 2

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- X Surface Water (A1)
- ___ High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- X Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- X FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes X	No ____	Depth (inches): 1
Water Table Present?	Yes ____	No X	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes X	No ____	Depth (inches): 0

Wetland Hydrology Present? **Yes** X **No** ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

Sampling Point: WT1

Tree Stratum (Plot size: 30ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Acer saccharinum*	15	Yes	FACW
2. *Fraxinus pennsylvanica*	5	Yes	FACW
3.			
4.			
5.			
6.			
7.			
	20	=Total Cover	
Sapling/Shrub Stratum (Plot size: 15ft)			
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
		=Total Cover	
Herb Stratum (Plot size: 5ft)			
1. *Phalaris arundinacea*	40	Yes	FACW
2. *Symplocarpus foetidus*	40	Yes	OBL
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	80	=Total Cover	
Woody Vine Stratum (Plot size: 30ft)			
1. None			
2.			
3.			
4.			
		=Total Cover	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	40	x 1 =	40
FACW species	60	x 2 =	120
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	100 (A)		160 (B)

Prevalence Index = B/A = 1.60

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

X 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** X **No** ___

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point WT1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-20	10YR 2/2	80	10YR 5/6	20	C	M	Mucky Loam/Clay	Prominent redox concentrations
20-24	10YR 2/1	80	10YR 5/6	20	C	M	Mucky Loam/Clay	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Mesic Spodic (A17) **(MLRA 144A, 145, 149B)**
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L)**
- X Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- X Redox Depressions (F8)
- ___ Marl (F10) (**LRR K, L**)
- ___ Red Parent Material (F21) **(MLRA 145)**

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
- ___ Polyvalue Below Surface (S8) (**LRR K, L**)
- ___ Thin Dark Surface (S9) (**LRR K, L**)
- ___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
- ___ Red Parent Material (F21) **(outside MLRA 145)**
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: ___

Depth (inches): ___

Hydric Soil Present? **Yes** X **No** ___

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region
See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Bacilica of St. Mary's, 18100 Merriman Road City/County: Livonia, Wayne Co. Sampling Date: 3/20/23

Applicant/Owner: Nowak & Fraus Engineers State: MI Sampling Point: WT2

Investigator(s): ASTI- SPJ Section, Township, Range: Sec. 11, T.1S, R.9E

Landform (hillside, terrace, etc.): Slope Local relief (concave, convex, none): Concave Slope %: 0-2%

Subregion (LRR or MLRA): LRR L Lat: 42.419021 Long: -83.34769 Datum: NAD 83

Soil Map Unit Name: Ceresco-Sloan complex NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** **Yes** X **No** ____
Hydric Soil Present?	Yes X	No ____	If yes, optional Wetland Site ID: ____
Wetland Hydrology Present?	Yes X	No ____	

Remarks: (Explain alternative procedures here or in a separate report.)
Associated with Wetland 5.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- X High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- X Sparsely Vegetated Concave Surface (B8)
- X Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- X Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- X FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes ____	No X	Depth (inches): ____
Water Table Present?	Yes X	No ____	Depth (inches): 4
Saturation Present? (includes capillary fringe)	Yes X	No ____	Depth (inches): 0

Wetland Hydrology Present? **Yes** X **No** ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

Sampling Point: WT2

Tree Stratum (Plot size: 30ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Acer saccharinum*	65	Yes	FACW
2. *Ulmus americana*	25	Yes	FACW
3.			
4.			
5.			
6.			
7.			
	90	=Total Cover	
Sapling/Shrub Stratum (Plot size: 15ft)			
1. *Acer saccharinum*	10	Yes	FACW
2. *Rhamnus cathartica*	5	Yes	FAC
3.			
4.			
5.			
6.			
7.			
	15	=Total Cover	
Herb Stratum (Plot size: 5ft)			
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
		=Total Cover	
Woody Vine Stratum (Plot size: 30ft)			
1. None			
2.			
3.			
4.			
		=Total Cover	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	100	x 2 =	200
FAC species	5	x 3 =	15
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	105 (A)		215 (B)

Prevalence Index = B/A = 2.05

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

X 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** X **No** ___

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point WT2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-18	10YR 3/2	80	7.5YR 4/6	20	C	M	Loamy/Clayey	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Mesic Spodic (A17) **(MLRA 144A, 145, 149B)**
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L)**
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- X Redox Depressions (F8)
- ___ Marl (F10) (**LRR K, L**)
- ___ Red Parent Material (F21) **(MLRA 145)**

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
- ___ Polyvalue Below Surface (S8) (**LRR K, L**)
- ___ Thin Dark Surface (S9) (**LRR K, L**)
- ___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
- ___ Red Parent Material (F21) **(outside MLRA 145)**
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: ___

Depth (inches): ___

Hydric Soil Present? **Yes** X **No** ___

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region
See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Bacilica of St. Mary's, 18100 Merriman Road City/County: Livonia, Wayne Co. Sampling Date: 3/20/23

Applicant/Owner: Nowak & Fraus Engineers State: MI Sampling Point: WT3

Investigator(s): ASTI- SPJ Section, Township, Range: Sec. 11, T.1S, R.9E

Landform (hillside, terrace, etc.): Slope Local relief (concave, convex, none): Concave Slope %: 0-4

Subregion (LRR or MLRA): LRR L Lat: 42.418601 Long: -83.349067 Datum: NAD 83

Soil Map Unit Name: Anthroportic Udorthents NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** **Yes** X **No** ____
Hydric Soil Present?	Yes X	No ____	If yes, optional Wetland Site ID: ____
Wetland Hydrology Present?	Yes X	No ____	

Remarks: (Explain alternative procedures here or in a separate report.)
Associated with emergent mowed area of Wetland 4.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- X Surface Water (A1)
- ___ High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- X Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- X FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes X	No ____	Depth (inches): 2
Water Table Present?	Yes ____	No X	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes X	No ____	Depth (inches): 0

Wetland Hydrology Present? **Yes** X **No** ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

Sampling Point: WT3

Tree Stratum (Plot size: 30ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15ft)			
1. *Fraxinus pennsylvanica*	20	Yes	FACW
2.			
3.			
4.			
5.			
6.			
7.			
	20 =Total Cover		
Herb Stratum (Plot size: 5ft)			
1. *Phalaris arundinacea*	70	Yes	FACW
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	70 =Total Cover		
Woody Vine Stratum (Plot size: 30ft)			
1.			
2.			
3.			
4.			
	=Total Cover		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	90	x 2 =	180
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	90 (A)		180 (B)

Prevalence Index = B/A = 2.00

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

X 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** X **No** ___

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point WT3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	10YR 3/2	90	10YR 4/6	10	C	M	Loamy/Clayey	Prominent redox concentrations
6-12	10YR 4/4	80	10YR 4/4	20	C	M	Loamy/Clayey	Faint redox concentrations
12-18	10YR 5/1	70	10YR 5/6	30	C	M	Loamy/Clayey	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Mesic Spodic (A17) **(MLRA 144A, 145, 149B)**
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L)**
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- X Redox Depressions (F8)
- ___ Marl (F10) (**LRR K, L**)
- ___ Red Parent Material (F21) **(MLRA 145)**

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
- ___ Polyvalue Below Surface (S8) (**LRR K, L**)
- ___ Thin Dark Surface (S9) (**LRR K, L**)
- ___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
- ___ Red Parent Material (F21) **(outside MLRA 145)**
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: ___

Depth (inches): ___

Hydric Soil Present? **Yes** X **No** ___

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region
See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Bacilica of St. Mary's, 18100 Merriman Road City/County: Livonia, Wayne Co. Sampling Date: 3/20/23

Applicant/Owner: Nowak & Fraus Engineers State: MI Sampling Point: WT4

Investigator(s): ASTI- SPJ Section, Township, Range: Sec. 11, T.1S, R.9E

Landform (hillside, terrace, etc.): Slope Local relief (concave, convex, none): Concave Slope %: 0-2

Subregion (LRR or MLRA): LRR L Lat: 42.420141 Long: -83.354285 Datum: NAD 83

Soil Map Unit Name: Ceresco-Sloan complex NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** **Yes** X **No** ____
Hydric Soil Present?	Yes X	No ____	If yes, optional Wetland Site ID: ____
Wetland Hydrology Present?	Yes X	No ____	

Remarks: (Explain alternative procedures here or in a separate report.)
Associated with Wetland 1.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- X Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- X Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- X Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- X FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes ____	No X	Depth (inches): ____
Water Table Present?	Yes ____	No X	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes X	No ____	Depth (inches): 0

Wetland Hydrology Present? **Yes** X **No** ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

Sampling Point: WT4

Tree Stratum (Plot size: 30ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Acer saccharinum*	50	Yes	FACW
2. *Ulmus americana*	20	Yes	FACW
3.			
4.			
5.			
6.			
7.			
	70	=Total Cover	
Sapling/Shrub Stratum (Plot size: 15ft)			
1. *Fraxinus pennsylvanica*	20	Yes	FACW
2. *Rhamnus cathartica*	10	Yes	FAC
3.			
4.			
5.			
6.			
7.			
	30	=Total Cover	
Herb Stratum (Plot size: 5ft)			
1. *Phalaris arundinacea*	40	Yes	FACW
2. *Solidago gigantea*	20	Yes	FACW
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	60	=Total Cover	
Woody Vine Stratum (Plot size: 30ft)			
1. None			
2.			
3.			
4.			
		=Total Cover	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 6 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	150	x 2 =	300
FAC species	10	x 3 =	30
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	160 (A)		330 (B)

Prevalence Index = B/A = 2.06

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

X 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** X **No** ___

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point WT4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Redox Features Type[1]	Redox Features Loc[2]	Texture	Remarks
0-18	10YR 3/2	80	7.5YR 4/6	20	C	M	Mucky Loam/Clay	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Mesic Spodic (A17) **(MLRA 144A, 145, 149B)**
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L)**
- X Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- X Redox Depressions (F8)
- ___ Marl (F10) (**LRR K, L**)
- ___ Red Parent Material (F21) **(MLRA 145)**

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
- ___ Polyvalue Below Surface (S8) (**LRR K, L**)
- ___ Thin Dark Surface (S9) (**LRR K, L**)
- ___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
- ___ Red Parent Material (F21) **(outside MLRA 145)**
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: ___

Depth (inches): ___

Hydric Soil Present? **Yes** X **No** ___

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region
See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Bacilica of St. Mary's, 18100 Merriman Road City/County: Livonia, Wayne Co. Sampling Date: 3/20/23

Applicant/Owner: Nowak & Fraus Engineers State: MI Sampling Point: WT5

Investigator(s): ASTI- SPJ Section, Township, Range: Sec. 11, T.1S, R.9E

Landform (hillside, terrace, etc.): Slope Local relief (concave, convex, none): Concave Slope %: 0-3

Subregion (LRR or MLRA): LRR L Lat: 42.419245 Long: -83.349987 Datum: NAD 83

Soil Map Unit Name: Ceresco-Sloan complex NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** **Yes** ____ **No** X
Hydric Soil Present?	Yes ____	No X	If yes, optional Wetland Site ID: ____
Wetland Hydrology Present?	Yes X	No ____	

Remarks: (Explain alternative procedures here or in a separate report.)
Associated with Wetland 3. Soils not sampled.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ____ Surface Water (A1)
- ____ High Water Table (A2)
- X Saturation (A3)
- ____ Water Marks (B1)
- ____ Sediment Deposits (B2)
- ____ Drift Deposits (B3)
- ____ Algal Mat or Crust (B4)
- ____ Iron Deposits (B5)
- ____ Inundation Visible on Aerial Imagery (B7)
- X Sparsely Vegetated Concave Surface (B8)
- X Water-Stained Leaves (B9)
- ____ Aquatic Fauna (B13)
- ____ Marl Deposits (B15)
- ____ Hydrogen Sulfide Odor (C1)
- ____ Oxidized Rhizospheres on Living Roots (C3)
- ____ Presence of Reduced Iron (C4)
- ____ Recent Iron Reduction in Tilled Soils (C6)
- ____ Thin Muck Surface (C7)
- ____ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ____ Surface Soil Cracks (B6)
- ____ Drainage Patterns (B10)
- ____ Moss Trim Lines (B16)
- ____ Dry-Season Water Table (C2)
- ____ Crayfish Burrows (C8)
- ____ Saturation Visible on Aerial Imagery (C9)
- ____ Stunted or Stressed Plants (D1)
- ____ Geomorphic Position (D2)
- ____ Shallow Aquitard (D3)
- ____ Microtopographic Relief (D4)
- X FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes ____	No X	Depth (inches): ____
Water Table Present?	Yes ____	No X	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes X	No ____	Depth (inches): 0

Wetland Hydrology Present? **Yes** X **No** ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

Sampling Point: WT5

Tree Stratum (Plot size: 30ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Acer saccharinum*	40	Yes	FACW
2. *Quercus bicolor*	30	Yes	FACW
3. *Ulmus americana*	10	No	FACW
4.			
5.			
6.			
7.			
	80	=Total Cover	
Sapling/Shrub Stratum (Plot size: 15ft)			
1. *Fraxinus pennsylvanica*	20	Yes	FACW
2.			
3.			
4.			
5.			
6.			
7.			
	20	=Total Cover	
Herb Stratum (Plot size: 5ft)			
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
		=Total Cover	
Woody Vine Stratum (Plot size: 30ft)			
1. None			
2.			
3.			
4.			
		=Total Cover	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	100	x 2 =	200
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	100 (A)		200 (B)

Prevalence Index = B/A = 2.00

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** X **No** ___

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point WT5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Mesic Spodic (A17) **(MLRA 144A, 145, 149B)**
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L)**
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) (**LRR K, L**)
- ___ Red Parent Material (F21) **(MLRA 145)**

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
- ___ Polyvalue Below Surface (S8) (**LRR K, L**)
- ___ Thin Dark Surface (S9) (**LRR K, L**)
- ___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
- ___ Red Parent Material (F21) **(outside MLRA 145)**
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:
Soils not taken.

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region
See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Bacilica of St. Mary's, 18100 Merriman Road City/County: Livonia, Wayne Co. Sampling Date: 3/20/23

Applicant/Owner: Nowak & Fraus Engineers State: MI Sampling Point: UP1

Investigator(s): ASTI- SPJ Section, Township, Range: Sec. 11, T.1S, R.9E

Landform (hillside, terrace, etc.): Hillside Local relief (concave, convex, none): Convex Slope %: 15-20

Subregion (LRR or MLRA): LRR L Lat: 42.419574 Long: -83.352807 Datum: NAD 83

Soil Map Unit Name: Urban land-Fortress family complex NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area**
Hydric Soil Present?	Yes ____	No X	**within a Wetland?** **Yes** ____ **No** X
Wetland Hydrology Present?	Yes ____	No X	If yes, optional Wetland Site ID: ____

Remarks: (Explain alternative procedures here or in a separate report.)
Adjacent to Wetland 2

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes ____	No ____	Depth (inches): ____
Water Table Present?	Yes ____	No ____	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No ____	Depth (inches): ____

Wetland Hydrology Present? **Yes** ____ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

Sampling Point: UP1

Tree Stratum (Plot size: 30ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Acer negundo*	20	Yes	FAC
2. *Acer saccharum*	15	Yes	FACU
3.			
4.			
5.			
6.			
7.			
	35	=Total Cover	
Sapling/Shrub Stratum (Plot size: 15ft)			
1. *Lonicera maackii*	60	Yes	UPL
2. *Acer negundo*	20	Yes	FAC
3. *Rhamnus cathartica*	10	No	FAC
4.			
5.			
6.			
7.			
	90	=Total Cover	
Herb Stratum (Plot size: 5ft)			
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
		=Total Cover	
Woody Vine Stratum (Plot size: 30ft)			
1. None			
2.			
3.			
4.			
		=Total Cover	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 50.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	50	x 3 =	150
FACU species	15	x 4 =	60
UPL species	60	x 5 =	300
Column Totals:	125 (A)		510 (B)

Prevalence Index = B/A = 4.08

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** ___ **No** X

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point UP1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-10	10YR 4/3	100					Loamy/Clayey	Silty Clay
10-18	10YR 3/3	100					Loamy/Clayey	Silty Clay

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Mesic Spodic (A17) **(MLRA 144A, 145, 149B)**
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L)**
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) (**LRR K, L**)
- ___ Red Parent Material (F21) **(MLRA 145)**

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
- ___ Polyvalue Below Surface (S8) (**LRR K, L**)
- ___ Thin Dark Surface (S9) (**LRR K, L**)
- ___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
- ___ Red Parent Material (F21) **(outside MLRA 145)**
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region
See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Bacilica of St. Mary's, 18100 Merriman Road City/County: Livonia, Wayne Co. Sampling Date: 3/20/23

Applicant/Owner: Nowak & Fraus Engineers State: MI Sampling Point: UP2

Investigator(s): ASTI- SPJ Section, Township, Range: Sec. 11, T.1S, R.9E

Landform (hillside, terrace, etc.): Plain Local relief (concave, convex, none): None Slope %: 0-1

Subregion (LRR or MLRA): LRR L Lat: 42.418869 Long: -83.347625 Datum: NAD 83

Soil Map Unit Name: Livonia sandy loam NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** **Yes** ____ **No** X
Hydric Soil Present?	Yes ____	No X	If yes, optional Wetland Site ID: ____
Wetland Hydrology Present?	Yes ____	No X	

Remarks: (Explain alternative procedures here or in a separate report.)
Adjacent to Wetland 5

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes ____	No ____	Depth (inches): ____
Water Table Present?	Yes ____	No ____	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No ____	Depth (inches): ____

Wetland Hydrology Present? **Yes** ____ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

Sampling Point: UP2

Tree Stratum (Plot size: 30ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Juglans nigra*	20	Yes	FACU
2.			
3.			
4.			
5.			
6.			
7.			
	20	=Total Cover	
Sapling/Shrub Stratum (Plot size: 15ft)			
1. *Lonicera maackii*	10	Yes	UPL
2.			
3.			
4.			
5.			
6.			
7.			
	10	=Total Cover	
Herb Stratum (Plot size: 5ft)			
1. *Poa pratensis*	90	Yes	FACU
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	90	=Total Cover	
Woody Vine Stratum (Plot size: 30ft)			
1. None			
2.			
3.			
4.			
		=Total Cover	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	110	x 4 =	440
UPL species	10	x 5 =	50
Column Totals:	120 (A)		490 (B)

Prevalence Index = B/A = 4.08

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** ___ **No** X

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point UP2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-10	10YR 4/3	100					Loamy/Clayey	Sandy Clay
10-18	10YR 6/8	100					Sandy	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Mesic Spodic (A17) **(MLRA 144A, 145, 149B)**
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ High Chroma Sands (S11) (**LRR K, L)**
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) (**LRR K, L**)
- ___ Red Parent Material (F21) **(MLRA 145)**

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
- ___ Polyvalue Below Surface (S8) (**LRR K, L**)
- ___ Thin Dark Surface (S9) (**LRR K, L**)
- ___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
- ___ Red Parent Material (F21) **(outside MLRA 145)**
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region
See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Bacilica of St. Mary's, 18100 Merriman Road City/County: Livonia, Wayne Co. Sampling Date: 3/20/23

Applicant/Owner: Nowak & Fraus Engineers State: MI Sampling Point: UP3

Investigator(s): ASTI- SPJ Section, Township, Range: Sec. 11, T.1S, R.9E

Landform (hillside, terrace, etc.): Plain Local relief (concave, convex, none): None Slope %: 0

Subregion (LRR or MLRA): LRR L Lat: 42.418608 Long: -83.348817 Datum: NAD 83

Soil Map Unit Name: Livonia sandy loam NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area**
Hydric Soil Present?	Yes ____	No X	**within a Wetland?** **Yes** ____ **No** X
Wetland Hydrology Present?	Yes ____	No X	If yes, optional Wetland Site ID: ____

Remarks: (Explain alternative procedures here or in a separate report.)
Adjacent to Wetland 4

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes ____	No ____	Depth (inches): ____
Water Table Present?	Yes ____	No ____	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No ____	Depth (inches): ____

Wetland Hydrology Present? **Yes** ____ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

Sampling Point: UP3

Tree Stratum (Plot size: 30ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15ft)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
	=Total Cover		
Herb Stratum (Plot size: 5ft)			
1. *Poa pratensis*	70	Yes	FACU
2. *Plantago lanceolata*	20	Yes	FACU
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	90 =Total Cover		
Woody Vine Stratum (Plot size: 30ft)			
1. None			
2.			
3.			
4.			
	=Total Cover		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	90	x 4 =	360
UPL species	0	x 5 =	0
Column Totals:	90 (A)		360 (B)

Prevalence Index = B/A = 4.00

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** ___ **No** X

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point UP3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-10	10YR 2/2	100					Loamy/Clayey	Sandy Clay
10-18	10YR 5/6	70	10YR 4/6	30	C	M	Sandy	Faint redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

___ Histosol (A1)
___ Histic Epipedon (A2)
___ Black Histic (A3)
___ Hydrogen Sulfide (A4)
___ Stratified Layers (A5)
___ Depleted Below Dark Surface (A11)
___ Thick Dark Surface (A12)
___ Mesic Spodic (A17) **(MLRA 144A, 145, 149B)**
___ Sandy Mucky Mineral (S1)
___ Sandy Gleyed Matrix (S4)
___ Sandy Redox (S5)
___ Stripped Matrix (S6)
___ Dark Surface (S7)
___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
___ High Chroma Sands (S11) (**LRR K, L)**
___ Loamy Mucky Mineral (F1) (**LRR K, L**)
___ Loamy Gleyed Matrix (F2)
___ Depleted Matrix (F3)
___ Redox Dark Surface (F6)
___ Depleted Dark Surface (F7)
___ Redox Depressions (F8)
___ Marl (F10) (**LRR K, L**)
___ Red Parent Material (F21) **(MLRA 145)**

Indicators for Problematic Hydric Soils[3]:

___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
___ Coast Prairie Redox (A16) (**LRR K, L, R**)
___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
___ Polyvalue Below Surface (S8) (**LRR K, L**)
___ Thin Dark Surface (S9) (**LRR K, L**)
___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
___ Red Parent Material (F21) **(outside MLRA 145)**
___ Very Shallow Dark Surface (F22)
___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region
See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: Bacilica of St. Mary's, 18100 Merriman Road City/County: Livonia, Wayne Co. Sampling Date: 3/20/23

Applicant/Owner: Nowak & Fraus Engineers State: MI Sampling Point: UP4

Investigator(s): ASTI- SPJ Section, Township, Range: Sec. 11, T.1S, R.9E

Landform (hillside, terrace, etc.): Plain Local relief (concave, convex, none): None Slope %: 0-1

Subregion (LRR or MLRA): LRR L Lat: 42.418871 Long: -83.350333 Datum: NAD 83

Soil Map Unit Name: Anthroportic Udorthents NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** **Yes** ____ **No** X
Hydric Soil Present?	Yes ____	No X	If yes, optional Wetland Site ID: ____
Wetland Hydrology Present?	Yes ____	No X	

Remarks: (Explain alternative procedures here or in a separate report.)
Located in mowed, central portion of Subject Property.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes ____	No ____	Depth (inches): ____
Water Table Present?	Yes ____	No ____	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No ____	Depth (inches): ____

Wetland Hydrology Present? **Yes** ____ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

Sampling Point: UP4

Tree Stratum (Plot size: 30ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15ft)			
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
	=Total Cover		
Herb Stratum (Plot size: 5ft)			
1. *Poa pratensis*	60	Yes	FACU
2. *Lolium perenne*	20	Yes	FACU
3. *Aristida longespica*	10	No	FACU
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	90 =Total Cover		
Woody Vine Stratum (Plot size: 30ft)			
1. None			
2.			
3.			
4.			
	=Total Cover		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	90	x 4 =	360
UPL species	0	x 5 =	0
Column Totals:	90 (A)		360 (B)

Prevalence Index = B/A = 4.00

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

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Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? **Yes** ___ **No** X

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point UP4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-8	10YR 4/3	100					Loamy/Clayey	
8-10	10YR 6/8	100					Sandy	
10-14	10YR 5/1	100					Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

___ Histosol (A1)
___ Histic Epipedon (A2)
___ Black Histic (A3)
___ Hydrogen Sulfide (A4)
___ Stratified Layers (A5)
___ Depleted Below Dark Surface (A11)
___ Thick Dark Surface (A12)
___ Mesic Spodic (A17) **(MLRA 144A, 145, 149B)**
___ Sandy Mucky Mineral (S1)
___ Sandy Gleyed Matrix (S4)
___ Sandy Redox (S5)
___ Stripped Matrix (S6)
___ Dark Surface (S7)
___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
___ High Chroma Sands (S11) (**LRR K, L)**
___ Loamy Mucky Mineral (F1) (**LRR K, L**)
___ Loamy Gleyed Matrix (F2)
___ Depleted Matrix (F3)
___ Redox Dark Surface (F6)
___ Depleted Dark Surface (F7)
___ Redox Depressions (F8)
___ Marl (F10) (**LRR K, L**)
___ Red Parent Material (F21) **(MLRA 145)**

Indicators for Problematic Hydric Soils[3]:

___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
___ Coast Prairie Redox (A16) (**LRR K, L, R**)
___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
___ Polyvalue Below Surface (S8) (**LRR K, L**)
___ Thin Dark Surface (S9) (**LRR K, L**)
___ Iron-Manganese Masses (F12) (**LRR K, L, R**)
___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
___ Red Parent Material (F21) **(outside MLRA 145)**
___ Very Shallow Dark Surface (F22)
___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

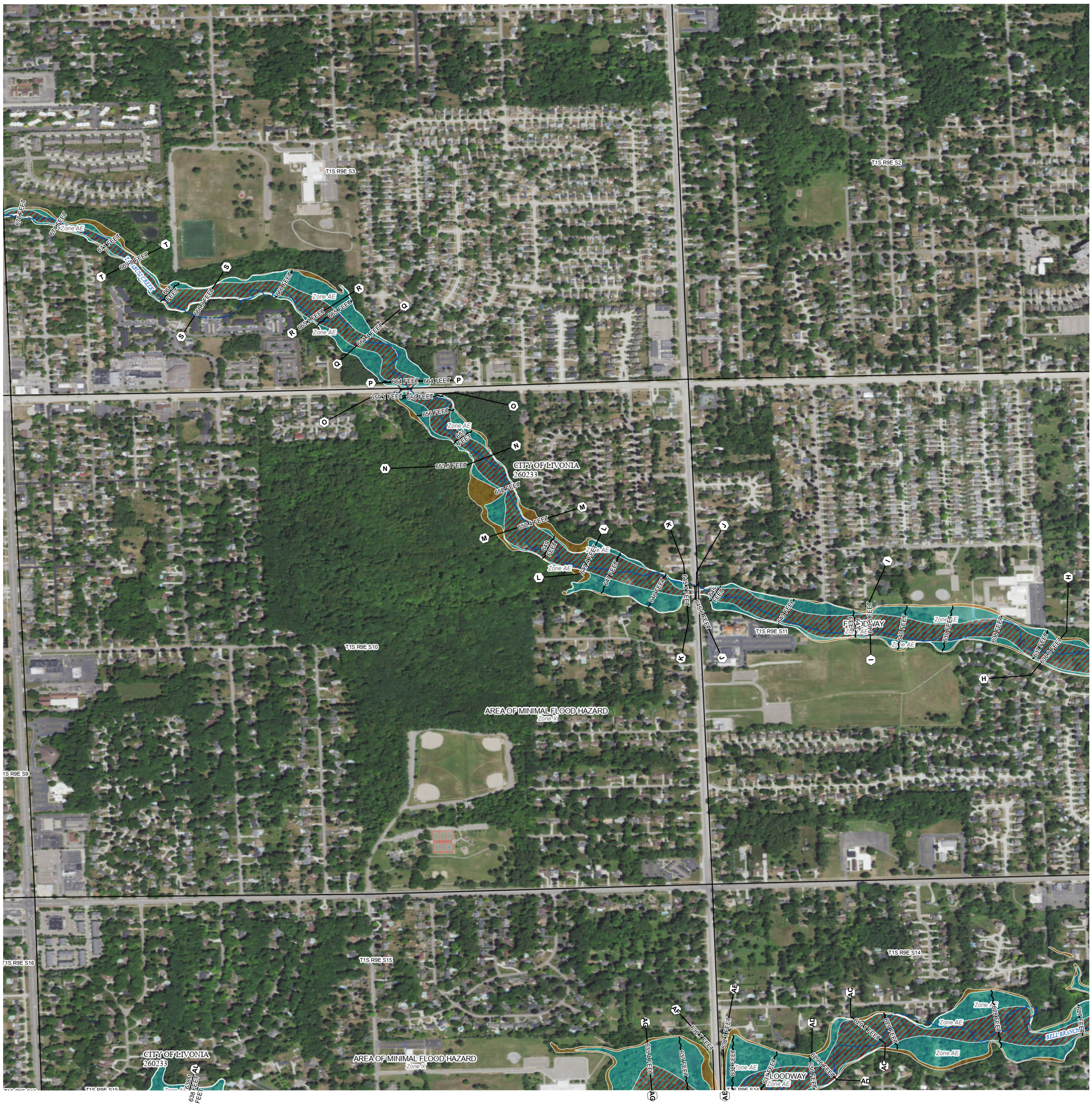
Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

83°22'30.41"W 42°26'21.63"N



83°20'37.06"W 42°24'15.95"N

FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR DRAFT FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee See Notes *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature
- 513 Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary

NOTES TO USERS

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with this FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Flood Map Service Center website at https://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Flood Map Service Center at the number listed above.

For community and countywide map dates, refer to the Flood Insurance Study Report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Basemap information shown on this FIRM was provided in digital format by the United States Geological Survey (USGS). The basemap shown is the USGS National Map: Orthoimagery. Last refreshed October, 2020.

This map was exported from FEMA's National Flood Hazard Layer (NFHL) on **11/10/2023 1:19 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time. For additional information, please see the Flood Hazard Mapping Updates Overview Fact Sheet at https://www.fema.gov/media-library/assets/documents/118418

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards. This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date.

SCALE

Map Projection:
GCS, Geodetic Reference System 1980;
Vertical Datum: NAVD88
For information about the specific vertical datum for elevation features, datum conversions, or vertical monuments used to create this map, please see the Flood Insurance Study (FIS) Report for your community at https://msc.fema.gov

N

1 inch = 500 feet 1:6,000

0 250 500 1,000 1,500 2,000 Feet

0 50 100 200 300 400 Meters

NATIONAL FLOOD INSURANCE PROGRAM

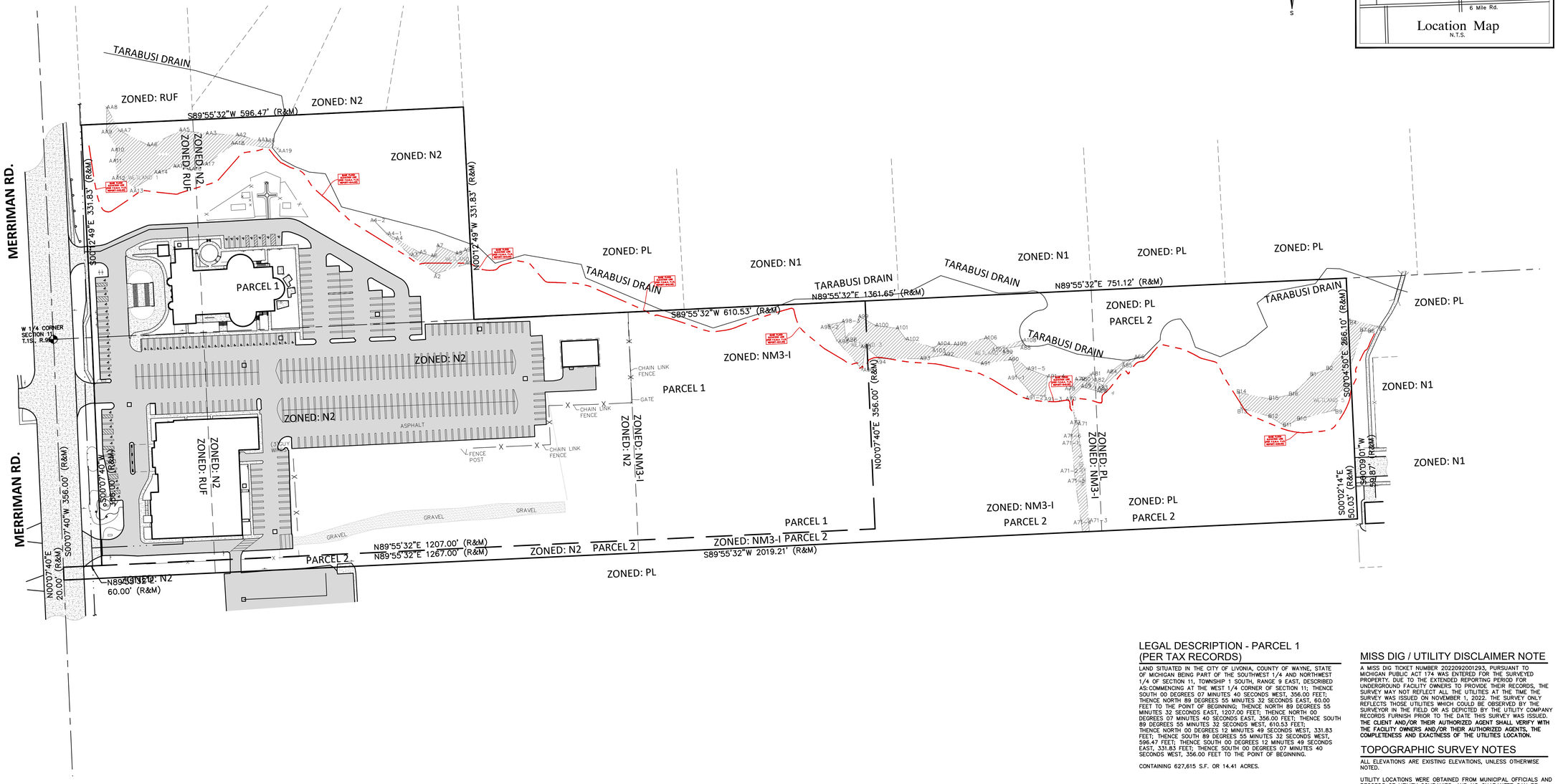
FLOOD INSURANCE RATE MAP

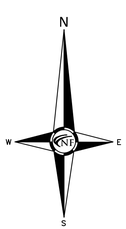
PANEL **61** OF **541**

Panel Contains:

COMMUNITY	NUMBER	PANEL
CITY OF LIVONIA	260233	0061

MAP NUMBER
26163C0061E
EFFECTIVE DATE
February 02, 2012







NF ENGINEERS

CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257
WWW.NFE-ENGR.COM

SEAL

STATE OF MICHIGAN · PATRICK J. WILLIAMS · ENGINEER NO. 44351 · LICENSED PROFESSIONAL ENGINEER

PROJECT

Proposed School Building
at Basilica of St. Mary
18100 Merriman Rd.
Livonia, MI

CLIENT

Basilica of St. Mary

Contact: Salem Samaan
Ph: (734) 459-4040

PROJECT LOCATION

Part of the Southwest ¼
of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET

Overall Site Survey

LEGAL DESCRIPTION - PARCEL 1 (PER TAX RECORDS)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 60.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1207.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 610.53 FEET; THENCE NORTH 00 DEGREES 12 MINUTES 49 SECONDS WEST, 331.83 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 596.47 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 49 SECONDS EAST, 331.83 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 627,615 S.F. OR 14.41 ACRES.

LEGAL DESCRIPTION - PARCEL 2 (PER WARRANTY DEED)

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CONTAINING 308,000 S.F. OR 7.07 ACRES.

MISS DIG / UTILITY DISCLAIMER NOTE

A MISS DIG TICKET NUMBER 20220920012933, PURSUANT TO MICHIGAN PUBLIC ACT 174 WAS ENTERED FOR THE SURVEYED PROPERTY. DUE TO THE EXTENDED REPORTING PERIOD FOR UNDERGROUND FACILITY OWNERS TO PROVIDE THEIR RECORDS, THE SURVEY MAY NOT REFLECT ALL THE UTILITIES AT THE TIME THE SURVEY WAS ISSUED ON NOVEMBER 1, 2022. THE SURVEY ONLY REFLECTS THOSE UTILITIES WHICH COULD BE OBSERVED BY THE SURVEYOR IN THE FIELD OR AS DEPICTED BY THE UTILITY COMPANY RECORDS FURNISH PRIOR TO THE DATE THIS SURVEY WAS ISSUED. **THE CLIENT AND/OR THEIR AUTHORIZED AGENT SHALL VERIFY WITH THE FACILITY OWNERS AND/OR THEIR AUTHORIZED AGENTS, THE COMPLETENESS AND EXACTNESS OF THE UTILITIES LOCATION.**

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LEGEND

- MANHOLE
- HYDRANT
- GATE VALVE
- MANHOLE
- CATCH BASIN
- UTILITY POLE
- GUY POLE
- GUY WIRE
- EXISTING SANITARY SEWER
- EXISTING SAN. CLEAN OUT
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- EX. R.Y. CATCH BASIN
- EXISTING BURIED CABLES
- OVERHEAD LINES
- LIGHT POLE
- SIGN
- EXISTING GAS MAIN

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10-17-2023	PRELIMINARY SITE PLAN
11-03-2023	REV. PHOTOMETRIC PLAN

DRAWN BY: A. Eizember
DESIGNED BY:
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 80'

80 40 0 40 80 120

NFE JOB NO. **N210**
SHEET NO. **SP-01**





NF ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257
WWW.NFE-ENGR.COM

SEAL

STATE OF MICHIGAN
PATRICK J. WILLIAMS
ENGINEER
NO. 44351
PROFESSIONAL ENGINEER

PROJECT

Proposed School Building
at Basilica of St. Mary
18100 Merriman Rd.
Livonia, MI

CLIENT

Basilica of St. Mary

Contact: Salem Samaan
Ph: (734) 459-4040

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DRAWN BY: A. Eizember

DESIGNED BY:

APPROVED BY: P. Williams

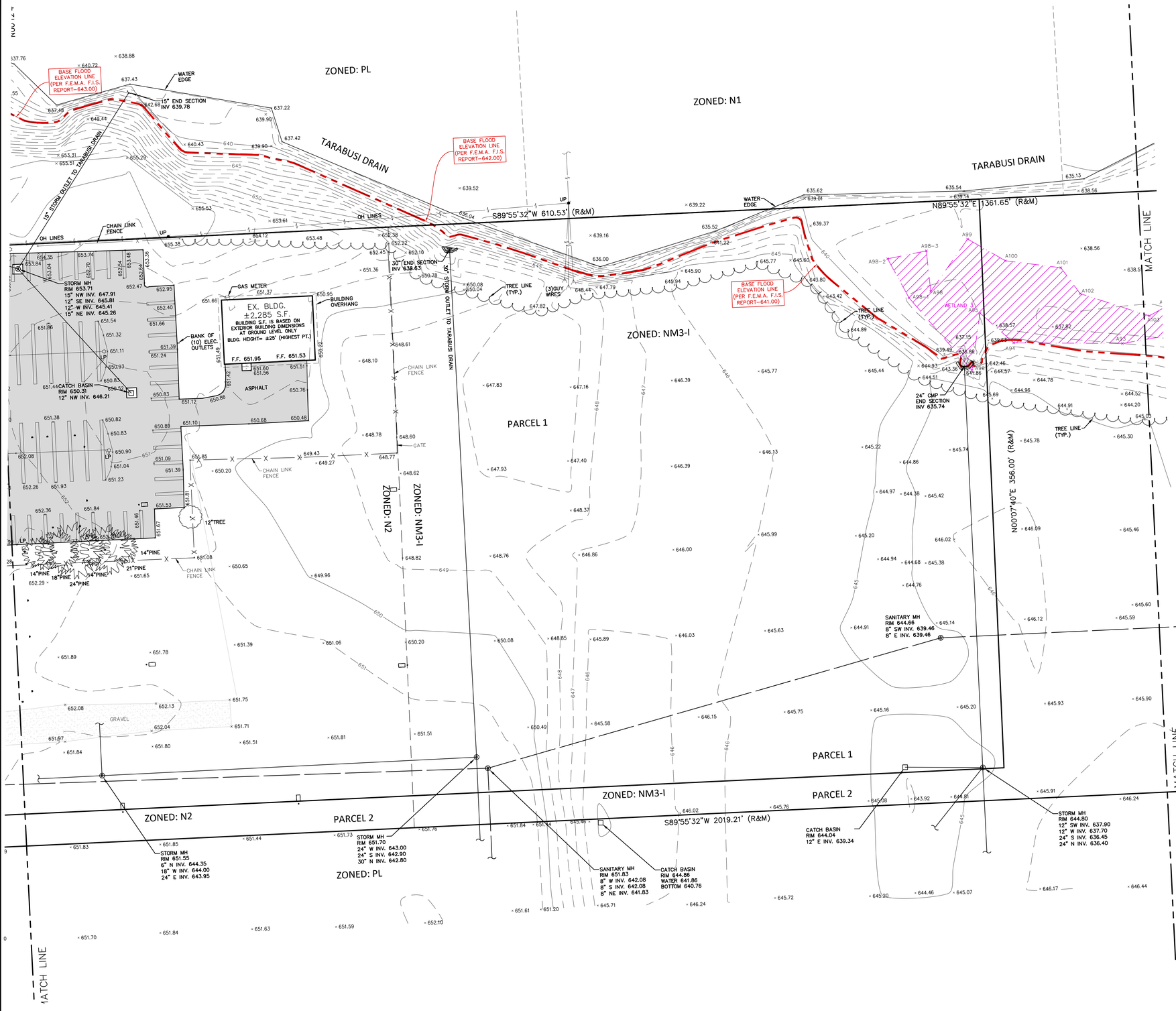
DATE: October 4, 2023

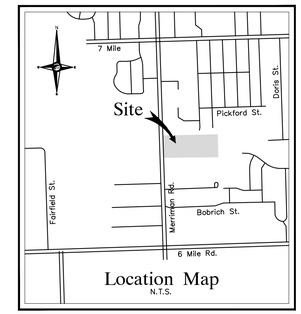
SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. N210

SHEET NO. SP-02





LEGAL DESCRIPTION - PARCEL 1 (PER TAX RECORDS)

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LAND SURVEYORS
LAND PLANNERS

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46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257
WWW.NFE-ENGR.COM

SEAL

STATE OF MICHIGAN
PATRICK J. WILLIAMS
ENGINEER
NO. 44251
PROFESSIONAL ENGINEER

PROJECT

Proposed School Building
at Basilica of St. Mary
18100 Merriman Rd.
Livonia, MI

CLIENT

Basilica of St. Mary

Contact: Salem Samaan
Ph: (734) 459-4040

PROJECT LOCATION

Part of the Southwest ¼
of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET

Boundary / Topographic Survey

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DRAWN BY: A. Eizember

DESIGNED BY:

APPROVED BY: P. Williams

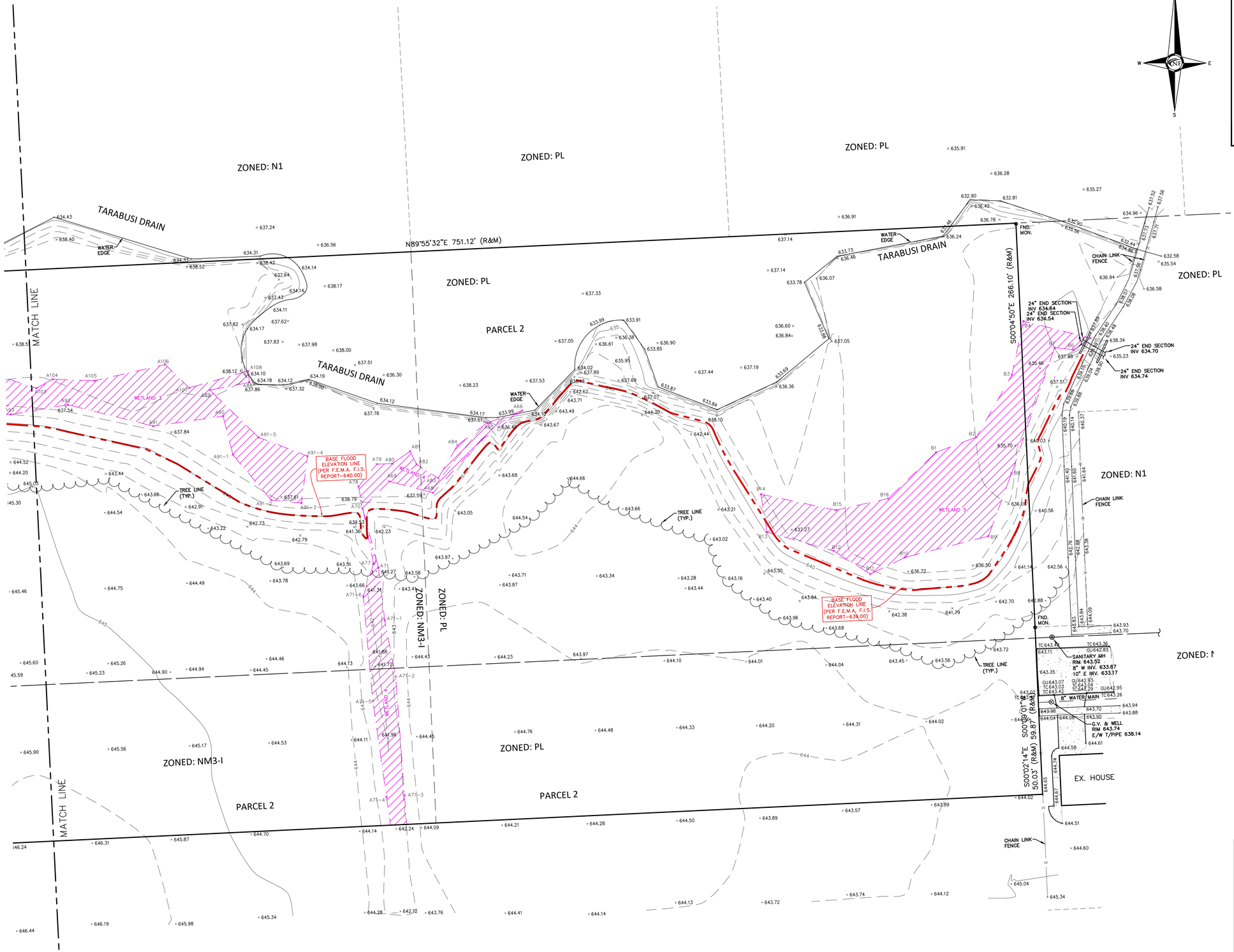
DATE: October 4, 2023

SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. **N210**

SHEET NO. **SP-03**





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CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

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PONTIAC, MI 48342-5032
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WWW.NFE-ENGR.COM

SEAL

STATE OF MICHIGAN
PATRICK J. WILLIAMS
ENGINEER
NO. 44251
REGISTERED PROFESSIONAL ENGINEER

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Livonia, MI

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DESIGNED BY:
APPROVED BY: P. Williams
DATE: October 4, 2023
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30 15 0 15 30 45

NFE JOB NO. **N210**
SHEET NO. **SP-04**

NEW DATA RECEIVED FOR THE REGULAR
MEETING OF DECEMBER 4, 2023 - ITEM 14

From: Andrew Wiseman
To: Taormina, Mark; Kasprowicz, Sara
Cc: ghassan@gavassociates.com; sfsamaan@gmail.com; Patrick Williams
Subject: RE: St. Mary - City Council meeting 11/27/23
Date: Tuesday, November 28, 2023 10:21:31 AM
Attachments: image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
N210_Re-Zoning-1_Overall Survey.pdf
St.Mary-School_PSP.pdf

Thank you Mark.

Please find attached, the latest updated preliminary site plan package with a revision date of 11-03-23, and the Re-Zoning sketch with a revision date of 11-16-1-23.

Please disregard any previously sent drawings you may have received and let me know if you require anything else from us prior to the Dec. 4th meeting.

Thank you,

Andrew P. Wiseman
Project Manager

Nowak & Fraus Engineers
46777 Woodward Avenue
Pontiac, Michigan 48342

T: 248.332.7931

NF ENGINEERS

In response to the recent community health challenge facing us all, we will be working remotely and limiting the time we are physically in the office for the time being.

Electronic Data Notice – The information contained in this electronic communication is considered part of Nowak & Fraus Engineers' (NFE) instrument of service and shall not be used on other
projects. Since data stored on electronic media can be altered, translated or modified; NFE will not be liable for the accuracy, completeness, or readability of the electronic data. The electronic data should be checked against the hard copy. Hard copies of all NFE data are on file and available upon request if needed for comparison.

From: Taormina, Mark <mtaormina@livonia.gov>
Sent: Tuesday, November 28, 2023 8:47 AM
To: Andrew Wiseman <awiseman@nfe-engr.com>; Kasprowicz, Sara <skasprowicz@livonia.gov>
Cc: ghassan@gavassociates.com; sfsamaan@gmail.com; Patrick Williams <pwilliams@nfe-engr.com>
Subject: FW: St. Mary - City Council meeting 11/27/23

Andrew,

Thanks. I'm copying Sara Kasprowicz in the City Council Office to include this information as New Data for consideration at the December 4th meeting.

Mark

Mark Taormina
Planning and Economic Development Director
City of Livonia | Planning Department
(734) 466-2292
mtaormina@livonia.gov
www.livonia.gov

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From: Andrew Wiseman <awiseman@nfe-engr.com>
Sent: Tuesday, November 28, 2023 8:26 AM
To: Taormina, Mark <mtaormina@livonia.gov>
Cc: Ghassan Abdelnour <ghassan@gavassociates.com>; Salem Samaan <sfsamaan@gmail.com>; Patrick Williams <pwilliams@nfe-engr.com>
Subject: St. Mary - City Council meeting 11/27/23

Good morning Mark,

For your information, and as a follow-up to some of the (off-topic) issues brought up by the public during last night's City Council Committee meeting regarding the proposed re-zoning of the subject site, please find the following attached files:

1. ASTI's Wetland Delineation report. ASTI flagged and provided a GPS survey of the 5 Wetland areas including the Tarabusi Creek. The flagged wetland locations, which NFE surveyed, are identified and shown on the attached topographic survey of the site.

2. The FEMA flood insurance rate map (FIRM) used to assist NFE in plotting the 100 year base flood elevation (BFE) shown the attached survey of the site.

3. NFE's Boundary and Topographic Survey for reference.

Please let me know if you have any questions.

Thank you,

Andrew P. Wiseman
Project Manager

Nowak & Fraus Engineers
46777 Woodward Avenue
Pontiac, Michigan 48342

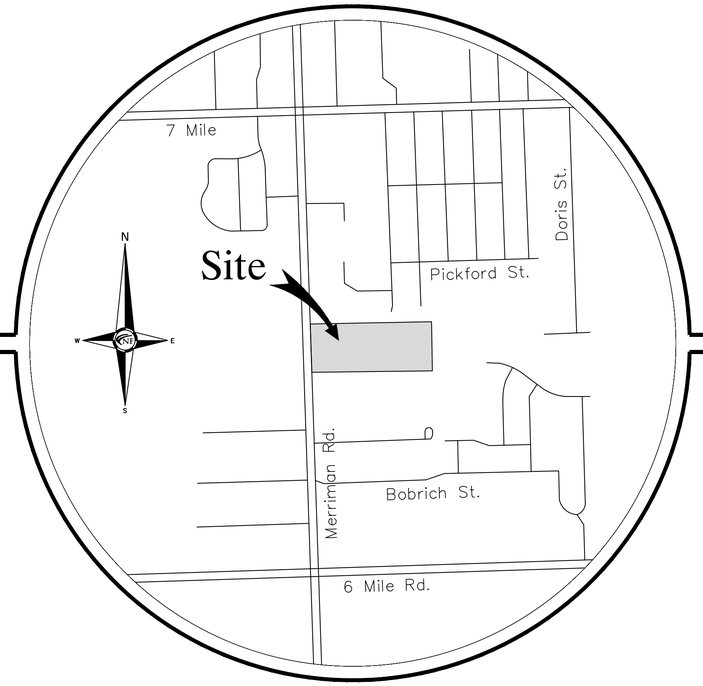
T: 248.332.7931

In response to the recent community health challenge facing us all, we will be working remotely and limiting the time we are physically in the office for the time being.

Electronic Data Notice – The information contained in this electronic communication is considered part of Nowak & Fraus Engineers' (NFE) instrument of service and shall not be used on other
projects. Since data stored on electronic media can be altered, translated or modified; NFE will not be liable for the accuracy, completeness, or readability of the electronic data. The electronic data should be checked against the hard copy. Hard copies of all NFE data are on file and available upon request if needed for comparison.

City of Livonia, Wayne County, MI
PRELIMINARY SITE PLAN DOCUMENTS
Prepared For
Basilica of St. Mary

PART OF THE SOUTHWEST 1/4 OF SECTION 11
TOWN 1 SOUTH, RANGE 9 EAST
CITY OF LIVONIA, WAYNE COUNTY, MI



LOCATION MAP

LEGAL DESCRIPTION - PARCEL 1 (PER TAX RECORDS)

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CONTAINING 627,615 S.F. OR 14.41 ACRES.

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CONTAINING 308,000 S.F. OR 7.07 ACRES.

Owner

Basilica of St. Mary
18100 Merriman Rd.
Livonia, MI 48152

Contact: Salem Samaan
Phone: (734) 459-4040

Architect

GAV Associates
24001 Orchard Lake Rd.
Suite 180A
Farmington, MI 48336

Contact: Ghassan Abdelnour
Ph: (248) 985-9101

Civil Engineer

Nowak & Fraus Engineers
46777 Woodward Avenue
Pontiac, Michigan 48342

Contact: Andrew Wiseman
Phone: (248) 332-7931
Fax: (248) 332-8257

Landscape Architect

Nowak & Fraus Engineers
46777 Woodward Avenue
Pontiac, Michigan 48342

Contact: Mr. George Ostrowski, LLA, LEED AP
Phone: (248) 332-7931
Fax: (248) 332-8257

Project Name

Basilica of St. Mary Proposed School

PROJECT NARRATIVE:

THE PROJECT INCLUDES THE BUILDING OF A 36,604 SQUARE FOOT SCHOOL AND PARKING LOT FACILITY LOCATED ON APPROXIMATELY 3.21 ACRES OF VACANT LAND, BEING PART OF THE EXISTING 14.41 ACRE PARCEL 1. THE PROPOSED SCHOOL CONSISTS OF A GYMNASIUM, MULTIPURPOSE ROOMS, OFFICES, AND CLASSROOMS.

SHEET INDEX:

SP-00	Cover Sheet
SP-01	Overall Site Survey
SP-02	Boundary / Topographic Survey
SP-03	Boundary / Topographic Survey
SP-04	Boundary / Topographic Survey
SP-05	Overall Site Plan
SP-06	Dimensional Site Plan
SP-07	Dimensional Site Plan
SP-08	Dimensional Site Plan
SP-09	Engineering Site Plan
SP-10	Engineering Site Plan
SP-11	Engineering Site Plan
SP-12	Storm Water Management Plan
SP-13	Storm Water Management Plan
SP-14	Storm Water Management Plan
SP-15	Site Photometric Plan

Landscape Plans:

LS-1	Natural Features protection Plan
LS-2	Landscape Plan
LS-3	Landscape Notes and Details

Architectural Plans:

A.101	Proposed Floor Plan
A.201	Proposed Exterior Elevations
A.202	Proposed Exterior Elevations

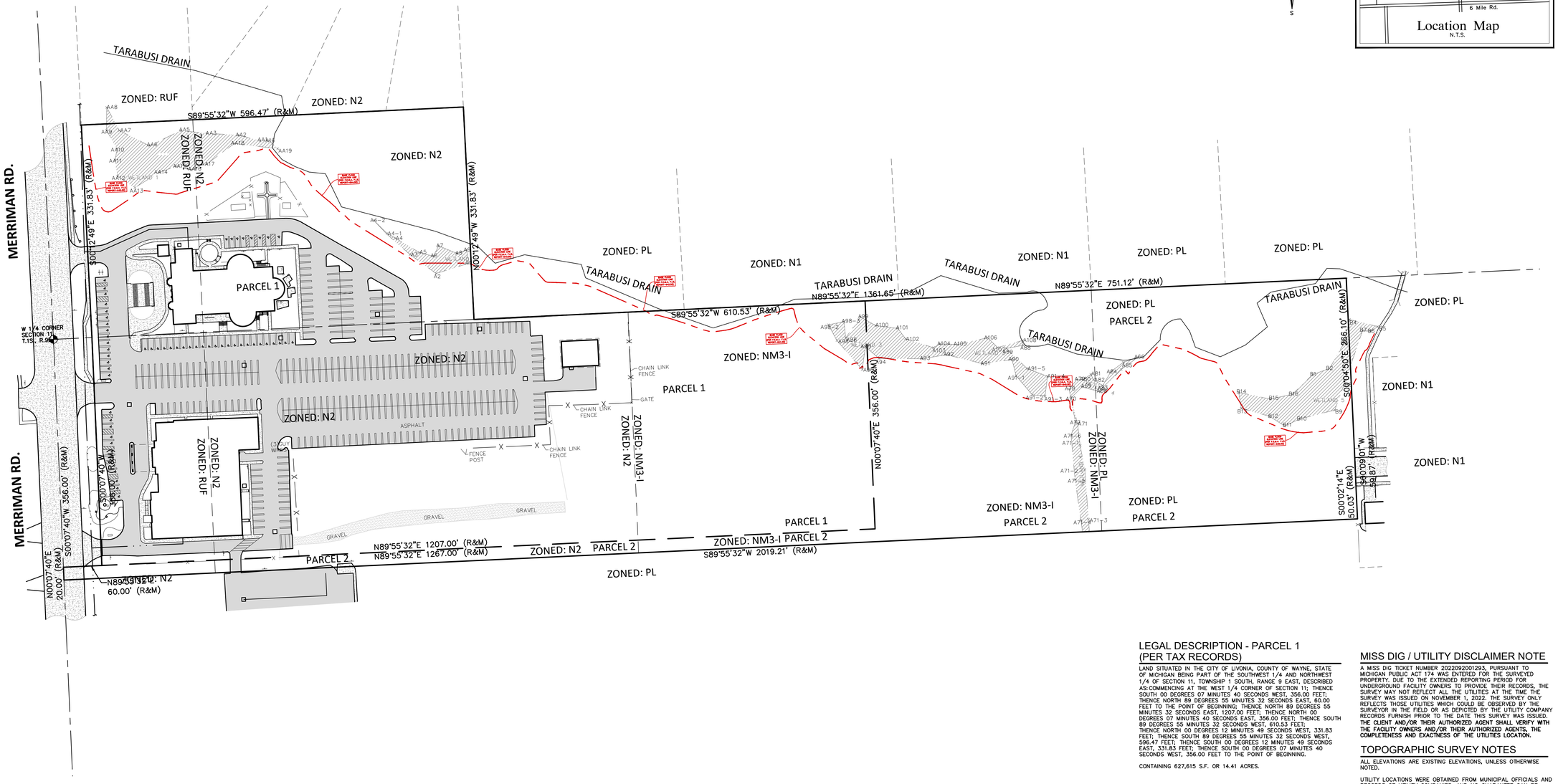
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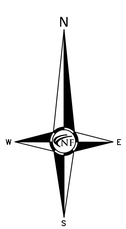
STATE OF MICHIGAN
PATRICK J. WILLIAMS
ENGINEER
NO. 44351
REGISTERED PROFESSIONAL ENGINEER

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LAND PLANNERS

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46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
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WWW.NFE-ENGR.COM

SEAL

STATE OF MICHIGAN · PATRICK J. WILLIAMS · ENGINEER NO. 44351 · LICENSED PROFESSIONAL ENGINEER

PROJECT

Proposed School Building
at Basilica of St. Mary
18100 Merriman Rd.
Livonia, MI

CLIENT

Basilica of St. Mary

Contact: Salem Samaan
Ph: (734) 459-4040

PROJECT LOCATION

Part of the Southwest ¼
of Section 11
T. 1 South, R. 9 East
City of Livonia,
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SHEET

Overall Site Survey

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MISS DIG / UTILITY DISCLAIMER NOTE

A MISS DIG TICKET NUMBER 20220920012933, PURSUANT TO MICHIGAN PUBLIC ACT 174 WAS ENTERED FOR THE SURVEYED PROPERTY. DUE TO THE EXTENDED REPORTING PERIOD FOR UNDERGROUND FACILITY OWNERS TO PROVIDE THEIR RECORDS, THE SURVEY MAY NOT REFLECT ALL THE UTILITIES AT THE TIME THE SURVEY WAS ISSUED ON NOVEMBER 1, 2022. THE SURVEY ONLY REFLECTS THOSE UTILITIES WHICH COULD BE OBSERVED BY THE SURVEYOR IN THE FIELD OR AS DEPICTED BY THE UTILITY COMPANY RECORDS FURNISH PRIOR TO THE DATE THIS SURVEY WAS ISSUED. **THE CLIENT AND/OR THEIR AUTHORIZED AGENT SHALL VERIFY WITH THE FACILITY OWNERS AND/OR THEIR AUTHORIZED AGENTS, THE COMPLETENESS AND EXACTNESS OF THE UTILITIES LOCATION.**

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LEGEND

- MANHOLE
- HYDRANT
- GATE VALVE
- MANHOLE
- CATCH BASIN
- UTILITY POLE
- GUY POLE
- GUY WIRE
- EXISTING SANITARY SEWER
- EXISTING SAN. CLEAN OUT
- EXISTING WATER MAIN
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- EXISTING GAS MAIN

Know what's **below** **Call** before you dig.

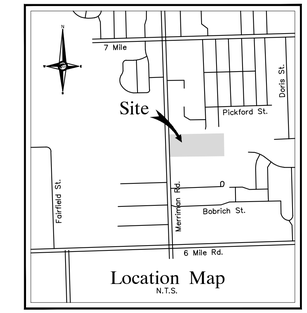
DATE	ISSUED/REVISED
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04-12-2023	ADD WETLANDS
10-17-2023	PRELIMINARY SITE PLAN
11-03-2023	REV. PHOTOMETRIC PLAN

DRAWN BY: A. Eizember
DESIGNED BY:
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 80'

80 40 0 40 80 120

NFE JOB NO. **N210**
SHEET NO. **SP-01**





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SEAL

STATE OF MICHIGAN
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PROJECT

Proposed School Building
at Basilica of St. Mary
18100 Merriman Rd.
Livonia, MI

CLIENT

Basilica of St. Mary

Contact: Salem Samaan
Ph: (734) 459-4040

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	EXISTING STORM SEWER
	EX. R.Y. CATCH BASIN
UTILITY POLE / GUY POLE / GUY WIRE	EXISTING BURIED CABLES
	OVERHEAD LINES
	LIGHT POLE
	SIGN
	EXISTING GAS MAIN

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DRAWN BY: A. Eizember

DESIGNED BY:

APPROVED BY: P. Williams

DATE: October 4, 2023

SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. N210

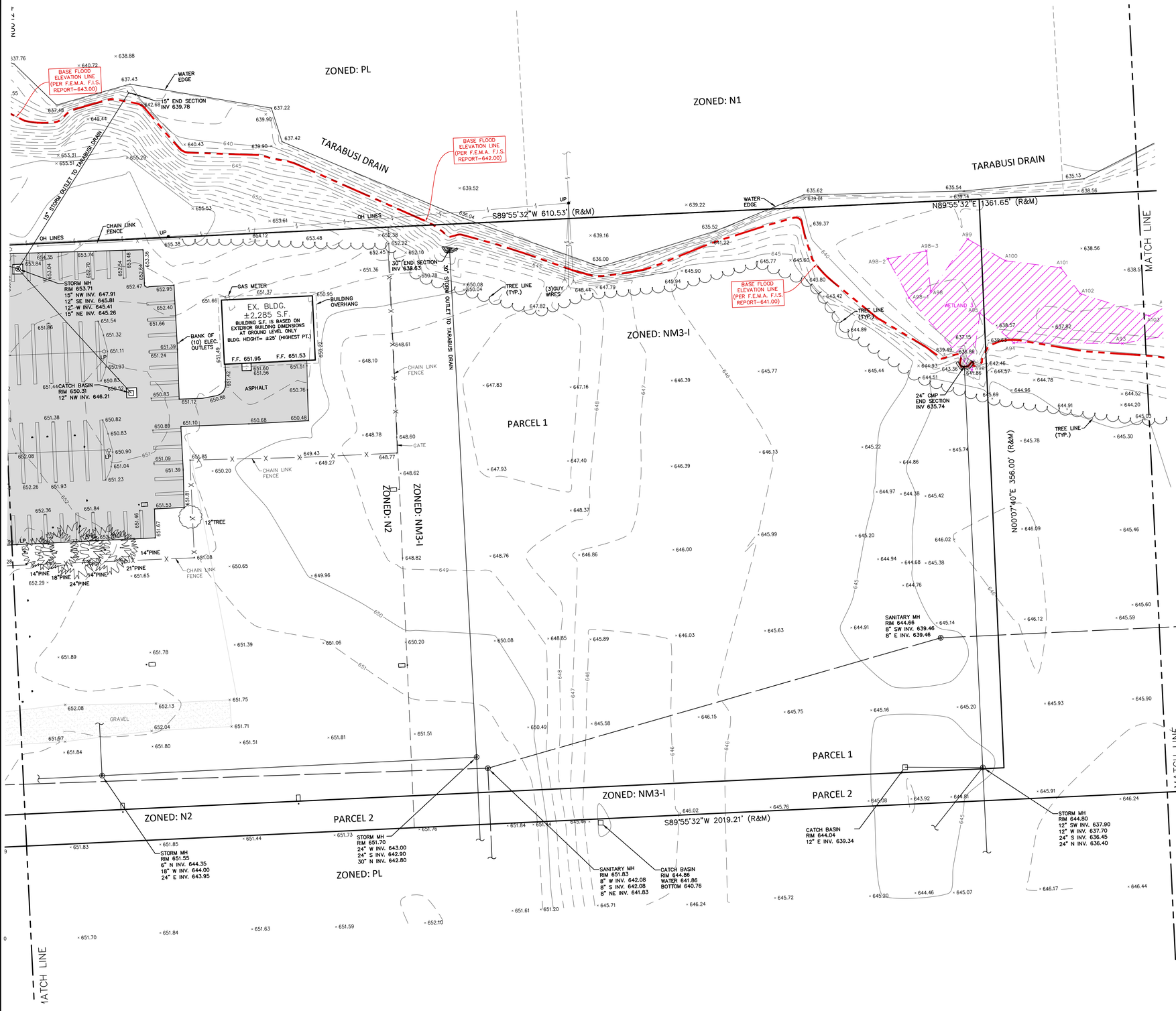
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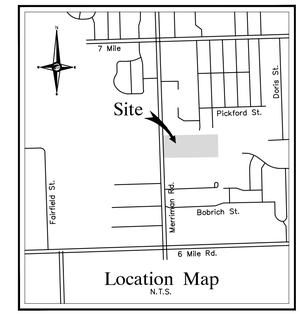
PROJECT LOCATION

Part of the Southwest ¼ of Section 11
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City of Livonia,
Wayne County, Michigan

SHEET

Boundary / Topographic Survey





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PONTIAC, MI 48342-5032
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FAX. (248) 332-8257
WWW.NFE-ENGR.COM

SEAL

STATE OF MICHIGAN
PATRICK J. WILLIAMS
ENGINEER
NO. 44251
PROFESSIONAL ENGINEER

PROJECT

Proposed School Building
at Basilica of St. Mary
18100 Merriman Rd.
Livonia, MI

CLIENT

Basilica of St. Mary

Contact: Salem Samaan
Ph: (734) 459-4040

PROJECT LOCATION

Part of the Southwest ¼
of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET

Boundary / Topographic Survey

Know what's **below**
Call before you dig.

DATE	ISSUED/REVISED
11-01-2022	ORIGINAL SURVEY
04-12-2023	ADD WETLANDS
10-17-2023	PRELIMINARY SITE PLAN
11-03-2023	REV. PHOTOMETRIC PLAN

DRAWN BY: A. Eizember

DESIGNED BY:

APPROVED BY: P. Williams

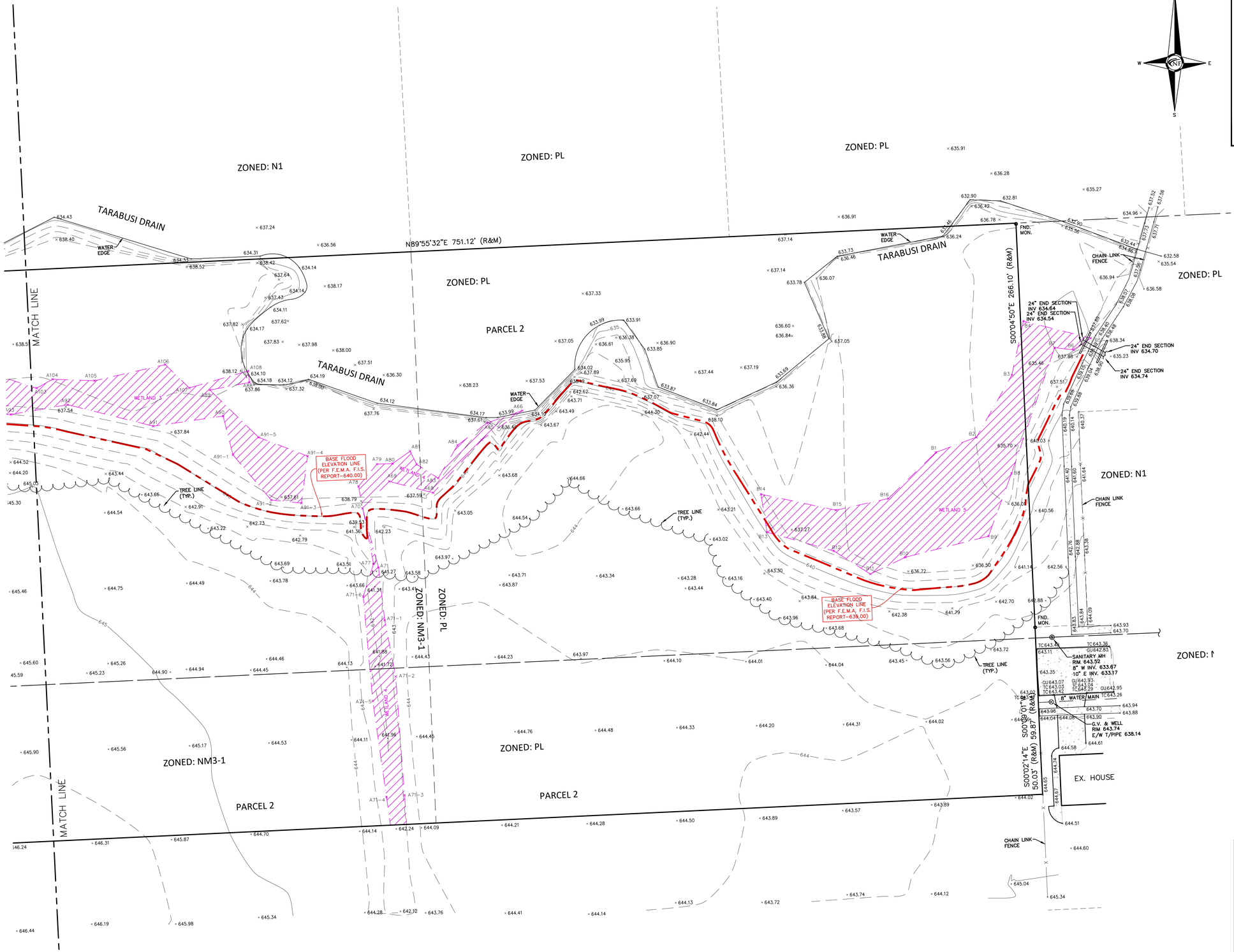
DATE: October 4, 2023

SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. **N210**

SHEET NO. **SP-03**





LEGAL DESCRIPTION - PARCEL 1 (PER TAX RECORDS)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 60.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1207.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 610.53 FEET;THENCE NORTH 00 DEGREES 12 MINUTES 49 SECONDS WEST, 331.83 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 596.47 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 49 SECONDS EAST, 331.83 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 627,615 S.F. OR 14.41 ACRES.

LEGAL DESCRIPTION - PARCEL 2 (PER WARRANTY DEED)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST AND MEASURED ALONG THE WEST LINE OF SAID SECTION 11, 356.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1267.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET TO THE EAST-WEST 1/4 LINE OF SAID SECTION 11; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 11, 751.12 FEET TO THE NORTHWEST CORNER OF "SUNSET PARK SUB'N" AS RECORDED IN LIBER 83 OF PLATS, PAGES 68 AND 69, WAYNE COUNTY RECORDS; THENCE SOUTH 00 DEGREES 04 MINUTES 50 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID "SUNSET PARK SUB'N", 266.10 FEET TO THE NORTHERLY RIGHT-OF-WAY OF BROOKVIEW DRIVE (60' WIDE); THENCE SOUTH 00 DEGREES 02 MINUTES 14 SECONDS EAST ALONG THE WESTERLY LINE OF SAID "SUNSET PARK SUB'N", 50.03 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 2019.21 FEET TO THE WEST LINE OF SAID SECTION 11; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST AND MEASURED ALONG THE WEST LINE OF SAID SECTION 11, 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 308,000 S.F. OR 7.07 ACRES.

MISS DIG / UTILITY DISCLAIMER NOTE

A MISS DIG TICKET NUMBER 20220920012193, PURSUANT TO MICHIGAN PUBLIC ACT 174 WAS ENTERED FOR THE SURVEYED PROPERTY. DUE TO THE EXTENDED REPORTING PERIOD FOR UNDERGROUND FACILITY OWNERS TO PROVIDE THEIR RECORDS, THE SURVEY MAY NOT REFLECT ALL THE UTILITIES AT THE TIME THE SURVEY WAS ISSUED ON NOVEMBER 1, 2022. THE SURVEY ONLY REFLECTS THOSE UTILITIES WHICH COULD BE OBSERVED BY THE SURVEYOR IN THE FIELD OR AS DEPICTED BY THE UTILITY COMPANY RECORDS FURNISH PRIOR TO THE DATE THIS SURVEY WAS ISSUED. **THE CLIENT AND/OR THEIR AUTHORIZED AGENT SHALL VERIFY WITH THE FACILITY OWNERS AND/OR THEIR AUTHORIZED AGENTS, THE COMPLETENESS AND EXACTNESS OF THE UTILITIES LOCATION.**

TOPOGRAPHIC SURVEY NOTES

ALL ELEVATIONS ARE EXISTING ELEVATIONS, UNLESS OTHERWISE NOTED.

UTILITY LOCATIONS WERE OBTAINED FROM MUNICIPAL OFFICIALS AND RECORDS OF UTILITY COMPANIES, AND NO GUARANTEE CAN BE MADE TO THE COMPLETENESS, OR EXACTNESS OF LOCATION.

THIS SURVEY MAY NOT SHOW ALL EASEMENTS OF RECORD UNLESS AN UPDATED TITLE POLICY IS FURNISHED TO THE SURVEYOR BY THE OWNER.

LEGEND

- MANHOLE — EXISTING SANITARY SEWER
- HYDRANT, GATE VALVE — EXISTING SAN. CLEAN OUT
- MANHOLE, CATCH BASIN — EXISTING WATER MAIN
- EXISTING STORM SEWER
- EX. R.Y. CATCH BASIN
- EXISTING BURIED CABLES
- UTILITY POLE, GUY POLE, GUY WIRE — OVERHEAD LINES
- LIGHT POLE
- SIGN
- EXISTING GAS MAIN

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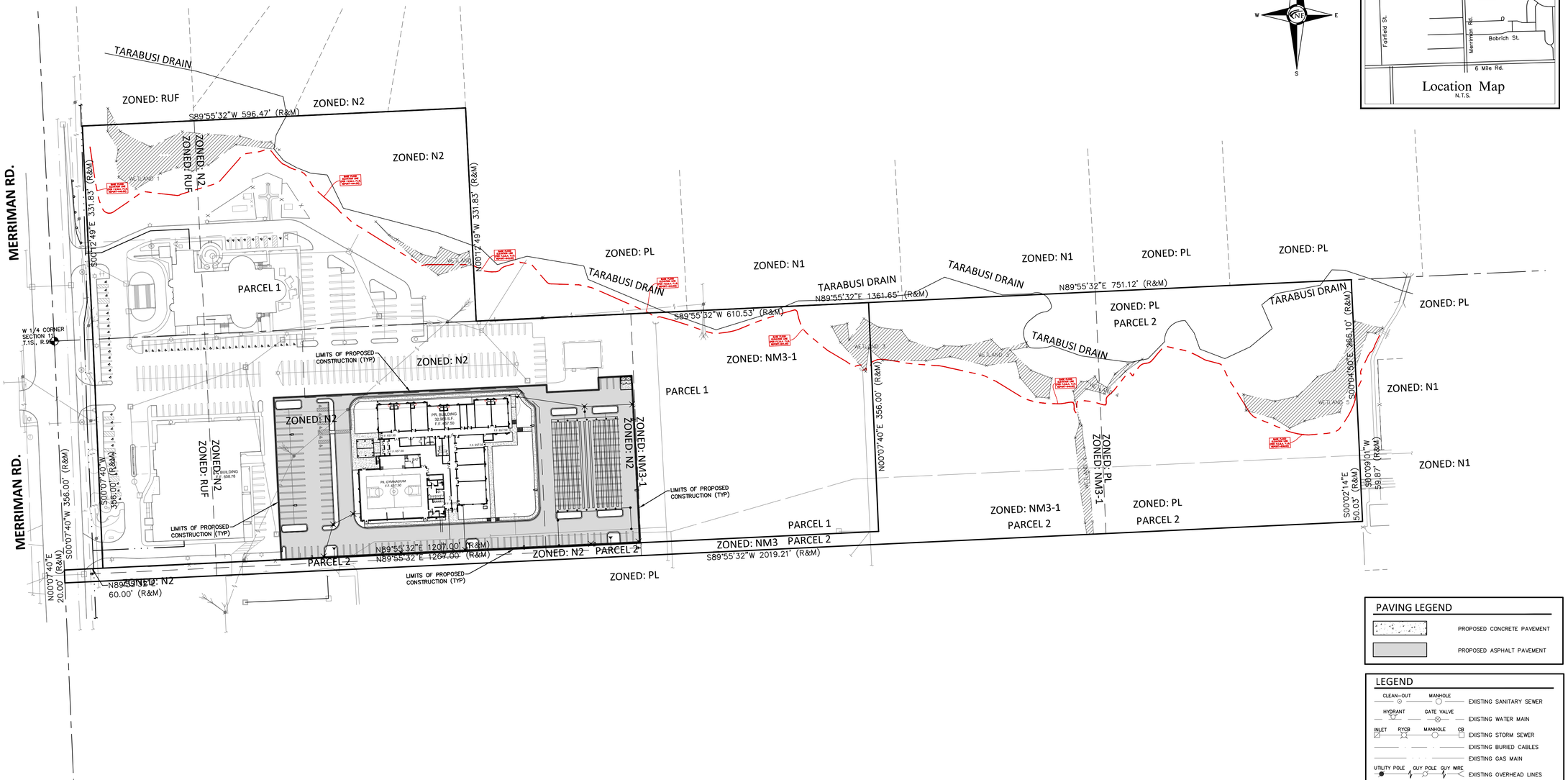
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10-17-2023	PRELIMINARY SITE PLAN
11-03-2023	REV. PHOTOMETRIC PLAN

DRAWN BY: A. Eizember
DESIGNED BY:
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 30'
30 15 0 15 30 45

NFE JOB NO. **N210**
SHEET NO. **SP-04**



LEGAL DESCRIPTION - PARCEL 1 (PER TAX RECORDS)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 60.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1207.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 610.53 FEET;THENCE NORTH 00 DEGREES 12 MINUTES 49 SECONDS WEST, 331.83 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 596.47 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 49 SECONDS EAST, 331.83 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 627,615 S.F. OR 14.41 ACRES.

LEGAL DESCRIPTION - PARCEL 2 (PER WARRANTY DEED)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST AND MEASURED ALONG THE WEST LINE OF SAID SECTION 11, 356.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1267.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET TO THE EAST--WEST 1/4 LINE OF SAID SECTION 11; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST ALONG THE EAST--WEST 1/4 LINE OF SAID SECTION 11, 751.12 FEET TO THE NORTHWEST CORNER OF "SUNSET PARK SUB'N" AS RECORDED IN LIBER 83 OF PLATS, PAGES 68 AND 69, WAYNE COUNTY RECORDS; THENCE SOUTH 00 DEGREES 04 MINUTES 50 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID "SUNSET PARK SUB'N", 266.10 FEET TO THE NORTHERLY RIGHT--OF--WAY OF BROOKVIEW DRIVE (60' WIDE); THENCE SOUTH 00 DEGREES 02 MINUTES 14 SECONDS EAST ALONG THE WESTERLY LINE OF SAID "SUNSET PARK SUB'N", 50.03 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 2019.21 FEET TO THE WEST LINE OF SAID SECTION 11;THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST AND MEASURED ALONG THE WEST LINE OF SAID SECTION 11, 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 308,000 S.F. OR 7.07 ACRES.

PROPOSED SCHOOL (PARCEL 1) - SITE DATA

PARCEL 1:

SITE AREA:
GROSS: 627,615 S.F. OR 14.41 ACRES

PARCEL ZONED: RUF (RURAL URBAN FARM)
N1 (NEIGHBORHOOD)
N2 (NEIGHBORHOOD)
NM3 (NEIGHBORHOOD MULTI FAMILY)

PROPOSED SCHOOL IN PARCEL 1 (ZONED N2):
1ST FLOOR AREA = 32,966 S.F.
BUILDING HEIGHT = 35.00 FEET
MAX. BUILDING HT. = 35.00 FEET

BUILDING LOT AREA COVERAGE:
ALLOWABLE = 35%
PROPOSED = 32,966 S.F. OR 5.25%

SETBACKS:	REQUIRED	PROVIDED
FRONT (WEST):	30'	227.1'
SIDE (NORTH):	10'	121.1'
SIDE (SOUTH):	6'	53.9'
REAR (EAST):	25'	196.1'

PARKING REQUIRED:

ZONED N2:

EDUCATIONAL USE:
ONE (1) PARKING SPACE FOR EACH EMPLOYEE (TEACHERS, ADMINISTRATORS AND STAFF)

EMPLOYEES:
10 TEACHERS, 4 OFFICE STAFF, 6 BUILDING STAFF = 20 SPACES

PLUS SUFFICIENT OFF--STREET SPACE FOR THE STAFF AND CONVENIENT LOADING AND UNLOADING OF STUDENTS.

PUBLIC AND QUASI--PUBLIC USE:
ONE (1) PARKING SPACE FOR EVERY 50 S.F. OF GROSS ASSEMBLY 7,310 S.F. OF SPACE / 50 S.F. = 147 SPACES

PARKING PROVIDED:
20 SPACES + 147 SPACES = 166 SPACES REQUIRED
PROVIDED NUMBER OF SPACES = 166 SPACES
(INC. 6 ACCESSIBLE SPACES)

PAVING LEGEND

- PROPOSED CONCRETE PAVEMENT
- PROPOSED ASPHALT PAVEMENT

LEGEND

- EXISTING SANITARY SEWER (CLEAN--OUT, MANHOLE)
- EXISTING WATER MAIN (HYDRANT, GATE VALVE)
- EXISTING STORM SEWER (INLET, RYCB, MANHOLE, CB)
- EXISTING BURIED CABLES
- EXISTING GAS MAIN
- EXISTING OVERHEAD LINES (UTILITY POLE, GUY POLE, GUY WIRE, EXISTING LIGHT POLE, EXISTING SIGN)
- PR. SANITARY SEWER (C.O., MANHOLE)
- PROPOSED WATER MAIN (HYDRANT, GATE VALVE)
- PROPOSED STORM SEWER (INLET, RYCB, MANHOLE, CB)
- PR. SAND BACKFILL (COMPACT TO 95% MAX. DENSITY)
- UTILITY CROSSING (A)
- PR. TELCOM
- PR. ELEC.
- PR. GAS
- PR. TOP OF CURB ELEVATION (TC 600.00)
- PROPOSED GUTTER ELEVATION (GU 600.00)
- PR. TOP OF WALK ELEVATION (TW 600.00)
- PR. TOP OF PAVEMENT ELEV. (TP 600.00)
- PROPOSED FINISH GRADE (FG 600.00)
- PROPOSED CONTOUR (600)
- PROPOSED SWALE
- PR. DRAINAGE DIRECTION
- PROPOSED INLET FILTER
- DRAINAGE AREA LIMITS
- PROPOSED SILT FENCE
- LIMITS OF SOIL DISRUPTION

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SEAL

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CLIENT
Basilica of St. Mary

Contact: Salem Samaan
Ph: (734) 459-4040

PROJECT LOCATION
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of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET
Overall Site Plan

Know what's below Call before you dig.

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04-12-2023	ADD WETLANDS
10-17-2023	PRELIMINARY SITE PLAN
11-03-2023	REV. PHOTOMETRIC PLAN

DRAWN BY:
A. Wiseman

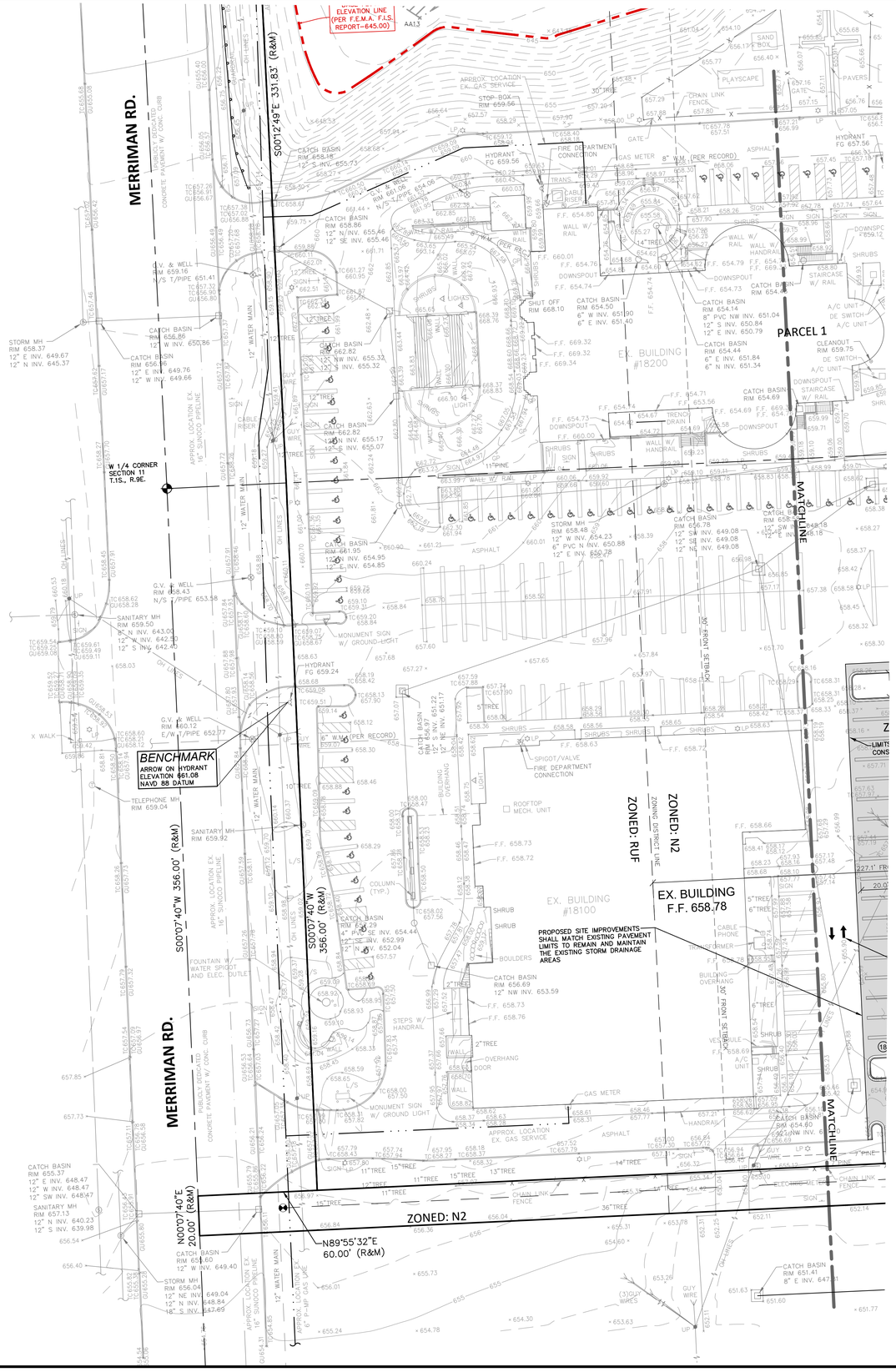
DESIGNED BY:
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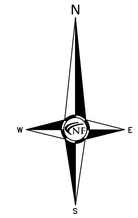
APPROVED BY:
P. Williams

DATE:
October 4, 2023

SCALE: 1" = 80'
80 40 0 40 80 120

NFE JOB NO. N210
SHEET NO. SP-05







Location Map
N.T.S.

NF ENGINEERS
CIVIL ENGINEERS
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SEAL

STATE OF MICHIGAN
PATRICK J. WILLIAMS
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LICENSED PROFESSIONAL ENGINEER

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PROJECT LOCATION

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SHEET

Dimensional Site Plan

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DRAWN BY:
A. Wiseman

DESIGNED BY:
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APPROVED BY:
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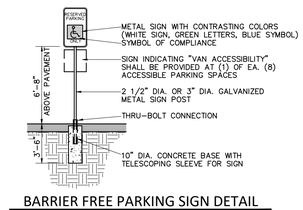
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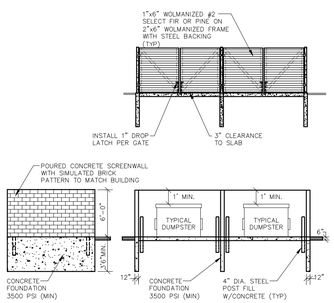
30 15 0 15 30 45

NFE JOB NO. **N210**

SHEET NO. **SP-06**



BARRIER FREE PARKING SIGN DETAIL
N.T.S.
Provide (1) for each accessible parking space



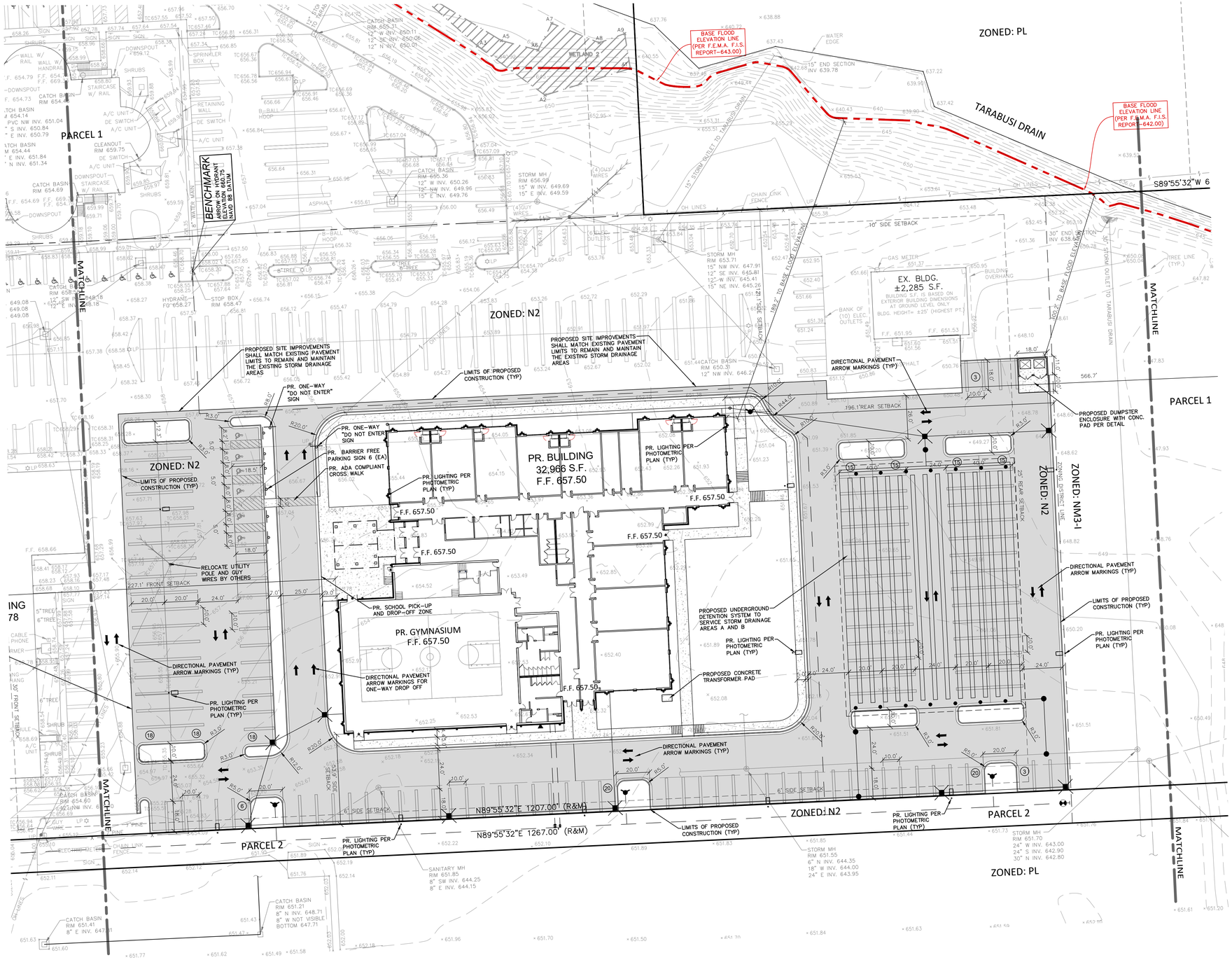
DUAL DUMPSTER ENCLOSURE
N.T.S.

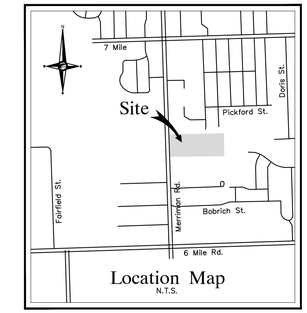
PAVING LEGEND

- PROPOSED CONCRETE PAVEMENT
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LEGEND

- CLEAN-OUT / MANHOLE — EXISTING SANITARY SEWER
- HYDRANT / GATE VALVE — EXISTING WATER MAIN
- INLET / RYCB / MANHOLE / CB — EXISTING STORM SEWER
- EXISTING BURIED CABLES
- EXISTING GAS MAIN
- UTILITY POLE / GUY POLE / GUY WIRE — EXISTING OVERHEAD LINES
- EXISTING LIGHT POLE / EXISTING SIGN
- C.O. / MANHOLE — PR. SANITARY SEWER
- HYDRANT / GATE VALVE — PROPOSED WATER MAIN
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- COMPACT TO 95% MAX. DENSITY — PR. SAND BACKFILL
- A — UTILITY CROSSING
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- TC 600.00 — PR. TOP OF CURB ELEVATION
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- TP 600.00 — PR. TOP OF PAVEMENT ELEV.
- FG 600.00 — PROPOSED FINISH GRADE
- 600 — PROPOSED CONTOUR
- PROPOSED SWALE
- PR. DRAINAGE DIRECTION
- PROPOSED INLET FILTER
- DRAINAGE AREA LIMITS
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- LIMITS OF SOIL DISRUPTION





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DRAWN BY: A. Wiseman
DESIGNED BY: A. Wiseman
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. N210
SHEET NO. SP-07

PAVING LEGEND

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- PROPOSED ASPHALT PAVEMENT

LEGEND

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PROPOSED SCHOOL (PARCEL 1) - SITE DATA

PARCEL 1:

SITE AREA:
GROSS: 627,615 S.F. OR 14.41 ACRES

PARCEL ZONED: RUF (RURAL URBAN FARM)
N1 (NEIGHBORHOOD)
N2 (NEIGHBORHOOD)
NM3-I (NEIGHBORHOOD MULTI FAMILY)

PROPOSED SCHOOL IN PARCEL 1 (ZONED N2):
1ST FLOOR AREA = 32,966 S.F.
BUILDING HEIGHT = 35.00 FEET
MAX. BUILDING HT. = 35.00 FEET

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ALLOWABLE = 35%
PROPOSED = 32,966 S.F. OR 5.25%

SETBACKS:	REQUIRED	PROVIDED
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PARKING REQUIRED:

ZONED N2:

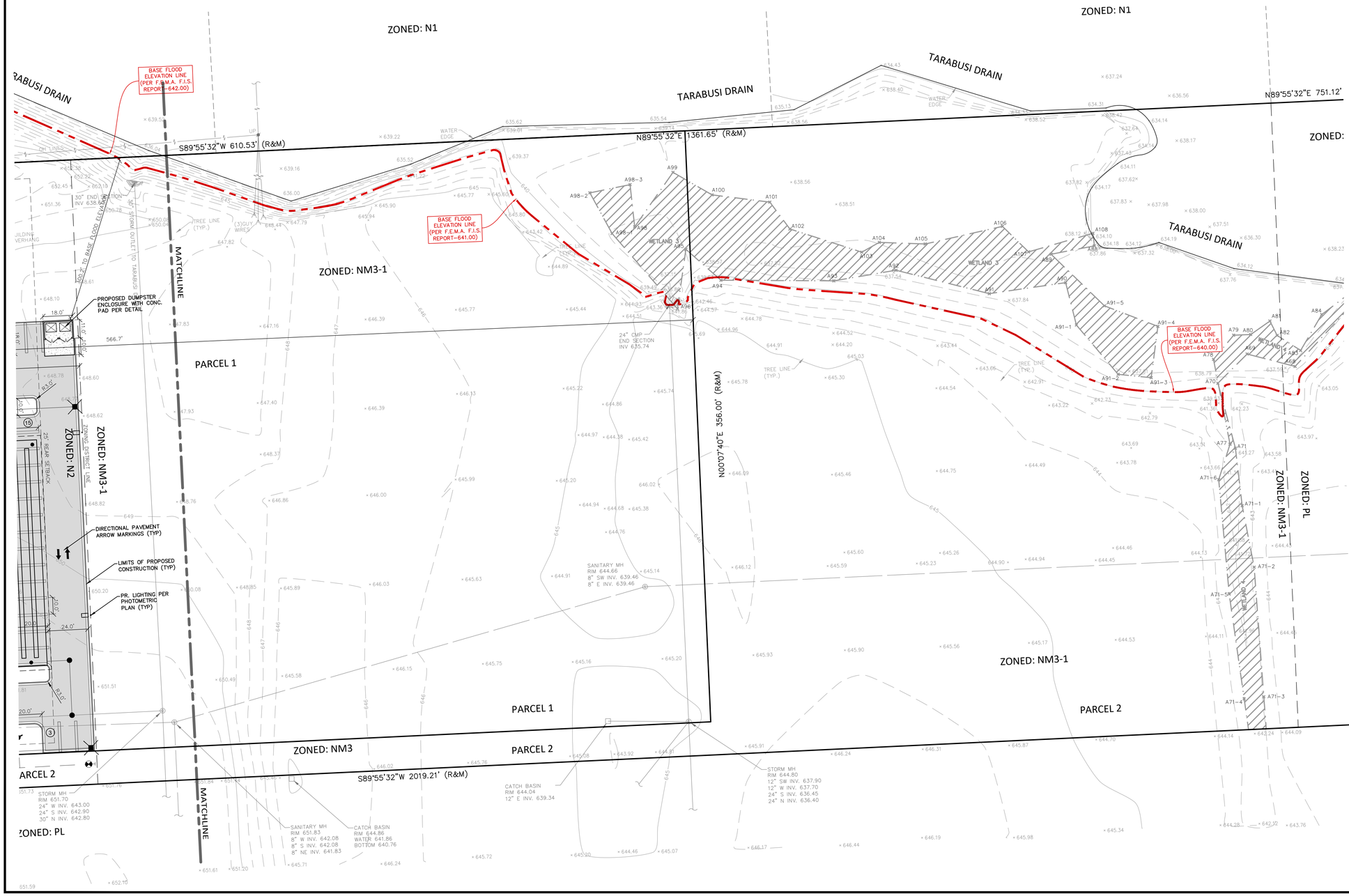
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PLUS SUFFICIENT OFF-STREET SPACE FOR THE STAFF AND CONVENIENT LOADING AND UNLOADING OF STUDENTS.

PUBLIC AND QUASI-PUBLIC USE:
ONE (1) PARKING SPACE FOR EVERY 50 S.F. OF GROSS ASSEMBLY
7,310 S.F. OF SPACE / 50 S.F. = 147 SPACES

PARKING PROVIDED:
20 SPACES + 147 SPACES = 166 SPACES REQUIRED
PROVIDED NUMBER OF SPACES = 166 SPACES
(INC. 6 ACCESSIBLE SPACES)



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PONTIAC, MI 48342-5032
TEL. (248) 332-7931
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WWW.NFE-ENGR.COM

SEAL

STATE OF MICHIGAN
PATRICK J. WILLIAMS
ENGINEER
NO. 44351
LICENSED PROFESSIONAL ENGINEER

PROJECT

Proposed School Building
at Basilica of St. Mary
18100 Merriman Rd.
Livonia, MI

CLIENT

Basilica of St. Mary

Contact: Salem Samaan
Ph: (734) 459-4040

PROJECT LOCATION

Part of the Southwest ¼
of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET

Dimensional Site Plan

PAVING LEGEND

	PROPOSED CONCRETE PAVEMENT
	PROPOSED ASPHALT PAVEMENT

LEGEND

CLEAN-OUT MANHOLE	EXISTING SANITARY SEWER
HYDRANT GATE VALVE	EXISTING WATER MAIN
INLET RYCB MANHOLE CB	EXISTING STORM SEWER
	EXISTING BURIED CABLES
	EXISTING GAS MAIN
UTILITY POLE GUY POLE GUY WIRE	EXISTING OVERHEAD LINES
EXISTING LIGHT POLE EXISTING SIGN	
C.O. MANHOLE	PR. SANITARY SEWER
HYDRANT GATE VALVE	PROPOSED WATER MAIN
INLET RYCB MANHOLE CB	PROPOSED STORM SEWER
COMPACT TO 95% MAX. DENSITY	PR. SAND BACKFILL
A	UTILITY CROSSING
	PR. TELCOM
	PR. ELEC.
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TC 600.00	PR. TOP OF CURB ELEVATION
GU 600.00	PROPOSED GUTTER ELEVATION
TW 600.00	PR. TOP OF WALK ELEVATION
TP 600.00	PR. TOP OF PAVEMENT ELEV.
FG 600.00	PROPOSED FINISH GRADE
600	PROPOSED CONTOUR
	PROPOSED SWALE
	PR. DRAINAGE DIRECTION
	PROPOSED INLET FILTER
	DRAINAGE AREA LIMITS
	PROPOSED SILT FENCE
	LIMITS OF SOIL DISRUPTION

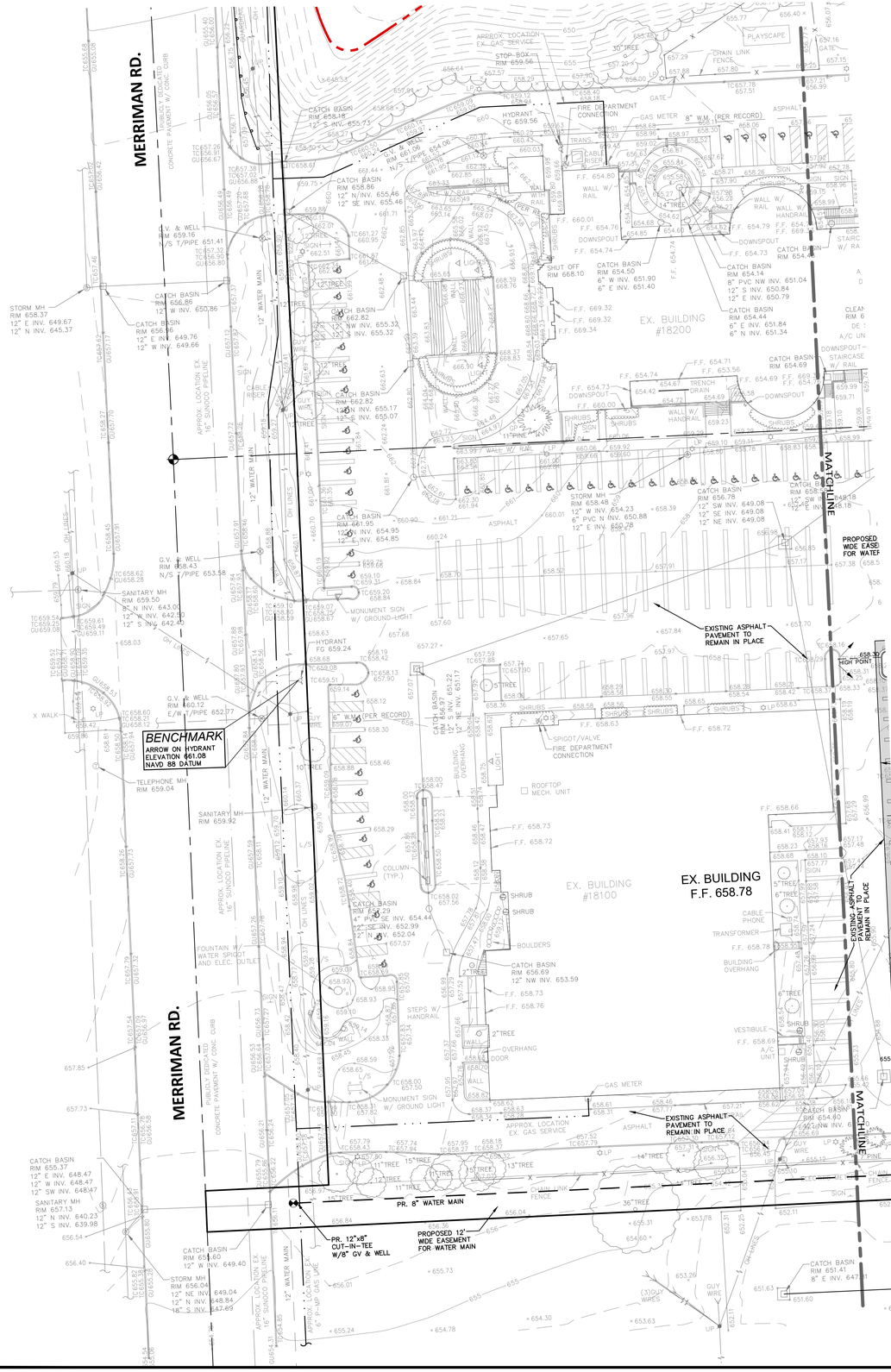
811 Know what's below Call before you dig.

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DRAWN BY: A. Wiseman
DESIGNED BY: A. Wiseman
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. **N210**
SHEET NO. **SP-08**



REQUIRED DETENTION VOLUME CALCULATIONS

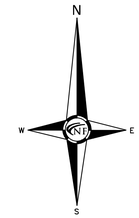
100 Year Post-Development Detention Volume

Name of Project:	**St. Mary's**
Location of Project:	**Livonia**
NFE Project No.:	**N210**
Contributing Acreage "A":	5.15 *ac*
Weighted Runoff Coefficient "C":	0.80
Time of Concentration "Tc":	15.00 *min*
Calculate Required CPVC Volume (Vcpvc) (1" Rainfall Event)	
Vcpvc = 3630(C)(A)	*14,956 cft*
Calculate Required Water Quality Rate (Qwq)	
Iwq=	*2.00 in*
Qwq=(C)(Iwq)(A)	*8.240 cfs*
Calculate Required CPRC Volume (Vcprc) (1.9" Rainfall Event)	
Vcprc = 6897(C)(A)	*28,416 cft*
Calculate 48-hour average allowable outflow rate (Qcprc)	
Qcprc = Vcprc / [(48 hr)(60 min)(60 sec)] = Vcprc/172800	*0.164 cfs*
Calculate 100-year Rainfall Intensity (I100)	
I100 = 101/(Tc+12.33)^0.84))	6.274 *in/hr*
Calculate 100-year Storm Inlet Rate (Qi)	
Qi = (C)(I100)(A)	*25.849 cfs*
Calculate 100-year Storm Allowable Discharge Rate (Qallow)	
Qallow = 1.1055-(0.207*LN(A))	0.766 *cfs/ac*
Restricted Outlet rate per local municiaplity	N/A *cfs/ac*
Calculate Total Site Allowable Discharge (Qo)	
Qo = (Qallow)(A)	3.946 *cfs*
Calculate Storage Ratio (Vs/Vr)	
Vs/Vr = 0.206-(0.15)(LN(Qo/Qi))	0.488
Calculate Required 100-year Storm Runoff Volume (Vr)	
Vr = 18,900(C)(A)	*77,868 cft*
Calculate Required 100-year Detention Storage Volume (Vs)	
Vs = (Vr)(Storage Ratio)	*37,994 cft*
Vcp(credit)	*0 cft*
TOTAL DETENTION VOLUME REQUIRED:	**37,994 *cft***

PROPOSED PIPE STORAGE

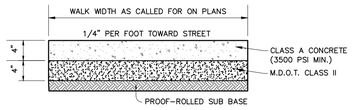
Pipe Dia (inches)	X-sec area (sq. ft.)	Length (LF)	Volume Provided (Cubic Feet)
60	19.64	1969	38676.8

Volume Provided (Cu. Ft.) 38,677

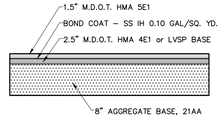




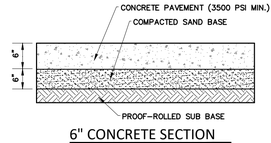
Location Map
N.T.S.



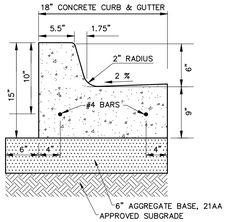
CONCRETE SIDEWALK SECTION
N.T.S.



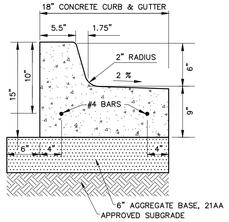
ASPHALT PAVEMENT SECTION
(DRIVE AND PARKING)



6" CONCRETE SECTION
N.T.S.



CONCRETE CURB DETAIL 'A'
N.T.S.



CONCRETE CURB DETAIL 'B'
N.T.S.

GENERAL PAVING NOTES

PAVEMENT SHALL BE OF THE TYPE, THICKNESS AND CROSS SECTION AS INDICATED ON THE PLANS AND AS FOLLOWS:

CONCRETE: PORTLAND CEMENT TYPE IA (AIR-ENTRAINED) WITH A MINIMUM CEMENT CONTENT OF SIX SACKS PER CUBIC YARD, MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3,500 PSI AND A SLUMP OF 1 1/2 TO 3 INCHES.

ASPHALT: BASE COURSE – MDOT BITUMINOUS MIXTURE NO. 1100L, 20AA; SURFACE COURSE – MDOT BITUMINOUS MIXTURE NO. 1100T, 20AA; ASPHALT CEMENT PENETRATION GRADE 85–100, BOND COAT – MDOT SS–1H EMULSION AT 0.10 GALLON PER SQUARE YARD; MAXIMUM 2 INCH LIFT.

PAVEMENT BASE SHALL BE COMPACTED TO 95% OF THE MAXIMUM DENSITY (MODIFIED PROCTOR) PRIOR TO PLACEMENT OF PROPOSED PAVEMENT. EXISTING SUB–BASE SHALL BE PROOF–ROLLED IN THE PRESENCE OF THE ENGINEER TO DETERMINE STABILITY.

ALL CONCRETE PAVEMENT, DRIVEWAYS, CURB & GUTTER, ETC., SHALL BE SPRAY CURED WITH WHITE MEMBRANE CURING COMPOUND IMMEDIATELY FOLLOWING FINISHING OPERATION.

ALL CONCRETE PAVEMENT JOINTS SHALL BE FILLED WITH HOT POURED RUBBERIZED ASPHALT JOINT SEALING COMPOUND IMMEDIATELY AFTER SAWCUT OPERATION. FEDERAL SPECIFICATION SS–S164.

ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION, CURRENT EDITION.

ALL TOP OF CURB ELEVATIONS, AS SHOWN ON THE PLANS, ARE CALCULATED FOR A 6" CONCRETE CURB UNLESS OTHERWISE NOTED.

ALL SIDEWALK RAMPS, CONFORMING TO PUBLIC ACT NO. 8, 1993, SHALL BE INSTALLED AS INDICATED ON THE PLANS.

CONSTRUCTION OF A NEW OR RECONSTRUCTED DRIVE APPROACH CONNECTING TO AN EXISTING STATE OR COUNTY ROADWAY SHALL BE ALLOWED ONLY AFTER AN APPROVED PERMIT HAS BEEN SECURED FROM THE AGENCY HAVING JURISDICTION OVER SAID ROADWAY.

FOR ANY WORK WITHIN THE PUBLIC RIGHT–OF–WAY, THE CONTRACTOR SHALL PAY FOR AND SECURE ALL NECESSARY PERMITS AND LIKEWISE ARRANGE FOR ALL INSPECTION.

EXISTING TOPSOIL, VEGETATION AND ORGANIC MATERIALS SHALL BE STRIPPED AND REMOVED FROM PROPOSED PAVEMENT AREA PRIOR TO PLACEMENT OF BASE MATERIALS.

EXPANSION JOINTS SHOULD BE INSTALLED AT THE END OF ALL INTERSECTION RADII.

SIDEWALK RAMPS, CONFORMING TO PUBLIC ACT NO. 8, 1973, SHALL BE INSTALLED AS SHOWN AT ALL STREET INTERSECTIONS AND AT ALL BARRIER FREE PARKING AREAS AS INDICATED ON THE PLANS.

ALL PAVEMENT AREAS SHALL BE PROOF–ROLLED UNDER THE SUPERVISION OF A GEOTECHNICAL ENGINEER PRIOR TO THE PLACEMENT OF BASE MATERIALS AND PAVING MATERIALS.

FILL AREAS SHALL BE MACHINE COMPACTED IN UNIFORM LIFTS NOT EXCEEDING 9 INCHES THICK TO 98% OF THE MAXIMUM DENSITY (MODIFIED PROCTOR) PRIOR TO PLACEMENT OF PROPOSED PAVEMENT.

PAVING LEGEND

- PROPOSED CONCRETE PAVEMENT
- PROPOSED ASPHALT PAVEMENT

LEGEND

- EXISTING SANITARY SEWER (CLEAN–OUT, MANHOLE)
- EXISTING WATER MAIN (HYDRANT, GATE VALVE)
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- EXISTING OVERHEAD LINES (UTILITY POLE, GUY POLE, GUY WIRE, EXISTING LIGHT POLE, EXISTING SIGN)
- PR. SANITARY SEWER (C.O., MANHOLE)
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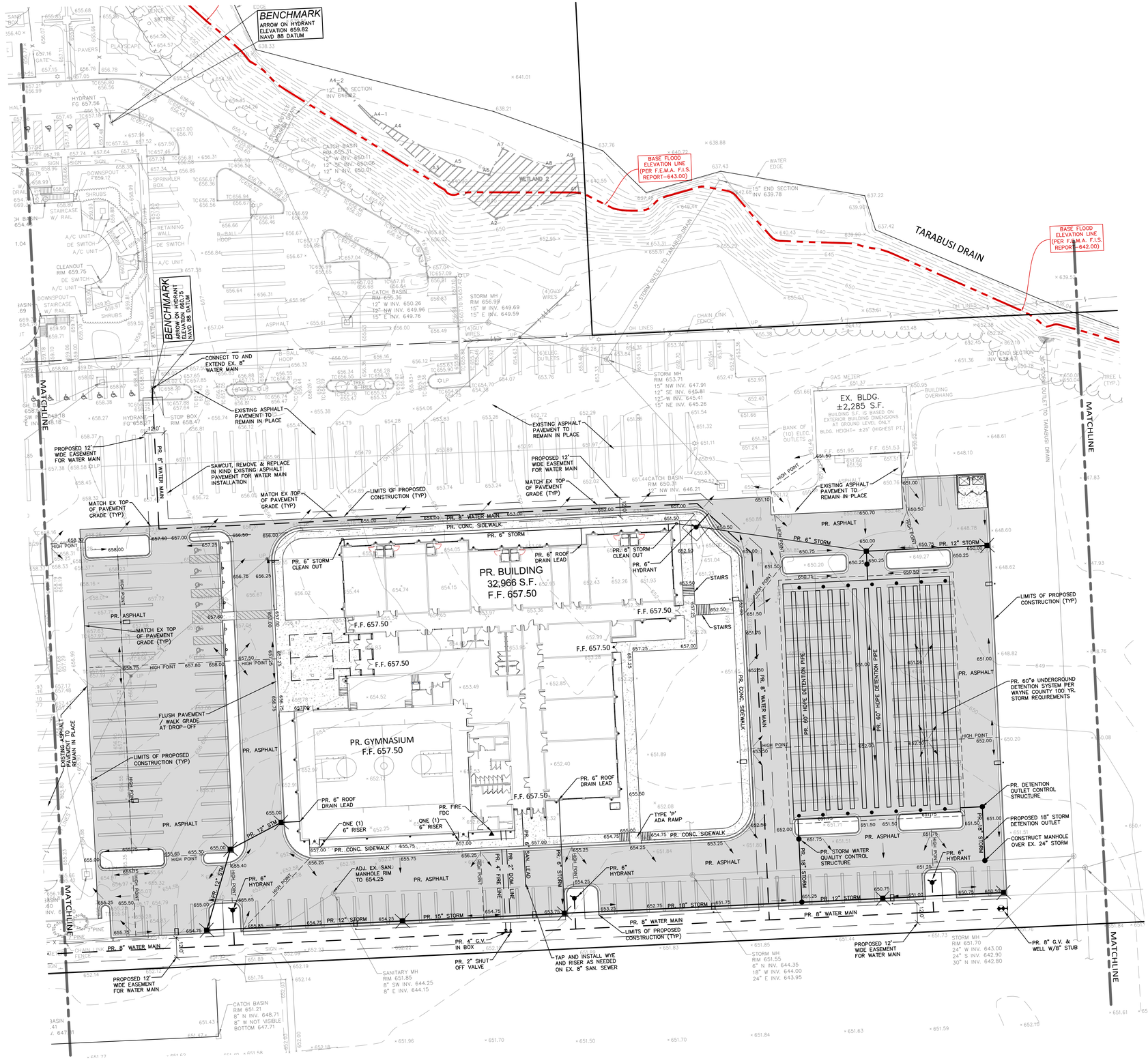
Engineering Site Plan

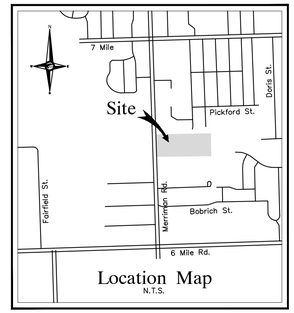
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DRAWN BY: A. Wiseman
DESIGNED BY: A. Wiseman
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 30'
30 15 0 15 30 45

NFE JOB NO. **N210**
SHEET NO. **SP-09**





PAVING LEGEND

- PROPOSED CONCRETE PAVEMENT
- PROPOSED ASPHALT PAVEMENT

LEGEND

- EXISTING SANITARY SEWER
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- EXISTING BURIED CABLES
- EXISTING GAS MAIN
- EXISTING OVERHEAD LINES
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- 600 — PROPOSED CONTOUR
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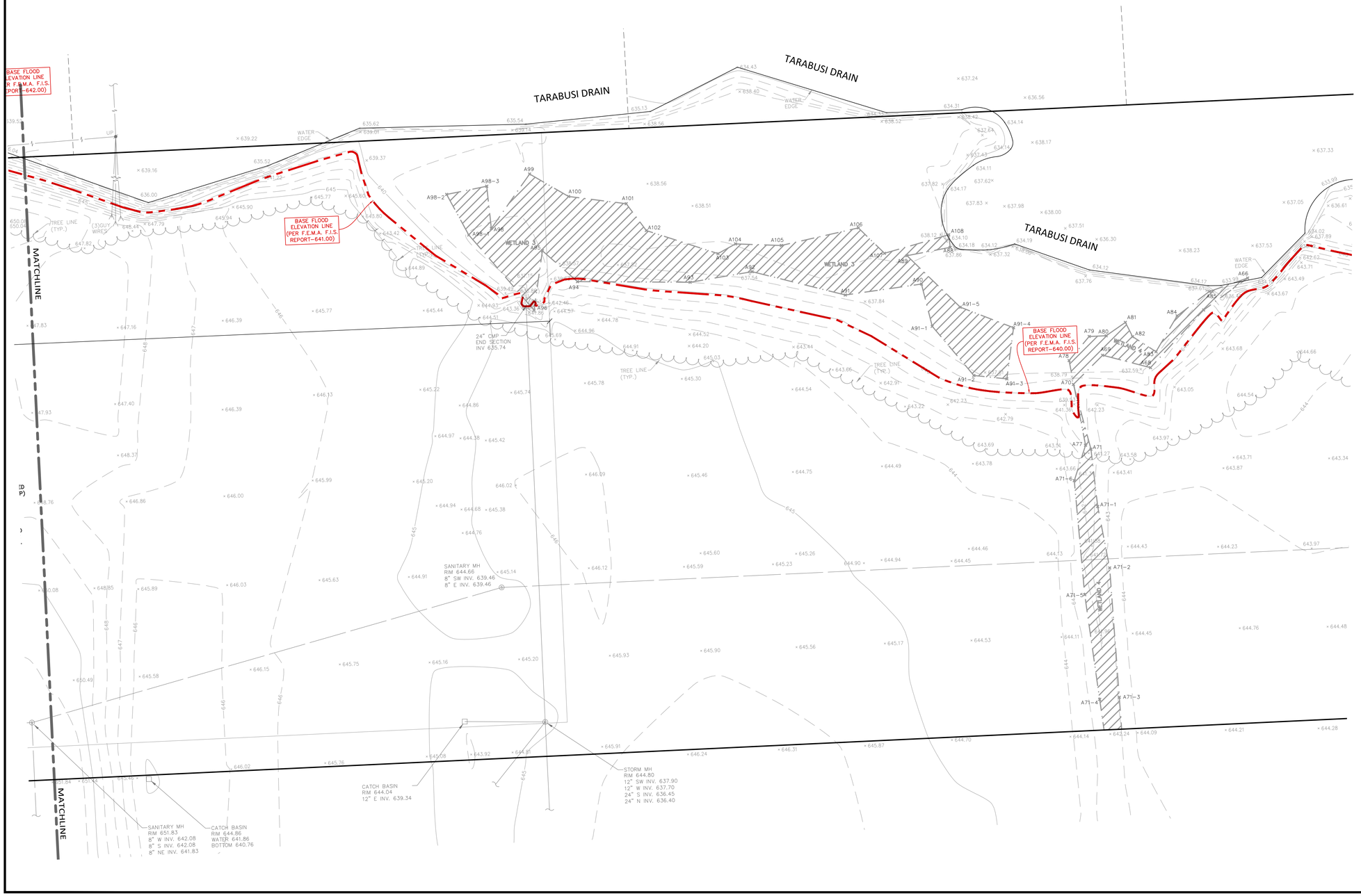
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APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. N210
SHEET NO. SP-10





PAVING LEGEND

- PROPOSED CONCRETE PAVEMENT
- PROPOSED ASPHALT PAVEMENT

LEGEND

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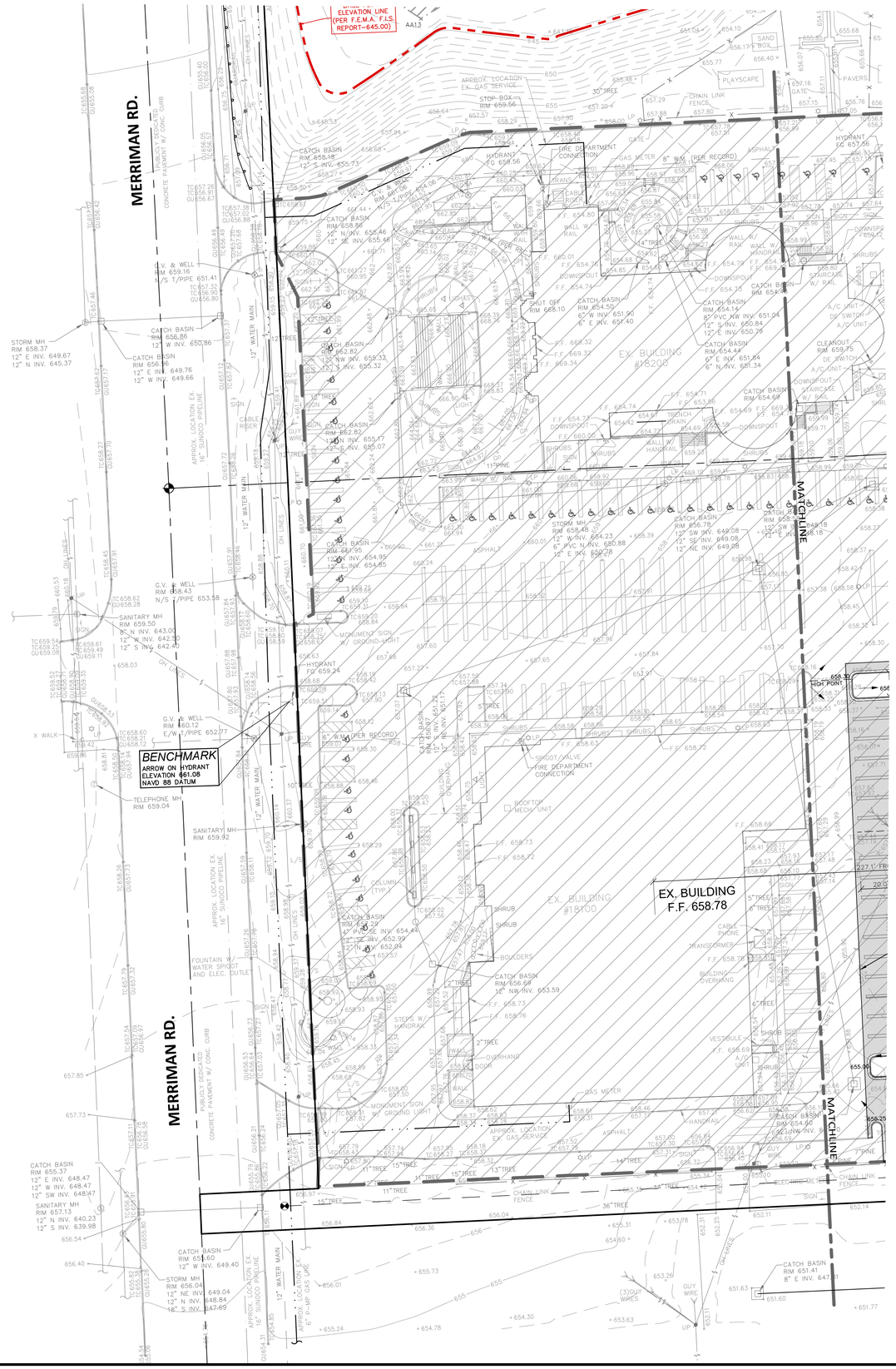
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NFE JOB NO. N210
SHEET NO. SP-11







Location Map
N.T.S.

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Storm Water Management Plan

DRAINAGE AREAS LEGEND

- LIMITS OF EX. DRAINAGE AREA
- LIMITS OF PR. DRAINAGE AREA

PAVING LEGEND

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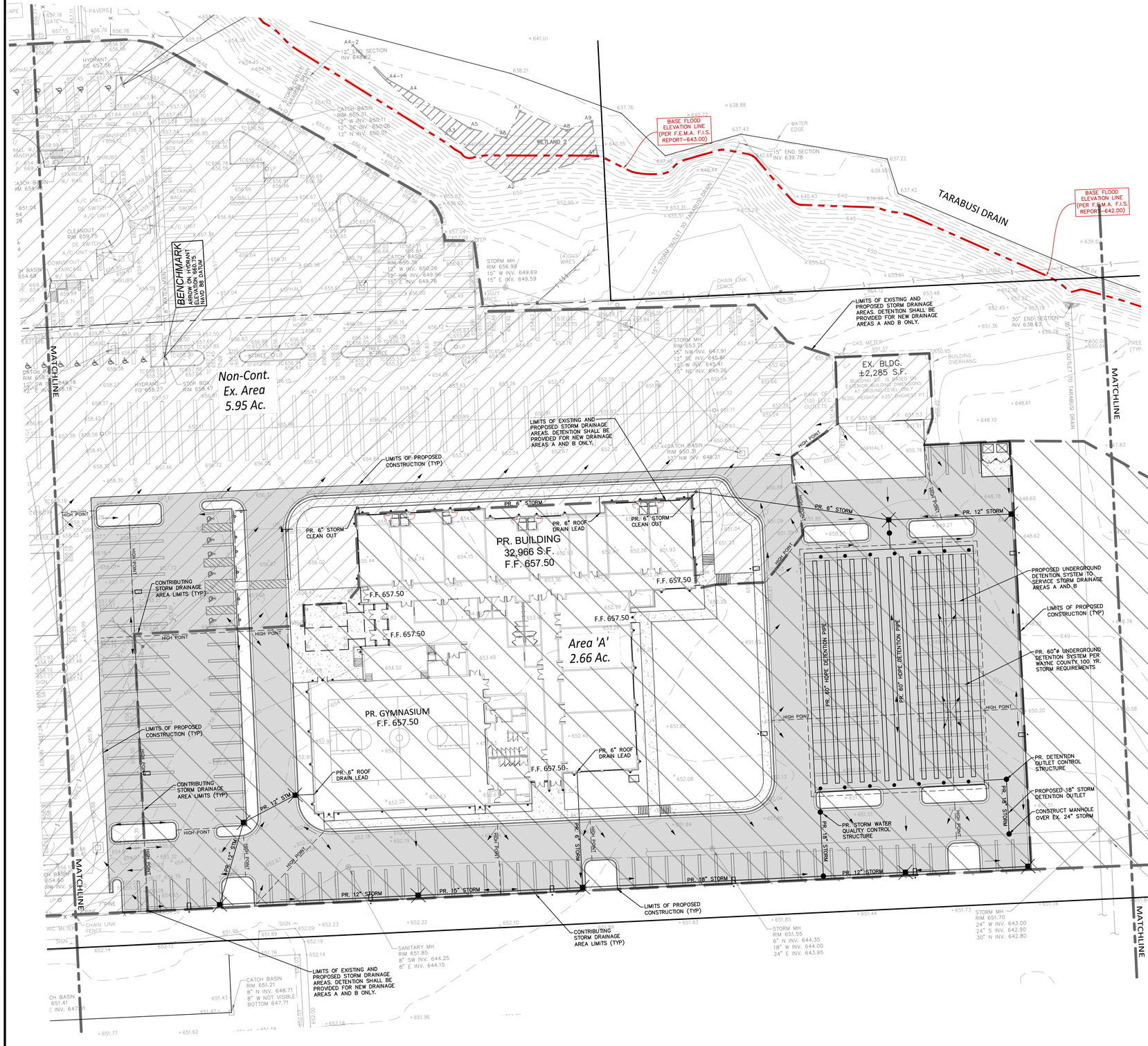
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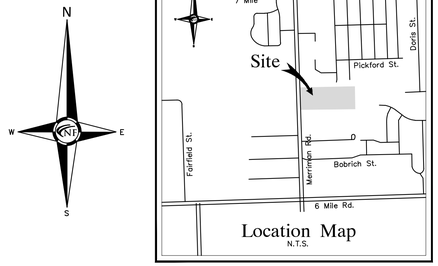
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NFE JOB NO. **N210**

SHEET NO. **SP-12**





REQUIRED DETENTION VOLUME CALCULATIONS

100 Year Post-Development Detention Volume

Name of Project:	**St. Mary's**
Location of Project:	**Livonia**
NFE Project No.:	**N210**
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Weighted Runoff Coefficient "C":	0.80
Time of Concentration "Tc":	15.00 *min*
Calculate Required CPVC Volume (Vcpvc) (1" Rainfall Event)	
Vcpvc = 3630(C)(A)	*15,885 cft*
Calculate Required Water Quality Rate (Qwq)	
Iwq=	*2.00 in*
Qwq=(C)(Iwq)(A)	*8.752 cfs*
Calculate Required CPRC Volume (Vcprc) (1.9" Rainfall Event)	
Vcprc = 6897(C)(A)	*30,181 cft*
Calculate 48-hour average allowable outflow rate (Qcprc)	
Qcprc = Vcprc / [(48 hr)(60 min)(60 sec)] = Vcprc/172800	*0.175 cfs*
Calculate 100-year Rainfall Intensity (I100)	
I100 = 101/(Tc+12.33)^0.84))	6.274 *in/hr*
Calculate 100-year Storm Inlet Rate (Qi)	
Qi = (C)(I100)(A)	27.455 *cfs*
Calculate 100-year Storm Allowable Discharge Rate (Qallow)	
Qallow = 1.1055-(0.207*LN(A))	0.754 *cfs/ac*
Restricted Outlet rate per local municiaplity	N/A *cfs/ac*
Calculate Total Site Allowable Discharge (Qo)	
Qo = (Qallow)(A)	4.123 *cfs*
Calculate Storage Ratio (Vs/Vr)	
Vs/Vr = 0.206-(0.15)(LN(Qo/Qi))	0.490
Calculate Required 100-year Storm Runoff Volume (Vr)	
Vr = 18,900(C)(A)	82,706 *cft*
Calculate Required 100-year Detention Storage Volume (Vs)	
Vs = (Vr)(Storage Ratio)	*40,559 cft*
Vcp(credit)	*0 cft*
TOTAL DETENTION VOLUME REQUIRED:	**40,559** *cft*

PROPOSED PIPE STORAGE

Pipe Dia (inches)	X-sec area (sq. ft.)	Length (LF)	Volume Provided (Cubic Feet)
60	19.64	2095	41151.8

Volume Provided (Cu. Ft.) 41,152

DRAINAGE AREAS LEGEND

- LIMITS OF EX. DRAINAGE AREA
- LIMITS OF PR. DRAINAGE AREA

PAVING LEGEND

- PROPOSED CONCRETE PAVEMENT
- PROPOSED ASPHALT PAVEMENT

LEGEND

- EXISTING SANITARY SEWER (CLEAN-OUT, MANHOLE)
- EXISTING WATER MAIN (HYDRANT, GATE VALVE)
- EXISTING STORM SEWER (INLET, RYCB, MANHOLE, CB)
- EXISTING BURIED CABLES
- EXISTING GAS MAIN
- EXISTING OVERHEAD LINES (UTILITY POLE, GUY POLE, GUY WIRE)
- EXISTING LIGHT POLE, EXISTING SIGN
- PR. SANITARY SEWER (C.O., MANHOLE)
- PROPOSED WATER MAIN (HYDRANT, GATE VALVE)
- PROPOSED STORM SEWER (INLET, RYCB, MANHOLE, CB)
- PR. SAND BACKFILL (COMPACT TO 95% MAX. DENSITY)
- UTILITY CROSSING (A)
- PR. TELCOM
- PR. ELEC.
- PR. GAS
- PR. TOP OF CURB ELEVATION (TC 600.00)
- PROPOSED GUTTER ELEVATION (GU 600.00)
- PR. TOP OF WALK ELEVATION (TW 600.00)
- PR. TOP OF PAVEMENT ELEV. (TP 600.00)
- PROPOSED FINISH GRADE (FG 600.00)
- PROPOSED CONTOUR (600)
- PROPOSED SWALE
- PR. DRAINAGE DIRECTION
- PROPOSED INLET FILTER
- DRAINAGE AREA LIMITS
- PROPOSED SILT FENCE
- LIMITS OF SOIL DISRUPTION

NF ENGINEERS

CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257
WWW.NFE-ENGR.COM

SEAL

STATE OF MICHIGAN
PATRICK J. WILLIAMS
LICENSED PROFESSIONAL ENGINEER
ENGINEER NO. 44351

PROJECT

Proposed School Building at Basilica of St. Mary
18100 Merriman Rd.
Livonia, MI

CLIENT

Basilica of St. Mary

Contact: Salem Samaan
Ph: (734) 459-4040

PROJECT LOCATION

Part of the Southwest ¼ of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET

Storm Water Management Plan

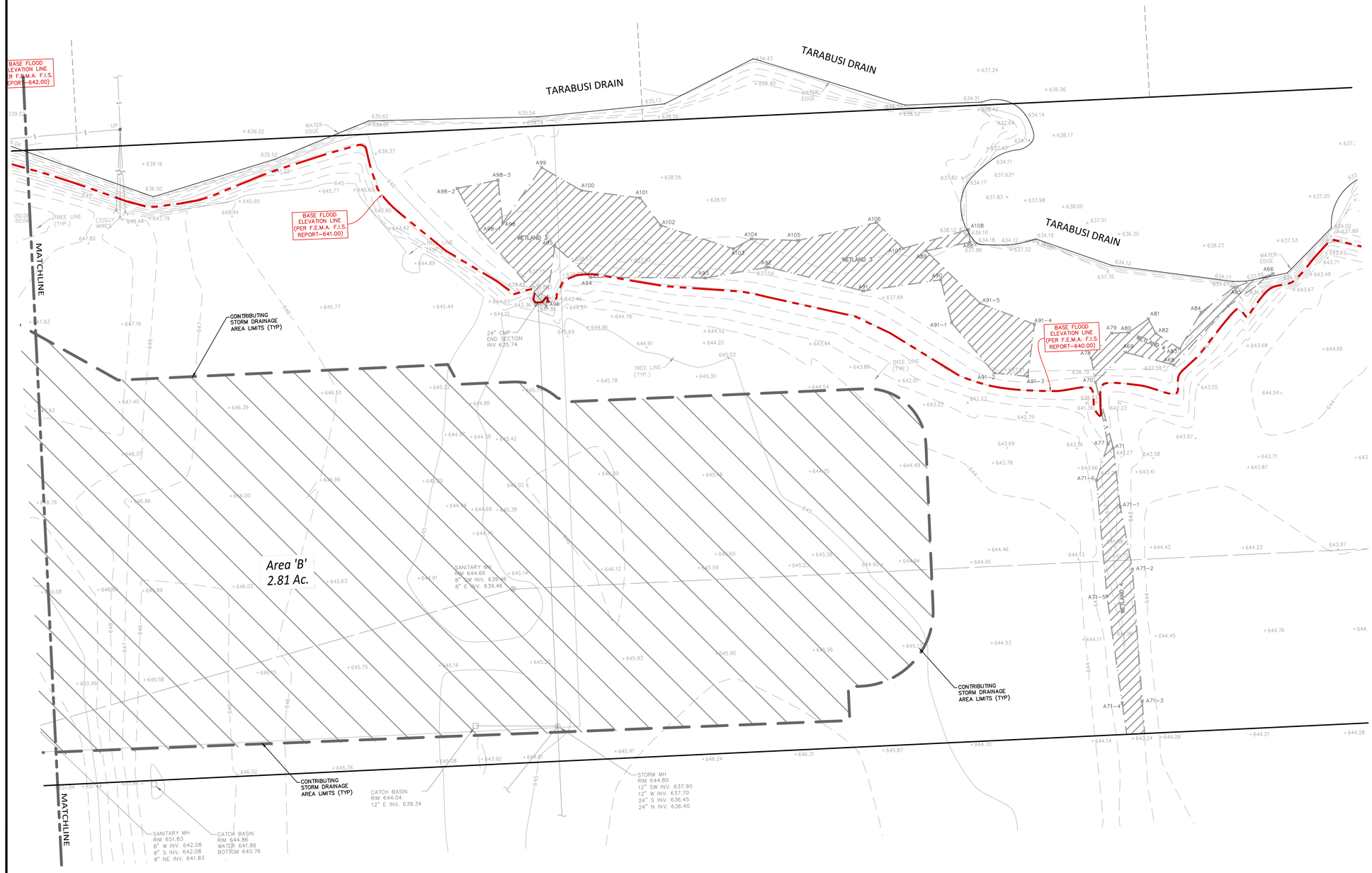
Know what's **below** **Call** before you dig.

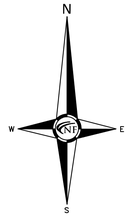
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11-01-2022	ORIGINAL SURVEY
04-12-2023	ADD WETLANDS
10-17-2023	PRELIMINARY SITE PLAN
11-03-2023	REV. PHOTOMETRIC PLAN

DRAWN BY: A. Wiseman
DESIGNED BY: A. Wiseman
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. **N210**
SHEET NO. **SP-13**





NF ENGINEERS

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811 Know what's below Call before you dig.

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DRAWN BY: A. Wiseman

DESIGNED BY: A. Wiseman

APPROVED BY: P. Williams

DATE: October 4, 2023

SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. **N210**

SHEET NO. **SP-14**

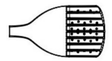


D-Series Size 0
LED Area Luminaire

d*series

Specifications

EPA: 0.44 ft² (0.04 m²)
Length: 26.18" (66.5 cm)
Width: 14.06" (35.7 cm)
Height H1: 2.26" (5.7 cm)
Height H2: 7.46" (18.9 cm)
Weight: 23 lbs (10.4 kg)



Catalog Number
Notes
Type

Introduction

The modern styling of the D-Series features a highly refined aesthetic that blends seamlessly with its environment. The D-Series offers the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire.

The photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. D-Series outstanding photometry aids in reducing the number of poles required in area lighting applications, with typical energy savings of 70% and expected service life of over 100,000 hours.

Ordering Information **EXAMPLE:** DSX0 LED P6 40K 70CRI T3M MVOLT SPA NLTAIR2 PIRHN DDBXD

DSX0 LED

Series	LEDs	Color temperature[1]	Color Rendering Index[1]	Distribution	Voltage	Mounting
DSX0 LED	**Forward optics** P1 P5 P2 P6 P3 P7 P4 **Rotated optics** P10[2] P12[2] P11[2] P13[2]	(this section 70CRI only) 30K 3000K 40K 4000K 50K 5000K (this section 80CRI only, extended lead times apply) 27K 2700K 30K 3000K 35K 3500K 40K 4000K 50K 5000K	70CRI 70CRI 70CRI 80CRI 80CRI 80CRI 80CRI 80CRI	AFR Automotive front row T1S Type I short T2M Type II medium T3M Type III medium T3LG Type III low glare[3] T4M Type IV medium T4LG Type IV low glare[3] TFTM Forward throw medium T5M Type V medium T5LG Type V low glare T5W Type V wide BLC3 Type III backlight control[3] BLC4 Type IV backlight control[3] LCCO Left corner cutoff[3] RCCO Right corner cutoff[3]	MVOLT (120V-277V)[4] HVOLT (347V-480V)[4,5] XVOLT (277V-480V)[5,6] 120 [4, 7] 208 [4, 7] 240 [4, 7] 277 [4, 7] 347 [4, 7] 480 [4, 7]	**Shipped included** SPA Square pole mounting (4ft drilling, 3.5" min. SQ pole) RPA Round pole mounting (4ft drilling, 3" min. RND pole) SPA5 Square pole mounting (4ft drilling, 3" min. SQ pole)[7] RPA5 Round pole mounting (4ft drilling, 3" min. RND pole)[7] SPABN Square narrow pole mounting (4ft drilling, 3" min. SQ pole) WBA Wall bracket[8] MA Mast arm adapter (mounts on 2 3/8" OD horizontal tenon)

Control options	Other options	Finish (required)
Shipped installed NLTAIR2 PIRHN nLight AIR gen 2 enabled with bi-level motion / ambient sensor, 8–40' mounting height, ambient sensor enabled at 2fc [9, 11, 14, 15] PIR High/low, motion/ambient sensor, 8–40' mounting height, ambient sensor enabled at 2fc [9, 11, 14, 15] PER NEMA twist-lock receptacle only (controls ordered separately) [9] PERS Five-pin receptacle only (controls ordered separately) [9, 10] PER7 Seven-pin receptacle only (controls ordered separately) [9, 10] FAO Field adjustable output [11, 12] BL30 Bi-level switched dimming, 30% [11, 13] BL50 Bi-level switched dimming, 50% [11, 13] DMG 0-10v dimming wires pulled outside fixture (for use with an external control, ordered separately) [11]	**Shipped installed** HS Houseside shield (black finish standard) [16] L90 Left rotated optics [2] R90 Right rotated optics [2] CCE Coastal Construction [17] HA 50°C ambient operation [18] BAA Buy American Act Compliant SF Single fuse (120, 277, 347V) [4] DF Double fuse (208, 240, 480V) [4] **Shipped separately** BSSR External Glare Shield (snowdrift, field install required, matches housing finish) BSDB Bird spikes (field install required)	DDBXD Dark Bronze DBLXD Black DNAXD Natural Aluminum DWHXD White DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white

LITHONIA LIGHTING
COMMERCIAL OUTDOOR

One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • www.lithonia.com
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DSXD LED
Rev. 09/05/23
Page 1 of 9

Universal Footnotes (only applies if option is listed on spec sheet): (1) 90R - 90 CRI output-loss multiplier: 0.85 (estimate). Cannot be combined with ES. **1) BAC** - cannot be combined with FCL. **(2) BW/BWS/BBC** - cannot be combined with ECW or EHT. **(3) BLD** - includes integral microwave motion sensor (do not combine with OCC options). Cannot be combined with DTR. **(4) DTR** - cannot be combined with BLD. **(5) ECW** - cannot be combined with BBC, BWC, or DTR. **(6) ES** - cannot be combined with 90R or T24. **(7) FCL** - cannot be combined with BAC. **(8) OCC** - integral microwave motion sensor with occupancy only. **(9) PIR** - integral microwave motion sensor with high/low control. **(10) PIR/PIRA** - integral microwave motion sensor with BLD or OCC. **Add'l Notes: *BW/BWS/BBC** - 10% minimum operating temp. DSCXXR* unless otherwise stated. **BWC** - minimum operating temp: -20C/-4F. ****BLD** - integral microwave motion sensor with step-dim control. 5. Motion is detected, illuminate to 100%. 2. Motion no longer detected, dim to set level. 3. Remain in continuous dimmed state or turn off after set period. Configurable via onboard dip switches.
Specifications and dimensions subject to change without notice.
Consult your Brownlee Lighting representative for availability and ordering information.

PRO-41 [H4]

PROJECT:
MODEL #:
FIXTURE TYPE:

STANDARD SPECIFICATIONS

FRAME
Heavy duty aluminum with roll formed aluminum bands. The optional trim bars are solid 0.250" thick aluminum, held in place by fasteners.

DIFFUSER
Translucent, UV stabilized, white acrylic. Diffuser is form molded allowing for a uniform standard thickness of 0.100" throughout.

PAN
Heavy duty formed aluminum, featuring aluminum thread inserts to prevent rusting of fasteners.

LED PERFORMANCE - 3500K STANDARD
120-277V - 3500K, 82 CRI - L80 rating - 60,000 hrs - L70 rating (projected) - 100,000 hrs
Amperage rated @ 110V input
Dimming compatible - 0-10V control required
Operating ambient temperature: -20°C / -4°F - 50°C / 122°F

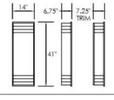
Delivered 3500K lumens noted. Consult Brownlee.com for performance of all CCTs.
H32 – 32W nominal, .26 A input - 2356 lm. Dimmable (0-10V).
H41 – 41W nominal, .35 A input - 2878 lm. Dimmable (0-10V).

MOUNTING
The 7616 series is designed to be mounted directly to the wall with (4) 1/4" anchors (not included).

FINISH
All 7616 parts are prepared using a three step pre-treatment/sealing process, followed by a powder coat primer prior to applying any of the Brownlee paint finishes.

WARRANTY
5 year limited warranty on this LED product. Consult factory for details.

NT finish, VB0 trim



WET

ORDERING INFORMATION

7616 - 2. - 3. - 4. - 5. - 6. (if required)

2. FINISH
STANDARD
AB Antique Bronze
AS Antique Silver
BL Black
BZ Bronze
DB Desert Bronze
GM Gun Metal
MB Metallic Bronze
NT Nickel Tone
PL Platinum
WH White
CUSTOM
Provide color sample or RAL code to match

3. WATTAGE
H32 32W H Series LED
H41 41W H Series LED

4. TRIM
VB0 No trim
VB1 1 vertical bar
VB2 2 vertical bars

5. COLOR TEMPERATURE
35K 3500K standard color temperature
30K 3000K color temperature
40K 4000K color temperature

6. AVAILABLE OPTIONS
BAC[1] Buy American Compliant
BLD[4,**] Bi-Level Dimming
ES[5] ENERGY STAR® (H32 Only)
FCL[1] French Canadian Labels
OCC[6] Occupancy Sensor
T24[8] Title 24 JA8 Compliant (H32 only)

BROWNLEE LIGHTING
www.brownlee.com

REVISED
2023.08.07

Schedule

Symbol	Label	QTY	Manufacturer	Description	Lamp	Mounting Height
	A	7	Lithonia Lighting	D-Series Size 0 Area Luminaire 4000K	LED	20'-0"
	B	4	Lithonia Lighting	D-Series Size 0 Area Luminaire 4000K	LED	20'-0"
	C	5	Lithonia Lighting	D-Series Size 1 Wall Mounted Luminaire 4000K	LED	10'-0"
	F	43	Brownlee Lighting	Black steel housing / heatsink, frosted plastic lens 4000K	LED	8'-0"

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min	Avg/Max
OVERALL	+	0.8 fc	7.7 fc	0.0 fc	N/A	N/A	0.1:1
PARKING LOT	x	1.5 fc	5.6 fc	0.2 fc	28.0:1	7.5:1	0.3:1

General Note
1. SEE SCHEDULE FOR LUMINAIRE MOUNTING HEIGHT.
2. SEE LUMINAIRE SCHEDULE FOR LIGHT LOSS FACTOR.
3. CALCULATIONS ARE SHOWN IN FOOTCANDLES AT: 0' - 0".

THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS. MOUNTING HEIGHTS INDICATED ARE FROM GRADE AND/OR FLOOR UP.

THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR MICHIGAN ENERGY CODE AND LIGHTING QUALITY COMPLIANCE.

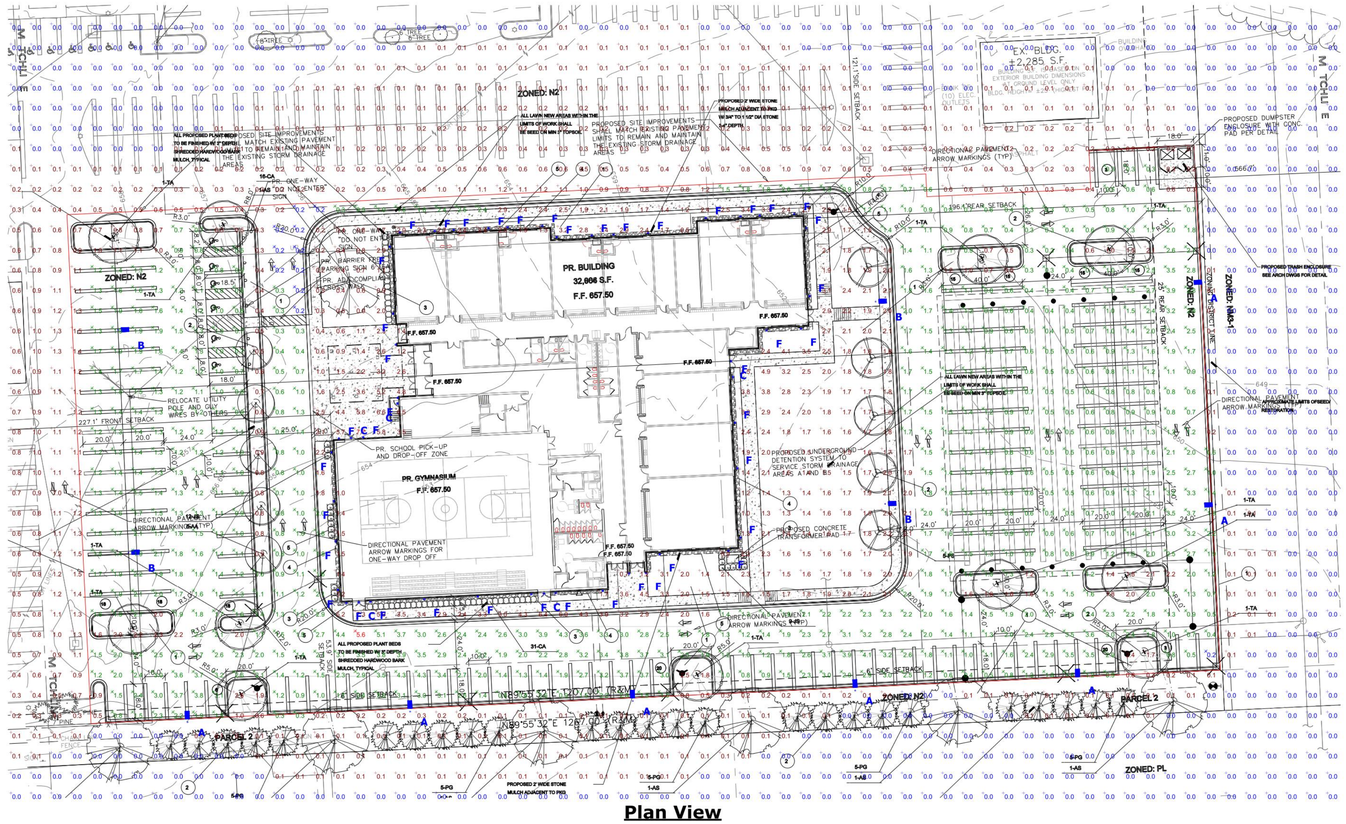
UNLESS EXEMPT, PROJECT MUST COMPLY WITH LIGHTING CONTROLS REQUIRMENTS DEFINED IN ASHRAE 90.1 2013. FOR SPECIFIC INFORMATION CONTACT GBA CONTROLS GROUP AT ASG@GASSERBUSH.COM OR 734-266-6705

Drawing Note
THIS DRAWING WAS GENERATED FROM AN ELECTRONIC IMAGE FOR ESTIMATION PURPOSE ONLY. LAYOUT TO BE VERIFIED IN FIELD BY OTHERS.

Ordering Note
FOR INQUIRIES CONTACT GASSER BUSH AT QUOTES@GASSERBUSH.COM OR 734-266-6705.

Mounting Height Note
MOUNTING HEIGHT IS MEASURED FROM GRADE TO SKY SIDE OF FIXTURE. POLE HEIGHT SHOULD BE CALCULATED AS THE MOUNTING HEIGHT LESS BASE HEIGHT.

Alternates Note
ALTERNATE LIGHTING FIXTURES WILL NOT MEET CITY ORDINANCE COMPLIANCE DUE TO THE PRECISE OPTICAL AND OUTPUT PERFORMANCE SELECTED FOR THESE FIXTURES. ALTERNATE LIGHTING PROPOSALS MUST BE RECALCULATED AND RESUBMITTED TO THE CITY FOR APPROVAL. CONTACT LAYOUTS@GASSERBUSH.COM FOR ASSISTANCE WITH ALTERNATE OPTIONSIF NEEDED.



Plan View
Scale - 1" = 30ft

Designer
DB/KB
Date
10/17/2023
rev. 10/30/2023
Scale
Not to Scale
Drawing No.
#23-21296-V2

BASILICA OF ST. MARY
PHOTOMETRIC SITE PLAN
GASSER BUSH ASSOCIATES
PREPARED FOR: NOWAK & FRAUS ENGINEERS
WWW.GASSERBUSH.COM

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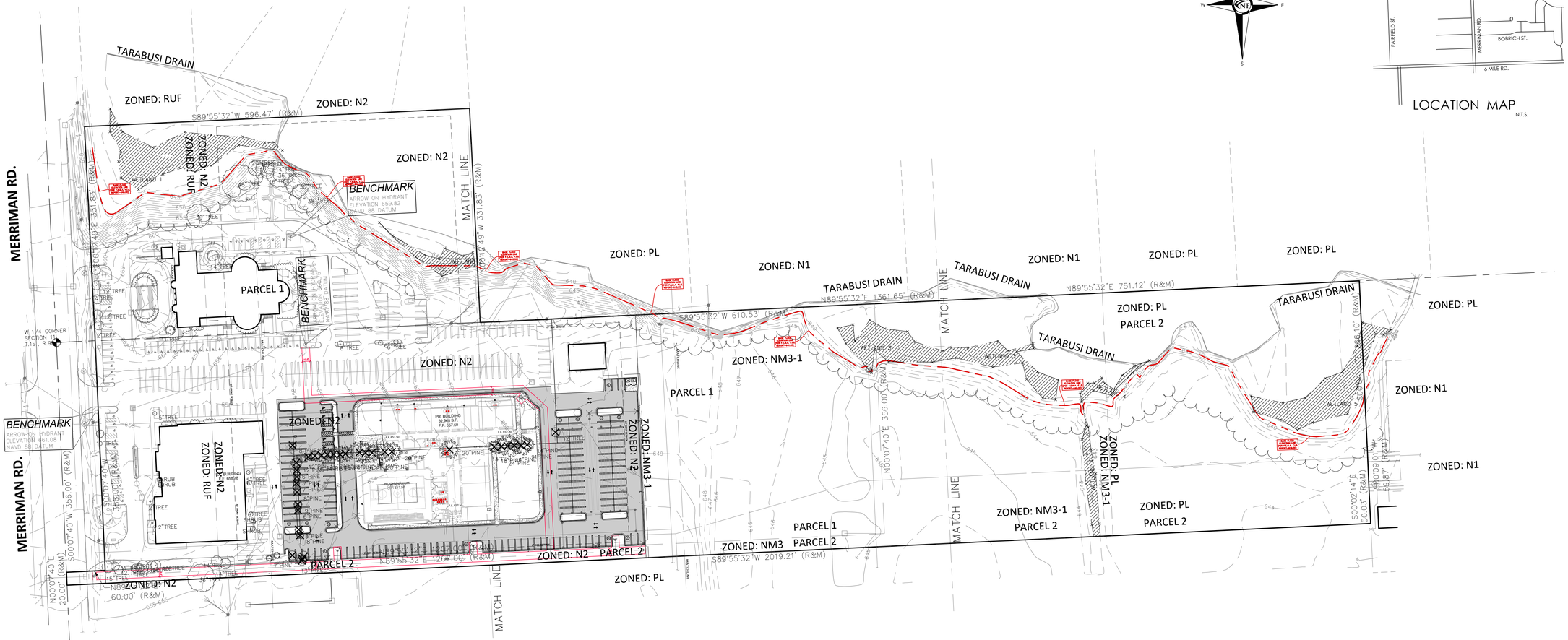
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Photometric Plan

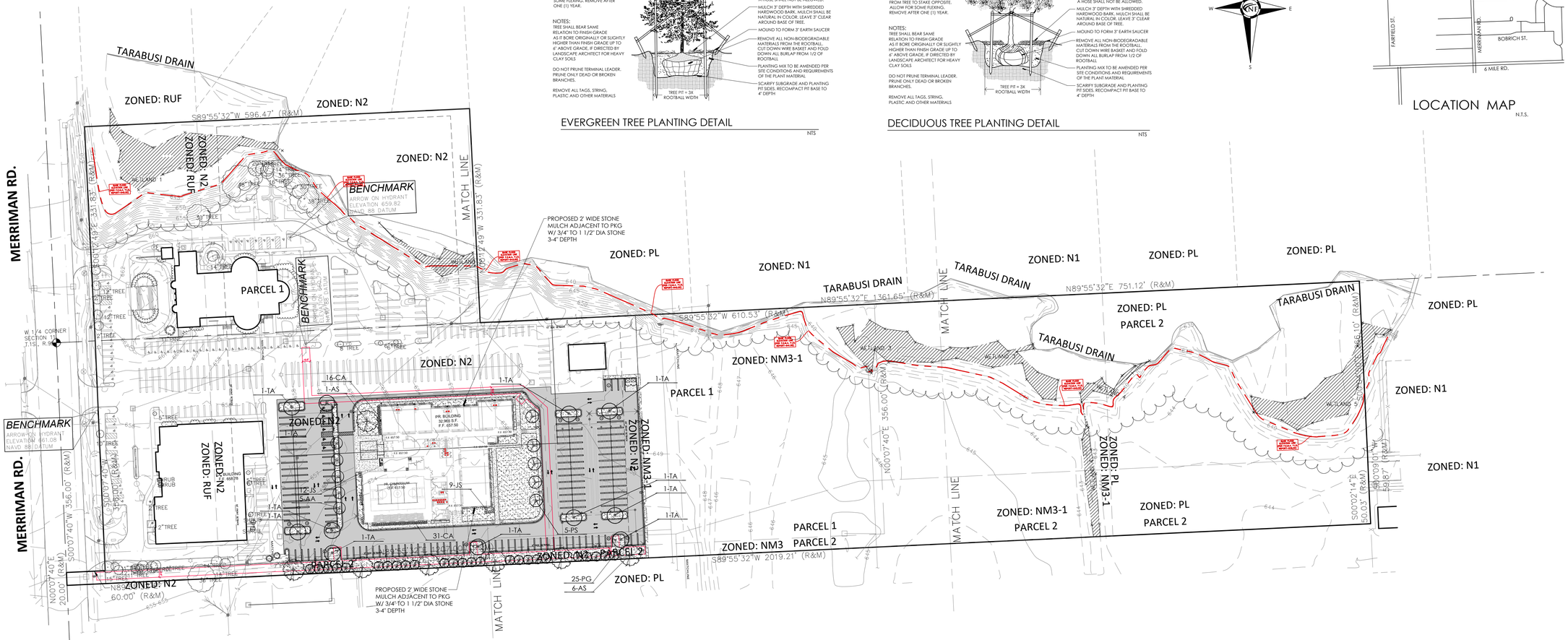
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A. Wiseman
DESIGNED BY:
A. Wiseman
APPROVED BY:
P. Williams
DATE:
October 4, 2023
SCALE: 1" = 30'
30 15 0 15 30 45

NFE JOB NO. **N210**
SHEET NO. **SP-15**


TARABUSI DRAIN
ZONED: RUF
ZONED: N2
S89°55'32"W 596.47' (R&M)
MERRIMAN RD.
BENCHMARK
ARROW ON HYDRANT
ELEVATION 659.82
NAVD 88 DATUM
MATCH LINE
PARCEL 1
ZONED: PL
ZONED: N1
N89°55'32"E 1361.65' (R&M)
S89°55'32"W 610.53' (R&M)
N89°55'32"E 751.12' (R&M)
ZONED: NM3-1
PARCEL 2
W 1/4 CORNER SECTION 11 T.1S., R.9E
BENCHMARK
ARROW ON HYDRANT
ELEVATION 661.08
NAVD 88 DATUM
N00°07'40"E 356.00' (R&M)
S00°07'40"W 356.00' (R&M)
N00°07'40"E 20.00' (R&M)
N89°55'32"E 60.00' (R&M)
N89°55'32"E 1256.00' (R&M)
S89°55'32"W 2019.21' (R&M)
S00°02'14"E 330.03' (R&M)
S00°09'01"W 659.87' (R&M)
WETLAND 1
WETLAND 2
WETLAND 3
PR. BUILDING 32,965 S.F. F.F. 657.50
PR. DUMPSTER SPF 657.50
PR. CANOPY SPF 657.50
PR. CONCRETE PAD SPF 657.50
PR. CONCRETE PAD SPF 657.50
PR. CONCRETE PAD



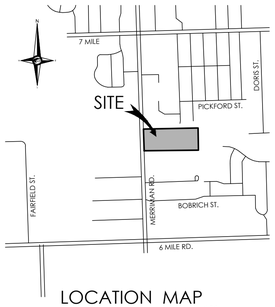
EVERGREEN TREE PLANTING DETAIL

NTS

DECIDUOUS TREE PLANTING DETAIL

NTS





LOCATION MAP

N.T.S.

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Overall Landscape Plan

811 Know what's below Call before you dig.

REVISIONS

10/17/2023 PRELIMINARY SITE PLAN

DRAWN BY:
G. Ostrowski

DESIGNED BY:
G. Ostrowski

APPROVED BY:
G. Ostrowski

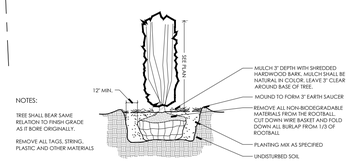
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10-09-2023

SCALE: 1" = 80'

80 40 0 40 80 120

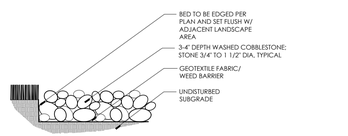
NFE JOB NO. N210

SHEET NO. L2



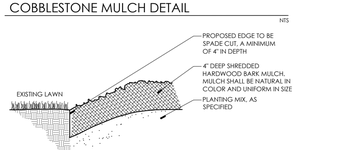
UPRIGHT EVERGREEN SHRUB PLANTING DETAIL

NTS



COBBLESTONE MULCH DETAIL

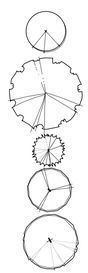
NTS



SPADE CUT EDGE DETAIL

NTS

LANDSCAPE KEY



ARMSTRONG MAPLE

LEGACY SUGAR MAPLE

BLACK HILLS SPRUCE

PINK FLAIR FLOWERING CHERRY

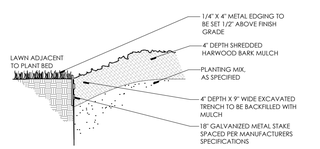
BOULEVARD AMERICAN LINDEN

LANDSCAPE REQUIREMENTS

EXISTING SITE ZONING: N2, RUF, NM3-1, PL
EXISTING SITE AREA: 934,757.26 S.F. OR 21.45 ACRES

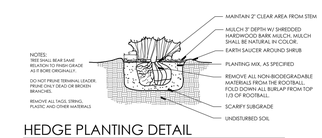
INTERIOR PARKING LOT LANDSCAPE REQUIREMENTS
5% OF ALL PAVED AREAS SHALL BE LANDSCAPED W/
1 TREE PER 300 S.F. OF REQUIRED AREA
PAVED AREA: 76,739.76 S.F.
REQUIRED AREA: 76,739.76 S.F. X 5% = 3,836.99 S.F.
TREES REQUIRED: 3,836.99 S.F. / 300 S.F. = 12.79 OR 13 TREES
AREA PROVIDED: 5,058.15 S.F., AND 16 TREES

GREENBELT BUFFER
20' WIDE, W/ 1 TREE PER 20 L.F. (50% EVERGREEN)
REQUIRED:
SOUTH PROPERTY LINE: 558.65 L.F.
558.65 L.F. / 20 = 27.93 OR 28 TREES
PROVIDED:
30 TREES (83%)



METAL EDGING DETAIL

NTS



HEDGE PLANTING DETAIL

NTS

GENERAL LANDSCAPE NOTES

1. LANDSCAPE CONTRACTOR SHALL VISIT SITE, INSPECT EXISTING CONDITIONS AND REVIEW PROPOSED PLANTING AND RELATED WORK. IN CASE OF DISCREPANCY BETWEEN PLAN AND PLANT LIST, THE PLAN SHALL GOVERN QUANTITIES. CONTACT THE LANDSCAPE ARCHITECT WITH ANY CONCERNS.
2. THE CONTRACTOR SHALL VERIFY LOCATIONS OF ALL ON-SITE UTILITIES PRIOR TO BEGINNING CONSTRUCTION ON HIS/HER PHASE OF WORK. ANY DAMAGE OR INTERUPTION OF SERVICES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
3. THE CONTRACTOR SHALL COORDINATE ALL RELATED ACTIVITIES WITH OTHER TRADES, AND SHALL REPORT ANY UNACCEPTABLE SITE CONDITIONS TO THE OWNER'S REPRESENTATIVE PRIOR TO COMMENCEMENT.
4. PLANTS SHALL BE FULL, WELL-BRANCHED, AND IN HEALTHY VIGOROUS GROWING CONDITION.
5. PLANTS SHALL BE WATERED BEFORE AND AFTER PLANTING IS COMPLETE.
6. ALL TREES MUST BE STAKED, FERTILIZED AND MULCHED AND SHALL BE GUARANTEED TO EXHIBIT A NORMAL GROWTH CYCLE FOR AT LEAST ONE (1) YEAR FOLLOWING PLANTING.
7. ALL MATERIAL SHALL CONFORM TO THE GUIDELINES ESTABLISHED IN THE MOST RECENT EDITION OF THE "AMERICAN STANDARDS FOR NURSERY STOCK."
8. CONTRACTOR WILL SUPPLY FINISHED GRADE AND EXCAVATE AS NECESSARY TO SUPPLY PLANT MIX DEPTH IN ALL PLANTING BEDS AS INDICATED IN PLANT DETAILS AND A DEPTH OF 4" IN ALL LAWN AREAS.
9. PROVIDE CLEAN BACKFILL SOIL, USING MATERIAL STOCKPILED ON-SITE. SOIL SHALL BE SCREENED AND FREE OF DEBRIS, FOREIGN MATERIAL, AND STONE.
10. SLOW-RELEASE FERTILIZER SHALL BE ADDED TO THE PLANT PITS BEFORE BEING BACKFILLED. APPLICATION SHALL BE AT THE MANUFACTURERS RECOMMENDED RATES.
11. AMENDED PLANT MIX (PREPARED TOPSOIL) SHALL CONSIST OF 1/3 SCREENED TOPSOIL, 1/3 SAND, AND 1/3 "DAIRY DOO" COMPOST, MIXED WELL AND SPREAD TO A DEPTH AS INDICATED IN PLANTING DETAILS.
12. ALL PLANTINGS SHALL BE MULCHED WITH SHREDDED HARDWOOD BARK, SPREAD TO A DEPTH OF 3" FOR TREES AND SHRUBS, AND 2" ON ANNUALS, PERENNIALS, AND GROUNDCOVER PLANTINGS. MULCH SHALL BE FREE FROM DEBRIS AND FOREIGN MATERIAL, AND PIECES ON INCONSISTENT SIZE.
13. NO SUBSTITUTIONS OF PLANT MATERIAL, QUANTITY, OR PLANT TYPE SHALL BE MADE WITHOUT PRIOR APPROVAL OF THE LANDSCAPE ARCHITECT OR OWNERS REPRESENTATIVE.
14. THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED OF ANY DISCREPANCIES BETWEEN THE PLANS AND FIELD CONDITIONS PRIOR TO INSTALLATION.
15. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL PLANT MATERIAL IN A VERTICAL CONDITION THROUGHOUT THE GUARANTEED PERIOD.
16. THE LANDSCAPE ARCHITECT OR OWNERS REPRESENTATIVE SHALL HAVE THE RIGHT TO REJECT ANY WORK OR MATERIAL THAT DOES NOT MEET THE REQUIREMENTS OF THE PLANS AND/OR SPECIFICATIONS.
17. THE LANDSCAPE CONTRACTOR SHALL SEED AND MULCH OR SOD (AS INDICATED ON PLANS) ALL AREAS DESIGNATED AS SUCH ON THE PLANS, THROUGHOUT THE CONTRACT LIMITS. FURTHER, THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING AREAS DISTURBED DURING CONSTRUCTION, NOT IN THE CONTRACT LIMITS, TO EQUAL OR GREATER CONDITION.
18. ALL LANDSCAPE AREAS SHALL HAVE PROPER DRAINAGE THAT PREVENTS EXCESSIVE WATER FROM PONDING ON LAWN AREAS OR AROUND TREES AND SHRUBS.
19. ALL LANDSCAPE AREAS SHALL BE IRRIGATED WITH AN AUTOMATIC UNDERGROUND SYSTEM.

GENERAL SEED NOTE:

ALL LAWN AREAS DESIGNATED TO BE SEEDED, SHALL BE HYDRO-SEEDED WITH SPECIFIED BLENDS, AND STABILIZED WITH WOOD-CELLULOSE FIBER MULCH (2,000 LBS PER ACRE) . IN AREAS SUBJECT TO EROSION, SEEDED LAWN SHALL BE FURTHER STABILIZED WHERE NECESSARY WITH BIODEGRADABLE EROSION BLANKET AND STAKED UNTIL ESTABLISHED. ALL SEED SHALL BE APPLIED OVER A MINIMUM 3" PREPARED TOPSOIL, AND SHALL BE KEPT MOIST AND WATERED DAILY UNTIL ESTABLISHED.
SEEDING INSTALLATION SHALL OCCUR ONLY:
SPRING: APRIL 1 TO JUNE1
FALL: AUGUST 15 TO OCTOBER 15

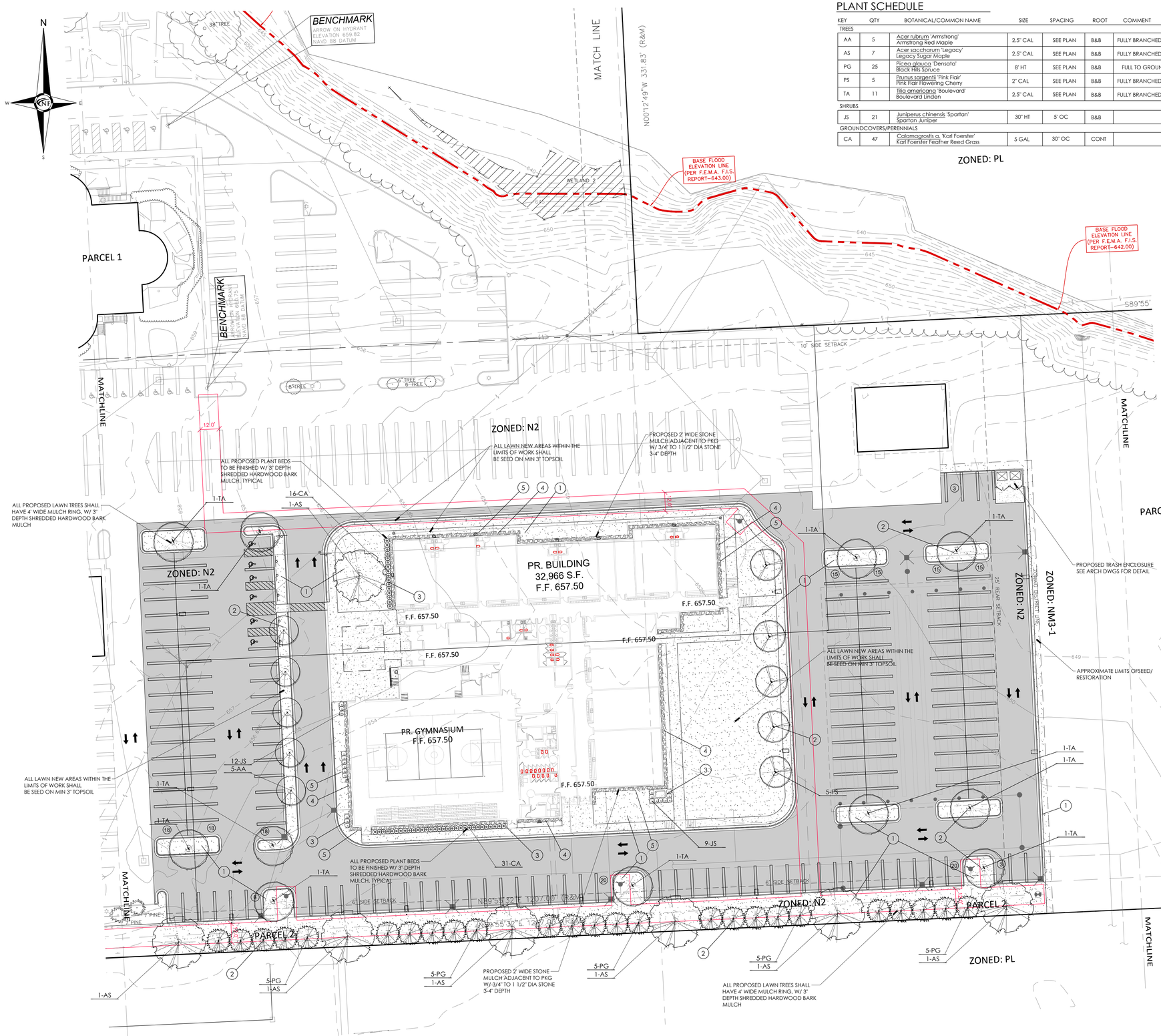
TYPICAL SEEDED LAWN MIX:

ALL LAWN AREAS DESIGNATED TO BE SEEDED, SHALL BE HYDROSEEDED WITH TYPICAL DROUGHT TOLERANT, DURABLE BLENDED SEED MIX, AT A RATE OF 220 LBS PER ACRE
MIX IS COMPRISED OF
- 30% NITE HAWK PERENNIAL RYE
- 30% KENTUCKY BLUEGRASS
- 20% CREEPING RED FESCUE
- 10% MERIT KENTUCKY BLUEGRASS
- 10% NEWPORT KENTUCKY BLUEGRASS

IRRIGATION NOTE:

ALL LANDSCAPE AREAS, INCLUDING THOSE WITHIN THE R.O.W. SHALL BE IRRIGATED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM. THE SYSTEM SHALL OPERATE IN COMPLIANCE WITH LOCAL STANDARDS AND SEASONAL RESTRICTIONS. SEPARATE ZONES SHALL BE PROVIDED FOR LAWN AREAS AND PLANTING BEDS. IRRIGATION SHALL BE DESIGNED IN THE THE MOST EFFICIENT MANNER NECESSARY TO FULLY IRRIGATE ALL PLANTING AREAS.

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PLANT SCHEDULE

KEY	QTY	BOTANICAL/COMMON NAME	SIZE	SPACING	ROOT	COMMENT
TREES						
AA	5	Acer rubrum 'Armstrong' Armstrong Red Maple	2.5" CAL	SEE PLAN	B&B	FULLY BRANCHED HEADS
AS	7	Acer saccharum 'Legacy' Legacy Sugar Maple	2.5" CAL	SEE PLAN	B&B	FULLY BRANCHED HEADS
PG	25	Picea glauca 'Densata' Black Hills Spruce	8' HT	SEE PLAN	B&B	FULL TO GROUND
PS	5	Prunus sargenti 'Pink Flair' Pink Flair Flowering Cherry	2" CAL	SEE PLAN	B&B	FULLY BRANCHED HEADS
TA	11	Tilia americana 'Boulevard' Boulevard Linden	2.5" CAL	SEE PLAN	B&B	FULLY BRANCHED HEADS
SHRUBS						
JS	21	Juniperus chinensis 'Spartan' Spartan Juniper	30" HT	5' OC	B&B	
GROUNDCOVERS/PERENNIALS						
CA	47	Calamagrostis a. 'Karl Foerster' Karl Foerster Feather Reed Grass	5 GAL	30" OC	CONT	

ZONED: PL



LOCATION MAP N.T.S.

PLANTING NOTES:

1. THE CONTRACTOR SHALL VERIFY ALL RIGHTS OF WAY, EASEMENTS, PROPERTY LINES AND LIMITS OF WORK, ETC., PRIOR TO COMMENCING WORK.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING AND COORDINATING WITH ALL PERTINENT UTILITY COMPANIES 72 HOURS IN ADVANCE OF ANY DIGGING TO MAKE HIMSELF FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES AND STRUCTURES. THE CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY COST INCURRED DUE TO DAMAGE OF SAID UTILITIES.
3. THE CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH CONSTRUCTION AS DESIGNED WHEN IT IS OBVIOUS THAT UNKNOWN OBSTRUCTIONS AND/OR GRADE DIFFERENCES EXIST. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.
4. ANY DISCREPANCIES BETWEEN DIMENSIONED LAYOUT AND ACTUAL FIELD CONDITIONS SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE AND LANDSCAPE ARCHITECT. FAILURE TO MAKE SUCH DISCREPANCIES KNOWN WILL RESULT IN CONTRACTOR'S RESPONSIBILITY AND LIABILITY FOR ANY CHANGES AND ASSOCIATED COST.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH CONSTRUCTION INSTALLATION OPERATIONS.
6. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN POSITIVE SURFACE DRAINAGE. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, AND OR OWNER'S REPRESENTATIVE.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY EXISTING MATERIALS THAT ARE DAMAGED DURING CONSTRUCTION.
8. SEE SPECIFICATIONS, PLANT LIST AND PLANTING DETAILS FOR PLANTING REQUIREMENTS, MATERIALS AND EXECUTION.
9. ALL TREES TO HAVE CLAY LOAM OR CLAY BALLS - TREES WITH SAND BALLS SHALL NOT BE ACCEPTED.
10. ALL TREES TO BE APPROVED BY OWNER'S REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT PRIOR TO DELIVERY TO THE SITE. ANY TREES DELIVERED TO THE SITE NOT PREVIOUSLY APPROVED MAY BE REJECTED AND ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
11. FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT.
12. THE CONTRACTOR TO VERIFY PERCOLATION OF ALL PLANTING PITS PRIOR TO INSTALLATION OF PLANT MATERIAL.
13. THE CONTRACTOR SHALL PLACE 3" DEPTH OF SHREDDED BARK MULCH IN ALL PLANTING BEDS, UNLESS OTHERWISE INDICATED.

GENERAL SEED NOTE:

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GROUNDCOVER KEY

1. TYPICAL SEED LAWN AREAS, SOWN ON 3" TOPSOIL
2. 4" DIA SPADE CUT EDGE W/ 3" SHREDDED BARK MULCH
3. 3" DEPTH DOUBLE SHREDDED HARDWOOD BARK MULCH
4. 3/4" - 1 1/2" STONE MULCH, 3-4" DEPTH ON WEED BARRIER
5. 3/16" X 4" STEEL EDGING, STAKED PER MANUFACTURER

NF ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

SEAL

PROJECT

Basilica of St. Mary
18100 Merriman Rd.
Livonia, MI

CLIENT

Basilica of St. Mary

Contact: Salem Samaan
Ph: (734) 459-4040

PROJECT LOCATION

Part of the Southwest ¼ of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET

Enlarged Landscape Plan

811 Know what's below Call before you dig.

REVISIONS

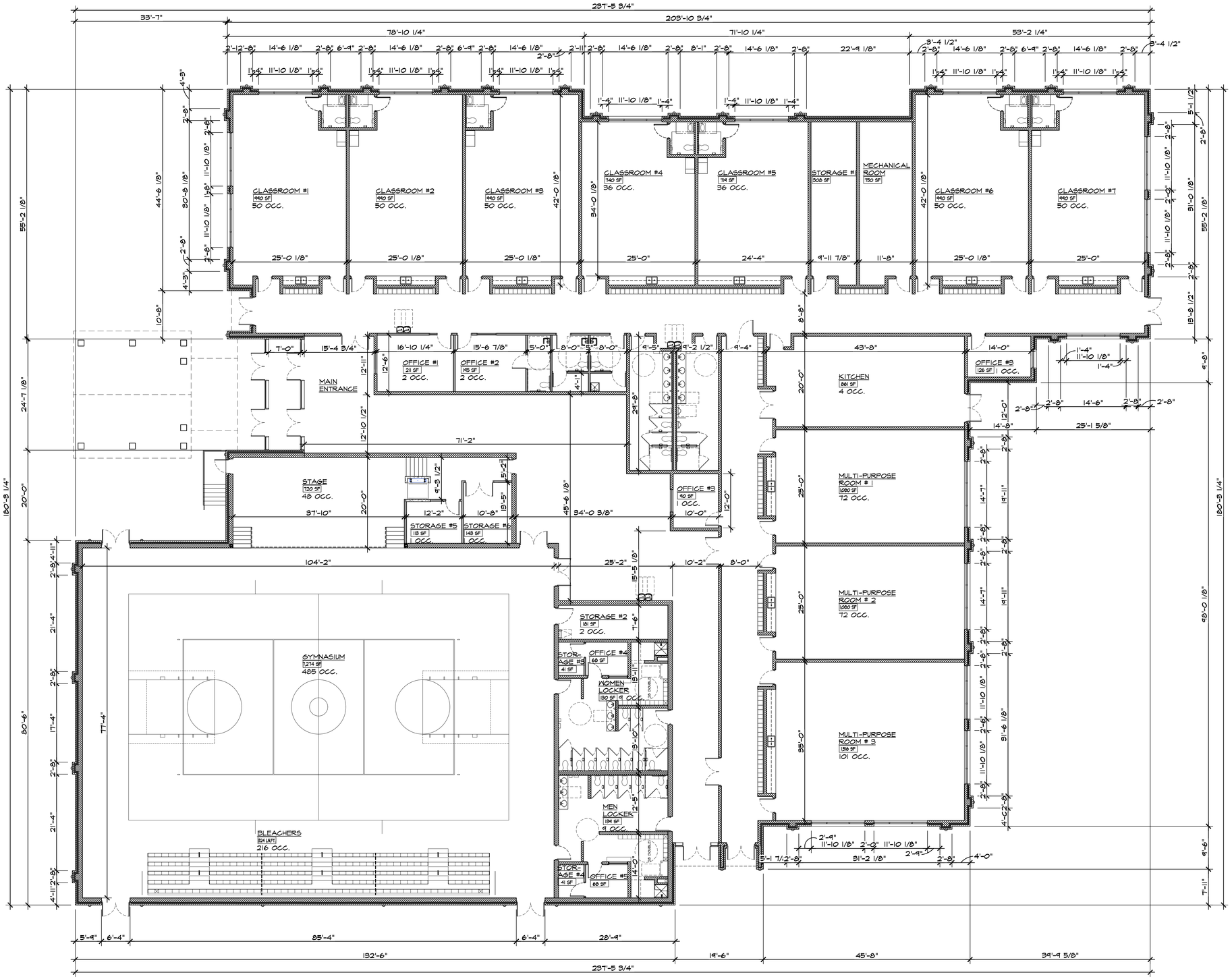
10/17/2023 PRELIMINARY SITE PLAN

DRAWN BY: G. Ostrowski
DESIGNED BY: G. Ostrowski
APPROVED BY: G. Ostrowski
DATE: 10-09-2023
SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. N210
SHEET NO. L3

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NORTH

PROPOSED FLOOR PLAN

SCALE: 3/32" = 1'-0" 32,966 SQ.FT.

PRELIMINARY NOT FOR CONSTRUCTION

ISSUED FOR	DATE
SPA	11-3-2023
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ARCHITECTURAL DESIGN

RESIDENTIAL
COMMERCIAL
INDUSTRIAL

G.A.V. ASSOCIATES, INC
24001 ORCHARD LAKE RD., STE. 180A
FARMINGTON, MICHIGAN 48336
PH: (248) 985-9101
WEB: WWW.GAVASSOCIATES.COM

GA ASSOCIATES

PROPOSED NEW BUILDING FOR:
ST. MARY'S ACADEMY & GYMNASIUM
18200 MERRIMAN ROAD
LIVONIA, MICHIGAN

DRAWN:	DESIGNED:	CHECKED:
DG	GA	GA

SCALE : 3/32" = 1'-0"

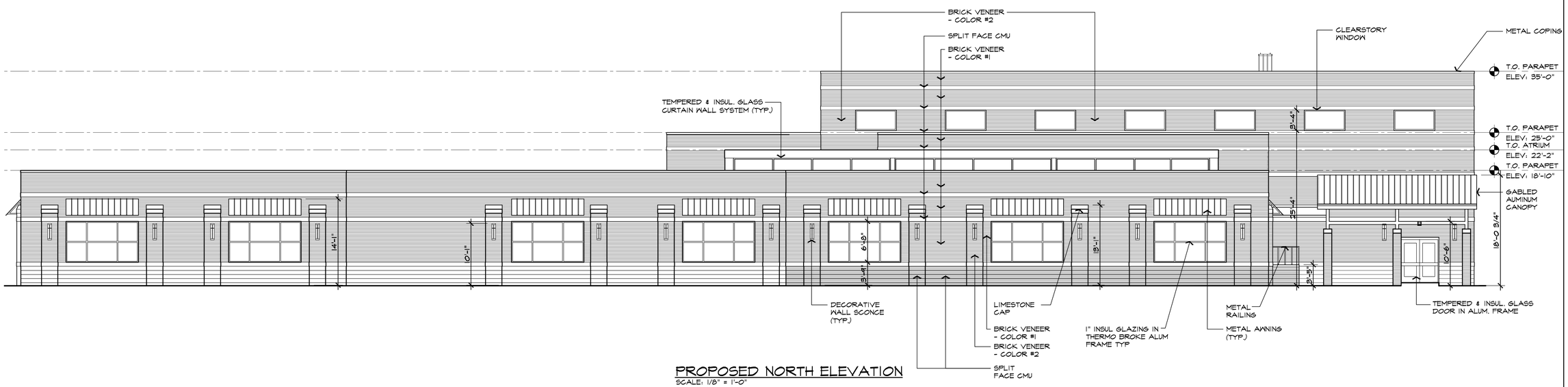
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JOB #: 22086

SHEET TITLE
PROPOSED FLOOR PLAN

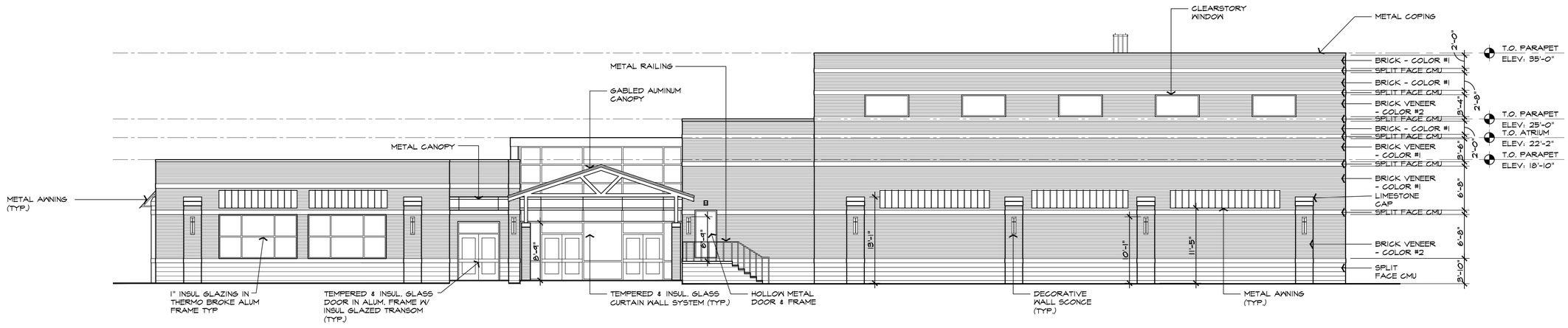
SHEET #
A.101

STATE OF MICHIGAN · SAMIR M. ANDRAWIS · No. 1301038452 · LICENSED ARCHITECT



PROPOSED NORTH ELEVATION

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



PROPOSED WEST ELEVATION

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

PRELIMINARY
NOT FOR
CONSTRUCTION

STATE OF MICHIGAN
SAMIR M.
KADDU
No.
1301038452
LICENSED ARCHITECT

ISSUED FOR	DATE
SPA	11-3-2023
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GAV ASSOCIATES

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DRAWN:	DESIGNED:	CHECKED:
DG	GA	GA

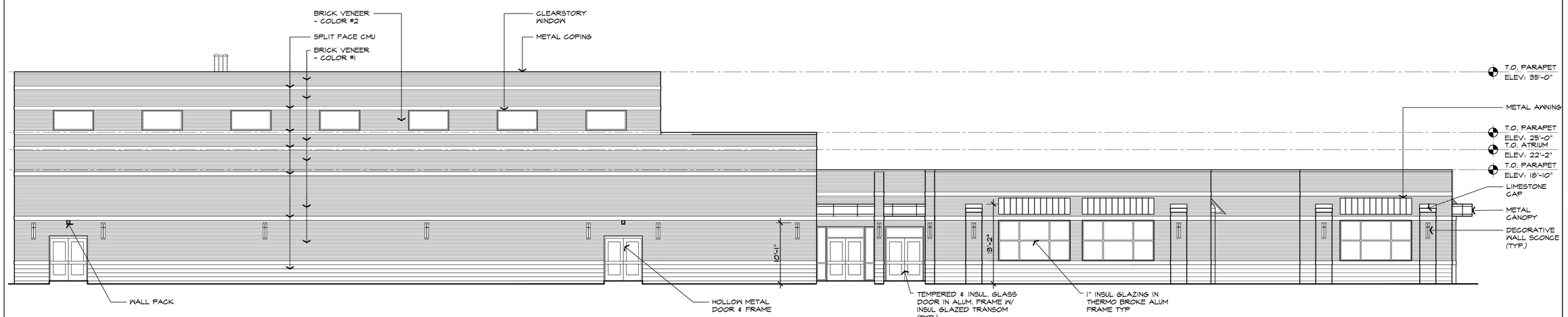
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FILE NAME : 18123_A201

JOB # 22086

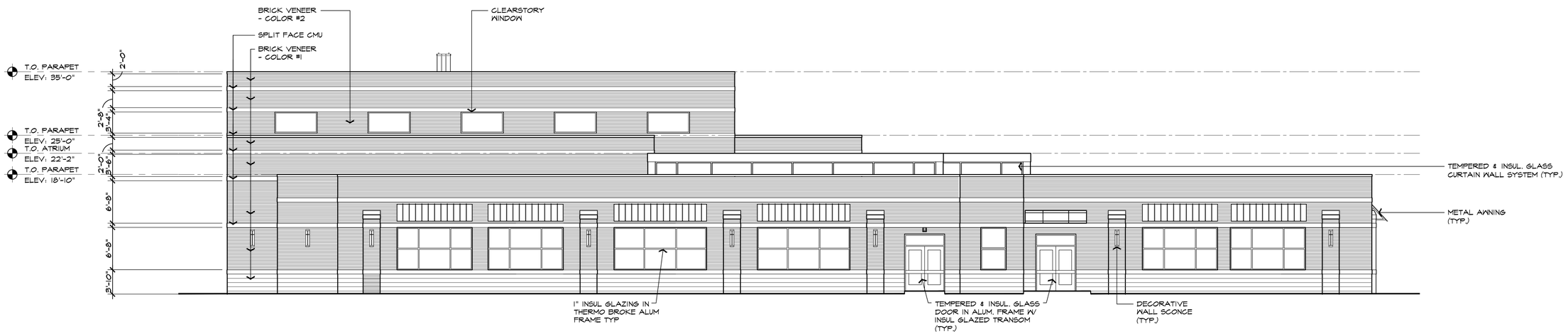
SHEET TITLE
PROPOSED
NORTH & WEST
ELEVATIONS

SHEET #
A.201



PROPOSED SOUTH ELEVATION

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



PROPOSED EAST ELEVATION

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

PRELIMINARY
NOT FOR
CONSTRUCTION

STATE OF MICHIGAN
GARY M. KAWA
Architect
No. 1301038452
LICENSED ARCHITECT

ISSUED FOR	DATE
SPA	11-3-2023
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DRAWN:	DESIGNED:	CHECKED:
DG	GA	GA

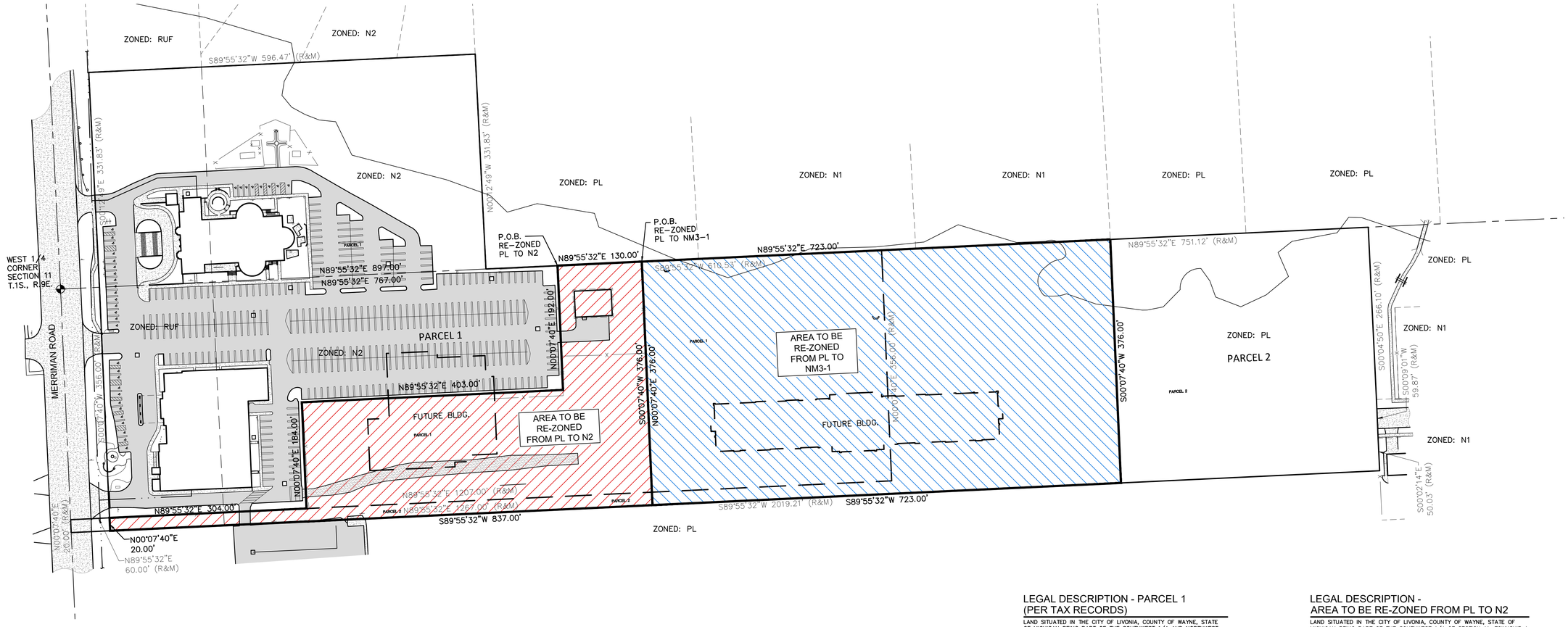
SCALE : 1/8" = 1'-0"

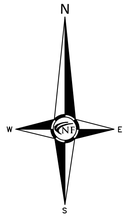
FILE NAME : 18123_A202

JOB # 22086

SHEET TITLE
PROPOSED
SOUTH & EAST
ELEVATIONS

SHEET #
A.202







LEGAL DESCRIPTION - PARCEL 1 (PER TAX RECORDS)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 60.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1207.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 610.53 FEET; THENCE NORTH 00 DEGREES 12 MINUTES 49 SECONDS WEST, 331.83 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 596.47 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 49 SECONDS EAST, 331.83 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 627,615 S.F. OR 14.41 ACRES.

LEGAL DESCRIPTION - PARCEL 2 (PER WARRANTY DEED)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST AND MEASURED ALONG THE WEST LINE OF SAID SECTION 11, 356.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1267.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET TO THE EAST–WEST 1/4 LINE OF SAID SECTION 11; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST ALONG THE EAST–WEST 1/4 LINE OF SAID SECTION 11, 751.12 FEET TO THE NORTHWEST CORNER OF "SUNSET PARK SUB'N" AS RECORDED IN LIBER 83 OF PLATS, PAGES 68 AND 69, WAYNE COUNTY RECORDS; THENCE SOUTH 00 DEGREES 04 MINUTES 50 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID "SUNSET PARK SUB'N", 266.10 FEET TO THE NORTHERLY RIGHT–OF–WAY OF BROOKVIEW DRIVE (60' WIDE); THENCE SOUTH 00 DEGREES 02 MINUTES 14 SECONDS EAST ALONG THE WESTERLY LINE OF SAID "SUNSET PARK SUB'N", 50.03 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 2019.21 FEET TO THE WEST LINE OF SAID SECTION 11; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST AND MEASURED ALONG THE WEST LINE OF SAID SECTION 11, 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 308,000 S.F. OR 7.07 ACRES.

LEGAL DESCRIPTION - AREA TO BE RE-ZONED FROM PL TO N2

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST ALONG THE EAST–WEST 1/4 LINE OF SAID SECTION 11, 767.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 130.00 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 376.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 837.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 20.00 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 304.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 184.00 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 403.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 192.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 129,110 SQUARE FEET OR 2.96 ACRES.

LEGAL DESCRIPTION - AREA TO BE RE-ZONED FROM PL TO NM3-1

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST ALONG THE EAST–WEST 1/4 LINE OF SAID SECTION 11, 897.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 723.00 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 376.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 723.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 376.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 271,848 SQUARE FEET OR 6.24 ACRES.

NF ENGINEERS

CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257
WWW.NFE-ENGR.COM

SEAL

STATE OF MICHIGAN
KEVIN CHRISTOPHER NAVAROLI
License No. 4001053503
REGISTERED PROFESSIONAL SURVEYOR

PROJECT
Basilica of St. Mary's
18100 Merriman Rd.
Livonia, MI

CLIENT
Basilica of St. Mary's

Contact: Salem Samaan
Ph: (734) 459-4040

PROJECT LOCATION
Part of the Southwest ¼
of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET
Re-Zoning Sketch

Know what's below Call before you dig.

DATE	ISSUED/REVISED
11-16-22	REVISED PER CITY

DRAWN BY: A. Eizember
DESIGNED BY:
APPROVED BY: P. Williams
DATE: November 4, 2022
SCALE: 1" = 80'
80 40 0 40 80 120

NFE JOB NO. N210
SHEET NO. 1 of 1

LETTER TO THE LIVONIA CITY COUNCIL

1.

Council Office
October 23, 2023

MEETING DATE	PREPARED BY
PH091323/R100223/COW112723/R121323	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

The subject matter of Petition 2022-12-01-02, submitted by the Basilica of St. Mary, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood). (CR 308-23)

BACKGROUND DETAILS

At the Regular Meeting of October 2, 2023:

On a motion by Councilmember Donovic, supported by Councilmember Morgan, it was:

#308-23 RESOLVED, that having considered a communication from the City Planning Commission, dated February 13, 2023, which transmits its resolution 01-04-2023, adopted on January 31, 2023, with regard to Petition 2022-12-01-02, submitted by the Basilica of St. Mary, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood), and a communication from Brandon M. Grysko, Fausone & Grysko, PLC, dated September 1, 2023, withdrawing the NM3-I/elderly housing portion of Petition 2022-12-01-02, and the Council having conducted a public hearing with regard to this matter on Wednesday, September 13, 2023, the Council does hereby refer this item to the Committee of the Whole for its report and recommendation.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To discuss the subject matter as presented.

ATTACHMENTS

1. COW112723 NEW DATA - Petition 2022-12-01-02 Basilica of St. Mary Recd 10-9-23
2. R100223 New Data - Petition 2022-12-01-02 Basilica of St. Mary (2nd Resident response recd 10-02-23)
3. R100223 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident response recd 10-02-23)
4. R100223 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident response recd 9-29-23)
5. R100223 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident Response recd 9-28-23)

6. PH091323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident response recd 9-19-23)
7. PH091323 Basilica of St Marys Minutes
8. PH091323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident response recd 9-7-23)
9. PH091323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident Response recd 9-6-23 - 2 of 2)
10. PH091323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident Response recd 9-6-23 - 1 of 2)
11. PH091323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Clarification - Withdrawal of NM3-I Portion)
12. PH091323 LTC Petition 2022-12-01-02, St Marys
13. PH091323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident Response recd 4-18-23)
14. PH040323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident Response recd 3-20-23 - 2 of 2)
15. PH040323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident Response recd 3-20-23 - 1 of 2)
16. Petition 2022-12-01-02, the Basilica of St. Mary, PC Packet

APPROVED BY

From: Reece, Stephanie
To: Kasprowicz, Sara
Subject: FW: Rezoning Petition 2022-12-01-02 Basilica of St. Mary
Date: Monday, October 9, 2023 8:27:39 AM
Attachments: PLANNING MINUTES 1989-06-13.pdf
PLANNING MINUTES 1997-09-30.pdf
PLANNING MINUTES 1989-05-09.pdf

For you…

Stephanie Reece
Program Supervisor
City of Livonia | Planning Department
(734) 466-2288
SReece@livonia.gov

From: Ernie Babon <ebabon2@gmail.com>
Sent: Sunday, October 8, 2023 5:55 PM
To: Mayor Maureen Miller Brosnan <mayor@livonia.gov>; Jolly, Jim <jjolly@livonia.gov>; Toy, Laura <ltoy@livonia.gov>; Bahr, Scott <sbahr@livonia.gov>; Donovic, Rob <rdonovic@livonia.gov>; McCullough, Brandon <bmccullough@livonia.gov>; McIntyre, Kathleen <kmcintyre@livonia.gov>; Morgan, Scott <smorgan@livonia.gov>
Cc: Planning <Planning@Livonia.gov>; Wilshaw, Ian <iwilshaw@livonia.gov>; Long, Glen W. <glong@livonia.gov>; Sam Caramagno <scaramagno@livonia.gov>; Bongero, David <dbongero@livonia.gov>; Dinaro, Wafa <wdinaro@livonia.gov>; Ventura, Peter <pventura@livonia.gov>; Taormina, Mark <mtaormina@livonia.gov>
Subject: Re: Rezoning Petition 2022-12-01-02 Basilica of St. Mary

To: Livonia City Council

During the city council meeting 10/2/23, there was a discussion regarding the fact that some information was sent anonymously to members of the council with regards to St Mary's Church. We assume that it was the same information which we also received (anonymously). The information we received was related to the minutes of a previous zoning board meeting in 1989, regarding the proposed use of St Mary's cultural center. We were extremely disappointed at a couple council members' decision to completely disregard this information based solely on the fact that it was unsigned. Upon receiving this information we decided to do our own research on the Livonia city website to confirm the information. I was easily able to find the minutes from both the May 9th and the June 13th 1989 planning commission meetings. I've attached the downloads of the minutes along with highlights of key points.

1. Planning commission meeting dated May 9, 1989. Starting on page 25 through page 30. Petition 89-3-2-23 by JRJ Group, Inc requesting waiver use approval to construct an activities hall addition to St Mary's Antiochian Orthodox Church.

    - Discussion from the petitioner on page 26 that the use would be for the church only, including a specific request from the commission members Morrow, Sobolewski and LaPine that it will not be rented to the general public.

- This item was then tabled until the June meeting.

2. Planning commission meeting dated June 13, 1989. Starting on page 6 - 7 and page 45 – 46. Petition 89-3-2-23 by JRJ Group, Inc requesting waiver use approval to construct an activities hall addition to St Mary's Antiochian Orthodox Church.

    - Page 6 specifically states "for our church and our members participating in activities that are church related".
    - Request was approved and sent to the city council for vote.

3. City council meeting dated July 17, 1989. Council approved with the note "such approval to be based upon the same conditions as those set forth in the aforesaid recommendation of the Planning Commission". I.e. for church use only.

The cultural center is available for public use and publicized as such on the St Mary church website.

Additional interesting and relevant information that I found while searching the city website was the request for approval of the church itself. During the September 30, 1997 meeting (also attached and highlighted), the church spoke about how much they valued the adjacent "wonderful wetlands" multiple times during their petition to build a new church.

1. Planning commission meeting 1997-09-30. Starting on page 10 through page 17. Petition 97-7-2-16 by St Mary' s Antiochian Orthodox Church requesting waiver use approval to construct a new church sanctuary on property located on the east side of Merriman Road between Curtis and Seven Mile Roads in the NW 1/ 4 of Section 11.

    - Page 11, petitioner "we cannot move it back any further than that because there is a flood plain and we are not going to disturb the flood plain". This refers to the location of the church in relation to Merriman Rd and the field to the east.
    - Page 11, petitioner "we really want the ravine and wetlands to be natural and we don't want to touch them"
    - Page 13, petitioner "leaving the premises as natural as possible" and " we really want to keep that surrounding area, the Tarabusi drain, the trees as natural as possible".
    - Page 14, petitioner "I don't want to destroy the wetlands. It is a beautiful, beautiful ravine".

2. City council subsequently approved the church's plan at their November 5, 1997 meeting.

As you can see from past history, the current church plans have a high likelihood of changing. A 1-5 year old Montessori school has the potential to be much more than a simple school. As I noted in my earlier email sent to all of you on September 27, 2023 (below), the church desires the entire field and intends to build it out. Fr George stated that specifically at the January 31,2023 planning commission meeting. The petitioner also referenced various uses for the school (Family and Youth Center, counseling center) and remaining parcel.

In summary, in order to protect your Livonia citizens, you need to deny all rezoning requests related to St Mary and petition 2022-12-01-02.

Ernie and Michele Babon
30890 Mayville St, Livonia 48152

On Wed, Sep 27, 2023 at 8:30 PM Ernie Babon <ebabon2@gmail.com> wrote:

To: Livonia Mayor and City Council Members

My wife and I are communicating our opposition to both phases of the church's plans – phase 1 the school rezoning from P-L to N2 and phase 2 the apartment complex to NM3. We realize this petition is only for the N2 portion but we must address both areas with our concerns as you will see below. We have lived at 30890 Mayville on the south side of the field for over 30 years.

Our objections to ANY rezoning from public land to either N2 or NM3 are as follows.

1. The school will be a direct competition to the new Jackson center. The church "already operates a Montessori school in their current church basement" but has an additional facility available at their cultural center. Also, there has been a sign posted for Montessori openings for at least several years which indicates they have no need to expand facilities.
2. Father George also stated at the January meeting that the school will also be a family and youth center and include counseling offices, so it will be much more than just a school for 1-5 yr olds. We can only speculate on what these plans would be beyond child care.
3. The church has stated a number of times that they want all their property rezoned, and they were not interested in only rezoning the school area. During the January meeting, when the full rezoning plan to N2 and NM3 was presented and about to be rejected, our planning commission suggested approval of a portion of their proposal (N2 only) and took it upon themselves to move that forward to a vote. The church's desire at the meeting was to withdraw the proposal since they insisted on full approval of their plans for both N2 and NM3. Father George stated that they will not stop just at the school N2 rezoning.
4. The church already has a tax-free building and operation in their publicly available banquet center. In summer 1989, the planning commission approved the center's zoning waiver based on "for church use only" (per minutes). This banquet hall is now open for public use and has been for many years. What's to prevent further variations to these new zoning changes if we allow the proposal to pass?
5. There are plenty of open buildings available in Livonia that would support a school and family center, and an apartment complex. The purchase of these by the church would help the city far more than the rezoning will.
6. Any additional building on the land will increase the flooding of the field and our yards that we see every spring. The new buildings and parking lots would be in addition to the prior Bryant school footprint since the Bryant parking lots are still existing. Every spring and every large rainfall creates large ponds in the field as well as floods the backyards of all the houses on Mayville St that back up to the field. Additional negative impact to the environment of the field, flood plain, Tarabusi Creek and wildlife in the area will be inevitable.
7. Rezoning one portion of the Livonia Vision 21 plan will make an easier path for future areas to be rezoned. The plan was created for a purpose to preserve Livonia's natural areas. Why deviate from the plan that was created so recently.
8. Our quality of life will be damaged based on the noise and disruption created during any construction in this residential area.
9. Zoning changes and the proposed buildings will reduce the home values of our neighborhood.
10. No one has provided any positive benefits to the city from changing the zoning. Besides everything outlined above, this will also increase the burden on our current infrastructure as well as our emergency services which will ultimately result in increased taxes on all

Livonia residents. The tax-exempt church and facilities will only reap the benefits at no cost to them.

11. St, Mary purchased the land knowing it is zoned Public Use and not zoned for what they have planned. There is no obligation for the city council to change the zoning when it will have a negative impact on your citizens.
12. Your job as an elected official is to represent the interests of the tax paying citizens of Livonia. We have elected you to work for and with us, not against us.

We request that all zoning changes related to the Basilica of St. Mary be denied.

Thank you,

Ernie and Michele Babon
30890 Mayville St. Livonia

Cc: Livonia City Planning Commission, Mark Taormina (Planning Department)

MINUTES OF THE 578th REGULAR MEETING AND PUBLIC HEARINGS HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, May 9, 1989, the City Planning Commission of the City of Livonia held its 578th Regular Meeting and Public Hearings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Donald Vyhnalek, Chairman, called the meeting to order at 7:30 p.m., with approximately 50 interested persons in the audience.

Members present:	Donald Vyhnalek	R. Lee Morrow	Sue Sobolewski
	Herman Kluver	Raymond W. Tent	James C. McCann*
	Jack Engebretson	William LaPine	

Members absent: Brenda Lee Fandrei

Messrs. John J. Nagy, Planning Director; H. G. Shane, Assistant Planning Director; and Ralph H. Bakewell, Planner IV, were also present.

Mr. Vyhnalek informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission only makes a recommendation to the City Council who, in turn, will hold its own public hearing and decide the question. If a petition involves a waiver of use request and the request is denied, the petitioner has ten days in which to appeal the decision to the City Council; otherwise the petition is terminated. The Planning Commission holds the only public hearing on a preliminary plat and/or a vacating petition. Planning Commission resolutions do not become effective until seven days after the resolutions are adopted. The Planning Commission has reviewed the petitions upon their filing and have been furnished by the staff with approving and denying resolutions. The Commission may use them or not use them depending upon the outcome of the hearing tonight.

Since Mr. McCann, Secretary, was not present at this time Mrs. Sobolewski acted as Secretary.

Mrs. Sobolewski, Acting Secretary, announced the first item on the agenda is Petition 89-3-1-8 by Dr. Jerry Nosanchuk requesting to rezone property located on the north side of Schoolcraft Road between Ellen Drive and Riverside Court in the Southwest 1/4 of Section 21 from R-2 to P.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating their office has no objections to this proposal. We also have a letter from the Inspection Department stating no deficiencies or problems were found and their department has no objections to the proposal.

Dr. Jerry Nosanchuk, 35000 Schoolcraft Road: I am the petitioner. With me is Ron Sherman.

Mr. LaPine: John, when P.S. abuts residential, will a wall be required?

Mr. Nagy: Yes, it will be required except where there might be an easement.

Dr. Nosanchuk: There is an existing screen wall.

Mr. Vyhnalek: This is strictly to increase the parking for your clientele?

Dr. Nosanchuk: That is correct.

Mr. Tent: Mr. Nagy, the parking spaces will they be 10' x 20'?

Mr. Nagy: Yes they will.

Mr. Vyhnalek: How long have you been at this location?

Dr. Nosanchuk: Since July 7, 1980.

Peter Taylor, 13987 Riverside: My understanding was when he applied initially for the building permits and zoning, that request was denied. I would hope that the board would use the same judgment in this decision. We currently have an 8 foot wall buffer. I have a swimming pool in my backyard and the parking lot would increase the odds of the kids that are already back there knocking things over. There is an 8 foot wall buffer but the parking lot would mean an increase in the noise levels plus the general congestion.

Mr. Vyhnalek: What are the doctor's hours?

Dr. Nosanchuk: My office hours are eight o'clock in the morning and I am usually done by three o'clock in the afternoon. I would like to respond. I was never turned down for this zoning. Initially when the building was built we had asked for a different type of arrangement here to build more square footage. What we wanted at that time is what we now want zoned parking, to have that zoned public service as well, and that is what was refused. We were never refused parking.

Mr. Nagy: I think the point is that area was all part of the initial rezoning request.

Mr. Kluver: A question regarding the wall. Is that a masonry wall?

Dr. Nosanchuk: That is a simulated brick wall.

Mr. Morrow: Doctor, you built that wall on the residential property line, is that correct?

Dr. Nosanchuk: As requested by the City.

Mr. Morrow: But it was not mandated by the City because we do not require a wall abutting residential. In other words, your property is currently zoned residential but you choose to go from your residential lot line to the next adjacent lot line. Is that correct?

Dr. Nosanchuk: I don't remember.

Mr. Sherman: Inasmuch as this entire property was under the Doctor's ownership, site plan approval was obtained, at that time, to provide a masonry wall around his perimeter property line. At that time it was zoned P.S.

Mr. Morrow: I guess the point I am trying to make here is the ordinance requires that where P.S. abuts residential property, there must be a wall.

You must have gotten the wall waived even though it was your property and you moved over to the next adjacent lot which meant that that property became a part of the P.S.

Dr. Nosanchuk: I understand what you are saying but I don't believe it was an issue at that time. I believe what we initially thought about doing then was putting in some sort of natural buffer such as trees or bushes. I believe, I don't remember exactly how it turned out, but we ended up putting up a masonry simulated brick wall. There was never a question, at that time, about putting a wall next to the building

Mr. Morrow: Normally we would require a wall to go on your property separating the P.S. from the residential unless you secured a waiver. I am just trying to find out what the history was on that because by putting a wall adjacent to the residential property, it almost made that residential property part of the P.S.

Dr. Nosanchuk: I understand perfectly I just don't recall.

Mr. Tent: I have a question to Mr. Taylor. Mr. Taylor, were you aware the Doctor's hours were 8:00 to 3:00?

Mr. Taylor: It is the hours after he is gone. The office is there and therefore the parking lot is vacant. There are some kids that play back there and have a tendency to be kids and the parking lot will just increase the opportunity.

Mr. Tent: You have no problem in the neighborhood now do you? I share your concern but the type of service he provides it wouldn't be like a retail store. I would hope these hours would work out very well with you. I would be in favor.

Dr. Nosanchuk: I basically take care of menopausel women. I have no people running in and out. We are usually done, occasionally by 6:00, but most every day we are done by 3:00. As far as the parking lot adding to the congestion or people playing there, right now it is a carefully landscaped green area that people could play football on, etc. It is very nice. It is a lot of grass. One more thing I would like to add is if we do get very congested during those hours, the parking spills out into the street and that is a problem.

Dennis Kinnen, 13993 Riverside: I am off during the middle of week. I work a lot of weekends and I will find the added noise from the cars offensive. Also, the doctor just had his place up for sale. How do we know this is going to stay a doctor's office. What is to say he isn't going to turn it around and some other business will be in there with some more cars? Also, if you notice lots 1 and 2 are very small. This is not an average size lot. This puts that parking lot right at their back door. We hashed this over before when he originally rezoned it. He was talking about a buffer zone with bushes and stuff. When we mentioned to him on whose property, he said he would put all the bushes you want on your property. That was his idea. That is why the wall is there.

Mr. Engebretson: I would like to clarify where this wall is at the moment.

Mr. Vyhnalek: The wall is right on the property line.

Mr. Engebretson: So the conditions in the backyard of Lot 1 and 2 really do not change with respect to the space that they have up to the wall. Is that right?

Mr. Kinnen: No, but the noise will. We get so much pollution now from the expressway and Schoolcraft without having the cars back right up to our wall. We don't need any more cars.

Mr. Morrow: If I am following this correctly sir, I don't believe we are adding to the traffic. We are taking traffic off the street and putting it in the parking lot. We are not adding traffic. I just wanted to make that point.

Mr. Kinnen: When he originally petitioned he wanted a much bigger building with no consideration for the neighbors. He knew what he was getting into. The place is up for sale. Who's to say he is not doing this just to sell the place.

Dr. Nosanchuk: I would be happy to respond to that. He is absolutely correct. I did have the building for sale. I entertained some offers. With what they offered me I had plans drawn for a new building. When I found out what the new building was going to cost me, I was very happy to stay right where I am and I thought it would be better to just increase the parking rather than move. The sign is no longer there and it is no longer for sale.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-3-1-8 closed.

On a motion duly made by Mr. Morrow, seconded by Mr. Tent and unanimously adopted, it was

#5-90-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-3-1-8 by Dr. Jerry Nosanchuk requesting to rezone property located on the north side of Schoolcraft Road between Ellen Drive and Riverside Court in the Southwest 1/4 of Section 21 from R-2 to P, the City Planning Commission does hereby recommend to the City Council that Petition 89-3-1-8 be approved for the following reasons:

1) That the proposed change of zoning will provide a means with which to relieve an existing parking problem in the area caused by an insufficient number of off-street parking spaces.

2) That the proposed change of zoning will have very little adverse affect on adjacent residential property in the area.

3) That the proposed change of zoning represents only a minor extension of a non-residential zoning district into a residential area.

4) That the wall already exists between the most adjacent residential property where it is maintained as residential.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mrs. Sobolewski, Acting Secretary, announced the next item on the agenda is Petition 89-4-1-9 by Angelo D'Orazio requesting to rezone property located south of Eight Mile Road and west of Newburgh Road in the Northeast 1/4 of Section 6 from RUFC to R-7.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating site drainage will be required to be detained on-site in view of the limited capacity of the existing storm sewer system in Victor Parkway. Further, there are no sanitary sewers readily available to service the site.

Mr. Vyhnalek: Mr. D'Orazio, you want to build some condominiums?

Angelo D'Orazio, 35213 Vargo: Yes I do.

Mr. Vyhnalek: These are for sale or rent?

Mr. D'Orazio: For sale.

Mr. Vyhnalek: Have you purchased this property yet?

Mr. D'Orazio: Yes I have purchased the property.

Mr. LaPine: Mr. D'Orazio, you heard the report from the Engineering Department about the sanitary sewers. How are you going to alleviate that?

Mr. D'Orazio: I have to check. If it is in the right of way, we could bring it up.

Mr. LaPine: I thought the problem with the sanitary sewers was they were not big enough.

Mr. Nagy: It is not contiguous to the property. He could go south.

Mr. LaPine: How many condominiums would be built there?

Mr. D'Orazio: Approximately around 40 to 45.

Mr. Morrow: I think one of the things that is going to come out tonight if there are any adjacent property owners, they are probably going to want to know the price range.

Mr. D'Orazio: Square footage is between 1800 to 2200 and the price range is about $200,000 to $225,000.

Mrs. Sobolewski: John, about the R-7, what are the maximum or minimum restrictions for an R-7? What can be built?

Mr. Nagy: Maximum allowable density would be ten units per acre for two bedroom units. Given the size of the units Mr. D'Orazio has

mentioned, the average apartment size is somewhere in the area of 800 to maybe 1200 square feet so with the size of the units mentioned here, I would estimate the density probably won't exceed eight to an acre. Since we are talking about a seven acre site, the number that Mr. D'Orazio mentioned is very low and very conservative and I would easily support that. There is a two-story height limitation. No building can be constructed higher than two stories, which is probably 24 to 26 feet.

Mrs. Sobolewski: That would be no taller than a two-story house?

Mr. Nagy: Exactly.

Nancy Gaston, Jahn Drive: I am against the project going in for several reasons. First of all, there seems to be a few more homes shown on the map than what there is. Some of the lots are one acre lots with one house on them. There are approximately 35 homes in our subdivision. Now this man is going to take seven acres and put in 40 to 45 families. Our area here, within a square mile, has turned into a smorgasbord. We have residential. We have the two subs over on Seven Mile and Newburgh and then our subdivision. We have a gas station. We have the mini mall. We have Greenmead. We have a proposed post office, the lawyers' office and we have Victor, who is still undecided on what is going in there. Needless to say the traffic on Victor Avenue is going to be complex once the buildings start going up with Victor or whoever else will be building in there. Chances are there will even be a traffic light there. Traffic control is a problem now. We have the privacy of the subdivision. We will be having parking lights. We will be having traffic from this project that will be affecting our subidivion. Also, we have some people represented. We haven't a lot of people from our subdivision because of the past problems we have had with Council. They don't feel that any of us showing up does any good so I hope that what we have to say does make some type of impact because we speak for everyone in the subdivision.

Kip Bonds, 38560 Morningstar: Nancy is a hard act to follow. She said everything that probably the rest of us are going to say. I really want to tell you that the people who live in that sub moved out there because it was zoned RUF and because we like large lots and we don't like people right next to us. When most of us moved out there we had the foresight to come down and check the master plan. The master plan is a shabbles. You moved Victor in behind us. You have a lawyers' office to the north. We are just asking that you stick to the master plan. We don't have any problem with it being developed as houses but to develop it as two-story buildings back there with dense population, we have a problem with that and we have a problem with the traffic.

Jim Voigt, 20410 Meadowview: My property backs up to this parcel of land. I am totally against it for many reasons that have already been enumerated. I would like it to stay residential. I do not want to look into a parking lot. I do not want the added traffic. When it is multiple family residential, then you are never really sure who is pulling into that parking lot. My property is directly exposed

to it. As with the Victor project, once you rezone the property you have no more control over it as far as what is built within the zoning ordinance. This has already been the case with the Victor project. Victor had a beautiful plan but they have already sold out some of their property. This could be a case here. Once you have rezoned it with the intention of condominiums, it could be resold and what would stop them from building apartments? Also, I have very serious doubts about building anything back there because of the situation with the storm sewers. I have lived there for ten years and when you walk through that property, that property stays wet all year around. Right now, directly east of my house, at the Victor Parkway Road there is standing water and up until today the water was running off into Victor Parkway into that minimal storm sewer. My sump pump runs continuously. I mean every eight minutes. The reason for this is that the City engineers specify at what level our basements are put in and unfortunately my basement was specified six inches too low because if my sump pump goes off within about six hours I will have six inches of water in my basement. We are on wells also and our wells are much deeper. I am not an engineer but I see that where the water comes out of the ground on that piece of property and just walking back there I would say it is at a level where the ground water table is right now. A serious concern I have, as you mentioned, there is minimal storm drainage in that area right now and I am not sure what this would mean to any type of building site but it is specified in the plan that the retention basin would have to be supplied on that property. When you put in a retention pump, I feel that anything that is done to raise the level at which the water is presently draining off that property would have an adverse effect on my home and the other homes along that street. My concern is what that will do to the water that is entering my drain field and into my sump pump. Also, all of that subdivision is on septic tanks. Some of them have had severe problems already. This again adds to my fears and my concern as to the way that property is developed. If there were adequate storm sewers, if there were houses going in with basements that were also pumping water out of the ground, I would feel much better.

Mr. Vyhnalek: How many homes in your subdivision?

Mr. Voigt: Approximately 28 to 30.

Mr. Tent: Jim, I was very concerned with the storm sewers. I was going to address my question to Mr. Shane. We had a study not too long ago showing the situation in the area. Did that encompass this area?

Mr. Shane: Yes it did.

Mr. Tent: That is a real major concern and you have covered everything that I have been concerned about relative to the storm sewer and surface drainage and to me that is the crux of this whole situation and I can't see any way we can solve that drainage problem at this time. I certainly don't want to add to your problems or the problems of the surrounding neighbors.

Mr. Voigt: One other thing I might mention. I have talked to well diggers and they will tell you that water will go uphill.

Mr. Tent: You covered everything very well.

Mr. Morrow: On that same line, was not the Victor development supposed to bring sewers to that area so that if there were problems in that particular subdivision, it could be tapped in through the Victor development.

Mr. Nagy: Victor is going to bring sanitary sewers in so these people will not have to rely on their septic tank but the storm drainage Victor would handle within their own area. Down at Seven Mile Road they too detain on an on site basis with a big pond and have their own on site detention.

Mr. Vyhnalek: The church has their own pond for drainage?

Mr. Nagy: At Eight Mile Road.

Doug Wells, 20434 Meadowview: They have mirrored most of my concerns. If you want to see an artesian turn on the parkway because I do a lot of jogging and it is a constant flow. My sump pump runs year around every eight minutes. My basement will fill up about 1 1/2 to 2 feet if I don't have my sump pump running. I can sit in my family room and see the renaissance center, the bridge lights to Canada and see the entire skyline of Detroit. I am certainly concerned your buildings will obstruct that view but that is a personal thing. I photographed a deer about a year and a half ago. There is still some deer in there. I think this is the nicest subdivision in Livonia. This has been my third house in Livonia and I am appalled at all the development around here. I don't mind if they sell off the land but I would like to see some reasonable height restrictions here. I would like the City to very carefully check out the water flow. I would be concerned about the density. There is a lot of density as far as traffic. We are all concerned about that. This is a rather large area and now you are going to take and put more on seven acres. It just tends to do away with what I think is the premium place in Livonia. I want you ladies and gentlemen to be concerned with what you allow the people to put in there. Maybe make restrictions as to density. Forty-five is too many. I would like to see four per acre. I would like to see $200,000 to $250,000 price range.

Joseph Mysliwiec, 20464 Meadowview: I live north of the area in question. The only thing I would like to point out in echo of what Jim Voigt said was the water and sewers. I think if this rezoning was to be considered, as part of it, it should be that the subdivision would be able to receive water and sewer from that. When you look at the property values in our subdivision and you look at the amount of taxes we are paying and we still have to have septic tanks and wells in the City of Livonia, I think this is the closest the push is getting to us. We were told that Digital Equipment was going to build their building in Victor and the sewers were going to be brought to us from the other end. That seems to be on hold. I think if this development is going to go, I think part of it should be that water and sewers be brought to the subdivision from that side. I am confident that the quality of the construction will

be suitable to the area and enhance the area. The question we have is the density. How many per acre. I think you ought to consider that with the height. The other concern I have is when you have an area of condominiums, at least the recent ones in the City, you have been screening the parking areas and screening the development with a nice berm. If the drainage in the area is already poor, if the water table is such, how in the world are we going to get these berms constructed and still have adequate drainage. I don't think we want to look out from our backyard to just see church parking lot and more parking lot. The other point I don't want to see the streets open up. We have Meadowview Lane, which is a closed street, which doesn't go through. We would hate to see them open up that street and we were promissed a long time ago that wouldn't happen.

Tom Homrich, 10561 Seven Mile, Salem Township: I am Chairman of the Trustees of Berean Baptist Church. I would like to correct one of the statements that was made concerning all of the residents of the subdivision. We do have residents in the subdivision that are not opposed to the rezoning of this property. Our church parsonage is a part of that subdivision as well as some of the members of our church also live in that subdivision and one of their pieces of property backs up to the seven acre parcel. I think some of the things we are talking about this evening are legitimate fears or legitimate questions that the people have brought up but I think some of that has to do strictly not with the rezoning but with the development of the property, which would be more site plan than rezoning. The petition is for rezoning and not the development of it.

Mr. Vyhnalek: That is all site plan but it gets intermingled.

Mr. Homrich: I realize it does. However, I think it has to be evaluated on the basis of the request not on the basis of the development. The other point as far as water problems. They have existed in that subdivision long before the request was even made for the rezoning of this property. If the property was not rezoned at this time for development, the problem of sewers would remain as much of a problem to those in the subdivision as it is now. We had the problem with the parsonage and we did have it repaired and new drain fields installed. We know the problem has been there and it has been ever since that subdivision has been built. We have felt that to develop it in this way would be more advantageous because of the commercial buildings that are going to be developed by Victor to have perhaps more of a residential character remain than to have the whole area taken over by commercial type buildings. At one time we looked into the possibility of what was a rezoning desire so we could make use of the property instead of letting it lay idle because as a church we are not able to develop it into an area that would be beneficial to us. We were told by the City that the rezoning that we could look forward to would be professional type buildings. If that was pursued and if that would be approved, the parking and the development of it would be the same parking wise and perhaps more so if it was commercial buildings than if it was residential. Probably more traffic as well. As far as traffic is concerned, I cannot understand the fears of the people as far as more traffic in the subdivision. The traffic is going to be following the new Victor Parkway. That was the intention of the road. Basically, that is our feeling.

Eric Hunt, 38640 Morningstar Drive: I am a resident of the subdivision for 11 years and I feel I need to tell you that I am the listing realtor for the sale of the property but as a neighbor I would support the petitioner. From my professional eye this property is probably too valuable to develop as single home sites. As a resident of this area I would have been much happier if all the 104 acres that Victor now occupies had been left alone. I built the Wells' house and I hate to spoil his view of the renaissance center but progress marches on. If that doesn't go condominiums, it could go offices as the City administration changes down through the years but as it is we have elected to go ahead and put Victor in and as I see it the site is being professionally developed into an upscale community of condominiums. We are not going to have a barrage of lights and parking. As a neighbor I would support the concept. Also as a neighbor I do have some concerns with the sewer and water problem and I wish you would be conservative along those lines if you approve this petition.

Mr. Morrow: You say you live in the area?

Mr. Hunt: Yes I do.

Mr. Morrow: You are in the real estate business?

Mr. Hunt: Yes sir.

Mr. Morrow: As a matter of curiousity, since the Victor plan was approved has any new construction gone up in the subdivision or is it staying pretty must status quo?

Mr. Hunt: There has been one house on Jahn Drive on the south side that I know has been put up and we were in the process of building Mr. Wells' home and one other on Hickory Lane has been built.

Mr. Morrow: I drive around the City quite often and I recall there was some new construction.

Mr. Voigt: I was under the impression that the petitioner already owned the property. Is that correct?

Mr. D'Orazio: Subject to the rezoning.

Mr. Voigt: The reason was because I was under the impression he owned it already and I was very resentful of the church member being here who does not live in our subdivision and the point I made about the drainage, I am not blaming our poor drainage on that property, I am concerned with the effect of development on that property and also the parsonage and other church members who are adjacent to that property and are not here to speak on that.

Mr. Bonds: I have four points I would like to make in rebuttal to statements that were made. (1) No one in our subdivision was ever contacted or promised a sanitary sewer extension from Victor. (2) The issue here is not whether that land is going to be rezoned to commercial or rezoned to multiple dwelling. It is rather it is going to stay where it is or rezoned to multiple dwelling. (3) In answer to Mrs.

Gaston's statement, ten houses have changed hands. The people that are still there fall into two categories. The people who are older and the people like ourselves who have school children and we want to keep them in the same school. (4) The statements about traffic. I don't know how many people here have gotten a ticket trying to turn into their own subdivision but I make a left hand turn at about 5:00 every night from Eight Mile onto Meadowview and I have received a ticket for blocking traffic. Now tell me we don't have traffic problems.

Mr. Vyhnalek: How many houses are for sale at this time in there?

Mr. Bonds: Only one that I know of.

Ms. Gaston: The house has been up for sale for a year and it has gone down $40,000. They cannot get rid of it. I can't say exactly what the reasons are but it is not because it is not a well maintained home.

Mr. Tent: After hearing all the comments I just wanted to say I feel Mr. D'Orazio would do a great job. He would put up a quality development. There is no question in my mind, at this time, about the quality of what he would put up but my big concern is I can't see in good conscience how we can compound the problem. The people that have built the homes have been there for many years and they have lived with the problem without adding to it. If I could see where we could solve that surface drainage and the sanitary sewers, then I would be more inclined to go along with the development. I think I have no other alternative except to say let's wait and see what is going to happen. Let's get a definite plan before we are in so much of a hurry to rezone. The petitioner does not even own the property yet. He doesn't have a vested interest and these people do. They have homes in there and I feel for them. That is my point and I wanted to make a statement.

Mr. Vyhnalek: Mr. Nagy, did the Engineering Department say anything further. Did they talk to you at all about how difficult it would be to correct this sanitary sewer and the drainage problem?

Mr. Nagy: The developers of the respective properties have to deal with the water that eminates from their property. Mr. D'Orazio, as the developer of this, will have to handle the water and contain the water within his property. It will have to be metered out at a reduced rate into the new storm system that is in the Victor Parkway. That storm system is not designed to handle the storm and water drainage from the Livonia Hills Subdivision. It was never intended to be.

Mr. D'Orazio: I am interested in buying the property. Also, the drainage in the subdivision. All the condominiums will have basements and two car garage and also have a retention pond with landscape all around. It will be luxury apartments.

Mr. Tent: I know you are going to put up a fantastic development. My concern is you have your property contained and I would just like to get the problem solved for the adjacent area.

Mr. Vyhnalek: Mr. Tent, I don't know if that can be solved if that P.O. is not developed on the Victor project.

Mr. Tent: Why must we hurry up and put this thing into effect why can't we go ahead and see what is going to happen before adding any more development to the area? I was concerned and Mr. Shane made that presentation about the storm sewers in that part of the City and it was kind of alarming to find out that we will have a problem within the next five or six years. I feel we should address ourselves to that issue.

Mr. Morrow: To go along with what Mr. Tent is saying that we are sure the water will be contained on Mr. D'Orazio's site but would that have a negative affect on the subdivision. Would some of the drainage that they are getting now be backed up and raise the water table as this gentleman pointed out. We certainly don't want to even consider the development of that property to a heavier density if it is going to cause a negative affect on the subdivision.

Mr. Engebretson: I want to speak in opposition to this petition for many of the reasons that have been stated by the residents tonight. Most of them referred to specifically the drain problems, etc. but their reliance on the future land use plan is something we can't ignore. The feared domino effect of this Victor project reaching out north, south, east and west is something that is becoming a reality. I think, as Mr. Tent has said, there is no hurry. Let's look into some of these problems. It has also been pointed out this is a zoning issue and has nothing to do with site plans and density and so on and with the ordinance as presently written, we could face an issue where Mr. D'Orazio could sell this property and another developer comes in with something three or four times as dense as what is being proposed and I think the problem just becomes worse and worse. At a very minimum I think that we should table this issue. I think the issue of the sewers and the water situation needs to be totally understood before we proceed with anything and if not a tabling issue then I think this petition should be denied.

Mr. LaPine: I believe the points that Jack just made are very pertinent to many things that have been going through my mind. I would also like to point out the fact that the residents say they would like to keep this as single family housing. It is possible this could be developed with smaller lots, which would mean there would be more homes than a condominium development may produce. Either way I am dead against this property being rezoned for any commercial or P.S. zoning. I think it has to go either R-7 classification or R-1-2-3 classification. All these water problems are very pertinent to the case. I have lived in a house where I had those problems and it is not nice. I don't think we have to jump into this. I think we should sit back and see how the Victor project is developing. I echo what Jack has just pointed out.

Sam Campbell: I represent the church. I also live in Livonia Hills Estates. We did not want to sell this land. It is not our desire to sell it. I have heard a lot of things here tonight. I really think some things

are incorrect here and need to be spelled out. I lost some friends over this whole thing so speaking now isn't going to make any difference. That house that is for sale has been for sale for over a year because the condition is such that nobody wants to buy and when people don't want to buy a house, the people reduce the price. Victor hasn't changed the value of my home. As for the drainage problems, the water goes north to our pond on the east side of the subdivision. On the northwest corner it goes the other way. It doesn't go towards the property for sale. I don't see this as a legitimate argument. We have no water problems where I live. It is not our desire to sell the land. The church needs to sell the land. We ran out of money. I hate to hear you talk about tabling this or denying this. It makes a difference to us. We talked to John and several other people about what the City would like there before we decided to whom we would like to sell it and we were told it would only go for residential, and high rise office or any office was out of the question. We sought a purchaser, including Victor. They said they didn't need it but they certainly wanted to know who was going to get it. They feel it is compatible with what they are attempting to do. It is not going to bring in a type of people our neighbors would not want. I am asking consideration here in favor of, not against, this proposal because of need for one thing but I don't believe everything here was exactly as represented. I too have to come in and out of that subdivision and face all the problems everyone else does. Everybody is moving forward. I see no reason to stop us from moving forward. There are some problems said to be there which really aren't as great as people would like to make it seem.

Mr. Vyhnalek: How long has the church been there?

Mr. Campbell: Since February of 1981.

Mr. Tent: I am sympathetic with what you are saying about the need but I, as one commissioner, can't compromise what I feel is good for the community because the church has a problem and they want to dispose of the property. I just want to emphasize the fact that while you probably have a problem financially this would affect the whole community.

Mr. Homrich: I would like to ask a question as to what the property was originally zoned where Victor International is building their development. Was that not residential as well.

Mr. Vyhnalek: I believe it was.

Mr. Homrich: So the problem that has been created has been created by the change in zoning for Victor International and not the seven acres we are asking for rezoning.

Mr. Kluver: The Victor project did bring into fact Victor Drive and also has allowed the fact to make that particular piece of property available for development. Had Victor not been there, that piece of property would have been landlocked.

Mr. Homrich: The property would not have been landlocked because there was already an easement.

Mr. Kluver: However, if Victor wasn't there, would you have developed it?

Mr. Homrich: Yes, we would have developed it.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-4-1-9 closed.

On a motion duly made Mr. Engebretson, seconded by Mr. Kluver and unanimously adopted, it was

#5-91-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-4-1-9 by Angelo D'Orazio requesting to rezone property located south of Eight Mile Road and west of Newburgh Road in the Northeast 1/4 of Section 6 from RUFC to R-7, the City Planning Commission does hereby table Petition 89-4-1-9 until June 6, 1989 for the purpose of fully investigating this matter with respect to some of the items that the residents have expressed concern about. We would also seek support from the City Engineering Department to give us their conclusions as to what the real situation is out there and the petitioner will have the opportunity to do the same.

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

Mr. Kluver: I would like to invite also at that study session the Assistant City Engineer and/or the City Engineer to qualify whatever analysis they make regarding the sanitary storm situations that would crop up and also a comparison of development of what we are potentially looking at, which the future land use has already called out for versus what potentially we can look at and how that would contiguously develop within the site.

Mr. Morrow: I ask that the comments be made available to the Engineering Department so they can come prepared to respond to the public comments tonight.

Mrs. Sobolewski, Acting Secretary, announced the next item on the agenda is Petition 89-3-1-7 by McDonald's Corporation requesting to rezone property located on the south side of Ann Arbor Road between Ann Arbor Trail and Hix Road in the Northeast 1/4 of Section 31 from C-1 to C-2.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating there are no water mains or sanitary sewers readily available to service the site. Further, Ann Arbor Road has not been dedicated to its fullest extent (60') adjacent to some portions of the frontage of the site.

Alan Helmkamp, 16832 Newburgh Road: I am here on behalf of McDonald's Corporation. Hopefully you saw the petitions that were brought in representative of 14 of the surrounding businesses that signed the petition in support of the rezoning. I think there is an attitude there that perhaps we could help out with business down there. Beyond that I would reserve any time we have to respond to any questions or comments from the audience.

Mr. Vyhnalek: This is going to be a typical McDonald's?

Mr. Helmkamp: I wouldn't want to say typical. I would say in terms of the architectural treatment of the site, it would be modern with a glass front treatment.

Mr. LaPine: This will have a drive-thru window?

Mr. Helmkamp: That is correct.

Mr. LaPine: How will the drive-thru go?

Mr. Helmkamp: It will be Ann Arbor Road to Ann Arbor Road.

Mr. LaPine: What is the seating capacity?

Mr. Helmkamp: 102.

Mr. LaPine: How many employees.

Mr. Helmkamp: I would like to call on Mr. Whitman of McDonald's Corporation to answer the technical questions.

Bernie Whitman of McDonald's Corporation: There will be a total of full time and part time employees of up to 85.

Mr. LaPine: At this point you do not know who is going to be operating this McDonald's?

Mr. Whitman: We call it awarding the operation and it has not been decided.

Mr. LaPine: This is being built by McDonald's and they will lease it out to whoever you decide it is going to be awarded to?

Mrs. Sobolewski: Mr. Helmkamp, is there one in the area that will be like this one?

Mr. Helmkamp: There is one in Ann Arbor that is very similar.

Mr. Whitman: It will open on the 18th.

Mrs. Sobolewski: What makes this more unique:

Mr. Whitman: It is a larger facility with more modern seating. The decor is modern. There is adequate parking and adequate landscaping.

Mr. Morrow: I just wanted to make sure if there is anybody in the audience on this to understand what we are doing here tonight is we are rezoning the property from a C-1 to C-2, which is setting the stage to come back for waiver use approval at which time we will get into the actual use of the property and the site plan so that will come at another public hearing under waiver use. Right now we are just looking at more intense zoning.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-3-1-7 closed.

On a motion duly made by Mr. Tent, seconded by Mr. Morrow and unanimously adopted, it was

#5-92-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-3-1-7 by McDonald's Corporation requesting to rezone property located on the south side of Ann Arbor Road between Ann Arbor Trail and Hix Road in the Northeast 1/4 of Section 31 from C-1 to C-2, the City Planning Commission does hereby recommend to the City Council that Petition 89-3-1-7 be approved for the following reasons:

1) That the proposed change of zoning represents only a minor extension of an existing C-2 district in the area.

2) That the proposed change of zoning is supported by the Future Land Use Plan which recommends general commercial land use for the area.

3) That the proposed change of zoning is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mrs. Sobolewski, Acting Secretary, announced the next item on the agenda is Petition 89-4-1-10 by Antell Partnership requesting to rezone property located north of Schoolcraft Road and east of Middlebelt Road in the Southwest 1/4 of Section 24 from P.S. to C-2.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating their office has no objections to this proposal.

Tom Guastello, Owner of Buckingham Office Park: I would like to show the Planning Commission several items. We have first of all a proposed site plan for the project that indicates in a little more detail the developments that have occurred on the property. I am the owner of the property.

Mr. Guastello displayed the site plan.

Mr. Vyhnalek: Why don't you tell us what it is going to be.

Mr. Guastello: The development will be a 102 unit property that caters to business travelers. The brand name of the property is Comfort Inn. It will be a property that is tailored to the environment. We look at the Jeffries Freeway, the two very excellent halls that are located there and the business corridor that we have between the Jeffries and Plymouth Road. We have very positive studies on that and what we are trying to do is a unified development in the office area. We have a sister property that we have photos of that is by Lakeside Mall, which I have built and I am the owner of. Mr. Mike Walker is here with me. He is the General Manager of the Lakeside property. He would become the area supervisor of these two properties. To orientate you to the site, and it has changed a great deal, we have Chi Chi's, which was the first development. We put in the Olive Garden. Then we put in the two office buildings that are fully constructed. One is 100% leased and the other is 50% leased. We just completed two more buildings. One building is the HMO.

Mr. Guastello made a presentation of the site improvements he is proposing.

Mr. Guastello: There would be no restaurant and no bar. You would get a complimentary breakfast. We would have two meeting rooms. The largest room holds 16 and the smaller room holds 10 people. We would like to be a part of this community.

Donna Brierley: I live behind the property that has already been developed. This was our threat when these buildings were zoned P.S. - If you don't want this property rezoned, then I can come in and put in hotels and motels. Now we backed off. You people, the City Council, you don't care that everyone in the subdivision is opposed. We are going ahead and rezone and we still have our threat. From my bedroom we have put in tinted windows to cut the lighting problems. We have put in vertical blinds plus we have put up fencing. We have spent more money than we will ever get back. When I mentioned to Mr. Guastello that we were having a difficult time with the property because he now has coach lights on the building, very courteously he shut off the second building's coach lights as a courtesy to me. I know that is not going to stay off forever. I think it was just to keep me quiet and keep me calm for this meeting because I had no idea it was coming. After they cleared the property, I now see the hospital, the parking lot, the DRC as well as the Jeffries. During winter we had problems with them blowing snow. You have cleared it. You have approved so many problems. I am livid that you are actually considering this. I can't believe people would even consider putting a three-story building in a residential area. The HAP clinic I happen to work at. It is not over two stories. Chi Chi closes at two o'clock in the morning. The customers of the Oliver Garden are gone by two in the morning. You come in and you say the lighting is going to be this way. Three weeks later, I don't care what your site plan is, the buildings are the same, the lighting is the same. Forget I live there. If you pretend you are driving through and look at this piece of property, it is a very small piece of property. It cannot hold a motel and if it can it is

not going to run full. Less than a half mile we have a Super 8 Motel. It is never full. We had neighbors that were involved in a drug bust. From what we were told she was doing a lot of her business out of that hotel. We don't need another motel in the area that close. You are talking about widening Middlebelt Road. That traffic is so bad the Mayor has already gotten us a no right turn sign. Mayor Bennett has already done that for us at our request because you can't get out of our subdivision now. When that is all built, can you imagine the traffic, the pollution, the noise, let alone a 24-hour operation. I don't see how you can do it to us. Mr. Guastello asked me why don't you move if you can't take it anymore. He was polite about it and I said if I could, I would be the first one out of my sub. We have lost $10,000 to $15,000 on our homes in our area simply by what is behind us now. As you see there aren't very many of us here tonight because they all said it is a waste of time. The thing what hurts the most, when Mr. Guastello came to us about developing the property, I was his biggest ally saying yes we have to have progress, we have to move on. See where it got me. Once you let them rezone property, you let them put the foot in the door and then you keep getting shoved and shoved until there is no place to go and I am afraid there is nothing to do but take the loss.

Ron Batog, 29125 Perth: I would be facing the motel, which is a three-story motel. I don't think it should be. This is for professional service and I think provessional service buildings should go in there. My brother-in-law is a police officer in Redford Township and he says we are going to get drug dealers. We are going to get prostitutes. You are going to have bookies in there. You have the Olive Garden and you have Chi Chi's. Now these prostitutes are going to be at the bar in the lounge picking up customers to take them back to that motel. We just had a drug raid and I don't think that is right to have a motel there. There is going to be a doctor's office right behind my house so if you have a drug addict in the motel, he is going to break into the doctor's office where you have drugs. To me it is a bad location plus you have the Super 8 Motel, which is never crowded. Plus it is three stories. They are going to see my kids playing in my back yard. I lost $15,000 on my home because of this.

Greg Malnar: I own one of the original houses in the subdivision. That acreage was originally zoned as multiple dwelling with commercial along Middlebelt and Jeffries access. It was switched to professional service. The buildings put in now are not fully occupied. One is partly up and one is under construction. The wall that was put up is a six foot brick wall. The lighting is constant. Everything that was said that was going to be done has not been done. I would like for you to go by that area and you tell me where you would put a 103 unit hotel. I have lived there for over twelve years now. As far as the greenbelting goes once again I would like you to go down there and see what he has done with the greenbelting. I have a six foot wall and I am looking directly into the office building. Before you do anything come and see what his greenbelting is. It is next to nothing. Once again we have lived there twelve years. We have conceded and went back and forth and let him have his way. Again, I would like for you to see what he has done so far before you let him go general rather than professional.

Mr. Tent: I have a question for Mr. Nagy. You gave us an engineering report, how about a traffic report. Has Lieutenant Thorne issued us a letter?

Mr. Nagy: No he has not. Not on a zoning change.

Mr. Tent: Would it be possible for him to consider the traffic situation.

Mr. Nagy: I would be happy to seek such a report.

Mr. Tent: I recognize this is a zoning change but it does affect the traffic in the area. I would like to consider that as part of my decision.

Mr. Nagy: I think if I could comment on that. I think that is why the Engineering Department has requested that Middlebelt Road be widened. There are three lanes from Schoolcraft to the drive that is just north of Chi Chi's Restaurant and then you are forced to taper back into two lanes. What is proposed now is that Middlebelt be widened. That there be an additional through lane extended north from the drive on the north of Chi Chi's to the drive on the north of the Olive Garden and then there will be a new taper section of 250 to 350 feet in order to allow that traffic to merge back in the two lanes to the north. So that kind of traffic analysis has already been taken into account for plan improvements for Middlebelt Road that are needed. That will be the developer's responsibility.

Mr. Tent: Is a three-story building permitted in a C-2 zoning?

Mr. Nagy: There is a 35 foot height limitation in a C-2.

Mr. Tent: This is 36 feet he is talking about.

Mr. Nagy: He will have to reduce the height to two levels. You need some type of relief. The ordinance does make exceptions for mechanical equipment, penthouses, etc.

Mr. Morrow: The petitioner has heard some comments relative to lighting and landscaping. I wonder if you have any comments.

Mr. Guastello: The issue of the lighting. We have adjusted our parking lot lights on five occasions in the area. The last occasion was in the middle of the summer when we had a light truck there at night to adjust the lighting. We have set a independent timer on the coach lights so as to turn down the lights so they would not be intense. It is exactly like a light you would have on a back porch. As for the landscaping - We have landscaping that we put in at the start of the summer. Mr. Hacker was our construction superintendent. I think he did a heroic job in fighting the very high temperatures and we were able to save about 90% of our landscaping that does meet the requirements of the City. We have had, as of last week, the nursery out and we have graded the entry way on Buckingham Drive and we are in the process of replacing those few trees that have died in the Phase I development. In the Phase II development we are getting in our underground sprinklers and landscaping and think we can do a

good job on that. As you know, the fence requirement is five foot and we put a in six and seven foot wall behind the development. Their homes are built on a crown so some of the homes can see over the wall. As to height requirements - The figures I gave you was a top end figure and I understand 50% of that roof is not considered height. We can come within the 35 foot requirement. We would be part of a national chain. It would be a major development. We do not encourage, we do not intentionally allow people of ill repute into our facility. We would not encourage nor would we allow any illegal activities and if we suspected those things we would want to root them out because it would affect our establishment before it hurt the neighborhood. We cater to the business travelers and what we count on for a 12 month basis. We are not interested in catering to the Ladbroke facility. We are interested in catering to the corporate community and to the traffic that would be generated by the halls and the neighborhood needs of the City of Livonia. There are no other, what we think, motels in our class along the Jeffries Freeway and we think that is an important location for that type of facility and we have done a very thorough feasibility study. The one other point I would like to make is we think it would be a harmonious blend of traffic because our traffic can also use the Middlebelt exit and in addition to that classically our traffic has a check in period of 6:00 p.m. In the morning we leave at a little different time than the traffic patterns that are generated by the existing office as well as the existing restaurants there so we would hope it would be a harmonious use to the community.

Mr. LaPine: What was the total units that would be in this motel?

Mr. Guastello: 102 units.

Mr. LaPine: I think 2.12 acres is small to put a building of this magnitude on. That is my personal opinion. Show me how they get into this building. Are they going to use the same road as they use for the Olive Garden?

Mr. Guastello: We will have three basic ways to enter into the facility. One would be to take the Jeffries Freeway or get on Middlebelt and come down Buckingham Avenue. The other way of entering would be to go between Chi Chi's and the Olive Garden to the facility. The third way would be to go through the Chi Chi's lot and go into facility.

Mr. LaPine: How will you be able to control parking strictly for the motel? In my opinion, both Chi Chi's and the Olive Garden don't have enough parking. Consequently, people driving in there going to those two facilities, if this motel is built, if they can't find a place to park, they will find a parking space at the motel. How are you going to control that?

Mr. Guastello: We control the parking at the motel by taking license plate numbers and if we find a car that isn't there, we act accordingly. In addition to that, we have in center of area increased parking in now. If we were to lose a few spaces it would not hurt us. We feel we would have over the quota of parking.

Mr. Tent: Mr. Guastello, have you had any dialogue with the neighbors in the area? We have had three of them here today and they have indicated their displeasure and if you talked to them, have you talked to any more people in the area because it has always been a controversial issue in that location and the neighbors were very outspoken how the property should be developed and I am curious if you have approched any of them with this particular project.

Mr. Guastello: With the entire office complex we have had a continuing dialogue with the neighbors. I assure you I have their phone numbers and they have mine. We did not specifically go over this plan because it is not adacent to any of this development and we felt it was adequately shielded. We tried to be as responsive as we can to their concerns but I think at an earlier meeting one of the real dilemmas we found ourselves in was buying a very pastoral wooded property that would have made an excellent park. Unfortunately, we replaced the park with an office park which is a little bit different and I think if I were a neighbor I would be resentful of losing the trees and forest and other things. However, I think this is the property that is across from the Schoolcraft Freeway and I think if you look at the aerial photo the development of this piece is appropriate to the development of all the other pieces along that property. We have tried to do that in a responsible way. We are going to soften the motel setting. At that time we will have a number of occasions to work with the neighbors.

Mr. Tent: You are amendable to making adjustments where required?

Mr. Guastello: Absolutely.

Mr. Tent: A comment was made that the landscaping has gone downhill. Do you have any plans to go ahead and take care of that?

Mr. Guastello: The original development was put in, and that is buildings #1 and #2, last summer and as you know it was a record setting summer and we did, and Mr. Hacker did, and outstanding job of watering. We are in the process now of getting our sprinklers in and we have learned, based on last summer, that you put your sprinklers in first and then your trees and we will do that and we will go back and retree the development in an effort to cooperate as much as possible. We even planted some trees at the request of some neighbors.

Mr. Tent: The coach lights. Are there plans on turning them on in a couple of weeks? Can you correct that condition:

Mr. Guastello: I think as we see the condition of the coach lights we think a minimal amount of lighting is necessary for all of the people. It is our hope on those that we will keep them at a low wattage and we will keep them at a low time period. We would like to keep them on until 9:00 to 10:00 p.m. In other developments we have kept them on until midnight thinking that a lot of the kids go away but at the request of the neighbors we would keep them on until 9:00 or 10:00 and then turn them off.

Mrs. Sobolewski: Is there any other access except from Buckingham?

Mr. Guastello: There is access between Chi Chi's and the Olive Garden. That is a private drive.

Mrs. Sobolewski: No access from Schoolcraft?

Mr. Guastello: The Schoolcraft access would be through Chi Chi's.

Mrs. Sobolewski: I just worry about the intensity of this project.

Mr. Guastello: The one thing you have to visualize is we are able to offer a very high quality room at a very reasonable price. We do not have a restaurant and bar that you associate with motels and as a result of that our traffic count is diminished greatly.

Mrs. Sobolewski: It is hard to see that. What I see is a great big sign. I see big cable TV antenna. I just worry that the use is too intense.

Mr. Engebretson: Mr. Guastello, was it your original intent to build a fifth office building on that site?

Mr. Guastello: Before we had the benefit of enlightenment from the new Mayor, who served on Council, it was our intent to build nine office buildings on that site. We have drastically revised that. We did intend to build another office building there but we reduced the density considerably and increased the parking.

Mr. Engebretson: Considering four of the buildings are constructed on this one empty area. would it be safe to say if you weren't to construct this motel, you would probably construct an office building?

Mr. Guastello: I am not sure what we would construct there. We are not overwhelmed by demand for offices in Livonia at this time. It is a tough market out there. I think we have constructed as many office buildings as the market will permit at this time. If the office market were to change, maybe perhaps we could.

Mr. Engebretson: I think the statistics would support your conclusion there. I am very much concerned about the traffic on Middlebelt Road or sneaking through Chi Chi's. You are well aware of the concern in that regard and I am going to suggest that you look at developing straight through access from the Schoolcraft Service Drive because I would anticipate there would be some problems going through Chi Chi's. Mrs. Brierley had raised the point earlier that I would like to be enlightened on. It is my understanding that she made reference to traffic being restricted at Middlebelt Road. Did I misunderstand that?

Mrs. Brierley: We went to the Mayor because we couldn't get out of our subdivision. We can't get out of our sub because of the two restaurants and HAP and the people who are currently in Mr. Guastello's buildings so we went to Mayor Bennett and he put up a no right turn sign. He also assured us this property would never be commercial. The major problem was the lights. The second time they adjusted the lights during the day. The third time they adjusted them at night. About the fifth time they were done properly. He tells you exactly what you want to hear. He is very soft spoken and he is very intelligent.

Mr. Engebretson: I think we all share concern as to the potential illegal activities that sometimes go on in motels and Mr. Guastello probably more than anyone else. I would like to add to Mr. Tent's request to the Police Department to comment on the traffic situation. I would like to ask them what the City's experience is in hotels. I would like to know if this is a potential problem. Because if this motel were to be constructed, it is very near a residential area, not that it would be any less of a concern if it were in a commercial area, but I think it is a question that is every bit as important as the traffic situation.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-4-1-10 closed.

On a motion duly made by Mr. LaPine and seconded by Mrs. Sobolewski, it was

#5-93-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-4-1-10 by Antell Partnership requesting to rezone property located north of Schoolcraft Road and east of Middlebelt Road in the Southwest 1/4 of Section 24 from P.S. to C-2, the City Planning Commission does hereby table Petition 89-4-1-10 until June 6, 1989, at which time we should have the information requested from the Police Department.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Kluver, Tent, Sobolewski, Engebretson, LaPine
NAYS: Morrow, Vyhnalek
ABSENT: McCann, Fandrei

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

Mrs. Sobolewski, Acting Secretary, announced the next item on the agenda is Petition 89-3-2-22 by Louis Ronayne requesting waiver use approval to establish a landscape contractor's yard and recreational vehicle storage facility on property located on the west side of Farmington Road between Schoolcraft Road and the C. & O. Railroad in the Northeast 1/4 of Section 28.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating the legal description contained on the petitioner's plan meets with the approval of their office. We also have a letter from the Department of Public Safety, Division of Fire, stating their office has no objections to its development contingent upon the installation of an approved water supply and on site hydrant within 450 feet of the west property line. Also in our file is a letter from the Ordinance Enforcement Division stating the following deficiencies or problems were found: 1. The entire lot is required to be paved. 2. The required lighting is not indicated on the plan. 3. There is a 3rd waiver use proposed, that of semi-trailer storage. That is the extent of our correspondence. With respect to the

problems and deficiencies the plan has been corrected. The entire lot is now going to be hard surfaced paved and there is outdoor lighting now shown on the plan and the semi-trailer storage is now totally eliminated from this proposal.

Mr. Vyhnalek: It looks like you have complied with most of our requests.

Mr. Kluver: On the site plan can you show the total number of vehicles to be stored. You have x amount of square footage. Logistically you could store so many vehicles. I would like to see that on the site plan.

Dave Alexander, 45051 Parchment Drive: That would be 100 vehicles.

Mr. Nagy: There are parking spaces delienated but it is hard to tell because of the varying length of recreational vehicles but the number of parking spaces are shown in the areas that legally describe it.

Mr. Kluver: What I am trying to say is on the site plan can you show the number of parking spaces and/or can you show the number of vehicles?

Mr. Alexander: That is on the plan.

Mr. Nagy: There are 100 parking spaces.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-3-2-22 closed.

On a motion duly made by Mr. Tent, seconded by Mr. LaPine and unanimously adopted, it was

#5-94-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-3-2-22 by Louis Ronayne requesting waiver use approval to establish a landscape contractor's yard and recreational vehicle storage facility on property located on the west side of Farmington Road between Schoolcraft Road and the C. & O. Railroad in the Northeast 1/4 of Section 28, the City Planning Commission does hereby recommend to the City Council that Petition 89-3-2-22 be approved for the following reasons:

1) That the Site Plan dated 7-1-88, as revised, prepared by Basney & Smith, Inc. which is hereby approved shall be adhered to.

2) That the landscaping shown on the approved Site Plan shall be installed prior to the issuance of a Certificate of Occupancy and thereafter permanently maintained in a healthy condition.

for the following reasons:

1) That the proposed use is in compliance with all of the waiver use standards and requirements set forth in Section 16.11 and 19.06 of the Zoning Ordinance #543.

2) That the subject site has the capacity to accommodate the proposed use.

3) That the proposed use is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mrs. Sobolewski, Acting Secretary, announced the next item on the agenda is Petition 89-3-2-23 by JRJ Group, Inc. requesting waiver use approval to construct an activities hall addition to St. Mary's Antiochian Orthodox Church located on the east side of Merriman Road between Six and Seven Mile Roads in the Southwest 1/4 of Section 11.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating the legal description contained on the petitioner's plan meets with the approval of this office. We also have received a letter from the Department of Public Safety, Division of Fire, stating their office has no objections to its development. Also in our file is a letter from the Traffic Bureau stating the proposed parking layout is satisfactory. They recommend that the drives have 20 foot radii instead of the 15 foot shown, and further that a tangent design be used rather than the curved design. They also recommend a six foot sidewalk be provided on the Merriman Road right-of-way. We have also received a letter from the law firm of Wood and Wood representing Mr. and Mrs. Gary K. Bidle, who reside at 18234 Merriman Road, stating their objections to this petition and asking that the Planning Commission deny the waiver use.

Ron Jona, 30445 Northwestern, Farmington Hills: I am here tonight in the capacity as the architect representative for the church and we have Fr. George here to address some of the issues. I can give you the background. Fr. George approached me about six months ago and discussed wanting to create an activities center for the parish. At that time we began site plans for that parcel and I used the Livonia zoning ordinance to plan out the parking and we think everything on the site plan is according to ordinance. We feel this is a very good use for that parcel. We are only bordered by the one neighbor and the school as you can see. The issue John mentioned about the parking can be addressed rather easily. We plan to do that.

Mr. Morrow: What would be the capacity of this activities building?

Mr. Jona: There are going to be six classrooms and there is going to be a hall that would accomodate in the neighborhood of 400 people and other activities of that nature and joins directly with the existing church.

Mr. Morrow: How many parking spaces?

Mr. Jona: We have 300 cars required and we have 354 cars provided for.

Mr. Morrow: What is membership of church?

Fr. George: We have 350 families.

Mr. Morrow: One of the concerns is the use of that activities building. Certainly it is not unique to have an activities hall connected with church operations. One of the concerns is if we have a waiver with a residential area, we would certainly not like to see a commercial type of operation. I guess I would have to have that made a part of the record tonight that there is no intent to commercialize this but it would be strictly in conjunction with the church activities.

Mr. Jona: That is correct. That is the intent of the hall. It will be used for showers and weddings. This is the capacity needed.

Mrs. Sobolewski: You are saying that specific use of this activities hall will be for the parishioners.

Mr. Jona: Yes, for the use of the church and parishioner related activities. That was my understanding.

Mr. Vyhnalek: What do they do now?

Mr. Jona: Off premises. Nothing can be held on site currently.

Mr. LaPine: You can assure us that this is not going to be a rental where anyone who wants to rent that hall can rent it? It will only be members of the church and family members?

Mr. Jona: Fr. George has assured me of that. They feel they have enough parishioners and enough activities. I don't know that some of the events the church sponsors that the public will come to like bake sales and pot lucks. There will be some activities that will include residents in the Livonia area.

Fr. George: We have an annual fair.

Mr. LaPine: I have no objection to that. What I am saying is we have other halls in the City that are required to be in commercial areas to be rented out. It would be a disadvantage to them if you were operating a commercial venture here and renting this out to generate money. I guess that is the point that is very important to me and some other members of this board. The 354 parking spaces that you alluded to. That is strictly for the activities hall and there is additional parking for the church?

Mr. Jona: That is the total on site. We feel it is going to be staggered.

Mr. Vyhnalek: That P.L. Are you buying that from the school district?

Mr. Jona: It has been bought.

Mr. Vyhnalek: It has been bought but the zoning has not been changed?

Mr. Jona: I have applied for rezoning. It has just been brought to my attention that was still P.L. from I don't know how many years ago.

Fr. George: Seven years ago. The City stated it should only be used for parking and we forgot to change it.

Mr. Morrow: Did you purchase this from the City or from the school?

Mr. Jona: From the school district.

Mr. Vyhnalek: Mr. Nagy, this rezoning is coming up when?

Mr. Nagy: The zoning change is scheduled for the June public hearing.

Mr. Jona: What I am asking is if we can get approval tonight with the contingency of the approval for the rezoning.

Mr. Vyhnalek: What about the handicap spaces?

Mr. Jona: I have to blame myself for that. I haven't seen the calculations. As soon as I produce that calculation, I will have no problem going ahead and increasing that number.

Mr. Nagy: Because there is surplus parking on the side.

Mr. Tent: There were several items mentioned in the reports. The sidewalks on Merriman Road - are you amenable to having the sidewalks installed?

Mr. Jona: Yes we understand that will be part of our responsibility.

Mr. Tent: As far as landscaping, everything that was requested, you will bring that in with preliminary site plan drawings?

Mr. Jona: Yes.

Mr. Nagy: Your petitioner has a site plan attached to his waiver use request. If you want to grant approval contingent upon rezoning then site plan approval would have to be made subject to proposed change of zoning.

Mr. Tent: This should go back to our next session. I would like to see the final stages so I know what I am voting on.

Mr. Engebretson: Isn't there a more basic issue here? The notes refer to the necessity of dealing with the zoning of the public land to parking before this proposal and so aren't we required to put the matter off until we have dealt with that or can it be dealt with contingent as Mr. Jona has requested?

Mr. Vyhnalek: It could be dealt with subject to.

Mr. Morrow: What would be the hardship to schedule those simultaneously?

Mr. Jona: There would be no hardship. I was unaware that the rear portion that was bought from the school board was zoned PL and with private

ownership it can't be zoned P.L. and then when I submitted this waiver use Mr. Nowak informed me this has never been rezoned, so I worked with him to get it and I was hoping for a concurrent hearing. I don't think time is always something to consider. I don't think St. Mary's or myself has a problem.

Mr. Morrow: We are removing it from the public land classification and you want to put it into some other classification. I think that is what we are saying.

Mr. Jona: Mr. Nowak and I put it in R-3. That is what he recommended to me as part of the waiver use for the activities hall.

Mr. Nagy: Churches are waiver uses in residential. It is literally surrounded by residential. You could argue that is spot zoning. Plus the requirements of a wall would come into play because you have parking, a commercial lot next to residential and you have to deal with the screen wall and you really don't have a commercial parking lot but the ordinance doesn't distinguish between that. It just makes sense to deal with it as a residential zoning and have a waiver use which you can condition on.

Mr. Morrow: We have a petition that will be coming up in June. Is that request residential or parking?

Mr. Nagy: The petition is for residential. The reason why the two are not on the same hearing is waivers only require seven days public hearing notice but there is not a zoning change here because the zoning change is an ordinance change for the City of Livonia and requires at least fifteen days advance notice so the two could not be tracked at the same time.

Paul Lay, 37000 Grand River Avenue: I represent Mr. and Mrs. Gary Bidle. They live at 18234 Merriman Road. They have been residents there for over ten years. Their property is located immediately north of the area which is part of the rezoning where this parking is going to be located. My clients live on approximately 4 1/2 acres and it is zoned R-5 and R-3. It is my understanding that the proposed activities building would be constructed to the north of the church. According to the plans I reviewed, the church fronts on Merriman Road approximately 70 feet. With the addition of this activities hall from one end to another it would be approximately 200 feet, which is almost three times the frontage as it presently exists. This is basically a residential community. To the north, over to the west and then to the south it is residential. There is no commercial. There is no industrial all up and down Merriman Road until Six and Seven Mile Road. The only two things that are not residential would be the church and the school. One of the major objections that my clients have is that in reviewing the plan we noted that almost all of the parking spots proposed by the church would be all along the north edge of the church property. All of this, 200 x 400, would be used for parking and that is all adjacent to my client's neighboring property. This is residential. This is zoned for one family residential and believe me my clients are not

anxious to have over 300 parking spots adjacent to and right next to their home. We feel as though it would be a demeanition in value of the property because of the way this church is going to be expanded and particularly because of the way this large parking area is going to be developed. We are concerned about the alcohol aspects of this situation. We had a problem a few years ago when a fair took place. My clients for days after the fair was over were cleaning up beer bottles, beer cans and other debris that the fair goers deposited on my client's property. We are concerned about what is going to take place after people leave the activities hall and go out in the parking area and our client's property is adjacent to that. We just feel that this entire proposal is too large and we feel as though it's really inappropriate to have this large parking area as far as our clients are concerned. For this reason we would request that this proposal be denied.

Mr. Vyhnalek: What does your client have back on his property?

Mr. Lay: It is all vacant.

Mr. Vyhnalek: He does not grow anything?

Mr. Lay: He has a garden there.

Mr. LaPine: Can you tell me where the parking is now for the church?

Mr. Lay: I believe there is no parking whatsoever near where my client's property is located. It is more centrally located around the church.

Fr. George: I am the pastor of that church.

Fr. George pointed out where parking is now.

Mr. Vyhnalek: On your new site plan what is the greenbelt.

Fr. George: We will keep it ten feet.

Mr. Lay: I also wanted to talk about the nuisance aspect. We visualize that after these showers and wedding parties and activities that take place, people will be going out to the parking lot and my clients undoubtedly are going to be disturbed by some of that noise. We feel as though this waiver that is being requested, as far as the 200 x 400 foot public land aspect, should be denied. We feel as though this whole scheme is too large and for that reason we are asking that this council deny the request of the petitioner.

Rick Chavey: We live directly on the other side of the street on Curtis Road. I am representing my mother and father who couldn't be here tonight. They wrote a letter to the council. Basically we support the church in what they would like to do. I understand they have problems too but the church has been good neighbors and so have the Bidles.

Mr. Chavey presented the letter from his parents to the commission.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-3-2-23 closed.

On a motion duly made by Mr. Morrow, seconded by Mr. Kluver and unanimously adopted, it was

#5-95-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-3-2-23 by JRJ Group, Inc. requesting waiver use approval to construct an activities hall addition to St. Mary's Antiochian Orthodox Church located on the east side of Merriman Road between Six and Seven Mile Roads in the Southwest 1/4 of Section 11, the City Planning Commission does hereby table Petition 89-3-2-23 until June 6, 1989.

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

Mrs. Sobolewski, Acting Secretary, announced the next item on the agenda is Petition 89-3-2-24 by Schostak Brothers & Co., Inc. requesting waiver use approval to construct and operate a Chez Yogurt Shop within the Laurel Park Place Shopping Center located on the northwest corner of Six Mile Road and Newburgh Road in the Southeast 1/4 of Section 7.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area. This map also covers items 9, 10 and 11.

Mr. Nagy: We have a letter in our file from the Engineering Department stating their office has no objections to this proposal. We have also received a letter from the Inspection Department stating no deficiencies or problems were found. A letter is in our file from the Fire Marshal's office stating their office has no objections to this development and lastly we have a letter from the Traffic Bureau stating this proposal is part of the shopping center and its parking and traffic flow is governed by the Shopping Center Master Plan. No other areas of concern were noted.

Michael Polsinelli, 26913 Northwestern Hwy, Southfield: I represent Schostak Brothers.

Mr. Polsinelli made a presentation to the commissioners and audience of the plans showing the yogurt shop.

Mrs. Sobolewski: The hours of operation of this will be the same as the shopping center?

Mr. Polsinelli: Yes.

Mr. Tent: There will be no meat products?

Mr. Polsinelli: Strictly yogurt products.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-3-2-24 closed.

On a motion duly made by Mr. LaPine, seconded by Mr. Engebretson and unanimously aopted, it was

#5-96-89 RESOLVED that, pursuant to a Public hearing having been held on May 9, 1989 on Petition 89-3-2-24 by Schostak Brothers & Co., Inc. requesting waiver use approval to construct and operate a Chez Yogurt Shop within the Laurel Park Place Shopping Center located on the northwest corner of Six Mile Road and Newburgh Road in the Southeast 1/4 of Section 7, the City Planning Commission does hereby recommend to the City Council that Petition 89-3-2-24 be approved for the following reasons:

1) That the floor plan and building elevation plan dated 3-28-89 prepared by Paul Greene Associated, Inc. which is hereby approved shall be adhered to.

2) That the standup counter area provided for customers shall be limited to a capacity of 6 persons.

for the following reasons:

1) That the proposed use complies with all special and general waiver use standards and requirements set forth in Section 11.03 and 19.06 of the Zoning Ordinance #543.

2) That the subject site has the capacity to support the proposed use.

3) That the proposed use is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mrs. Sobolewski, Acting Secretary, announced the next item on the agenda is Petition 89-3-2-25 by Schostak Brothers & Co., Inc. requesting waiver use approval to construct and operate a Leo's Coney Island Restaurant within the Laurel Park Place Shopping Center located on the Northwest corner of Six Mile Road and Newburgh Road in the Southeast 1/4 of Section 7.

Mr. Nagy: We received the same correspondence as with the previous petition.

Mr. Polsinelli presented the plans for the Coney Island Restaurant.

Mr. LaPine: Is there a separate area that is carry out?

Mr. Polsinelli: There is a carry out area that is somewhat separate primarily because of the nature and location of the adjacent office building. They contemplated that they needed to set that aside to accomodate enough people.

Mr. LaPine: Who is going to operate this coney island?

Mr. Polsinelli: These are two individuals that have a complement of other Coney Islands in the area. Right now they are Leo's Coney Island.

Mr. Tent: The menu, will it be a full menu?

Mr. Polsinelli: Standard typical Coney Island. Eggs, Greek specialties, salads and sandwiches.

Mrs. Sobolewski: Do any of these restaurants have outdoor seating?

Mr. Polsinelli: All the seating is self contained within the restaurant.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-3-2-25 closed.

On a motion duly made by Mr. Engebretson, seconded by Mr. LaPine and unanimously adopted, it was

#5-97-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-3-2-25 by Schostak Brothers & Co., Inc. requesting waiver use approval to construct and operate a Leo's Coney Island Restaurant within the Laurel Park Place Shopping Center located on the northwest corner of Six Mile Road and Newburgh Road in the Southeast 1/4 of Section 7, the City Planning Commission does hereby recommend to the City Council that Petition 89-3-2-25 be approved for the following reasons:

1) That the Floor Plan marked sheet A-1, prepared by Katrivesis and Associates which is hereby approved shall be adhered to.

2) That the Building Elevation Plan marked sheet A-2, prepared by Katrivesis and Associates which is hereby approved shall be adhered to.

3) That the maximum number of seats in the restaurant shall not exceed 114.

for the following reasons:

1) That the proposed use is in compliance with all of the special and general waiver use standards and requirements set forth in Section 11.03 and 19.06 of the Zoning Ordinance #543.

2) That the subject site has the capacity to accommodate the proposed use.

3) That the proposed use is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mrs. Sobolewski, Acting Secretary, announced the next item on the agenda is Petition 89-3-2-26 by Schostak Brothers & Co., Inc. requesting waiver use approval to construct and operate an Olga's Kitchen Restaurant within the laurel Park Place Shopping Center located on the northwest corner of Six Mile Road and Newburgh Road in the Southeast 1/4 of Section 7.

Mr. Nagy: We have the same letters as on the previous petitions.

Mr. Polsinelli made his presentation on Olga's Kitchen Restaurant.

Mr. Vyhnalek: Same type Olga's?

Mr. Polsinelli: Same menu and identical items.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-3-2-26 closed.

On a motion duly made by Mr. LaPine, seconded by Mr. Tent and unanimously adopted, it was

#5-98-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-3-2-26 by Schostak Brothers & Co., Inc. requesting waiver use approval to construct and operate an Olga's Kitchen Restaurant within the Laurel Park Place Shopping Center located on the northwest corner of Six Mile Road and Newburgh Road in the Southeast 1/4 of Section 7, the City Planning Commission does hereby recommend to the City Council that Petition 89-3-2-26 be approved for the following reasons:

1) That the Floor Plan marked sheet A-6 dated 2-13-89, prepared by Michael A. Boggio Associates, which is hereby approved shall be adhered to.

2) That the Building Elevation Plan marked sheet A-4 dated 2-13-89, prepared by Michael A. Boggio Associates, which is hereby approved shall be adhered to.

3) That the maximum number of seats in the restaurant shall not exceed 88.

for the following reasons:

1) That the proposed use is in compliance with all of the waiver use standards and requirements set forth in Section 11.03 and 19.06 of the Zoning Ordinance #543.

2) That the subject site has the capacity to accommodate the proposed use.

3) That the proposed use is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mrs. Sobolewski, Acting Secretary, announced the next item on the agenda is Petition 89-4-2-30 by Schostak Brothers & Co., Inc. requesting waiver

use approval to construct and operate a Little Caesars Pizza Station within the Laurel Park Place Shopping Center located on the northwest corner of Six Mile Road and Newburgh Road in the Southeast 1/4 of Section 7.

Mr. Nagy: No correspondence.

There was no one present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-4-2-30 closed.

On a motion duly made by Mr. Morrow, seconded by Mr. Tent and unanimously adopted, it was

#5-99-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-4-2-30 by Schostak Brothers & Co., Inc. requesting waiver use approval to construct and operate a Little Caesars Pizza Station within the Laurel Park Place Shopping Center located on the northwest corner of Six Mile Road and Newburgh Road in the Southeast 1/4 of Section 7, the City Planning Commission does hereby recommend to the City Council that Petition 89-4-2-30 be approved for the following reasons:

1) That the Floor Plan and Building Elevation Plan dated 4-13-89 prepared by L. Caesar Enterprises which is hereby approved shall be adhered to.

2) That the maximum number of seats in the restaurant shall not exceed 88.

for the following reasons:

1) That the proposed use is in compliance with all waiver use standards and requirements set forth in Section 11.03 and 19.06 of the Zoning Ordinance #543.

2) That the subject site has the capacity to accommodate the proposed use.

3) That the proposed use is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mrs. Sobolewski, Acting Secretary, announced the next item on the agenda is Petition 89-4-2-28 by Bill Ferminos requesting waiver use approval to operate an automobile collision repair shop within an existing building located on the west side of Stark Road between the C. & O. Railroad and Capital Road in the Southeast 1/4 of Section 28.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating their office has no objections to this proposal. We also have a letter from the Fire Marshal's office stating they have no objections to this operation. A letter from the Traffic Bureau states they recommend the following changes be made: 1. The drive approaches use a chord or straight line rather than a curved line. 2. A six foot walk be provided along the Stark Road frontage. 3. The vehicle storage area be fenced for security. Lastly, we have received a letter from the Ordinance Enforcement Division stating the following deficiencies or problems were found: 1. The required security fence is not indicated on this plan. 2. The Master Thoroughfare Plan indicates that Concord Rd. is proposed to extend immediately south of this property. At such time as the road is installed, the following must be addressed: a) The required security fence would have to be located to a point 25' from the Concord Rd. right of way and would eliminate the 15 parking spaces at the south side of the building and necessitate the relocation of the dumpster. These moves would create a parking deficiency of 9 spaces based upon the current and proposed occupancy. b) All available parking will be in full view from Concord Rd. and/or Stark Rd. They further state that based upon this eventuality, it is doubtful that this site has the capacity to support this use.

Greg Stempien, 38705 Seven Mile Road: I am appearing on behalf of the petitioner. Mr. Ferminos is here with me. We are petitioning to move from one industrial building about 30 feet to the south to increase his capacity so he has greater storage. He now has the capacity for about eight units in the present facility. By moving immediatedly to the south, he will be able to increase that to fifteen cars so he will not need outside parking. As to the fence, the landlord has assured us he will put in the fence and that will be part of our lease. That will be taken care of.

Mr. Vyhnalek: What about the sidewalk on Stark?

Mr. Stempien: The landlord has assured us that will be taken care of. We can make that contingent. We are going to be tenants in only a portion of the building. He has assured me all that will be done.

Mr. Vyhnalek: Who is the landlord?

Mr. Stempien: Enrico Rosati.

Mr. Morrow: Of we are going to have all inside storage, why do we need a security fence outside?

Mr. Nagy: The ordinance doesn't distinguish between inside storage of vehicles or outside storage of vehicles. It is an ordinance requirement.

Mr. Vyhnalek: You could seek a waiver I suppose.

Mr. Stempien: We are not seeking that at this time. That would be sufficient for our purposes. We have about 8 to 10 cars and we can put 15 inside.

Mr. Morrow: You would certainly be more than cooperative with keeping them inside. There is a little bit of conflict with the ordinance.

Joe Vanzo, 12066 Boston Post Road: I might say that moving this repair shop from one building to another building, now the other building where it was located was no problem to anybody because it was within the industrial area. Moving it to this particular facility gives the people in that area a wide open view of a repair shop regardless of whether it is in an industrial area. We hear them speak of no storage facilities on the outside but that might be temporary. There will be times when they will have more vehicles than the inside will be able to facilitate. Because mechanically when they work, they will need room so they will be stored outside. We all know that.

Mr. Vyhnalek: Is he storing them outside now?

Mr. Vanzo: On the other site, yes they are. I have seen them. The people who live adjacent to this, it is a clear view to this particular piece of property here and they are not very well in favor of this type of operation going in there. I believe that at the present time that first piece of property here is owned by the City. (He pointed it out on map) That is the interest for the proposed road. I understand that there is to be a protective wall or greenbelt to protect that home on the corner. This property extends to beyond two properties. We still don't have a wall and I believe the ordinance calls for a wall. We are definitely against it because we are not getting the cooperation we should get from that industrial property in that particular area and we don't want to set a precedent and a wall will have to be built because it is in the ordinance. The people who live on Capitol object to this particular business going into that particular area because of the possible parking. There is no room to park cars there anyways, it is very narrow.

Mr. Tent: Mr. Vanzo, you live in the neighborhood, don't you? Something you said interested me. I too am concerned about these businesses that are not allowed parking and they are supposed to keep them in the building area, but you can complain. If there is an ordinance not allowing outside parking, all you have to do is give them a call and they will take care of it immediately. I would suggest if this petition were approved and you saw those cars parked outside, all you have to do is make one complaint to the Ordinance Enforcement Division and that will be taken care of.

Mr. Vanzo: Rather than having to make a complaint about automobiles parked there, why not put a wall up. That eliminates that.

Mr. Tent: Is a wall required in this area?

Mr. Nagy: Strict application of the zoning ordinance where manufacturing abuts residential does require a wall. I can only guess that perhaps the reason there isn't a wall is the fact that area to the south is shown on the Master Thoroughfare Plan as a future road right of way. It was reported in their report that industrial land to the west of these sites is literally landlocked and the purpose for the City acquiring the site Mr. Vanzo previously pointed out is a way to

provide a future roadway to extend into that area to open it up for industrial development. My only explanation for not having a wall would be perhaps in the future if we were to implement the road as shown on the master plan.

Josephine Smith, 34401 Capitol: I am Lot 104. Between the two houses there is a whole vacant field where the drainage ditch is going through and I can see the shop. There are cars parked outside. I have seen the men working outside before. I am concerned because this is a collision shop and in the summertime that noise will go constantly. There is nothing to buffer me from the noise on the other side. I do not want that collision shop there for the noise. The other thing I am concerned about, when he first put up his building, a buffer was supposed to be put up and we haven't heard anything about it. I am against the collision shop.

Debbie Bryce, 34367 Capitol: I too agree with the noise factor and I would like to see a buffer put up.

Cheryl Groves, 11701 Boston Post: I am concerned about filtering. What do they do for fumes? For paint fumes? What kind of filtering?

Mr. Stempien: We have that now. We have a painting booth inside. This is in operation right now. You approved it two years ago and it has been operating for two years. It has been approved by the City and the Fire Department. I'm not saying that isn't a legitimate concern but that is taken care of.

Mr. Vyhnalek: Wayne County oversees that.

Ms. Groves: There are a lot of neighbors that didn't even know it was there. They had no idea. It became a concern because there are dumpsters back there. How are they getting into the bay doors? How are they exhausting the fumes? How are they storing the chemicals? There is no wall. There is nothing.

Mr. Vyhnalek: Mr. Nagy, what is the distance between the homes on Capitol and this building? Just an estimate?

Mr. Nagy: I am estimating 100 feet.

Ms. Groves: We did notice the dumpsters were there and we did see how many parking spaces were there and it didn't seem like a lot of room for that type of facility.

Mr. Vyhnalek: Are you talking about the new building?

Ms. Groves: Yes.

Mr. Vyhnalek: Well all the parking is going to be inside. That is going to be required.

Ms. Groves: When we did find out more about it, it was very outstanding to me That they were able to do that. Then we wonder about junk cars.

Mr. Vyhnalek: They don't have any junk cars.

Ms. Groves: The fumes are a concern and there is no wall.

Mr. Vyhnalek: Has there been any complaints about fumes in the last two years?

Mr. Stempien: No.

Ms. Groves: That is a concern. We have children that play in the woods abutting this area and I would like to see a wall.

Mr. Vyhnalek: We agree but Mr. Nagy gave the reason why there wasn't a wall.

Ms. Groves: I don't feel there is any reason for a bigger facility.

Mr. Vyhnalek: There is going to be a security fence. Are you going to have your bay doors open to the south?

Mr. Stempien: During those hours absolutely from time to time. Vehicles are moving in and out.

Judy Tingley, 34380 Capitol: This is basically in my back yard. I am against it. When they put up the building it concerned me. To be honest with you, I was sort of relieved because it put something between me and the bump shop because of the noise and young people hanging around there on the weekends. Last summer they were working until ten o'clock at night listening to the loud music. I am against it. All the things they promissed us last time are not true.

Mr. Engebretson: Have they been leaving those doors open during the day other than to get vehicles in and out? Are the doors open when the jobs are going on indoors and does that result in the noise you are talking about or are you referring to noise that comes about because they are performing these duties and tasks outside the building?

Ms. Tingley: With the doors open and also outside. It is more the music blasting.

Mr. Engebretson: A question to the petitioner. Is that your plan sir to operate in that manner? I thought it was against the City ordinance to work on cars outside.

Mr. Stempien: The only thing we do to cars outside is wash them.

Mr. Morrow: We are in a Catch 22. Certain members of the commission tend to encourage these types of operations to go into manufacturing district but we are looking at one tonight that is in a manufacturing district but it is in close proximity to a neighborhood and apparently on the surface it looks good but there are other types of problems such as loud music. I know the petitioner is saying there is no work going on outside and we have the neighbors saying there is work going on outside. We say no outside storage and we find there is outside storage. I don't know which way to jump here.

Mr. Stempien: The reason for outside storage for last four to six months is because we need to expand but from time to time you are going to have vehicles outside because tow trucks are going to bring them in and they don't tow them directly inside.

Mr. Morrow: It is a waiver use and we have to take into consideration these type of things. I try to put myself in the position of the young lady who just spoke. I don't want to be subject to allowing a use like that to come in that would interfere with the quality of life on Capitol.

Mr. Stempien: Those are the sort of things that if they approach my client they can be handled on an individual situation by situation basis. He doesn't want to be a bad neighbor and if his employees do something, he can tell them to turn it down or shut it off. That sort of thing to me isn't an issue. The chemicals and the storage and those kinds of questions, we can answer that. These other problems that are raised, we will deal with them like any good neighbor would on a situation by situation basis.

Mr. Morrow: They are not in there on a waiver of use. The apprehension I have is we hear a lot of wonderful things but sometimes we don't get what we expect.

Mr. Stempien: You are bound to have noise and it is bound to happen when you are operating in industrial.

Mr. LaPine: Your doors, are they on the south side of the building?

Mr. Stempien: Yes.

Mr. LaPine: Is it possible that they be moved to the north side of the building?

Mr. Stempien: We are the tenants. The landlord constructed the building in that nature.

Mr. LaPine: He didn't construct this building basically for you?

Mr. Stempien: No. There is no driveway on the north side.

Mr. LaPine: Where you are now, you don't have any additional space for you to expand?

Mr. Stempien: No.

Lady in Audience: You said this building has just been built but all those doors do face us. There are cars in and out. Last summer when it was hot, my patio is attached to my garage, and those young kids would be outside sanding the cars and if you couldn't hear that radio, you are deafer than I am.

Mr. Engebretson: From my point of view, in the petitioner's own words, this is a very busy operation and the nature of this business, in my judgment, is certainly suitable for an M-1 district but in this particular

instance where it borders on a residential community with no protective screening and whether they are working inside or outside doesn't matter, I think it is inappropriate and I am going to speak very strongly in opposition to this petition.

Mrs. Sobolewski: We talked about protection from a wall or barrier. Is there any possibility whatsoever of any form of protection for these neighbors?

Mr. Nagy: As was pointed out, it is a unique situation. Waiver uses by their very nature are unique. That is why they require special public hearings. There are nuisances associated with them that set them apart from the normal kind of manufacturing activities that occur within the district so you have the right to establish conditions to create compatibility.

Mrs. Sobolewski: Well in this case if we can work something out and we can make it easier and more comfortable and try to work with the petitioner, perhaps we should table this and look at something that will meet with the neighbors' approval.

Mr. Morrow: I don't find any fault with what Sue says. I think the petitioner knows where we are coming from. Maybe he is not prepared to be saddled with all those conditions.

Mr. LaPine: I am not opposed to having the owner of the property put up a wall but all a wall will do for these neighbors is block their view of the operation. Loud music can still be heard over a wall. The banging of metal can be heard over a wall so it is not going to eliminate that. it will only eliminate them looking at facility. I think their big complant is the noise.

Mr. Kluver: There are several ways for us to handle this situation. If you are looking for conditions, we can do that but there is a valid point here and that is that this type of operation requires waiver use and again the purpose of that waiver is to control this type of use and I believe it belongs in the industrial area but here is a case of logistics. You have a situation where the waiver use is not applicable because the type of operation is too close to residential area. Possibly we should table this situation and try to come up with an adequate solution. We have an obligation to our citizens to see if we can work out a compromise.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-4-2-28 closed.

On a motion duly made by Mr. Kluver, seconded by Mr. Tent and unanimously adopted, it was

#5-100-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-4-2-28 by Bill Ferminos requesting waiver use approval to operate an automobile collision repair shop within an existing building located on the west side of Stark Road between the C. & O. Railroad and Capitol Road in the Southeast 1/4 of Section 28, the City Planning Commission does hereby table Petition 89-4-2-28 until May 16, 1989.

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

Mrs. Sobolewski, Acting Secretary, announced the next item on the agenda is Petition 89-4-2-29 by Livonia Jaycees requesting waiver use approval to hold the 24th Annual Livonia Jaycee's Spring Carnival at the Omni Theater property located on the northeast corner of Plymouth and Farmington Roads in the Southwest 1/4 of Section 27.

Steve Sartarias: I am the new Livonia Jaycees President.

Mr. Vyhnalek: We are going to deviate from the regular schedule. He wants to make a statement about what took place today.

Mr. Sartarias: Basically I will tell you what we would like from the commission. It is anticipated that a written withdrawal of this petition would be available tomorrow pending a signed contract with DRC. We would like to see approval of this petition until we can present the agreement with DRC to Council tomorrow.

Mr. Vyhnalek: We approved Rotary at DRC. Now Rotary has withdrawn their petition and you are now going to take their time spot on tomorrow's agenda at DRC with Wade Shows. This petition they have tonight is for Farmington and Plymouth Road area with a different carnival so if we approve this tonight, you will have to withdraw at the council level.

Mr. Nagy: If you waive the seven days, the Council can theoretically put this item for the Farmington and Plymouth Road one also on the agenda tomorrow night. The Council President can order that it be placed on as an X item. If the other arrangement that is worked out with the Rotary falls through, this is like an insurance and they will continue to pursue the Plymouth and Farmington Road location. If it comes to pass, they will move forward on the Middlebelt and Schoolcraft location.

*11:20 - Mr. McCann entered meeting at this time.

Mr. Sartaris: I want you to know this has been confusing for me too.

Mr. LaPine: The carnival you were going to operate on the Omni Theater property. Do you have a contract with Crown? What do you do, dump that and then pick up Wade?

Mr. Sartaris: I believe what I was told today was that representatives from both Wade and Crown met today and discussed the situation and worked out something but I don't know exactly what that was.

Mr. LaPine: It is none of my business but it just seems Crown must have a contract.

Mr. Vyhnalek: I think Wade will probably give Crown another spot.

Mr. Sartaris: Crown did say that they thought the Omni site was not mutually acceptable.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-4-2-29 closed.

On a motion duly made by Mr. Kluver, seconded by Mr. Engebretson and unanimously adopted, it was

#5-101-89 RESOLVED that, the City Planning Commission does hereby recommend to the City Council that Petition 89-4-2-29 by Livonia Jaycees requesting waiver use approval to hold the 24th Annual Livonia Jaycee's Spring Carnival at the Omni Theater property located on the northeast corner of Plymouth and Farmington Roads in the Southwest 1/4 of Section 27, be approved subject to the following conditions:

1) That the proposed carnival operation shall be confined to the area as described.

2) That all truck parking, temporary housing units and all other related transportation equipment and apparatus relating to the operation of the carnival shall be parked or stored on the subject property.

for the following reasons:

1) That the subject site has the capacity to accomodate the proposed use.

2) That the proposed use is in compliance with all special and general waiver use standards and requirements set forth in Section 11.03 and 19.06 of the Zoning Ordinance #543.

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

On a motion duly made by Mr. Kluver, seconded by Mr. Tent and unanimously adopted, it was

#5-102-89 RESOLVED that, the City Planning Commission does hereby determine to waive the provisions of Section 10 of Article VI of the Planning Commission Rules of Procedure requesting the seven day period concerning effectiveness of Planning Commission resolutions in connection with Petition 89-4-2-29 by Livonia Jaycees requesting waiver use approval to hold the 24th Annual Livonia Jaycee's Spring Carnival at the Omni Theater property located on the northeast corner of Plymouth and Farmington Roads in the Southwest 1/4 of Section 27.

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-1-7-1 by the City Planning Commission to amend Part VII of the Master Plan of the City of Livonia, the Future Land Use Plan, by changing the designation of property located west of Newburgh Road, north of Plymouth Road in the Southeast 1/4 of Section 30 from industrial to medium density residential.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Vhylanek: This is a petition by the City Planning Commission.

Scott Heinzman, 37601 Grantland: I would like to say changing master plan to residential is a favorable situation. However, medium density doesn't really comply with the preferences that myself and a lot of people on Grantland have. You remember Petition 88-10-1-31 by Dr. Mendelssohn. Most of the opposition to that was due to preference for single family residential. As we understand it, medium density entails two-story maximum apartments and with R-1 there would be a much stronger preference to low density. One of the things to point out is when the City land came up for sale, your recommendation at that time was R-2. R-2 doesn't fall under the medium density. It falls under low density. Although residential would be good, it would open the door to apartments, which we are very much against and we would very much prefer single family homes in that area. I think it falls under low density.

Mr. Nagy: The staff recommended medium density. While we did take into account the existing housing pattern in the area, the thing we are looking at in the future, of course, is the City property. While we did hold a hearing for the R-2, the City is pursuing that property for housing for the elderly, which would be medium density rather than low density.

Mary Hirschlieb: When I hear of all the problems you work with, it scares me as to the future and what we are going to have to contend with before this is settled and of course we are hoping for the best. Scott has pretty much spoken for us. We appreciate your concern and hope we can trust your decisions for this area.

Mr. Morrow: As far as what Mr. Nagy has said about the City-owned RUF property, I support the senior citizens in that area but also in the many hearings that we have had on this parcel, Plymouth Road has a lot of things pertaining towards commercial, C-1 and C-2 type of applications, more intense uses than the medium density classification and because we are only talking about the future land use plan, we are not really talking about rezoning the property, I support the staff's feelings that medium density would be the best classification.

Mr. Heinzman: Number one, our street would not have any problem with a Silver Village being put in if the master plan was low density. We would not have a problem with a waiver for that. I would also like to point out that single family homes are much more appreciated than apartments or condominiums.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-1-7-1 closed.

On a motion duly made by Mr. Kluver, seconded by Mr. Tent and unanimously adopted, it was

#5-103-89 RESOLVED that, pursuant to the provisions of Act 285 of the Public Acts of Michigan, 1931, as amended, the City Planning Commission of the City of Livonia, having duly held a Public Hearing on May 9, 1989 for the purpose of amending Part VII of the Master Plan of the City of Livonia, the Future Land Use Plan, the same is hereby amended by changing the designation of property located west of Newburgh Road, north of Plymouth

Road in the Southeast 1/4 of Section 30 from industrial to medium density residential, for the following reasons:

1) That the proposed amendment to the Future Land Use Plan will reflect the City's future development policy for the subject area.

2) That the proposed amendment to the Future Land Use Plan will reflect the residential character of the subject area.

3) That the proposed amendment to the Future Land Use Plan will provide a reasonable development guide for the City when deliberating future requests for changes of zoning in the area.

AND having given proper notice of such hearing as required by Act 285 of the Public Acts of Michigan, 1931, as amended, the City Planning Commission does hereby adopt said amendment as part of the Future Land Use Plan of the City of Livonia which is incorporated herein by reference, the same having been adopted by resolution of the City Planning Commission with all amendments thereto, and further that this amendment shall be filed with the City Council, City Clerk and the City Planning Commission and a certified copy shall also be forwarded to the Register of Deeds for the County of Wayne for recording.

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

Mr. McCann, Secretary, announced the next item on the agenda is Preliminary Plat approval for Fox Run Estates Subdivision proposed to be located on the east side of Levan, south of Lyndon in the Southeast 1/4 of Section 20.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

John Lezotte, 36361 Lyndon: We looked at a couple of different combinations and this is what we feel is the best for this neighborhood. I plan on building a house there myself. I talked to neighbors on Lyndon and they were concerned about walking through their back yards and I proposed putting a sidewalk out on Levan Road.

Mrs. Sobolewski: Right now Allen Road ends right there?

Mr. Lezotte: Yes.

Mrs. Sobolewski: When you are doing your construction in there, are you going to bring in all your trucks off Levan?

Mr. Lezotte: I am proposing to have a temporary road.

Mr. Vyhnalek: What is the price range?

Mr. Lezotte: $145,000 to $175,000.

Pat Bracken, 14475 Woodside: My home backs up to the property. I got the notification on this a couple of weeks ago, I have no problem with the homes going in there. I have a question about the number of homes he is trying to get in there. I live on a cul-de-sac. The area of that cul-de-sac is slightly smaller than area he is working with. In both of those cases they are working with 8 homes. In this case he is trying to get 10 homes in there. I had heard before

the value of the homes was somewhere in the $40,000 to $50,000 range. Homes in the $170,000 range - that is fine. That is what the homes in that area are today. It seems to be a tight amount of land for 10 homes. If he meets the City codes, I guess we have no issue.

Mr. Nagy: It meets all of the requirements. In fact, it exceeds them.

Michael Neary: I live on the corner of Lyndon and Levan. I have known John Lezotte for 12 years. He built my home and he is a very quality builder. My house is a very substantial home and I think what he proposes, I keep calling it a cul-de-sac but there are no homes around it. He is going to build on two lots himself so there are probably 7 or 8 so I am for it very much because I believe it will add to the property value. If he says the houses will be worth $150,000, it will be $170,000 by the time they are sold.

There was no one else present wishing to be heard regarding this matter and Mr. Vyhnalek, Chairman, declared the public hearing on Preliminary Plat approval for Fox Run Estates Subdivision closed.

On a motion duly made by Mr. Tent, seconded by Mr. Morrow and unanimously adopted, it was

#5-104-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Preliminary Plat approval for Fox Run Estates Subdivision proposed to be located on the east side of Levan, south of Lyndon in the Southeast 1/4 of Section 30, the City Planning Commission does hereby recommend to the City Council that the Preliminary Plat for Fox Run Estates Subdivision be approved for the following reasons:

1) That the proposed Preliminary Plat is drawn in conformance with all applicable City Ordinances and Regulations pertaining thereto.

2) That no City Department has objected to the approval of the Preliminary Plat.

3) That the proposed Preliminary Plat provides a good land use solution to development of the subject land area.

FURTHER RESOLVED that, notice of the above hearing was sent to abutting property owners, proprietor, City Departments as listed in the Proof of Service and copies of the plat together with notice have been sent to the Building Department, Superintendent of Schools, Fire Department, Police Department and Parks & Recreation Department.

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-3-2-21 by Transmission Retailers, Inc. requesting waiver use approval to operate a transmission repair facility within the Jeffries Commerce Center located on the south side of Schoolcraft Road west of Inkster Road in the Northeast 1/4 of Section 25.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating they have no objections to this proposal.

Mr. Vyhnalek: The petitioner called me today and stated he would be off work by nine o'clock and he was going to try to get here. He stated he does not do retail business as such. What he does is he gets companies that have problems with their fleets and they bring them in and he services them right there. They do not go out and advertise for customers. That is why he needs one hoist. He also stated that he has filling stations that when they take the transmissions out and it is shot and needs a new one, they will bring it down there and he will put in a new one for them and take it back to the service station. Since he is not here tonight, we can table it or approve it or deny it.

Mr. LaPine: It is my understanding the only problem here is the question of the hoist and I don't see any problem.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-3-2-21 closed.

On a motion duly made by Mr. LaPine, seconded by Mr. Morrow and unanimously adopted, it was

#5-105-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-3-2-21 by Transmission Retailers, Inc. requesting waiver use approval to operate a transmission repair facility within the Jeffries Commerce Center located on the south side of Schoolcraft Road west of Inkster Road in the Northeast 1/4 of Section 25, the City Planning Commission does hereby recommend to the City Council that Petition 89-3-2-21 be approved subject to the conditions that only one hoist shall be permitted and that no overnight parking of customer vehicles shall be allowed unless parked inside the building, for the following reasons:

1) That the proposed use complies with all special and general waiver use standards and requirements set forth in Section 17.02(a) and 19.06 of the Zoning Ordinance #543.

2) That the subject site has the capacity to accommodate the proposed use.

3) That the proposed use is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mr. Vyhnalek, Chairman, announced that the public hearing portion of the meeting is concluded and the Commission would proceed with items pending before it.

On a motion duly made by Mr. Kluver and seconded by Mr. Tent, it was

#5-106-89 RESOLVED that the minutes of the 576th Regular Meeting & Public Hearings held by the City Planning Commission on April 4, 1989 are approved.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Kluver, Tent, mcCann, Morrow, Engebretson, LaPine, Vyhnalek
NAYS: None
ABSTAIN: Sobolewski
ABSENT: Fandrei

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

On a motion duly made by Mr. LaPine, seconded by Mr. Engebretson and unanimously adopted, it was

#5-107-89 RESOLVED that the minutes of the 577th Regular Meeting held by the City Planning Commission on April 18, 1989 are approved.

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

On a motion duly made by Mr. Kluver, seconded by Mr. McCann and unanimously adsopted, it was

#5-108-89 RESOLVED that, the City Planning Commission does hereby approve Petition 89-4-8-16 by William L. Roskelly for approval of all plans required by Section 18.58 of Ordinance #543 in connection with a proposal to construct an addition to Bingham Service Center located on the south side of Five Mile between Levan and Golfview in the Northeast 1/4 of Section 20, subject to the following conditions:

1) That Site Plan 89-3-10 as revised on 4/30/89 prepared by Basney and Smith, Inc., is hereby approved and shall be adhered to;

2) That Building Plans shown on Sheets 1 & 2 prepared by Camborne Construction Engineering, Inc., are hereby approved and shall be adhered to;

3) That Landscape Plan 89-3-10 as revised on 4/30/89 prepared by Basney and Smith, Inc. is hereby approved and shall be installed on site prior to occupancy of the addition.

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

On a motion duly made by Mr. Morrow, seconded by Mr. Kluver and unanimously adopted, it was

#5-109-89 RESOLVED that, the City Planning Commission does hereby approve Petition 89-4-8-17 by Anthony C. Rea for approval of all plans required by Section 18.58 of Ordinance #543 in connection with a proposal to renovate and add to an existing commercial building located on the northwest corner of Five Mile and Middlebelt in the Southeast 1/4 of Section 14, subject to the following conditions:

1) That the Site and Landscape Plan as revised on 5/8/89 prepared by Anthony C. Rea, Architect is hereby approved and shall be adhered to;

2) That the Building Plan as revised on 5/8/89 prepared by Anthony C. Rea, Architect is hereby approved and shall be adhered to;

3) That this approval is subject to the petitioner obtaining a variance from the Zoning Board of Appeals at its meeting of May 23, 1989.

4) That window signage be limited to 25% of window area.

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

On a motion duly made by Mr. Kluver, seconded by Mr. Tent and unanimously adopted, it was

#5-110-89 RESOLVED that, the City Planning Commission does hereby approve Petition 89-4-8-18 by Barry and Murray Foreman for approval of all plans required by Section 18.58 of Ordinance #543 in connection with a proposal to renovate and add to an existing commercial building located on the southwest corner of Eight Mile and Inkster in the Northeast 1/4 of Section 1, subject to the following conditions:

1) That the Site and Landscape Plan prepared by Barry and Murray Foreman is hereby approved and shall be adhered to;

2) That the Building Plan prepared by Barry and Murray Foreman is hereby approved and shall be adhered to;

3) That landscaping shown on the approved plan be installed on site upon completion of the building addition.

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

On a motion duly made, seconded and unanimously adopted, the 578th Regular Meeting and Public Hearings held on May 9, 1989 was adjourned at 12:00 p.m.

CITY PLANNING COMMISSION

James C. McCann, Secretary

ATTEST: Donald Vyhnalek
Donald Vyhnalek, Chairman

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MINUTES OF THE 580th REGULAR MEETING AND PUBLIC HEARINGS HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, June 13, 1989, the City Planning Commission of the City of Livonia held its 580th Regular Meeting and Public Hearings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Donald Vyhnalek, Chairman, called the meeting to order at 7:00 p.m., with approximately 65 interested persons in the audience.

Members present:	Donald Vyhnalek	Herman Kluver	Jack Engebretson
	William LaPine	Raymond W. Tent	R. Lee Morrow
	Sue Sobolewski	James C. McCann	Brenda Lee Fandrei

Messrs. John J. Nagy, Planning Director; H. G. Shane, Assistant Planning Director; and Ralph H. Bakewell, Planner IV, were also present.

Mr. Vyhnalek informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission only makes a recommendation to the City Council who, in turn, will hold its own public hearing and decide the question. If a petition involves a waiver of use request and the request is denied, the petitioner has ten days in which to appeal the decision to the City Council; otherwise the petition is terminated. The Planning Commission holds the only public hearing on a preliminary plat and/or a vacating petition. Planning Commission resolutions do not become effective until seven days after the resolutions are adopted. The Planning Commission has reviewed the petitions upon their filing and have been furnished by the staff with approving and denying resolutions. The Commission may use them or not use them depending upon the outcome of the hearing tonight.

Mr. McCann, Secretary, announced the first item on the agenda is Petition 89-4-1-12 by Ralph and Suzanne Schweikhart and John and Dolores Lytle requesting to rezone property located on the east side of Newburgh Road between Six and Seven Mile Roads in the Southwest 1/4 of Section 8 from R-4B to P.S.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating they have no objections to the proposal.

Ralph Schweikhart, 17800 Newburgh Road, Petitioner: Jack and Dolores Lytle and my wife Suzanne Schweikhart are here with me. The main reason we have asked for this petition is because the residential property we have been in for many, many years is not conducive to residential living any more. With the other construction in our area it has made the property more suitable for an office sector or something of that nature. The building directly behind us, which was a school, is not any more. The church has enlarged plus the construction across the street in Laurel Park has just changed the values so that we cannot raise a family. What I would like to do is turn the microphone over to the gentleman from Shaw Electric who will explain what we plan on putting in there if it is rezoned.

Mr. Vyhnalek: How long have you lived on that property?

Mr. Schweikhart: I built that home in 1957. I have lived back there on the farm property since 1952.

Mr. Vyhnalek: Both of you? Mr. Lytle also?

Mr. Schweikhart: Yes sir. I just noticed again today that there is going to be a widening of the road again in front of us which will add to the traffic.

Mr. Vyhnalek: For a deceleration lane?

Mr. Schweikhart: That will be widening the road to add another left turn lane into the church area.

Mr. Morrow: Should we go to Mr. Shaw did you say? I would appreciate it if he would limit his input, because it is a question of zoning, and only give us an insight as to what will be developed there but we don't want to get too deeply into site plan details because it is a question of zoning as opposed to site plan.

Dick Barker, Shaw Construction, 13980 Farmington: We are the prospective purchasers of the property along with Mr. Joe Epps from J. E. Epps Company.

Mr. Vyhnalek: What type of company does he have sir?

Mr. Epps: Certified Public Accountant, 38777 Six Mile Road.

Mr. Vyhnalek: We want to keep this brief but we want to know what you are thinking of doing with this property if we did give you the P.S. zoning classification.

Mr. Barker: Should the zoning be changed, our intent is to construct a two-story brick office building between 12,000 and 18,000 square feet and Mr. Epps would be the primary occupant and owner of the building.

Mr. Tent: You intend to go ahead with the project when the zoning is changed? Is this speculative or is it a firm offer on your part to develop the property?

Mr. Barker: It is a firm offer on our part to develop the property.

Father Joe Ferrence: I am the pastor at St. Colette's Church right next door to Ralph and we have been buddies for 19 years. I want to go on record as saying we do not object to the rezoning to P.S. If it was commercial, we would certainly voice our opinions a little more loudly but we would not mind a one-story building and with the consideration that they put in a sufficient greenbelt between the proposed area and the church because we have graciously done so for our neighbors at considerable cost and we want to go on record that this be a consideration of any building in there that would be proposed.

Mrs. Fandrei: You refer to a one-story building. Did I hear at our prehearing review that this might be a two-story building?

Father Ferrence: they said two story. I would prefer one story. Around the City I don't see too many two-story buildings.

Mrs. Fandrei: But you do understand that they are proposing a two-story building?

Mr. Morrow: I would like to make a comment. When I first saw this petition I was opposed to it; however, I guess that is why we have study sessions and public hearings and the Schweikharts reminded us that the public land up there is a little bit deceiving because the use has been given up by the school system and now we have a quasi educational commercial venture in there, if not something of that nature, so to try to keep residential in that area is tough and I can fully support this P.S. request.

Mr. Tent: While I recognize the fact we are only talking zoning and not site plan, one thing does interest me and it is a concern now. I would like to direct a question to Mr. Barker. Your proposal would be a two-story building. Now Father Joe from St. Colettes indicated their preference for a one-story building. If we said during site plan review that a one-story building was required, would you still entertain developing this property?

Mr. Barker: Yes we would still give it serious consideration.

Mr. Tent: Now that we have a prospective user, I think it could be used efficiently but if we did grant the zoning and then you backed out because it would have to be a one-story building, that is a concern.

Mrs. Fandrei: I do have some concerns about this. If you look at our map almost one-half of this building is facing residential or the condominiums across the street. The building that is now the school, the old Dickinson Junior High School, has been converted to office uses. As this northwest area is being developed, which it is the fastest growing area in the City, there may be a need in the near future for that to revert back to a junior high school. The construction across the street is not going to continue much longer. We have a huge complex of condominiums and homes being built on that R-4 and R-7 area right now in preliminary plat approval stage. I cannot feel good in supporting offices in this area, which is basically from here north residential. I just want our petitioners to know why I cannot support this petition.

Mr. Kluver: I have a question to the Planning Director. Regarding the lease that the school administration has executed with Dickinson School, do we have any general information regarding that lease? Is that a five year lease or a three year lease?

Mr. Nagy: For the information of the other members of the Planning Commission Mr. Kluver did call my office and asked me to examine the status of the lease arrangement that RETS has with respect to the Dickinson School and they are on a year to year lease and negotiating for a long term lease right now and the Assistant Superintendent of Property, Art Howell, indicates that there are no plans in the near future to open Emily Dickinson Junior High School for school purposes. They will continue to lease the building out for non school purposes.

Mr. Kluver: So basically we are talking a year to year lease. The other significant factor regarding the church, St. Colettes. The church property is zoned residential and the characteristics that exist, we are looking at a zoning issue that is going to impact that road. What has happened, as we are all aware of, considerable attention has been focused on that northwest corner. In that northwest corner we have had the blessing of residential zoning and there is obviously a residential character that is established on that street. This type of zoning, to me, represents spot zoning. It is spot zoning because it is residential to the east and public land and residential to the north and south. The impact of a zoning change in this area at this time can set the precedent for that entire area. Not this year but 5 to 10 years in the future. I have a difficult time looking at that type of a zoning issue and certainly, at this time, would not support it.

Mr. Barker: I would like to make one comment. We have a long history in Livonia. We have been here since 1952 in the same location. We have 350,000 square feet of office space in Livonia and I welcome any of the members of the board to look at the condition of our existing projects.

Mr. Kluver: I don't think it is a case of your projects. Your projects are outstanding. The ones that you have built in the City of Livonia at Farmington and Schoolcraft and the balance of your project on the Schoolcraft Service Drive. There is no question about that. Those areas are research and engineering and office zoning. I, as one commissioner, do not see that as a P.S. area at this time. To me that represents a long term residential, potentially a planned unit development, or even an extension of the condominium development. There is no guarantee that the continuing usage of the junior high is going to be on that basis. The land is too valuable to be leased out on that basis.

Mr. Barker: I might point out that it is just slightly over an acre of property and it is locked by the school property and the church property.

Mr. Kluver: I appreciate that and I have great sympathy for the residents.

John Lytle: I have been living in that area 38 years. I am a retired police officer from the City of Livonia and I know some of the problems that you run into in zoning and whatever. At the present time my wife and I financially and physically can no longer maintain our property and I have a physical condition that doesn't let me do much. In the past few years I have done a fair amount of vegetable gardening between the homes. It has gotten to the point where I started to do it this year and the body will not take it. My wife's physical condition has deteriorated in the past year and she is going to have to retire on social security with no retirement pension and she has been working for the last ten years in order for us to make ends meet. We can no longer afford to live here as much as I would like to but I will tell you there are a lot of problems connected with that school back there. I think most of you have been made aware of them at one time or another. We can't even let our grandkids go out in back and play especially during school week. We cannot handle the parking lot noises, the street noises, the

tires squealing on the road. We are afraid to let the grandkids play out in the front yard. I just want to give you my input as to what it is like to live there and I would like to see anybody else try to cope with it there.

Mr. Engebretson: I think Mr. Kluver is absolutely correct in his assessment of how this proposal is a matter of spot zoning, which we have been consistently concerned with. However, I think if you look at the surrounding uses, in this particular case, that the spot zoning is of less concern and I would urge approval.

Mr. Morrow: Just to reinforce what Jack has said here and I don't find a lot of fault with what Herm said, but given the public lands now in the quasi private use, P.S. is a zoning that can live somewhat in harmony with residential uses, that is one of the reasons I said earlier I support this petition.

Mr. Engebretson: I want to add that my support is based on P.S. zoning and if the petitioner comes back for commercial, he is going to run into a lot of opposition and I want you to know that in advance.

Mr. Kluver: This is P.S. zoning correct? This is a C.P.A. firm?

Mr. Vyhnalek: Correct.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-4-1-12 closed.

On a motion duly made by Mr. LaPine and seconded by Mr. Morrow, it was

#6-121-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-4-1-12 by Ralph and Suzanne Schweikhart and John and Dolores Lytle requesting to rezone property located on the east side of Newburgh Road between Six and Seven Mile Roads in the Southwest 1/4 of Section 8 from R-4B to P.S., the City Planning Commission does hereby recommend to the City Council that Petition 89-4-1-12 be approved for the following reasons:

1) That the proposed change of zoning is in keeping with the developing character of the area.

2) That the subject property is no longer conducive to single family residential use.

3) That the proposed change of zoning is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Tent, McCann, Morrow, Sobolewski, Engebretson, LaPine, Vyhnalek
NAYS: Kluver, Fandrei
ABSENT: None

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-4-1-13 by JRJ Group for St. Mary's Antiochian Church requesting to rezone property located east of Merriman Road between Six and Seven Mile Roads in the Southwest 1/4 of Section 11 from PL to R-3.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating they have no objections to this proposal.

Meryl Strange, 9612 Sarasota, Redford Twp.: I am with the Board of Directors of St. Mary's Antiochian Church located at 18100 Merriman Road. I request this petition to rezone the property and I am not familiar with all the designations but I did attend your study meeting regarding the use of the property to the rear that was bought from the Livonia School district next to Bryant Junion High. It is our intent to have that property rezoned so we can use it as a parking lot for an expansion of our church and new hall as will be seen with item number 18 on your agenda, a waiver use to add a cultural center to our property on Merriman Road.

Mr. LaPine: How long have you owned this parcel?

Mr. Strange: Approximately since 1972. We bought the property from a doctor that owned it and then through the proper procedure, through the Planning Commission and the Livonia Council we got permission to use the property and build our church there and the cornerstone says 1975. That is when we actually built the church.

Mr. LaPine: How long ago did you buy the parcel from the school?

Mr. Strange: At least 7 years ago.

Mr. LaPine: During that period of time did you know you had to have it rezoned or did you assume when you bought it, it automatically became the designation you wanted?

Mr. Strange: We thought we were going to use it for parking and that was the reason they sold it to us and we assumed it was properly zoned for parking.

Mr. LaPine: I have no objection, it just makes sense it should come out of the PL classification. I just was curious how long you had owned it.

Mr. Morrow: My question might be more appropriate for item 18 but it says to add a meeting hall to the church, item 18 says an activities hall and now I have heard a cultural center. Which is it?

Mr. Strange: It is an activities center for our church and our members to participate in activities that are church related.

Mr. Morrow: Thank you for the record.

Mr. Vyhnalek: During our study session the neighbor to the north was there and have we got that straightened out about the parking and screening of the parking?

Mr. Strange: Immediatedly after the study session, the pastor of the church and the owners of the adjacent property went out to the site. My understanding is that the architect has submitted a revised plan to the Planning Commission and at the conclusion of the discussion that evening, which lasted about 2 hours, there was a more friendly and harmonious relationship between us and the residents in the area. It is my understanding that what was discussed at your study session is what is on the plans and has been completed.

Mr. Vyhnalek: Thank you. We will take the rest up on item 18.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-4-1-13 closed.

On a motion duly made by Mr. Kluver, seconded by Mr. Morrow and unanimously approved, it was

#6-122-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-4-1-13 by JRJ Group for St. Mary's Antiochian Church requesting to rezone property located east of Merriman Road between Six and Seven Mile Roads in the Southwest 1/4 of Section 11 from PL to R-3, the City Planning Commission does hereby recommend to the City Council that Petition 89-4-1-13 be approved for the following reasons:

1) That the subject property is no longer in public ownership.

2) That the proposed change of zoning will provide for the entire site owned by the church to be similarly zoned.

3) That churches are normally found in residential zoning districts.

4) That the proposed change of zoning will provide for use of the property for church related purposes.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-4-1-14 by Boris Stoyanovich for Stoyan's Brothers Inc. requesting to rezone property located south of Plymouth Road between Levan Road and Yale Avenue in the Northeast 1/4 of Section 32 from RUF to C-2.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating they have no objections to this proposal.

Mr. Vyhnalek: Mr. Stoyanovich, you want to expand your business?

Boris Stoyanovich, 36071 Plymouth Road: Yes sir.

Mr. Vyhnalek: What business are you in there?

Mr. Stoyanovich: A restaurant, bar, nightclub, and we are wanting to expand about 40 feet to the back and later on maybe a small banquet hall.

Mr. Vyhnalek: How long have you been there?

Mr. Stoyanovich: Since 1980.

Mr. Vyhnalek: You want to expand 40 feet?

Mr. Stoyanovich: Yes sir.

Mr. Vyhnalek: Mr. Nagy, from his building now to RUF is how many feet?

Mr. Nagy: Approximately 70 feet.

Mr. Vyhnalek: So he needs this for parking?

Mr. Nagy: A portion of the property is needed for parking to support his present building expansion not his future plans. For the 40 foot addition to his restaurant he would need to use a portion of the RUF zoned area to support his expanded off-street parking requirement.

Mr. Morrow: Is C-2 zoning required for his expansion other than parking?

Mr. Nagy: Only for parking. The building expansion would occur within the site area already zoned C-2.

Mr. Engebretson: Is the area that is directly behind the restaurant building presently unpaved? Is it a possibility that area could be used to satisfy your parking needs for the planned expansion.

Mr. Stoyanovich: It's possible.

Mr. Engebretson: Doesn't it make sense to look at using the space that adjoins the building rather than using 70 feet or 200 feet away from the building to build a parking lot?

Mr. Vyhnalek: I believe there is blacktop behind his building.

Mr. Stoyanovich: Yes there is. On the east side it is all blacktop.

Mr. Engebretson: I think the space directly behind the restaurant building is not paved. Is that correct?

Mr. Stoyanovich: It is not paved.

Mr. Vyhnalek: That is where the 40 foot building expansion is going.

Mr. Engebretson: That is a lot more than 40 feet. I am trying to understand why you would go so far away from the building to park cars when you apparently have space right adjacent to the building. I guess the answer is that is where you plan to put the 40 feet. How many square feet would this expansion comprise?

Mr. Stoyanovich: 40 x 80 feet so 3200 square feet.

Mr. Kluver: That was my question. Obviously your expansion could be contained within the existing C-2. My question is why do you want C-2? Why don't you ask for parking?

Mr. Stoyanovich: We are looking in the future and maybe later on we are planning on expanding an additional 40 feet or 60 feet.

Mr. Kluver: Is that your intent? That is why you want the C-2?

Mr. Stoyanovich: C-2 is next door. The car wash is C-2. The stores next door to me and behind me. I guess that is the reason I want to go to C-2. This could help us in the future.

Mr. Kluver: You would want the C-2 so eventually you could expand your business even further?

Mr. Stoyanovich: That is right sir.

Mr. Tent: If we were so inclined just to rezone it to parking, would that be acceptable to you at this time. Would you go ahead with your project and then come back at a later date if you are going to propose a meeting hall or something of that type? I would feel more comfortable with parking for the way you are intending to use the property as opposed to going to the C-2.

Mr. Stoyanovich: I don't understand why the property next door to me is C-2 and the buildings behind me.

Mr. Tent: That is the zoning they have now and what you are asking for is a parking use which would fall in the category of the parking zoning. So I, as one commissioner, would go along with that as far as parking.

Mr. Stoyanovich: That is fine.

Don Duff, 35936 Leon: I live right directly behind this. There is nothing between our house and the back of his restaurant and it is quite often an eyesore back there. Garbage trucks coming at three o'clock in the morning instead of when they are supposed to come. There have been people dumping refrigerators and washing machines. We call him up and he is not too swift about removing them. When we bought our home there Elmira was supposed to be cut through. You are looking at 600 feet from Plymouth Road to my property line. I see absolutely no reason for anything coming back C-2 that far. The car wash is another subject that is coming up later. It is time you people started listening to the residents of this City instead of just letting all this slide through. Now as far as the restaurant goes, we have cars that whistle back through there now, cars that are parking out in the field. I just don't see any necessity for that plus the fact he should be made to put some type of buffer between my backyard and my neighbor's backyard with the noise and everything else going on over there.

Mr. Vyhnalek: If the zoning is changed, he will have to put a wall up.

Mr. Duff: There is a wall up but you let him fill the lot in so the effective height of the wall is three feet. That property was all filled in when they dug the expressway and we called the City out and were told he could fill but "not too high". Called them out again "it's too high". Well they made them take the dirt out. This fiasco has been going on for years between the homeowners on Leon and the people who are supposed to be representing our best interest and I have to tell you we have not been represented properly. I could go on and on. I have a business in Livonia and my business is where a business should be. It is on Industrial Road. He can't run a restaurant on Industrial Road but he doesn't need 600 feet from Plymouth Road.

Nick Vesche, 35948 Leon: I would like to object to this rezoning for the same reasons Don had. Not only that, if it would be rezoned to parking, I think a buffer should be put in there. There is nothing in there now. Like he was saying, they had refrigerators out there and we called the City and he didn't move them. We had to call three or four times before they got moved. We really have no cooperation at all. It is an eyesore and at least in R-1 we do have a buffer. It is a dump. I object to it for that reason.

Bill McIntyre, 35996 Leon: I came to the original meeting for Stoyan's. There used to be a guy named Cunningham that built it. That is when we started the spot zoning in here. They were the first one. We had gone through all these meetings and we got into this spot zoning. I am glad you finally realize it. That is what you have done in this whole complex. I would like to see RUF back to R-1 where the original road was planned to go through.

Linda Kovich, 35852 Leon: I do not live behind Stoyan's at all. The noise that comes from that restaurant is ridiculous. At night you have people screaming. You have cars peeling tires. It is very filthy back there. I would much rather see the trees and everything else back there so the little critters can have a place to live other than the cars back there and loitering and everything else.

Guy Smith, 35924 Leon: I live directly behind the proposed area. I would like to say right now it is a big problem. Last year my home was broken into. They pulled into his parking lot and busted in the back of my door and looted my house. If you move that back it will be just that much worse. I have lived there 35 years. We have been before these commissions time and time again. Elmira was supposed to go through. I know people say who promised you that. That was another zoning board and they say we don't care, it wasn't us, it was somebody else. We have been pushed around and walked over so many times that we are getting fed up with it.

Mr. LaPine: Mr. Nagy, can you give us some background as to what happened to Elmira? Is it true a road was supposed to go through there at one time?

Mr. Nagy: I really don't know but I do remember when Arthur was extended to complete that subdivision area and the way the street to the north is situated it is physically possible. There was enough depth there to provide for the expansion but at the time when the other subdivision was developed, the City made the decision not to extend

the road over because it would only promote more traffic in that area from Levan Road from the traffic discharging from the motor car company.

Mr. Engebretson: I would like to ask Mr. Nagy what his feelings are on what the probability would be of developing the R-1 parcel and all or part of that RUF parcel as residential. Could that be done?

Mr. Nagy: The R-1 parcel is very probable. The property has recently been sold and we do have in our office a preliminary layout for that R-1. Those in the audience will be apprised of the fact there will be a public hearing for preliminary plat for that scheduled for the 27th of June when you will see the layout for the R-1 area. That is a separate piece of property under separate ownership from this one. It is theoretically possible to extend that subdivision into the RUF area but you have a separate property owner who would have to be willing to sell his property. I think it is possible but affected property owners have to cooperate and want it to happen.

Mr. McCann: There was a note that the petitioner was considering only going back 50 feet or 70 feet south instead of the whole distance. Was a letter given to the department asking for that request?

Mr. Nagy: Based upon our prehearing review, we did contact the agent for the petitioner who did prepare the site plan, Mr. Gallagher, and advised him that we thought the better rationale was to only extend the commercial to the depth of the commercial zoning that adjoins the property on the west and from there go with a parking zone from dash line south to insure the residential area there would be no commercial buildings built in that area. Mr. Gallagher indicated that seemed to be a reasonable compromise and would advise his client of that but we have not received any official word back.

Mr. McCann: If we just went back and left the RUF and went down 70 feet, would that be sufficient?

Mr. Nagy: Yes it would be.

Mr. McCann: Then we would allow a continuous property line south of that.

Mr. Tent: Mr. Nagy, the R-1 zoning that is being proposed for that development, if some deal were made to pick up the additional RUF, would that be packaged together as one?

Mr. Nagy: It is possible. RUF requires a substantially larger lot size than R-1. You are talking a half acre versus 7,200 square foot lot so you would not get the comparable lot sizes but if the two property owners were to get together the RUF area could be rezoned R-1 and the proposed road extended to provide for one uniform residential development for the area.

Mr. Tent: The other property owner is Mr. Stoyanovich. It would be up to him to negotiate with the balance of the package and if I understand correctly what Mr. McCann said, then if we just use the 70 foot just above it that would straighten out that line and it could be used as a parking area.

Mr. Nagy: It could be a parking area.

Mr. Tent: Mr. Stoyanovich, you have heard what the neighbors have to say about your housekeeping and the noise and all, are you prepared to be a good neighbor and straighten out these things?

Mr. Stoyanovich: I am trying to be a good neighbor. If you stop by my place today, it has never been so clean. About two months ago somebody threw a washer and dryer there and I can't help it. Somebody called the restaurant. Next day they called a city inspector. They sent me a letter and the next day that washer and dryer were gone. Let them stop by and check it out for themselves. We are changing the restaurant and it is so modern now.

Mr. McCann: If we granted the C-2 back to that R-1 line to the west of you, would that be sufficient for what you are planning to do today?

Mr. Stoyanovich: I think so.

Mr. McCann: Would you consider working out a deal with the property owner that owns that R-1 and possibly joining the rear portion of your property into residential? Selling off your property to him so he can continue his R-1 residential through the RUF that you have there?

Mr. Stoyanovich: I would be willing to negotiate with him.

Mr. McCann: That would create a buffer between you and the subdivision. It would put more homes between you and the subdivision and the people buying the new homes would know what they were getting into. You would have the 70 foot that you would need to do your expansion presently and you would also be able to sell off a nice piece of property hopefully for some profits to build your expansion.

Mr. Stoyanovich: It could be worked out.

Mr. Morrow: I want the petitioner to go away with my view. You had mentioned earlier a banquet type hall. I don't think this body would ever go along with encouraging something any closer to residential and I think it is important that you get a sense of how this body feels. We are a little antsy about extending the parking a little further but C-2 for a banquet hall would just be unconscionable in my view and I think I speak for the majority of this board on that point.

Mr. Vyhnalek: It has been recommended that 70 feet for C-2 and leave the remaining RUF. That is how we stand now.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-4-1-14 closed.

On a motion duly made by Mr. Kluver and seconded by Mr. Morrow, it was

#6-123-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-4-1-14 by Boris Stoyanovich for Stoyan's Brothers Inc. requesting to rezone property located south of Plymouth Road between Levan Road and Yale Avenue in the Northeast 1/4 of Section 32 from RUF to C-2, the City Planning Commission does hereby table Petition 89-4-1-14 until June 20, 1989 in order to develop accord with the

petitioner and the residents to meet the proper type of development in the area and encompass the R-1 and give them sufficient area to develop commercial.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Kluver, Tent, McCann, Morrow, Sobolewski, Engebretson, Fandrei
NAYS: LaPine, Vyhnalek
ABSENT: None

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-5-1-15 by Veterans of Foreign Wars requesting to rezone property located south of Seven Mile Road and east of Middlebelt Road in the Northwest 1/4 of Section 12 from R-9II to P.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating their office has no objections to this proposal.

George Bisel, 36039 Six Mile Road; I am here to represent the petitioner as Commander of VFW Post 3941. We came before this group on a previous occasion about three years ago. We had a general acceptance from the Commission. We had a rather strong statement on our behalf, particularly by Mrs. Hildebrandt at that time on the commission. She pointed out the fact that it is a landlocked parcel. We have no way we can use it with the present zoning. There was a gentleman here from the adjoining apartments who had some objection and we met with him and he indicated an interest in purchasing it so with that interest we withdraw it and tabled it. He subsequently lost interest. It was just a delaying tactic. We have need for it for parking. We have a good deal of parking for our patrons but we need to expand our parking facilities and this is a logical place to put it.

Mr. Morow: Mr. Bisel, is that map accurate from a standpoint that your property is surrounded by parking? Is that parking for apartments?

Mr. Bisel: Yes there is parking for the apartments.

Mr. Morrow: So the uses around you are all parking?

Mr. Bisel: They have a swimming pool directly south of us. The only people who get any use of the property right now are the apartment dwellers. We are paying the taxes and maintaining the property. They use it as a short cut and I am sure if we develop something in there, we will have to do it as funds become available. We need to get the zoning so it will be clear when we get the funds we need to do it.

Mr. LaPine: Has that parcel always been part of the VFW overall parcel? I am curious. I can't understand why that whole parcel wasn't R-7.

Mr. Bisel: This area (he pointed it out on map) was the Armenian Home. They intended to develop apartments for the aged and when we acquired it I believe, this was before I became a member, my understanding is the entire parcel was R-92. Everything along Seven Mile is zoned C-2. We had a little section behind Burger King which we sold to them and they are using it for parking and that was also a part of the property we acquired from them.

Mr. LaPine: If we give you parking in that area, how do you control that only your members park there?

Mr. Bisel: We have a wall across the back of our lot. I would presume that we would develop some kind of a wall or some kind of shrubbery or something around it.

Mr. Vyhnalek: I believe a wall would be required.

Mr. Bisel: I am in favor of greenery. I would prefer to put in some flowering shrubbery around it.

Mr. LaPine: The owners of the R-7 property have never shown any interest lately about purchasing that property to make that a continuation of the R-7?

Mr. Bisel: I think the gentleman that contacted us had a dream he could erect some six to nine story apartments and that didn't develop so he lost interest and my understanding is it has since changed hands.

Mrs. Sobolewski: You do not plan on expanding your hall at all?

Mr. Bisel: We have recently nearly completed our fox hole. That is a small room we have in the basement and that is used for our traveling pool league. It is for members and if we start to have that open on a regular basis it will require additional parking. We are not really settled on what our plans are going to be. There has been some effort to develop it for sale, the entire parcel, but I don't think the membership will approve of that. We would like to retain it and I think probably we will be adding to our parking area to the west of our building so some of our bingo players that insist on parking along the west side of building will leave the way clear for fire trucks to get through.

Mr. Vyhnalek: Are you going to add to the building.

Mr. Bisel: No.

Mr. Engebretson: Mr. Bisel, does the VFW Post own the property immediately north of the parcel in question?

Mr. Bisel: Yes, everything from the Burger King east to fish place is property of VFW.

Mr. Engebretson: Wouldn't it be more logical to have that parking lot constructed on that property? I am talking about the grass area.

Mr. Bakewell: The majority of the parking is to the east of the building and there is some on the west side. But from here (he pointed this out on map) over to Burger King is grass.

Mr. Vyhnalek: Mr. Engebretson wanted to know if you are ever going to develop that grass area into parking?

Mr. Bisel: Probably part of it.

Mr. Engebretson: If you are planning to use that area for parking then it would seem to me that it would make sense to use it first and hold the area in question in reserve because the fact of the matter is there are some apartment buildings fairly close to that property and I presume social functions go very late at night and the party continuing in the parking lot. As we have heard earlier tonight those kinds of things happen and I am not opposed to extending the parking back there but I think it makes sense to do it in stages where you utilize what is the least offensive first and keep that in reserve for your future needs.

Mr. Bisel: It doesn't allow us to do anything but parking with this valuable piece of property. It is something that possibly we could get a buyer for in the future and we would still be retaining the parking area. We just signed a pretty sizable mortgage agreement and we have to keep operating. I don't think we are offensive neighbors. I had some business at the hall last Saturday night and I was there until 3:30 a.m. and I was the only one in the place and the whole neighborhood was dark except for a lot of people hotrodding up and down Seven Mile Road, but when I went out in the pitch black and went in my car at 3:30 a.m. there was still light and noises in the apartment building so they are a lot nosier than we are.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-5-1-15 closed.

On a motion duly made by Mrs. Sobolewski and seconded by Mrs. Fandrei, it was

#6-124-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-5-1-15 by Veterans of Foreign Wars requesting to rezone property located south of Seven Mile Road and east of Middlebelt Road in the Northwest 1/4 of Section 12 from R-9II to P, the City Planning Commission does hereby recommend to the City Council that Petition 89-5-1-15 be approved for the following reasons:

1) That the proposed change of zoning represents a minor extension of a non-residential zoning district into a residential area.

2) That the proposed change of zoning will provide for additional off-street parking to serve the adjacent commercial use.

3) That the proposed change of zoning is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Tent, McCann, Morrow, Sobolewski, Engebretson, Vyhnalek, Fandrei
NAYS: Kluver, LaPine

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-5-1-16 by Ashley Construction Inc. requesting to rezone property located on the east side of Newburgh Road between Seven and Eight Mile Roads in the Southwest 1/4 of Section 5 from RUFC to R-4C.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating the City of Livonia owns the North 43 feet of the area being considered for rezoning.

Ernie Bourassa, 17570 Ellen Drive and Michael Priest, 14655 Riverside, Petitioners:

Mr. Vyhnalek: What are you planning on doing? Building a small subdivision?

Mr. Bourassa: Yes. We own property to the south of the petitioned property also.

Mr. Priest: We purchased the property immediatedly south of the petitioned property last year and we had it rezoned to the same classification last year.

Mr. Vyhnalek: R-4C, which is 90 foot by 130 foot.

Mr. Priest: Right. This piece is contiguous to it and we will put the whole thing together.

Mr. Vyhnalek: About how many homes with the two parcels?

Mr. Priest: Probably 22.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-5-1-16 closed.

On a motion duly made by Mr. Kluver, seconded by Mr. Tent and unanimously approved, it was

#6-125-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-5-1-16 by Ashley Construction Inc. requesting to rezone property located on the east side of Newburgh Road between Seven and Eight Mile Roads in the Southwest 1/4 of Section 5 from RUFC to R-4C, the City Planning Commission does hereby recommend to the City Council that Petition 89-5-1-16 be approved for the following reasons:

1) That the proposed change of zoning is consistent with the Future Land Use Plan which recommends low density residential land use for the subject area.

2) That the proposed change of zoning is compatible to and in harmony with surrounding uses in the area.

3) That the proposed change of zoning is consistent with the existing zoning of adjacent property.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-5-1-17 by Linda LaMaumauiex requesting to rezone property located south of Grantland Avenue between Arcola Avenue and Inkster Road in the Southeast 1/4 of Section 25 from R-1 to P.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating they have no objections to this proposal.

Linda LaMaumauiex, 12275 Inkster: We have a business called Cliff Green Sales. We have been a family owned and operated business since 1953. What we would like to do on this rezoning is to put our parking there. The way it is designed, and we have the design okayed, everything is as it should be. We would like to have an entry and exit on Grantland and possibly if we could get a sign to say "No Left Turn" from the driveway so everyone would be turning right, which would put them going eastbound on Grantland and hitting the light at Grantland and Inkster therefore avoiding any traffic going through the neighborhood. We think that would be beneficial. We, of course, plan to landscape it nicely. We would have the parking lot open only during our hours and months of business, which Monday through Saturday is 10:00 a.m. to 8:00 p.m., and Sunday 12:00 p.m. to 5:00 p.m. After the 4th of July we are closed on Mondays. Our business operates April through September. We have thought of suggesting that we could put some sort of chain across so the neighbors would not have to worry about people parking or drinking or whatever people do in vacant parking lots. Also, at the east side of the parking lot we would be happy to put up a privacy fence and also landscaping in such a manner that it would be pleasant to look at. There is not, in my opinion, a lot of other usage for the area. To the west is the VFW, to the north is Wayne County Road Commission. It is not a desirable place to build a home. We are glad to cooperate in any way but it is necessary for us to have the parking lot to continue operating.

Mr. LaPine: John, do they now have a valid non-conforming use there?

Mr. Nagy: That is correct.

Mr. LaPine: It is my understanding the reason you have to move your parking is that Inkster Road is being widened there so you are losing a certain portion of your property where your parking is.

Ms. LaMaumauiex: That I believe is part of it. I don't know a lot about it. I think a lot of the width is coming from the Redford side. However, a greenbelt is going in so where our present parking is there will be grass to the sidewalk and we would have no parking.

Mr. LaPine: When the widening is completed and the parking, if it is approved and moved, now you store things out in front of your house. Will any of that be moved to the rear? Will that go on this parking property at all?

Ms. LaMaumauiex: No. Our sales area will remain where it is.

Mr. LaPine: Do you construct any of this material you sell there at this location?

Ms. LaMaumauiex: We do some assembly. We do not manufacture anything.

Mr. LaPine: Have you ever looked into the possibility of moving to another location? I used to live in that area and I believe your business has expanded. You were small and now you have grown to quite a good sized business and I would think it might be the right time to look around for a new location to operate your business. You could still have your home there. I do have some problems. I think that you need the parking. I have been there and sometimes the parking has been a problem especially when you have to back out onto Inkster Road. It can be very dangerous and I am wondering if you have ever thought of that possibility. Maybe finding a larger parcel where you could operate and maybe build a building where you could put some of the stuff on the inside.

Ms. LaMaumauiex: I suppose anyone in business has always looked at the option of expanding but we don't care to get any bigger. We are happy the way it is. We don't want to have branches or be throughout the United States. We are just happy running the type of operation that we have.

Mr. Stupar, 12319 Arcola: That is on the west side approximately in the middle of the block. I have been there 18 years. I am a family man and raising a family and there is more than what meets the eye here. She says she wants to enter on Grantland. At the end of Grantland that area there has been widened. It was widened for the purpose of plant traffic coming out of there. It is a bottleneck and when she puts her parking in there, when that plant lets out, it is going to be a bottleneck. The lot she is talking about is a nice lot. It is kept up fine. She doesn't have to make it any better. Another thing is if she turns that into parking, it is going to lower the property value of our homes there. She has other areas for parking and maybe she could work something out plus she owns other lots there too and where she is going to put that parking she has inventory right now, you couldn't fit another thing in there. That inventory has got to go some place. I think there is more than

meets the eye because eventually she is going to want exits on Arcola because with the GM traffic coming out of there, it is just not going to work. I don't know why we the residential area people have to suffer because something has been taken away from her for the City. It is going to end up being a difficult situation.

Gerald Quin, 12320 Arcola: We are opposed to the parking lot. That area now is used for storage. It is supposed to be residential. They have dog houses stored there. They have camper tops in there. They also have a garage they use for assembling and I guess this can't be closed down because of the grandfather law. I am just opposed to it being a parking lot.

James Flick, 12268 Arcola: I am against the parking lot. As they mentioned earlier they want to put up a "No Left Turn" sign. Well we have signs that say "No Right Turn" coming out of Inland and everybody ignores them anyways. On Arcola now we have truck deliveries in the summertime with huge trailers that drop off picnic tables which may remain there for weeks at a time and I think it is a complete eyesore.

Sandy Quin: I have collected a few signatures from the neighbors on Arcola. (She presented the petition to the Commission). The petition states they are against the rezoning.

Ray Owen, 12377 Arcola: We are about 3 lots away from the proposed lot. I have two small children that ride their bikes and play in the street, etc. There are some days that I wonder if we have more traffic on Arcola than on Inkster Road. I think one of the problems is the traffic out of the Inland plant. The sign is there but the people ignore it. I think the creation of a parking lot on the corner of our residential street will add to the traffic flow which concerns me. Another concern that has been mentioned is the storage of picnic tables, etc. A trailer is parked there during the winter for months and I think it just adds to a situation that is going to become an eyesore.

Christine Ellen, 12377 Arcola: I have lived there for 11 years. I am opposed to this petition. Notwithstanding my two small children, we put up with sufficient traffic from the Inland plant. We put up with trucks loading and unloading.

Leon Stumpf, 12420 Arcola: I feel the parking lot would be beneficial. It would keep the cars from parking in front of my home and keep the cars off the street. I also think that Fisher Body is more of a traffic hazard than this business here could be and I am for the parking lot there.

Ms. LaMaumauiex: I would like to comment. The trailer that is spoken about being parked on Arcola we haven't owned for at least one to two years. We no longer have it. As far as the camper top. We do have a pickup truck that has a camper top and sometimes we take the camper top off and put it on the ground. I could put it someplace else I guess. I don't know of any trailers that stay for weeks at a time. Sometimes it takes a little while to get unloaded but the trucks that come in are vendors that come in and they don't want to leave

their trucks for weeks at a time. I may have misunderstood what my neighbors said but this is my rebuttal. Right now we do have lots and lots of tables and lots and lots of everything because this is our peak season and if I don't have two loads of picnic tables a week at least then my lot would be empty and if my lot was empty then I wouldn't be making a living. I really do want to cooperate.

Mr. Morrow: Your parking lot is not intended to have an exit onto Arcola is it?

Ms. LaMaumauiex: No sir it is not. I have no desire for there to be traffic back there. I can appreciate what the neighbors are saying. I have no desire to do that. That's why we designed it the way we did. I can't be a policeman out there and give tickets or whatever you do for an illegal turn but I think that a sign saying you can only turn right would be good and I think it is feasible. Why would you want to turn left? Why would you want to go through the neighborhood to come up to Inkster or Plymouth where there is no light and then have to fight the traffic. The feasible way to exit would be to leave and turn eastward on Grantland until you come up to the traffic light and can turn whichever way you want at the light.

Mr. Morrow: You are not anticipating adding to any traffic you are just accomodating your customers. It is a lot safer than what we have on Inkster Road.

Mrs. Sobolewski: Linda, how many cars do you think you will be parking on the lot? How many parking spaces are you looking to build?

Ms. LaMaumauiex: We have ten proposed parking spots. I don't think we need any more than ten.

Mrs. Sobolewski: You are planning on leaving a greenbelt, perhaps some kind of plantings between you and your neighbors?

Ms. LaMaumauiex: Yes. We certainly want to landscape it nicely.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-5-1-17 closed.

On a motion duly made by Mr. Engebretson and seconded by Mr. Tent, it was

#6-126-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-5-1-17 by Linda LaMaumauiex requesting to rezone property located south of Grantland Avenue between Arcola Avenue and Inkster Road in the Southeast 1/4 of Section 25 from R-1 to P, the City Planning Commission does hereby table Petition 89-5-1-17 until the study meeting of June 20, 1989 so that we can have an opportunity to have a better understanding of what the petitioner is planning to do.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Kluver, Tent, Morrow, Sobolewski, Engebretson, LaPine, Vyhnalek, Fandrei
NAYS: McCann
ABSENT: None

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-5-1-18 by Leonard and Vicki Turowski requesting to rezone property located on the east side of Doris, north of Five Mile Road, in the Southeast 1/4 of Section 14 from P.S. to R-1.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have received a letter from the Engineering Department stating they have no objections to this proposal.

Mr. Vyhnalek: You are going from P.S. to R-1 to build one home?

Leonard Turowski, 35462 Gardner: Yes.

Mr. Vyhnalek: All the rest of the homes on Doris are R-1?

Mr. Turowski: Yes.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-5-1-18 closed.

On a motion duly made by Mr. Morrow and seconded by Mr. Tent, it was

#6-127-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-5-1-18 by Leonard and Vicki Turowski requesting to rezone property located on the east side of Doris, north of Five Mile Road, in the Southeast 1/4 of Section 14 from P.S. to R-1, the City Planning Commission does hereby recommend to the City Council that Petition 89-5-1-18 be approved as amended for the following reasons:

1) That the proposed change of zoning is consistent with the zoning classification on adjacent residential property.

2) That the proposed change of zoning is compatible to and in harmony with the surrounding uses in the area.

3) That the proposed change of zoning will have no detrimental effect on the adjacent Funeral Home property.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Tent, McCann, Morrow, Sobolewski, Engebretson, LaPine, Vyhnalek, Fandrei
NAYS: None
ABSTAIN: Kluver

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-5-1-19 by William L. Roskelly requesting to rezone property located west of Inkster Road between Lyndon Avenue and Five Mile Road in the Northwest 1/4 of Section 24 from RUF, R1-A, and R-3A to R2-A.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating their office has no objections to this proposal.

Mr. Vyhnalek: You want to change the RUF, R1-A, and R-3A to R2-A so you can build homes?

Bill Roskelly, 15126 Beech-Daly Road: Yes. I selected, certainly one of my options could have been 60 foot lots, but I chose to use 70 foot lots attempting to get sites that would allow the preparation of homes with attached garages. Hopefully these homes would be in the area of around $100,000, which I think the City is in dire need of.

Mr. Vyhnalek: This is landfill area?

Mr. Roskelly: Certain portions of it is the landfill area known as Como Lake.

Mr. Vyhnalek: You have done the proper testing to find out if homes can be built on that site?

Mr. Roskelly: Yes. I believe in the past there has either been rumors or petitions that this land be used for apartments, church complexes, senior citizens and that sort of thing. I have heard other people say it might be rezoned to commercial. I believe my use would be very compatible to the area and certainly I hope this commission would agree.

Mr. Tent: You are the owner of the property is that correct?

Mr. Roskelly: That is correct.

Mr. Tent: You would be the developer of this project?

Mr. Roskelly: Correct.

Mr. Tent: It was mentioned that this was landfill area and you are perfectly willing to back it up. We won't have any erosion there. We won't have any collapsing basements there?

Mr. Roskelly: Certainly one of the chores in the process of the past year and a half in purchasing this land was to make a very thorough examination of the soil, being aware that it was a former lake. Along with that there is a large storm sewer that will be proposed under the road on the plat. I have dealt through engineering on this and I am sure your Engineering Department will agree that whatever has to be done will be done.

Mr. Tent: The sewers will traverse along the road?

Mr. Roskelly: It will be under the proposed road.

Star Ard, 14451 Inkster Road: I am the first place south of that. I wonder where the street is going to be. That is all wild through there. We have all kinds of critters and I don't want that disturbed. Where is the road going to be?

Mr. Vyhnalek: That is site plan. This is just trying to get the correct zoning.

Ms. Ard: But you are the guys who started it. You rezoned it.

Mr. Vyhnalek: I am sure if you ask Mr. Roskelly he probably has a sketch that he will be glad to show you.

Mr. Roskelly showed the sketch to the neighbors.

Joe Willim, 27800 Barkley: My only concern is the drainage problem.

Mr. Vyhnalek: That will be taken care of by our City Engineer to see that is done properly or else he cannot build.

Mr. Willim: I am not opposed to it at all.

Terry Mascaro, 28140 Lyndon: I have no problem with residential housing. We moved to Livonia for that reason. We wanted to see more residential. My concern is this area that runs through there. I have lived there for three years and you cannot walk in that area when it rains. My concern is how do you develop through there? Will those storm drains be able to handle it?

Mr. Vyhnalek: I am sure our City Engineer will see it is handled.

Mr. Roskelly: The large box sewer under the proposed road is 16 foot by 12 foot and we are certainly not in the need of any sewer capacity in the form of storm water. Our design is such that your Engineering Department mandates that all the water we will shed will be shed on our property.

Bill Queen, 27954 Lyndon: I have the corner lot. Our kids ice skate in the winter time out there because the water just stays. How much easement is there between the houses?

Mr. Vyhnalek: That is going to be on site plan sir.

Mr. Nagy: There is an easement behind your home.

Mr. Roskelly: To relate to your quiestion there is an existing easement. There will be no building on that.

Steve Thomas, 28131 Oakley: I can look out my window and see primarily a great majority of the property. I am very much in favor of what the petitioner is going for today. The only question I have is once this zoning is approved, what are the chances of something changing later on such as the property not being able to be built on.

Mr. Vyhnalek: If it can't be built on for an R-2A, it will probably lay vacant.

Mr. Morrow: Basically you will have a public hearing on this. If this prevails, he will come back. You will see all the residential lots and the streets. We will have a public hearing on how it is platted. You will see where the lots are, the size of the lots. So you will get more input as it moves along to the approval stages.

Mr. Thomas: That sounds great.

Walter Stark, 27424 Oakley: I just wanted a clarification from Mr. Morrow. You said if this petition is okay then they will get into the sizes of the lots, 70 vs 80?

Mr. Morrow: Minimum will be 70 foot wide.

Mr. Stark: My only objection would be that he is taking the lower one.

Mr. Morrow: A good share of it abuts the R-1 classification and he kind of took the middle of the road with R-2 versus R-1 and R-3.

Mr. Roskelly: Presently the land across the street and contiguous to his land is R-1, which at this moment, without rezoning, I could built on 60 foot lots. I am really increasing the size of the lots.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-4-1-19 closed.

On a motion duly made by Mr. Kluver, seconded by Mr. Tent and unanimously approved, it was

#6-128-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-4-1-19 by William L. Roskelly requesting to rezone property located west of Inkster Road between Lyndon Avenue and Five Mile Road in the Northwest 1/4 of Section 24 from RUF, R1-A, and R-3A to R2-A, the City Planning Commission does hereby recommend to the City Council that Petition 89-4-1-19 be approved for the following reasons:

1) That the proposed changes of zoning are consistent with the Future Land Use Plan.

2) That the proposed changes of zoning are compatible to and in harmony with the surrounding uses in the area.

3) That the proposed change of zoning will provide for single family residential development similar to what is existing in the neighborhood.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-4-2-27 by J. P. Ryan requesting waiver use approval to operate a trucking

facility with outdoor storage of vehicles on property located on the west side of Farmington Road between Schoolcraft Road and the C&O Railroad in the Northeast 1/4 of Section 28.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating their office has no objections to this proposal. We also have a letter from the Fire Department indicating their office has reviewed the plan and has no objections to its development.

Mr. Vyhnalek: Mr. Ryan do you own the business to the north or south of the petitioned property?

Michael Ryan, 15095 Fairfield: My father owns the business to the south since 1973.

Mr. Vyhnalek: You have stored vehicles on that lot since 1973 and you have expanded to the north. You have bought this land and cleaned it up?

Mr. Ryan: That is correct. In November of 1987 we purchased the land just north of us to expand our facility.

Mr. Vyhnalek: What are you storing on that property right now?

Mr. Ryan: Semi-trailers. Forty to forty-five foot semi-trailers.

Mr. Vyhnalek: Some tractors?

Mr. Ryan: The tractors are stored on the land south.

Mr. Vyhnalek: At our prehearing review we wanted some hard surface for the customer parking in front.

Mr. Ryan: In speaking with Mr. Shane we had resubmitted a site plan. At this point we haven't decided whether it will be asphalt or cement but it will take care of the customer and employee parking area.

Mr. Shane: He did submit the site plan as indicated and he will be paving approximately 8,000 feet of land area. He has indicated on the site plan locations of cars and a substantially wider driveway.

Mr. Vyhnalek: What about the shrubbery?

Mr. Shane: There is a substantial landscape area already in front of the property. The rest of the property is used for storage.

Mr. Vyhnalek: What did our engineers indicate about gravel parking lot?

Mr. Shane: When they say hard surface, it means dust free surface, so it can be gravel, asphalt, concrete or anything like that wherein the dust is taken care of.

Mr. Vyhnalek: You are satisfied?

Mr. Shane: Yes.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-4-2-27 closed.

On a motion duly made by Mr. Tent, seconded by Mrs. Fandrei and unanimously approved, it was

#6-129-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-4-2-27 by J. P. Ryan requesting waiver use approval to operate a trucking facility with outdoor storage of vehicles on property located on the west side of Farmington Road between Schoolcraft Road and the C&O Railroad in the Northeast 1/4 of Section 28, the City Planning Commission does hereby recommend to the City Council that Petition 89-4-2-27 be approved subject to the following conditions:

1) That the Site Plan marked Exhibit "A" dated 6-12-89, which is hereby approved, shall be adhered to.

2) That there shall be no outdoor storage of wrecked vehicles, engine parts or other such equipment.

for the following reasons:

1) That the proposed use complies with all of the waiver use standards and requirements set forth in Section 16.11 and 19.03 of the Zoning Ordinance #543.

2) That the subject site has the capacity to accommodate the proposed use.

3) That the proposed use is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-4-2-31 by M. Louis Sabatini requesting waiver use approval to sell previously owned classic automobiles within an existing building located on the north side of Plymouth Road between Merriman and Hubbard Roads in the Southeast 1/4 of Section 27.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Fire Marshal's office stating their office has no objection to this development. We also have received a letter from the Traffic Bureau submitting the following comments: 1. The boundaries of the parking lot should be curbed to prevent encroachment on adjoining parcels or greenbelt areas. Parking blocks would be suitable. 2. I am apprehensive that the planter units between the handicapped parking spaces next to the

building may create a hazardous situation if the driver misjudges or forgets the location of the planters. 3. Install a post or posts in the sidewalk next to the west side of the drive to prevent driving on the walk. 4. Provide a "proper" drive approach between the sidewalk and roadway. It should be 25 feet wide with a 25 foot radii. A chord line rather than an arc is preferred. This will necessitate additional greenbelt on the east side of the drive. We also have in our file a letter from the Engineering Department stating their office has no objections to this proposal and lastly we have a letter from the Ordinance Enforcement Division stating the following deficiencies or problems were found: 1. The fence is missing at the north property line. The fence should be installed or the Planning Commission may wish to consider landscaping for this area. 2. The fence is missing from the west property line and must be reinstalled.

Mr. Vyhnalek: What do you plan to do with this building?

Louis Sabatini, 19433 Ingram: We are going to have antique and classic automobiles all for sale inside the building. There will be no cars outside. I have spoken to Mr. MacDonald and some other people in his office about the fence and we hope it will be up within three to four weeks.

Mr. Kluver: Are you going to operate this business yourself?

Mr. Sabatini: Yes.

Mr. Kluver: Will there be any type of repair facility or any type of repair work on these vehicles?

Mr. Sabatini: No we won't own any of the vehicles. They will be on consignment only.

Mr. Kluver: What are your hours of operation?

Mr. Sabatini: Probably, we haven't really set them yet, ten in the morning until six or seven in the evening.

Mrs. Fandrei: Mr. Sabatini, is this similar to the business on Eight Mile between Beech Daly and Inkster?

Mr. Sabatini: It will be similar to that only they own their cars and this will be consignment only.

Mrs. Fandrei: Were you planning on replacing the two dead trees in your back area?

Mr. Sabatini: Yes. We spoke to Mr. MacDonald and he said that some of the shrubbery was dead and it was just put in last year so they are still guaranteed so the landscaper is coming out to replace them.

Mrs. Fandrei: You have already made arrangements?

Mr. Sabatini: Yes.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-4-2-31 closed.

On a motion duly made by Mrs. Fandrei, seconded by Mr. Engebretson and unanimously approved, it was

#6-130-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-4-2-31 by M. Louis Sabatini requesting waiver use approval to sell previously owned classic automobiles within an existing building located on the north side of Plymouth Road between Merriman and Hubbard Roads in the Southeast 1/4 of Section 27, the City Planning Commission does hereby recommend to the City Council that Petition 89-4-2-31 be approved subject to adherence to the previously approved site plan for the subject site under Petition 87-9-2-42 including the construction of the fence required along the north and west property lines and the following additional conditions:

1) That the Floor Plan dated 4-17-89 prepared by William Barbow which is hereby approved shall be adhered to.

2) That the maximum number of cars parked or displayed within the building at any one time shall not exceed 30.

3) That there shall be no outside parking, display or storage of cars on the subject site other than those belonging to customers and employees.

4) That the fence be erected as required and the dead trees be replaced.

for the following reasons:

1) That the proposed use complies with all of the waiver use standards and requirements set forth in Section 11.03 and 19.06 of the Zoning Ordinance #543.

2) That the subject site has the capacity to accommodate the proposed use.

3) That the proposed use is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

On a motion duly made by Mr. Morrow, seconded by Mr. Tent and unanimously approved, it was

#6-131-89 RESOLVED that, the City Planning Commission does hereby determine to waive the provisions of Section 10 of Article VI of the Planning Commission Rules of Procedure requesting the seven day period concerning effectiveness of Planning Commission resolutions in connection with Petition 89-4-2-31 by M. Louis Sabatini requesting waiver use approval to sell previously owned classic automobiles within an existing building located on the north side of Plymouth Road between Merriman and Hubbard Roads in the Southeast 1/4 of Section 27.

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-5-2-32 by Sam Salem requesting waiver use approval to utilize a S.D.M. License in conjunction with a proposed party store to be located on the west side of Middlebelt Road between Morlock Street and Eight Mile Road in the Northeast 1/4 of Section 2.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating their office has no objections to this proposal. We also have in our file a letter from the Ordinance Enforcement Division stating the following deficiencies or problems were found: 1. Deficient parking. 2. New permits will be required to relocate the ground sign. 3. Conditions of ZBA Grant #8701-05 for the addition required that an underground sprinkling system be installed and that the rental or parking of trailers on this property be eliminated. Neither of these conditions have been complied with. Currently the front yard is being used for trailer storage and Morlock R.O.W. is being used for parking and/or storing trailers. In light of other parking deficiencies in the area, this use would not be advisable on the property. We have also received a letter from Mrs. DiPaolo of 20361 Middlebelt, stating her objection to this petition. Also in our file is a letter from the Superintendent of Clarenceville School District stating they believe it is in the best interest and welfare of our youth for the city council to deny approval of a liquor license for this location. Lastly we have a petition signed by 63 residents indicating their opposition to this petition.

Daniel Zolkower, 26001 Telegraph, Attorney representing petitioner: The petitioner is Mr. Sam Salem and we will be glad to answer any questions you have.

Mr. Vyhnalek: Mr. Salem, are you in this business any place else?

Mr. Salem: No. I was in business a couple of years ago for about 16 to 17 years. I did own two party stores.

Mr. Vyhnalek: You realize you are deficient in parking?

Mr. Salem: Yes, there is parking for 16 cars. There is some parking on the side.

Mr. Vyhnalek: Not according to Mr. MacDonald.

Mr. LaPine: You intend to put a business here but at this time you don't own the property, you are just going to lease it. Is that correct?

Mr. Salem: Yes.

Mr. LaPine: Have you put any down payment or given any money to the owner of the property?

Mr. Salem: No.

Mr. LaPine: So if you are denied here tonight, you are not out any monetary costs?

Mr. Salem: No.

Mr. Zolkower: What we have is option to lease subject to the beer and wine license.

Mr. Morrow: You have heard a litany of difficulties with the site as far as deficiencies, things that they are doing that they shouldn't be, but rather than beat that to death, I would like to make a statement addressing just the parking deficiencies. If a could pick an area in the City that has problems with parking currently, with all the successful business in the area, a new business that is roughly 16 more deficient just could not possibly be approved in my estimation. On that basis alone, you are trying to put in a business that will not be supported by the site, in other words an overdevelopment of the site?

Mr. Salem: Should there be more parking than that 16 car parking.

Mr. Morrow: The ordinance would require 35.

Mr. Zolkower: The owner of the premises occupies the adjacent business, which is a Rent-All location and he built this store alongside his occupied store and they would share the parking area and those are the only two businesses on that particular lot. Being deficient 16 spaces would amplify an already bad situation. We have looked at the site to the south and they are dying for parking and the neighbors are suffering.

Mr. Vyhnalek: I believe the Rams Horn uses that parking lot too.

Mr. Morrow: Being deficient 16 spaces amplifies an already bad situation. It has got to be an overdevelopment of the site

Mr. Salem: I have a business open for two years on Seven Mile Road and I don't have 16 parking spaces. I only have 4 parking spaces and I was there for 15 years.

Mr. Tent: Mr. Salem, you said you own two other party stores. The one on Seven Mile Road is that in Detroit?

Mr. Salem: Yes. Both stores were in Detroit.

Mr. Tent: Well these are the requirements we have here in Livonia for parking and as Mr. Morrow has stated there is a gross deficiency but the thing that concerns me is that you will be sharing the parking with the Rent-All property next door. They have problems themselves. They have overstorage. There are trucks, trailers on it. Were they going to relinquish their parking?

Mr. Zolker: It would be a condition of our lease that we would have that parking area.

Mr. Tent: Then they would be in violation. They would be parking their

trailers probably out in the street in front of some of the neighbors. That piece of property is so overly used now that I find a really serious problem with the parking.

Mr. Engebretson: I guess we need to curtail the debate on the issue of the parking. The fact of the matter is the City has an ordinance and this particular site is incapable of supporting the number of spaces that the ordinance requires for you and the adjoining business. In addition to that, there are other businesses in the area that rely on using those parking spaces so the point is even though you feel there are enough spaces there to handle you needs, the people in the Rent-All are not in a position to give up spaces in favor of your needs so I think we need to shut off the debate on this particular point. The site just doesn't have the capacity to support the parking requirements for just the two facilities without even commenting on the other businesses in the area that depend and rely on those sites.

Mr. McCann: Just a comment to add to what Mr. Engebretson was saying. I think the parking problem, if you could miraculously come up with another 20 spots, I think there is still a feeling, as the letter from the audience stated, we are well supplied right now in the City of Livonia by small markets and stores, liquor and beer stores, and I think considering the location being close to the school, I think we would have a problem with the type of business you plan to put in there, with the selling of alcohol in that area, as well.

Mr. Salem: We only have beer and wine, not liquor.

Sandra DeWater, 20335 Fremont: I read in the Observer one third of all the dangerous interestions are on Middlebelt. We don't need any other cars flowing in and out of traffic on Middlebelt. The convalescent home has a beautiful grassy knoll that these kids can Twinkie and Pepsi themselves to death on. This is the last step of these people's lives and they don't need this added burden. Also I would like to know where he plans to put a dumpster, that they can have the garbage men wake us up at three o'clock in the morning. I would like him to answer that. They have one exit and one entrance. One is off Middlebelt and one is off Morlock. We have gone through this, which you are all familiar with, with the traffic on Morlock from the Rams Horn. Now where are their trucks going to come in and out? I don't understand why we have to put up with semi-trailers coming on our block and making a zig-zag turn so they can get into these places where they unload. We went through Rams Horn and that has not stopped. Also, the kids come from school every day and the kids can buy themselves a pop and a Twinkie on the pop bottles we pick up from our yard.

Catherine Sullivan, One of the Directors of North Central Civic Association: I am standing behind the residents in this area. We have enough party stores around Eight Mile Road and Farmington Road. We don't need any more for our children to get high on.

Gail Silvernail: I live right behind United Rent-All. I think you guys have already made up your minds on how you are going to go but I would like to say first of all, that piece of property they are talking about,

we have about a five foot easement between my backyard fence and United Rent-All building. I catch a lot of people at bar closing hours that rush from Rams Horn using that for a toilet facility. I do collect bottles. My husband and I have to keep that area clean. I would like to say I think it would be causing more of a problem by putting a party store in there. I would like to know about a sprinkling system. There is just a little area of grass. There is no use for a sprinkling system.

Mr. Nagy: A condition of the Zoning Board of Appeals Grant #8701 for an addition to the building, apparently there was a second addition to the rental store, at that time they were required to have an underground sprinkling system installed and the rental or parking of trailers on the property be eliminated. Neither of those conditions have been complied with.

Mr. Silvernail: He does have some trailers that he pushes in at night occasionally and then they put them out during the day so they can get in and out of the building. Also, I would like to say that when this building was added onto, our neighborhood was lied to. He told us that building was added onto to add to his storage for his business. As soon as the building was finished, up went the "For Rent" sign. We have complied with him and his first addition. He wanted to add on. No problem. We did not fight him. Now he wanted to add on again, we said no problems they are good neighbors. He said it was only going to be for storage. We said fine but it was no sooner painted than the "For Rent" signs went up.

Mary Danko: I live on Morlock on the east side across from the nursing home. I just want to go on record saying I am opposed to the liquor license too because I have had one parked car hit out in front of my home by high school girls that had been drinking. I am just opposed to it.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-5-2-32 closed.

On a motion duly made by Mr. Engebretson, seconded by Mrs. Fandrei and unanimously approved, it was

#6-132-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-5-2-32 by Sam Salem requesting waiver use approval to utilize a S.D.M. License in conjunction with a proposed party store to be located on the west side of Middlebelt Road between Morlock Street and Eight Mile Road in the Northeast 1/4 of Section 2, the City Planning Commission does hereby recommend to the City Council that Petition 89-5-2-32 be denied for the following reasons:

1) The petitioner has failed to affirmatively show that the proposed use is in compliance with all of the general waiver use standards and requirements set forth in Section 19.06 of the Zoning Ordinance #543.

2) That the proposed use fails to comply with the off-street parking standards set forth in Section 18.38 of the Zoning Ordinance #543.

3) That the subject site lacks the capacity to accommodate the proposed use.

4) That the proposed use is contrary to the spirit and intent of the Zoning Ordinance which, among other things, is to promote and encourage a balanced and appropriate mix of uses and not oversaturate an area with similar type uses which is being proposed.

5) That the location and size of the proposed use, and its nature and intensity, the site layout and its relation to streets giving access to it will be such that traffic to and from the site will be hazardous to the neighborhood since it will unduly conflict with the normal traffic of the area.

6) That the proposed use would be detrimental to and incompatible with the adjoining uses of the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mr. McCann, Secretary, announced the next item on the agenda was Petition 89-5-2-33 by A.R.K. Heavy Equipment Repair Inc. requesting waiver use approval to operate a heavy truck and trailer repair facility within an existing building located on the east side of Belden Court north of Plymouth Road in the Southwest 1/4 of Section 28.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating their office has no objections to this proposal. We also have a letter in our file from the Ordinance Enforcement Division stating the following deficiencies or problems were found: Zoning Grant #8411-191, which applies to all buildings on this street, provides that there shall be no outside storage of any kind at any time. Due to the small size of the building, narrow yards, limited amount of parking and the fact that this particular property abuts residential, this use would not be advisable. Lastly, we have received a petition signed by 17 area residents stating their objection to this petition.

The petitioner was not present.

Paul Desrosiers, 34940 Beacon: I am here to reiterate what the petition says. I can see there is a potential problem down the road with the outside storage. I went to their old facility on Capitol and found very dirty conditions. I talked to the man who was cleaning it up and he found 20 to 25 barrels of oil stored behind the place which they had to pump out before they could remove them. I have a picture of that. I also went to their new facility on Hix Road in Westland and it is a new building and they already have 13 barrels of oil in and around the dumpster. At their old facility the sewers look like there was oil dumped down there. We feel there could be a noise problem. It is heavy equipment repair. That could be all hours of the night. We feel there is too great of a potential of abuse down the road.

Joe Vanzo, 12066 Boston Post: I concur wholeheartedly with what Mr. Desrosiers has to say. I don't have anything to add to it other than to repeat I am

very much concerned with the oil because we do have some basements in our subdivision and should there be any backup into the basements, the people will be in a mess.

Josephine Smith, 34401 Capitol: We don't want it.

Lina LaBelle, 34450 Beacon: I am opposed to this.

Guy Chopp, 12017 Brewster: I am opposed to it.

Nancy Chopp, 12017 Brewster: I am opposed to it.

Diane Wilson, 12036 Brewster: I am also opposed to it.

Gary Chopp, 12017 Brewster: I am opposed to it.

Mr. Tent: I would like to direct this comment to Mr. Nagy. Paul Desrosiers made some serious implications there as to the conditions that exist on the other property. I would like Inspection to get involved with this and see what is happening. If he is dumping oil and he is using that as a dump area, I am certainly opposed to this and I would like to see some action here by the City. I think we should check into that.

Mr. Desrosier showed some pictures to the Commissioners.

Mr. Kluver: Mr. Nagy, during the prehearing review when the petitioner presented, did he identify the type of repair he was going to do?

Mr. Nagy: He was not in attendance at our prehearing session.

Mr. Kluver: When we get into heavy truck and trailer repair we are looking at possible replacement of engines, trans-axles, transmissions. We are looking at some very, very heavy work. We have a situation here where we have an operation that has a great deal of highly contaminant type of material that you are dealing with. Obviously it becomes a very complex type of situation that should not be taken lightly. The statement of heavy trucks and trailer repair covers a large, large number of items that has a rather heavy effect on the ecology.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-5-2-33 closed.

On a motion duly made by Mr. McCann, seconded by Mr. Kluver and unanimously approved, it was

#6-133-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-5-2-33 by A.R.K. Heavy Equipment Repair Inc. requesting waiver use approval to operate a heavy truck and trailer repair facility within an existing building located on the east side of Belden Court north of Plymouth Road in the Southwest 1/4 of Section 28, the City Planning Commission does hereby recommend to the City Council that Petition 89-5-2-33 be denied for the following reasons:

1) That the proposed use is incompatible to and not in harmony with the surrounding uses in the area;

2) That subject site does not have the capacity to accomodate the proposed use.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mr. , Secretary, announced the next item on the agenda is Petition 89-5-2-34 by William Roskelly requesting waiver use approval to construct a self-serve car wash facility to the rear of an existing automatic car wash site located on the south side of Plymouth Road between Levan Road and Yale Avenue in the Northeast 1/4 of Section 32.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating they have no objections from an engineering standpoint. The letter from the Department of Public Safety, Division of Police, Traffic Bureau, states this proposal has been reviewed by them and is acceptable as submitted. We also have received a letter from the Ordinance Enforcement Division stating the following deficiencies or problems were found: 1. The protective wall has been constructed on the rear (south) lot line but is still required for the approximately 240' of west lot line abutting RUF.

Mr. Roskelly, 15126 Beech Daly: I think all the Commissioners, after the study meeting, have the corrected drawings that correct the situation where we have added a curb around the proposed new driveway as well as on the western line of the existing driveway that goes into the automatic car wash.

Mr. Vyhnalek: Why don't you explain what is going to go back there.

Mr. Roskelly: What is best known as a quarter car wash, which allows an individual to pull into one of five bays and operate your own soap and water and wash your own car. The other item that was requested was that we increase the radius of the entrance into the bays which we did. We added five feet to the asphalt, which in turn leaves 50 feet of green area to the existing six foot masonry wall at the rear of the property. We have indicated on the plans that soffit lights will be placed along the entrance of the five bays which would not illuminate in any way the adjoining land. I feel that the zoning right now is proper, C-2. I believe we have complied with all the minimum setbacks, sideyards, etc and I would ask for your approval.

Mrs. Fandrei: What are your hours of operation? We discussed 7:30 as a closing time. Is the petitioner willing to close that wash at 7:30?

Mr. Roskelly: Yes.

Mrs. Fandrei: The other thing was the lighting intruding on the residents and I drove by that car wash and I have to say I was not only impressed with the lighting and how it did shine down still illuminating the parking area and not the residential area, so I am satisfied it

isn't going to intrude on the neighbors but I also want to comment on the condition of the car wash. The car wash was one of the nicest buildings, let alone car washes, that I have seen. The landscaping, the building, the whole property. I have to say I was impressed.

Mr. Vyhnalek: Your hours of operation are what?

Mr. Peak, 36001 Plymouth Road: 7:30 a.m. until 7:30 p.m. Seven days a week. Sunday we do close at 6:00 p.m.

Mr. Roskelly: I think one of the problems that I personally have that was brought up by a couple of members of this Planning Commission was the fact that as soon as you have open bays where people can wander in, unfortunately we get involved with the loud radios, drinking beer and what not. I have informed Mr. Peak if they were in tandem with his automatic car wash, there will always be attendants present to see that this does not take place.

Don Duff, Leon Avenue: This is an example of what happens when you let C-2 go right to the back of our houses. One nice thing about the noise the car wash makes is if you are deaf, you don't have to listen to it. But unfortunately I'm not deaf and neither are most of my neighbors. This man came up here three years ago and assured us that car wash would not bother anyone. Let him sit out there on Sunday when you are trying to have a picnic in your backyard and listen to it. It is noisy. Now he wants to put a hand wash and kids are going to be there drinking and playing their radios. If the police can't stop it in the parks, what makes him think the attendants are going to be able to stop it. I am opposed to it.

Linda Kovich, 35852 Leon: I am not a prude. I have two boys of my own. One will be 21 and one is 14. They do play the radio loud. I have the option to say shut it down or turn it off. I can't do that with this car wash in my backyard. The police aren't going to come out to my house all the time. I would like to know if the commissioners would like one of these coin operated car washes in your backyard? Right now we have this automatic car wash. We have the humming from the machines there now. We do have the loud radios, maybe when the manager is not there. We have maybe two to three cars that peel their tires back there. This happens all the time. You are more than welcome to come to my house and listen to it. If Mr. Roskelly was so willing and wants to build a lot of homes over on Inkster Road then why, if Stoyans only goes up to the C-2 zone on the west and they sell to residential, why doesn't Mr. Roskelly sell this part of the property and have the homes all the way through?

Vance Serkel, 35876 Leon: I live directly behind this Peak Car Wash. I am definitely opposed to any coin operated wash for the simple reason there is one down the road about a half a mile. I don't think we can take two of them. Another thing, once that car wash is closed, there is many a night we have a drag strip out there. Another thing, when they proposed this car wash, they gave us plans telling us what they were going to do. They were going to put in shrubbery and what did they do, they put a six foot wall up. As far as I am concerned these people can't be trusted. I am opposed to it.

Bill McIntyre, 35996 Leon: I listened to Mr. Roskelly last time. He had no plans. He referred me to a car wash he put up on Seven Mile Road. I think it was called Peak at that time too. For your information Brenda, they are both pretty much the same but they have no coin operated wash. I went through all the coin operated premises in Livonia today. They are messy. The one on Plymouth Road has graffiti on the back wall and everything and I don't think that is the type of thing I want to look at. He can say he has attendants. I have taken my car through his car wash. He can't have more than two attendants at the most.

Guy Smith, 35924 Leon: I agree with everyone and I object.

Lynn Slavowski, 35852 Leon: I wish to say Mr. Roskelly promised, to our satisfaction, to replace our shrubs. We had the sewer in our backyard. They dug out our shrubs. They have never replaced them. We are still waiting for them. When I call up he is not in. His son is not in. He is in a meeting. We want to go on record that we do oppose this.

Mr. Slavowski: I want to go on record that we are opposed to this car wash.

Cindy Lewalski, 35864 Leon: I am also opposed to the car wash.

Mrs. Luden: Mr. Roskelly said if we let him put the car wash in there, he would landscape the back end but there is nothing there. He said all beautiful shrubbery and he put up a wall. The weeds are so bad. He cannot be trusted. The car wash is beautiful. I hope you understand how I feel about what he is proposing. It is a noisy place and I do not want a coin operated car wash right against our back fence.

Nickie Vesche, 35948 Leon: I strongly object to what is going up. I would like to know if they plan on having security after 7:30. Who is going to stop people and kids from being in there after 7:30?

Mr. Vyhnalek: They said they would chain it off.

Mr. Tent: Mr. Nagy, this concerns me because we have approved a lot of petitions here on conditions that certain things be adhered to. What happened here? Why wasn't the petitioner cited for not conforming to our ordinance and to our resolution.

Mr. Nagy: You heard the report I read from the Inspection Department. We specifically, by letter, asked them to review the premises and give us a zoning inspection review. They wrote back and said the only problem was the lack of a wall on the west side of the property. We did ask for a report Mr. Tent.

Mr. Tent: What I am saying, Mr. Nagy, is if this petition wasn't before us today, that landscaping wouldn't be there ever, would it?

Mr. Nagy: I think the point is whether they complied with the plan or not and the Inspection Department has reviewed the plan and they have said with the exception of the wall there were no other deficiencies noted. There is a separate department that is charged with the responsibility of enforcing the ordinances. We did ask for them to inspect the premises.

Mr. Tent: We asked for the inspection. I am saying what about these other site plans that we are approving and we put a condition in that they have to comply with the landscape plans, etc. Do we ever go out there to see if they have complied. Does somebody in the City do that to make sure that everything that we have indicated in our resolution has been adhered to? If so, then we have done our job. I am saying that someone here in the City, some department, should follow up to make sure all these things are being done. This is what shocks me here at this particular time.

Mr. LaPine: John, we have an approved landscape plan. How did they get an occupancy permit when all the improvements that were supposed to be done, apparently were not done?

Mr. Nagy: They don't until there is compliance as determined by Ordinance Enforcement.

Mr. LaPine: They must. They are in there and they don't have any shrubbery in.

Mr. Nagy: I am not in a position to say whether they have or have not complied with the ordinance. The department that is charged with making that interpretation is the Ordinance Enforcement Division of the City of Livonia, not the Planning Department. There is a separate division that is charged with enforcing all the ordinances of the City of Livonia. Those ordinances also include the zoning ordinance. When the Planning Commission or the Council approves a site plan or landscape plan, it is the Ordinance Enforcement Division that is charged with seeing that those plans are adhered to. Pursuant to your policy when we have these waiver uses, we ask for a site review, a report back from the Inspection Department. This site was inspected. They have full access to all the plans. They have issued the occupancy permit. They wrote back to us and said that with the exception of the wall, they are complying. Now it may be debatable. We hear tonight that perhaps they haven't but I am in no position to tell you whether they have or haven't. I tried to give you the report you requested. The information I have back is they have complied. Now if they haven't, we will ask them to go out and reinspect the property.

Mr. LaPine: Does the Inspection Department have a copy of the site plan approval?

Mr. Nagy: Absolutely.

Mr. LaPine: Let's find out. If they are not doing their job, then get on their rear ends. If we have to, we will go to the Mayor and find out what is going on. If it is their job to enforce what we say and if they are not doing their job, then someone should be brought to task. It isn't fair for us to sit here and approve site plans and ask for things to be done that are not done. Somebody should find out why it is not being done.

Mr. Nagy: I happen to agree with you.

Mr. Roskelly: Possibly to shed some light on Mr. LaPine's comment. Your ordinance mandates a six foot masonry wall be placed on every parcel of land where a commercial zoning district abuts to a residential. This was shown on the plan as mandated by your ordinance. At that time we had

the option to go to the Board of Appeals to get a waiver of the masonry wall in lieu of adequate shrubbery, berms, etc. We did report to the Board of Appeals. We were asked to place, I believe it was three rows of pine trees staggered. We were asked to build a berm along with several other plantings, which was to be for a two year period again to be examined. At that time, and they did approve that plan, but we still had the option to build the masonry wall. We chose to build the masonry wall simply for several reasons. The number of trees and the berm they were requesting and the additional shrubs were far in excess of what the masonry wall would cost and at the same time two years down the line we would be back on square one and we could be mandated to replace the wall at that time.

Mr. LaPine: What is the width of the property, Mr. Roskelly?

Mr. Roskelly: One hundred fifty feet.

Mr. LaPine: The masonry wall cost you approximately $30.00 a foot right? You are telling me you were going to put in $30,000 worth of shrubbery in there?

Mr. Roskelly: I don't know if you have the plan that was mandated by the Board of Appeals.

Mr. LaPine: The only plan I have is the one approved by the Planning Commission.

Mr. Roskelly: I think the plan approved by the Planning Commission was the one with the masonry wall.

Mr. Kluver: What we are looking at here is an overdevelopment of the site. Even though you are within the zoning characteristics, you are still doing a waiver use. There is an impact from that type of facility being that close to a residential development. There are things that don't show. They are intangibles but they are an integral part of that particular development and that should be considered. There are a lot of open issues that I feel are being overlooked.

Mr. Duff: I would like to know how someone can come up and promise something after we go to two or three meetings on it and iron it all out because he is going to do this, and then he turns around and takes another option that none of us were aware of by building a wall instead of doing the job like he had promised. I don't know how he gets away with it. Mr. LaPine, I would like to congratulate you. You are one of the few guys that has ever been here that has showed any guts on this board.

Mrs. Fandrei: As impressed as I have been with Mr. Peak's building and the immediate landscaping right around the building, after hearing the input from the neighbors, I cannot, in good conscience, approve the waiver for this. As Mr. Kluver indicated, I feel it might be an overuse of the property and I wouldn't want that in my backyard. I couldn't do that to these ten people that have come up and I could not support that.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-5-2-34 closed.

On a motion duly made by Mr. Engebretson, seconded by Mrs. Fandrei and unanimously approved, it was

#6-134-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-5-2-34 by William Roskelly requesting waiver use approval to construct a self-serve car wash facility to the rear of an existing automatic car wash site located on the south side of Plymouth Road between Levan Road and Yale Avenue in the Northeast 1/4 of Section 32, the City Planning Commission does hereby recommend to the City Council that Petition 89-5-2-34 be denied for the following reasons:

1) That the proposed use does not comply with all waiver use standards and requirements set forth in Section 11.03 and 19.06 of the Zoning Ordinance #543;

2) That the subject site does not have the capacity to accommodate the proposed use;

3) That the proposed is not compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mr. McCann, Secretary, announced the next item on the agenda was Petition 89-5-2-35 by John D. Dinan requesting waiver use approval to construct a building for general office purposes on property located on the west side of Merriman Road between Schoolcraft Road and Scone Avenue in the Southeast 1/4 of Section 22.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter in our file from the Engineering Department stating their office has no objections to this proposal. We have also received a letter from the Traffic Bureau of the Department of Public Safety stating the following recommendations are submitted: 1. Provide a six-foot sidewalk along the Merriman right-of-way. 2. Install a curb along the south lot line unless an agreement to share parking with the adjacent business/land owner is filed. 3. If a share agreement is made, then provide a curb for the first ten feet west of Merriman frontage. 4. Both drives to have a 25 foot radius on both sides. A chord line is preferred. We have also received a letter from the Division of Fire, Department of Public Safety, stating their office has no objection to its construction. Lastly, we have a letter from the Ordinance Enforcement Division stating the following deficiencies or problems were found: 1. The west edge of the building encroaches onto the P zoned property. The building will

have to be downsized to eliminate the encroachment or a portion of the P zoned property will have to be rezoned to P.S. 2. The ground sign shown on the site plan is proposed at less than the minimum required setback and will require a variance from the Zoning Board of Appeals. The building plan has been revised to avoid the conflict with the parking zoned portion of the property.

Mr. Vyhnalek: Is the petitioner here tonight?

Mr. Nagy: No. The petitioner called our office and he indicated he had a conflict with another appointment.

Mr. Vyhnalek: We did study this at the study session. Do the commissioners have any general statements they would like to make?

Mr. Tent: This one notation about the six foot sidewalk. How do we feel about that? The petitioner isn't here to indicate if he would conform with that. This is one of the recommendations made by Lt. Thorne.

Mr. Nagy: You can make that a condition of approval that a six foot sidewalk be installed.

Mr. Tent: And also the curb that you are talking about?

Mr. Nagy: You can make make it a condition that they comply with reports from various City departments.

Mr. Vyhnalek: There is nothing here concerning the trash dumpster.

Mr. Shane: As indicated in our notes, the site plan has been revised and it has now eliminated the trash dumpster.

Mr. Vyhnalek: So it is now an internal trash compactor?

Mr. Shane: Correct. It has also been revised to take care of some other minor problems we indicated.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-5-2-35 closed.

On a motion duly made by Mr. Kluver, seconded by Mr. Morrow and unanimously approved, it was

#6-135-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-5-2-35 by John D. Dinan requesting waiver use approval to construct a building for general office purposes on property located on the west side of Merriman Road between Schoolcraft Road and Scone Avenue in the Southeast 1/4 of Section 22, the City Planning Commission does hereby recommend to the City Council that Petition 89-5-2-35 be approved subject to the following conditions:

1) That the revised Site Plan marked sheet A-1 dated 6-1-88 prepared by Architectural Resources, Architects, which is hereby approved, shall be adhered to.

2) That the Building Elevation Plans marked sheet A-2 and A-3 dated 6-1-89 prepared by Architectural Resources, Architects, which is hereby approved, shall be adhered to.

3) That the landscaping shown on the approved site plan shall be installed prior to the issuance of a Certificate of Occupancy and shall thereafter be permanently maintained in a healthy condition.

4) That all the recommendations made by City departments be adhered to.

for the following reasons:

1) That the proposed use is in compliance with all waiver use standards and requirements set forth in Section 9.03 and 19.06 of the Zoning Ordinance #543.

2) That the subject site has the capacity to accommodate the proposed use.

3) That the proposed use us compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mr. McCann, Secretary, announced the next item on the agenda is Petition 89-5-2-36 by McDonald's Corporation requesting waiver use approval to construct a sit-down restaurant with a drive-thru window on property located on the south side of Ann Arbor Road between Ann Arbor Trail and Hix Road in the Northeast 1/4 of Section 31.

Mr. Bakewell presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have received a letter from the Division of Fire stating their office has no objection to its development contingent upon an approved city hydrant within 350 feet of the building. We also have received a letter from the Ordinance Enforcement Division stating the following deficiencies or problems were found: 1. The plan does not indicate a protective wall at the rear of the property where it abuts property zoned R-7. 2. The site is less than the required 200' from residential property. 3. The drive thru window lane is required to be 12' wide. Proposed are 10' - deficient 2'. 4. Sixty degree parking spaces are required to be 22.5 long. Proposed are 20'. These spaces are required to be 10' wide. Proposed are 9'. 5. A detailed sign package must be submitted for review. Lastly, we have a letter from the Traffic Bureau stating they recommend the following: 1. Dedicate the portion of the property that projects into the Ann Arbor Road right-of-way. It will require the light standard and exit sign to be relocated a few feet. 2. Provide a commercial standard sidewalk along the Ann Arbor Road frontage. 3. The parking space widths be widened to ten feet. They are shown as nine feet. This will reduce by seven the number of parking spaces. With respect to those last two reports, the site plan has been corrected.

Alan Helmkamp, 16832 Newburgh: This is our fourth time in front of you so I will be brief. The only thing new is the landscape plan. We are showing approximately 52 trees for the site, and 140 shrubs. The one thing I wanted to mention on the landscaping is that it impinges upon the 7 foot right of way, which we have indicated early on we are going to dedicate, so we may have to broach the subject of maybe having to push everything back to accomodate that dedication of that 7 foot.

Mr. Vyhnalek: No problem Mr. Nagy?

Mr. Nagy: No problem.

Mr. Vyhnalek: It looks like you have complied with all of our requests.

There was no one else present wishing to be heard regarding this item and Mr. Vyhnalek, Chairman, declared the public hearing on Petition 89-5-2-36 closed.

On a motion duly made by Mr. Tent, seconded by Mr. LaPine and unanimously approved, it was

#6-136-89 RESOLVED that, pursuant to a Public Hearing having been held on June 13, 1989 on Petition 89-5-2-36 by McDonald's Corporation requesting waiver use approval to construct a sit-down restaurant with a drive-thru window on property located on the south side of Ann Arbor Road between Ann Arbor Trail and Hix Road in the Northeast 1/4 of Section 31, the City Planning Commission does hereby recommend to the City Council that Petition 89-5-2-36 be approved subject to the following conditions:

1) That the Site Plan marked sheet SP-1 dated 6-9-89, as revised, prepared by McDonald's Corporation which is hereby approved shall be adhered to.

2) That the Building Elevation Plans marked A-4 and A-5 dated 9-6-88 prepared by McDonald's Corporation, which are hereby approved, shall be adhered to.

3) That the Landscape Plan marked sheet SP-5 dated 6-9-89 prepared by McDonald's Corporation, which is hereby approved, shall be adhered to and shall be installed prior to the issuance of a Certificate of Occupancy and shall thereafter be permanently maintained in a healthy condition.

for the following reasons:

1) That the proposed use is in compliance with all waiver use standards and requirements set forth in Section 11.03 and 19.06 of the Zoning Ordinance #543.

2) That the subject site has the capacity to accommodate the proposed use.

3) That the proposed use is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

Mr. Vyhnalek, Chairman, announced that the public hearing portion of the meeting is concluded and the Commission would proceed with items pending before it.

Mrs. Fandrei left the meeting at this time.

On a motion duly made by Mr. Morrow and seconded by Mr. Kluver, it was

#6-137-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-4-1-9 by Angelo D'Orazio requesting to rezone property located south of Eight Mile Road and west of Newburgh Road in the Northeast 1/4 of Section 6 from RUFC to R-7, the City Planning Commission does hereby recommend to the City Council that Petition 89-4-1-9 be approved for the following reasons:

1) That the subject land area proposed to be rezoned is adjacent to a major office development and Greenmead.

2) That the subject land area proposed to be rezoned is isolated from most single family development in the area.

3) That the proposed change of zoning is consistent with good planning principles which favor higher density development adjacent to major non-residential developments.

4) That the proposed change of zoning provides for more of a variety of housing units to serve the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Kluver, Tent, McCann, Morrow, Sobolewski, Engebretson, LaPine, Vyhnalek
NAYS: None
ABSENT: Fandrei

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

On a motion duly made by Mr. Kluver and seconded by Mr. Morrow, it was

#6-138-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-4-1-10 by Antell Partnership requesting to rezone property located north of Schoolcraft Road and east of Middlebelt Road in the Southwest 1/4 of Section 24 from P.S. to C-2, the City Planning Commission does hereby recommend to the City Council that Petition 89-4-1-10 be approved for the following reasons:

1) That the proposed change of zoning will provide for uses that are typical in a location with good access to and from a freeway.

2) That the proposed change of zoning is compatible to and in harmony with the surrounding uses in the area.

3) That the proposed change of zoning is in an area which is not adjacent to any residential uses.

4) That the proposed change of zoning will provide for a mix of uses in the area to serve persons traveling to and thru the City.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Kluver, Tent, McCann, Morrow, Sobolewski, Engebretson, Vyhnalek
NAYS: LaPine, Fandrei
ABSENT: None

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

On a motion duly made by Mr. Tent and seconded by Mr. Morrow, it was

#6-139-89 RESOLVED that, the City Planning Commission does hereby determine to waive the provisions of Section 10 of Article VI of the Planning Commission Rules of Procedure requesting the seven day period concerning effectiveness of Planning Commission resolutions in connection with Petition 89-4-1-10 by Antell Partnership requesting to rezone property located north of Schoolcraft Road and east of Middlebelt Road in the Southwest 1/4 of Section 24 from P.S. to C-2.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Kluver, Tent, McCann, Morrow, Sobolewski, Engebretson, Vyhnalek, Fandrei
NAYS: LaPine
ABSENT: None

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

On a motion duly made by Mr. Kluver, seconded by Mr. Tent and unanimously approved, it was

#6-140-89 RESOLVED that, pursuant to a Public Hearing having been held on May 9, 1989 on Petition 89-3-2-23 by JRJ Group, Inc. requesting waiver use approval to construct an activities hall addition to St. Mary's Antiochian Orthodox Church located on the east side of Merriman Road between Six and Seven Mile Roads in the Southwest 1/4 of Section 11, the City Planning Commission does hereby recommend to the City Council that Petition 89-3-2-23 be approved subject to the following conditions:

1) That the Site Plan marked sheet SP1 dated 6-7-89, as revised, prepared by JRJ Group, Architects, which is hereby approved, shall be adhered to.

2) That the Landscape Plan marked sheet L-1 dated 6-7-89, as revised, prepared by JRJ Group, Architects, which is hereby approved, shall be adhered to and the landscaping shall be installed prior to the issuance of a Certificate of Occupancy and shall thereafter be permanently maintained in a healthy condition.

3) That the Building Elevation Plan marked sheet A-2 dated 3-15-89 prepared by JRJ Group, Architects, which is hereby approved, shall be adhered to.

for the following reasons:

1) That the proposed use complies with all waiver use standards and requirements set forth in Section 4.03 and 19.06 of the Zoning Ordinance #543.

2) That the subject site has the capacity to accommodate the proposed use.

3) That the proposed use is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543, as amended.

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

On a motion duly made by Mr. Tent and seconded by Mrs. Sobolewski, it was

#6-141-89 RESOLVED that, the minutes of the 578th Regular Meeting & Public Hearings held by the City Planning Commission on May 9, 1989 are approved.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Kluver, Tent, Morrow, Sobolewski, Engebretson, LaPine, Vyhnalek
NAYS: None
ABSTAIN: Fandrei, McCann
ABSENT: None

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

On a motion duly made by Mrs. Sobolewski, seconded by Mr. Tent and unanimously approved, it was

#6-142-89 RESOLVED that, the minutes of the 579th Regular Meeting held by the City Planning Commission on May 23, 1989 are approved.

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

On a motion duly made by Mr. LaPine and seconded by Mr. Morrow, it was

#6-143-89 RESOLVED that, the City Planning Commission does hereby recommend to the City Council that Petition 89-5-8-21 by Ramco-Gershenson, Inc. for

approval of all plans required by Section 18.47 of Ordinance #543 in connection with a proposal to construct an addition to an existing commercial building (Livonia Towne Square) located on the south side of Seven Mile just west of Middlebelt Road in the Northeast 1/4 of Section 11 be approved subject to the following conditions:

1) That Site Plan #65700.0489 Sheet 1 dated 5-4-89 prepared by MM/A Associates, Inc. is hereby approved and shall be adhered to;

2) That Building Plan #65700.0489 Sheet 2 dated 5-4-89 prepared by MM/A Associates, Inc., is hereby approved and shall be adhered to;

A roll call vote on the foregoing resolution resulted in the following:

AYES: McCann, Morrow, Sobolewski, Engebretson, LaPine, Vyhnalek, Fandrei
NAYS: Kluver, Tent
ABSENT: None

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

On a motion duly made by Mr. Kluver, seconded by Mr. Morrow and unanimously approved, it was

#6-144-89 RESOLVED that, the City Planning Commission, pursuant to the provisions of Act 285 of the Public Acts of Michigan, 1931, as amended, does hereby establish and order that a public hearing be held to determine whether or not to amend Part V of the Master Plan of the City of Livonia, the Master School and Park Plan, by deleting property located on the west side of Newburgh Road between Pembroke Avenue and Eight Mile Road in the Northeast 1/4 of Section 6 and Part VII, the Future Land Use Plan, by changing the designation of the subject property from Recreation/Open Space to Office; and

FURTHER RESOLVED that, notice of the above public hearing shall be given in accordance with the provisions of Act 285 of the Public Acts of Michigan, 1931, as amended.

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

On a motion duly made, seconded and unanimously adopted, the 580th Regular Meeting and Public Hearings held on June 13, 1989 was adjourned at 11:12 p.m.

CITY PLANNING COMMISSION

James C. McCann, Secretary

ATTEST: Donald Vyhnalek
Donald Vyhnalek, Chairman

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MINUTES OF THE 751st REGULAR MEETING AND PUBLIC HEARING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, September 30, 1997, the City Planning Commission of the City of Livonia held its 751st Regular Meeting & Public Hearing in the Livonia City hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. McCann, Chairman, called the meeting to order at 7:30 p.m.

Members Present:	Robert Alanskas	Daniel Piercecchi	James C. McCann
	John Walsh*	Michael Hale	Elaine Koons*

Members Absent: None

Messrs. John Nagy, Planning Director, H. G. Shane, Assistant Planning Director and Scott Miller, Planner III, were also present.

Mr. McCann informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission only makes a recommendation to the City Council who, in turn, will hold its own public hearing and decide the question. If a petition involves a waiver of use request and the request is denied, the petitioner has ten days in which to appeal the decision to the City Council; otherwise the petition is terminated. The Planning Commission holds the only public hearing on a preliminary plat and/or a vacating petition. Planning Commission resolutions become effective seven days after the resolutions are adopted. The Planning Commission has reviewed the petitions upon their filing and have been furnished by the staff with approving and denying resolutions. The Commission may use them or not use them depending upon the outcome of the hearing tonight.

Mr. Piercecchi, Secretary, announced the first item on the agenda is Petition 97-8-1-11 by Elaine Beresh and Jack Shenkman requesting to rezone property located on the southwest corner of Seven Mile and Newburgh Roads in the NE 1/4 of Section 7 from OS (Office Services) to C-2 (General Business).

Mr. Mr. Miller presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter from the Engineering Division stating that they have no objection to the zoning petition. That's signed by David Lear, Civil Engineer I. That's the extent of our correspondence.

Jeanne Hildebrandt, 34774 Bretton, Livonia. I am representing Elaine Beresh and Jack Shenkman. The zoning request from C-2 to C-1 would satisfy the use of a drug store and that way we could insure that nothing in the future could be

built other than this drug store-type building. Gas stations, etc. would not be allowed on that corner. Therefore the developer is requesting C-1. The reason the original request was made for C-2 is that the architects at the time did not realize with the wetlands they could still get this building in and leave the wetlands as they are now.

Mr. Piercecchi: You realize that out of 2.84 acres only 1.54 acres is usable?

Ms. Hildebrandt: Yes. I have brought renderings and would like to inform the Planning Commission that the building would be built with the same brick, as close as we can match it, to the medical center that is there at the current time. We have set the driveways far enough back from Seven Mile and also Newburgh so that it shouldn't interfere with the traffic. I might add that Arbor Drug stores are well maintained and spotless. I have dealt with one for many years in Livonia Mall, and I have never gone in there that that drug store is not taken care of in a proper manner. The building fits very nicely on the 1.5 acres and, as you see, we've set the drives, ingress and egress, back off the corner so it shouldn't interfere with the traffic flow.

Mr. Alanskas: Has Mr. Shenkman tried to put an office building on that site?

Ms. Hildebrandt: Yes, he has and has been unsuccessful. He's been trying for a couple of years.

Mr. Alanskas: I am sure you are aware of it, but we have 31 drug stores in Livonia at the present time. I know we cannot predicate zoning on what type of business is going in. We just opened a drug store on Eight Mile and Newburgh. Believe me, if I thought it was feasible or a good use for a drug store I would say yes, but I still think that with the OS zoning, you could put an office building in there. I think we have to try a little harder.

Ms. Hildebrandt: He has tried diligently and with the two medical centers, and with Oakwood going up and Providence there, we thought a drug store would be most appropriate as long as it is built accordingly with the current building.

Mr. Alanskas: Don't they also have small medical stores in those buildings?

Ms. Hildebrandt: Not with the products the drug store would have. They have prescriptions, yes.

Mr. Hale: Is there any study that you know of by Arbor or by the developer in terms of the need of a drug store on this particular parcel?

Ms. Hildebrandt: I don't have any knowledge of that. I would like to make a comment. We felt that a drug store with the medical centers would be very appropriate for that corner.

Mr. Piercecchi: The Mission Health has a pharmacy, doesn't it?

Ms. Hildebrandt: They have a small pharmacy. They don't have near the products that Arbor Drugs can satisfy a customer. Also, Arbor Drugs has food products to pick up for seniors, etc. Arbor Drugs runs a first class drug store.

There was no one else present wishing to be heard regarding this item and Mr. McCann, Chairman, declared the Public Hearing on Petition 97-8-1-11 closed.

Mr. McCann: If there is no one else wishing to speak, a motion is in order.

On a motion duly made by Mr. Alanskas, seconded by Mr. Hale and unanimously approved, it was

#9-152-97 RESOLVED that, pursuant to a Public Hearing having been held on September 30, 1997 by Elaine Beresh and Jack Shenkman requesting to rezone property located on the southwest corner of Seven Mile and Newburgh Roads in the NE 1/4 of Section 7 from OS (Office Services) to C-1 (Local Business), as amended, the City Planning Commission does hereby recommend to the City Council that Petition 97-8-1-11 be denied for the following reasons:

1) That the proposed change of zoning is contrary to the Future Land Use plan designation of Office;

2) That this general area in the vicinity of the Seven Mile Road and Newburgh Road intersection is currently well served with a variety of commercial uses;

3) There is no demonstrated need for additional commercial zoning in this section of the City; and

4) The proposed change of zoning would provide for uses that are not needed in this area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543 as amended.

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

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Petition 97-8-1-12 by Guiseppe Mainella, Antonio Russo and Joseph Padula requesting to rezone property located on the west side of Wayne Road between Ann Arbor Trail and Joy Road in the SW 1/4 of Section 33 from OS (Office Services) to C-2 (General Business).

Mr. Miller presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: Our Engineering Department in their letter referencing the subject petition indicates they have no objections to the rezoning. Signed by David Lear, Civil Engineer.

We have a letter from Mr. & Mrs. Joseph Yarnevich of 8891 Laurel, Livonia, as follows: "I'm writing you (since we are unable to attend the meeting) in regards to Petition 97-8-1-12 on rezoning the property west side of Wayne Road between Ann Arbor Trail and Joy Road on the SW 1/2 of Section 33 from OS (Office Services) to C-2 (General Business). On either side of the property is a home on its north side and a funeral home on its south side, therefore the property discussed should remain as OS for the neighbor's sake since C-2, general services, is too general. We're also concerned because if this property is rezoned, will the property across from it be affected? The property across from it is behind our home. They've tried a few times to rezone it. People buy their homes with an understanding of who their neighbors will be.

We also have a petition signed by 74 people opposed to Petition 97-8-1-12 for the following objections: 1) Loss of property value; existing trees will be removed, 24 lighting and 24 hour service will invade our privacy, noise levels will disturb our peace; close proximity to residential area (backs directly up to private homes); unwanted traffic in a residential area; and 2) Repetition of services within a 2 mile area; Wayne Road and Cowen Road coin operated car wash; Joy Rd. and Hix Rd. coin operated car wash; and Joy Rd. and Newburgh Rd. car wash.

There is also a letter from Beverly and Sandy Cadaret, "We live in the neighborhood directly behind where this car wash is proposed to be located. We are against this rezoning. We feel it would be a detriment to our neighborhood which is family oriented. We do not need our children put in the way of people hanging around all hours of the day and night & filtering into the neighborhood, the noise to the homes in the area and lower property values. Also there's already too much traffic on Wayne

Road and this would just cause more havoc. We no not need any of this." That's the extent of our correspondence.

Joe Mainella: We have owned this property now for ten years and we have had it up for sale with at least 3 different real estate companies for OS zoning. I came here about 8 years ago and tried to get it rezoned to C-2 and they told me I couldn't get C-2, but I could get C-1, but we never pursued it. The house next door is not in compliance; it is OS. I don't necessarily have to have a car wash. I don't mind a small retail store. It's the zoning that I am concerned about. I don't have any plans for it right now. I am just going for the rezoning. The car wash was just one idea; I didn't come here with any drawings. The way I see it, if you put an office there, it is right next door to a funeral home. Professional people sure don't want to see a dead body come out of the house next door.

Mr. Alanskas: Sir, you make it very difficult because the zoning before us was to have C-2 zoning with a car wash and that's what we are working on this evening.

Joe Mainella: Right now I do not have any plans or any drawings for a car wash. I thought that this was a good idea because of where it was located. I owned the house next door and because I was loosing so much money, I ended up splitting the house off so that we wouldn't have that much of a loss on it. I came in here to try to get it zoned so that we could use that parcel for something other than OS. I am sure that the people who live over there have seen the real estate signs. We even offered it to the funeral home next door.

Mr. Alanskas: Because of the funeral home next door, have you thought about a possible florist? I think it would be a good fit.

Joe Mainella: The only difference I can see between a C-1 and a C-2 is that one you can have a sit down restaurant and the other you can't.

Mr. Alanskas: Tonight we are working on a car wash. A car wash on a Friday, Saturday and Sunday is when you have the most traffic on Wayne Road, and on a Saturday that's when you have the most traffic at the car wash. A car wash can put out a hundred cars an hour.

Joe Mainella: We thought we had a better chance instead of coming in with a C-2 and you would say "What do you need a C-2 for?" We figured we would come in and say let's put a car wash in. At least we have a purpose for that property. I could have come in and said we want a retail store. We tried before to get a C-2 zoning and never got it.

Mr. Alanskas: I'm not disputing that, but we are working tonight on a car wash.

William Morgan: I own the house next door. There's a couple of things I don't like about this situation. Until just a day or two ago, I don't know if it was tried to slip through intentionally or unintentionally, but when the petition first came to you it included my house.

Mr. McCann: I understand that. That was an accident.

Mr. Morgan: I don't know how that could have been an accident. We just bought that house a couple of years ago. It should be fresh in their minds of that property that should have been placed before you people. I don't see how you can make that kind of mistake. Anyway, let's call it a mistake. I bought the property knowing that it is zoned for office. I can live with that. I can't live with commercial next door. We have something on the other side, but there is no problem with that; everything is nice and quiet. At 5:00 or 6:00 everything closes up. A car wash is going to be there all night. I don't think it is good for the neighborhood. I think this is a bad situation. I can understand the feelings of these people who are trying to get this rezoning. I am a builder myself, and sometimes you make bad decisions. You have to just change your way of thinking and do something else. If they made a bad investment and they can't get it rezoned, that's a problem they will have to live with like I have to as a builder if I make a mistake. Anyway, I voice my opinion here against a car wash. Keep it office. I don't care if they want to put an office next to me, but a car wash, forget it.

Vickie Kowalis, 34647 Dover: Where my house is situated, along with the neighbors along Laurel, if a 24 hour car wash is situated there, we would get the lights, hear the noise and it would be very disruptive. We have a nice, family oriented subdivision over there, as well as the people who back up to it. A 24 operation is not something that we want across the street where the lights are going to come into the homes. I am opposed, and I am here to support the people who live right behind it.

Pat Schoff, 8872 Roslyn: I am the person who lives right behind. This is not something I look forward to doing, but it is important to us, it is important to my family and neighbors. We are busy people. We try to raise a family in our neighborhood, and we are here to oppose this petition. I've lived in Livonia most of my life, and when I could finally afford to move here, I brought my family back here. I feel Livonia is a city that is citizen oriented. We have a good school system. We have parks and playgrounds and good public services, and the decisions the City Council makes I think are what the citizens want. That's what we want you to do now. We want you to listen to us. We want you to make a decision that's positive to our neighborhood. The land is directly in my backyard. It was zoned OS when

we purchased the house. We felt we could deal with an office building. That land has been vacant as long as I can remember. Obviously he wants to make a profit on it, but I don't want that profit to be made at my expense, my family's expense and my neighbor's expense. We live in a nice quiet neighborhood, we have a lot of kids. We all watch out for our kids and each other. We use our yards and want to continue using our yards. This rezoning will basically make me lose my backyard. With a 24 hour car wash, our neighborhood would be responsible for policing it. I would also invade our privacy. We are going to have lights shining into my house, it's is going to be open 24 hours a day, we are going to have sounds from the car wash going off, the vacuum cleaners. This is the biggest investment I've made in my life. This property is mine and my property value will decrease if this is built in my backyard. Also, Wayne Road is one of the biggest areas in Wayne County for drunk driving. The Wayne Road strip has a lot of bars on it. I don't want a car wash to be a hangout for kids after a night of partying. We don't want to be responsible for policing the area. We work hard to keep our homes and we are a family safe environment. Please listen to us and do the right thing and reject this proposal.

Barton Foster, 8854 Roslyn: I am the other neighbor right behind adjoining their property. I bought my home one year ago based upon office zoning. In that year I have put in excess of $20,000 in my home to make it into a good member of the community. I trusted the City enough to invest in the largest investment in my life, and I trust the City will make some good decisions. A couple of things if I may: First, I have been a neighbor there for a year and I haven't seen any dead bodies walking around. Actually, they don't party much and they are pretty quiet. Secondly, I used to sell car washes. I've sold a lot of projects here in southeast Michigan and I don't want to say anything that would counter the experts here or the people who own the property. However, I will state that to put in a reasonably good car wash and get a reasonable return on your investment, it won't fit there unless you make major variances. That's a fact I can back up. We are also looking at the overflow of the traffic and the other issues that will come from that and the effect it may have on the neighborhood. I want to say that the funeral people are outstanding neighbors. They are an asset to this community; they contribute to the community. I could not find a better neighbor. What's more important to me and the people here is the zoning issue. We also believe that the car wash is what we would call a red herring. We believe it's a ploy by the owners to get it rezoned. I would also add that if they are indeed interested in selling the property, and they would get reasonable on the price, I'll buy it and I would like to put an office there. The other thing I would like to point out, and I'm sure it was an oversight by the City, but there were people in the 500' area that weren't notified. Our real issue is the zoning, and our real issue is what is

the intention of the City. The property has already been rezoned recently. (It was rezoned in 1983). It was the intention at that time to make it a buffer zone from both the other zoning that was there. On top of that the City has wisely made decisions to encourage other residential zoning and construction in the area. C-2 zoning, which is rather heavy zoning, the uses really aren't compatible when you look at traffic and the other issues there. I push that we not have any rezoning there because it has already been rezoned. What's important issues here are noise levels, lighting levels, traffic levels, our property values and, by the way, this may be incorrect, but I believe they used to own more than just that property there and they split it off to make more money. Those are their decisions they made and they are accountable for their decisions. We are concerned with the neighborhood integrity, our family safety and health, our children and the crime levels in our neighborhood. We do not want a place that will encourage the hanging out of gangs. We don't want a negative business there. I have the largest backyard in the community, and I put a lot of money in that backyard. We want our privacy. Since there is garbage blowing into our backyard, I put up a nice cedar wood fence. We want responsible neighbors and we hope they will be. We want a buffer zone and also I have a lot of wild animals in the back of my yard, grouse and pheasants. We want something that will not hurt that. We believe that Livonia wants to be family oriented and amiable to good businesses. There are a lot of other places to put C-2 zoning. I believe that the C-2 zoning would destroy my investment. We want more good neighbors like the funeral home people. We want businesses that would be an asset to our community. The church is a good neighbor. There is a party store in Westland that already has gangs hanging out at. Do we as a City want to spread that further, or do we want to stop that development.

* 8:05 p.m.: Mrs. Koons and Mr. Walsh arrived at this time.

We have already mentioned that Wayne Road is a problem Road now. Basically, the City is faced with some choices and we ask you to make decisions so that it is good for us. We are prepared to do whatever is legally possible. We will go to the media or whatever it takes. We are going to be responsible and we ask you to be responsible. The other area that is zoned C-2 that is further down Wayne Road has a strip mall and some other businesses. The gas station takes very good care of the area. I am sure the owners are trying very hard. The turnover in that strip mall is high. The types of people who come there are not desirable people. The businesses are struggling to make it. The other area is we are faced with the choice do we want to enhance the value of our community, or continue with more problems there. Nobody knew that was going to happen. Let's keep it to that section, and let's hope that those business people can come back. This decision will take minutes for you. We are going to live with

these decisions the rest of our lives. It affects us. We ask you to do your job and be responsible. Keep the zoning exactly the way it is. We ask you to do what is right. I want to encourage them to make a nice development and to negotiate with any of us to sell it.

Nancy Ziomek, 35415 Richland: I own the funeral home with my husband. I would like to keep the zoning as it is and not have it C-2 zoning in the middle of our two pieces of property. I think the reasons have been very well stated and keep it OS.

Joe Mainella: I just want to say that we don't have our mind set for a car wash. If they are completely against it, that's fine. I would like to have even a C-1 zoning like Mr. Alanskas said for maybe a flower shop, which would require that I couldn't put anything higher than a C-1 zoning there. If you can look at that. If I have to run through a rezoning to put a C-1 in there, that's fine. I would be more than happy to do that.

Mr. Piercecchi: We have in front of us here a rezoning for a C-2 that could possibly get something even worse than a car wash. That's General Business. I have to share these people's opinion to leave well enough alone.

There was no one else present wishing to be heard regarding this item and Mr. McCann, Chairman, declared the Public Hearing on Petition 97-8-1-12 closed.

On a motion duly made by Mr. Piercecchi, seconded by Mr. Alanskas and approved, it was

#9-153-97 RESOLVED that, pursuant to a Public Hearing having been held on September 30, 1997 by the City Planning Commission on Petition 97-8-1-12 by Guiseppe Mainella, Antonio Russo and Joseph Padula requesting to rezone property located on the west side of Wayne Road between Ann Arbor Trail and Joy Road in the SW 1/4 of Section 33 from OS (Office Services) to C-2 (General Business) the City Planning Commission does hereby recommend to the City Council that Petition 97-8-1-12 be denied for the following reasons:

1) The proposed change of zoning would promote strip commercial development in the area;

2) That the proposed change of zoning is inconsistent with the existing OS zoning district occurring on the lands both north and south of the subject property;

3) That the proposed change of zoning would be incompatible to and not in harmony with the adjacent uses in the area;

4) That this general area along Wayne Road is currently well served with a variety of commercial uses; and

5) There is no demonstrated need for additional C-2 zoned land in this section of the City.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 23.05 of Zoning Ordinance #543 as amended.

A roll call vote on the foregoing resolution resulted in the following:

AYES:	Alanskas, Piercecchi, Hale, McCann
NAYS:	None
ABSENT:	None
ABSTAIN:	Walsh, Koons

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

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Petition 97-7-2-16 by St. Mary's Antiochian Orthodox Church requesting waiver use approval to construct a new church sanctuary on property located on the east side of Merriman Road between Curtis and Seven Mile Roads in the NW 1/4 of Section 11.

Mr. Miller presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have a letter from the Traffic Bureau stating the Police Department has no objection to the site plan as submitted. A letter from Rockney Whitehead, Fire Marshal states: "Typically, as submitted for the planning stage, the blueprints do not detail any division. However, should any area o the first floor exceed 12,000 sq. ft., an automatic fire suppression system shall be required or 2 hr. fire rated separation shall be provided such that no fire area exceeds 12,000 sq. ft. If the choir loft is open to the floor below, it shall be considered a portion of the floor below and shall be included inn determining the fire area and subsequent suppression requirements. There shall be an on-site hydrant provided within 100 ft. but not closer than 50 ft. to the F.D.C. (Fire Department Connection). It appears at this time that the east/west drive along the north side of the building and the driveway area along the west side of the building will be designated and posted "Fire Lane-No Parking".

We also have a letter from the Inspection Department noting that 1) The site plan does not show lighting for the parking areas, and 2) There is no barrier free parking identified on the site plan. All barrier free parking must conform to the Michigan Barrier Free Rules.

A letter from our Engineering Division states that Due to the fact that much of the parcel is located within the influence of the Tarabusi Creek flood plain, the developer will be required to secure permits with the Michigan Department of Environmental Quality as well as take the standard precautions for working next to a wetlands area. Other than that issue, the Engineering Department has no objections to the proposed construction. That's signed by David Lear, Civil Engineer I.

Lami Taweel: I represent the church.

Mr. McCann: Did you bring the plans with you?

Mr. Taweel: Yes. We have revised the site plan and I have copies of it that shows more parking to the site in back and sides. We will have about 425 total parking spaces. We also have a site plan that pushes the building back about 120' feet from the centerline of Merriman Road and we added more parking in the front with handicap parking as designated with 16 new spaces.

Mr. McCann: My original plans shows a 91' setback from the east right-of-way line.

Mr. Taweel: That will be 121'.

Mr. McCann: So you are going to move the whole project back 30'?

Mr. Taweel: Yes. We cannot move it back any further than that because there is a flood plain and we are not going to disturb the flood plains. The tower moves back with the entire building.

Mr. Piercecchi: So the tower will be approximately 105'?

Mr. Taweel: Something like that, yes.

Mr. Piercecchi: Is that the maximum? I was looking at that myself with our Planning Director and we thought it could be moved back about 40-50'.

Mr. Taweel: It can't because there's a ravine in the back and it would destroy that. What we are trying to do is create the parking in the back area and if we go back any further, we will destroy the ravine and we will have to go back to the DNR. We really want the ravine and wetlands to be natural, and we don't want to touch them. We are raising the entire building, that's why it

is so high. We have a basement and we are calling that Level 1. If we drop that down to a 942 level, we would destroy the entire ravine. We raised the whole building and have a ramp coming up to it.

Mr. Piercecchi: Well 120' is a lot more reasonable than 90', so I am glad you came to those conclusions. I've talked to some people I showed the plans to, and they think 80' is a little high for the tower. Can that come down a little bit?

Mr. Taweel: What we are doing right now is trying to get a special use permit to do this project. Our architect is waiting for us to tell him to proceed with preliminary plans to come back here to show the dimensions of it, the colors of it, the outside texture of it. We are looking right now to bring the tower down and the structure down.

Mr. Piercecchi: There are two others that I've looked at in Livonia. One is the Grand River church and they were about 50' and the one on Five Mile Road is about 40', so your tower is much higher. Is this something that must be pushed immediately because I am wondering inasmuch as you are talking about changes, it might be more advisable if you would put together a model.

Mr. Taweel: We need this special use permit because right now we are going to the architect. Our parish doesn't want to spend that kind of money for the architect and say go ahead with the plans and then come back with a problem. We will come back with preliminary plans for your approval within the next couple of months. The parish right now is discussing with the architect to do a model.

Mr. Piercecchi: A model would help right from the onset because you could have shown us that this whole package moving along. This 30' is a surprise and I am happy with the surprise.

Mr. Taweel: That tower is not just a bell tower. In our faith, we use that tower for a prayer room and other things. It is something sacred for us.

Mr. Piercecchi: I am not questioning that at all. It does seem extremely high. It will be the tallest in the City of Livonia.

Mr. Taweel: We are trying to make a monument of it.

Mrs. Koons: Did you feel you were able to complete your presentation to us? We kind of jumped in.

Mr. Taweel: I think it's OK.

Mr. Alanskas: If you are going to move that building back 30', what are you going to do with the parking in front? Where are you going to pick up that 30'?

Mr. Taweel: That plan shows the 120' dimension and that is with the parking in the back as it is.

Fr. George.....: I am the pastor of St. Mary's Antiochian Church for the last 26 years. We have appeared before this Planning Commission on more than one occasion as our church increased and most of our parishioners now live in Livonia. For the concern of the height and the dome, one of our basic traditions to worship as orthodox is with the designation of the dome that God is the creator of heaven and earth. The bell tower stands outside as an independent. It's not a building that anyone would climb, it has no use, it is like a skylight. It will have no activity whatsoever except the bell tower should be higher than the actual dome. Maybe it's stated 80' in the plan. It can go down to 75'. The model also has been be ordered. The point is if we are going to spend the money to make the model and spend the money to make the plan to build and then we have something really problematic for the neighbors, for the DNR and for the structure, we have to change. The point tonight is that if we have the blessing of the City, we can live with this with the addition of the changing of the parking lot, the lowering of the tower, so at least we can move. We are already six months behind schedule. As you know, a year and a half ago our church was completely destroyed by fire. We stayed there and it is so small. The anticipation of all the families moving to Livonia, to the west side, it is overwhelming. We recognize that we need to push back the building. We do not want to loose the walkout because the walkout will serve for us as an activity center and also as a Sunday school classroom, and leaving the premises as natural as possible. Behind us is the Bainbridge Park that is owned by the City and nobody uses. We really want to keep that surrounding area, the Tarabusi drain, the trees, as natural as possible. I would very much appreciate your approval to move ahead.

Mr. McCann: The waiver use of the church and the site plan is part of the approval tonight. Normally on a commercial project you would come back for site plan approval, but we are giving site plan approval, so we really need to go through the plans. I think by moving it back 30', you responded to the concerns we had when we first reviewed this, but I think it would be helpful for the citizens to have us look at the plans. This is the only time you are going to come to us. You are going to go on to Council from here. We have the plans and your architect can explain them to us.

Mr. Taweel: (1) This is the site plan and the existing portion with the cultural center. The ravine is very close. (2) This is the front from Merriman with the

ramps going up. This is the dome we may be able to bring down here. (3) This is the floor plan of the upper level. The upper level only has the choir with the stairs and the elevator with some washrooms and change rooms. It overlooks the entire church. (4) This is the south elevation. (5) This is a section of the church taken from the alter. We also have a colonnade. (6) This is another section of the church; the basement level and the choir roof in back. (7) This is the roof plan showing the systems of the roof and showing how the structure of the building and how it is going to be supported by the structure steel of the towers. (8) This is the ceiling plan of the upper level, which is the main level.

Mrs. Koons: You said that you raised the site because of the flood plain?

Mr. Taweel: We haven't raised the site, we actually left the topography the way it was. We were able to raise the building upwards. We met with the DNR and they told us we could keep the basement level. We have a two-level drain. We have the lower level and we have the upper level. The lower level is at 942 and the upper level is at 943. The told us by flood plain requirements we have to keep that 2' above the flood plain. We are putting the basement level at about 952 so the entire building is up and that's why you see it sitting so high. The reason for that is that if we keep it low we are going to destroy this whole edge. We are going to go down into it.

Mrs. Koons: So last week when we talked about a 65' dome and an 80' bell tower, has that risen higher?

Mr. Taweel: No, that is the height now. If you drop it down, the building will come down. If you do that you will destroy it.

Mr. Walsh: If you did drop it down, how many feet would you be able to drop it down?

Mr. Taweel: Safely, maybe 3' or 4'. If we drop it any more than that, we will get into a bad situation and destroy the flood plains and the wet lands. I don't mind getting into the flood plains, but I don't want to destroy the wetlands. It is a beautiful, beautiful ravine.

Mr. Piercecchi: Just a comment. You have a beautiful facility here. People in Livonia can be proud of it, and I think moving it back 30' is going to enhance it because people will be able to see it in its entirety. You have satisfied all my concerns here. We appreciate the effort, and the explanation on the model is satisfactory.

Fr. George: I would just like to add that this will be dedicated in the year 2000 as we celebrate 2000 years of Christianity. It will be a gift to the landscape of

Livonia. It will be a monument that will be as ancient as the faith of the church is, and as beautiful as the culture and diversity, and it will become a landmark in Livonia. We want a spot in Livonia that people would like to visit, and with all the trees, it will become a beautiful chapel. This will be one of the first buildings in Livonia with a Spanish tile roof, and it is very expensive and very difficult, but we want to keep the beauty, the joy, and the color of that church. It will be stone and brick, and it will be all well designed. It will reflect the ancient faith of the Antioch.

Mr. Alanskas: What is your membership now?

Fr. George: We have close to 500 families, a family made up of 5 to 6 people.

Mr. Alanskas: With your new addition, how many more do you hope to get?

Fr. George: We really do not know. We made a decision to expand what we have, so the average Sunday maybe 550 people.

Mr. Alanskas: I have been to your church for various functions and I can't believe how your church can put out such good food at such a price and such good service.

Fr. George: Well I'd like to be known for more than just giving food. I think what made our church so unique is the neighborhood, our relationship with the City, our relationship with all denominations. I thank you.

I remember in 1973 I appeared before you when our church just bought the 3 acre lot. We bought more from the school to provide for the parking. I think it is a sign of growth. I do not want to be too crowded. This is one of the reasons to provide the parking lot so no one will park on the street. We are also looking to the future. If you look on the side of the church it has a beautiful colonnade, and colonnades have no seats, so that in ten years from now if the church increases, we do not have to add another building but we can put in pews and seat the people. We are very happy here, we are an integral part of the City. Our neighbors think highly of us. We enhance the neighborhood. I know you also want the best for us.

There was no one else present wishing to be heard regarding this item and Mr. McCann, Chairman, declared the Public Hearing on Petition 97-7-2-16 closed.

On a motion by Mr. Walsh, supported by Mr. Hale and approved, it was

#9-154-97 RESOLVED that, pursuant to a Public Hearing having been held on September 30, 1997 by the City Planning Commission on Petition 97-7-2-16 by St. Mary's Antiochian Orthodox Church requesting waiver use

approval to construct a new church sanctuary on property located on the east side of Merriman Road between Curtis and Seven Mile Roads in the NW 1/4 of Section 11 be approved subject to the following conditions:

1) That the Site Plan dated October 9, 1997, as revised, prepared by Taweel Associates, which is hereby approved, shall be adhered to;

2) That the Building Elevations marked Sheets A-110, A-111, A-112 and A-113 dated October 14, 1997 prepared by Angelos Demetriou & Associates which are hereby approved shall be adhered to;

3) That a landscape plan shall be submitted to the Planning Commission for approval within 30 days of the date of approval of this petition by the City Council;

4) That handicapped parking be provided as required;

5) That new site lighting equipment shall be as specified in a letter dated 9/11/97 from Taweel Associates;

6) That the bell tower shall be no higher than 75'.

For the following reasons:

1) That the proposed use complies with all of the special and general waiver use standards and requirements as set forth in Sections 4.03 and 19.06 of the Zoning Ordinance #543;

2) That the subject site has the capacity to accommodate the proposed use; and

3) That the proposed use is compatible to and in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

A roll call vote on the foregoing resolution resulted in the following:

AYES:	McCann, Piercecchi, Koons, Walsh, Hale
NAYS:	None
ABSENT:	None
ABSTAIN:	Alanskas

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

Mrs. Koons: Fr. George, I just want to thank him publicly, and as an extension of his church, about not only his parish, but all the families in Livonia. He and I have been involved in several efforts for the families in Livonia. I know you are only one man, but I hope those efforts will continue.

Mr. Alanskas: This is a very complex and huge building here, 31,720'. You say you are six or seven months behind. I am sorry about that, but it is not the fault of the Planning Commission. I think that with something this size, it needs more than one week's study. I am for you doing this, but not on what I see here tonight.

Mr. McCann: We reviewed this last week at some length and numerous plans were provided to us. Two changes were made to those plans; one, to increase the parking so that you meet all the parking requirements because we know you have a lot of people attend on Sundays and you have a lot of parking needs. Further, the closeness of the building was a great concern, and you have been able to move it back 30', reduce the tower size 5' or maybe more. I think it will be a nice setup. I think in the year 2000 all of the people of Livonia will be proud to have that church in our City. It will be beautiful and I wish you the best of luck.

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Petition 97-8-2-18 by Derek and Elizabeth Patton requesting waiver use approval to utilize an existing building located on the west side of Middlebelt Road between Dover Avenue and Grandon Avenue in the SE 1/4 of Section 35 for a day care nursery.

Mr. Miller presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: The City Engineer states the Engineering Department has no problems with the proposal, although the proposed approach on Middlebelt Road and any other construction in the Middlebelt right-of-way will need to be approved by Wayne County. A letter from the Fire Marshal states they have no objection to this proposal, however a copy of required Department of Social Services plan review shall be submitted to this Department.

A letter from Officer John B. Gibes of the Traffic Bureau states: In regards to the captioned petition, the Traffic Safety Bureau, after careful review does not recommend the approval of the site plan. The concern by the Traffic Safety Bureau is the close proximity of the play area to Middlebelt Road. The barrier between the roadway and the play area is only a 6' wooden fence and landscaping according to the site plan. The distance per the site plan is only 28' - 29' from the west curb of Middlebelt Road to the

nearest fence on the east side of the play area. This distance was a concern for the reviewing officer (Officer Gibes). I (Officer Gibes) visited the site location and measured the distance from the west curb of Middlbelt Road to the nearest edge of the side walk and found it to be approximately 30'3" (not 12' - 13' per the site plans - scale of plans is 1":10'). The sidewalk is 6' and not 5' as illustrated on the site plans. The total distance was then determined to be approximately 46'3", not 36' 3" as show n on the site plans. This distance, in my opinion, isn't a sufficient safe distance from Middlebelt Road for a children's play area. I wouldn't object to a play area which is no closer to Middlebelt Road then the eastern most building edge. While I am not aware of any standards for the set back of play areas for child care facilities, it is my opinion based on experience of vehicles leaving the roadway during crashes, that this distance isn't sufficient. There is another letter from David M. Woodcox, Sr. Building Inspector stating that the following problems or deficiencies were found: 1) Existing ground sign is non-conforming and would require a variance from the Zoning Board of Appeals to reestablish the use, 2) The existing parking lot needs to be repaired, resealed and restriped, 3) The proposed play area encroaches into the required front yard setback, and 4) All new lawn areas should be sod. Another letter from Michael F. Kieltyka reads "Lot numbers 78 and 79 is my residency which is directly behind the proposed Day Care Center. Per the proposed plans of Derk and Elizabeth Patton, the outside playground will be directly behind my back yard. According to the plans a 6' cyclone fence will separate both properties. I have suggested to Mr. Derek Patton that a wooden privacy fence be substituted for the 6' cyclone fence to benefit both parties. Mainly for visual separation between residential property and commercial property. But my biggest concern would be: Who is responsible if my dog happens to nip the fingers of a little tot through the proposed 6' cyclone fence" It's not my 6' cyclone fence, but it would be my dog. I'm aware that we are encouraged to attend the public hearing and present your views, but at this moment, I am conducting a PTA meeting. I'm confident that the City Planning Commission will take proper action for both parties.
That's the extent of our correspondence.

Derek and Elizabeth Patton, 28056 MacKenzie, Westland: Elizabeth has been conducting the day care business out of our home for 8 years now. She has between 30-40 children on a waiting list for approximately 6 months now. Our kids go to Livonia schools, I grew up in Livonia, and we know it would be a nice place to open a business. The way the variance stated, I needed 5000 sq.ft. minimum for play area. In the plans, the architect drew a parallel line to the front of the building. At that point, 4730 sq. ft. I believe, which is less than the 5000 sq. ft. required, therefore the architect drew on the plan to bring the building out further and play area up further to meet that code requirement. The plan identifies both fences that we are proposing. One

would be approximately 700-800 sq. ft. which would be the setback from the sidewalk. We are also looking at if the ZBA would approve the 4700 sq. ft. play area, that way the parking area would be well in front of the building which would give us 4700 sq.ft. of play area which then the play area would be a good 60' from the sidewalk. Also, the driveway approach off of Middlebelt would be a one way exit onto Middlebelt from the building. Traffic would not be coming in from Middlebelt right into the parking lot; they would be approaching off of Dover.

Mr. Alanskas: First of all, this is one of the complete packets I've ever received. In regards to the play area beyond the asphalt parking lot, you say you would put wood chips down?

Mr. Patton: Yes.

Mr. Alanskas: How thick would that be for the safety of the children?

Mr. Patton: The first thing, we don't know how thick the asphalt is. Whatever is required by the State Code, Department of Social Services. We have had them out to look at it. She did have a concern with the children on the blacktop. Whatever her recommendation is that needs to be developed. I was told by one of the neighbors that that area that is broken up is a little thicker than the rest of the parking lot because that was a driveway that was used for the garbage haulers.

Mr. Alanskas: It is so easy for children to fall and hurt themselves, and if you have some real thin base there, I don't think that would do the children any good.

Mr. Patton: We currently have about 4-1/2" in our backyard and I removed the sod and we have 4-1/2" in our backyard, so it would be at least that thick and maintained accordingly.

Mr. Alanskas: What about noise levels?

Mr. Patton: Of course the more kids you have, the more noise you will have. When we drew up these plans with the architect, we were not looking to have the building at capacity. Of course, with state guidelines, so many square feet per child. We have a large office, we have a larger restroom We are looking at 59 or 60 children. Our play area is going to consist of one classroom at a time on the outside of the building. The largest classroom will have approximately 29 children in it.

Mr. Alanskas: What are the ages of the children?

Elizabeth Patton: Iinfants to 2-1/2 years old will consist of 11 to 12 children. The largest classroom would have 29 children and that would be 4 years old and up, so I would be doing after school also. The oldest one I care for now is 9 years.

Mr. Alanskas: Are there swing sets in the play area?

Mr. Patton: No. Our No. 1 concern is safety for the children.

Mr. Piercecchi: My recollection of the ordinance as to how much play area is required is 150 sq. ft. According to my data here, you estimate you will have 60 children, is that correct?

Mr. Patton: Correct.

Mr. Piercecchi: That would be 9000 sq. ft., correct?

Mr. Patton: Yes, but the whole school would not be in the play area at the same time.

Mr. Piercecchi: These rules are established on the number of children. You could have 2 out there. I know if it's raining there would be none out there.

Mr. Patton: One of the issues if we go to the ZBA would be the waiving of the 150 sq.ft. per child. Since we will have only one classroom at a time out there, the most we will have out there at one time would be 29. That times 150 sq. ft. per child comes to 4350 and with the parking area blocked off the front of the building, just using the back half, with the 4700 sq. ft. there, we are over 360 sq. ft.

Mr. Piercecchi: You mentioned that you can't find any other sites in Livonia that would satisfy your needs. I find that hard to believe. Ripping off only a part of the asphalt and putting chips on there - being so close to Middlebelt Road. Just recently we had a similar one, I believe on Middlebelt Road, and it was defeated because of the safety aspects of the children. I think your building could very well fall into the same class, insufficient play area. Have you looked at other sites in Livonia?

Mr. Patton: We've looked at other sites in Livonia and/or Westland. We live in Westland.

Mr. Piercecchi: Have you checked with the Chamber of Commerce?

Mrs. Patton: We have checked with Realtors for potential site availability. I have had a business in my home for 8-1/2 years and the need is there. The need for

good quality care where you are not paying $175 for an infant to 2-1/2 years is absolutely ridiculous. I have a lot of people behind me.

Mr. Patton: This is a very expensive venture we are going into here. She has a waiting list of 40 and typically the people who come to her are people from the surrounding area. North of Seven Mile and Middlebelt, for example, we would lose a good portion of that 40. We have to go into areas where the day care is needed.

Mr. Piercecchi: The safety aspect is my major concern.

Mr. Patton: One of the issues that the architect mentioned when we picked up the plans, because the fence is located close to the driveway, he recommended that we sink some tie lines and a barrier on the inside the fence to reinforce the fence in the event that a car would slide and hit the fence. I would have no problem doing that. The neighbor who addressed the privacy fence issue, I have no problem with that. We want to be good neighbors. As I said we live in the area. The neighbor to the immediate north of us has also requested a 6' wood fence along the front of his property, and I would agree to that.

Mrs. Koons: I admire your knowledge and your obvious sincerity and your working together as partners, and I see not only from the waiting list and from the letters that were sent to you saying Good Luck, we need this, that there is a real need. As an educator I know there is a real need. I too am concerned about the safety of the children. I have a question about your seven staff member, your ratio of staff member to student, 1 to 4, and the ratio for the older children, there are break points there too. With 60 children, it appears to me that you should have more than seven staff members.

Mrs. Patton: That's depending on the age. I would have more staff members depending on the enrollment. At this time I have a lot of school age children that are on the waiting list.

Mrs. Koons: My concern is the safety issues of the children that has already been brought up and the drop off and pickup within the same hour to hour-and-half within the same span in the morning and in the evening, the traffic in and out of Middlebelt. I think you are the kind of person we want providing day care. I note the sincerity, but I am concerned about the site. I will be voting against your proposal because of the safety issues. I encourage you to continue. Someone with 40 people on the waiting list is obviously providing wonderful care, and we need that.

Jason McCaffrey, 9000 Fremont: I just bought this property about a month ago. Dover goes right by my house and I just want to know about the increased traffic. They said that their in point would be off of Dover. My living room door is right off of Dover and very close to their property. Another issue is that of any kind of dumpster they would be having. I wouldn't want the dumpster being on the south section which is right behind my house. I haven't heard anyone address hours of operation, how early in the morning, how late in the evening, weekends. I would like to have those three concerns addressed. I am not speaking for or against, but I would like to have those issues addressed.

Mr. McCann: You show ten spaces on your parking lot. With 60 children, what is the requirement? How many employees would you have to have to cover 60 children?

Mrs. Patton: It depends on the age. Infants to 2-1/2 years is one caregiver for four children; 2-1/2 years to 3 is one caregiver for 10 children; 4 years and up, one caregiver for 12 children.

Mr. McCann: So at minimum, you will have to have 5 employees there. Probably you will have some toddlers there too and babies as well. So it would be fair to say that you are going to have from 7 to 8 employees. If you have 13 spots that leaves 6 spots for 60 vehicles to drop off children in the morning between 7 and 9 when that is the time most people drop off their children. Do you think that is sufficient to have 40 or 50 vehicles to come in in a two hour period?

Mrs. Patton: As far as DSS guidelines, yes it is.

Mr. McCann: My other concern is the 10' in your 4700 sq.ft. If you put your playground just to the building line, you are including the 10' of grass area behind the building. You are showing a large bush at the north end so the kids would have to go around the building, and there are bushes around it, so they would probably have about 7' or 8' to play?

Mrs. Patton: We did not include the bushes in the measuring.

Mr. McCann: I know, but they are there and it is taking up play area, so basically they are only getting 7' or 8' of room.

Mr. Patton: I believe it's 10' from the sidewalk to the shrubbery, not to the fence.

Mr. McCann: According to your drawing, it is showing 10'. You believe that to be usable play space?

Mr. Patton: Yes. There is a sufficient greenbelt there, and every neighbor along that line, with the exception of the neighbor behind the building, will have a privacy fence. It will be a sound buffer and a visual buffer.

There was no one else present wishing to be heard regarding this item and Mr. McCann, Chairman, declared the Public Hearing on Petition 97-8-2-18 closed.

On a motion by Mrs. Koons, seconded by Mr. Piercecchi and unanimously approved, it was

#9-155-97 RESOLVED that, pursuant to a public hearing having been held by the City Planning Commission on September 30, 1997 on Petition 97-8-2-18 by Derek and Elizabeth Patton requesting waiver use approval to utilize an existing building located on the west side of Middlebelt Road between Dover Avenue and Grandon Avenue in the SE 1/4 of Section 35 for a child day care nursery, the City Planning Commission does hereby recommend to the City Council that Petition 97-8-2-18 be denied for the following reasons:

1) That the petitioner has failed to affirmatively show that the proposed use is in compliance with all of the waiver use standards and requirements as set forth in Section 19.06 of the Zoning Ordinance #543;

2) That the proposed use fails to comply with Section 9.03(j) which specifies a minimum size area of outdoor play space;

3) That a letter dated September 10, 1997 from the Traffic Bureau states that a safety hazard would result from the proximity of the play area to Middlebelt Road;

4) That the proposed use fails to provide adequate parking for staff members and patrons; and

5) That the subject site lacks the capacity to accommodate the proposed use.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

Mr. McCann: The petition fails. You have 10 days in which to appeal the petition.

Mr. Hale: I would encourage you to keep at it in terms of trying to find a location if this does not happen to pass. I have been out there to the location you are proposing. It seems that you are just trying to put something somewhere

where it is almost a stretch. It doesn't seem that it goes particularly well, particularly with the traffic concerns. I certainly want to indicate to you that I greatly respect what you are doing in terms of day care. We need strong providers like you in the City.

Mr. Walsh: As a father of a two year old, I am very much aware of how much we need day care because my daughter is in a day care center and I am painfully aware of how much shortage there is. I think you are on too small of a site. If this doesn't pass tonight, I would like you to contact me through the staff. I chair the Livonia Chamber of Commerce and I can perhaps bring some resources to your assistance to help you find an adequate facility that would fit your needs.

Mrs. Koons: I mentioned this before. I think you are the right kind of people we want providing day care. Unfortunately, I think this is the wrong spot. I hope that with this door closing we can open another window for you. I appreciate your Livonia roots and wanting to stay in Livonia, but I cannot in all good conscience approve this site and I don't know what resources I could bring to you, but I would like to help you work with the Chamber. It sounds like you know the guidelines pretty well and you don't need that help, but please keep looking.

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Petition 97-8-2-19 by Costco Companies, Inc., requesting waiver use approval to operate a full service restaurant within a major retail facility proposed to occupy an existing building located on the east side of Haggerty Road between Seven and Eight Mile Roads in the NW 1/4 of Section 6.

Mr. Miller presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: We have no correspondence on this petition.

Jeffrey Howard, legal counsel for Costco Companies, 2000 Town Center, Suite 1500, Southfield, Michigan: By way of background, Costco is a big box membership club which sells a wide variety of high quality merchandise and services with attractive prices. There range of goods and services include large appliances, electronics, small appliances, jewelry, office supplies, sporting goods, clothing, tire sales, food service, beer and wine and spirits, health and beauty aids. Their services include pharmacy, optical and food services which is one of the waiver uses we are requesting tonight. At the Eight Mile and Haggerty site, I believe Mr. Miller mentioned that the footprint is 127,700 sq. ft. The food court would use approximately 2400 sq. ft. with counter service with two employees. We expect to have between 12 and 14 tables each serving 4 people. The reason we are

requesting seating for 60 people is that typical shopping experience at Costco involves a fair amount of time, purchasing experience involves a fair amount of time. We need a place for our patrons to relax. We need a place for children, as well as for the elderly to also relax. The counter service involves sandwiches, pizza, hot dogs, yogurt, soft pretzels, soda.

Mr. Alanskas: How many Costcos are in the United States at the present time?

Mr. Howard: I believe world-wide there are 275 locations. The majority of those locations are on the west coast. There is also significant concentration on the east coast. There are a number of locations opening up in Asia. Costco has just recently made the decision to move into the midwest. Although this is not known in the midwest, it's most similar competitor would be Sam's Club.

Mr. Alanskas: And how many years have you had this club going?

Mr. Howard: Costco is a publicly held company since 1983. I don't know the actual date of its formation. The company actually started as a collective buying unit for businesses to enhance purchasing power and has since expanded into a much larger retail

Mr. Alanskas: How many employees would you have?

Mr. Howard: About 150 employees, full time and part time, split fairly even.

Mr. Piercecchi: You mentioned Sam's Club is a very similar situation to yours. What would be the major competition for the variety of things that you handle.

Mr. Howard: I think Sam's. We like to think of ourselves as the Cadillac of the industry. We have 275 units domestically which do about $23 billion a year. Sam's has about 475 units which does about $23 billion a year. We are doing almost twice as much sales per foot. We would like to think that's happening because of the quality of our merchandise. It distinguishes us in the industry and that's why we like to think that's why we are the chief survivor. Our electronics for example are Sony. You may find that Sam's typically carries Emerson.

Mr. Piercecchi: I didn't mean to say that Sam's is comparable to you. When you sell something, you take away from somebody else. Who would you basically be competing against, a Sears, a Montgomery Wards, or would you be competing against just about everybody because you have such a variety?

Mr. Howard: We have a very narrow store inventory of SKUs. We have about 3700 SKUs. A typical food store these days has about 60,000.

Larry Harden, Costco Companies: Because we have such a broad product mix, and we have such a narrow selection in each category, we really don't compete with any retailer per se. For example. Home Improvement Center clearly competes heavily with local hardware stores. We may nibble a couple of percent and there. We don't offer complete services some of the retail stores may offer.

Mr. Piercecchi: You are putting two of them in Livonia. Two big stores is quite a bit. We welcome you with open arms, but I just wanted to know what effect it would have on the other businesses.

Mr. Alanskas: Is the biggest part of your store that a member just picks up a cart, goes up and down the aisles and puts things in a cart, or do you have a salesman that would try and sell me the product?

Mr. Harden: It is totally self-service. You would have to know what you want.

Mr. Alanskas: So someone could not go to you and get information and say why is this Sony better than another brand?

Mr. Harden: Not unless you got a knowledgeable salesperson on their own.

There was no one else present wishing to be heard regarding this item and Mr. McCann, Chairman, declared the Public Hearing on Petition 97-8-2-19.

On a motion by Mr. Hale, seconded by Mr. Alanskas and unanimously approved, it was

#9-156-97 RESOLVED that, pursuant to a public hearing having been held by the City Planning Commission on September 30, 1997 on Petition 97-8-2-19 by Costco Companies, Inc. requesting waiver use approval to operate a full service restaurant within a major retail facility proposed to occupy an existing building located on the east side of Haggerty Road between Seven and Eight Mile Roads in the Northwest 1/4 of Section 6, the City Planning Commission does hereby recommend to the City Council that Petition 97-8-2-19 be approved subject to a limitation on the number of customer seats of not to exceed a total of 60 for the following reasons:

1) That the subject use complies with all of the special and general waiver use standards and requirements as set forth in Sections 11.03 and 19.06 of the Zoning Ordinance #543;

2) That the subject site has the capacity to accommodate the proposed use; and

3) That the proposed use is a logical adjunct to the main use of the subject building.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

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

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Petition 97-8-2-20 by Costco Companies, Inc. requesting waiver use approval to utilize an SDD license (packaged liquor) and SDM license (packaged beer and wine) in connection with a major retail facility proposed to occupy an existing building located on the east side of Haggerty Road between Seven and Eight Mile Roads in the NW 1/4 of Section 6.

Mr. Nagy: We have a letter from our Engineering Division stating they have no objection to this petition.

Mr. McCann: For the audience, an SDM license is for packaged beer and wine and an SDD license is for packaged liquor.

Jeffrey Howard: We are requesting both SDD and SDM licenses. The sale of beer and wine, as well as liquor is in virtually every Costco location except those states where liquor can only be sold by state controlled stores. It is an important part of our retail matrix. Costco operates on high volume, slim margins. Beer and wine is an important part of the profitability of the store. It is important to keep them competitive in the marketplace.

Mr. Alanskas: You say it is important. What percentage of sales would you say you have with your stores for beer and wine?

Mr. Howard: It's probably close to 5%.

Mr. Alanskas: In regards to the liquor, in Michigan you can't have sales or discounts on liquor. Am I correct?

Mr. Howard: That's right.

Mr. Alanskas: What percent do you have in liquor sales?

Mr. Howard: I do not have a percentage on liquor sales.

Mr. Alanskas: I can understand why you might possibly use an SDM license, but I don't know why you would have an SDD license.

Owner of Wine Palace on Middlebelt & I-96: I am a proud property owner here in Livonia, and I just feel that if I don't come up and say anything, then I am not a good provider for my family. I am an admirer of Costco. They are a great company and I have been following them on the market. As he said, they have great sales according to the number of stores they have in comparison to Sam's. My objection is obviously the liquor. I am a second generation retailer and I keep my property up. I have a next door lease and I kept it empty for almost a year and half which cost me about $35,000. I could have leased it the first day to a pager place, a coney island or fast food, but that could bring down the view of my property. I am aware that there is a stigma of liquor. I do my best to keep the appearance upscale. I waited a year and half and rented it out to a computer place. I keep it in good shape and I just don't like to look across the road and see another liquor license. To them it's probably 2% of their business, to me it's my livelihood. I close at a decent hour. I don't carry any of the low end stuff like cheap wine. Everything has to be in an upscale kind of way. I think there's too many liquor licenses in Livonia as it is. As long as I have been here, the liquor business has been going down. I employ Livonia residents, all my kids are Livonia residents, and I just think it is not for the betterment. They have a whole line of other stuff they sell, and I don't sell anything of theirs. The spirit end of it they should leave to the retail. They cannot give it at a cheaper price than me anyway. And the beer, we are at $1.00 a case above cost.

Mr. Alanskas: How long have you been at your location?

Wine Palace: Ten years.

Mr. Howard: I would like to point out that our hours of operation are Monday through Friday, 11:00 to 8:00, Saturday from 9:30 to 6:00, and Sunday 10:00 to 5:00. I would like to point out that those are hours of sales that should have minimal impact with abuse in regard to retail sales. I would also like to point out that with regard to sales of our beer and wine, just as with our other inventory items, we take pride in the fact that we sell very high quality. We are the largest seller of Dom Perignon champagne in the world. I have to emphasize that for us to operate here in Livonia, the beer and wine aspect of our sales is a very important part. We are certainly willing to have the Commission consider our application to split to SDD and SDM.

There was no one else present wishing to speak on this petition and Mr. McCann, Chairman, declared the Public Hearing on Petition 97-8-2-20 closed.

On a motion by Mr. Piercecchi, seconded by Mr. Hale and unanimously adopted, it was

#9-157-97 RESOLVED that, pursuant to a public hearing having been held by the City Planning Commission on September 30, 1997 on Petition 97-8-2-20 by Costco Companies, Inc. requesting waiver use approval to utilize an SDD license and SDM license in connection with a major retail facility proposed to occupy an existing building located on the east side of Haggerty Road between Seven and Eight Mile Roads in the NW 1/4 of Section 6, the Planning Commission does hereby recommend to the City Council that Petition 97-8-2-20 be approved for an SDM license only for the following reasons:

1. That the proposed use is in compliance with all of the special and general waiver use standards and requirements as set forth in Section 11.03 and 19.06 of the Zoning Ordinance #543;

2. That the subject site has the capacity to accommodate the proposed use; and

3. That the utilization of an SDM license is a part of the normal operation of the subject business.

Further, the Planning Commission does hereby recommend denial with respect to the use of an SDD license for the following reasons:

1) That the petitioner has failed to affirmatively show that the proposed use of an SDD license is in compliance with all of the general waiver use standards and requirements as set forth in Section 19.06 of the Zoning Ordinance #543;

2) That there is no demonstrated need for additional SDD licensed facilities in this area of the City; and

3) That the proposed use is incompatible to and not in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

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

Mr. McCann: As I indicated to you, we do try to keep the sale of liquor to the smaller establishments. There's more control there. We feel that it is more appropriate because we have numerous liquor license locations at this point, and that it is not appropriate in our grocery stores or in our large box stores, and at this time there is no further need. You have ten days in which to appeal the SDD license to the City Council.

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Petition 97-8-2-22 by Costco Companies, Inc. requesting waiver use approval to operate a full service restaurant within a major retail facility proposed to occupy an existing building located on the east side of Middlebelt Road between Schoolcraft and Plymouth Roads in the NW 1/4 of Section 25.

Mr. Miller presented a map showing the property under petition plus the existing zoning of the surrounding area.

Jeffrey Howard, 2000 Town Center, Ste. 1500, Southfield MI 48075, General Counsel to Costco: We make the waiver use request for the Middlebelt and Schoolcraft site for the same reasons as stated at Eight Mile and Haggerty.

Mr. McCann: There is nothing additional or different about this location with regard to the restaurant from the other location?

Mr. Howard: No, the significant difference is that the footprint of this building is just a fraction larger. This is approximately 34,000 sq. ft., but otherwise the nature of the food facilities as well as the SDM sales are identical.

Mr. Alanskas: If a person is having a set of tires installed in your tire centers, could they go through that part of the building to this restaurant if they wanted to have a bite to eat?

Mr. Howard: I believe the answer is yes.

There was no one else wishing to speak on this petition and Mr. McCann, Chairman, declared the Public Hearing on Petition 97-8-2-22 closed.

On a motion made by Mrs. Koons, seconded by Mr. Hale and unanimously approved, it was

#9-158-97 RESOLVED that, pursuant to a Public Hearing having been held on September 30, 1997 by the City Planning Commission on Petition 97-8-2-22 by Costco Companies, Inc. requesting waiver use approval to operate a full service restaurant within a major retail facility proposed to occupy an existing building located on the east side of Middlebelt Road between Schoolcraft and Plymouth Roads in the NW 1/4 of Section 25, the City

Planning Commission does hereby recommend to the City Council that Petition 97-8-2-22 be approved subject to a limitation on the number of customer seats of not to exceed a total of 60 for the following reasons:

1) That the subject use complies with all of the special and general waiver use standards and requirements as set forth in Sections 11.03 and 19.06 of the Zoning Ordinance #543;

2) That the subject site has the capacity to accommodate the proposed use; and

3) That the proposed use is a logical adjunct to the main use of the subject building.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

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

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Petition 97-8-2-21 by Costco Companies, Inc. requesting waiver use approval to utilize an SDD license (packaged liquor) and SDM license (packaged beer and wine) in connection with a major retail facility proposed to occupy an existing building located on the east side of Middlebelt Road between Schoolcraft and Plymouth Roads in the NW 1/4 of Section 25.

Mr. Nagy: There is no additional correspondence on this petition.

Mr. McCann: Mr. Howard we have your appearance on the record. Is there anything different about the SDD and the SDM licenses at this location than the other location that you would like to tell us about?

Mr. Howard: No, our request for this location is identical to the Haggerty Road location, and I request that the Planning Commission consider this in the same manner.

Mark W. Bublitz, 14200 Henry Ruff: I am in the subdivision which is on the northwest side of the Middlebelt/Jeffries Freeway exchange. Being a resident here for 3-1/2 years and raising a family, my only concern is the profusion of packaged liquor establishments. We just had one go in at Middlebelt and Jeffries. One of the reasons my wife and I moved to Livonia was because of the family type community that it was with the parks and the schools and so forth. That place went up there and it has bullet proof glass. When you

get off the freeway toward our subdivision, the first thing you see is a liquor store. I and my friends are thinking that the neighborhood is changing, and we don't like it. You have Mid-Five Party, Middlebelt south of Five Mile, Arbor Drugs selling beer, wine and liquor. The gentleman who was up here a little bit ago, he runs one of the finest, cleanest stores I've ever seen. I've seen literally thousands of those stores in my previous career as a liquor salesman, and he doesn't sell to the wrong element. I know a lot of those stores I've seen in the past will sell little plastic cups of ice so that people can go and drink their liquor right out in the parking lot. He does not do that, he keeps his lot clean. That's more of the type of establishment that I want in my community verses a bullet proof glass or someone who is going to sell large quantities to people in other communities. It's the community aspect that I am concerned with. I don't know how many more stores you need that are going to sell beer and wine. There's plenty in the area already. I do welcome the fact that they are going to be there. I'm highly disappointed that Home Quarters has moved out. Since I have bought the house, my wife and I have put about $65,000 into the house from HQ and Home Depot and Handy Andy's before they went out as well. The type of store that they have, and I do understand in my present position, I am a financial consultant with Merrill-Lynch, they do run a great operation. From a company standpoint, I have a lot of respect for them. Most of the stores of their ilk have not done well in southeastern Michigan. Meijer's Thrifty Acres came in and failed miserably in a few short years. Kmart had Pace that failed. Sam's Club has been able to stay in the area for awhile, but their stores are not all over and they are typically not in the upscale communities. I do welcome them from that standpoint and wish them luck, but I do think they do not need to sell beer and wine and liquor to stay in business.

Mr. Howard: I would like to say that we are very much concerned about the community. We sell very high quality goods including beer and wine. Beer and wine is a key aspect of the matrix which makes us profitable and being profitable allows us to serve the community. We would also like to point out that we understand the community's concerns about exposure of packaged liquor to minors. We are very concerned that people are properly identified and security is maintained. We wish only to uphold the standards of the community.

There was no one else present wishing to be heard regarding this item and Mr. McCann, Chairman, declared the Public Hearing on Petition 97-8-2-21 closed.

On a motion by Mr. Piercecchi, seconded by Mr. Hale and unanimously approved, it was

#9-159-97 RESOLVED that, pursuant to a public hearing having been held by the City Planning Commission on September 30, 1997 on Petition 97-8-2-21

by Costco Companies, Inc. requesting waiver use approval to utilize an SDD license and SDM license in connection with a major retail facility proposed to occupy an existing building located on the east side of Middlebelt Road between Schoolcraft and Plymouth Roads in the Northwest 1/4 of Section 25, the Planning Commission does hereby recommend to the City Council that Petition 97-8-2-21 be approved as to the use of an SDM license only for the following reasons:

1) That the proposed use is in compliance with all of the special and general waiver use standards and requirements as set forth in Section 11.03 and 19.06 of the Zoning Ordinance #543;

2) That the subject site has the capacity to accommodate the proposed use; and

3) That the utilization of an SDM license is a part of the normal operation of the subject business.

Further, the Planning Commission does hereby recommend denial with respect to the use of an SDD license for the following reasons:

1) That the petitioner has failed to affirmatively show that the proposed use of an SDD license is in compliance with all of the general waiver use standards and requirements as set forth in Section 19.06 of the Zoning Ordinance #543;

2) That there is no demonstrated need for additional SDD licensed facilities in this area of the City; and

3) That the proposed use is incompatible to and not in harmony with the surrounding uses in the area.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

Mr. McCann, Chairman, declared the motion is carried and the foregoing resolution adopted. You have ten days in which to appeal the SDD license.

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Petition 97-8-2-23 by The Salvation Army requesting waiver use approval to operate a second hand store within an existing building located on the north side of Plymouth Road between Sears Avenue and Merriman Road in the SW 1/4 of Section 26.

Mr. Miller presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: The Sr. Building Inspector in his letter of September 12, 1997 states that the subject petition has been reviewed and the following problems or deficiencies are noted:

1) The Exterior paint needs to be touch up or repainted.
2) Protection post on northeast corner needs to be replaced.
3) Dumpster area is not enclosed.
4) Repair, reseal and restripe parking area in conformance with Section 18.37 of Ordinance 543.
5) There is no landscaping at this site.
6) Barrier free parking is not identified.

The Engineering Department in their letter of September 9 indicates they have no objections to this proposal. Also, the Traffic Bureau has no objection to the site plan as submitted. A letter from Rockney Whitehead, Fire Marshal, reads as follows: The building of proposed reoccupancy is an approximately 22,500 sq. ft. building. It is of 2C construction and I presently undivided an unsprinklered. The previous use was furniture showroom and furniture storage. The proposed use would be mercantile. The archives of this Division lacks any definitive information to verify what was accepted regarding the issue of separation. However, existing masonry walls tight to the deck created by interior alterations and a high bay addition to the rear of the building is evidence that at some point in time separation requirements did exist. Therefore, we r requesting that before any reoccupancy be approved, all openings in existing separation walls be properly protected according to present codes. It is acknowledged that with properly protected existing separation walls there remains an oversized area of 15,720 sq. ft. However, it is conceded that 1960 codes may have allowed such areas. Presently there exists one (front) operational exit for the entire building. The travel distance from the most remote point is approximately 300 ft. Other existing exits have been boarded up or made inoperative. Therefore, it is requested that exits be provided/reestablished according to current codes. Should the above requests be denied or if occupancy is allowed prior to upgrading such deficiencies, Livonia Fire and Rescue will be reluctant to commit any firefighters to an interior attack or rescue should a fire emergency occur. The building and/or contents may be committed to a total loss.

Letters from the Engineering Division and the Traffic Bureau indicate that they have no objection to the site plan as submitted.

Bill Hutchins, 5931 Middlebelt Road, Romulus, MI: We are currently located down the street 1-1/2 miles west of this location. We have been there five years and have a good marriage with the City of Livonia. We merely need to expand and move to a different location. This particular

place came up and it's ideal for our conditions. We sell all types; we do about 20% in furniture, we sell clothing and appliances. What we would like to do is make that transition from where we are at to this location. The items on our agenda - exterior paint, northeast corner replacement, will be taken care of by the landlord. Our trash is handled on a daily basis, we have no outdoor trash site. We will reseal the parking lot and the landscaping will be addressed. The barrier free parking is there, it is just marked on the ground and we will put up a sign on the building or on a post. As far as the Fire Marshal and that goes, I did notice an exit on the east side of the building in the general area, we would meet any requirements required by the Fire Marshal. We are just asking to move to a larger facility from our present location.

Mr. Alanskas: Are you buying the property you are moving to?

Mr. Hutchins: We are leasing at the present time with the option to buy. It's a 5 year lease with a 5 year option.

Mr. Alanskas: You said you don't have any rubbish or trash. When people bring clothing and things in cardboard boxes, how do you dispose of all this?

Mr. Hutchins: We take it back to our center. We have trucks that pick up all our stuff on a regular basis, 2 or 3 times a day if necessary, and take it back to our main warehouse.

Mr. Alanskas: I have been there 2 or 3 times and I have found mattresses just laying out in the back of your lot.

Mr. Hutchins: It happens on occasion that it's after store hours.

Mr. Alanskas: I went there 2 or 3 days later and it's still there.

Mr. Hutchins: I beg to differ with you.

Mr. Alanskas: Do you get those from Art Van?

Mr. Hutchins: We don't receive anything like that. People drop off donations, and we pick up every day so you will not see anything out there for 2 or 3 days, I can assure you of that.

Mr. Alanskas: I will check again. I would like to see the back end clean at all times.

Mr. Hutchins: We have never had a citation for any problems.

Mr. Piercecchi: What about all these fire concerns?

Mr. Hutchins: The fire issues would have to be addressed by the landlord.

Craig Singer, 1533 N. Woodward, Bloomfield Hills: I am here representing the three owners of the building who are three widows of the original furniture owners of this building. In terms of the Fire Marshal's request, the biggest issue is the fire separation issue between the warehouse area and the showroom area which we accept and we will certainly take care of any issues prior to occupancy. With respect to the operational exits, the exits exist. The existing tenant of that building who is currently in bankruptcy has boarded off or locked and placed structures in the way of these operational exits without our approval, and obviously without the City's approval because they are only operating very limited hours and only using the front doors as their only means of ingress and egress. We immediately faxed them this letter when we received it and told them they should open all exist doors for safety purposes, and I hope that they comply. The good news is that when we have a new tenant in that location, they will comply.

Mr. Piercecchi: It's pretty serious business if the Fire Department won't send trucks out there.

Mr. Singer: I agree, and as I said we immediately notified the tenants of this problem.

Mr. Piercecchi: You will meet all these concerns?

Mr. Singer: Absolutely.

Mr. Piercecchi: I noticed at your other site, you have a drop-off site. Are you going to have that same thing here?

Mr. Hutchins: Yes, there is always a drop off site. We try and get them to drop off during store hours. We will probably have a drop-off site in the back of this area.

Mr. Alanskas: Do you have much of a problem where people just want to get rid of things that you would not even have accepted and they just want to get rid of and they just dump it in your location?

Mr. Hutchins: Sometimes, but we pick it up anyway. That's just part of doing business. If we take things that aren't desirable, we don't like it, but we do take it. We spend a tremendous amount of money in trash removal every year, but it's just part of doing business.

Mr. Alanskas: If you take things that are not sanitary, do you sanitize them before you would sell these things, for example mattresses?

Mr. Hutchins: No, if it is stained or torn or anything like that, we destroy it.

Mr. McCann: The Building Inspector had some concerns with regard to the exterior paint, the closure on the dumpster, parking lot repairs, handicap parking and the landscaping. I went by the building and took a close look. Who is going to be responsible for the improvements before you move in? I assume you don't want to move in with the parking lot and the landscaping incomplete.

Mr. Hutchins: The landlord will take care of all this.

Mr. McCann to Mr. Singer: Have you done any type of plans to improve it? To put any type of irrigation system in the right-of-way? To bring it up to the 90s?

Mr. Singer: About 7 years ago we did reconfigure the parking at the City's request and eliminated double stacked parking in front of the building to a single stack parking and created that median area which used to be parking right up to the sidewalk. We did have irrigation and it was supposed to be watered by the tenant. We put trees in, but it was not maintained. Our goal would be to use either a low-maintenance kind of a landscape that would require sprinkling. We are all aware of the reputation of the Salvation Army and they have expressed an interest in having their store personnel attend to proper watering to get the grass growing as well. We did create an island of landscaping at the City's request. In terms of the other items on this list, the building is maybe a 1950s building. Although it is what it is, I hope that with an inspection you would find that it has been pretty well maintained. We have painted that building on a continual basis, we have replaced the awnings on a continual basis. The whole building was reroofed 4 or 5 years ago. We did make improvements to the parking lot and redid the front of the parking lot 4 years ago, and now there is need for more work on the side of the building. In terms of all the items listed on Mr. Woodcox's letter, the landlord will be responsible for correcting all the issues.

Mr. Hutchins: For maintaining the property as far as the landscaping , we would be glad to do that. We just recently received an accommodation from the City of Wayne for the best floral display. We will maintain it up to your standards.

Mr. McCann closed the public hearing on this item and passed the gavel to Mr. Alanskas,Vice Chairman, in order to make a motion.

Mr. McCann: I would like to make a tabling resolution on this. What you want to do there is good. We have what we call the Plymouth Road Development Authority and this might be something for them to look at. For us to approve a waiver use, I think the Salvation Army going in there would be

an improvement, but I think that this is the time to look at it. When I looked at that building the other day, I could see a need for a lot of improvement. I don't think we have a grasp at this time of what can be done. We have some vague promises of putting together this, or doing some cleaning there, I don't think it's enough. I would like some time. Mr. Nagy, could you refer this to the Plymouth Road Development Authority rather quickly? They could get together with the landlord and the petitioner to give them some idea of what they can look at to improve that location.

On a motion by Mr. McCann, seconded by Mrs. Koons and unanimously approved, it was

#9-160-97 RESOLVED that, pursuant to a Public Hearing having been held on September 30, 1997 on Petition 97-8-2-23 by The Salvation Army requesting waiver use approval to operate a second hand store within an existing building located on the north side of Plymouth Road between Sears Avenue and Merriman Road in the SW 1/4 of Section 26, the Planning Commission does hereby determine to table this petition to October 28, 1997.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

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

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Petition 97-9-2-24 by Alan Tanski requesting waiver use approval for the display and sales of used cars on property located on the southeast corner of Plymouth Road and Laurel Avenue in the NW 1/4 of Section 33.

Mr. Mr. Miller presented a map showing the property under petition plus the existing zoning of the surrounding area.

Mr. Nagy: The Fire Marshal in his letter of September 15 states that he has reviewed the site plan and has no objection to the proposal. The City Engineer has no objections to the proposal, although the new approach layout for Plymouth Road must be approved by the Michigan Department of Transportation since Plymouth Road falls under their jurisdiction. Officer John Gibes of the Traffic Bureau in his letter of September 10 states: In response to the captioned petition, the Police Department has no objection to the site plan as submitted. The Traffic Bureau does request consideration of a concern with respect to demonstration test drives by

New Car Alternative's customers. Due to the close proximity of the dealership to the residential streets (i.e., Laurel, Stark, Pinetree, Parkdale, Orangelawn and Richland). The Traffic Bureau believes that test drives may enter into residential areas. With this as a concern, the Traffic Bureau is requesting that the Planning Commission request the Petitioner's cooperation in informing New Car Alternatives staff (sales personnel) to have test drives performed on main roads only (Plymouth Road). While I haven't experienced any over zealous driving by New Car Alternative's customers or staff, it is a concern due to the larger volume it may be dealing in due to its expansion. I have previously stopped customers test driving cars from other dealerships and they often have a tendency to drive a little too fast on the residential streets during the excitement of testing out a new car. Any cooperation with this request would be appreciated by the Traffic Bureau and the residents of the adjoining residential areas.

We also have a letter addressed to the Planning Commission as follows: With reference to the above-captioned property, we have been advised that a hearing will be held on September 30 to review a petition, no. 97-9-2-24 filed by Alan Tanski requesting waiver use approval for display and sales of used cars on property located at the southeast corner of Plymouth Road and Laurel Avenue. Please accept this letter as your advice that the owner of the above-captioned property objects to said petition. We do not believe that the display and sale of used cars is beneficial to the overall retail quality of the area and believe that another use would be far preferable. To the extent that the proposed use requires a waiver of applicable statutory provisions, we request that such waiver not be granted. That's signed by Howard E. Heller of Kin Properties, Inc., 77 Tarrytown Road, Ste. 100, White Plains, New York.

(The property that they own at 34800 Plymouth Road is on the north side of Plymouth Road between the strip center and Kinko's. The site that currently has a video store in it)

Brian Amon: I am here on behalf of Alan Tanski, the petitioner. It is probably fresh in your memory from the site plan approval, which I think was just in your last meeting. As to the issues that were raised from your staff, certainly it will be the policy of the staff, as it has been, to discourage any test drive down the residential roads. In fact, they are finding that customers typically want to test cars on more challenging road other than Plymouth Road and certainly they will continue with that policy of discouraging any kind of test driving down a residential road. The reason for the waiver is quite frankly an oversight. It should have been applied for back when everything else was done. This was property you may recall was in the process of being purchased from the City for this use, and so it was pretty much anticipated that this is what would occur all along the way. If you

review and look at the site that New Car Alternatives now sits on in comparison of what used to be there, you will see a dramatic improvement. I think you will see the same improvement across the road. In particular for the fellow from White Plains New York who was particularly concerned about this, I think you will see that people who do business there every day and try to make a living, it's really in their interest to try to make this site as good and as attractive as possible.

Mr. Alanskas: Would you please explain in detail what the detail service center would be doing.

Al Tanski, 7440 Brookfield Rd., Plymouth, Michigan: Detail service area is basically a car cleaning center, no painting or spraying.

Mr. Alanskas: No bumping or painting?

Mr. Tanski: No, absolutely not.

Mr. Alanskas: How about oil changing?

Mr. Tanski: No, no oil changing.

Mr. Alanskas: So it will be just polishing cars and washing and painting?

Mr. Tanski: Yes, and interiors.

Mr. Alanskas: On the south property line, there is a chain link fence. That does not belong to your, correct?

Mr. Tanski: Right. That belongs to Mazda. I have tried to speak to Mazda and made several attempts (I should say my secretary has). I think we'll come to an agreement. We have had some dealings in the past couple of weeks that have been pleasant. I've mentioned to them your concern about the chain link fence, and we do need some separation between what is his and what is mine. I would surely hate to spend the money I plan to spend there and have him display cars for sale on the other side of the fence so that people can come by. I would like to do something decorative. I don't have plan for it yet because I haven't been able to get him to say that he would accept that.

Mr. Alanskas to Mr. Nagy: John, if that fence does not belong to Mr. Tanski - there's barbed wire on that fence - could the Inspection Department take a look at that? Now the building in the back that you are going to paint. What color are you going to paint that?

Mr. Tanski: The building is going to match my building that's across the street that's an off white with aluminum steel.

Mr. Alanskas: As a resident I want to say thank you for finally getting that spot that's such an eyesore on Plymouth Road. This will be a nice addition.

Mr. Tanski: About the traffic - I have posted signs and I have terminated an employee, one of the guys who worked out back insisted on driving down off the parkway, up Stark. I've been guilty of the same situation. It's peaceful with the trees and all. I am trying very hard. I do understand the people's concerns. I have three children. I don't need my kids playing out in the street. I have had different conversations where someone has come down and blamed me for something that I happened to watch and it wasn't me. So anything that does happen negative on that corner, because I am the new person on the block, I have taken responsibility for it even if it hasn't been my responsibility because I am a property owner there and because I want to make sure things are safe too. For the neighbors who may be watching or listening, I invite them to come down and if they have a problem, tell me about it. I can't fix something if you don't say anything about it. If I don't fix it after I've heard you complaint, then you can be mad at me, but you can't be made at me if you don't tell me the problem. I know it's hard to get people to deter things. There's a party store next door and a lot of people get their goods and go down to the park. What I try to do as a plan, I put years on all of my cars, so if a car goes down the street with 1995 on it, it's a good chance it came from me. But if a car goes down with nothing on it and it's speeding, it's a very good chance it's not mine. I tell the neighbors they can identify my cars because I put the years on all the corners. No one has come to complain. I will try to help if they do complain.

Mr. Hale: I know the front building closest to Plymouth Road is going, do you have plans to refurbish that blacktop there at all?

Mr. Tanski: In my site plan approval, I am going to remove all the blacktop and put a drainage in and a curb. I am going to change the whole elevation to look exactly like mine across the street.

Jim Dupuie, 11196 Laurel: Mr. Tanski and his group have done a real nice job of improving the area. The landscaping is beautiful. The building is very, very nice. I was out of town when the original proposal was made in 1996. I did submit a letter with some concerns. I spoke with the architect on the job and I suggested that they have a radius curve, basically discouraging people from using Laurel to exit to Plymouth Road. I would suggest that the same consideration be made with this new lot. I obviously haven't seen a site plan or any of the new proposals for it.

Mr. McCann: For the record, the site plan has gone through two weeks ago. Tonight is just rather or not if he can display cars on that site.

Mr. Dupuie: I am not here in opposition to that, he has certainly made improvements. I've lived there 4 years and I did pay close attention because he is the new guy on the block, and I did watch this. In all honesty, our traffic has probably doubled Now whether that is all his or not, I can't say and I am not going to point a finger. About 3 weeks ago, on a Saturday or Sunday, we get lot of people who drive down on street very slowly and they need a place to turn around. I counted 50 cars in four hours who turned around in my driveway. I realize that is not something he can probably address, but I am sure you folks, if people were turning around in your driveway all day, you might have a problem with that too. Obviously if he isn't there, he can't address it, but it's a concern of mine. At one time the excessive speed was a bad situation. We have a lot of young children on the street. There's no sidewalks and some of the kids are out too close. I would like to see some plans on what can be done to discourage traffic from using Laurel.

Mrs. Dupuie: I appreciate the improvements Mr. Tanski has made on the corner. But there has been an excessive amount of traffic and it is test driving. They are revving the engine. One gentleman turned around on our lawn. Employees were ridiculous speeding up and down at 55 miles an hour.

Mr. McCann: Have you seen some correction recently?

Mrs. Dupuie: Yes, particularly the employee he was speaking of. We have people day and night, and I am talking midnight, turning around in our driveway coming to look at these cars. Another thing that happened was on Easter Sunday 2:30 in the morning they were unloading cars. This same incident happened about two weeks ago and that went until 3:30 in the morning, very loud, and we live kitty-corner from their property. I am sure there's an ordinance violation there.

Mr. McCann: Did you call the police?

Mrs. Dupuie: No, I did not.

Mr. McCann: There's two automobile dealerships. Are you sure it wasn't the other one?

Mrs. Dupuie: Yes. The other one, this weekend we had a car alarm go off Friday at 11:30 in the evening until Sunday morning at 2:30. I called the police and they could find neither a phone number for the owner or an address.

Mr. Tanski: If that is true on Easter Sunday, I didn't know I had anyone working. I would have to check the logs. I assure you, as a Christian person, I wouldn't work on Sunday nor encourage my people to work on any Sunday. I will try and find out about it. I do own two car haulers. I try and make my deliveries during business hours so that I can secure the cars in my lot. For the cars turning around, I could back my blockers up so that they can't get into my aprons of my driveways. Right now I am blocking closer to the street because I was trying to deter anyone from getting into the lot. Sometimes for security reasons, we try to tighten things up as much as we can.

Mr. Piercecchi: You are going to park a car in your entrance?

Mr. Tanski: I do that now to block the entrance.

Mr. Piercecchi: Wouldn't it be better if you would just put a chain or things of that nature?

Mr. Tanski: A car is more effective than a chain because of the thickness of the chain.

Mr. Piercecchi: It's taking away a lot of the beauty of some of those cars though.

Mr. Tanski: We actually use it as a display.

Mr. Amon: What he is saying he is actually going to move the parked car a little closer so there's is no room to turn around and go down the road if people want to do that.

Mrs. Koons: When Brian said Mr. Tanski was going to try and discourage test drivers, I wrote that down because I felt that wasn't strong enough, but when you came up I felt more of a strength behind that. You said you had signs posted? I thought you said you had signs posted about test drives.

Mr. Tanski: No, I don't have a sign there, but I could do that, a sign saying Left Turn Only.

Mrs. Koons to Mr. Nagy: Also, I am wondering how do residents apply for signs that say "Children Play Here".

Mr. Nagy: They can petition our Traffic Commission for such signs.

Mrs. Koons: Is there a cost to the neighborhood?

Mr. Nagy: If the Traffic Commission accepts the recommendation, they can order a sign from the Sign Department.

Mr. Tanski: We would be glad to pick up the cost of that sign, if there is one. It is the appropriate thing to do.

Mrs. Koons: It sounds like you are working on a very good relationship with the neighbors and I'm wondering if it would make sense to you to ask them if they might want a sign posted at their driveway saying "No left turn for test driving" or something like that. I also live on a street with no sidewalks, and there is more potential danger for young children.

Mr. Tanski: We can do that.

There was no one else present wishing to be heard regarding this item and Mr. McCann, Chairman, declared the Public Hearing on Petition 97-9-2-24 closed.

On a motion by Mr. Hale, seconded by Mr. Alanskas and unanimously approved, it was

#9-161-97 RESOLVED that, pursuant to a Public Hearing having been held by the City Planning Commission on September 30, 1997 on Petition 97-9-2-24 by Alan Tanski requesting waiver use approval for the display and sales of used cars on property located on the southeast corner of Plymouth Road and Laurel Avenue in the Northwest 1/4 of Section 33, the City Planning Commission does hereby recommend to the City Council that Petition 97-9-2-24 be approved subject to the following conditions:

1) That the Site Plan marked Sheet SP-1 dated 9/4/97 prepared by Allen & Laux, Inc. which is hereby approved, shall be adhered to;

2) That the Building Elevation Plans marked Sheet A-1 dated 9/4/97 prepared by Allen & Laux, Inc. which are hereby approved, shall be adhered to;

3) That the Landscaping shown on the approved site plan shall be installed prior to final inspection and shall thereafter be permanently maintained in a healthy condition;

4) That proposed new grass areas both on-site and between the site and the roadways in the Plymouth and Laurel Avenue right-of-way shall be sodded;

5) That all landscaped areas shall be irrigated by means of an underground sprinkler system.

For the following reasons:

1) That the proposed use complies with all of the special and general waiver use standards and requirements as set forth in Section 11.03 and 19.06 of the Zoning Ordinance #543;

2) That the subject site has the capacity to accommodate the proposed use;

3) That the proposed use is compatible to and in harmony with the surrounding uses in the area;

4) That the proposed use will provide for the removal of existing vacant structures that are non-conforming and in disrepair.

FURTHER RESOLVED that, notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

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

Mr. Piercecchi: That ends the public hearing items and we can go on to the pending items.

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Final Plat Approval for Lakeside Estates Subdivision No. 2 proposed to be located on the north side of Ann Arbor Trail between Stark and Farmington Roads in the Southeast 1/4 of Section 33.

Mr. Nagy: The Final Plat has been drawn with full compliance to the previously approved Preliminary Plat. We have received a letter from the Engineering Department recommending approval of the Final Plat as they have provided all the easements and the necessary improvements. Similarly, we have a letter from the City Clerk indicating that all financial obligations proposed upon the proprietor of the subdivision have been satisfied.

Mr. McCann: Mr. Soave, is this your petition?

Mr. Leo Soave: Yes, it is.

Mr. McCann: Is there anything additional you need to say?

Mr. Soave: No.

Mr. McCann: If there are no questions from the Commissioners, a motion is in order.

Mr. Alanskas: On a motion by Mr. Alanskas, seconded by Mrs. Koons and unanimously approved, it was

#9-162-97 RESOLVED that, the City Planning Commission does hereby approve the Final Plat for Lakeside Estates Subdivision No. 2 proposed to be located on the north side of Ann Arbor Trail between Stark and Farmington Roads in the Southeast 1/4 of Section 33 for the following reasons:

1) That the Final Plat is drawn in compliance with the Preliminary Plat;

2) That no reporting City Department has objected to approval of the Final Plat; and

3) That all financial assurances required for the referenced subdivision have been deposited with the City Clerk.

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

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Approval of the minutes of the 750th Regular Meeting held on September 16, 1997.

On a motion duly made by Mr. Walsh, seconded by Mr. Alanskas and unanimously approved, it was

#9-163-97 RESOLVED that, the minutes of the 750th Regular Meeting and Public Hearings held on September 16, 19987 are hereby approved.

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

Mr. McCann: We will now begin the Miscellaneous Site Plan items of the agenda. Members of the audience may speak for or against these items.

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Landscape and Elevation Plans in connection with Petition 97-2-2-4 for the bank which received site plan approval during waiver use approval to expand the Newburgh Plaza Shopping Center located at 37001 Six Mile Road in the NW 1/4 of Section 17.

Mr. Miller: This bank will be located on the southeast corner of Six Mile and Newburgh in the Newburgh Plaza Shopping Center. The bank branch location was approved during the Waiver Use approval to expand this shopping center and they have approval with the condition that the landscape plans and elevations plans be brought back before the Planning Commission and City Council for their review and approval. The landscape plan shows a 4' wide planting area along the west and south property lines, as well as planter boxes along the north elevation of the

building and the east elevation of the building. Also, there is landscaping within the parking lot areas. Included, they show landscaping outside their property line. This would be in the same style as standard scheme of the landscaping. The elevation plan shows that the building would be constructed on all four sides of brick. It would have an 8' high dryvit band running along the top of the building along all four sides. Also a brick archway design over the windows and entrances of the bank. The architecture and materials of this bank would be similar to the renovated shopping center.

Mr. Nagy: We have no new correspondence on this petition.

Lonny Zimmerman, Siegal-Tuomaala Associates, Architects, Farmington Hills: I am here tonight with Donald Eagle, the Vice President of First Federal of Michigan. We brought along a board with sample materials. As was explained, the materials are exactly the same as are on the Newburgh Plaza Shopping Center. The only difference is there is a blue trim which matches the First Federal colors. For the shopping center we use a green trim, but the brick is identical and the dryvit is identical. I've also brought along the elevation of the shopping center and it has the identical forms in the brick element as the bank. In appearance and design, it is very compatible to the existing shopping center.

Mr. Piercecchi: You were talking about the landscaping, the areas that were running vertical, is that just grass? Those 5 trees in front on Six Mile Road, those trees are there now?

Mr. Zimmerman: Yes, they are part of the shopping center.

Mr. Piercecchi: Is there anything in there besides grass?

Mr. Miller: It says it will be landscaped by the owner, so I don't know what the landscaping will be.

Mr. Zimmerman: It will be landscaped with some type of low planting material. It will be more than grass.

Mr. Piercecchi: The general layout of the shopping center, that's dryvit on the top? You have such a pretty building, I can't understand why you put 8' of dryvit there.

Mr. Zimmerman: It will compliment the shopping center there. We want the buildings to look like they are a part of a cohesive development, and we felt that matching materials as best we could would be the best approach to it. It's used on the shopping center because of signage, and at the bank we

felt that using the two materials, both the dryvit and the brick as well as the tinted glass, we thought would look good.

Mr. Alanskas: When you do get these approvals from us and the Council, what is the time span to get this building constructed?

Mr. Zimmerman: We will have the bank drawings completed probably within the next 30 days. I would say the bank will be out for bids less than 45 days. It will probably be six months before the bank will be constructed.

On a motion by Mr. Walsh, seconded by Mrs. Koons and unanimously approved, it was

#9-164-97 RESOLVED that, the City Planning Commission does hereby recommend to the City Council that the Landscape and Elevation Plans in connection with Petition 97-2-2-4 for the bank which received site plan approval during waiver use approval to expand the Newburgh Plaza Shopping Center located at 37001 Six Mile Road in the Northwest 1/4 of Section 17 be approved subject to the following conditions:

1. That the Landscape Plan marked Sheet L-1 dated 8/28/97, as revised, prepared by E. J. Kleckner & Associates, is hereby approved and shall be adhered to;

2) That all disturbed lawn areas shall be sodded in lieu of hydroseeding;

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

4) That the Exterior Elevation Plan marked Sheet P1 dated 8/28/97 prepared by Siegal/Tuomaala Associates is hereby approved and shall be adhered to.

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

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Revision to Petition 92-10-2-42 by Costco Companies, Inc. requesting approval for signage and to revise the site and elevation plans that were approved in connection with the building of a commercial building located at 13700 Middlebelt Road in the NW 1/4 of Section 25.

Mr. Miller: This site is located on the southwest corner of Schoolcraft and Middlebelt. The existing building is currently occupied by a Home Quarters home

improvement store. They are proposing to construct a 26,650 sq. ft. addition to the rear of the existing building and convert the existing greenhouse to a tire center. The existing building is 104,450 sq. ft. in size and once the additions are constructed, the new Costco facility would be 133,772 sq. ft. in size. Because of the additions, the petitioner would be required to have 1014 parking spaces and they are providing 894 spaces, so they are deficient 120 spaces and had to go to the Zoning Board of Appeals for a variance. They were granted the variance, so by virtue of this variance they are conforming. The existing entrance of the building is in the middle of this elevation. They plan to move that to the corner of the store. Over the entrance they have a dryvit type of canopy and the existing doors along the front elevation would have a dryvit type of system with a metal canopy over each door. This building is allowed one wall sign at 452 sq. ft., and they are proposing 4 wall signs for a total of 640 sq. ft. Therefore, they had to go to the Zoning Board of Appeals for excessive signage, and they did receive a variance for their signage.

Jeffrey Howard, Counsel appearing on behalf of Costco. My address is 2000 Town Center, Suite 1500, Southfield MI 48075: The existing HQ at this location has a footprint of about 104,000 sq. ft. with a garden center of 29,000 sq. ft. We are going to remove that garden center, have no outside storage, and will wind up with a total footprint of 134,000 vs. an existing use of about 133,000 sq. ft. which includes the garden center.

Mr. Alanskas: Is this a rendering of the actual store you will be putting here, or is this another store, because I see all these big, tall trees and was wondering if we are going to get all those nice tall trees shown there?

Mr. Howard: This is the actual site.

Sonny Vinberg, Mulvanny Partnership Architects: That's a rendering trick; we do plan to landscape it. The existing building is an earthtone color. We are proposing to add the new tire center to match it, the CMU color as well. The existing banding around it now is currently white and green. We will remove the green and paint it red. New pilasters at the egress doors from the building with a painted metal canopy over them to accentuate the building and break down the mass a little bit and put in our stucco-like material. The signage will be on the two corners and the tire installation center, tire sales sign and the exit and entrance signs. There will be no receiving sign for the receiving areas. As Mr. Howard said, we are removing the existing garden shop area, as well as the greenhouse to accommodate the new parking area. On the canopy we are adding some accent tile as an architectural feature.

Mr. Alanskas: With regard to your receiving doors, is that open all hours of the evening when you receive merchandise?

Larry Harder, Costco: Generally, receiving hours are in the morning before we open for business Monday through Friday, somewhere between 6:00 a.m. and 10:00 a.m. with limited deliveries on Saturdays and no deliveries on Sunday. In unusual circumstances in the winter months we bring in produce and perishables that may have been delayed by the tractor trailers. No overnight deliveries whatsoever.

Mr. Alanskas: On your tire center, is that open 7 days a week for service? I'm involved in that and I know how noisy it is when you are pulling off tires with air guns.

Mr. Harder: It has the same hours as our retail facility.

Mrs. Koons: I know we have already talked about signs and signage, and I know that you are over your square foot allowance and I know there is a waiver, but I am wondering if tire installation and tire sales becomes redundant..

Mr. Harder: They are two separate structures and two separate points of entrance. You cannot access both at the same point so that is why we need the two signs.

There was no one else present wishing to be heard regarding this item.

On a motion by Mr. Alanskas, seconded by Mr. Hale and unanimously approved, it was

#9-165-97 RESOLVED that the City Planning Commission does hereby recommend to the City Council that Revision to Petition 92-10-2-42 by Costco Companies, Inc. requesting approval for signage and to revise the site and elevation plans that were approved in connection with the building of a commercial building located at 13700 Middlebelt Road on the NW 1/4 of Section 25, The City Planning Commission does hereby recommend to the City Council that Revision to Petition 92-10-2-42 be approved subject to the following conditions:

1) That the Site Plan marked Drawing SP-1 dated 6/17/97 prepared by Professional Engineering Associates, is hereby approved and shall be adhered to;

2) That the Landscape Plan marked Drawing L-1 dated 6/27/97 prepared by Professional Engineering Associates, is hereby approved and shall be adhered to;

3) That all disturbed lawn areas 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) That the Exterior Building Elevation Plans marked DD3.1 and DD3.2 both dated 8/29/97, as revised, prepared by Mulvanny Partnership, are hereby approved and shall be adhered to;

6) That the signage shown on the approved Elevation Plans, are hereby approved and shall be adhered to;

7) There shall be no outside storage of merchandise or materials.

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

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Revision to Petition 92-11-2-48 by Costco Companies, Inc. requesting approval for signage and to revise the site and elevation plans that were approved in connection with the building of a commercial building located at 20000 Haggerty Road in the NW 1/4 of Section 6.

Mr. Miller: This site is located on the east side of Haggerty Road between Seven Mile and Eight Mile. The building they would like to occupy is currently occupied by Home Quarters. They are proposing to convert the existing greenhouse into a tire center. The garden center walls would be removed and this area would be incorporated into the parking scheme of the entire complex. The building would basically remain the same architectural design. It would be painted with the Costco colors. They are allowed one wall sign, 440 sq. ft. in size, and they are proposing 4 wall signs at a total of 640 sq.ft. They are over in signage and have gone to the Zoning Board of Appeals for a variance and they have received that variance.

Jeffery Howard, on behalf of Costco Companies, 2000 Town Center, Suite 1500, Southfield: In summary, there is an existing Home Quarters structure that is 123,000 sq. ft. together with a garden center that is 4700 sq. ft. We propose to remove the garden center and wind up with a new structure enclosed of 127,700 sq.ft. Once again, I would ask that Mr. Vinberg give us a summary of the architectural details.

Mr. McCann: Do your stores have one common scheme identifiable with the same materials?

Mr. Vinberg: Definitely. Costco, when it does a new store from the ground up, they have a standard that they like to use, yes. This one is a little departure from the standard. We are tearing down the garden center and the chain

link fencing and the overhead canopy on the side of the building. We are planning to reutilize the greenhouse which was formerly an auto center when it was Source Club. We will basically bring it up to Costco's standards for their tire centers. Basically, we are just refurbishing the exterior, touch it up and fix some cracking problems that we noticed on the building. Also, repaint the canopy to a red color.

Mr. McCann: Are the colors going to eventually match your rendering?

Mr. Vinberg: Yes. Because it is a water color basically, it will be the Costco red.

Mr. Alanskas: Is there a date when HQ will be vacating this building?

Mr. Howard: I would expect HQ to vacate the building before the end of the year.

Mr. Piercecchi: Are you buying or leasing these buildings?

Mr. Howard: We are buying all of the properties with the exception of this particular site which is the subject of a 20 year ground lease, and we would be acquiring the tenant's right in the ground lease.

There was no one else present wishing to be heard regarding this item and Mr. McCann, Chairman, called for a motion.

On a motion by Mrs. Koons, supported by Mr. Walsh and unanimously adopted, it was

#9-166-97 RESOLVED that, the City Planning Commission does hereby recommend to the City Council that Revision to Petition 92-11-2-48 by Costco Companies, Inc. requesting approval for signage and to revise the site and elevation plans that were approved in connection with the building of a commercial building located at 20000 Haggerty Road in the NW 1/4 of Section 6, the City Planning Commission does hereby recommend to the City Council that Revision to Petition 92-11-2-48 be approved subject to the following conditions:

1) That the Site Plan marked Drawing SP-1 dated 6/30/97 prepared by Professional Engineering Associates, is hereby approved and shall be adhered to;

2) That the Exterior Building Elevation Plan marked DD3.1 dated 8/29/97, as revised, prepared by Milvanny Partnership, is hereby approved and shall be adhered to;

3) That the signage shown on the approved Elevation Plan is hereby approved and shall be adhered to.

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

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Sign Permit Application by J. Alexander's requesting approval for signage for the restaurant located at 19200 Haggerty Road in the Southwest 1/4 of Section 6.

Mr. Miller: This restaurant is located on the east side of Haggerty Road. It is part of the Pentagon Center entertainment complex. They are requesting 3 wall signs, but are allowed 1 wall sign, therefore they had to go before the Zoning Board of Appeals for a variance. He was scheduled before the Board today. They are allowed 1 wall sign at 106 sq. ft. They are proposing 3 wall signs at a total of 126 sq. ft. One would be on the north elevation which is the entrance, which would also face the office building off to the north. One would be on the east elevation facing the theatre, and one on the west elevation facing Haggerty Road. The plan also shows 240 lineal ft. of neon tubing on the building. Because the tubing illuminates the building, it is considered signage, so that would also have to be approved by the Zoning Board.

John Carlin: I am happy to report that the Zoning Board of Appeals did approve the variance as submitted which means that they gave us the three signs and the neon all around the four sides of the building. Since we were before you at the Study session, we have had an opportunity to look at the property. It was the general consensus of opinion that in addition to the lighting and the identification, the neon around the building also provided a certain security level because the parking lighting that was in the parking lot focusing down, didn't do too much to light the building in the front, the back and the side. To the rear of the property, the south side has a considerable amount of vegetation from the wetlands. There is nothing we can do with any of that property back there. It shields us from the Macaroni Grill. To the north of our property is the property that the Pentagon people were unable to purchase and that is heavily wooded. That shields us from a lot of light. The neon lighting that we are proposing, and we are willing to change the color of that to white, it is very soft lighting to be used as lighting identification and security. The three signs for identification, one is facing on the east side to identify us to those coming into the area from different directions, from the north as you come in and from the Haggerty Road side. It's obvious that if you are traveling on Haggerty Road, you can't tell what that is if you are looking at the north side, so we felt it would be better with all three signs.

Mr. Alanskas: I am sure you are aware that behind you there's a hotel going in. I know it's away from you, but it would still give that area some lighting.

Mr. Carlin: Not that much. We brought out the site plan and we are down here (showing the site plan). You can see the vegetation from the Macaroni Grill and there's quite a bit of difference between here and the hotel.

Mr. Alanskas: I understand and I do not have a problem with the signage itself, but I do have a problem with the neon. Everyone says they have a hardship. But you are not even there, how do you know? My answer always is, if you are not successful getting the neon or something else that you do need, you can always wait until a year down the road and then if there is a need, you can always reapply for it. I just think that will stick out like a sore thumb.

Mr. Piercecchi: I share Bob's opinion on that. I'm always amazed how people can go for hardship when they haven't even put the building up. Hopefully they will have a change of attitude on it.

There was no one else present wishing to be heard regarding this item.

On a motion by Mr. Alanskas, seconded by Mr. Piercecchi and approved, it was

#9-167-97 RESOLVED that, the City Planning Commission does hereby recommend to the City Council that Sign Permit Application by J. Alexander's Restaurant requesting approval for signage for the restaurant located at 19200 Haggerty Road in the SW 1/4 of Section 6 be approved subject to the following conditions:

1) That the Sign Package submitted by J. Alexander's Restaurant as received by the Planning Commission on September 16, 1997 is hereby approved and shall be adhered to, except for the fact that no neon shall be allowed on the building;

2) That the signage shall not be illuminated beyond one hour after the restaurant closes.

A roll call vote on the foregoing resolution resulted in the following:

AYES:	McCann, Piercecchi, Alanskas, Walsh, Koons
NAYS:	None
ABSENT:	None
ABSTAIN:	Hale

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

Mr. McCann: As I stated earlier, I might be open to reviewing this in a year when the other restaurants are open, when the parking lots are completed, when the theaters are up. I think then we can get a clear indication. Right now I don't believe it will fit into the general area, that if we went into neon around your building that we would almost set an example for the whole area. I don't think it fits into that complex. I think we are trying to create a look in there that if we start out in the first building putting neon all around that at this point it would be a mistake. I would consider it with the other Planning Commissioners a year from now, but it will go on to City Council with the recommendation against the neon.

Mr. Piercecchi, Secretary, announced that the next item on the agenda is Sign Permit Application by Danilo Josifoski, on behalf of the Pick-A-Bone Family Tavern & Banquet Hall, requesting approval for signage for the restaurant located at 30325 Six Mile Road in the NE 1/4 of Section 14.

Mr. Miller: This restaurant is on the south side of Six Mile Road between Merriman and Oporto. The petitioner received waiver use approval to remodel an existing building in connection with operating a full service restaurant and banquet hall. As a condition of that approval, any signage had to be submitted to the Planning Commission for their review and approval. This site is allowed one wall sign at 132 sq. ft. The petitioner is proposing two wall signs at 130 sq. ft., one on the east elevation and one on the west elevation. Because the signage is over what they are allowed, they had to go to the Zoning Board prior to being presented to the Planning Commission. They do have a variance for excessive signage and what you have before you is what was approved by the Zoning Board.

Mr. McCann: We did tell the petitioner that we would not require his presence tonight if after reviewing it we had no concerns. A motion is in order.

On a motion by Mr. Walsh, seconded by Mr. Alanskas and unanimously approved, it was

#9-168-97 RESOLVED that, the City Planning Commission does hereby recommend to the City Council that the Sign Permit Application by Danilo Josifoski, on behalf of the Pick-A-Bone Family Tavern & Banquet Hall, requesting approval for signage for the restaurant located at 30325 Six Mile Road in the Northeast 1/4 of Section 14 be approved subject to the following conditions:

1) That the Sign Package submitted by Danilo Josifoski, on behalf of the Pick-A-Bone restaurant as received by the Planning Commission on September 18, 1997, is hereby approved and shall be adhered to;

2) That the signage shall not be illuminated beyond one hour after the restaurant closes.

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

On a motion duly made, seconded and unanimously adopted, the 751st Regular meeting and Public Hearings held on September 30, 1997 was adjourned at 11:00 p.m.

CITY PLANNING COMMISSION

C. Daniel Piercecchi

C. Daniel Piercecchi, Secretary

ATTEST:

James C. McCann, Chairman

/du

NEW DATA RECEIVED FOR THE REGULAR MEETING OF OCTOBER 2, 2023, ITEM 9.

From: noreply@civicplus.com
To: CityCouncil
Subject: Online Form Submittal: City Council Inquiries
Date: Sunday, October 1, 2023 1:02:23 PM

City Council Inquiries

This form is for any questions, comments, or concerns you may have for the City in regards to city council meetings or other city council inquiries. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	Penny
Last Name	Myers
Address	30514 BROOKVIEW DRIVE
Email Address	myerspen@yahoo.com
Phone Number	7347883343
Topic	City Council Meetings
Date of Issue	10/2/2023
Attachment (Optional)	*Field not completed.*
Comments	I understand that October 2nd should be the decision day regarding the requests of the Basilica of St. Mary church to rezone. I have to ask again, why is it even being considered and how did it even make it this far in the process. What advantage or benefit is it to Livonia or Livonia residents? It has been made perfectly clear that any school or apartment complex they want are 100% for their parishioners. Why would you allow another grades 1-5 school to be built when there is a Livonia Public School grades 1 through 5 just steps away from the church? It too has a gym, basketball and ball field and playground. How could you consider taking state funds away from a Livonia School so a church can build one so close? There is also a New Montessori opening soon in Livonia not far. Another school is not needed especially at the expense of the neighborhood. We don't need a counseling center. Do you know how many there are in Livonia already! Again, why should Livonia support yet another school that is not going to be held accountable to the education and state departments. And then what if (like Ladywood for instance) the school fails and closes, then what? They also stated they have a waiting list to back up their expansion request. Then why put a sign up saying accepting new enrollments? If you have already rezoned the property and now it can become

something even more troubling for the neighborhood and the lovely people of Livonia and we will not have a say. We pay our taxes, we take care of our homes. Why rezone for items not needed and surely not for any benefit to Livonia residents (no matter how it is worded by the church – again – he has promised his church goers the school and church for them and them alone).

At the last public hearing it should have been noted that when a resident stated that the housing values would be affected and that a majority of the church goers did not live in Livonia – out of the five people that spoke on behalf of the church – One live in Ann Arbor, one lived in Novi, one lived in Northville and one live in Detroit. These people wouldn't even be voting for Livonia positions…why are they donating to the compaigns of many? The fifth lives in Livonia (not in our subdivision) and uses the church for daycare. So again, the people of the church, including Father George, are not affected financially by the rezoning issues. They only stand to gain what they intend to get no matter what based on a church sermon. A community (compound if you will) for them. They apparently are willing to lie and give money/donations to people on the committees, police department, Mayor, etc., to get the decisions they want. No regard for the surrounding home owners.

It is also a shame that the apartment complex is still an issue. It is 100% for parishioners – no matter what he says. He has made a commitment to his church and church goers, most we are told are not Livonia residents. Why are we letting or considering letting him build a compound? What does the citizens – tax payers – get out of this? What is the city getting out of it. Why was the mayor part of a ground breaking ceremony well before it was even presented and not yet approved? What is SHE getting out of it? One of her assistant is a church and committee member.

Worth repeating: One HUGE issue that has been brought to our attention is the church has made campaign contributions to multiple people running for re-election. This would be in their best interest to recuse themselves from having a vote on the requests to rezone. Isn't this a huge conflict of interest considering the intent of the contributions to their campaigns? The dirty dealings and untrue statements coming from the church is appalling. If a campaign contribution is not considered a conflict, then the involved recipients of the contributions should make it known they received it. Because we will be keeping an eye on the list of campaign contributors for each and everyone when available.

Besides the hope this deal is dead on just principle alone, there are all the other true factors such as traffic, noise, lights, flood zone, the effect on animals that live in the woods. Approving any

of his plans will only make it worse and his plans will somehow evolve into more that will hurt the neighboring homeowners, home values and quality of life for the amount of taxes we pay. Again, we heard he has asked the church goers to attend tonight to out number the neighborhood. Is that the right way to approach this from a church?!?!?! As he lives in his near million dollar home in Novi and owns two properties up north. His allegiance is not the citizens of Livonia but promises he made to his church when they were donating money. His own agenda only..at all costs.

Most if not all of the people who spoke on behalf of the church only spoke about the good things the church does. I am sorry, I am pretty sure that is the expectation of any church. That doesn't mean they should be allowed to build a school when one is right there – FOR LIVONIA RESIDENTS or that they should be allowed to build an apartment complex for their people only when there are new 55 and older places right across from the Police department. He is NOT a nice person, he IS a liar and had a BAD reputation with many business people.

Email not displaying correctly? View it in your browser.

NEW DATA RECEIVED FOR THE REGULAR MEETING OF OCTOBER 2, 2023, ITEM 9.

From: Reece, Stephanie
To: Kasprowicz, Sara
Cc: Planning
Subject: FW: Basilica Church School Rezoning (and Apt.)
Date: Monday, October 2, 2023 8:27:42 AM

Good Morning Sara,

This email was received this morning regarding the St. Mary Basilica petition to come in front of the Council tonight. If you can please make sure they receive it.
Thank you
Stephanie

Stephanie Reece
Program Supervisor
City of Livonia | Planning Department
(734) 466-2288
SReece@livonia.gov

From: PENNY Myers <myerspen1056@gmail.com>
Sent: Sunday, October 1, 2023 12:59 PM
To: Planning <Planning@Livonia.gov>
Subject: Basilica Church School Rezoning (and Apt.)

I understand that October 2nd should be the decision day regarding the requests of the Basilica of St. Mary church to rezone. I have to ask again, why is it even being considered and how did it even make it this far in the process. What advantage or benefit is it to Livonia or Livonia residents? It has been made perfectly clear that any school or apartment complex they want are 100% for their parishioners. Why would you allow another grades 1-5 school to be built when there is a Livonia Public School grades 1 through 5 just steps away from the church? It too has a gym, basketball and ball field and playground. How could you consider taking state funds away from a Livonia School so a church can build one so close? There is also a New Montessori opening soon in Livonia not far. Another school is not needed especially at the expense of the neighborhood. We don't need a counseling center. Do you know how many there are in Livonia already! Again, why should Livonia support yet another school that is not going to be held accountable to the education and state departments. And then what if (like Ladywood for instance) the school fails and closes, then what? They also stated they have a waiting list to back up their expansion request. Then why put a sign up saying accepting new enrollments? If you have already rezoned the property and now it can become something even more troubling for the neighborhood and the lovely people of Livonia and we will not have a say. We pay our taxes, we take care of our homes. Why rezone for items not needed and surely not for any benefit to Livonia residents (no matter how it is worded by the church – again – he has promised his church goers the school and church for them and them alone).

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NEW DATA RECEIVED FOR THE REGULAR MEETING OF OCTOBER 2, 2023, ITEM 9

From: Caitlin Bialowicz
To: Kasprowicz, Sara; Jolly, Jim; Toy, Laura; McCullough, Brandon; McIntyre, Kathleen; Bahr, Scott; Morgan, Scott; Donovic, Rob
Subject: ATTN: City Council Members: REZONE PETITION 2022-12-01-02 Submitted by the Basilica of St. Mary
Date: Friday, September 29, 2023 12:39:30 AM
Attachments: image.png

City Council Members,

My name is Caitlin Bialowicz. I am a resident of Livonia currently living in the Brookwood Estates subdivision. My subdivision is located next to the Basilica of St. Mary's Antiochian Orthodox Church. I am writing in response to the following item listed on the City Council Study Meeting Agenda for October 2nd 2023.

9. REZONE PETITION: Planning Commission, re: Petition 2022-12-01-02, submitted by the Basilica of St. Mary, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood).

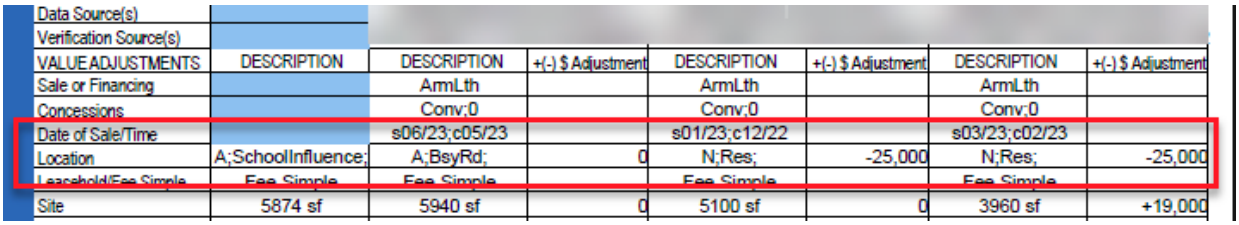
Public Hearing held on September 13, 2023.

I am writing to request that the City Council deny St. Mary's re-zoning petition.

The reasons why my household is against the proposed re-zoning are listed below:

1.The surrounding neighborhoods already have complaints regarding the noise around St. Mary's activities, especially their annual dormition festival and weekend events. If there is an additional building for them to hold events closer to more residential homes, there is an increased possibility of more noise issues and potentially issues with lighting and increased traffic. I'm referencing the area of the Montessori school/family center that appeared to be a gymnasium or auditorium. The city doesn't adequately control the existing noise issues, and some concerned citizens are already worried about potential noise issues with the new proposed re-zoning/Montessori school/family center St. Mary's wants to have approved. What is the city going to do to help contain the noise and hold the church accountable for any future noise issues, considering how close this building is to residential homes? Have any city council members gone out to the proposed re-zoning site to see how close this proposed re-zoning area is to residential homes? Does the quality of life of Livonia's tax paying citizens matter to the City Council? If so, you need to take these concerns into consideration.

2. The value and marketability of homes in the neighborhood will be negatively impacted by the proposed re-zoning and building to potentially be constructed. I've worked at a mortgage company for 9 years with experience in underwriting residential mortgages. Part of the mortgage underwriting process is reviewing residential appraisals. **School structures do negatively impact the marketability and value of homes.** An example of a residential appraisal showing a negative adjustment for a home being within close proximity to a school is listed below. Please see the blue column for the home being referenced and the adjustments for Location located in the red box. Information that can be used to identify personal information on the appraisal has been redacted.



Data Source(s)							
Verification Source(s)							
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) $ Adjustment	DESCRIPTION	+(-) $ Adjustment	DESCRIPTION	+(-) $ Adjustment
Sale or Financing		ArmLth		ArmLth		ArmLth	
Concessions		Conv;0		Conv;0		Conv;0	
Date of Sale/Time		s06/23;c05/23		s01/23;c12/22		s03/23;c02/23	
Location	A;SchoolInfluence;	A;BsyRd;	0	N;Res;	-25,000	N;Res;	-25,000
Leasehold/Fee Simple	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
Site	5874 sf	5940 sf	0	5100 sf	0	3960 sf	+19,000

The home's location being near a school resulted in a negative adjustment, lowering the appraised value of the property and reflecting diminished marketability. When appraisers select comparable sales, they will select similar homes within close proximity to the home being appraised. **We are concerned that the proposed re-zoning and planned development will have a similar negative impact to the value and marketability of our homes, as illustrated in the example provided.** The person who spoke on behalf of the church saying our neighborhood's home values would not be impacted is a liar, who lied for obvious reasons as they have obvious favorable bias. This man was also not a resident of Livonia. Andy Magar who spoke at the September 13th City Council Meeting/Public Hearing. Many parishioners of St. Mary's fall under a different tax bracket than the residents who live in my neighborhood, making a considerably larger income than many people who live near the proposed re-zoning. This was made clear by some of the parishioners who spoke in front of planning when we were originally notified of proposed re-zoning. We were rudely told by the parishioners themselves that doctors, lawyers, affluent people, etc. are parishioners of St. Mary's, implying that they should be favored for this reason. The value and marketability of the homes owned by residents in our neighborhood being drastically negatively impacted leaves a larger impact on the lives of residents of this neighborhood than the lives of non-city residents who are in favor of the proposed re-zoning. None of them confirmed during previous meetings that their homes back to the field or are near the field behind St. Mary's. People's homes are often their largest/greatest financial investment. This will probably be diminished if the proposed re-zoning is approved and the proposed structure is built. Residents will also have to see this structure every day, deal with the lighting, noise, and increased traffic. Considering that this building hasn't been presented as a legitimate business making taxable income that would benefit the city, how does approving re-zoning for this proposed Montessori school/family center make sense for our neighborhood and community as a whole? How do parochial school buildings, who benefit the few, take priority over the value and marketability of the homes of citizens that live in the neighborhood? They should not. In addition, information was circulated showing that St. Mary's struggled to gain enough admission to justify keeping their summer school program running. Taking that into consideration, and that Montessori schools typically focus on children ages 2-6, I have a hard time understanding how a building of this size is necessary.

3. The petitioning for the proposed re-zoning has not been handled in the most clear/transparent way by Mark Taormina/The Planning Department. If the proposed re-zoning for the Montessori school/family center is being discussed separately from the proposed re-zoning from the apartments that were also included in the same petition, why weren't the two separate proposed re-zoning requests submitted on separate petitions? Why was this not amended/revised before it was announced to the public that St. Mary's is no longer pursuing the proposed re-zoning for the apartments that they originally wanted to include as part of the Mariam Center Project? This is another reason why citizens of Livonia have been against the way the proposed re-zoning has been handled. That is why citizens always bring up the apartments along with the Montessori school/family center. If the petitions for the two proposed re-zoning requests would have been split into two

separate petitions, that would have avoided a significant amount of confusion and concern. It makes it seem as though the apartments could potentially be included in the same petition in the future and potentially work through the system more quickly and not be made aware to the public when the church decides to pursue the construction and re-zoning of the apartments again, which everyone is anticipating given how passionate Father George was about it. Just because they're not pursuing it at this time doesn't mean that they won't again in the near future/after the upcoming election. Taking all of this into consideration, there is now some mistrust in the City Council, the Planning Department, and St. Mary's. Opposition to the proposed re-zoning has nothing to do with the ethnicity of some of the parishioners, which is a pathetic and disgusting low blow that some members of St. Mary's have been alleging. Any clarity around this process is appreciated.

In addition, I truly hope that the City Council cannot be swayed by political groups, activists, or parishioners of St. Marys to make decisions that would negatively affect the citizens of our neighborhood and show favorable bias towards St. Mary's re-zoning petition. This has been speculated by some people, after witnessing how quickly Laura Toy and Kathleen McIntyre shut down and rushed people from our neighborhood off the podium when attempting to speak and ask questions during the public hearing. Obviously people are going to have questions about both the re-zoning and building being proposed by St. Mary's, the re-zoning and building go hand in hand for the residents, as none of us are zoning experts and are only going to ask questions that would be personally and financially relevant to us. It would be stupid of residents to not ask questions during the public hearing, and those who have legitimate questions should not be rushed.

Please deny all petitions for the proposed N2 re-zoning, and any future re-zoning petitions for the previously proposed apartments if it's ever brought to the City Council for approval or denial.

Thank you.

NEW DATA RECEIVED FOR THE REGULAR MEETING OF OCTOBER 2, 2023, ITEM 9

From: Walter, Debra
To: Kasprowicz, Sara
Subject: FW: Rezoning Petition 2022-12-01-02 Basilica of St. Mary
Date: Thursday, September 28, 2023 9:39:17 AM

Debra Walter
Clerk Typist II
City of Livonia | Planning Department
(734) 466-2290
DWalter@livonia.gov

From: Ernie Babon <ebabon2@gmail.com>
Sent: Wednesday, September 27, 2023 8:30 PM
To: Mayor Maureen Miller Brosnan <mayor@livonia.gov>; Jolly, Jim <jjolly@livonia.gov>; Toy, Laura <ltoy@livonia.gov>; Bahr, Scott <sbahr@livonia.gov>; Donovic, Rob <rdonovic@livonia.gov>; McCullough, Brandon <bmccullough@livonia.gov>; McIntyre, Kathleen <kmcintyre@livonia.gov>; Morgan, Scott <smorgan@livonia.gov>
Cc: Planning <Planning@Livonia.gov>; Wilshaw, Ian <iwilshaw@livonia.gov>; Long, Glen W. <glong@livonia.gov>; Sam Caramagno <scaramagno@livonia.gov>; Bongero, David <dbongero@livonia.gov>; Dinaro, Wafa <wdinaro@livonia.gov>; Ventura, Peter <pventura@livonia.gov>; Taormina, Mark <mtaormina@livonia.gov>
Subject: Rezoning Petition 2022-12-01-02 Basilica of St. Mary

To: Livonia Mayor and City Council Members

My wife and I are communicating our opposition to both phases of the church's plans – phase 1 the school rezoning from P-L to N2 and phase 2 the apartment complex to NM3. We realize this petition is only for the N2 portion but we must address both areas with our concerns as you will see below. We have lived at 30890 Mayville on the south side of the field for over 30 years.

Our objections to ANY rezoning from public land to either N2 or NM3 are as follows.

1. The school will be a direct competition to the new Jackson center. The church "already operates a Montessori school in their current church basement" but has an additional facility available at their cultural center. Also, there has been a sign posted for Montessori openings for at least several years which indicates they have no need to expand facilities.
2. Father George also stated at the January meeting that the school will also be a family and youth center and include counseling offices, so it will be much more than just a school for 1-5 yr olds. We can only speculate on what these plans would be beyond child care.
3. The church has stated a number of times that they want all their property rezoned, and they were not interested in only rezoning the school area. During the January meeting, when the full rezoning plan to N2 and NM3 was presented and about to be rejected, our planning commission suggested approval of a portion of their proposal (N2 only) and took it upon themselves to move that forward to a vote. The church's desire at the meeting was to withdraw the proposal since they insisted on full approval of their plans for both N2 and

NM3. Father George stated that they will not stop just at the school N2 rezoning.

4. The church already has a tax-free building and operation in their publicly available banquet center. In summer 1989, the planning commission approved the center's zoning waiver based on "for church use only" (per minutes). This banquet hall is now open for public use and has been for many years. What's to prevent further variations to these new zoning changes if we allow the proposal to pass?
5. There are plenty of open buildings available in Livonia that would support a school and family center, and an apartment complex. The purchase of these by the church would help the city far more than the rezoning will.
6. Any additional building on the land will increase the flooding of the field and our yards that we see every spring. The new buildings and parking lots would be in addition to the prior Bryant school footprint since the Bryant parking lots are still existing. Every spring and every large rainfall creates large ponds in the field as well as floods the backyards of all the houses on Mayville St that back up to the field. Additional negative impact to the environment of the field, flood plain, Tarabusi Creek and wildlife in the area will be inevitable.
7. Rezoning one portion of the Livonia Vision 21 plan will make an easier path for future areas to be rezoned. The plan was created for a purpose to preserve Livonia's natural areas. Why deviate from the plan that was created so recently.
8. Our quality of life will be damaged based on the noise and disruption created during any construction in this residential area.
9. Zoning changes and the proposed buildings will reduce the home values of our neighborhood.
10. No one has provided any positive benefits to the city from changing the zoning. Besides everything outlined above, this will also increase the burden on our current infrastructure as well as our emergency services which will ultimately result in increased taxes on all Livonia residents. The tax-exempt church and facilities will only reap the benefits at no cost to them.
11. St, Mary purchased the land knowing it is zoned Public Use and not zoned for what they have planned. There is no obligation for the city council to change the zoning when it will have a negative impact on your citizens.
12. Your job as an elected official is to represent the interests of the tax paying citizens of Livonia. We have elected you to work for and with us, not against us.

We request that all zoning changes related to the Basilica of St. Mary be denied.

Thank you,

Ernie and Michele Babon
30890 Mayville St. Livonia

Cc: Livonia City Planning Commission, Mark Taormina (Planning Department)

NEW DATA RECEIVED FOR THE REGULAR MEETING OF OCTOBER 2, 2023

From: noreply@civicplus.com
To: CityCouncil
Subject: Online Form Submittal: City Council Inquiries
Date: Monday, September 18, 2023 6:36:39 PM

City Council Inquiries

This form is for any questions, comments, or concerns you may have for the City in regards to city council meetings or other city council inquiries. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	Debra
Last Name	Owen
Address	17833 Merriman Rd
Email Address	dowen82@yahoo.com
Phone Number	7344210978
Topic	City Council Meetings
Date of Issue	9/13/2023
Attachment (Optional)	*Field not completed.*
Comments	Livonia City Council Members, I attended last weeks City Council meeting, Sept 13, as I was quite interested in learning both sides of the the issue regarding the rezoning of the property on Merriman Rd, St Mary's Basilica. Since I am so close to the property, you can understand my concern. The church members that spoke during the meeting rallied but they are for the most part not affected by noise and traffic since most are not residents. . If I could be assured that traffic wouldn't change,, I would support it too. Presently, my windows and walls shake with the vibration from the traffic You are invited to see for yourself.. I have been a forty plus year resident and would like to age in place. My husband, now deceased, grew up in this house and in fact, attended Bryant School.. My son has decided to raise his family within three miles. We like it here. Livonia has always been a desirable place to live with good schools and city services. I continue to make home improvements because I would like to live out my days here but the noise has been terrible.. I recently added insulation and replaced windows in hopes it would help . Perhaps you might be able to give me some insite as to why it's become so bad. Never used to have semis driving through at all hours. It's possible 275 construction is part of the problem. Reducing the speed limit could help . Over the

years, Livonia Police would patrol but I don't see anymore. This excessive traffic is especially concerning with the school buses different times of the day. I don't expect a personal email from each member of council but I would like my concerns noted.. I would, however, be interested in knowing each council members position on this matter. Come on City Council don't let your constituents down. Signed, Concerned Citizen

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CITY OF LIVONIA
PUBLIC HEARING

Minutes of Meeting Held on Wednesday, September 13, 2023

A Public Hearing of the Council of the City of Livonia was held at the Livonia City Hall Auditorium on September 13, 2023.

MEMBERS PRESENT: Laura Toy, Vice President
Rob Donovic
Brandon McCullough
Kathleen McIntyre
Scott Morgan

MEMBERS ABSENT: Jim Jolly, President (recused)
Scott Bahr

OTHERS PRESENT: Paul Bernier, City Attorney
Mark Taormina, Planning and Economic Development Director
Sara Kasprowicz, Recording Secretary

The Public Hearing was called to order at 7:28 p.m. with Council Vice President Laura Toy presiding. This item is regarding Petition 2022-12-01-02, submitted by Basilica of St. Mary, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood). This item will be moved to the Regular Meeting of October 2, 2023.

The Public Hearing is now open. There were approximately 250 persons in the audience.

Jolly — At this time, the council will hear item number two. Item number two for me provides a professional conflict, so I will be recusing myself in this manner and I will hand the gavel to Vice President Toy.

Toy — We had many responses to this petition as well as new data. And this item will be heard at the Regular meeting of Monday, October 2nd, may I remind you that this petition is asking for the academy, nothing else this evening, the academy so if you're here on any other manner on that property, other than addressing the academy, that's what's before us. So, I want to be clear on that because people get confused sometimes on these matters. So, with that, Mr. Bernier, do have anything to add to that at all. He’s our City Attorney.

Bernier — No, I don't it's limited to that. The only item before Council today is the academy.

Toy Thank you very much. Our Planning Director, Mr. Taormina, anything else to add to that?

Taormina Yeah, if I may. Madam Vice President. This petition again, proposes rezoning part of the Basilica of St. Mary property. The purpose is to facilitate the future construction of a one-story educational academy and youth and family center that is being referred to as The Miriam Center. The total land area that St. Mary's owns is about 21.3 acres and is currently divided into three zoning classifications. The front of the property or about 8.7 acres, including the Basilica, and the Cultural Center is zoned R-U-F and N-2, One Family Residential. The remaining 12.6 acres of property, which mostly includes the easterly part of the site, comprising land that was previously owned by Livonia Public Schools are zoned to P-L, public lands. The 12.6 acres of P-L zoned property, rezoning would only affect about 2.96 acres of this. The change would be to N-2, Neighborhood. Bordering the site to the north are residential properties that are located on Bainbridge and Sunset Streets. And there are two parks, Bainbridge Park and Beverly Park, are both zoned P-L. Traversing these properties is a tributary of the Bell Branch, which is part of the upper Rouge River watershed, and which is mostly undeveloped and contains floodplain and to the east are singularly single-family homes that are part of the Sunset Park subdivision. And then right into the South is the remaining portion of the former Bryant School property which is still owned by the Livonia Public Schools. The proposed expansion of the N-2 district would follow the outer edge of the parking lot at the rear of the Basilica and the Cultural Center. It also includes a narrow strip of property along the south side, which is adjacent to the Cultural Center. The Miriam Center itself would be about 35,000 square feet and would be located 150 feet east of the Cultural Center. It will encompass a portion of the former school property as well as a portion of the existing parking lot. The building would be one level with a maximum height of about 36 feet. The preliminary floor plan shows multiple classrooms in multiple multipurpose rooms, a gymnasium with bleachers and a stage, locker rooms, restrooms, storage, mechanical rooms, and then several offices. The Planning Commission held a Public Hearing on the rezoning on January 31, 2023. They passed a resolution approving the change to N-2 for the Miriam Center only. The other part of the request involving the rezoning to NM-3 was tabled. The petitioner recently withdrew that part of the request and is no longer under consideration as part of this petition. So, with Madam Vice President, I'd be happy to answer any questions.

Toy Thank you, Mr. Taormina. Does the Council have any questions for Mr. Taormina? Yes, Councilwoman McIntyre.

McIntyre Thank you, Madam Chair. I want to make sure, I'm sorry, I just lost my place in this big packet. Mark, maybe you said this, but the rezoning that is before us tonight, to N-2, that's the city's requirements, right? In other

words, our requirement was, it was our legal opinion, that in order for the school to be there, the rezoning was required.

Taormina In order for the expansion of the of the religious institution, or the Mariam Center, was a combination of a school as well as a youth and family center, that that would be ancillary to the principal use of the property, which is a religious institution that hence fall under a waiver use requirement under that N-2 district regulations, the P-L would allow this use.

McIntyre Right. And the reason I'm asking is, I had a number of resident questions, and their assumption was that the request for the rezoning was being initiated, that the St. Mary's Basilica was requesting this, but it was actually our requirement that this rezoning was required for the expansion. Thank you.

Toy Councilman Donovic.

Donovic Thank you Vice President Toy. Just to touch on that, again, because I think this has been something that I've received a lot as one person is the zoning aspect of this. Public land, if you think of it, it was public land because it was a school at one point. So, when we traditionally think about public land, it was owned by the public or public entities so to speak. But now that it is private property, regardless in the future of an approving or a denying, the essence of it being private property, it would make sense for it to be rezoned to something like N-2 now, because it's no longer public property. It's owned by a private entity, and they own it now. Do we see a lot of situations where private property in the city is is quote, unquote, public land, most of it’s been kind of converted over the years, and sold off by a lot of schools, so it's no longer public.

Taormina I'm not aware of any other property currently, zoned P-L that is not held by a public institution. I'm not aware of that, I’d have to look, but this may be this may be the singular instance.

Donovic It's sort of a piecemealed over time, where they've kind of acquired other portions of property. So, looking at this one plan they've rescinded the future apartment building portion of it and not doing that. They're looking at this Mariam Center, and then that parcel, looking at this map, there's a garage of some sort to the east. So, it looks like a parcel, the property line goes right past that apartment. Am I kind of correct looking at this map? I’m trying to kind of orient myself to the property.

Taormina Yeah, so I believe you're looking at this map, which shows the area that is requested to be rezoned here, in the red edge, the northern part to the upper right-hand side, which is the area that was previously petitioned for the apartment complex. What we're looking at this evening is only this part of the building itself, the Mariam Center is going to be sited approximately

here. So, you can see its relationship to the Cultural Center here, directly to the west, as well as the Basilica. A little bit further to the north and to the west. The parking lot is this gray area. So, this is all of the existing parking. This area was previously part of what Livonia Public Schools own. LPS owns all of this land, extending all the way to the back of the property and then they also own another half that's located here, which is not shown on the map. So LPS owns this currently, they did own this. This is the area requested to be rezoned. This is the proposed Mariam Center, the garage structure that you're referring to is located here, just off the eastern edge of the existing part of the Basilica, the Cultural Center, that will be part of the area to be rezoned.

Donovic And then I don't think this map encompasses the south, there's that parking lot, that odd parking lot that's just sitting there by itself. There's still more of that land that they purchased, more like 20 feet or some sort to kind of go south of this this land, or does that encompass this already?

Taormina It does not encompass the parking lot. There is, as I indicated in my presentation, a narrow strip of property that runs out to Merriman Road that is about 20 feet in width, that too, was part of the area requested to be rezoned.

Donovic Okay, thank you, Mr. Taormina. Thank you, Madam Vice President.

Toy Anyone else? Yes. Mr. McCullough.

McCullough Thank you, through the Chair to Mr. Taormina. A couple of questions that I have. Do you have any environmental studies that have been done to show what this potential addition could have on the protected floodplain that is right on the north end of that?

Taormina Yeah, so the applicant has surveyed the floodplain area, as well as conducted a wetlands evaluation. So, all of that information was around. If you're asking if this project will impact any of those areas, from the data that's been provided, it will not impact directly in the floodplain or any of those areas.

McCullough The only thing I see it as you know, after doing some research on the EAGL website, the last assessment they did was in 2012. And it hasn't been updated. So, the petitioner did, obviously said to do it last year. So, there is information on the study and it does show that it will not impact anything that's going to the north.

Taormina Yeah. So, when they say impact, none of the construction is associated with the building itself, or parking areas would impact that Of course, the stormwater plan has not been done yet. So, we don't know if there's any discharge going into the area, presumably there will be some discharge. And there may be the need for some permits ultimately for that discharge

into the floodplain or the drainage way. To answer your question, yes, those studies have been conducted. And I've seen how those areas lay out on the property, with the conceptual plan, again when we look at the zoning, and based upon the conceptual plans, there's no direct impact from that construction in those areas.

McCullough Thank you, and the other question I have is, I know when we redid the zoning, Vision 21. I noticed a lot of piecemeal with the current zoning, how does the R-U-F come into play on this?

Taormina Mr. McCullough, I don't know the full history of the R-U-F zoning on that property, I'd have to look into that I can provide information to you. If we have that. It could go back 60, 70 years.

McCullough Just curious. All right. That's all for now. Thank you.

Toy Anyone else from the Council? Would the petitioner like to come forward.

kGrysko Thank you Council. Brandon Grysko, with the law firm, Fausone Grysko, 41700 Six Mile Road, Northville Township. I'm here on behalf of St. Mary's Church. And I'm excited to see you. There's a lot of people here, I'm sure some are opposed, some are in support as well. For this project, Council asked really good questions, I don't have too terribly much to add to that. Other than to address a little bit some of the environmental concerns some of the stormwater concerns that I've heard a bit about. And then I'll talk with you just a little bit about the existing historic use of the property and things of that nature. So, the first thing I want to bring up is the fact that some Council people and I heard from some residents also that there were concerns about stormwater. So, what I did was I talked with the architect and engineer. And I think from the closest point this education facility is going to be 200 feet plus from any wetland areas, and 800 feet plus from the nearest residence. So, I think that's not really going to be a concern. And what Mr. Taormina said, that I believe that even if it was, to the extent of being regulated, there's legal permitting processes and things like that, that will still protect those areas for a potential quality. But again, we're not proposing to touch any of that. So, I don't think that's going to be an issue. The other concern that was brought to my attention, were certain outfalls going into to the creek that's right nearby there. And I've had conversations with the city of Livonia Engineering Department, and they believe that those outfalls are owned by Livonia Public Schools. They cut through our property and discharge into the creek, but they were there to serve the previously existing Bryant Elementary School. And so, I actually also have calls because of the concerns involved, I also currently have calls into Livonia Public Schools to come out and take a look at those outfalls and determine whether or not there are any situations that need to be addressed. And then the other thing with respect to stormwater that I want to mention is that my client is proposing, although a formal stormwater plan hasn't been developed yet. That's something that would come with a site planning and permitting phase and things of that nature,

Almost a half million dollar investment in underground stormwater retention. And with that I think that the existing stormwater situation is being managed by the existing LPS stormwater facilities that are in place. And then we are also going to come in and add additional stormwater capabilities. They're consistent with the Wayne County permitting and stormwater requirements. And that's going to create additional stormwater retention there. So, it should actually improve the situation, I think a bit over what it is now. The other thing I'll say about that is that there's a portion of this and I think the Council's familiar, that stormwater becomes more of a concern when you have impervious surfaces like pavement or some things of that nature. And so, what we have here, is a situation where we're going to be building over a portion of property is already impervious. So don't let it just be a lot of impact there. And again, to the extent that they're never adding additional impervious surfaces, we're going to be addressing that through the stormwater requirements of the county and the city. Some of these other points are going to come up again and Council asked some really great questions about the zoning, specifically, the fact that this is public lands owned by a private entity, and it's a little murky surrounding that. It does seem like it would be best to rezone to N-2, which a portion of the property already is and is consistent with some of the neighbors there. What's being proposed here is only a about 35,000 square foot school building with several classrooms, a gymnasium, Mr. Taormina did a great job of explaining that situation. The other thing I'll say, is that the old Bryant school, I think was probably quite a bit larger than a relatively small 35,000 square foot building that we're proposing here. So, I understand that there's concern about the footprint and things like that. At this time, we're proposing a relatively modest development, especially compared with what was existing on the property before. That being said, there's a portion of this that is going to be left as private land. That's always been part of the proposal. We believe that this is consistent with the current Master Plan and Zoning Ordinance. And something that Council is on the right track with that, but I'm also happy to come back up after residents express themselves and if there's any additional comments I can provide to Council, I'm happy to do that now or after the meeting.

Toy Let me take questions from Council really quick. Councilmember Donovic.

Donovic Thank you Vice President Toy. Thank you, sir, for being here this evening. A few questions. It's always hard when we're talking about rezoning because when we do in Livonia, is we preliminarily approve zoning, the change of zoning. And then we talked about the site plan. The rezone is not actually officially approved, until we approve the site plan. So, let's just say down the road, we don't approve a site plan, and then the zoning never changes. So, sometimes there's some parallel questions. So, I'm gonna try my very best to not add too many detail or questions about the site plan, but I do think there's some that are generally curious and will help me make a decision. Some of the questions that have gotten, like

how tall is this building? Are they like colonials? You said the nearest home is 800 feet away from the building. And then the building is 200 feet away from the woods. So, we would not be touching the woods at all, roughly 200 feet away. So again, how tall do you think this building might be at the tallest peak? I'm assuming, because you kind of highlighted the buildings and be mostly meeting rooms and meeting spaces, bathrooms and what not, but I assumed the basketball court inside will be taller.

Grysko So, we do have the architect here actually to answer those questions on potential design questions that come up. I know Mr. Taormina expressed the maximum possible height. And I can't remember Mark, if you can help me out what the maximum possible height would be at the tallest part.

Taormina It's my understanding that the tallest part of the building at the gymnasium is 36 feet.

Donovic Okay, and do we know how tall usually in colonial house is roughly, I mean, I think they're roughly right around 34, 35, 36 feet, I think give or take.

Taormina I think the limit is 35 feet, I think most standard colonial is probably somewhere, something less than that probably 28, maybe 25 to 28 feet, where you do have walkout basements you know, the height of the building could be much steeper to peak probably about 35 feet, so there are homes that are 35 feet.

Donovic Again, we're not touching any wooded area. Right, you're not touching any wooded area.

Taormina Far away from the wooded area.

Donovic Okay. And then getting stormwater retention. I've been out there a few times myself, with some residents and what have you. And that is a concern that we have addressed. The stormwater retention, which is my understanding, it's an underground facility. Basically, it's an underground storm system that you build up, that kind of retains, holds that water and is slowly entered back into the storm system. I walked back there, the creek, after good rainfall, can get pretty tall. And there's a bridge back there that connects behind the residential homes to the east and there's a school to the north. So northeast, I know the water gets pretty high back there. So, I guess my main concern, and again, to your point, we're not really addressing that in detail tonight, because we're not at that step in phase yet, but that is a concern I have. A big concern is making sure that the stormwater is managed appropriately. And I know you've kind of touched on the fact that a lot of this building has already been built on the impervious surface, it's not like you're adding an apartment building in grass you're adding, a building on existing asphalt and adding underground detention is so expensive to manage.

Grysko We believe, certainly because there's existing stormwater facilities in place that were owned by LPS that was for Bryant school was, that those are still operating as far as I know. Then there is a portion of the project that will be over existing impervious surface, there is a portion that will be added additional impervious surfaces, not currently a parking lot, it's going to be grassed area, and with that, and in consideration of what we're trying to do there, we're talking about doing a full underground stormwater management system that will be consistent with all of Wayne County's requirements and the City's requirements. I tried to go through the Wayne County stormwater maintenance, it's like 250 pages. So, I didn't have time to read through all of before the meeting tonight, but they have some pretty robust requirements for anybody looking to do any size development. And so, we believe that those requirements are certainly going to take care of concerns with respect to stormwater issues, and they do specifically considered things in their permitting requirements like upstream and downstream effects from those homeowners.

Donovic Thank you.

Toy Go ahead Mr. McCullough.

McCullough Thank you through the Chair to Mr. Grysko. If possible, you know, and I'm just looking basically, through Google Maps right now. I understand the building might be 200 feet away from the protected wetlands. But some of the edge limits of construction look almost on top of it. You know, when you do construction projects, obviously, you'd have to go through a rigorous inspections and processes and have all these stamps with everything you do. And they're going to tell you that you are going to manage the stormwater I have no concern about managing the store water on this site, I can tell you that it would be better. Any new construction project is very stringent. The issue that I have is this is not only a floodplain, it's a special flood hazard area, according to EAG, and anytime, my biggest concern is the volume with the more people, you know, pollution, that type of stuff and ensuring that we make a proper decision for the long term of the city and especially rezoning something that is a public land or an N-M, is ensuring that we're not making the wrong mistakes for the environment. So that is a huge thing, at least for me, from a decision standpoint for the rezoning. And I'd like to clarify, if possible, those feet, how many feet the distance to those regulated areas, if possible.

Grysko So, I think what I'm hearing you ask Councilmember is that you want to know the number of feet from maybe the edge of the property, that's being rezoned. I don't have that exact location. but I can tell you that the property that we're looking at doing this development for, the entire area to be rezoned, I don't think they're anywhere close to what I'm looking at here for this special floodway area for National Flood Hazard. Thank you.

Toy Okay, Councilmember McIntyre.

McIntyre Thank you. on the chair, I want to go through based on Mr. McCullough's, question to Mr. Taormina, Mark did the previous school, when Bryant was there, did that sit in the floodplain that Mr. McCullough is referring to?

Taormina No not that I'm aware of, no, I don't think it was impacted by the floodplain, the building itself, I think was centrally located on property.

McIntyre But this won't either.

Taormina No, from the data that we looked at, like what they said previously, would not impact the floodplain, but again, these are all conceptual plans.

Toy Council, I think we're going to go to the audience here very shortly, but we ask you to stick around.

Grysko Thank you. It's my great pleasure to be here and I appreciate your time.

Toy Certainly. I do want to say to the audience, anyone still standing and if you're getting tired, there's some seats right here in the front and if a few people move over a little bit to make you more comfortable. This could get lengthy. So, with that. I'd like you to present the new information you may have. If you have a spokesperson from your area that would be very helpful to Council. Also, if you are willing to address this, we would ask you to please leave with us your name and address and please if you are going to speak, line up to the podium to my left or to my right at those microphones. And if you've signed in, that's super. And there's business cards there. Sara is in our office if you have any remaining questions after you here tonight, then Sara is available to help through whatever questions we have as well as all of us. Okay, with that, we do have a time limit, correct madam timekeeper, two minutes. So, with that, please start lining up. That's good for all of you then we'll start. I was reminded by our colleagues, let's stick to the topic, and let's not repeat, repeat, repeat. We welcome you here tonight. But we can hear you loud and clear. And most of us take notes and we keep these tapes. And some of us even watch at home. I saw you when you were on the Planning Commission, those of us so thank you for coming out and doing your civic responsibility. I appreciate it. Okay let's start to my right, go ahead.

Nassif Thank you. My name is Mark Nassif, my address is 42 Watson Street, Detroit. I'm a parishioner at St. Mary's my children attended the Montessori School that is there. Today the site includes a church, a Montessori school, and a Cultural Center banquet hall. When we finish this phase of the project, we'll have a church, a Montessori school, a banquet hall and a community center that will one day offer counseling and services as well. I'd like to point out that the church has been there

for over 40 years, the Montessori school has been open and operating for over five years, and the banquet hall has been open and operating for at least 30 years. The community in large benefits from all these. Many people including Livonia residents are employed by these institutions. People from across the region use these and multiple businesses, including hotels, restaurants and retailers outside of the footprint benefit from the draw of these institutions. So, what are we really asking to change? We're asking to add a community center to what we currently have. The Montessori School is already open five days a week operating out of our basement. The banquet hall is already used multiple times a week. The church is obviously open on Sundays and used frequently. So, will the addition of a community center that offers counseling services have drastic impacts on traffic or noise? I don't believe it will. I'd also like to point out that I'm an appraiser, I've had my state certification in multiple states, I've never seen any impact study that shows a detrimental impact on housing values or demand of schools, employment centers or community centers. And I think denying this will have a negative impact on the community at large. Thank you.

Toy Thank you for coming here this evening. Yes, sir.

Rudis My name is Darius Rudis, I live at 31038 Mayville Street. Which is basically off my deck, you look right at the garage that was recently built. I understand that they bought the property wishing to build the cultural center. My folks built a cultural center for me Nine Mile and Beech Daly, and I'm okay. Why I came here was to discuss the floodplain. I think a lot of people technically don't understand that I believe it's the floodplain is the ravine part of the river. It is not the flat grass, which they're building, which is already on the parking lot. So, if you're expanding 80% of the parking lot, add a little bit more parking lot, that doesn't really affect the floodplain, it's the ravine, they're not building into the ravine part of it. So, that's one thing I don't think the sewers or anything are really going to be an issue. Our drain source from our house go all the way through the field through the Bryant school and all the way into the river. I actually lifted the lid and actually shown the flashlight all the way through to the end. So that has to be a concern that they don't cut it off or cap it or whatever because my sump pump runs into that and goes into the river. In the wake of the building, and then all that the height, I get that, 30 feet that's a basketball gym, you can play volleyball and so forth. I'm not going one way or the other. There's gonna be a lot of opinions one way or the other. I just want to speak technically to it to say I understand the building requirements for building on parking lot area already. They're adding to it. Sure. The only concern I have is the extra parking lot and so forth, the light. The garage lanes that they have now are aimed at a 45-degree angle. And then my wife walks in our living room, there's a shadow on the wall, they literally point right into my window. Yes, we are a field away, but I'm concerned about the light. That would be my one and only real concern about that. But otherwise, they have a church, a building, a community center, a little

gym, and some extra school classrooms. You guys to decide whether it's worth it or not. They bought the property, I think you need to rezone to make allow them to build on it. Sure. Now the other part of the property, we'll wait for that one. Okay. Thank you.

Toy Thanks for coming in. Yes, sir.

Hoekstra Good evening. My name is Robert Hoekstra, I live at 30564 Jeanine Street in Livonia. I only want to briefly point out that I really feel that we're progressing the initiative before we have all the facts, and we're literally putting the cart before the horse. Before the conditions of the existing underground structures, which, by my estimate, is probably 70 years old. I don't think any type of study has been done with that. Admittedly, that is a study that has been taken to use as a basis point here is not complete, we can't come up with the correct addition is that Wayne County will be asking for. So, I think those are the determining factors that need to be addressed prior to moving this forward. Other than being fundamentally opposed to the elimination of any public lands. I really want to emphasize the fact all the facts aren't in and yet we're moving parts of this forward. Thank you for listening.

Toy Thank you for coming in. Yes, sir.

Magar My name is Andy Magar, I live at 17515 Doris in the neighborhood to the South. The concern of the height of the building is what I have. You mentioned 36 feet, residential properties are not that high, especially the ones surrounding that area. I think you gotta keep in mind they are older homes that are less than 30 feet at their peak. The other concern is, will there be building on a parking lot that exists? There's no measurement for what the proposed new construction is going to be. I think there's considerably more of a hard surface than what is presently there, that needs to be taken into consideration. I too am appraiser, and there is a negative impact of construction. So, the property is directly affected by this proposal that does need to be taken into consideration. I don't know where the other appraiser got his facts, my data for over 30 years shows an adverse effect. That's all.

Toy Thank you very much for coming in this evening. Yes, sir.

Robert My name is Robert (inaudible) the Current Parish Council Chairman for the Basilica. I lived in Livonia for 30 years. I've currently just recently moved to Novi. I'll keep my comments brief. But I have three main points. First, who are we? I mean, we've established this church in the 1970s. We served the community as a good citizen and resident of the city of Livonia for 50 years. You know us. Just a few examples of what that service to community looks like just one if, for example, on Thanksgiving, we open up our cultural center, we serve Thanksgiving dinner to the needy to the

elderly, and quite frankly, anyone who doesn't have somewhere to go. And all the people are non-church parishioners. The second thing I want to say is our attorney mentioned the underground water reserve. One that's a half million dollar added cost to this project. We could have done the above ground. We were concerned about the children. We were concerned about mosquito problem. So, we thought the best way of addressing the neighborhood's issue around water was to incur the additional expense of putting it underground. We're trying to meet common ground. We're trying to find common ground. We're taking action. We're not just saying we want to be a good neighbor. We're actually trying to do something to meet the neighborhood's concerns, certainly about the water. I heard some issues about the lights, we will take care of this. These are issues that we can take care of. The last thing I want to say is, is why we're doing this. I think there's a little bit of a misconception. Our mosques, our school is growing. That being said, I'll make this quick. We have a waiting list. It's a diverse ethnic and background in terms of the students. The waiting list is long and we've outgrown the space. And there's a demand out there. We'd like to meet that demand. And you also heard about the possibility of using family center office space for counseling, marital counseling or otherwise. Thank you.

Toy Yes sir, go ahead.

Garret My name is Danny Garrett, I live at 17396 Woodside in Livonia Michigan. I just have a quick statement. Thank you to City Council for allowing me to speak on this proposal, it's something that's very near and dear to my heart. The reason why I decided to grow up in Livonia, I graduated from Stevenson High School, I met my wife who graduated from Churchill at a youth group. We bought our first house in this city. We both work in the city. We've been fortunate enough to raise our three beautiful children in Livonia. When we first started out as parents one of our primary concerns not unlike many young parents, finding affordable childcare nearby, where children will not be lost in the shuffle. I think we found that at St. Mary's. The last three years, every week, our children excitedly tell us how great and all the great things that they learned at the Montessori. On the weekend. They excitedly ask us when they can go back to the school on some weekend when we're stressed out and ask the same question myself. Our children learn, grow and our love it there, from the amazing staff at the school and the parishioners that volunteer during activities to the religious leaders that teach our kids the different songs and activities. St. Mary's is a place that values family and community outreach. To me, these are virtues, the bedrock of any society, we would do well to encourage its grow. When someone enters our city, they're walking by a sign. A mission statement. Do we know what that mission statement is? Families First. What exemplifies this mission statement better than a school where children can go to learn, grow and be loved? I believe in families first and I know that St. Mary's does too. And with your support. I'm hopeful the city still believes in making families first. Thank you.

Toy Thank you very much. Yes sir. Ok, everyone that speaks, we don't want to show favoritism by clapping. So, let's keep it down so we can get through this, okay? please go ahead.

Skylis Hello, Kevin Skylis, 30528 Jeanine Street Livonia. I just want to speak in opposition to the proposed rezoning and subsequent development for Montessori School, I'm concerned about negative impacts to my property's value, as well as enjoyment my property. I'm concerned about noise and light as well. And finally, I'm concerned about the precedent this sets for potential future rezoning of the remaining public lands owned by sanctuaries behind the proposed Montessori School. So, my primary concern is there. Once again, the value of the property, and precedent. I do have some questions for the attorney or the well the attorney and the other guy. What are the requirements for screening the school? In terms of like landscaping, the trees, that kind of stuff? As well as what are the requirements for light and noise?

Toy Sir, if I may interrupt you for a minute, this is a site plan question. So, if you would mind holding those, we'll get to those in the next round. This is about a zoning thing.

Skylis The reason that I want the attorney to address audience, I just want to make sure.

Toy it's about a rezoning though, sir. We have to keep what it's about. It's about rezoning. Okay. Do you have anything else that you'd like to add? You still have some time.

Skylis So you want me addressing any questions about the light, noise or screening of the….

Toy No, because that's the site plan, we're talking about zoning. Thank you, sir. Sir, go ahead.

Smith My name is Brian Smith. I live at 30126 Brookview Drive. And thank you for this opportunity to provide input. There are three reasons why the Livonia City Council should unanimously oppose this proposal. One, the proposed building would have a significant negative impact on the property values of the residents of Brookwood Estates and adjacent neighborhoods, as outlined in prior ZBA meetings. Two, none of the residents of the Brookwood Estates subdivision that live adjacent to Bryant Field want this type of building in the proposed space. That is important. Three, the entity submitting this proposal has proven to be untrustworthy, as evidenced by its refusal to follow the noise lighting and type of use restrictions on the existing banquet center facility and its surrounding premises. May I suggest a solution of property exchange. The city of Livonia has the power to take back the vacant strip of land and give the parcel of land along Merriman formerly occupied by Bryant Jr. High to

the church in exchange, the church could build a school there with minimal objection, provided it was a school and nothing more. Thank you.

Toy Thank you sir. Go right ahead Miss.

Gifford I'm sorry, my name is Kathy Gifford I live at 17587 Hillcrest, my house backs up to the field at the church. So, I see a lot of things that people aren't even aware of and so many people have come up to say that they've been here as the neighbors they've been here a long time and I have nothing to say other than I totally disagree. They have not been good neighbors with the lights, with the noise. The parties they have once or twice a year now really affect our neighborhood, and that they are enjoyment of our properties throughout the whole neighborhood, not just one block away and talking six to seven blocks down. The windows are still rattling at the ceilings. And now they are planning on building an auditorium or gymnasium combo. And they'll be able to have more musical entertainment and more aggravation factors to us. Right now, at the conference center, they have parties, and throughout the last few years, they don't clean up their trash there. That's why we had the serious rat problem a few years ago. It's because they left piles of food sitting there from the end of summer, all the way through February, when all the wild animals have eaten everything up and then moved on down to our homes. Several of us will tell you how the electric works in our homes. They let the children play back by the garage. And when the children were there for a period of time a year or two, they didn't have...

Toy I'm sorry, your time is up. Over to the right. I want to remind you let's keep it down, everybody has an opportunity to speak Yes, sir. Your name again.

Kozma My name is Joseph Kozma. I'm at 17605 Hillcrest, Livonia, in Brookwood Estates and right adjacent to the property. That is still current property. And I know that the rezoning actions here that are addressing the service center whatever they have, but my concern is that I'm not, I'm basically objecting to a rezoning of the field. It was rural farmland, it was school property and now it's basically a free open field. And I just I don't, I just hope that you know, that what's gonna lead down the line by setting a precedent by the rezoning action from the civic center area is going to just waterfall into the rest of the development that they want. I know that they're beating them about it and kicking the can down the road for the time being, but I know that they want to have an 86-unit apartment building put up in there. And then once we started with this cascading of the zoning.

Toy Sir, we're talking about the rezoning.

Kozma So I'm against that. I urge the City Council to be against that.I just think because it's gonna set precedents for the rest of the property that they own. And just my concerns is just, I wanted to voice my concern because

I am directly a neighbor of the church. I don't have a problem with the church, just that think that they're just encroaching on all my space sits there. That's all originally there for so many years. That's all I have to say.

Toy Thank you. We appreciate your opinions. Thank you so much. Yes.

Shepherd Mary Shepherd, 17368 Doris. I was born, raised and recently retired from St. Mary's here in Livonia, well, it's a different name now. But anyway, my concern is and I don't like to do this. I'm a pretty good person. I don't trust them. And…

Toy Just bring your voice down please direct to us, they're not there.

Shepherd Yeah. Okay. I know. I'm joking. I viewed a video on a Livonia website, there was a very short video of Father encouraging his parishioners to come to the meeting tonight. And he brought up you know, supporting phase one. Okay, you can agree to the zoning for this particular building, but as other people have mentioned, what's phase two? And that's why we don't trust it. Secondly, being a Livonia resident all my life I pay taxes and which you know, helps pay your salary. But most importantly, I've been a registered voter since I was 18 years old. I also am in control of who I vote for, and as well as other Livonia residents. A majority of this church are not Livonia residents.

Toy Do some of you want to leave and go home early? Come on, we're all adults here.

Shepherd If you have residents with concerns about phase one in their residence, many of us long term that are taxpayers and voters, please reconsider. I don't like that people, I'm just telling you how we're going to say it's just probably the best neighborhood in Livonia, it is fantastic.

Toy Thank you your time is up. Okay. Anyone else?

Long I'm Dr. Long. I just been in Livonia 37 years, the kids walk to the school, my son walked to the school. I jog in the morning. One or two times my basement flooded. In any case, why? In the subdivision of so many people, they enjoy the park as a product of nature. Why do you want to construct it? Detroit is empty, why don't you go there? The church's job is to connect people so they can go there. Why do you have to come here to Livonia? You have to ask us, we are the voters we have ideas. I believe it should be a jogging park. Our kids watched, our neighbor kids walk. I heard them, they were singing the music or the whole night raising my bed, up till 11 o'clock. I said how can I put the loud volume in here in your office, how would you feel? He said, it's the traditional event, he said you don't get to control the lighting and we cut out the volume and said why do you keep fighting it. I'm an old person, I walk there and pick up the garment. Every time people try flying there and enjoy them. And the driver,

you know, the school bus driver, for free they let them to use it. There are multiple uses of that trail. Why do you want to consider it? In your opinion? Why do you want to go to the park and sit down and enjoy it.

Toy Thank you very much for coming in. Come on up.

Holland Magdalene Holland and I live at 31691 Bennett, Livonia and my concern is, nobody has talked about taxes. How is this project going to affect our taxes? I believe the plan for the water, I don't think they're going to handle all the rain and rainwater. And we do have a problem with our drinking water there are frequent breakdowns. I just wonder how much our taxes are going to go up and how this will affect it. So that's it. Thank you.

Toy Thank you, appreciate your comments. Thank you very much. Yes, sir.

Abi-Khalil Good evening. My name Elias Abi-Khalil 31225 Hillbrook Street. Where is my house, is the backyard that goes into the church. My house has the walk through it. So that means I heard the concern about the flooding. Summertime, it dries out, wintertime it goes up. I lived in that house for 10 years and didn't have any problem with that. And given their plan, but they're looking at it, it seems that it's not going to be impacting too much. So naturally, the area over there has no problems. I heard the concerns from citizens. So, I'm right there. The whole church had the lights. During the nighttime, I turn the lights on. So, I was zero impacted by the lights at 2am. In the morning, actually they shut it off. So, I think the whole light concern never bothered me as being the closest citizen, where basically the area and the church. And then finally related to that community. I have two kids. Both of my kids went to the school, it's a very friendly area. During the summertime they put their kids outside. Actually, I can see my kids from the backyard. This is the only noise I have heard on a rolling perspective. Now we're talking about the summertime and the festival. Yes, there's AC. When I shut off my, basically my door, I hear nothing. So technically, I understand. But being a citizen the closest to the area. I lived there for 10 years, I was never bothered by any of these elements. So, I would like you to consider that.

Toy Thank you. Thank you so much for coming in.

Saba My name is Thomas Saba. I live in an Arbor, Michigan, I'm on Parish Council at the church and I'd like to express a little bit as to what I think this project and why the zoning has to be done, what it really means. I'm not sure we truly expressed the kind of the purpose of this. I know it's a zoning meeting, but we won't get into the project until the zoning occurs. So, I'm in Livonia all weekend every single weekend. This is where I bring my family. We have lunch in Livonia, we fill up our car with gas in Livonia. This has become my community and my life. And the reason it's become my life is because the church has created opportunities for us to grow and thrive and make friends and build a life for ourselves. We're not even from

this part of the country at all. We moved here and Livonia has become our home and St. Mary's has become our home. And I've brought people from Ann Arbor, from other parts of the country to learn about the faith and to become members of St. Mary's Church, and it's changed their lives. And I'm hoping that you understand that the only way for this crop for us to continue is if we allow this community to grow and blossom and to spread our faith and just spread our fellowship and community and the sense of innovation and education and all these values that we hold very strong to ourselves. This is what our mission is. Our mission is not to build a 35-story building. All these aesthetic issues are most likely negotiable, the lights and the noise, these things that can all be aesthetically changed easily. I hope you understand what the project truly means. It's not a building. And it's not a revenue generating enterprise. It's an enterprise in which we're trying to change lives. And I'm somebody whose life has been changed. And I'm hoping this continues, but it'll only continue if this rezoning occurs. And if we allow this community to blossom, thank you.

Toy Thank you sir. Okay, yes, sir.

Coliton Good evening, my name is Michael Coliton. My address is 31193 Bobrich Street, Livonia, Michigan. I live about a three wood from the proposed building So, number one, I bought a house by the school. Bryant school. Many of us went to school there. It's not about necessarily schooling for me. It's about what proposed changes are in place, and how they initially went about it, and how they're going forward with it. Be aware of sheep or wolves in sheep's clothing. I just saw a video that was unfortunate about how this is the start of phase one. And how no neighbor or no citizen is going to stop that. Well, we know this, the thing about voting and City Councilmembers is, we have an opportunity to at least bring up discussion properly. Recently, during one of the festivals, I noticed for the first time in my life, I live on a 25 mile and hour street. I saw a vehicle tried to pass another vehicle in excess of 60 miles an hour. And they left their festival. I know that's unfortunate. I know there's young people that don’t act as well as others. Well. My concerns are moving forward. Number one, there's a lot of displacement of water that's going to be in place. Obviously, when you look at the Planning Commission, that's going to be key. Question number one is, if they do not build something that meets the guidance of the city, can you take the zoning back to PL? Number two, Father George said in his video that this is the beginning of phase one, and that no neighbor or citizen is going to stop the completion of their building out their plan. This right here, as I understand the parcel land only is being rezoned, is that correct?

Toy Yes.

Coliton So, if they wish to rezone the other two parcels that create that 86 monstrosity of public housing unit, they have to come back here again and

request those rezones. The access lane is going to be coming from Merriman, right?

Toy That's part of the site.

Coliton You know, it's not a bad place for school. Somebody mentioned swapping land from the other levels. Right? Are you cutting me off Ms. Toy? Thank you so much.

Toy Thank you for coming in. All right. Anyone else? I'm gonna go back to the Councilmembers.

Donovic Thank you, Madam, Vice President. First and foremost, I forgot to say earlier, there's a number of residents that have emailed me and I really tried my best to respond. Not gonna lie, I kind of gave up because there's so many emails and trying to keep track of them all. So, thank you to all the residents. I got a lot of emails from residents for support against and so on and so forth. A couple of comments, and I'm going to offer a motion if that's ok, Madam Vice President. One of the things that I wanted to touch on was the land swap element to this. Legally speaking, the city of Livonia does not own this land. The school owns this land and legally cannot swap land and we can't do that, that mechanism does not exist. LPS operates completely separate from the city of Livonia, so for example, Mr. Taormina, correct me if I'm wrong, if LPS tomorrow wanted to build a school, they would essentially do that short of City Council approval, they would be able to build their school in their property without the same planning, site plan obligation or school requirements that we normally impose on the petitioner.

Taormina That is basically correct.

Donovic Okay, thank you and then on top of that, we couldn't swap land. So, I understand that was a notion that was out there, we can't do that. Several other topics you've touched on, your site plan, it's so confusing. I understand. It's frustrating from a residential standpoint, I get frustrated with the process sometimes myself, but there's a process and we can't dive deep into the site plan portion of it right now, because this is a lengthy process that happens in regards to what City Council does with the zoning element to this. If we deny the site plan at a later time down the road, the zoning would never actually change. So right now, it's P-L, it's going to stay P-L, we could contingently rezone it. And if we were to deny the site plan later on, this zoning never actually change. That's how the process is, so wanted to touch on a few of those comments. Madam Vice President, I would like to offer three motions and approving or denying the Committee the Whole.

Toy Thank you. Councilman has offered and approving resolution to be heard on October 2, that's a Monday evening, and approving a denying and a

Committee of the Whole. Now Committee of the Whole, is when normally, we go upstairs, but we have an overabundance of people and because of the Fire Marshal in this building would probably want us to hold it down here. So, and that is all the City Council coming together once again and discussing more in depth, some of the questions perhaps that have been asked and the other things that may come up from Councilmembers. Okay. Anyone else from this side of the room. Okay. So that's three. Does everybody understand that's three different motions. Did you want to close?

Grysko Just appreciate Councilman Donovic offering those resolutions, I appreciate the Council's attention, I appreciate all the all the residents and parishioners to express their opinion today. Thanks for having me. For a building without AC, it's surprisingly cool to here. Thank you.

Toy That's how we save money. All right, if there's no further comments then that public hearing is closed.

As there were no further questions or comments, the Public Hearing was declared closed at 8:32 p.m.

NEW DATA RECEIVED FOR THE PUBLIC HEARING OF SEPTEMBER 13, 2023, ITEM 2

From: Reece, Stephanie
To: Kasprowicz, Sara
Subject: FW: Brookwood Estates opposed to Basilica of St. Mary rezoning Petition 2022-12-01-02
Date: Thursday, September 7, 2023 11:28:14 AM
Attachments: Brookwood Estates Against St. Marys Basillica Petition 2022-12-01-02 Docs Rev C.pdf

Did Mark forward this to you? I think it should go to you because the Montesorri is going forward.

Stephanie Reece
Program Supervisor
City of Livonia | Planning Department
(734) 466-2288
SReece@livonia.gov

From: Simmons, Jennifer <jsimmons@livonia.gov>
Sent: Thursday, September 7, 2023 9:56 AM
To: Planning <Planning@Livonia.gov>
Cc: Mayor Staff <MayorStaff@Livonia.gov>
Subject: FW: Brookwood Estates opposed to Basilica of St. Mary rezoning Petition 2022-12-01-02

Jennifer Simmons
Constituent Relations Specialist
City of Livonia | Mayor's Office
(734) 466-2204
jsimmons@livonia.gov

From: mbilpo . <mbilpo@creativemachinecompany.com>
Sent: Thursday, September 7, 2023 8:10 AM
To: Mayor Maureen Miller Brosnan <mayor@livonia.gov>
Cc: Jolly, Jim <jjolly@livonia.gov>; Toy, Laura <ltoy@livonia.gov>; Bahr, Scott <sbahr@livonia.gov>; Donovic, Rob <rdonovic@livonia.gov>; McCullough, Brandon <bmccullough@livonia.gov>; McIntyre, Kathleen <kmcintyre@livonia.gov>; Morgan, Scott <smorgan@livonia.gov>
Subject: Brookwood Estates opposed to Basilica of St. Mary rezoning Petition 2022-12-01-02

Hello,
Attached in pdf format is a revision to a previous email. Nine pages have been added for a total of 13. This highlights the issues with the apartment complex.

The attached pdf are my issues & concerns as a Brookwood Estates resident opposing the rezoning of the property specified in the Basilica of St. Mary petition 2022-12-01-02

The issues with the Montessori are as follows;

1.) The city gains no monetary benefit from approving a Montessori. The use of city services and emergency vehicles would cost the city.
2.) If a traffic light and required maintenance is required due to the increased traffic is the Basilica of St. Mary paying for it?
3.) Who is paying for water and sewage that would be required?
4.) Additional traffic, noise and light pollution for the surrounding neighborhood.

Matt Bilpo
17640 Hillcrest
Livonia, Mich. 48152

Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

Table of Contents

1.) Zoning Issues……..Page 2-4

2.) Brookwood Estates Issues and Concerns…….. Page 5

3.) Property Values……Page 6

4.) Flood Plain & Watershed Drainage Issues…….Page 7-12

5.) FEMA flood map and Issues……..Page 13

Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

Based upon various sources I believe a rezoning of the property listed in the petition to rezone by Basilica of St. Mary to multi-family housing is spot zoning.

This presentation will demonstrate that, if approved, the rezoning would constitute spot zoning which is an illegal form of zoning.

What is spot zoning;

- One illegal form of rezoning is spot zoning. This practice gets its name from the appearance of small spots of different zoning districts on a zoning map that otherwise has large contiguous areas in the same zoning district around the spots.

- "A zoning ordinance or amendment…creating a small zone of inconsistent use within a larger zone is commonly designated as spot zoning."

The following are a few examples of spot zoning based upon current and past law.

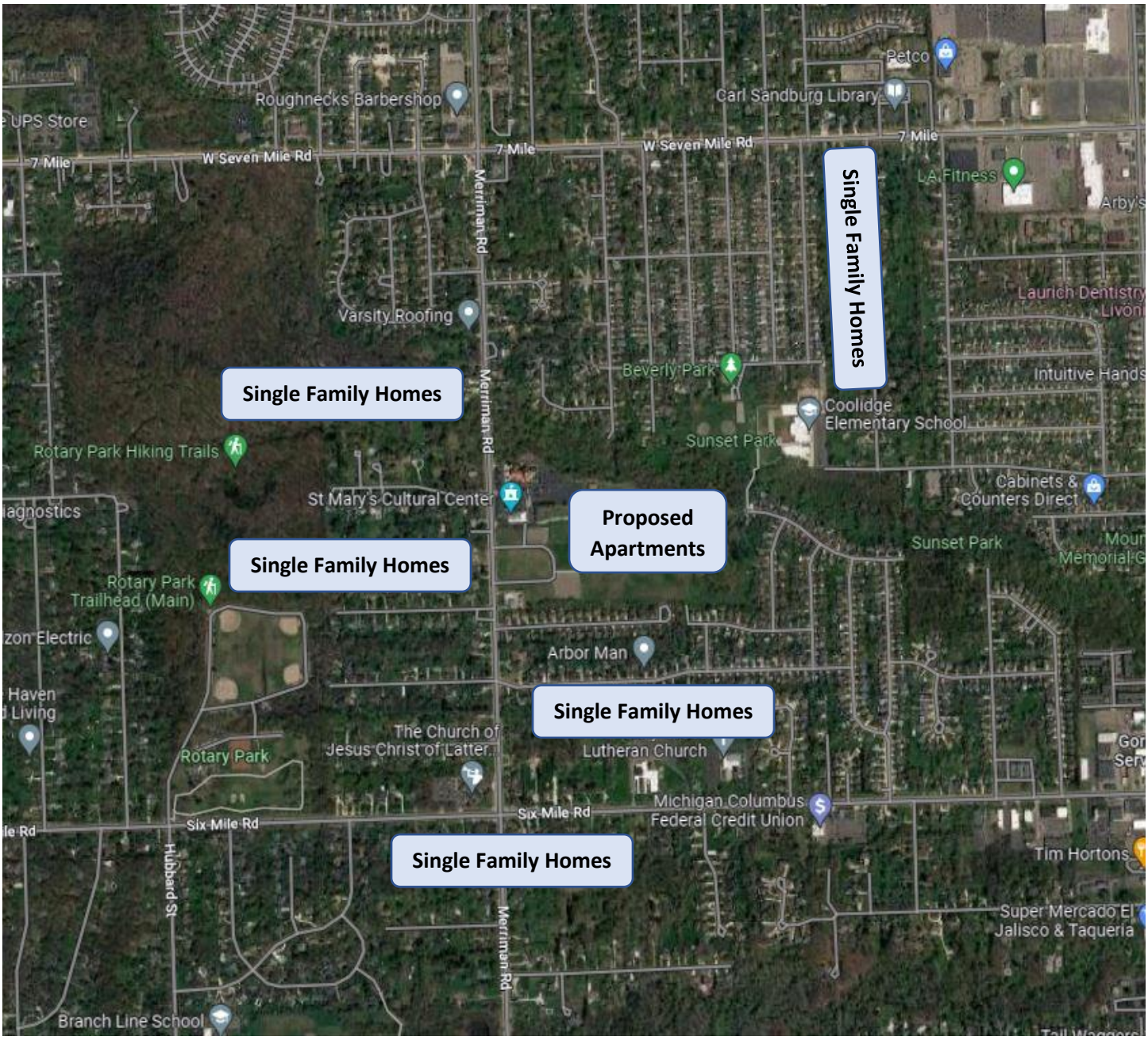
1.) Spot zoning occurs when the use of a parcel of land differs from the surrounding properties in that zone. For example, if a home is allowed to be used for business purposes in what would otherwise be a residential area, this could be considered spot zoning. In other words, one plot of land or building may be granted an exception, thus creating a "spot" in the overall zone.

2.) A large supermarket could persuade a local government to rezone a plot in a residential only neighborhood for building a new store, and this would reduce the value of the homes near the supermarket, increase noise, and allow the supermarket a virtual monopoly in the neighborhood.

3.) "Small zone…" The first part of the Penning definition focuses on the geographic size of the parcel in question. An examination of other cases shows that size is relative. In Raabe v. City of Walker,14 the Michigan Supreme Court determined that rezoning a 180-acre tract of land to heavy industry, when surrounding uses were predominantly agricultural, constituted spot zoning. Similarly, in Trenton Development Co. v. Trenton Village,15 the zoning of a three-block area for duplexes was considered spot zoning when the surrounding neighborhood was zoned multi-family.

Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

This map shows Brookwood estates in Sunset Park and the other surrounding single-family neighborhoods and the proposed apartment complex.



Looking at this map one can see the petition to rezone an area here would put a multi-family apartment complex in the middle of a single-family neighborhoods. The single-family homes are north, south, east and west of the proposed apartment complex

Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

One source states there are four key criteria to be considered spot zoning.

1.) The area is small compared to the districts around them.

The proposed apartment complex would be approximately 10 acres compared to the 1000 acres or more of single-family homes. **This would be considered spot zoning.**

2.) A rezoned area would be inconsistent with those in the vicinity.

Rezoning to multi-family would be inconsistent with single family neighborhoods in all 4 directions to the proposed apartment complex. An apartment complex would disrespect the integrity and continuity of the surrounding community.
This would be considered spot zoning.

3.) The spot zone would confer a special benefit on the individual property owner not commonly enjoyed by the owners of similar property.

A rezoning of this property to multi-family would ONLY benefit the Basilica of St. Mary. It does not benefit the surrounding single-family neighborhood but depreciates the property values of the surrounding neighborhoods and creates all the issues listed in our petition against the rezoning which has 807 signatures as of 3/28/2023.
A rezoning does not benefit the City of Livonia. Property values would drop resulting in less revenue in property taxes. The city would also incur additional costs associated with maintaining police, fire and emergency vehicles in the area.
This would be considered spot zoning.

4.) The existence of the spot zone conflicts with the policies in the text of the master plan and the future land use map.

A rezoning of the property in question would conflict with the Livonia Vision 21 items 1.1, 3.2, 3.4, 6.2, 6.4 and 8.4. **This would be considered spot zoning.**

The petition to rezone the property to multi-family housing as specified in the Basilica of St. Mary petition 2022-12-01-02 meets all four criteria of spot zoning.

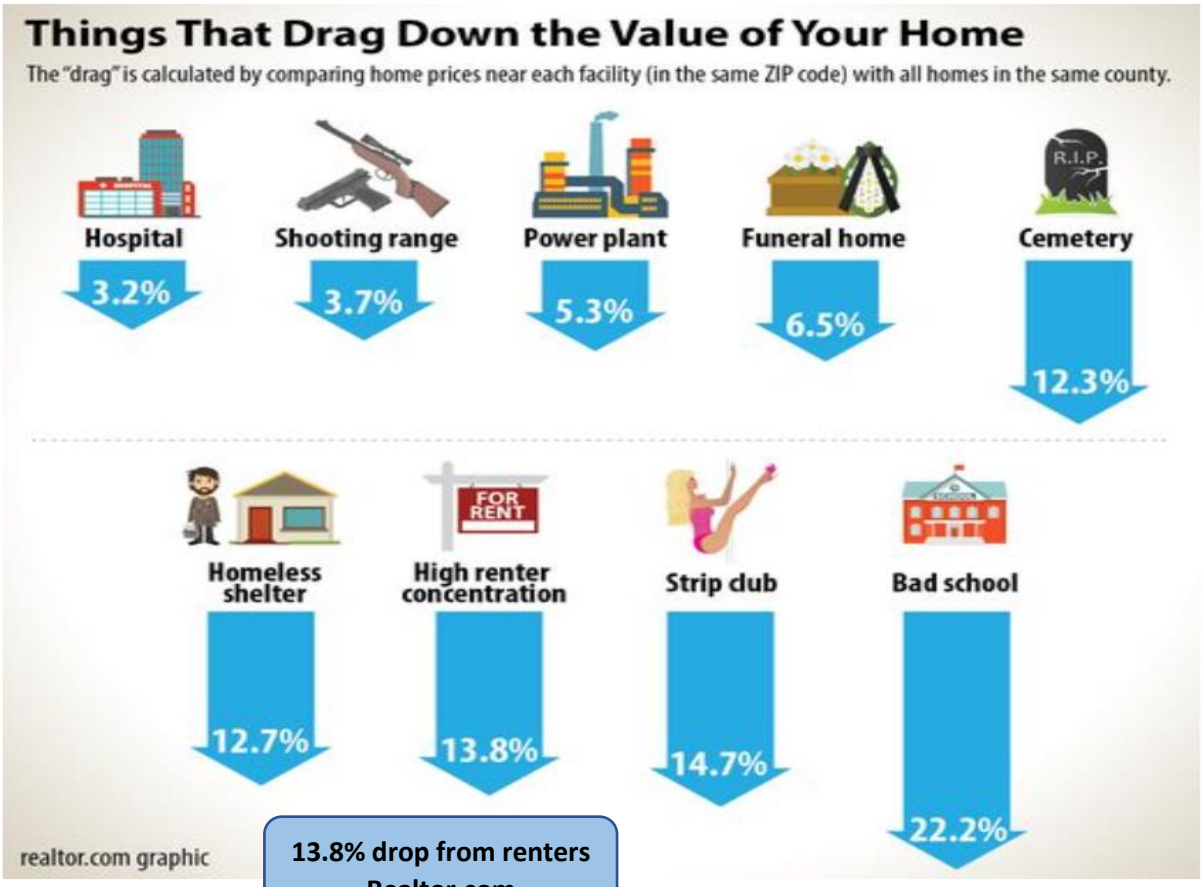
Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

The following is a list of issues and concerns. I have yet to see or hear of anything that address's these issues and concerns. As of 3/28/2023 we have 807 signatures and growing opposing this rezoning.

1.) A decrease in home and property values.
2.) Selling your home would be a nightmare due to selling at a significant discount. No one wants to buy a home with an apartment complex literally in their backyard.
3.) **Who is going to compensate** the current and future homeowners for the difference in the drop of home and property values? The City of Livonia? The Basilica of St. Mary?
4.) The proposed apartment complex would be an eyesore for the adjacent Brookwood Estates residents and the surrounding communities.
5.) Apartment complexes typically have higher crime rates and call volumes that may spill over into the surrounding neighborhoods.
6.) There would be an increase in police patrols and emergency vehicles.
7.) There is no natural wooded barrier between the proposed apartment complex and the existing single-family homes.
8.) The height of the proposed apartment complex.
9.) Increased safety issues and concerns for children walking over to Coolidge Elementary School.
10.) Increased traffic congestion.
11.) The addition of noise pollution.
12.) The addition of light pollution.
13.) The addition of odor pollution.
14.) Destruction of nature.
15.) Loss of a natural field for wildlife.
16.) Flood plain issues.
17.) **Who is going to compensate** the current and future homeowners for flood & foundation damages due to Flood plain issues created by an approval of the complex? The City of Livonia? The Basilica of St. Mary?
18.) Environmental impact on the creek, woods and wildlife in it

Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

Property Values Drop



13.8% drop from renters Realtor.com

High concentration of renters

The drag: 13.8%

Does a cluster of rental buildings—or lots of them—lower the property value in a neighborhood? Many homeowners have pondered this. While it's hard to do an analysis down to every property, we found that ZIP codes with a higher-than-average concentration of renters have lower property values compared to the county they are located in—by 14%. The data are from the American Community Survey.

Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

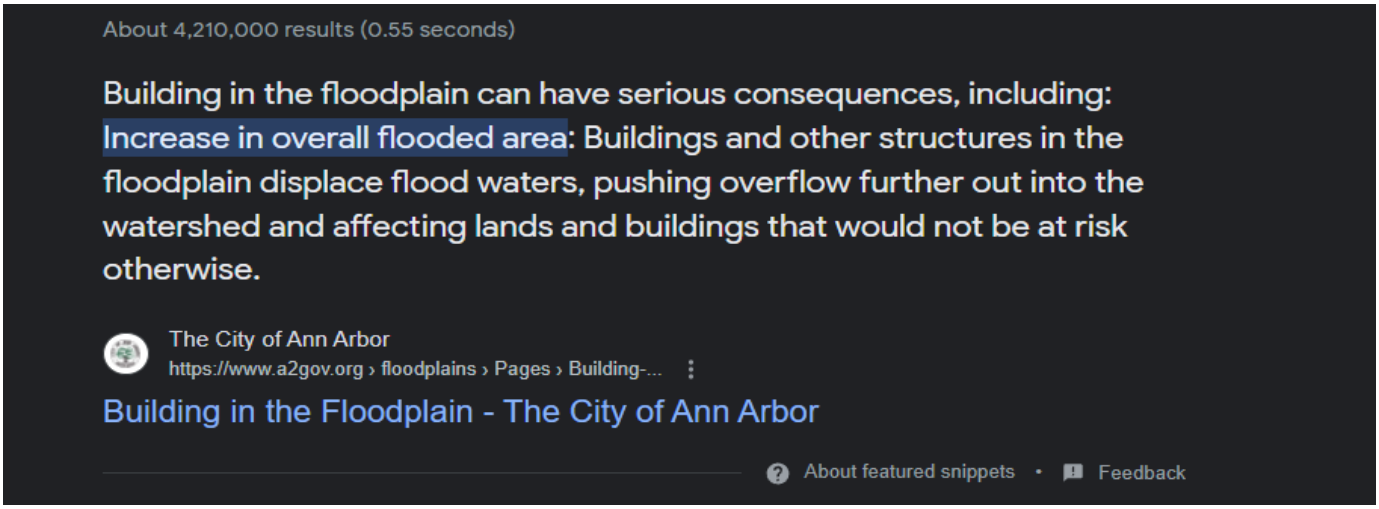
Flood Plain and Drainage Issues

The proposed Apartment Complex would block the flow of water to the creek resulting in the water flowing towards the backyards of the residents in Brookwood Estates. This would most likely cause flooding and possible foundation issues to the residents of Brookwood Estates.

Does the proposed apartment complex meet the guidelines of the Michigan Dept. of Natural Resources and the Environmental Protection Act for constructing an apartment building on this tract of land in a flood plain?

Has a stormwater & floodplain study been done by FEMA in regards to this proposal?

Who is going to compensate the current and future homeowners for flood & foundation damages due to Flood plain issues created by an approval of the complex? The City of Livonia? The Basilica of St. Mary?



Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

Flood Plain and Drainage Issues

Contact: Matt Occhipinti 616-204-1708

Flood Hazard Management

A river, stream, lake, or drain may on occasion overflow their banks and inundate adjacent land areas. The land that is inundated by water is defined as a floodplain. In Michigan, and nationally, the term floodplain has come to mean the land area that will be inundated by the overflow of water resulting from a 100-year flood (a flood which has a 1% chance of occurring any given year). It is estimated that about 6% of Michigan's land is flood-prone, including about 200,000 buildings.

Floods are a natural process which occur wherever there is a waterbody. However, the damage that results from a flood is dependent on what type of development has occurred in and near an area that is flood-prone. One of the goals of the Water Management Section of the Water Resources Division is to ensure that development which occurs within the 100-year floodplain is reasonably safe from flooding and does not increase flood damage potential.

The State of Michigan's Floodplain Regulatory Authority, found in Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, requires that a permit be obtained prior to any alteration or occupation of the 100-year floodplain of a river, stream or drain.

The floodplain is divided into two parts, the floodway which carries most of the flow during a flood event, and the floodway fringe which is an area of very slow moving water or "slack water". Floodways are the channel of a river or stream and those portions of the floodplain adjoining the channel which are reasonably required to carry and discharge the 100 year flood; these are high hazard areas of rapidly moving water during times of flood. The purpose of Part 31 is to assure that the flow carrying capacity of a

The Floodplain Regulatory Authority deals with the floodplains of rivers, streams, or drains which have a drainage area that is 2 square miles or greater. A permit is not required from EGLE, under Part 31, for alterations within the floodplains of the Great Lakes, inland lakes, or watercourses which have a drainage area less than 2 square miles. However, reviews may still be necessary under other State statutes found in NREPA such as:

- Part 301: Inland Lakes and Streams
- Part 303: Wetlands Protection
- Part 315: Dam Safety
- Part 323: Shorelands Protection and Management
- Part 325: Great lakes Submerged Lands
- Part 353: Sand Dune Protection and Management
- Part 91: Soil Erosion and Sedimentation Control

In general, construction and fill may be permitted in the portions of the floodplain that are not floodway, if local ordinance and building standards are met, and compensating excavation is provided equal to the volume of fill placed in the floodplain. New residential construction is specifically prohibited in the floodway.

The minimum standard for residential construction within the 100-year floodplain requires that the lowest floor of a structure be elevated one-foot above the 100-year flood elevation. Some communities and counties may have a higher standard relating to elevation requirements. A floor of a structure that is below grade on all sides is considered a basement and must be at or above the 100-year flood elevation.

Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

Flood Plain and Drainage Issues

The following is from a Livonia Observer article dated 8/31/2021. This article shows that poor planning is causing flooding in our neighborhoods and existing types of remedies does not solve the issue of flooding. We do not want flooding in our neighborhood.

The proposed apartment complex would block the drainage of a watershed / floodplain and should be denied before it creates flooding issues in our neighborhood. We do not need another Willow Woods catastrophe.



Hometown Life
Sports Business Life Entertainment Obituaries Legals

During a city council committee of the whole meeting Aug. 25, council members agreed to prepare a resolution for a future council meeting that would direct the city's administration to make a plan to fix the issue. Committee meetings are generally used to discuss a topic at length and are not meetings where final votes are made.

Engineering and public works officials present at the meeting said they suspect the city will need to add a retention pond near the area to catch and hold excess water.

But, they said any fix is probably just a band aid on a bigger problem.

Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

Flood Plain and Drainage Issues

"I think there's a different issue that, over time, this is going to happen in other places in the city," Councilman Jim Jolly said. "It would be nice to have some kind of strategic plan on how we're going to address this in the long run. Unfortunately, through no fault of anybody here, the weather is getting worse and water is going to be more of an issue going forward."

Willow Woods' situation, however, is somewhat unique because the land it's situated on used to be a ravine. Officials also said the neighborhood, built in 1988, would likely face different standards if it was developed today.

According to Don Rohraff, the city's director of public works, Livonia's stormwater funds are combined with with water and sewer funds. Since water and sewer services are used every day by residents, storm water needs have long gone on the back burner.

The city could seek grant funds or put a tax request before voters dedicated to storm water needs to improvements overall. But, funding is a decision for council to make at a later time. Rohraff said another solution could be better protecting the natural areas that still exist in the city.

"We keep developing and we keep taking away natural areas," he said. "We keep putting pavement down, more curbs, more roads, whatever. Every time we do that, it increases the intensity of the water coming through the storm system."

In the meantime, the city's immediate task is to keep Willow Woods residents safe from floods and water damage. Council could vote on the resolution to send the matter to administration for review as early as Sept. 20.

"With some of the floods we've had, there's been at least four feet of water in our whole backyard," resident Cindy Ligé said.

Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

Flood Plain and Drainage Issues

The following photos show the flooding in our natural field with the Basilica of St. Mary in the background. Building an apartment complex along with the paved parking areas would block the natural flow of water to the creek and force the water into our neighborhood. Some of the photos show the water build up in the very spot where it would be built.









Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

Flood Plain and Drainage Issues





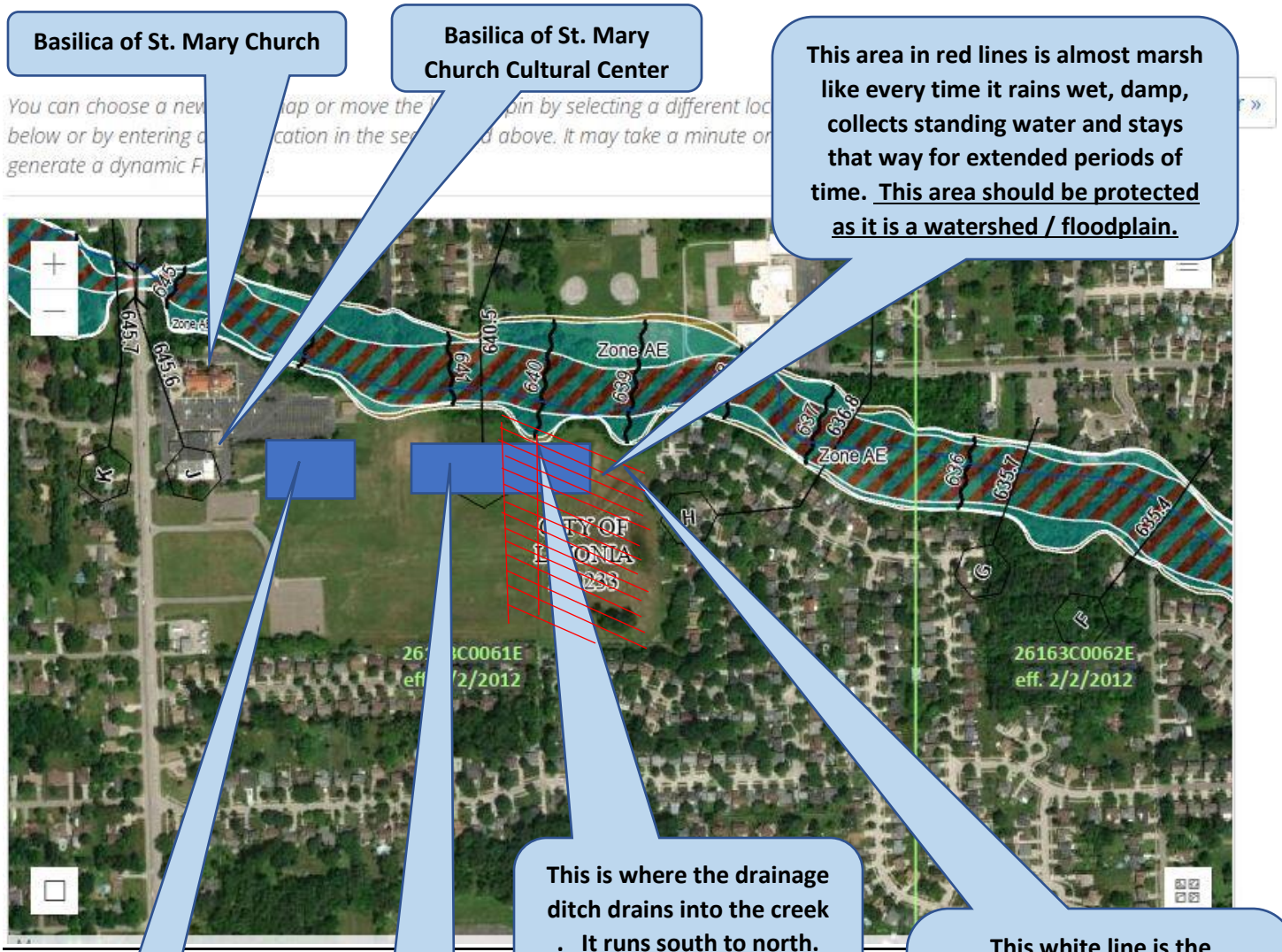




Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02`

Flood Plain and Drainage Issues

This is a flood map from FEMA 2/2/2012



Basilica of St. Mary Church

Basilica of St. Mary Church Cultural Center

This area in red lines is almost marsh like every time it rains wet, damp, collects standing water and stays that way for extended periods of time. <u>This area should be protected as it is a watershed / floodplain.</u>

This is where the drainage ditch drains into the creek . It runs south to north. See previous pictures

This white line is the children's walking path to Coolidge Elementary School These same areas would be would most likely see the flooding increased 10 fold

Proposed School / Gym

Proposed Apartment Complex

NEW DATA RECEIVED FOR THE PUBLIC
HEARING OF SEPTEMBER 13, 2023, ITEM 2

Petition 2022-12-01-02 Rezoning of 18100 Merriman and 30600 Brookview - VOTE NO

Dear Counsel Members Jolly, Bahr, Toy, Donovic, McCullough, McIntyre, and Morgan;

We are writing to urge you to oppose the Basilica of St. Mary's (Original Petition 2022-12-01-02) to build an enormous 35,000 sq. ft. building at 18100 Merriman that has been approved by the planning committee. Up until six years ago, after being enjoyed by the public for decades, these two heavily forested riverside parcels making up the finest parts of the former Bryant school were unceremoniously sold away by the Livonia Public Schools.

The church is currently operating a commercial banquet business in addition to their school. Having two commercial business operating out of the church certainly raises the question about what new commercial activities will be taking place on property that has been zoned for public use for decades.

In what possible way does this proposal align with Vision 21? Text from the Vison 21 report portrays a city with limited public land that is experiencing an aging population, smaller household sizes, and reduced public school enrollment. There are currently about a dozen Montessori school within a 5-mile radius of the church, which is currently licensed for 86 students. The church reported that 66 students were enrolled, but only 29 were actually observed attending at last count on October 11, 2022. With data like this why and how does the church intend to expand enrollment, and will there be any benefit at all to the community once the land is fully developed?

The two properties in question hold a substantial amount of water after rainfalls, which helps to prevent flooding of the surrounding yards and basements. We are concerned that a large building combined with a large parking lot will reduce this water management effect, and lead to flooding issues during an emerging era of heavier rainfall induced by climate change.

Also. please consider the unanswered concerns expressed by the local community about the height of proposed building, noise pollution, light pollution at night, increased traffic, and the continuing decline in the availability of public land for the next generation.

Finally, please oppose this request and take this opportunity to send a message that the buying and selling of land zoned for community and public use will not be rezoned for commercial exploitation.

Darlene and Dave Wood
30527 Jeanine Street

NEW DATA RECEIVED FOR THE PUBLIC
HEARING OF SEPTEMBER 13, 2023, ITEM 2

Against Rezoning of 18100 Merriman and 30600 Brookview

To: Livonia planning committee

We are against the rezoning of the Basilica of St. Mary on 18100 Merriman Rd and 30600 Brookview due to the following concerns...

Height of proposed building
School and gym - increased traffic
Decrease home values
Noise pollution
Light pollution
Destruction of nature
Environmental impact
Loss of a natural field for animals
Increased traffic
increased emergency vehicles in area
increase waste and odors
loss of open space
Flood Drainage Issues

Why is this important?

We are against the rezoning of the Basilica of St. Mary on 18100 Merriman Rd and 30600 Brookview due to the following concerns...

Height of proposed building
School and gym - increased traffic
Decrease home values
Noise pollution
Light pollution
Destruction of nature
Environmental impact
Loss of a natural field for animals
Increased traffic
increased emergency vehicles in area
increase waste and odors
loss of open space
Flood Drainage Issues

Signed by 869 people:

Name	Postcode
Darlene Wood	48152
Jill Robinson	48152
Jody Kirsch	48152
Constance Sroka	48152
Kelly Belcher	48178
Sandra Davis	48152

Name	Postcode
Frank Cie	48152
Michele McCallion	48152
Toni Burke	48154
Angela Alen	48154
Donna Grabowski	48152
Janie Lane	48154
Cindy Lawler	48152
mike mcgan	48152
Michele Babon	48152
Brett Shiemke	48152
Amy Babon	48152
Ryan Carrow	48152
Samantha Raj	48152
Rosalyn Wilkerson	48152
Nathan Wilkerson	48152
Joshua Raj	48152
Jenny DeOrnellas	48152
Ernie Babon III	48152
Ellen Glynn	48152
Robert Swain	48152
John Patterson	48152
Peggy Besecker	48152-4541
Deb W	48152
Angela Williams	48152
GLENN LENARDON	48154
Amanda Kozlowski	48152
Lynne Sokoloski	48152
Laura Burke	48152
Alex Villarruel	48152
Matthew Vizzaccaro	48154
Haley Trimer	48154

Name	Postcode
Deborah Stanfill	48154
Dan Kozlowski	48155
Dave Gonzalez	48150
Laurie kron	48154
Amy Swain	48152
Patrice Muldowney	48154
Caitlin Bialowicz	48152
Kevin Skylis	48152
Andrea Wilemon	48150
Sheryl Liske	48383
Krystn Hussey	48152
Mary Shepherd	48152
Jane Chora	48152
Sharleen Stjean	48154
Toby DeSimone	48152
Maria Singbiel	48152
Elizabeth Blaesser	48152
Shirley Robertson	48152
Emily Keith	48154
John Blaesser	48152
Dennis Maljak Sr	48152
Monica Suchara	48152
Shelby Oliverio	48843
Ian Stone	48152
Erika Whitmyer	48152
Nicole Oliverio	48843
Heidi Cox	48154
Robin B	48150
Robert O'Keefe	48152
Esther Whittico	48152
Tony Oliverio	48843

Name	Postcode
Mary McKinney	48152
Ernest Babon Jr	48152
Janel Rice	48154
John Berryman	48154
John Krajacic	48152
Kevin Webb	48154
Sara Currie	48152
wayne proctor	48152
Stephanie I	48152
Brian Smith	48152
Julie Pastula	48154
John Cantrell	48219
Mary Baeske	48152
Cheryl Patterson Butkovich	48152
Karen Oliverio	48843
Frank Benavidez	48430
Dave Koss	48152
Christine Koss	48152
Colleen Badgero	48152
Marjorie Marino	48152
Linda Korovesis	48154
Patricia Phillips	48152
Linda G.	48152
Greg Weglarz	48154
Debbie Perrn	48152
Mona Bankey	48174
Ann Szczepaniak	48152
Marie Coletta	48152
Cheyenne Chapman	48154
Joanne Deutsch	48152
Scott Brewer	48152

Name	Postcode
Gail Boettcher	48154
Matejka Patrice	48152
Jon Bialowicz	48150
Stephanie Mehmed-Bialowicz	48150
Beverly Bell	48152
Nicole Lipinski	48154
Steven Johnson	48152
Cheryl Nelson	48152
Carlee Davis	48152
Brianna Cobbs	48152
Morgan Bogacki	48152
Manli Qiu	48152
Robert Hoekstra	48152
Stephanie Strong	48152
Steven Hoekstra	48197
Kathryn Patel	48152
Audrey Yanity	48152
Susan Barill	48152
Tim Barill	48152
Sally Jeffries	48152
Jamie Jeffries	48152
Jeff Pergament	48152
Margaret Hoekstra	48152
Karen Janiga	48152
Edwin Cuschieri	48152
Kiel Vedrode	48152
Lauryn Vedrode	48152
Mary Piontek	48152
Robert Bell	48152
David Piontek	48152
Heather Plinka	48152

Name	Postcode
Heidi Kelly	48152
Heather Helbling	48152
Brenda Lizbinski	48154
Jacob Helbling	48152
Maria Mitter	48150
Joseph Janiga	48152
Faith Piontek	48152
Margaret Yon	48152
Thomas Sweder	48152
KIM PARNIS	48152
Michelle Parnis	48152
William Parnis	48152
Marissa Helbling	48152
Debbie Cler	48152
Megan Coliton	48152
Stacy Maracle	48152
Larissa Barnett	48152
Steve Camarata	77040
Kelley Wooley Lyle	48152
Karen Becker	48154
Margaret Rudis	48152
Smith Smith	48154
Kevin H. Carlisle	48154
Ashley Aiello	48152
Anthony Beauvais	48154
Dale Cronenwett	48185
Shauna Williams	48150
Shawna DeNoyer	48152
Matt DeNoyer	48152
Brandon Makila	48154
Joseph Aiello	48152
Bryan Williams	48152

Name	Postcode
lynda rivera	48152
Amy Frush	48154
Laurie Krivitz	48152
Frances Janis	48152
Nicole Marchelletta	48154
Mary Gosselin	48154
Denise White	48154
Tatanya Lanier	48152
Jack Shepherd	48152
Teri Gribeck	48336
Gary Miller	48152
Leslie Miller	48152
Kimberly Mikonczyk	48152
Alexander Mikonczyk	48128
Laura Lark-Cattaneo	48152
Anthony Marchelletta	48152
Cindy Stapleton	48154
Michael Mikonczyk	48152-3481
Robert Martoia	48152
Henry Gorski	48152
Megan Barill	48154
Aaron Baxter	48154
Sara Healy	48154
Karen Marchelletta	48152
Frank Fenech	48152
Bryan Garchar	48150
Gina Sellinger	48154
Sarah Garchar	48150

Name	Postcode
Sarah Williams	48227
Travis Gosselin	48154
Laura Jannika	48154
Deborah Christiansen	48150
Barb Iovan	48154
Joe Johnston	48152
christine riker	48239
Michael Rudell	48152
Linda EagleTrudell	48150
LINDA BERNHARDT	48154
Carla McWilliams	48152
Carol Bonamici	48154
Brenda Sinclair	48154
Kari Burger	48152
Dave Wood	48152
virginia houston	48152-3425
Laura Green	48154
Amanda King	48186
Donna Kress	48152
Karen Greenwald	48154
Stefanie Kovaleski	48152
Ann Moening	48152
Susan Calvin	48154
David Cusin	48152
Irene Grysiewicz	48154
Judy Weiser	48152
Michael Coliton	48152
Amanda Duke	48152
Carrie Lacross	48152
Michael Duke	48152

Name	Postcode
Robert Singbiel	48152-4502
Chris Srock	48154
Caryn Loughlin	48154
Mary Humitz	48152
Shirley Gorski	48152
Loretta Rendina	48239
Kathy Reece	48154
Jeff Humitz	48152
Lisa Filipek	48846
Patricia Brockway	48230
David & Caren Cunningham	48152
Pauline Drabicki	48150
Jill Sak	48150
Mike Reece	48185
Susan Kusnir	48152
Ann Wollenweber	48152
Karen Adkins	48152
Abby Kuczmarski	48152
Ellen Cusin	48152
Michela Cusin	48152
Matthew Cusin	48152
Stephanie Cusin	48152
Cathy Kevra	48152
Joy Hinton	48150
Kristin Coliton	48152
Kelly Brown	48152
Greg Sproull	48152
Andrea Logan	48168
Stacy Hayne	48152
Patricia Gribeck	48152
Daniel Powell	48152
Mary Garrity	48152

Name	Postcode
Gale Powell	48152
Brad Garrity	48152
Greg Yon	48152
Matthew Kwiecien	48152
Debra Wheelock	48152
Linda Gardner	48154
Sandra Strubank	48154
Susan Proctor	48154
Maryna Ammar	48152
robert passmore	48154
Lynne Curnow	48154
Carol Cauchi	48152
Anna DeMarco-Krzeminski	48152
Niccole Kelly	48152
Matthew Kelly	48152
Sue Schmidt	48152
Doreen Bonkowski	48154
Valerie Thimm	48154
April McPherson	48152
Stephanie Mazur	48152
Lauren Szypula	48154
Paul Proctor	48152
Amy Bertha	48154
Natalie Andrek	48154
Cathy Gifford	48152
Tom Flanagan	48375-5323
Meaghan Burke	48067
Kevin Gifford	48152
Jessica Gresko	48152
Concetta Flanagan	48152
Angela French	48152-3460

Name	Postcode
Narciso Lemmer	48152
Gail Garrity	48625
Paul Condon	48152
Margaret Adams-Ash	48152
Brett Gierak	48152
Christa Larabell	48150
Amanda Washington	48154
James Ash	48152
Jessica C	48152
Judee Taormina	48152
Thomas Garrity	48625
Daniel Cooper	48103
Deborah Bush	48152
Kenneth Bush	48152
Jill Cooper	48103
Nathan Garrity	48152
Jennifer Conte	48154
Jennifer Malinowski	48154
Shahein Rajaee	48154
Sarah Daley	48152
Marilyn Porth	48152
Stacey Garrity	48336
Patricia Villarruel	48152
Danielle Lizura	48152
Grant Welmers	48154
Casey Welmers	48154
Charles Millen	48152
Thomas Michalsen	48198
Kristyn Gierak	48152
Patricia O'Connell	48154

Name	Postcode
Robert Maracle	48152
Stephen Adams	48152
Nicole Larabell	48150
Christi Jenkins	48176
Kyle Malkowski	48152
Emily Ouillette	48152
Charles Millen	49155
Enkelejda Shahu	48154
Claudia Rushlow	48152
Shelley Lesko	48152
Molly Lesko	48152
Julia Scappaticci	48152
Maggie Lesko	48152
Audrey Pegouske	48154
Becca S	48152
Bert Scap	48152
Milan Sridhar	48152
Dan Ly	48152
Jabiveir Veir	48152
Aiden Baney	48152
Jagger Scappaticci	48152
elise p	48154
salem plourde	27712
Alex H	48152
Jack Wagner	48154
Sam Hunt	48152
Brendan Bender	48152
Sayuni D	48154
Brett Vargo	48154
Lily Barber	48154
Ally Sopko	48152
Danielle Lebsack	48154

Name	Postcode
Apryl Kruse	48152
Evelyn Grybas	48154
Daniela Kruse	48152
alex coon	48154
Wendy Scappaticci	48162
David Vinson	48154
Meghan Ingham	48150
Gretchen Weir	48154
lailah acuna	18901
marin k	48152
Lynnae Patrias	48336
Andres Lesko	48152
Marian Nolan-Neville	48150
Jenny Sabbagh	48067
Sarah N	48154
Michael Harris	48085
Violet Floyd	48240
Amanda Hureski	48154
Emilija Vilkaite	48152
Elaine Gerou	80231
Loretta Darke	48152
Kiki Gillies	48152
Edward Kruse	48152
John Wick	15864
Elizabeth Belanger	48072
Russell Rathgeber	48154
Cindy Fleming	48150
Lindsay Obenour	48154
Clifton Washington	48154
Kelley Erickson	48152

Name	Postcode
Paula Griffith	48152
Dean Ricci	48154
Isabella Scappaticci	48152
Caitlin Cherry	48150
Andrea Deane	48154
Amy Saurborn	48187
Thomas Erickson	48152
Melissa Passmore	49154
Steven Sovinsky	48152
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Regimantas Vilkas	48152
Lucia Morrison	48170
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Chris Hankerd	48152
Remigijus Vilkas	48152
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Michelle Wood	48154
Kelsy Schneider	48152
Gregory Schneider	48152
Ashley Monette	48154
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Jessica Wilhoite	48152
Janet Roznowski	48150
Judith Malick	48152
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Stephanie Newby	48154
Laurisa Burke	48154
Stephen Burke	48154
Cody Strauch	48154
Diane Quist	48154

Name	Postcode
Raminta Vilkiene	48152
Mary Cauzillo	48154
Deborah DeMore	48152
Paula Divens	48154
Jenny Lyons	48154
rebecca markonni	48154
David DeMore	48152
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Patricia Garvey	48152
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Robyn Frank	48152
Hunter James	48152
Romeo James	48152
Jessica Swanson	48154
Jennifer Paige	48185
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Cyndi Switala	48152
Stephanie Preston	48152
Phillip DuGray	48152
Rachel Quist Quist	48152
Hayley Quist	48154
Donald Gurka	48185
Carol Rakowicz	48154
Kayla Plater	48154
Joseph Krogol	48152
Katie Quinn	48066
Avivah Bowen	48152
Matthew Mosakowski	48185
Jacob Frisco	48152

Name	Postcode
Paige Nagy	48185
Cheryl Greene	48152
Joseph Kozma	48152
Morgan Quist	48154
Emily Courtney	48152
Mary Kovacs	18683
Eryn Struppa	48154
Melissa Barnes	48154
John Strauch	48154
Ashleigh Strauch	48154
Amanda Mosakowski	48185
Manuela Cupler	48154
Julie Ausum	48383
Lindsay Bauer	48152
Strauch, Debra	48154
John Rae	48154
Simeng Xing	48152
Catherine Crawford	48152
Eileen Johnson	48152
Michele Pas	48152
Michelle Lemieux	48152
Patricia Poirier	48154
Louise Mitchell	48152
Ledion Shahu	48154
Richard Flajole	48152-2534
Nicole Cupp	48152
Zachary Cupp	48152
Candice Marra	48336
Patricia Moffitt	48152
Julie Rathgeber	48154
Dawn Rochowiak	48152

Name	Postcode
Sarah Rakowicz	48154
David Mitchell	48152
Jacqueline Mcenhill	48154
Stephanie Estereicher	48152
Steven Lemieux	48152
Kim Dixon	48152
James Dixon	48152
Ravyn Dixon	48152
Shyam Patel	48152
Loretta Francis	48152
Kathryn Plotzke	48152
Terry Tabaczynski	48152
Greg Plotzke	48152
Melissa Boldt	48164
Katie Feher	48154
Denise Moul	48154
Zack Fehet	48154
Haley Feher	48154
Derek Linville	48154
daniel sterling	48152
Elizabeth Pollock	49321
Michelle Maddox	48336
Melissa Caramagno	48154
Barb Schommer	48178
Angela Lyday	48154
Chris Doerr	48154
Irene Coermann	48152
eric ferman	48152
Angelina Glenn	48154
Courtney Skynar	48152
Christine N	92101

Name	Postcode
Tina Bartkowiak	48152
David Bartkowiak	48152
Laraine Larkin	48154
Pat Kropinak	48152
Nancg York	48152
Ronald York	48152
Laura Burke	48152
Gina Wheaton	48150
William Bennett	48154
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Steven Riemer	48154
Lisa Breitmeyer	48154
Cody Strauch	48154
Kelly Bache	48154
Donna Supplee	48150
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Elissa Brothers	48152
Judy Tootikian	48150
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Kim Messing	48154
Harry Ganas	48152
Stephanie Christie	48152
Melissa Prowse	48152
Jessica Valentino	48154
Rebecca Rehberg	48150
John Rehberg	48154
Terry Fitzgerald	48154
Angela Pierz	48150
Julie Albaugh	48150
Kerry Kirsch	48152

Name	Postcode
Lori Spallone	48150
Misty Nasiatka	48150
Melissa Bobby	48154
Karen Bennett	48150
Hong Phan	48154
Peter Gruenewald	48150
Megan Trevino	48154
Matthew Parison	48150
Tara Smith	48152
Robert Spallone	48150
Breanna Gleason	48152
Kelli O'Halloran	48150
Shannon Pritula	48154
Mary Bousquette-Trotter	48152
Tiffany Strobl	48135
Kelly Michels	48154
Val Globish	48152
Laura Wilson	48150
Mark Michels	48152
Kellie Michels	48152
Nick Michels	48154
Donna M	48154
Deborah Avers	48154
Anthony Marchelletta	48168
Stephanie Grech	48150
Danielle Camardese	48154
Richard Burke	48152
Melvin Pemberton	49017
Kerry F. Kirsch	48152-3371
Gary Globish	48152
Brittany Kennedy	48051

Name	Postcode
Laura Fenech	48152
michael blaesser	48152
Shannon Kelly	48154
Kim Haley	48152
James Keller	48152
Kathleen Procailo	48150
Luiza Riza	48152
Linda Shipley	48150-3026
Joanne Daddow	48152
Arton Riza	48152
Raymond Riza	48152
Kathleen Gromek	48154
Kendra Hall	48152
Alexander Procailo	48150
Linda Davis	48150
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Leo Moilanen	48152
Denise Macmartin	48152
Jenna McWilliams	48152
Kaitlyn Kennedy	48154
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Nicole Learning	48152
Allison MacMartin	48152
Brad Casey	48180
Mike Johnson	48152
Janelle Adams	48152
Richard Shipley	48150
Thomas Jaster	48150
Debra Wheelock	48152
Jeffrey Prowse	48152
Ashley Stewart	48125
Jean Johnson	48154

Name	Postcode
madison prowse	48152
Kaitlyn T	48383
Rachelle Goldberg	48150
Melanie Tolcher	48154
John Glynn	48152
Kari Ivanics	48150
Holly McDougall	48135
Jamie Merritt	48154
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Lori Nersesian	48154
Valarie Mailloux	48152
Kaylyn Carrigan	48152
Ryan Carrigan	48152
Taylor Small	48152
Kara Mitter	48152
Beth Ann Hall	48154
Shani Wozniak	48154
Margaret Csizmadia	48154
Ralf Caswell	48154
Anthony Calleja	48185
Michael Duke	48152
Linda Caswell	48164
Nancy Mitter	48150
Kelley Phillips	48152
Amy Bonser	48152
Greg Jones	48152
Sheila Menna	48164
Amber McComb	48152
Barb Okeefe	48152
Meena Moossavi	48154
Scott Bankey	48183

Name	Postcode
Glenn Griffith	48152
Julie Lustig	48154
Valerie Petersen	48152
Deeanna Hunt	37311
heather rooker	48152
Marci Merath	48185
Stefanie Ilich	48127
Amy Boroski	48152
Emilio Sanchez	48127
Armazik Avanessian	48152
Amy Dinsmore	48154
Mary Costello	48180
Ann VanAartsen	48152
Kraig Cupler	48154
Lisa Spiker	48152
Linda Feldt	48152
Romas Sonta	48152
Zena Ramolli	48152
Elena Cheraru	48152
Harold Welbes	48154
Karen Bamrick	48150
Anca Todor	48152
KATHY BILPO	48152
Tim Hartom	48150
Diane Junker	48152
Kristen Reault	48152
Lawrence Junker	48152-3390
David Junker	48152
Andrea Kozar	48152
Jennifer Jaster	48150
Michelene Celmer	48152

Name	Postcode
Christina Gschwender	48045
Tracy Fitzgerald Hall	48154
Laura Long	48150
Karen Casagrande-Dave	48154
Kristin Lee	48152
Julie Ciccarelli	48154-1116
Kristyn Green	48154
Eileen Johnson	34119
Matthew Bilpo	48152
Evelina Bryant	48152
sara grant	48154
Marie Button	48239
Sally Azzopardi	48150
Heather Young	48152
James Young	48165
Stephanie Lica	48154
Kristie Lica	48154
Blake Battjes	48154
Brent Woodland	48152
Steve Alexander	48150
Michelle Klaft	48152
Diane Nichols	48152
Elizabeth Coller	48150
Anthony Hall	48154-3509
Robert Coller	48150
Jon Nichols	48152
Rachel Muscott	48154
Richard LaBurn	48152
Amy Lazar	48152
Kathi Farrell	48152
Susan Rakay	48154

Name	Postcode
Robert Davis	48240
Beverly Davis	48240
Natalie DeCisntis	48357
Debra Owen	48152
Jessica Nowak	48154
marilyn culloty	48152
Paul Paparelli	48152
Kathleen Paparelli	48152
Andrea Kersten	48186
David Kersten	48186
Cathy Bobowski	48152
Kelsi Johnson	48154
Katherine Johnson	48152
Jennifer Dodds	48152
Katrina Larkins	48152-4607
KENNETH LARKINS	48152
Buff Campbell	48154
Kenneth L.	48152
Lori Martin	48152
Mike Johnson	48152
Lauren Grewe	48154
Stephanie Mojan	48152
Andrew Kubacki	48152
Michael Johnson	48152
Megan GRAY	48240
Robin Stanford	48152
James Boston	48152
JEANETTE ZAWOL	48154
Sean Olsen	48362
Katrina Lewinski	48152
Bethany Garbutt	48152
Laura Sanner	48152

Name	Postcode
Victoria Colombo	48154
Jovica Mladenoski	48152
Toni Mladenoski	48152
Daniela Mladenoski	48152
Brenda Lach	48152
Anna Kennedy	48152
Kelly Grisius	48152
Matthew Bartnick	48152
Alexandria Valdez	48152
Cindee Ahn	48152
James Kennedy	48152
Ward Battjes	48152
Donna Otremba	48152
Christopher Skupny	48154
Shannon Nidiffer	48154
Patricia Harkins	48154
Ted White	48152
Dana Custard	48152
Catherine Custard	48152
Lynn Dubay	48152
Rachel Reohr	48154
Michael Hubbard	48152
Katie Norris	48187
Shellie Anagnostou	48154
Dawn Moore	48154
David Jakubiec	48152
Sheryl St Jean	48154
Kristin Bohler	48152-1558
Michelene Celmer	48152
Matthew Celmer	48152
Janice Clark	48152

Name	Postcode
Beverly Vines	48152
Mark Vines	48152
Barbara Engstrom-McGraw	48152
K Vines	48152
Tyler Vines	48152
Deborah Jakubiec	48152
juan deornellas	48152
Linda McNall	48152
Nicolette Juncaj	48152
Loraine Jones	48154
Carla Navarro	48152
Anthony Juncaj	48152
Leze Djokaj	48152
Lisa Juncaj	48152
Lul Lesi	48154
Raina Dust	48152
Renee Baratono	48152
Kathleen Smythe	48154
Michael Lenardon	48152
Linda Webb	48152
Jenn Layson	48152
Joseph cecchini	48152
Veronica Wilkins	48152
Anna Cipkar	48152
Robert Lleshi	48154
John Hawthorne	48154
Linda Causey	48125
Peter Petroff	48154
Mary Pilon	48152
THOMAS HELINSKI	48152
Sandra Helinski	48152

Name	Postcode
Amani Alhjaji	48152
Mused Alhjaji	48152
Frank Oberc	48152
Chandran Padmanabhan	48152
Hadil Alhjaji	48152
Stefanie Parker	48154
Carolyn Best	48152
Don Best	48152
Jennifer DeOrnellas	48152
Helen Hench	48150
Nancy Suich	48152
Steve Suich	48152
Elizabeth Calhoun	48154
Cindy Lawler	48152
Candy Little	48152
Christopher Cebula	48152
Alaina Davis	48154
Karen Ann Smith	48150
Vida Pekorius	48154
Katrina Lewinski	48152
Evan Jaster	48150
Christina Fabrizio	48152
Diane Kellahan	48154
Denise Wilson	48152
Gordon St John	48152
Ali Ramolli	48152
Lucy Fielhauer	48135
Steven Micallef	48152
Stephen Myers	48150
Laura King	48152
Marian Cook	48154

Name	Postcode
Michael Cook	48154
Toby Cook	48154
Mary Dettloff	48152
Katarzyna Franczyk	48152
Becky Babon-Neuson	49504
Jordan Street	48154
Justin Diegel	48154
Elodie Gierak	48152
DAVID WIDO	48152
Kristin Wido	48152
Kim Goff	48152
Ryan W	48152
Sigrun Lobo	48152
Nicole Bridgeman	48152
Jacqueline Bridgeman	48152
Brian Rakestraw	48152
Samantha Rakestraw	48152
Leslie Wylie	48152
James Elder	48152
Deborah Callicoat	48152
Peggy Elder	48152
Megan Ostrowski	48152
Karen Eck	48152
Ryan Ostrowski	48152
Charles Eck	48152
Philips George	48152
Jill Hickens	48152
Charles Paul	48152
Jeffrey Backus	48152
Janet Vogel	49768

Name	Postcode
Mary Clare Wagner	48375
Janet Vogel	48374
Curt Vogel	49768
Charles Vogel	48297
Patricia Valli	48188
Linda Smith	48152
Gregory Spiewak	48152
Margaret S	48150
Samantha Sentman	48154
Matthew Blaesser	48152-1297
Karen Blaesser	48152
Daniel Glinski	48152
Bethany Garbutt	48152
William Blaesser	48152
Michael Coccia	48154
Christopher Stewart	19460-4082
Jamie Ruczko	48185
Eileen Johnson	48152
Avinash Lal	48152
Michael Spenelli	48150
Kathleen McCarthy	48154
Ellen Dorman	48152
Susan Zurek	48154
Norma Domzalski	48135
Rachel Oetzman	48154
Leah R	48154
Cierra Stainback	48377
Marsha McLean	48152
ROBERT MOORE	48152

NEW DATA RECEIVED FOR THE PUBLIC HEARING OF SEPTEMBER 13, 2023 - ITEM 2

From: Taormina, Mark
To: Kasprowicz, Sara; Reece, Stephanie
Cc: Grysko, Brandon
Subject: FW: St. Mary"s Petition - Withdrawal of NM3-I Portion
Date: Tuesday, September 5, 2023 11:29:19 AM
Attachments: 9.1.2023 Ltr to M Taormina - Withdrawal of NM3-I Portion.pdf

Sara,

See below and attached as new communication for next Wednesday's public hearing. Please note that it does not affect St. Mary's current request before the City Council, which is the rezoning of the N2 portion of the property.

Stephanie,

We can provide this to the Planning Commission to formally withdraw this portion of the request at their next meeting.

Mark

Mark Taormina
Planning and Economic Development Director
City of Livonia | Planning Department
(734) 466-2292
mtaormina@livonia.gov

From: Grysko, Brandon <BGrysko@fb-firm.com>
Sent: Friday, September 1, 2023 12:35 PM
To: Taormina, Mark <mtaormina@livonia.gov>
Subject: St. Mary's Petition - Withdrawal of NM3-I Portion

Mark, see the attached formal letter withdrawing the NM3-I/elderly housing portion of the petition.

The N2 Montessori should still be moving forward, and that's already scheduled for a couple weeks out. Let me know if you need anything else.

Thanks,

BRANDON M. GRYSKO

FAUSONE & GRYSKO, PLC
ATTORNEYS AT LAW

41700 Six Mile Road, Suite 101

Northville, Michigan 48168-3460
(248) 912-3219
(248) 380-3434 fax
bgrysko@thefgfirm.law
www.thefgfirm.law
Follow us on Facebook: https://www.facebook.com/FausoneGryskoPLC/
Follow us on LinkedIn: https://www.linkedin./c/fausone-grysko-plc

PLEASE NOTE: New Firm Name

Effective September 1, 2023, Fausone Bohn, LLP became ***Fausone & Grysko, PLC****. The firm's website address is relaunching as of September 5th and will be www.thefgfirm.law; all firm email addresses reflect the new internet domain name (@thefgfirm.law). Please take a moment to update your records with our new information.*

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and/or exempt from disclosure under applicable laws. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and/or reply to the e-mail message. Thank you.

FAUSONE & GRYSKO, PLC
ATTORNEYS AT LAW

September 1, 2023

VIA EMAIL ONLY

Mark Taormina
Planning Director
City of Livonia
mtaormina@livonia.gov

RE: Basilica of St. Mary, 18100 Merriman and 30600 Brookview Drive
Withdrawal of the NM3-I Portion of Petition 2022-12-01-02

Mr. Taormina:

As you know, I represent the Basilica of St. Mary with respect to certain rezoning matters on its property located at 18100 Merriman and 30600 Brookview Drive in Livonia. My client originally submitted Petition 2022-12-01-02 seeking to rezone a portion of the property P-L (Public Lands) to N2 (Neighborhood) and another portion of the property from P-L to NM3-I (Neighborhood Multi-Family). The N2 portion was for a Montesorri School and educational facilities, and the NM3-I was for proposed elderly housing.

On January 31, 2023, the Planning Commission voted to recommend the approval of the N2 portion of the Petition and to table the NM3-I portion of the Petition. At this time, my client is withdrawing the NM3-I/elderly housing portion of the Petition. The N2 portion of the Petition for the development of a Montessori school and educational facilities is going to continue forward.

My client intends to engage its staff and stakeholders, city officials, and the community and revisit a project for housing for the elderly at a future date. If and when that occurs, my client looks forward to working with the City of Livonia towards a mutually beneficial development.

Please feel free to contact me with any questions. Until then, I remain,

Very truly yours,

Brandon M. Grysko

41700 Six Mile Road • Suite 101 • Northville, MI 48168
(248) 380-0000 • FAX (248) 380-3434 • www.thefgfirm.law

LETTER TO THE LIVONIA CITY COUNCIL

2.

Planning
February 13, 2023

MEETING DATE	PREPARED BY
PH091323/R091823	Stephanie Reece, Program Supervisor

AGENDA ITEM

Petition 2022-12-01-02 submitted by Basilica of St. Mary, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood).

BACKGROUND

February 13, 2023

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2022-12-01-02 - St. Mary Basilica

Dear Council Members:

At the 1,194th Public Hearings and Regular Meeting held by the City Planning Commission on January 31, 2023, the following resolution was adopted:

RECOMMENDATION

#01-04-2023 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on January 31, 2023, on Petition 2022-12-01-02 submitted by Basilica of St. Mary under Sections 13.13 and 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood) and NM3-I (Neighborhood Multifamily – Maximum 4 Stories), the Planning Commission does hereby recommend to the City Council that only the N2 portion of the request be approved at this time, for the following reasons:

1. The proposed N2 District is compatible with the surrounding land uses and zoning districts.

2. The current P-L District is intended for uses or facilities that furnish governmental services to the public.

3. The proposed N2 District will provide for the development of the subject property in a manner that is appropriate for its size and location.

4. The proposed zoning change will allow the development of an educational academy that will provide needed services for the Basilica and the surrounding area, and

5. The proposed zoning change is consistent with the Future Land Use Plan's goals, policies, and objectives.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 and 13.15 of Livonia Vision 21 Zoning Ordinance, as amended.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Bongero, Long, Caramagno, Wilshaw
NAYS: Dinaro
ABSENT: Ventura
ABSTAIN: None

FISCAL CONSIDERATION

ATTACHMENTS

1. 2022-12-01-02_E-COUNCIL Pkt

APPROVED BY



Date: February 14, 2023

Mark Taormina, Planning and Economic Development Director



Date: March 09, 2023

Maureen Miller Brosnan, Mayor

NEW DATA RECEIVED FOR
ST MARY'S BASILICA PUBLIC HEARING

From: noreply@civicplus.com
To: CityCouncil
Subject: Online Form Submittal: City Council Inquiries
Date: Tuesday, April 18, 2023 8:28:12 PM

City Council Inquiries

This form is for any questions, comments, or concerns you may have for the City in regards to city council meetings or other city council inquiries. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	Marie
Last Name	McCormick
Address	650 Church Street, 209
Email Address	mmccormick@therouge.org
Phone Number	2484440756
Topic	City Council Meetings
Date of Issue	4/18/2023
Attachment (Optional)	St Marys Basilila development_FOTR Statement April 2023.docx.pdf
Comments	Dear Livonia City Council, Friends of the Rouge (FOTR) has become aware that St. Mary Basilica submitted a proposal to rezone use at St. Mary's Basilica rezoning at 18100 Merriman and 36000 Brookview Drive in Livonia. FOTR is a nonprofit 501(c)(3) organization founded in 1986 to raise awareness about the need to clean up the Rouge River. In existence for 37 years, we operate under the mission, “To restore, protect, and enhance the Rouge River watershed through stewardship, education, and collaboration.” We envision a future where a clean and vibrant Rouge River is the center of our community. Individual and community actions protect and improve the health of the Rouge River, assuring that its natural, economic, and recreational value enhances the quality of life in the Rouge River ecosystem. It is with our mission in mind that we address you in this letter to express our concern regarding the aforementioned potential development. ISSUE 1 Development of this parcel will result in vegetation

removal and creation of more impervious surface, which increases stormwater runoff that can lead to increased water temperatures, sedimentation, habitat loss, and be detrimental to the aquatic biota in Tarabusi Creek.

ISSUE 2 Consider proximity of the proposed development to the Tarabusi Creek and ensure that the riparian corridor remains whole.

Friends of the Rouge asks the Livonia City Council to act cautiously when considering this new development. Please consider the consequences of removal of vegetation within the floodplain and replacing it within more impervious surfaces. Due to Tarabusi Creek's unique importance as an ecological resource, FOTR recommends implementing strong green infrastructure practices that can mitigate stormwater impact to adjacent communities and creek.

If you have any further questions, please feel free to contact me directly at mmccormick@therouge.org.
Thank you for taking the time to consider our comments.

Sincerely,

Marie McCormick,
Friends of the Rouge Executive Director

Email not displaying correctly? View it in your browser.

NEW DATA RECEIVED FOR PUBLIC HEARING OF APRIL 3, 2023 - ITEM 1

Kasprowicz, Sara

From: noreply@civicplus.com
Sent: Monday, March 20, 2023 3:16 PM
To: CityCouncil
Subject: Online Form Submittal: City Council Inquiries

City Council Inquiries

This form is for any questions, comments, or concerns you may have for the City in regards to city council meetings or other city council inquiries. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	david
Last Name	jakubiec
Address	17448 rexwood st livonia, mi 48152
Email Address	sandpatch1@hotmail.com
Phone Number	734 427 5062
Topic	City Council Meetings
Date of Issue	4/3/2023
Attachment (Optional)	*Field not completed.*
Comments	I would like to express that I am against the rezoning of the Basilica of St. Mary on Merriman Rd due to the following concerns... Decrease home values due to possible drug rehab facilities on site, Commercial property in a residential area TAX FREE property. So my taxes will increase to cover city expenses, fire police roads. noise pollution light pollution destruction of nature environmental impact loss of a natural field for animals increased traffic increased emergency vehicles in area increase waste and odors loss of open space Please do not allow the rezoning of this property to these

classifications. There are other areas of Livonia that can be developed that are eye sores including the corner of 7 mile and Farmington.

Dave jakubiec
17448 Rexwood

Email not displaying correctly? View it in your browser.

NEW DATA RECEIVED FOR PUBLIC HEARING OF APRIL 3, 2023 - ITEM 1

From: noreply@civicplus.com
To: CityCouncil
Subject: Online Form Submittal: City Council Inquiries
Date: Monday, March 20, 2023 10:42:27 AM

City Council Inquiries

This form is for any questions, comments, or concerns you may have for the City in regards to city council meetings or other city council inquiries. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	Darlene
Last Name	Wood
Address	30527 Jeanine St
Email Address	dwood8689@gmail.com
Phone Number	5178990991
Topic	Other City Council Inquiry
Date of Issue	3/20/2023
Attachment (Optional)	City Counsel Letter Feb2023.docx
Comments	Vote No on Petition 2022-12-01-02 Rezoning of 18100 Merriman and 30600 Brookview Basilica of St. Mary's

Email not displaying correctly? View it in your browser.

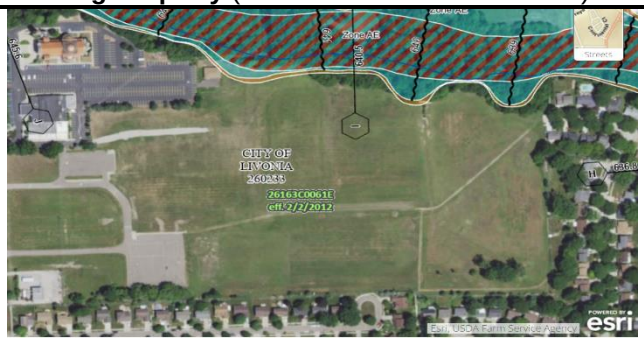
Dear Counsel Member x

We are writing to urge you to oppose the Basilica of St. Mary's (Original Petition 2022-12-01-02) to build an enormous 35,000 sq. ft. Montessori school and gym at 18100 Merriman that has been approved by the planning committee. The church is also petitioning to build a 97,875 sq. ft senior apartment building at 30600 Brookview along with hundreds of parking spaces. The entire development would back up to the end of Brookwood which is deep in our neighborhood. Both properties are currently zoned as Public Land (PL).

Up until six years ago, after being enjoyed by the public for decades, two heavily forested riverside parcels making up the finest parts of the former Bryant school were unceremoniously sold away by the Livonia Public Schools. Over 600 community members have signed a petition opposing these requests. ***These parcels were purchased zoned as Public Land and should remain that way***.

If approval is granted for these requests, we are deeply concerned that a precedent will be set for remaining community properties like the Bryant Field will become even more valuable targets for the development of land once enjoyed by the community. Perhaps even bypassing redevelopment opportunities of vacant commercial properties such as those up and down Seven-mile Road.

Both lots are adjacent to the Tarabusi Creek which is part of the Rouge River tributary. These lots are among only a few ways for the local community to access the foot trails to a wonderful urban forest that connects to a number of nearby parks. Chloride levels are also an issue in this creek. The proposed parking lot drainage and structures will do no favors to the creek's health or the basements of nearby residents backing up to these marshy properties. The parking lot will increase traffic, noise, and light pollution along with structures that do not conform with the surrounding community.

Existing Property (with flood hazard boundaries)	**Proposed Development Overlay**
	

As you likely know the Future Land Use Map in the Livonia Vision 21 plan is intended to form the basis for future zoning ordinance and other legal controls. The current plan finds that only 3,427.81 acres are remaining for Community and Public use. **Importantly, both parcel at issue are recommended to remain zoned as "Parks and Community"** in the plan. Demographically Vision 21 portrays a city that is experiencing an aging declining population, smaller household sizes, and reduced public school enrollment. One would think that only extraordinary circumstances would have to exist in order to commercially developing two non-renewable natural parcels.

Please trust that the residents in our neighborhood strongly oppose this development and many have voiced strong support for the Master Plan's vision to the Planning Commision. ***Please oppose this request and send a message that the buying and selling of land zoned for community and public use will not be rezoned for commercial exploitation without the existence of extraordinary circumstances.*** The circumstances involving this development are not even close to extraordinary, and will only further erode what remains of our public space. Please let us know what your position might be on this proposed development. We look forward to hearing from you.

Darlene and Dave Wood
30527 Jeanine Street
Livonia MI 48152
Ph. 734-xxx-xxxx **Email** dwood8689@google.com

Petition 2022-12-01-02 submitted by Basilica of St. Mary under Sections 13.13 and 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood) and NM3-I (Neighborhood Multifamily – Maximum 4 Stories).

REZONING APPLICATION
CITY OF LIVONIA, MICHIGAN

All applications must be presented in quadruplicate to the City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097. Applications **must** include property owner's name, address and notarized signature. You are invited and encouraged to review your proposal with the Planning Department staff.

Date Filed: 12-9-22 Petition 2022-12-01-02

Site Address: 18100 MERRIMAN RD Sidwell _____

Requesting To Rezone Property From PL PL To N2 NM3-1

For the Following Reason (s) PL -> N2 CONSTRUCTION OF ACTIVITIES BUILDING PL -> NM3-1 CONSTRUCTION OF APARTMENTS

Applicant: SALEM SAMAAN Business/Company: BASILICA of ST. MARY'S

Applicant's Address: 18100 MERRIMAN RD City: LIVONIA State: MI Zip Code: _____

Applicant's Phone # (734) 459-4040 Applicant's Email _____

For fee computation, see attached Fee Schedule **Please provide the following information:**

RECEIVED DEC 15 2022 CITY OF LIVONIA PLANNING COMMISSION

RECEIVED 2022 DEC -9 AM 11:49 OFFICE OF THE CITY CLERK

1) **Legal Description** of the property to be considered. Paper copy must be clearly printed.

Fully Dimensional Map (3 copies) drawn at an appropriate scale, with a north arrow, dated & legend key to symbols and showing:

- The land that would be affected by the proposed amendment.
- The dimensions, square footage & acreage of the land.
- The existing conditions of the site, including all structures & parking layout.
- A legal description of the land to be rezoned.
- All public and private right-of-ways & easements bounding & intersecting the site.
- A preliminary plan showing the proposed land use(s) of the land under consideration.
- The zoning classification of all abutting zoning districts.
- The structures and existing land uses on all property adjacent to the subject parcel and on other such property as may, in the City Planner's determination, be necessary to properly reflect the existing character of the surrounding neighborhood.

3) A copy of the Fully Dimensional Map submitted in a pdf. format either on a CD or it can be emailed to Planning@livonia.gov

Owner of Property: St. MARY ANTIOCIAN ORTHODOX CHURCH

Owner's Address: 18100 Merriman Rd City: LIVONIA State: MI Zip Code: 48152

Owner's Phone # (734) 751-6046 Owner's Email SSamaan@gmail.com

Signature of Owner: _____ Print Name: Salem F. Samaan, Parish Council Attorney

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

on this 7th day of December 2022.

Signature of Notary: Shereen Hassan Aneed My commission expires 5-10-24

Shereen Hassan Aneed
NOTARY PUBLIC - STATE OF MICHIGAN
County of Wayne
My Commission Expires 5/10/2024
Acting in the County of Wayne

APPROVED AS FORM
Department of Law

By: Jamal E. Grimes

Date: 12/14/2022

Law Offices
Salem F. Samaan, P.C.
150 North Main Street
Plymouth, MI 48170-1236
(734) 459-4040
facsimile (734) 454-4814

Salem F. Samaan
direct e-mail
sfsamaan@gmail.com

M. Michael Koroi

February 2, 2023

City of Livonia
City Planning Commission

VIA: E-mail – Planning@Livonia.gov

Re: Petition 2022-12-01-12
Basilica of St. Mary
Rezoning from PL to NM3-1 (Neighborhood Multi-family)

Dear Members:

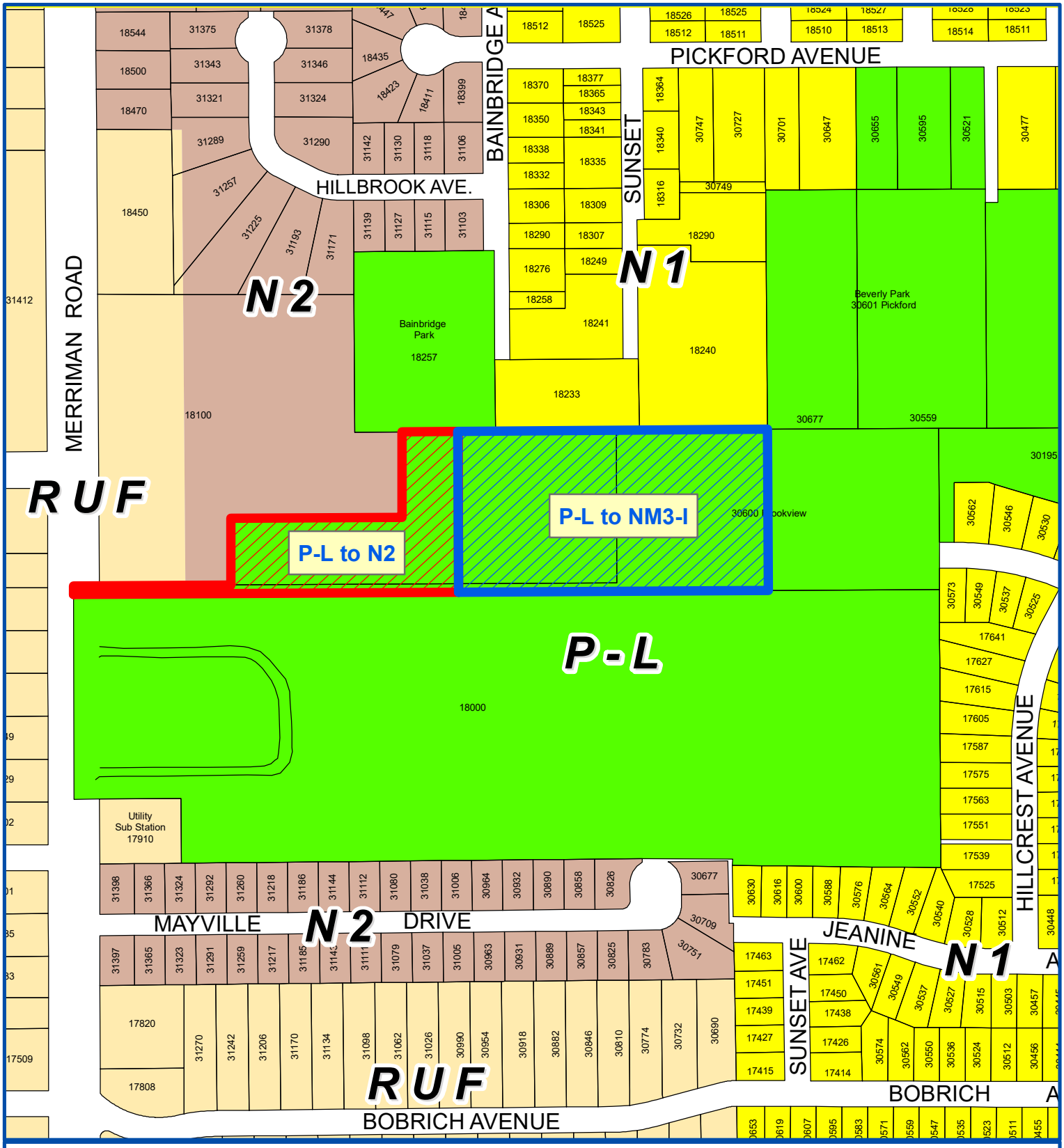
At the Planning Commission Public hearing held on January 31, 2023, the commission approved the rezoning of one section of the property from PL to N2, and tabled St. Mary's request to rezone the adjacent property from PL to NM3-1, which is presently set for February 14, 2023. On behalf of the Basilica of St. Mary, we are respectfully requesting the public hearing set for February 14, 2023, be moved to May 9, 2023, to allow more time for the church to do further studies on the project.

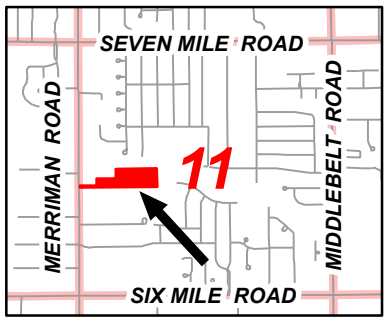
Thank you for your consideration in this matter.

Very truly yours,

Salem F. Samaan

SFS/sha





Address & Zoning Map

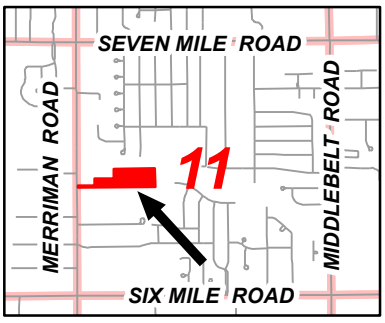
Petition 2022-12-01-02
Basilica of St. Mary
18100 Merriman & 30600 Brookview
from P-L to N2 & NM3-I

N

Not to Scale

City of Livonia
Planning Department





Aerial Map

Petition 2022-12-01-02
Basilica of St. Mary
18100 Merriman & 30600 Brookview
from P-L to N2 & NM3-I

N

Not to Scale

City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PUBLIC HEARING

ITEM 1

Petition 2022-12-01-02 submitted by Basilica of St. Mary under Sections 13.13 and 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood) and NM3-I (Neighborhood Multifamily – Maximum 4 Stories).

January 24, 2023 Study Meeting:

This petition seeks to rezone portions of the Basilica of St. Mary property to construct a one-story educational academy and a three-story senior apartment building.

Basilica of St. Mary's overall property measures 21.48 acres. Presently, the site is divided into three (3) zoning classifications. The front of the property, which includes the Basilica and Cultural Center, is zoned RUF (Rural Urban Farm) and N-2 (Neighborhood). The easterly part of the site, previously owned by Livonia Public Schools as part of the former Bryant Middle School property, is zoned P-L (Public Lands).

North of the site are homes zoned N1 and N2 and City-owned land, including Bainbridge Park and Beverly Park, zoned P-L, portions of which lie within the Tarabusi Creek floodplain. To the east are homes in the Sunset Park Subdivision, zoned N1. Immediately to the south is the remaining portion of the Bryant School property still owned by Livonia Public Schools. And to the west, across Merriman Road, are residential homes that are part of the Marvin's Robin Hood Subdivision, zoned RUF.

The portion of the property that would be rezoned to the N2 classification is L-shaped and tracks along the outer edge of the parking lot for the Basilica and Cultural Center. A narrow strip of land along the site's south property line, adjacent to the Cultural Center, is also included in the rezoning to N2. Altogether, the area to be rezoned to N2 is approximately 2.96 acres.

Section 3.05 of the zoning ordinance specifies that educational uses are permitted in the N2 District. The code defines educational uses as: "*Uses that provide educational services, such as public libraries, public primary and secondary schools, and publicly owned and operated institutions of higher learning.*" The preliminary plans for the St. Mary's Academy and Gymnasium show a building of about 35,000 square feet. The building would be located approximately 150 feet east of the existing Cultural Center, mostly on undeveloped land but also occupying property partially used for parking. The floor plan shows multiple classrooms and multi-purpose rooms, a gymnasium with bleachers and a stage, locker rooms, restrooms, storage, mechanical rooms, and several offices. The building would be one level. The maximum height of the building, from grade to the flat roofline of the gymnasium, would be about thirty-six feet (36'). The exterior building materials would combine brick, limestone, and block. Parking for schools is based on one (1) parking space for each employee (including teachers and administrators), plus sufficient off-street space for the safe and convenient

loading and unloading of students. The plans do not show how the required off-street parking for the academy would be met.

The requested NM3-I district is east of the proposed Academy and Gymnasium. It encompasses the entire property width, 376 feet, by a depth of 723 feet, for a total area of approximately 6.24 acres. The zoning change is requisite for developing a three-story senior apartment building. Under Section 6.31 - Housing for the Elderly, the NM3 district permits independent elderly housing, senior assisted living facilities, congregate elderly housing, and nursing homes. The term Elderly Housing refers to a building or a group of buildings that provides housing in which at least eighty percent (80%) of the occupied units are rented to at least one (1) person who is fifty-five (55) years of age or older. The standards of Section 6.31 specifically exclude hospitals, hotels, motels, tourist homes, rooming homes, condominiums, or site condominiums.

The "I" suffix included in the NM3-I zoning classification would allow buildings up to four (4) stories in height. Without it, building height under NM3 zoning is restricted to two (2) levels. The proposed rezoning would only affect part of the property—the easterly 7.07 acres identified on the plans as Parcel 2 would remain zoned P-L.

The proposed three-story senior apartment building is positioned in the south-central portion of the land requested to be rezoned from P-L to NM3-I. Its maximum height would be about forty-eight feet (48'). The building's overall dimensions are 75' x 435', with each floor containing roughly 32,625 square feet of gross floor area (GFA). Counting all three (3) levels, the apartment building would total approximately 97,875 square feet. The first and second floors would each have twenty-eight (28) apartments, including sixteen (16) one-bedroom units and twelve (12) two-bedroom units. The third floor would have the same number of one- and two-bedroom units, with two (2) additional one-bedroom flex units. In total, the building would contain eight-six (86) apartments. Each unit would have a bedroom, kitchen area, living room, bathroom, and closets. The exterior building materials would combine brick, block, and Hardie panels. There would be a porta-cochere over both the south and north main entrances. Parking for apartments is based on two (2) parking spaces for each unit with one (1) and two (2) bedrooms and two and one-half (2½) spaces for each unit with three (3) or more bedrooms. The plans do not show how the off-street parking for the proposed apartment building would be laid out.

The Livonia Vision 21 Master Plan designates the portions of the property that would be rezoned as 'Floodplain Area' and 'Parks and Community.' The 100-year flood hazard area extends across the northern edge of the site, and the Parks and Community classification reflects LPSs previous use and ownership of the property.

January 31, 2023: Public Hearing:

Approving Resolution: The request to rezone the properties at 18100 Merriman Road and 30600 Brookview Drive per the legal descriptions submitted with the application, from P-L, Public Lands, to N2, Neighborhood, and NM3-I, Neighborhood Multifamily, is approved, subject to City Council approval, for the following reasons:

1. The proposed N2 and NM3-I Districts are compatible with the surrounding land uses and zoning districts.

2. The current P-L District is intended for uses or facilities that furnish governmental services to the public.

3. The proposed N2 and NM3-I Districts will provide for the development of the subject properties in a manner that is appropriate for their sizes and locations.

4. The proposed N2 and NM3-I Districts will allow for the development of an educational academy and three-story senior apartment building in a manner that will not be detrimental to the surrounding area, and

5. The proposed zoning changes are consistent with the Future Land Use Plan's goals, policies, and objectives.

Alternate Approving Resolution for N2 Only: The request to rezone the property at 18100 Merriman Road per the legal description submitted with the application from P-L, Public Lands, to N2, Neighborhood, is approved, subject to City Council approval, for the following reasons:

1. The proposed N2 District is compatible with the surrounding land uses and zoning districts.

2. The current P-L District is intended for uses or facilities that furnish governmental services to the public.

3. The proposed N2 District will provide for the development of the subject property in a manner that is appropriate for its size and location.

4. The proposed zoning change will allow the development of an educational academy that will provide needed services for the Basilica and the surrounding area, and

5. The proposed zoning change is consistent with the Future Land Use Plan's goals, policies, and objectives.

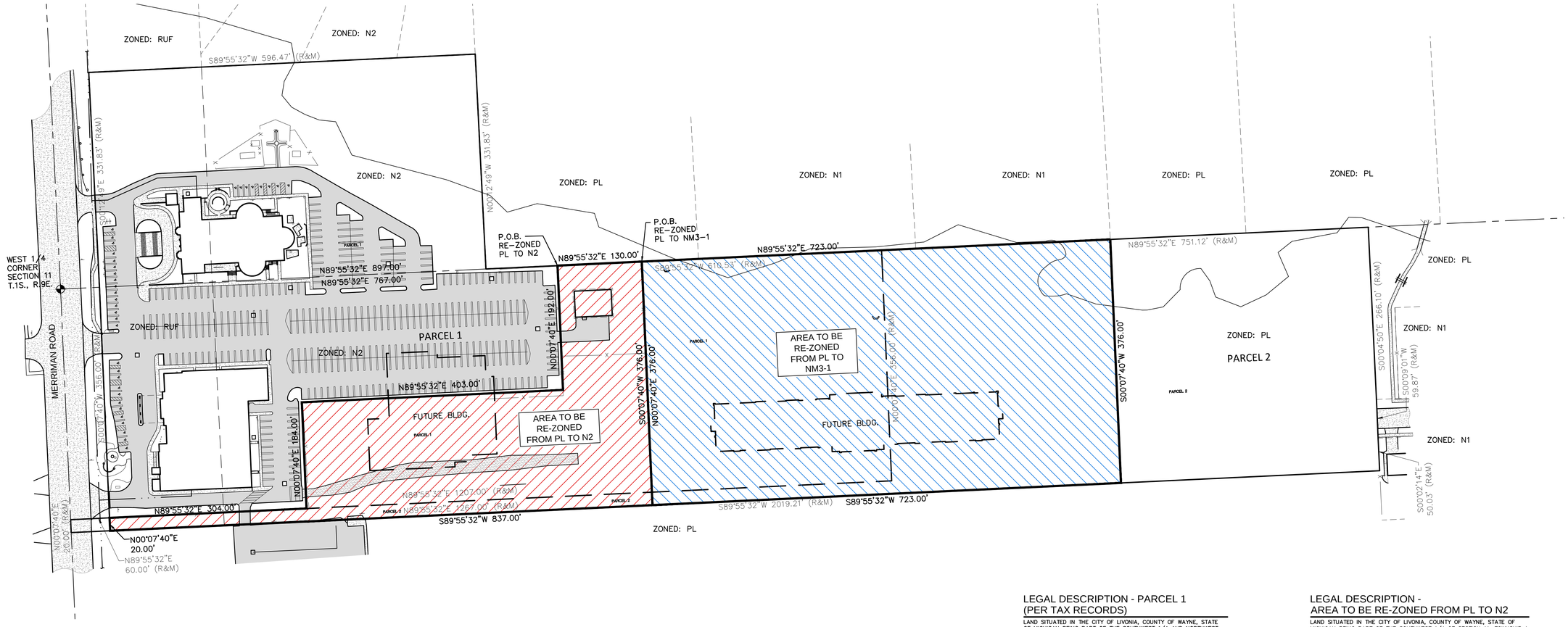
Denying Reasons: The request to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive from P-L, Public Lands, to N2, Neighborhood, and NM3-I, Neighborhood Multifamily, is hereby denied for the following reasons:

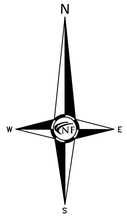
1. The petitioner has failed to show that the proposed zoning changes and the intended uses would be compatible with and in harmony with the surrounding residential neighborhoods.

2. The proposed zoning changes are inconsistent with the surrounding residential uses and would adversely alter the neighborhood's character.

3. The proposed zoning changes are contrary to the purposes, goals, and objectives of the Zoning Ordinance, which seek to ensure compatibility and appropriateness of uses to enhance property values and create and promote a more favorable environment for neighborhood use and enjoyment, and

4. That the proposed zoning changes are not supported by Livonia Vision 21 and the Future Land Use Plan, which shows the subject land area as a ‘Floodplain Area’ and ‘Parks and Community.’





LEGAL DESCRIPTION - PARCEL 1 (PER TAX RECORDS)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 60.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1207.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 610.53 FEET; THENCE NORTH 00 DEGREES 12 MINUTES 49 SECONDS WEST, 331.83 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 596.47 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 49 SECONDS EAST, 331.83 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 627,615 S.F. OR 14.41 ACRES.

LEGAL DESCRIPTION - PARCEL 2 (PER WARRANTY DEED)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST AND MEASURED ALONG THE WEST LINE OF SAID SECTION 11, 356.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1267.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET TO THE EAST–WEST 1/4 LINE OF SAID SECTION 11; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST ALONG THE EAST–WEST 1/4 LINE OF SAID SECTION 11, 751.12 FEET TO THE NORTHWEST CORNER OF "SUNSET PARK SUB'N" AS RECORDED IN LIBER 83 OF PLATS, PAGES 68 AND 69, WAYNE COUNTY RECORDS; THENCE SOUTH 00 DEGREES 04 MINUTES 50 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID "SUNSET PARK SUB'N", 266.10 FEET TO THE NORTHERLY RIGHT–OF–WAY OF BROOKVIEW DRIVE (60' WIDE); THENCE SOUTH 00 DEGREES 02 MINUTES 14 SECONDS EAST ALONG THE WESTERLY LINE OF SAID "SUNSET PARK SUB'N", 50.03 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 2019.21 FEET TO THE WEST LINE OF SAID SECTION 11; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST AND MEASURED ALONG THE WEST LINE OF SAID SECTION 11, 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 308,000 S.F. OR 7.07 ACRES.

LEGAL DESCRIPTION - AREA TO BE RE-ZONED FROM PL TO N2

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST ALONG THE EAST–WEST 1/4 LINE OF SAID SECTION 11, 767.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 130.00 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 376.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 837.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 20.00 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 304.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 184.00 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 403.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 192.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 129,110 SQUARE FEET OR 2.96 ACRES.

LEGAL DESCRIPTION - AREA TO BE RE-ZONED FROM PL TO NM3-1

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST ALONG THE EAST–WEST 1/4 LINE OF SAID SECTION 11, 897.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 723.00 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 376.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 723.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 376.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 271,848 SQUARE FEET OR 6.24 ACRES.

NF ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257
WWW.NFE-ENGR.COM

SEAL

STATE OF MICHIGAN
KEVIN CHRISTOPHER NAVAROLI
License No. 4001053503
REGISTERED PROFESSIONAL SURVEYOR

PROJECT
Basilica of St. Mary's
18100 Merriman Rd.
Livonia, MI

CLIENT
Basilica of St. Mary's

Contact: Salem Samaan
Ph: (734) 459-4040

PROJECT LOCATION
Part of the Southwest ¼
of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

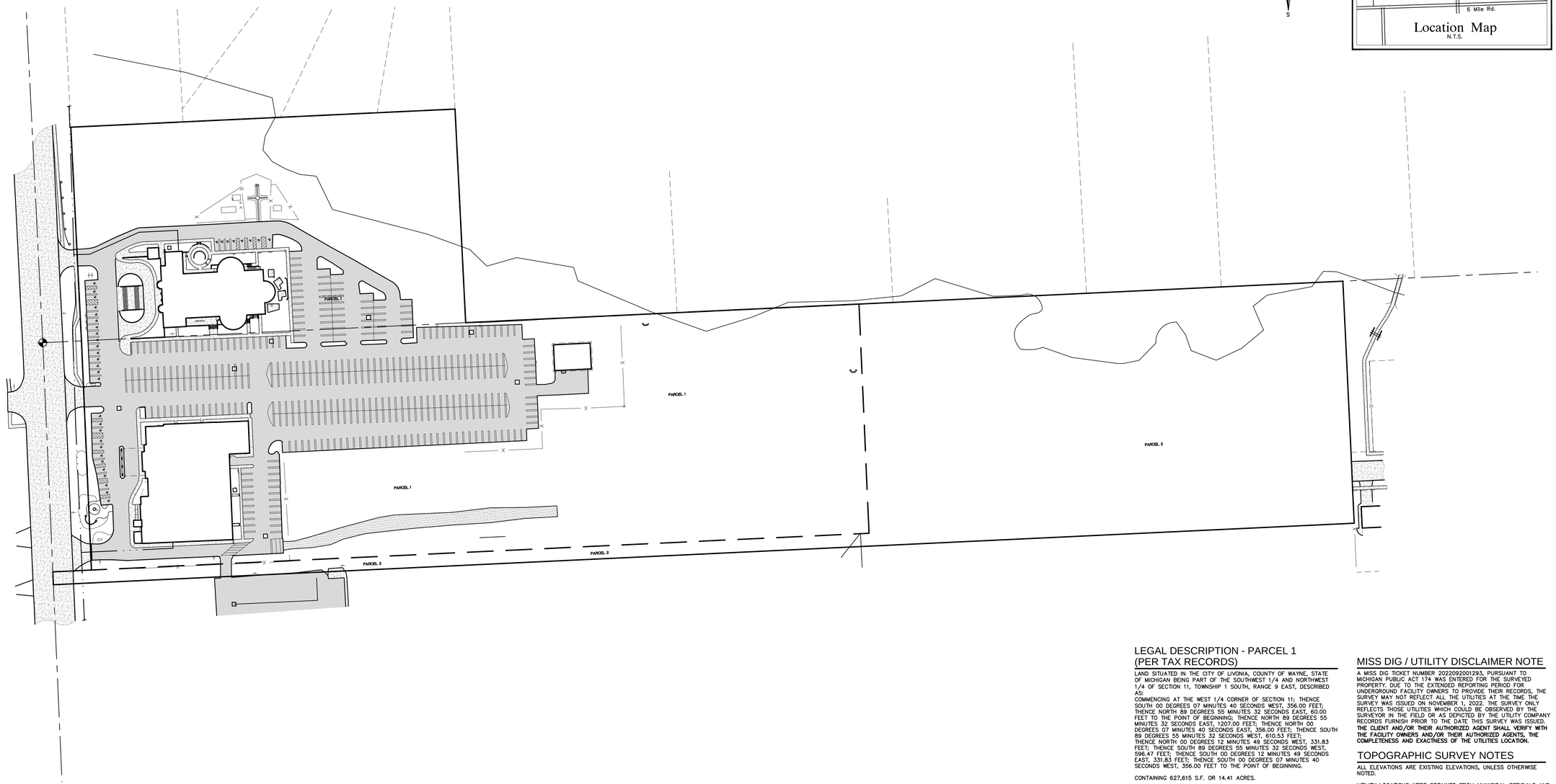
SHEET
Re-Zoning Sketch

Know what's below Call before you dig.

DATE	ISSUED/REVISED
11-16-22	REVISED PER CITY

DRAWN BY: A. Eizember
DESIGNED BY:
APPROVED BY: P. Williams
DATE: November 4, 2022
SCALE: 1" = 80'
80 40 0 40 80 120

NFE JOB NO. N210
SHEET NO. 1 of 1







NF ENGINEERS

CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

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SEAL



PROJECT

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CLIENT

Basilica of St. Mary's

Contact: Salem Samaan
Ph: (734) 459-4040

PROJECT LOCATION

Part of the Southwest ¼
of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET

Overall Survey

811 Know what's **below** **Call** before you dig.

DATE	ISSUED/REVISED
00-00-00	REVISED PER

DRAWN BY: A. Eizember

DESIGNED BY:

APPROVED BY: P. Williams

DATE: November 1, 2022

SCALE: 1" = 80'

80 40 0 40 80 120

NFE JOB NO. **N210**

SHEET NO. **1 of 4**

LEGAL DESCRIPTION - PARCEL 1 (PER TAX RECORDS)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:
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CONTAINING 627,615 S.F. OR 14.41 ACRES.

LEGAL DESCRIPTION - PARCEL 2 (PER WARRANTY DEED)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:
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CONTAINING 308,000 S.F. OR 7.07 ACRES.

MISS DIG / UTILITY DISCLAIMER NOTE

A MISS DIG TICKET NUMBER 20220920012933, PURSUANT TO MICHIGAN PUBLIC ACT 174 WAS ENTERED FOR THE SURVEYED PROPERTY. DUE TO THE EXTENDED REPORTING PERIOD FOR UNDERGROUND FACILITY OWNERS TO PROVIDE THEIR RECORDS, THE SURVEY MAY NOT REFLECT ALL THE UTILITIES AT THE TIME THE SURVEY WAS ISSUED ON NOVEMBER 1, 2022. THE SURVEY ONLY REFLECTS THOSE UTILITIES WHICH COULD BE OBSERVED BY THE SURVEYOR IN THE FIELD OR AS DEPICTED BY THE UTILITY COMPANY RECORDS FURNISH PRIOR TO THE DATE THIS SURVEY WAS ISSUED. **THE CLIENT AND/OR THEIR AUTHORIZED AGENT SHALL VERIFY WITH THE FACILITY OWNERS AND/OR THEIR AUTHORIZED AGENTS, THE COMPLETENESS AND EXACTNESS OF THE UTILITIES LOCATION.**

TOPOGRAPHIC SURVEY NOTES

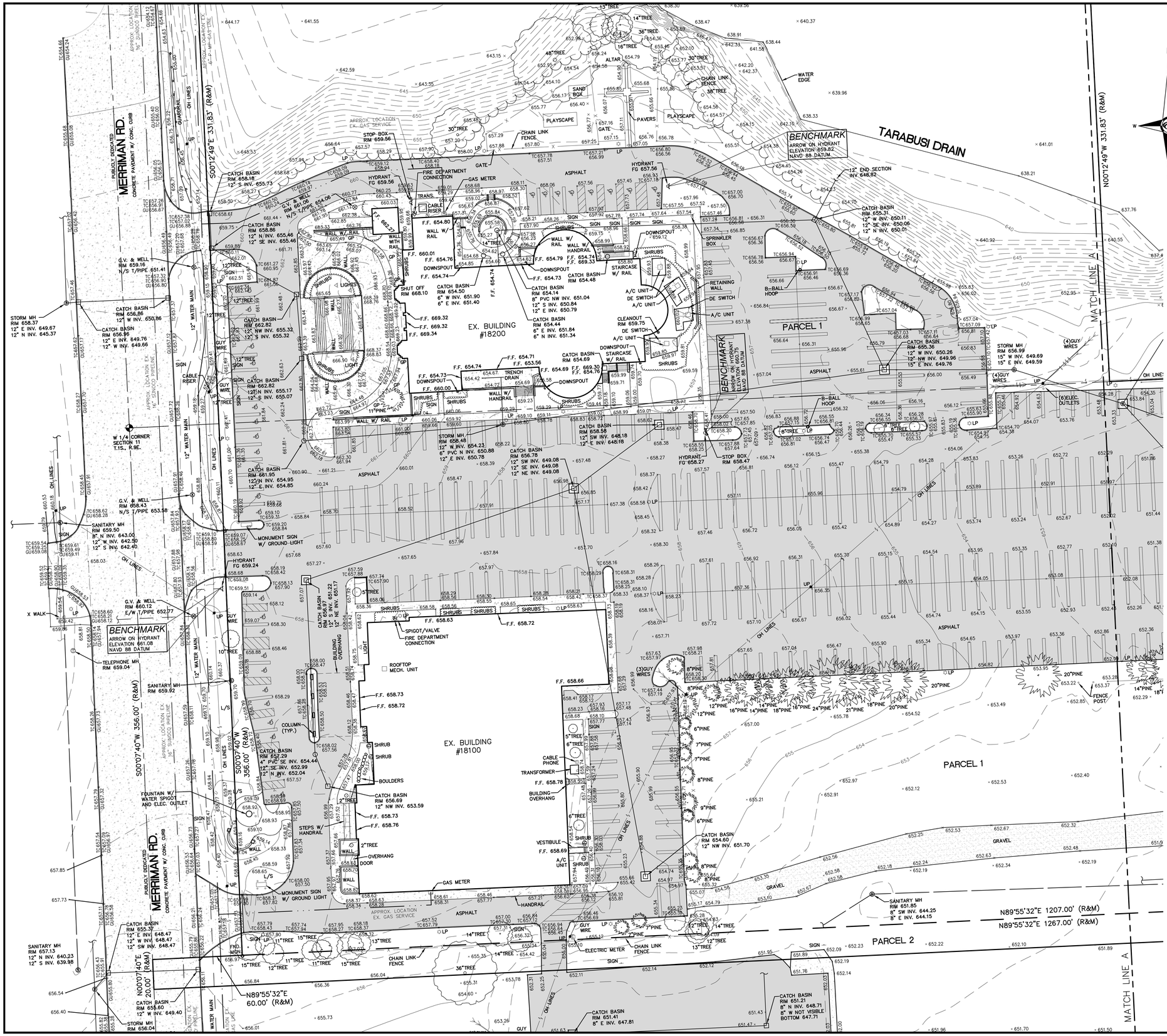
ALL ELEVATIONS ARE EXISTING ELEVATIONS, UNLESS OTHERWISE NOTED.

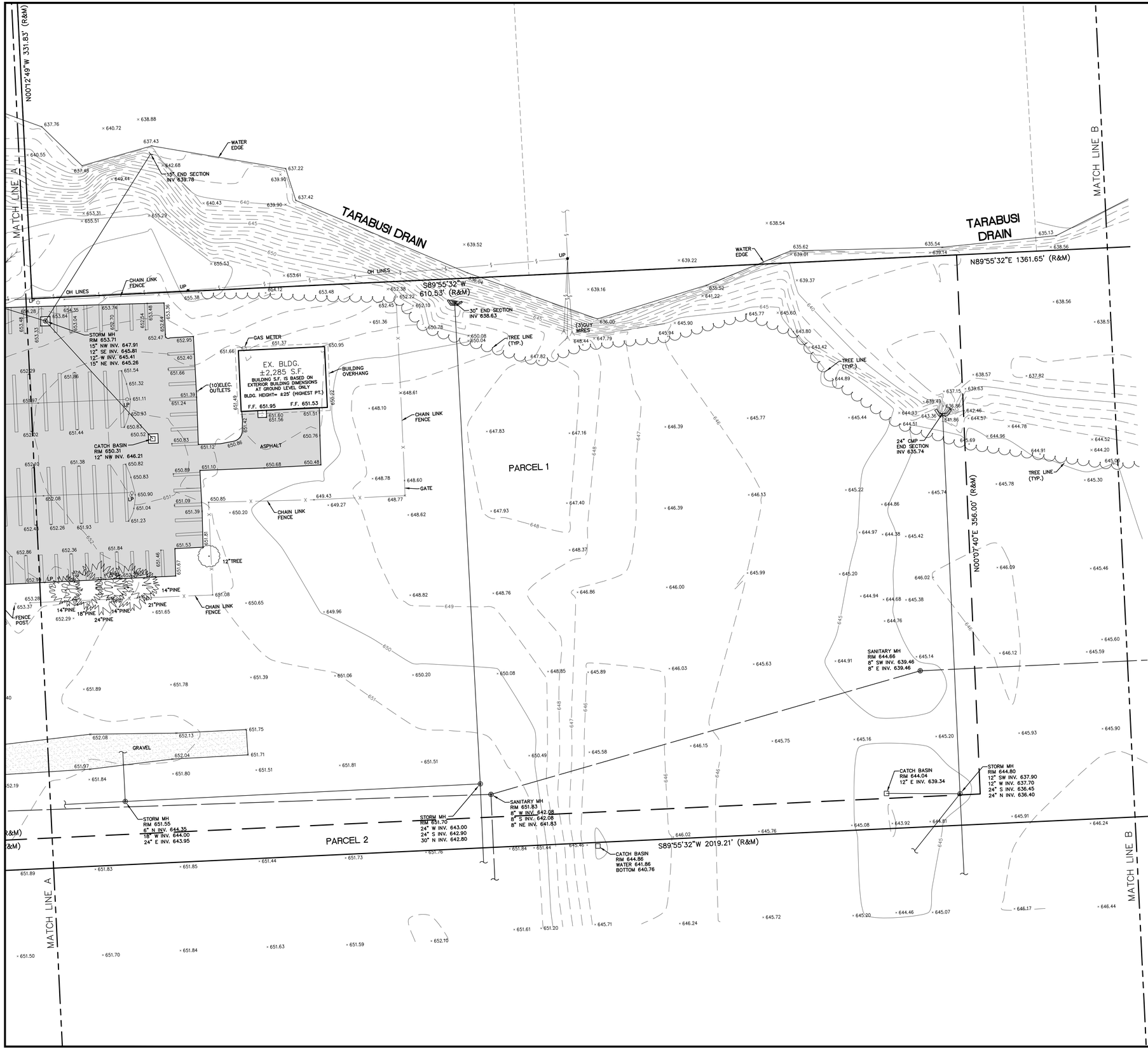
UTILITY LOCATIONS WERE OBTAINED FROM MUNICIPAL OFFICIALS AND RECORDS OF UTILITY COMPANIES, AND NO GUARANTEE CAN BE MADE TO THE COMPLETENESS, OR EXACTNESS OF LOCATION.

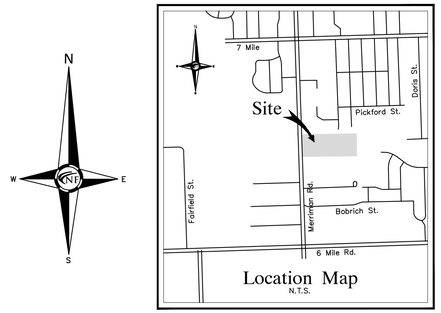
THIS SURVEY MAY NOT SHOW ALL EASEMENTS OF RECORD UNLESS AN UPDATED TITLE POLICY IS FURNISHED TO THE SURVEYOR BY THE OWNER.

LEGEND

- MANHOLE — EXISTING SANITARY SEWER
- HYDRANT, GATE VALVE — EXISTING SAN. CLEAN OUT
- MANHOLE, CATCH BASIN — EXISTING WATER MAIN
- EXISTING STORM SEWER
- EX. R.Y. CATCH BASIN
- EXISTING BURIED CABLES
- UTILITY POLE, GUY POLE, GUY WIRE — OVERHEAD LINES
- LIGHT POLE
- SIGN
- EXISTING GAS MAIN


S00°12'49"E 331.83' (R&M)
N00°12'49"W 331.83' (R&M)
PUBLICLY DEDICATED
MERRIMAN RD.
CONCRETE PAVEMENT W/ CONC. CURB
TARABUSI DRAIN
MATCH LINE A
EX. BUILDING #18200
PARCEL 1
PARCEL 2
BENCHMARK
ARROW ON HYDRANT
ELEVATION 659.82
NAVD 88 DATUM
BENCHMARK
ARROW ON HYDRANT
ELEVATION 661.08
NAVD 88 DATUM
BENCHMARK
ARROW ON HYDRANT
ELEVATION 660.75
NAVD 88 DATUM
W 1/4 CORNER
SECTION 11
T.1S., R.9E.
APPROX. LOCATION EX. GAS SERVICE
APPROX. LOCATION EX. 16" SUNOCO PIPELINE
APPROX. LOCATION EX. 8" SUNOCO PIPELINE
S00°07'40"W 356.00' (R&M)
S00°07'40"W 356.00' (R&M)
N89°55'32"E 1207.00' (R&M)
N89°55'32"E 1267.00' (R&M)
N89°55'32"E 60.00' (R&M)
N00°07'40"E 20.00' (R&M)
CATCH BASIN RIM 658.18 12" S INV. 655.73
CATCH BASIN RIM 656.86 12" N INV. 655.46 12" SE INV. 655.46
CATCH BASIN RIM 656.86 12" W INV. 650.86
CATCH BASIN RIM 656.96 12" E INV. 649.76 12" W INV. 649.66
CATCH BASIN RIM 662.82 12" NW INV. 655.32 12" S INV. 655.32
CATCH BASIN RIM 662.82 12" N INV. 655.17 12" S INV. 655.07
CATCH BASIN RIM 661.95 12" N INV. 654.95 12" E INV. 654.85
CATCH BASIN RIM 658.48 12" W INV. 654.23 6" PVC N INV. 650.88 12" E INV. 650.78
CATCH BASIN RIM 658.78 12" SW INV. 649.08 12" SE INV. 649.08 12" NE INV. 649.08
CATCH BASIN RIM 658.58 12" SW INV. 648.18 12" E INV. 648.18
CATCH BASIN RIM 655.37 12" E INV. 648.47 12" W INV. 648.47 12" SW INV. 648.47
CATCH BASIN RIM 655.60 12" W INV. 649.40
STORM MH RIM 658.37 12" E INV. 649.67 12" N INV. 645.37
STORM MH RIM 656.99 15" W INV. 649.69 15" E INV. 649.59
SANITARY MH RIM 659.50 8" N INV. 643.00 12" W INV. 642.90 12" S INV. 642.40
SANITARY MH RIM 659.92
SANITARY MH RIM 657.13 12" N INV. 640.23 12" S INV. 639.98
SANITARY MH RIM 651.85 8" SW INV. 644.25 8" E INV. 644.15
CATCH BASIN RIM 655.31 12" W INV. 650.11 12" SE INV. 650.06 12" N INV. 650.01
CATCH BASIN RIM 655.36 12" W INV. 650.26 12" NW INV. 649.96 15" E INV. 649.76
CATCH BASIN RIM 657.29 4" PVC SE INV. 654.44 12" SE INV. 652.99 12" N INV. 652.04
CATCH BASIN RIM 656.69 12" NW INV. 653.59
CATCH BASIN RIM 654.50 6" W INV. 651.90 6" E INV. 651.40
CATCH BASIN RIM 654.14 8" PVC NW INV. 651.04 12" S INV. 650.84 12" E INV. 650.79
CATCH BASIN RIM 654.44 6" E INV. 651.84 6" N INV. 651.34
CATCH BASIN RIM 654.60 12" NW INV. 651.70
CATCH BASIN RIM 654.69 12" SW INV. 649.79 12" E INV. 649.79
CATCH BASIN RIM 651.22 12" NE INV. 651.17
CATCH BASIN RIM 654.97 12" S INV. 651.22
CATCH BASIN RIM 651.21 8" N INV. 648.71 8" W NOT VISIBLE BOTTOM 647.71
CATCH BASIN RIM 651.41 8" E INV. 647.81
HYDRANT FG 659.56
HYDRANT FG 657.56
HYDRANT FG 659.24
HYDRANT FG 658.27
STOP BOX RIM 659.56
STOP BOX RIM 658.47
G.V. & WELL RIM 659.16 N/S T/PIPE 651.41
G.V. & WELL RIM 658.43 N/S T/PIPE 653.58
G.V. & WELL RIM 660.12 E/W T/PIPE 652.77
G.V. & WELL RIM 661.08 N/S T/PIPE 654.06
TELEPHONE MH RIM 659.04
SHUT OFF RIM 668.10
W/ WATER MAIN
OH LINES
GUARDRAIL
CHAIN LINK FENCE
GATE
FIRE DEPARTMENT CONNECTION
GAS METER
TRANS.
CABLE RISER
WALL W/ RAIL
WALL W/ HANDRAIL
STAIRCASE W/ RAIL
RETAINING WALL
SPRINKLER BOX
DOWNSPOUT
SHRUBS
TREES
SIGN
GUY WIRE
LIGHT
ASPHALT
GRAVEL
PAVERS
PLAYSCAPE
SAND BOX
ALTAR
WATER EDGE
CHAIN LINK FENCE
B-BALL HOOP
A/C UNIT
DE SWITCH
CLEANOUT RIM 659.75
TRENCH DRAIN
MONUMENT SIGN W/ GROUND LIGHT
SPIGOT/VALVE
FIRE DEPARTMENT CONNECTION
ROOFTOP MECH. UNIT
BUILDING OVERHANG
COLUMN (TYP.)
SHRUB
BOULDERS
CABLE PHONE
TRANSFORMER
VESTIBULE
OVERHANG DOOR
STEPS W/ HANDRAIL
FOUNTAIN W/ WATER SPIGOT AND ELEC. OUTLET
GAS METER
ELECTRIC METER
CHAIN LINK FENCE
FENCE POST
(3)GUY WIRES
(4)GUY WIRES
(6)ELEC. OUTLETS
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SEAL

STATE OF MICHIGAN
KEVIN CHRISTOPHER NAVAROLI
License No. 4001053503
PROFESSIONAL ENGINEER

PROJECT

Basilica of St. Mary's
18100 Merriman Rd.
Livonia, MI

CLIENT

Basilica of St. Mary's

Contact: Salem Samaan
Ph: (734) 459-4040

LEGAL DESCRIPTION - PARCEL 1 (PER TAX RECORDS)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:
COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 60.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1207.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 610.53 FEET;
THENCE NORTH 00 DEGREES 12 MINUTES 49 SECONDS WEST, 331.83 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 596.47 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 49 SECONDS EAST, 331.83 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 627,615 S.F. OR 14.41 ACRES.

LEGAL DESCRIPTION - PARCEL 2 (PER WARRANTY DEED)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST AND MEASURED ALONG THE WEST LINE OF SAID SECTION 11, 356.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1267.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET TO THE EAST–WEST 1/4 LINE OF SAID SECTION 11; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST ALONG THE EAST–WEST 1/4 LINE OF SAID SECTION 11, 751.12 FEET TO THE NORTHWEST CORNER OF "SUNSET PARK SUB'N" AS RECORDED IN LIBER 83 OF PLATS, PAGES 68 AND 69, WAYNE COUNTY RECORDS; THENCE SOUTH 00 DEGREES 04 MINUTES 50 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID "SUNSET PARK SUB'N", 266.10 FEET TO THE NORTHERLY RIGHT–OF–WAY OF BROOKVIEW DRIVE (60' WIDE); THENCE SOUTH 00 DEGREES 02 MINUTES 14 SECONDS EAST ALONG THE WESTERLY LINE OF SAID "SUNSET PARK SUB'N", 50.03 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 2019.21 FEET TO THE WEST LINE OF SAID SECTION 11; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST AND MEASURED ALONG THE WEST LINE OF SAID SECTION 11, 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 308,000 S.F. OR 7.07 ACRES.

MISS DIG / UTILITY DISCLAIMER NOTE

A MISS DIG TICKET NUMBER 2022092001293, PURSUANT TO MICHIGAN PUBLIC ACT 174 WAS ENTERED FOR THE SURVEYED PROPERTY. DUE TO THE EXTENDED REPORTING PERIOD FOR UNDERGROUND FACILITY OWNERS TO PROVIDE THEIR RECORDS, THE SURVEY MAY NOT REFLECT ALL THE UTILITIES AT THE TIME THE SURVEY WAS ISSUED ON NOVEMBER 1, 2022. THE SURVEY ONLY REFLECTS THOSE UTILITIES WHICH COULD BE OBSERVED BY THE SURVEYOR IN THE FIELD OR AS DEPICTED BY THE UTILITY COMPANY RECORDS FURNISH PRIOR TO THE DATE THIS SURVEY WAS ISSUED. **THE CLIENT AND/OR THEIR AUTHORIZED AGENT SHALL VERIFY WITH THE FACILITY OWNERS AND/OR THEIR AUTHORIZED AGENTS, THE COMPLETENESS AND EXACTNESS OF THE UTILITIES LOCATION.**

TOPOGRAPHIC SURVEY NOTES

ALL ELEVATIONS ARE EXISTING ELEVATIONS, UNLESS OTHERWISE NOTED.

UTILITY LOCATIONS WERE OBTAINED FROM MUNICIPAL OFFICIALS AND RECORDS OF UTILITY COMPANIES, AND NO GUARANTEE CAN BE MADE TO THE COMPLETENESS, OR EXACTNESS OF LOCATION.

THIS SURVEY MAY NOT SHOW ALL EASEMENTS OF RECORD UNLESS AN UPDATED TITLE POLICY IS FURNISHED TO THE SURVEYOR BY THE OWNER.

LEGEND

- MANHOLE — EXISTING SANITARY SEWER
- EXISTING SAN. CLEAN OUT
- HYDRANT, GATE VALVE — EXISTING WATER MAIN
- MANHOLE, CATCH BASIN — EXISTING STORM SEWER
- EX. R.Y. CATCH BASIN
- EXISTING BURIED CABLES
- UTILITY POLE, GUY POLE, GUY WIRE — OVERHEAD LINES
- LIGHT POLE
- SIGN
- EXISTING GAS MAIN

Know what's **below** **Call** before you dig.

DATE	ISSUED/REVISED
00-00-00	REVISED PER

DRAWN BY: A. Eizember

DESIGNED BY:

APPROVED BY: P. Williams

DATE: November 1, 2022

SCALE: 1" = 80'

80 40 0 40 80 120

NFE JOB NO. **N210**

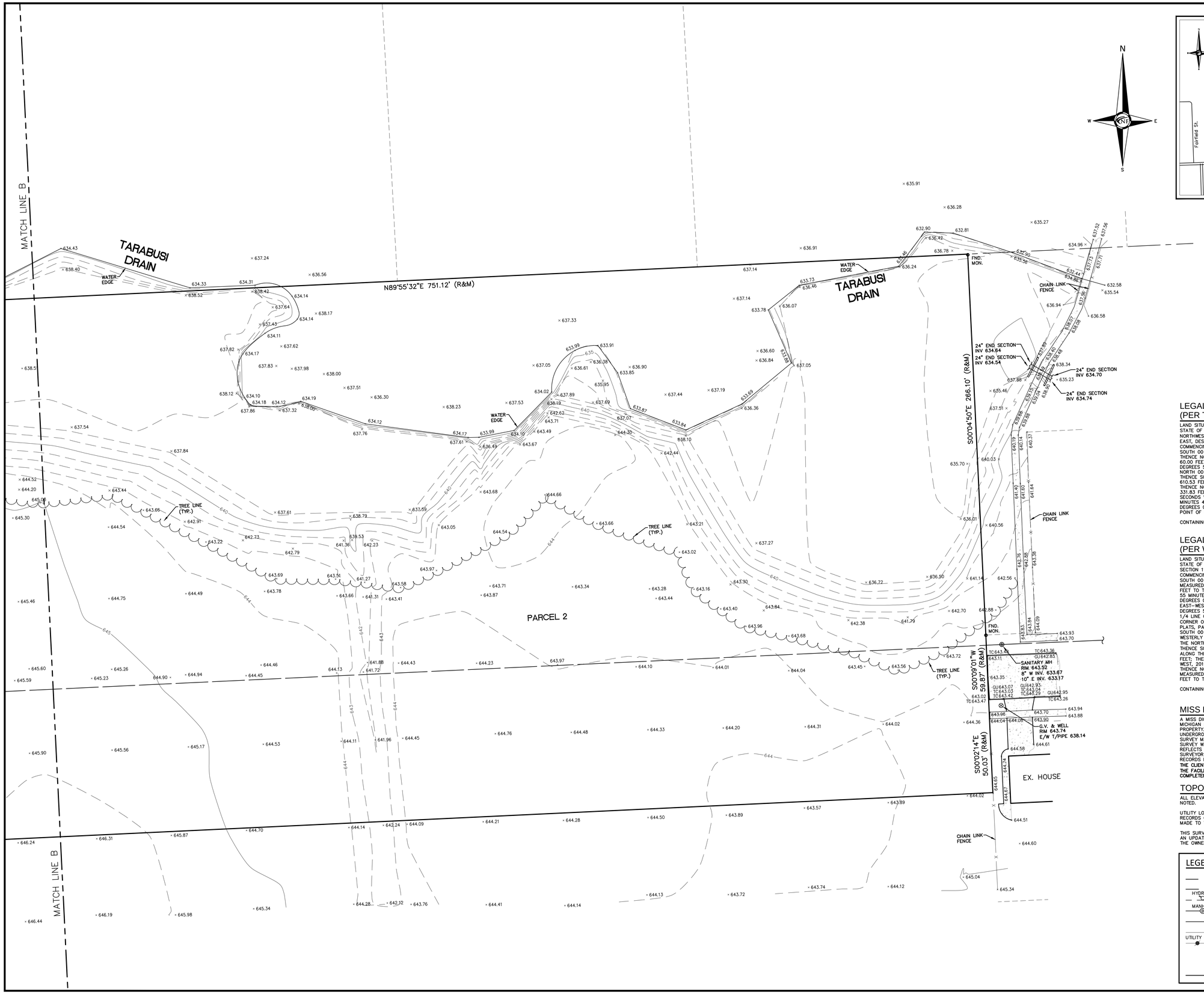
SHEET NO. **3 of 4**

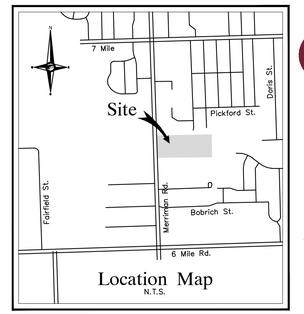
PROJECT LOCATION

Part of the Southwest ¼ of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET

Boundary / Topographic Survey





NF ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257
WWW.NFE-ENGR.COM

SEAL

STATE OF MICHIGAN — KEVIN CHRISTOPHER NAVAROLI — License No. 4001053503 — PROFESSIONAL ENGINEER

PROJECT
Basilica of St. Mary's
18100 Merriman Rd.
Livonia, MI

CLIENT
Basilica of St. Mary's

Contact: Salem Samaan
Ph: (734) 459-4040

LEGAL DESCRIPTION - PARCEL 1 (PER TAX RECORDS)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS:
COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 60.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1207.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 610.53 FEET;
THENCE NORTH 00 DEGREES 12 MINUTES 49 SECONDS WEST, 331.83 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 596.47 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 49 SECONDS EAST, 331.83 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST, 356.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 627,615 S.F. OR 14.41 ACRES.

LEGAL DESCRIPTION - PARCEL 2 (PER WARRANTY DEED)

LAND SITUATED IN THE CITY OF LIVONIA, COUNTY OF WAYNE, STATE OF MICHIGAN BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 9 EAST, DESCRIBED AS: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 11; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST AND MEASURED ALONG THE WEST LINE OF SAID SECTION 11, 356.00 FEET TO THE POINT OF BEGINNING, THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST, 1267.00 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST, 356.00 FEET TO THE EAST–WEST 1/4 LINE OF SAID SECTION 11; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS EAST ALONG THE EAST–WEST 1/4 LINE OF SAID SECTION 11, 751.12 FEET TO THE NORTHWEST CORNER OF "SUNSET PARK SUB'N" AS RECORDED IN LIBER 83 OF PLATS, PAGES 68 AND 69, WAYNE COUNTY RECORDS; THENCE SOUTH 00 DEGREES 04 MINUTES 50 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID "SUNSET PARK SUB'N", 266.10 FEET TO THE NORTHERLY RIGHT–OF–WAY OF BROOKVIEW DRIVE (60' WIDE); THENCE SOUTH 00 DEGREES 02 MINUTES 14 SECONDS EAST ALONG THE WESTERLY LINE OF SAID "SUNSET PARK SUB'N", 50.03 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, 2019.21 FEET TO THE WEST LINE OF SAID SECTION 11; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS EAST AND MEASURED ALONG THE WEST LINE OF SAID SECTION 11, 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 308,000 S.F. OR 7.07 ACRES.

MISS DIG / UTILITY DISCLAIMER NOTE

A MISS DIG TICKET NUMBER 20220920001293, PURSUANT TO MICHIGAN PUBLIC ACT 174 WAS ENTERED FOR THE SURVEYED PROPERTY. DUE TO THE EXTENDED REPORTING PERIOD FOR UNDERGROUND FACILITY OWNERS TO PROVIDE THEIR RECORDS, THE SURVEY MAY NOT REFLECT ALL THE UTILITIES AT THE TIME THE SURVEY WAS ISSUED ON NOVEMBER 1, 2022. THE SURVEY ONLY REFLECTS THOSE UTILITIES WHICH COULD BE OBSERVED BY THE SURVEYOR IN THE FIELD OR AS DEPICTED BY THE UTILITY COMPANY RECORDS FURNISH PRIOR TO THE DATE THIS SURVEY WAS ISSUED. **THE CLIENT AND/OR THEIR AUTHORIZED AGENT SHALL VERIFY WITH THE FACILITY OWNERS AND/OR THEIR AUTHORIZED AGENTS, THE COMPLETENESS AND EXACTNESS OF THE UTILITIES LOCATION.**

TOPOGRAPHIC SURVEY NOTES

ALL ELEVATIONS ARE EXISTING ELEVATIONS, UNLESS OTHERWISE NOTED.

UTILITY LOCATIONS WERE OBTAINED FROM MUNICIPAL OFFICIALS AND RECORDS OF UTILITY COMPANIES, AND NO GUARANTEE CAN BE MADE TO THE COMPLETENESS, OR EXACTNESS OF LOCATION.

THIS SURVEY MAY NOT SHOW ALL EASEMENTS OF RECORD UNLESS AN UPDATED TITLE POLICY IS FURNISHED TO THE SURVEYOR BY THE OWNER.

LEGEND

- MANHOLE
- HYDRANT
- GATE VALVE
- MANHOLE
- CATCH BASIN
- UTILITY POLE
- GUY POLE
- GUY WIRE
- EXISTING SANITARY SEWER
- EXISTING SAN. CLEAN OUT
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- EX. R.Y. CATCH BASIN
- EXISTING BURIED CABLES
- OVERHEAD LINES
- LIGHT POLE
- SIGN
- EXISTING GAS MAIN

PROJECT LOCATION
Part of the Southwest ¼ of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET
Boundary / Topographic Survey

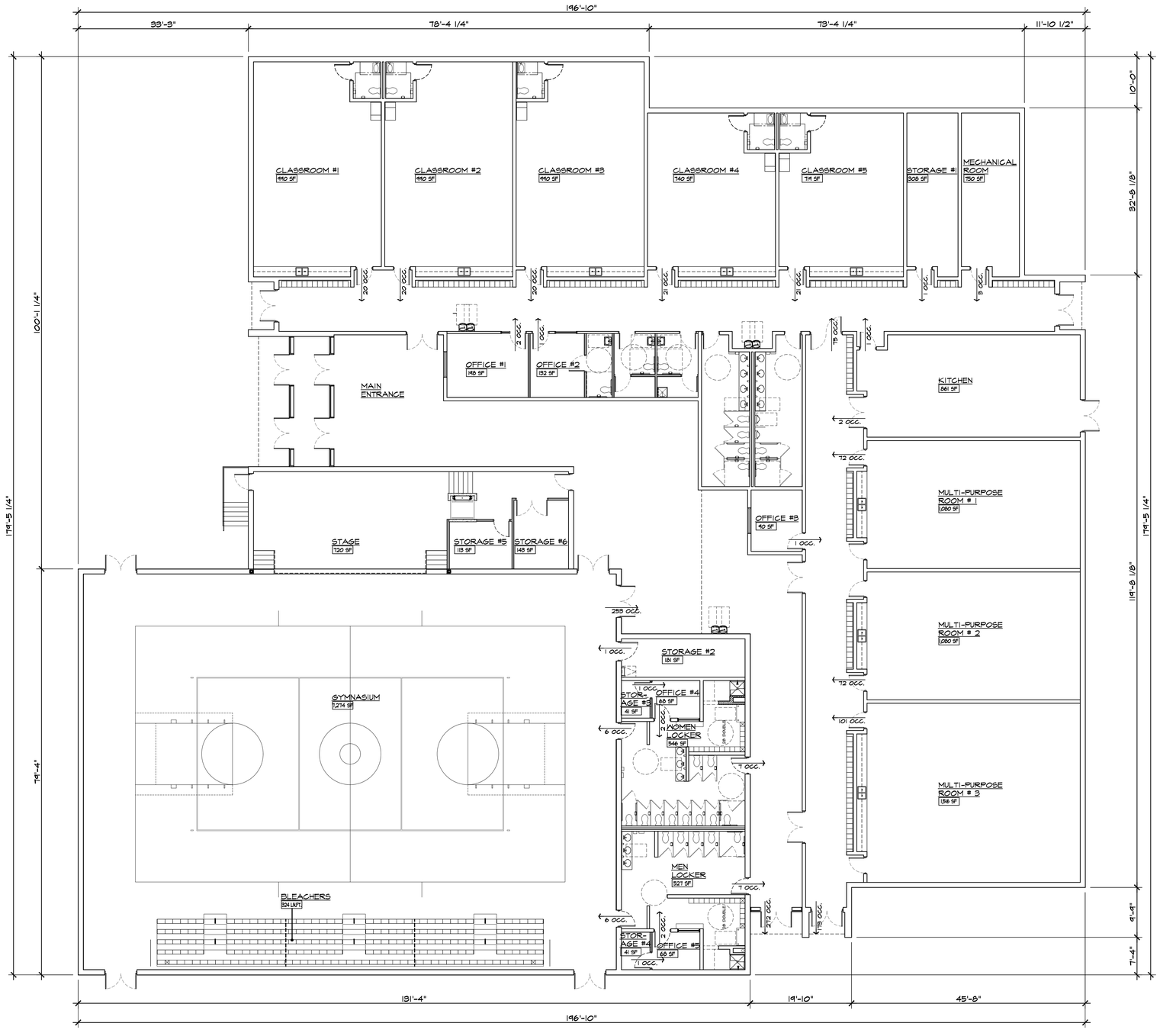
Know what's below Call before you dig.

DATE	ISSUED/REVISED
00-00-00	REVISED PER

DRAWN BY: A. Eizember
DESIGNED BY:
APPROVED BY: P. Williams
DATE: November 1, 2022
SCALE: 1" = 80'

80 40 0 40 80 120

NFE JOB NO. **N210**
SHEET NO. **4 of 4**



NORTH

PROPOSED SCHOOL FLOOR PLAN

SCALE: 3/32" = 1'-0"

PRELIMINARY NOT FOR CONSTRUCTION

ISSUED FOR	DATE
REVIEW	9-2-18
REZONING	11-18-2022

ARCHITECTURAL DESIGN

RESIDENTIAL
COMMERCIAL
INDUSTRIAL

G.A.V. ASSOCIATES, INC
24061 ORCHARD LAKE RD., STE. 180A
FARMINGTON, MICHIGAN 48336
PH: (248) 985-9101
WEB: WWW.GAVASSOCIATES.COM

GA ASSOCIATES

BASILICA OF ST. MARY'S
18100 MERRIMAN ROAD
LIVONIA, MICHIGAN
SALEM SAMAAN 734-459-4040

PROPOSED BUILDING FOR:
ST. MARY'S ACADEMY & GYMNASIUM
18200 MERRIMAN RD
LIVONIA, MICHIGAN

DRAWN:	DESIGNED:	CHECKED:
GA	GA	GA

SCALE : 3/32" = 1'-0"

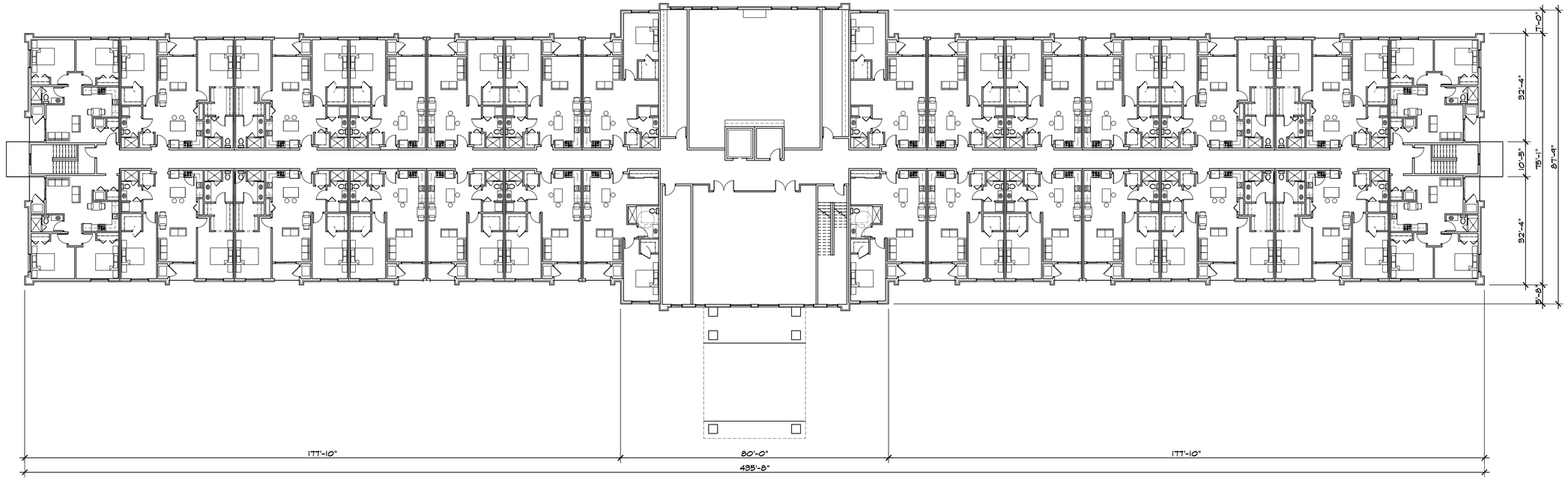
FILE NAME : 20035_A101

JOB #: 20035

SHEET TITLE
PROPOSED SCHOOL FLOOR PLAN

SHEET #
A.101

STATE OF MICHIGAN
SAMIR M. SAMAAN
No. 1301038452
LICENSED ARCHITECT



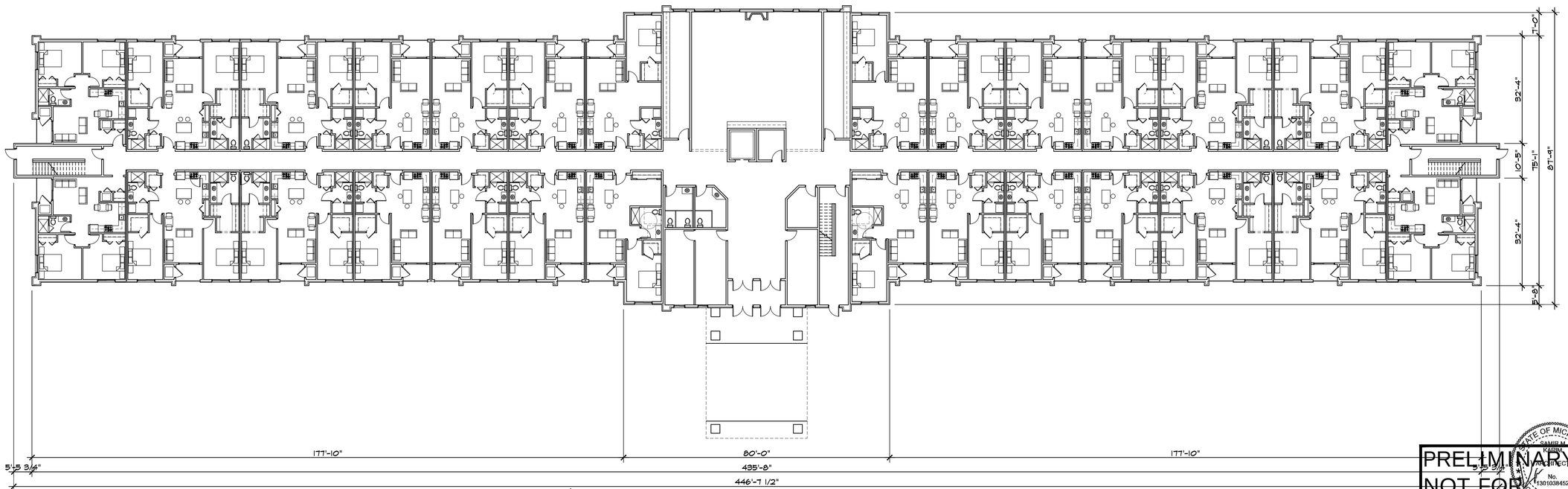
NORTH

PROPOSED APARTMENTS SECOND FLOOR PLAN

SCALE: 1/16" = 1'-0"

APARTMENT TYPES

	ONE BEDROOM	ONE BEDROOMW/ FLEX ROOM	TWO BEDROOM
FIRST FLOOR:	16	0	12
SECOND FLOOR:	16	0	12
THIRD FLOOR:	16	2	12



NORTH

PROPOSED APARTMENTS FIRST FLOOR PLAN

SCALE: 1/16" = 1'-0"

PRELIMINARY NOT FOR CONSTRUCTION

STATE OF MICHIGAN SAMIR M. GABBY No. 1301038452 LICENSED ARCHITECT

ISSUED FOR	DATE
REVIEW	9-2-18
REZONING	11-18-2022

ARCHITECTURAL DESIGN

RESIDENTIAL
COMMERCIAL
INDUSTRIAL

G.A.V. ASSOCIATES, INC
24001 ORCHARD LAKE RD., STE. 180A
FARMINGTON, MICHIGAN 48336
PH: (248) 985-9101
WEB: WWW.GAVASSOCIATES.COM

GA ASSOCIATES

BASILICA OF ST. MARY'S
18100 MERRIMAN ROAD
LIVONIA, MICHIGAN
SALEM SAMAAN 734-459-4040

PROPOSED BUILDING FOR:
ST. MARY'S ACADEMY & GYMNASIUM
18200 MERRIMAN RD
LIVONIA, MICHIGAN

DRAWN:	DESIGNED:	CHECKED:
GA	GA	GA

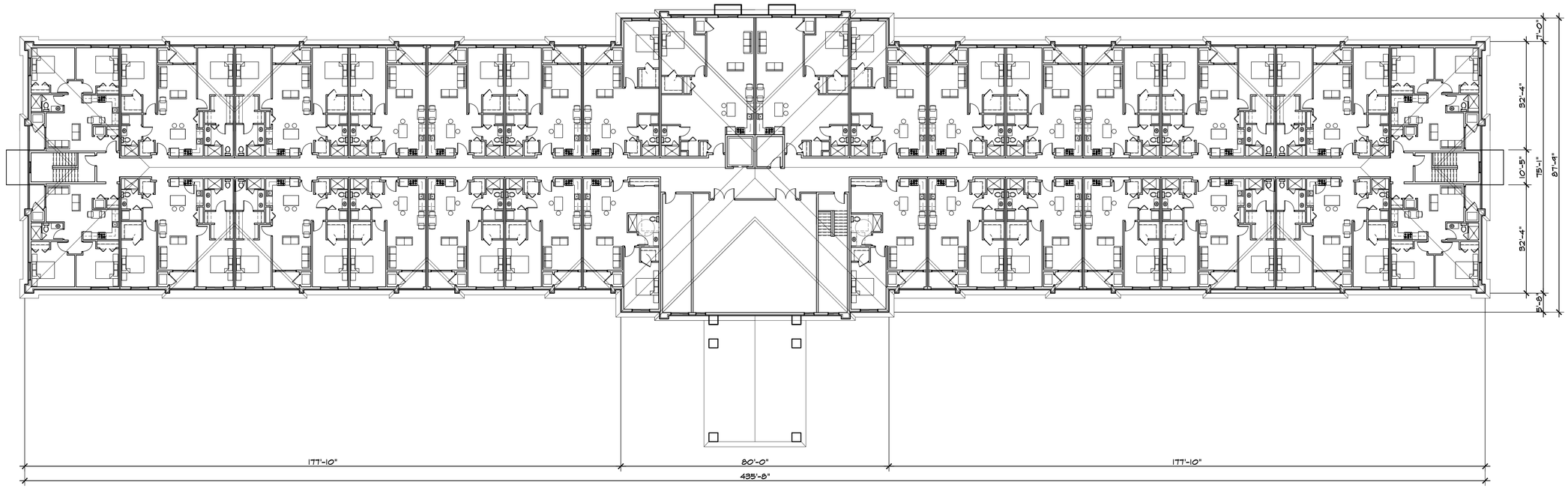
SCALE : 1/16" = 1'-0"

FILE NAME : 20035_A102

JOB #: 20035

SHEET TITLE
PROPOSED
APARTMENTS
1ST & 2ND FLOOR PLANS

SHEET #
A.102



NORTH

PROPOSED APARTMENTS THIRD FLOOR PLAN

SCALE: 1/16" = 1'-0"

APARTMENT TYPES

	ONE BEDROOM	ONE BEDROOMW/ FLEX ROOM	TWO BEDROOM
FIRST FLOOR:	16	0	12
SECOND FLOOR:	16	0	12
THIRD FLOOR:	16	2	12

PRELIMINARY
NOT FOR
CONSTRUCTION

STATE OF MICHIGAN
SAMIR M. SAMAAN
ARCHITECT
No. 1301038452
LICENSED ARCHITECT

ISSUED FOR	DATE
REVIEW	9-2-18
REZONING	11-18-2022

ARCHITECTURAL DESIGN

RESIDENTIAL
COMMERCIAL
INDUSTRIAL

G.A.V. ASSOCIATES, INC
24001 ORCHARD LAKE RD., STE. 180A
FARMINGTON, MICHIGAN 48336
PH: (248) 985-9101
WEB: WWW.GAVASSOCIATES.COM

GAV ASSOCIATES

BASILICA OF ST. MARY'S
18100 MERRIMAN ROAD
LIVONIA, MICHIGAN
SALEM SAMAAN 734-451-4040

PROPOSED BUILDING FOR:
ST. MARY'S ACADEMY & GYMNASIUM
18200 MERRIMAN RD
LIVONIA, MICHIGAN

DRAWN:	DESIGNED:	CHECKED:
GA	GA	GA

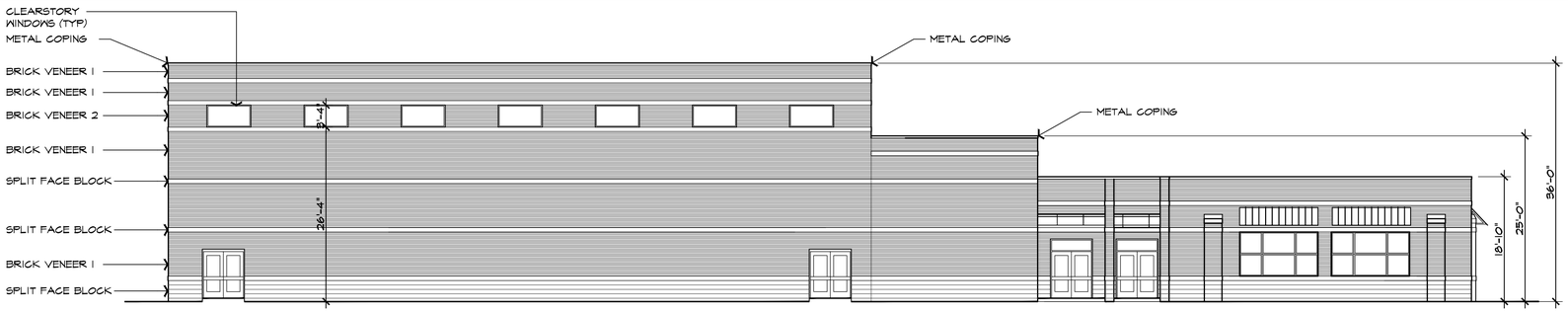
SCALE : 1/16" = 1'-0"

FILE NAME : 20035_A103

JOB #: 20035

SHEET TITLE
PROPOSED
APARTMENTS
3RD FLOOR PLAN

SHEET #
A.103



PROPOSED SCHOOL SOUTH ELEVATION

SCALE: 3/32" = 1'-0"



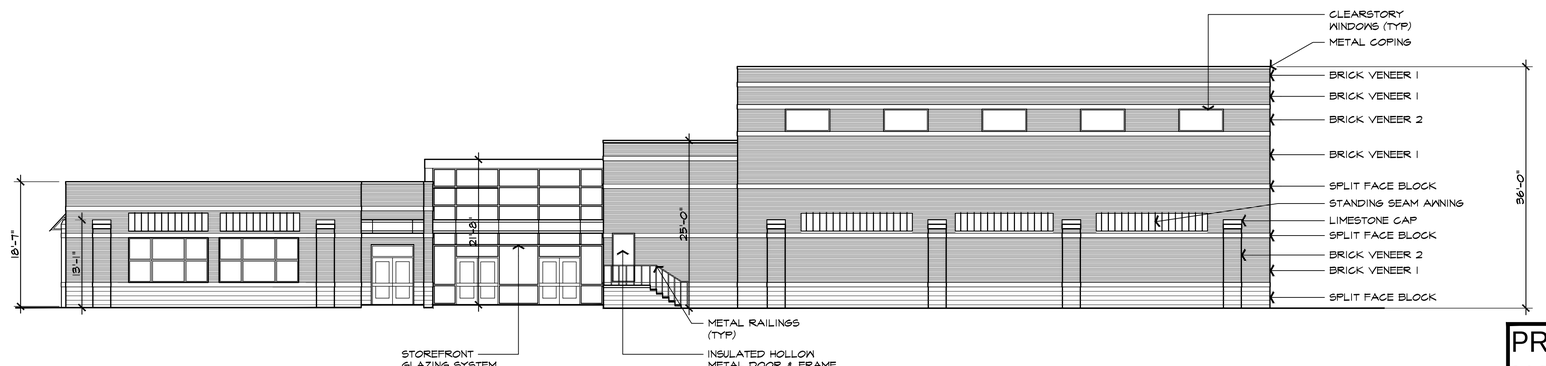
PROPOSED SCHOOL EAST ELEVATION

SCALE: 3/32" = 1'-0"



PROPOSED SCHOOL NORTH ELEVATION

SCALE: 3/32" = 1'-0"



PROPOSED SCHOOL WEST ELEVATION

SCALE: 3/32" = 1'-0"

PRELIMINARY NOT FOR CONSTRUCTION

STATE OF MICHIGAN — SAMIR A. ATTIEH — No. 1301038452 — LICENSED ARCHITECT

ISSUED FOR	DATE
REVIEW	9-2-18
REZONING	11-18-2022

ARCHITECTURAL DESIGN

RESIDENTIAL
COMMERCIAL
INDUSTRIAL

G.A.V. ASSOCIATES, INC
24061 ORCHARD LAKE RD., STE. 180A
FARMINGTON, MICHIGAN 48336
PH: (248) 985-9101
WEB: WWW.GAVASSOCIATES.COM

GA ASSOCIATES

BASILICA OF ST. MARY'S
18100 MERRIMAN ROAD
LIVONIA, MICHIGAN
SALEM SAMAAN 734-459-4040

PROPOSED BUILDING FOR:
ST. MARY'S ACADEMY & GYMNASIUM
18200 MERRIMAN RD
LIVONIA, MICHIGAN

DRAWN:	DESIGNED:	CHECKED:
GA	GA	GA

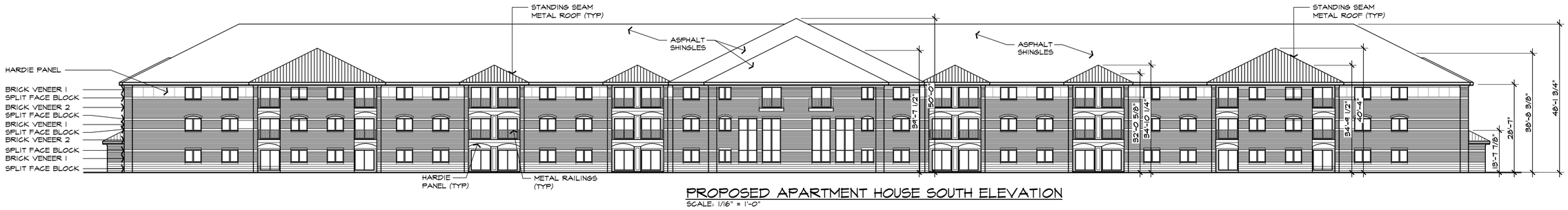
SCALE : 3/32" = 1'-0"

FILE NAME : 20035_A201

JOB #: 20035

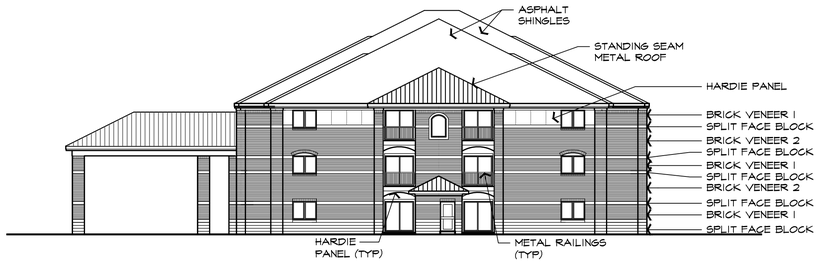
SHEET TITLE
PROPOSED SCHOOL ELEVATIONS

SHEET #
A.201



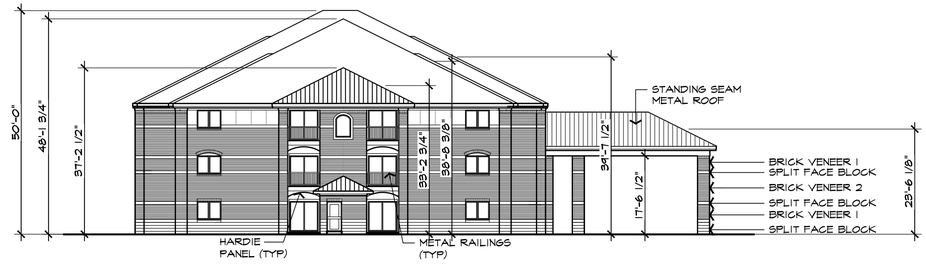
PROPOSED APARTMENT HOUSE SOUTH ELEVATION

SCALE: 1/16" = 1'-0"



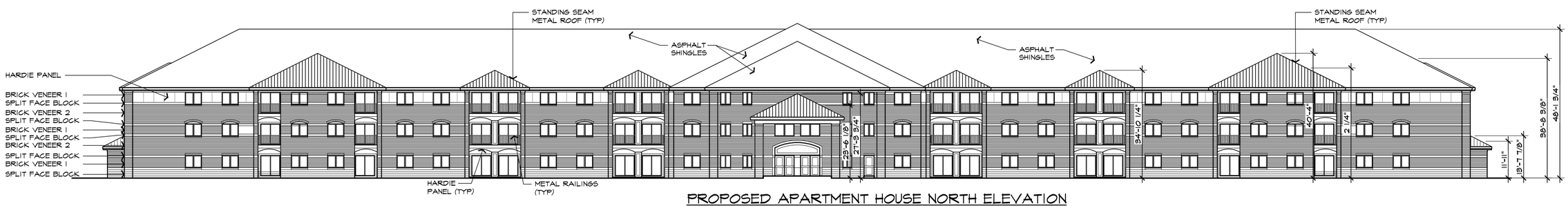
PROPOSED APARTMENT HOUSE WEST ELEVATION

SCALE: 1/16" = 1'-0"



PROPOSED APARTMENT HOUSE EAST ELEVATION

SCALE: 1/16" = 1'-0"



PROPOSED APARTMENT HOUSE NORTH ELEVATION

SCALE: 1/16" = 1'-0"

PRELIMINARY NOT FOR CONSTRUCTION

STATE OF MICHIGAN — SAMIR M. ANDRAWIS — REGISTERED ARCHITECT — No. 1301038452 — LICENSED ARCHITECT

ISSUED FOR	DATE
REVIEW	9-2-18
REZONING	11-18-2022

ARCHITECTURAL DESIGN

RESIDENTIAL
COMMERCIAL
INDUSTRIAL

G.A.V. ASSOCIATES, INC
24001 ORCHARD LAKE RD., STE. 180A
FARMINGTON, MICHIGAN 48336
PH: (248) 985-9101
WEB: WWW.GAVASSOCIATES.COM

GA ASSOCIATES

BASILICA OF ST. MARY'S
18100 MERRIMAN ROAD
LIVONIA, MICHIGAN
SALEM SAMAAN 734-459-4040

PROPOSED BUILDING FOR:
ST. MARY'S ACADEMY & GYMNASIUM
18200 MERRIMAN RD
LIVONIA, MICHIGAN

DRAWN:	DESIGNED:	CHECKED:
GA	GA	GA

SCALE : 1/16" = 1'-0"

FILE NAME : 20035_A202

JOB #: 20035

SHEET TITLE
PROPOSED APARTMENT HOUSE ELEVATIONS

SHEET #
A.202

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

December 19, 2022

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2022-12-01-02 – #18100 Merriman Road and #30600 Brookview Drive

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed rezoning at this time. The subject parcels are assigned the addresses of **#18100 Merriman Road and #30600 Brookview Drive**.

The legal descriptions included with the submitted drawings appear to have a small error on the description of the area to be rezoned from PL to N2. On the Re-Zoning Sketch drawing, the last dimension of the description should be 172.00 feet, not 192.00 feet. Also, the description for the original Parcel 2 is missing a bearing and distance for the easterly leg of the parcel (where the parcel abuts Brookview Drive) on all the sheets.

The existing parcel is currently served by public water main, sanitary sewer and storm sewer. The submitted drawing do not indicate any of the proposed utility connections or calculations, so we are unable to comment on impacts to the existing systems until design calculations are provided during the design and permitting submittals.

The proposed drawings do not indicate any storm water detention which will be required in order to meet the Wayne County Stormwater Ordinance. Also the drawings do not indicate the limits of the existing floodplain and wetlands, which will need to be located prior to any Engineering approvals.

It should be noted that any work within the Merriman Road right-of-way will require the owner to obtain permits with the Wayne County Department of Public Service.

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 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

December 19, 2022

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

Petition 2022-12-01-02 - 18100 Merriman Road & 30600 Brookview Drive

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

January 5, 2023

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

Re: Petition 2022-12-01-02 — 18100 Merriman Road and 30600 Brookview Drive St. Mary's Basilica

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 as they are tax exempt, therefore I have no objections to the proposal.

Sincerely,

Lynda L. Scheel

Lynda L. Scheel
Treasurer, City of Livonia

OTHER ITEMS RELATED TO THE PETITION

From: Darlene Wood
To: Planning
Subject: Petition 2022-12-01-02
Date: Friday, January 20, 2023 12:36:08 PM

Hi,
I would like to express that I am against the rezoning of the Basilica of St. Mary on Merriman Rd due to the following concerns...
Decrease home values
noise pollution
light pollution
destruction of nature
environmental impact
loss of a natural field for animals
increased traffic
increased emergency vehicles in area
increase waste and odors
loss of open space

Please do not allow the rezoning of this property to these classifications. There are other areas of Livonia that can be developed that are eye sores including the corner of 7 mile and Farmington.

If you have any questions, please feel free to contact me at dwood8689@gmail.com

Thank you,
Darlene & Dave Wood
30527Jeanine
Livonia, MI

From: Linda Korovesis
To: Planning
Subject: St. Mary"s development
Date: Friday, January 20, 2023 2:37:41 PM

Please carefully look at what St. Mary's agreed to when they took over the property from Livonia Public Schools. I clearly remember LPS employees were told by the former superintendent that they agreed not to open a school (they have) and not to develop the land. I hope that this was actually in writing. I would prefer single family homes if that area is to be developed. That would be consistent with the surrounding area.
Thank you for considering the wishes of those living nearby.

Linda Korovesis

From: sandpatch1@yahoo.com
To: Planning
Subject: Rezoning objections to property 18200 Merriman
Date: Friday, January 20, 2023 5:18:01 PM

I would like to express that I am against the rezoning of the Basilica of St. Mary on Merriman Rd due to the following concerns...
Decrease home values due to possible drug rehab facilities on site,
Commercial property in a residential area
TAX FREE property. So my taxes will increase to cover city expenses, fire police roads.
noise pollution
light pollution
destruction of nature
environmental impact
loss of a natural field for animals
increased traffic
increased emergency vehicles in area
increase waste and odors
loss of open space
Please do not allow the rezoning of this property to these classifications. There are other areas of Livonia that can be developed that are eye sores including the corner of 7 mile and Farmington.

Dave jakubiec
17448 Rexwood,
CC: mayor
City council,

From:	RACHEL LUCARELLI
To:	Planning
Subject:	Proposed Rezoning of land behind St. Mary"s 6 mile & Merriman
Date:	Monday, January 23, 2023 8:45:25 AM
Attachments:	image001.png image002.png image003.png image004.png image005.png

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Good morning,

I am writing this e-mail in regard to the proposed rezoning of land at 6 mile and Merriman for St Mary's.

As a resident of Brookwood Estates (on Bobrich), I am deeply disturbed with the plans submitted. This is a well-established neighborhood, and the church would like to develop a monstrosity, creating light and noise pollution. I am very concerned with my property value if this plan moves forward. Why would anyone want to live next door to something like this? A 3-story building with HVAC units running all the time, not to mention a huge parking lot with LED lights on at all hours. It will be like living next to a Walmart.

Livonia has always strived to put families first and be a great place to raise your kids. Allowing this project to move forward would be disastrous for young families, like mine, who moved to this area to escape living next to developments like this.

Thank you for your time.

Sincerely,
Rachel Lucarelli



Rachel Lucarelli
Quality Engineering Center
EH&S and Building Facilities

2021 Executive Hills Blvd
Auburn Hills, MI 48326
Mobile: 248-893-9375
Rachel.Lucarelli@stellantis.com

From:	Joseph Kozma
To:	Planning
Cc:	Ellen Glynn; cherylgreene54@gmail.com
Subject:	Petition 2022 12-01-02 Re zoning of Public land
Date:	Tuesday, January 24, 2023 8:51:53 AM

Dear Planning Commission,
I reside at 17605 Hillcrest adjacent to the subject zoning request. I have a few concerns about what is being proposed "a 84-unit apartment facility."
I would like to express my disappointment in the church's proposal to develop this land into a profiteering venture at the expense of the residents of Brookwood estates and others in the area.
Other concerns are about the noise and construction would be a considerable disruption of daily life, not mention the effect to the environment.
I have concerns with the drawings that have been circulated showing the boundary's, there seem to be some misleading boundaries. As we all know there is a creek and runoff zone directly on top of the area shown in the proposal. I'm assuming that the adjustment further southward would be needed. I have concerns about the pressure this development would have on the sewer system and utilities. I would like the commission to address them to the neighborhood.
I would be a great disappointment to have this proposal happen as it is such a peaceful and lovely area to reside on.
In my opinion the is plenty of property in Livonia that could support such a large development that would not disrupt residential areas.
Please do not rezone this area to anything other than public land.

Thank you for your help in the matter.

Sincerely
Joseph Kozma
17605 Hillcrest
Livonia, MI
48152
joseph.kozma@yahoo.com

Jan. 21, 2023

To Whom It May Concern,

Petition 2022-12-01-02
Basilica of St. Mary

RECEIVED
JAN 24 2023
CITY OF LIVONIA
PLANNING COMMISSION

① Why do the plans not show off-street parking for the apartments?

② Will there be EV charging stations & how many?

③ Will the area be well lit? How many lights in the parking areas?

④ Will vehicles enter & exit at the light at Merriman Rd. & Curtis?

⑤ Where will the trash containers be located?

⑥ Will the trash containers be enclosed??

7. Are there any plans to open up access ~~to~~ to BROOK VIEW? East of the Smios Apt.

8. Will there be a fence - FENCE East & West - across the South property line? or berm?

9. Will the plans or Basilica of St. Mary be required to have storm drains for water run-off - on the added parking areas??

10. Elderly Housing in a 100 year flood HAZARD area? Not a good idea.

Sincerely,

People of "Brook View Estates"

From: steve johnson
To: Planning
Subject: Fwd: Flood plain (Petition 2022-12-01-02)
Date: Wednesday, January 25, 2023 10:04:23 AM

---------- Forwarded message ---------
From: **Occhipinti, Matthew (EGLE)** <OCCHIPINTIM@michigan.gov>
Date: Wed, Jan 25, 2023, 8:18 AM
Subject: RE: Flood plain
To: steve johnson <sunset4tree@gmail.com>

There are no setback requirements. They would need an EGLE floodplain permit for any filling, grading or construction within the 100-year floodplain. They would also need a building permit for any filling or grading within the floodplain.

Matthew Occhipinti, PE, CFM | NFIP Coordinator/ Floodplain Engineer | Water Resources Division

350 Ottawa Ave, NW, Grand Rapids, MI 49503 | ☎ 616-204-1708 | Fax: 616-356-0202

www.michigan.gov/floodplainmanagement

From: steve johnson <sunset4tree@gmail.com>
Sent: Wednesday, January 25, 2023 7:19 AM
To: Occhipinti, Matthew (EGLE) <OCCHIPINTIM@michigan.gov>
Subject: Re: Flood plain

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

We got a rough idea of the proposed apartment building, and although the building itself may not be in the flood zone, it appears the parking lot would be.

Is there any flood plain permit they would need for the parking lot?

And, is there a set back distance from the flood plain for the building itself?

Thanks for your help

Steven Johnso

On Mon, Jan 23, 2023, 9:43 AM Occhipinti, Matthew (EGLE) <OCCHIPINTIM@michigan.gov> wrote:

> They would need a state floodplain permit from EGLE if they are working below the 100-year floodplain elevation. The state floodplain law is going to require they elevate their building above the floodplain elevation and limit their floodplain fill to 300 cubic yards. If they need more fill than that, they will need to provide compensating cut to offset the loss of floodplain storage. If they are in the floodway portion of the 100-year floodplain, they will need to provide an engineering model showing the proposed fill and building will not cause increased floodstages on upstream properties.
>
> Matthew Occhipinti, PE, CFM | NFIP Coordinator/ Floodplain Engineer | Water Resources Division
>
> 350 Ottawa Ave, NW, Grand Rapids, MI 49503 | ☎ 616-204-1708 | Fax: 616-356-0202
>
> www.michigan.gov/floodplainmanagement
>
> 
>
> ---
>
> **From:** steve johnson <sunset4tree@gmail.com>
> **Sent:** Sunday, January 22, 2023 11:26 PM
> **To:** Occhipinti, Matthew (EGLE) <OCCHIPINTIM@michigan.gov>
> **Subject:** Flood plain

CAUTION: This is an External email. Please send suspicious emails to
abuse@michigan.gov

Hello,

We live next to tributary of the Rouge River in Livonia. There is a proposed project that would include a 86 unit 435 foot long apartment building that appears to be close to the river and in the flood plain.

We are very concerned about the adverse effects such a development will have on the environment around the river. Part of our property is in the flood plain and floods easily in the spring. With a large building near We can imagine the increased flooding that will occur, as well as the soil erosion and disruption to the wildlife.

Is there regulations that can offer protections to this fragile environment? Would a building this size be required to be built so far away from the tributary or the flood plain?

Any guidance you can provide is greatly appreciated.

Thank You,

Steven Johnson

From: Gary Miller
To: Planning
Cc: Gary Miller; Leslie Miller
Subject: Petition 2022-12-01-02
Date: Wednesday, January 25, 2023 12:47:02 PM

Hello,

I'm a resident of the sub directly to the east of the vacant field.

We are strongly opposed to any further development of the property by anyone. The proposed structures just do not fit with the harmony of the neighborhood.

Can't we have at least one place that isn't over built?

In addition to more traffic, more light pollution and more strain on existing services, why is it necessary to further corrupt a pristine piece of vacant land? The church is enough of an eyesore! Too close to the road and too large for the location. Permission never should have been granted for that structure either! IMO, the service garage built was an encroachment into the field.

Some further comments:

We have so many senior citizen locations here in Livonia not including the group homes, do we really need another? (We also have a lot of under utilized buildings/land in the city.....the old Sears building, the old K-Mart Complex at 7 and Farmington and several parcels on Plymouth Road that have been vacant for years.....but that's another story)

Where do the animals go? I thought that the entire field was a "wetland" or at the very least a drain field to feed the creek. New construction and subsequent runoff will further pollute the creek!

If built, would the apartments and school be open to anyone or just members of the church? IMO, it would seem to be restricted based on who would be building it.

Access? Would the next proposal be to lengthen Brookview through the field for further access to the complex? That would mean even more traffic through our neighborhood.

Tax exempt???? Just because it's a church doesn't mean that it gets a free ride!

I'm sure that none of this will be recognized or even considered since the

decision, most likely, has already been made. People don't matter, money and businesses matter!

Thanks for listening

Gary Miller

From: Conrad Schwartz
To: Planning
Subject: Development near or abutting the St. Mary"s Complex.
Date: Wednesday, January 25, 2023 2:32:24 PM

I am not in support of this development, no matter what is being proposed. I moved to Livonia approximately 40 years ago and about 25% was undeveloped. That land has been used up and now we are looking for these nooks and crannies where Mother Nature is still in charge. Leave her alone.
Conrad Schwartz

Sent from Mail for Windows

From: Dan Churan
To: Planning
Subject: I support St. Mary Basilica
Date: Wednesday, January 25, 2023 2:42:25 PM

I urge the City Planning Commission to rezone the property adjacent to St. Mary. The church is trying to do a good thing for their seniors. More organization should be so sensitive.

The animals will survive and even thrive after the construction is completed. I think people should come before squires, ducks, and deer.

I support St. Mary Basilica and I urge you to support them also. Vote yes on this issue .

Dan Churan
16303 Riverside
Livonia

From: Megan Coliton
To: Planning
Cc: Michael Coliton
Subject: Rezone proposal 2022-12-01-02
Date: Thursday, January 26, 2023 2:24:31 AM

Good Evening,

My name is Megan Coliton. I have been a Livonia resident for 27 years, 20 of them spent living in the Brookwood Estates. The field formerly known as Bryant Park or Bryant School, is where I grew up learning to ice skate, learning to play sports, which helped me go on to play collegiate sports and on a National level. This park is where I take my dogs to play, where I hit golf balls, where I take the next generation of family member kids to play and enjoy.

If a multiple story building gets built in Bryant Park I promise you, that Livonia will see a mass exodus of Brookwood Estates residents leaving Livonia; taking tax dollars and students away from the school district causing the drop in LPS school ratings.

Please don't take the few little patches of greenery away from the next generation of Livonia's youth or anyone who enjoys the use of that space. Please consider the multiple other spaces along 7 mile road between Farmington and Middlebelt that already lay vacant which no push back from residents would happen.

Looking forward to voice my opinion in person and show my support for my community. Thank you for your time.

Respectfully,

Megan Ann Coliton
(734)578-5028

From: Dave Russell
To: Planning
Subject: Conserving Nature
Date: Thursday, January 26, 2023 2:02:40 PM

Don't destroy the land next to St. Mary's Basilica. We don't need more apartments in Livonia. We do need the woodland. Vote no on the rezoning. From Coventry.

From: Conni Sroka
To: Planning
Subject: St Mary church
Date: Friday, January 27, 2023 8:47:13 AM

I am against rezoning & building a senior center & school at St Mary Church (2022 12-01-02). There are so few green spaces left in Livonia & Brookwood Estates is lucky enough to back up to one. Please leave it alone for wildlife to thrive, flying kites & playing catch with dogs It doesn't make sense for our neighborhood to have a 3 or 4 story building with carports & would be an eyesore. Home values would decrease,traffic would increase,& no taxes would be paid by the church. There are facilities like Sears & Kmart with large parking lots sitting empty that should be repurposed. Please vote no on the rezoning. From Conni Sroka 17499 Doris St, Livonia, MI 48152

From: steve johnson
To: Planning
Subject: Petition 2022-12-01-02
Date: Friday, January 27, 2023 10:06:31 AM

Hello,
I want to voice my concerns for the proposed rezoning P-L (Public Lands) to N2(neighborhood) and P-L (Public Lands) to NM3-1(Multifamily - Maximum 4 stories) at 18100 Merriman Road and 30600 Brookview Dr..

The idea of a one story combination school and gymnasium may fit into the area proposed, near the banquet hall. Further information about the proposed building would need to be revealed before a final decision of whether such a building would be acceptable.

However, as this part of the rezoning may be acceptable, erecting a three or four story, at least 86 unit apartment building, essentially surrounded by residential single family homes is a very bad location for a project such as this,and won't fit in with the surrounding area. This could very well be considered a case of spot zoning, which is and has always been disfavored within the city of Livonia. Indeed, during the January 24th, 2023 Planning Commission meeting, when asked by a planning commissioner if he ever recalled rezoning from Public Lands to Multifamily Maximum 4 stories, Planning and Economic Development Director Mark Taormina indicated he could not remember a single case where such a rezoning had occurred. I ask that the planning commissioners reflect on the reason why there doesn't seem to be precedent set in a proposed rezoning such as this.

A function of the zoning process is to assure land uses are in harmony as much as possible. This is a classic example of disharmony for a number of reasons. For example, our property is at a lower elevation than the ground with which the proposed apartment building appears as if it will be situated. Where we once had a somewhat sense of privacy, will now be a structure which will seem much higher than an already 50 foot high building as proposed, with multiple windows and possibly balconies towering over our property and home, as well as our neighbor's homes, it will obliterate any type of privacy we have enjoyed. As well, the noise associated with such a large scale apartment building will be a source of a nearly constant nuisance. Add to that the light pollution and foul smell coming from dumpsters on the property, and it is not hard to envision a real negative effect on our right to enjoyment of our properties, as well as a diminishing monetary value of our homes.

Also, there is the issue of stormwater into the floodplain that is situated in this area. Since the early 90's ours, as well as other properties along this tributary

of the Rouge river have had their properties face regular flooding, where before it was a much more rare occurrence. A source of the excess stormwater may well be the large Basilica of St. Mary's church, the banquet hall there, as well as the large parking lot that sits close to the tributary, upstream from our properties, and downslopes to the east, towards our direction. There does not seem to be a retention pond of any sort, and it is assumed that the rain water, running off the buildings and impervious parking lot makes its way into the tributary very close by. I can not express how sensitive this area is to flooding. It is difficult to imagine that a project such as the one proposed, even with a retention pond, will not further compound the flooding issues we have dealt with for a number of years, and negatively impact the properties nearby for many years to come.

For the reasons listed above, as well as others, such as the negative impact on the environment and wildlife living near and in the woods and tributary there, and future unforeseen consequences from a proposed project such as this, I respectfully request you vote to deny the rezoning request from P-L (Public Lands) to NM3-1 (Multifamily-Maximum 4 stories) Again, the rezoning from P-L (Public Lands) to N2 (Neighborhood) may be acceptable, but further study would be needed.

Your attention to this matter is greatly appreciated.

Regards,

Steven Johnson
18240 Sunset St.
Livonia, Mi. 48152

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Friday, January 27, 2023 12:22 PM
To: support <support@livonia.gov>
Subject: Online Form Submittal: Planning Inquires

Planning Inquires

This form is for any questions, comments, or concerns you may have for the City in regards to planning. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	Robert
Last Name	Hoekstra
Address	30564 Jeanine
Email Address	hoekstrabp@yahoo.com
Phone Number	734 634-4742
Describe your issue, concern, or question.	Concern is regarding proposal from St Mary's Basilica to rezone public land to allow mixed use development including a high rise senior center. Unprecidented to reduce public land and a lose-lose for adjacent homeowners without providing any benefit to tax base. There are a number of blighted areas within a reasonable distance that should be considered far more favorably than to limit highly used public. open space in a neighborhood setting, This will create a negative environmental impact to the Tarabusi Creek and Rouge watershed, migrating waterfowl, and numerous other remaining wildlife. Impact will also affect sewer and septic infrastructure and overall quality of life to the neighborhood, already limited in safe walkpath routes. Please join numerous local residents, like me in rejecting this proposal! Thank You, Bob & Peggy Hoekstra
Date of Concern	1/27/2023
Attachment (Optional)	*Field not completed.*

Email not displaying correctly? View it in your browser.

From: Mark Martin
To: Planning
Subject: St. Marys Church rezone
Date: Friday, January 27, 2023 2:35:11 PM

We are neighbors to St. Mary's Church and are aware they want to build a school and 3-4 story senior housing building. This will not allow us the beautiful tree lined view we enjoy and also the green space we have enjoyed walking for years. We bought our home because of the fields, trees and river that surround us. We don't want the vacant land rezoned. We have been life long residents of Livonia and green space is being gobbled up. There is the Kmart property that St Mary's can consider. Thank you, Mark and Kim Martin

PETITION-2022-12-01-02

JAN. 27 2023

RECEIVED
JAN 27 2023
CITY OF LIVONIA
PLANNING COMMISSION

LIVONIA PLANNING COMMISSION

I WANT TO TELL YOU NOT TO REZONE THE PROPERTY BEHIND THE CHURCH AT 18100 MERRIMAN. WE HAVE BEEN BOTHERED FOR YEARS BY THE NOISE FROM THEIR BANQUET HALL ALMOST EVERY WEEK, LATE AT NIGHT. THIS IS A RESIDENTIAL AREA. I DO NOT UNDERSTAND HOW THE CITY ALLOWS THEM TO RUN A BUSINESS LIKE THAT SO CLOSE TO OUR HOMES. AND NOW THEY WANT MAKE THEIR BUSINESS LARGER BY BUILDING AN APARTMENT BUILDING AND SCHOOL EVEN CLOSER TO OUR HOMES.

THIS IS NOT FAIR TO THE HOMEOWNERS THAT LIVE HERE. WE COUNT ON YOU TO NOT LET THESE TYPES OF BUILDINGS NEAR OUR HOMES, WHERE WE WILL BE BOTHERED EVEN MORE BY THEIR NOISE AND OTHER THINGS. THANK YOU.

FELICIDAD LEMMER
18241 SUNSET ST.
LIVONIA, MI

From: Allison Gardella
To: Planning
Subject: Nature conservation
Date: Sunday, January 29, 2023 3:57:53 PM

Hello and good evening!
I am a Livonia resident and my kids attend Coolidge Elementary. I am emailing to oppose the proposal to rezone the land on the other side of the creek that runs behind Coolidge Elementary at 18100 Merriman and 30600 Brookview Dr. (including much of the creek and walking trail) from ‘public land’ to ‘neighborhood multifamily’ so that a 3-story senior apartment complex and school/community center, along with adequate parking for both businesses, can be built. It is important for our environment that the wooded trail and the creek be protected from road salt and other pollution. Thank you!

Sincerely
Allison Gardella

From:	Caitlin Bialowicz
To:	Planning
Subject:	Attention: City of Livonia Planning Commission - Pleas see attachments.
Date:	Sunday, January 29, 2023 1:12:00 PM
Attachments:	How to spot a spot zoning - Planning.pdf Removing Spot Zoning From the Fabric of Zoning Practice.pdf Attention-City of Livonia Planning Commission.docx

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Attention: City of Livonia Planning Commission

I am writing this email to express my concern and opposition to the proposed rezoning of the vacant land owned by the Basilica of St. Mary, Petition 2022-12-01-02.

My husband and I are residents of Livonia. We moved to Livonia in April 2021. Our home is adjacent to the land where the proposed rezoning and development would potentially occur. While our home does not directly back the land, both of our neighbors' homes do. We have a direct view of the vacant land from our back yard and rear windows of our home.

I've listed the reasons why we oppose the proposed rezoning, and the subsequent construction that would take place as a result of the rezoning:

- Negative impact on the marketability and property value of our home.
- Flooding issues due to the impact construction will have on the floodplain.
- Our neighborhood's decreased quality of life due to having additional structures that are not single-family homes built so close to our backyards, increased traffic, noise, bright light, and having an apartment building overlook our neighborhood and not conforming to our surrounding community.
- Any negative impact resulting from the construction of the buildings, such as dust and debris potentially entering the surrounding communities, loud noise, as well as the length of time the construction would take place.
- Detrimental environmental impact to nearby trees, wildlife, and the Rouge River tributary.

Please note that we are not the only residents with these concerns, as a petition was started in response to the proposed rezoning and has now accumulated over 300 signatures from concerned residents.

Unfortunately, the Basilica of St. Mary doesn't seem to have taken these concerns into consideration. The churches inconsideration of the surrounding neighborhoods has been an issue in the past. In addition, if they did have a broader sense of community, they would have given us advanced notice, which unfortunately they did not.

Due to the impact this rezoning would have on our homes and lives, we are being forced to consider moving if the rezoning is approved and the Basilica of St. Mary chooses to start construction.

Please review the following requests:

- Does the proposed rezoning have any recent precedent?
- Would the proposed rezoning fall into the category of spot zoning? If so, does the planning commission consider spot zoning to be acceptable in the City of Livonia? See link below and email attachments.
    - https://www.canr.msu.edu/news/how_to_spot_a_spot_zoning

- How does this proposed rezoning align with Livonia's Vision 21 master plan?
    - https://www.livoniavision21.com/

Please review these requests and provide responses during our upcoming meeting Tuesday January 31st, 2023.

Thank you,

Caitlin Bialowicz

From:	Colleen Badgero
To:	Planning
Subject:	Request to DENY rezoning petition 2022-12-01-02
Date:	Sunday, January 29, 2023 9:18:42 PM

To the Livonia Planning Department and Commissioners,

My name is Colleen Badgero and I'm a resident at 17415 Sunset St., Livonia, MI 48152. I'm writing to ask that you DENY the request for rezoning the land at 18100 Merriman Rd. & 30600 Brookview Dr. (behind St. Mary's Basilica) from public land (P-L) to neighborhood (N2) and neighborhood multifamily (NM3-1). I come to you as a resident who utilizes this land on a daily basis as a path to walk my daughter to and from school, to hike and often pick up litter along the wooded trail, and to enjoy the open space and sunset views it provides, serving as a space of solace and connection to nature in these complex, post-pandemic times. My primary concerns about this proposed zoning change and the subsequent development it would allow are related to the negative environmental impacts, effects on the surrounding community who have come to cherish this public natural space, and the lack of alignment with the Livonia Vision 21 Master Plan.

Flooding

First, this land currently serves as a flood meadow, an area of land with lower elevation than the surrounding neighborhood that functions to store and drain water from precipitation events. There is a FEMA designated floodplain running through the land that's proposed for rezoning. The last FEMA survey outlining the parameters of the floodplain is almost 11 years old. Opening this land up for building is a poor plan that will very likely lead to flooding of the land surrounding the proposed development, including the yards and basements of the houses of neighbors on the perimeter the land. Even just building on a section of the land, especially with the size and surface area of impermeable pavement required for the scope of this development of a senior apartment complex and school/community center, will offset the natural storm water drainage, creating increased risks of flooding and degradation of the surrounding environment. Unfortunately, environmental impact studies, especially based on out-of-date surveys, cannot reliably predict the effects of building in areas like this, given the number of testimonies that have been shared by people who've experienced flooding issues following new development of land near their homes. Also considering the unprecedented weather patterns we've experienced in recent years with record rainfalls, this is not a risk worth taking. Minimally, an up-to-date floodplain survey from FEMA and wetland survey from EGLE should be required to understand the extent and boundaries of the stormwater management functions that this land currently serves, before any consideration of rezoning for development occurs. Wetland Identification Program site analysis from (EGLE) and FEMA floodplain information can be found here:
https://www.michigan.gov/egle/about/organization/water-resources/wetlands/wetland-

identification-program

https://www.fema.gov/floodplain-management/wildlife-conservation/consider-develop

Water Pollution

Secondly, as you know, the Tarabusi creek, a tributary to the Rouge River, runs through the proposed rezoning area. Recently collected data show that the water has levels of chloride that are considered toxic to aquatic life (readings of 358ppm in the fall and 440ppm on 1/9/23, anything 320ppm and above is toxic) and a Total Stream Quality Rating of "Very Poor" based on the minimal amount of bugs/macroinvertebrates that could be found there. If you'd like to reference this data provided by Friends of the Rouge, it can be found here: https://www.iwla.org/water/stream-monitoring/salt-watch/results

REP OFFICIAL Monitoring Data Archive

The condition of this creek is a symptom of a larger problem of pollution to our vital waterways. Rezoning to allow buildings and parking lots to be erected in such close proximity to the creek will guarantee a rise in chloride (aka salt) levels and other chemicals that are washed into the water system via runoff. That will further erode the vitality of the ecosystem making the water more harmful to wildlife. As relatively close neighbors to Flint, Michigan, we've seen the devastating effects of water pollution to a community. We need to collectively protect our waterways and be working toward restoration and conservation efforts rather than contributing to the further degradation of water quality by ignoring the effects of overdevelopment and pollution in our suburban landscape.

Misalignment with Livonia Vision 21 Master Plan

As city planners, you are tasked with determining the larger direction of the city and designing the current and future landscape to meet the needs of the community. With the Livonia Vision 21 Plan outlining the priorities of the community and clearly reflecting them on the Future Land Use Map, it is obvious that the proposed change in zoning and the proposed development in this location is not in alignment with the well-defined vision for Livonia. Currently designated as 'Parks and Community' space and 'Floodplain Area' surrounded by 'Low Density Residential' neighborhood, changing the zoning to allow multifamily housing would go against multiple goals and objectives of the plan. These conflicts are outlined below (goals are underlined, objectives are numbered for citation with language quoted directly from the plan, followed by my bulleted comments):

<u>Housing and Neighborhoods</u>

Objective 1.1- Support a system of organized land use to provide greater housing choices, where new and redevelopment areas respect existing Neighborhoods

- A 3-story building and multifamily units with large parking areas would not respect the

existing neighborhood of single family homes and community green space.

1.3- Seamlessly incorporate multiple family housing within established neighborhoods through infill development and strong urban design

- This would not be seamless within this neighborhood who utilizes the land and natural space for recreation, pathway to walk to school, health and well-being. The influx of traffic and people this proposal to rezone would bring will disrupt the habitat, hinder the enjoyment and use of this public natural space, and present risks to the safety of our kids as they travel to and from school.

1.6- Establish individual neighborhood planning frameworks to assist in neighborhood placemaking, revitalization, and/or transitions

- The neighborhood has not been consulted based on our individual needs and goals for the land.

<u>Sustainability and Resiliency</u>

3.2- Support land use planning efforts that encourage environmentally-friendly development. Facilitate efforts that promote air quality, greenhouse gas reduction, and energy and water conservation.

- Water conservation is a huge issue here, as outlined above. Air quality and increased traffic in the area is also out of alignment with this objective.

3.3- Commit to mitigating the City's climate impacts, including reducing energy, land, and water consumption and improving outdoor and indoor air quality

- The impact to the climate will be felt with the loss of land/habitat for wildlife, pollution to waterways, proximity to floodplain, and increased energy demands.

3.4- Think beyond first costs and consider long-term, cumulative impacts when making infrastructure and policy decisions

- With the loss of this community-loved, public green space, what will be left for our kids and future generations to experience and enjoy? With at least 7 sites of better-suited, developed, vacant land within a 2 mile radius, when will we draw the line to conserve the natural spaces we have left and shift focus to redevelopment, even if first costs create short-term challenges to overcome?

<u>Healthy Communities</u>

4.1- Continue to prioritize good governance and leadership by operating in an open and financially stable manner, focusing on maintaining high levels of citizen involvement and achieving measurable results.

- The citizens in the surrounding neighborhoods were not consulted or adequately notified of this proposal for rezoning or building plan. With minimal notice given in the middle of winter, it has not felt like an open, citizen-centered process.

Economic Development

5.4- Establish a framework to incentivize creative redevelopment of unoccupied “big-box retail ”

- Redevelopment over new development, especially since the proposed change to multifamily housing fits better in the high density residential, mixed development centers, and corridor commercial areas outlined on the Future Land Use Map, several of which are located in close proximity to the church.

Parks Trails and Open Space

6.1- Develop and maintain comprehensive park, trail, recreational, fitness, and sports facilities and programs

- This rezoning would limit public access to frequently used trails and open space for recreation and fitness.

6.2- Preserve and/or incorporate natural drainage and flood plains wherever possible into park and recreation sites

- Allowing for building here would not preserve this natural drainage and floodplain land and would prevent public use and enjoyment.

6.4- Develop, maintain, and preserve sufficient open space and recreation facilities to fully satisfy the wide variety of recreation needs of residents

- This is one of the few public open spaces that is conducive to recreation like kite and remote control airplane flying, dog walking, trail hiking, bird and wildlife watching, frolicking, etc.

Infrastructure

7.1- Invest in and implement comprehensive and innovative urban water management, green infrastructure practices, and renewable energy systems

- Again, water management is a major concern in this location.

Urban Design

8.3- Enhance landscaping and site design through redevelopment to enhance the sense of place along major strip corridors

- Given the multiple vacant buildings in the surrounding area, REDEVELOPMENT of vacancies to create space for the type of proposed buildings in this plan would enhance the sense of place and serve as more appropriate locations for these businesses/residences. I can provide photographs and addresses of 7 such spaces within a 2 mile radius of the proposed rezoning site.

8.4- Reserve underdeveloped land for high quality development emphasizing the use of high quality materials and the establishment of a sense of place

- While some may see this as “underdeveloped land” it is in fact a natural space that’s

serving a functional purpose within the ecosystem and community. The proposed rezoning and building plan do not fit the specifications of this objective.

Future Land Use

Here is a statement directly from Livonia Vision-21 Plan as it applies to the current designation of this land on the future land use map:

Parks and Community- The parks and community areas encourage preservation of open spaces, public park facilities, civic institutions, and the programming that brings them to life Intended for active and passive recreation, outdoor spaces and the connections between them continue to be a priority for the City. The designation includes both publicly or privately-owned facilities providing recreational, educational, governmental, and other services to the community.

Again, it is clear that the proposed rezoning does not align with this vision for this area.

Missing Middle Housing- recognizing the need for this type of middle housing, opportunities for families of the future and downsizing residents of today, the development of multifamily housing as offered by this rezoning proposal is suggested in the following areas:

- Medium Density Residential
- High Density Residential
- Corridor Commercial
- Mixed Development Centers
- City Center

As you can see, the land up for rezoning does not fit any of the above designations (currently it is designated as parks/community surrounded by low density residential and floodplain area) and thus is not the ideal space to fulfill this middle housing need.

Summary

I hope that you are able to look objectively at this proposal for rezoning and see the plethora of reasons why it's not a wise or supportive choice for the surrounding community or the city as a whole. It would set a new and problematic precedent that works against many of the goals and objectives of the Livonia Vision 21 Master Plan, which is supposed to serve as your north star as a city planning department. I suspect that the multiple land sales over the years to St. Mary's Basilica, the role of the public school district as owners of the surrounding land and previous owners of the land in question, and the outward displays of support for this development project from the mayor and other city leaders, all add up to put you as city planners in a tough position. You're likely feeling pressure from multiple angles and you're being asked to make a major decision that will have a ripple effect; either creating waves of environmental conservation and community well-being, or further eroding our natural resources leaving future generations with a concrete jungle and polluted waterways.

If you continue to approve new development of natural space like this, it eliminates the incentive for potential builders and city leaders to get innovative and find ways to prioritize redevelopment of vacant buildings/sites. The shift toward redevelopment is something we desperately need in this age of transition to a more digital economy, with no likely future use for the number of large commercial buildings that are now taking up space that could serve as housing and community spaces like the vision for St. Mary's development plans.

It is my hope that you're able to step back, take the big picture view for the city into account, and make the choice that upholds the health of the environment, your integrity, and the needs of our kids and grandkids, by DENYING the proposal to rezone this land and thus restricting the overdevelopment problem from proliferating beyond the point of no return.

Thank you for your time and consideration, please contact me with any questions or for further discussion.

Colleen Badgero
734-673-5432
colleenbadgero@gmail.com

P.S.- for easier reading, you can find this letter in google doc format linked here.

From: Dom R
To: Planning
Subject: Please Protect the Field! Petition 2022-12-01-02.
Date: Sunday, January 29, 2023 1:29:25 PM

Hello,

My name is Dom Retli, and I'm a proud resident of Brookwood Estates.
This email is in regards to Petition 2022-12-01-02

Spending time in that beautiful green field has been my family's favorite part of living in our neighborhood. It's what drew us to the neighborhood in the first place!
This field has been a great area for us to connect with neighbors as well.

Being able to escape into nature and feel separated from urban life is such a rarity in our city. The field is really special, and building a 3-4 story building on it would be terribly disappointing.

The dynamic of the field would completely change: disrupting the beautiful tree line, and conflicting with access to the trails! There is also concern amongst our neighbors that the remaining areas of the field will flood often after the new builds are built up.

We really hope that the city of Livonia would protect this land for all of the families who love it dearly.

Thank you for your time and consideration,
Dom

From: Elizabeth Blaesser
To: Planning
Subject: Re: Petition 2022-12-01-02
Date: Sunday, January 29, 2023 9:57:35 AM

Re: Petition 2022-12-01-02,

Hello,

My name is Elizabeth Blaesser. I currently live at 17624 Hillcrest Street, in Brookwood Estates. I moved to Livonia in 2008. This is the second house I have lived in the Brookwood Estates subdivision.

I grew up in the City of Detroit. I have already lived through my share of loud neighborhoods, violence, & gun fire.

I am living the dream here in Livonia. I have a wonderful home, friendly neighbors, and a quiet neighborhood. There is a unique charm in our subdivision and a feel very safe here.

I work very hard. I pay my taxes. I believe my property value will decrease if this zoning change passes. While I feel it is unfortunate that the church did not do their homework about the zoning before they purchased the property, I do not think I should lose money so they can make it. Is the City of Livonia or the Church going to pay me the decrease in the value of my property?

My ask is that you vote no to rezone this property. Appreciate your time in considering my point of view.

Kind Regards

Elizabeth Blaesser

Petition 2022-12-01-02 submitted by Basilica of St. Mary under Sections 13.13 and 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood) and NM3-I (Neighborhood Multifamily – Maximum 4 Stories).

From: Jeff M
To: Planning
Subject: Petition 2022-12-01-02
Date: Sunday, January 29, 2023 3:02:18 PM
Importance: High

Dear City Planning Commission,

I am writing to express my opposition to the plans submitted by Basilica of St. Mary to rezone property for up to a four-story apartment building in our residential neighborhood. I strongly believe that such a large and out-of-place structure would have a negative impact on the character and beauty of our community.

Our neighborhood is known for its single-family homes, tree-lined streets, and friendly neighbors. The proposed apartment building would completely change the aesthetic and feel of the area, and would detract from the unique qualities that make our neighborhood such a desirable place to live.

Additionally, the increased traffic and potential for noise pollution that would come with a large apartment building would have a significant impact on the quality of life for residents and would significantly lower property values.

I strongly urge the City Planning Commission to consider the impacts that this proposed development would have on the residential neighborhood and to reject the plans to rezone the property for a four-story multifamily apartment building. I fervently believe that preserving the character and beauty of our residential neighborhood should be a top priority.

Thank you for considering my opposition to this proposal.

Sincerely,
Jeffrey Miller
31217 Mayville St.
Livonia, MI 48152

From: JOSEPH LICKORAI JR.
To: Planning
Subject: Regarding petition 2022-12-01-02 rezoning submitted by St. Mary's DENIAL
Date: Sunday, January 29, 2023 5:09:16 PM

We have lived at 17514 Rexwood street in the Brookwood Estates sub for 40 years. We feel that the proposed project would negatively impact home value and harmony of the neighborhood. We therefore recommend denial of the request.

Joseph and Ann Lickorai

Sent from my iPad

From: Julie Backus
To: Planning
Subject: Rezoning
Date: Friday, January 27, 2023 7:51:02 PM

To whom it may concern,
I am a homeowner of a property that backs up to the field off Merriman road between 6 and 7 mile roads. I am writing in response to the proposed rezoning of the area of the field owned by St. Mary's church. I know many of my neighbors are against this. I wanted to express that I am not against the proposition of buildings put on that land, but I am concerned for the woods at the north end of the area. It would be a shame to see more trees taken down and wildlife affected. Livonia is afterall known for our trees. I also have a concern for proper drainage of water if buildings are erected so close to the creek. Please take these concerns into consideration when making your decision about this project. Thank you in advance for your time.

Sincerely,
Julie Backus

In reference to petition 2022-12-01-02

Sent from my iPhone

January 29, 2023

City of Livonia Planning commission,

Regarding Petition 2022-12-01-02, the proposed rezoning of Bryant Field requested by St. Mary's Church. We oppose the rezoning request on multiple levels.

We moved to Brookwood Estates Subdivision 33 years ago to raise our young family after much research. We decided on Livonia as our destination because of the school system, libraries, it's safety record, thoughtful layout of the city, and, our added bonus, the open space provided by Bryant Field. When we looked at our current home, we knew, instantly, that this house was what we had been hoping to find.

Little did we know how important the open space provided to our subdivision would become to us. The field has provided so much to our family and all the other families in our sub and beyond. Our children still speak fondly of all the special times spent walking, playing soccer, baseball, flying kites, skating on the frozen ponds, sledding, adventuring in the woods along the river, and so much more. The field serves as a refuge of peacefulness after a stressful day, a sort of meeting place for neighbors as they walk or exercise. The residents in our area use the space for a myriad of recreational activities, such as, cross country skiing, walking, jogging, exercising pets, family activities, picnics, and so much more. It has been an essential part of many Livonia residents lives and it would, truly, be a shame to lose such a large portion of our refuge, our open space, to construction that does not blend into the neighborhood, that, in fact, would overwhelm it.

While doing some research regarding the issue of the rezoning, I found and read the publication, Livonia Vision 21. I discovered that throughout the plan there are multiple sub-categories addressing the preservation of open space, protection of open spaces, and, in fact, developing more open space. The sub-category, Sustainability and Resiliency, states the goal of conserving and restoring open spaces, waterways, trees, and other natural resources. Sub-category, Parks, Trails, and Open Space, states the goal of developing, maintaining, and preserving, sufficient open space and recreational facilities to satisfy the wide variety of recreational needs of residents. Sub-category, Parks and Community, encourages the preservation of open spaces. In addition, the public surveys conducted, related to the future planning of Livonia, indicate the residents want to keep parks, greenspaces, trees, and single-family neighborhoods, and desire preservation of natural spaces for parks and community open space areas.

The master plan also discusses building recommendations for housing and neighborhoods. It encourages development to, "Seamlessly incorporate multifamily units into neighborhoods" and "New development should respect existing neighborhoods." There are recommendations for high density housing that encourage development of apartments, townhouses, condominiums, be located close to the street, with the prominent entrance facing the street, residential in scale, with on street parking provided in multifamily areas.

So, not only have the residents of Livonia given their opinion regarding maintaining open, green spaces, but from the very pages of Livonia's own vision for the future, there are multiple reasons to deny the rezoning of one of the larger open spaces available in our community. The proposed multifamily senior

housing development is not close to the street, nor does the main entrance face the street. There is no street parking available and the plan would hardly, seamlessly blend in with the existing neighborhood with a three story housing development. By allowing St. Mary's, a tax-exempt entity, to consume an enormous amount of our precious open space, to build a housing development, a school, and gymnasium, the city would not be conserving open space, but would be, in fact, giving away the space, as well as most of the greenbelt, that, by the way, would be blocked from view because of the expanse and height of the building. This rezoning of public land takes access away from ALL tax paying Livonia residents for the benefit of a few. This flies in the face of the Livonia Vision 21 plan that strives to provide area and services for ALL residents of our city.

I hope the commission will seriously consider the wishes of the tax paying residents of our city and heed its own recommendations for open spaces and neighborhoods and disallow the rezoning of our beloved field and greenspace. To use the lyrics from Joni Mitchel's, Big Yellow Taxi, "Don't it always seem to go, that you don't know what you got 'til it's gone? They paved paradise and put up a parking lot." Please do not allow our little bit of paradise to turn into a parking lot!

Sincerely,

Greg and Kathy Plotzke

From: Kevin Skylis
To: Planning
Subject: Petition 2022-12-01-02
Date: Sunday, January 29, 2023 10:24:52 AM

City of Livonia Planning Commission,

I am writing to you to express my opposition to the proposed rezoning of the vacant land owned by the Basilica of St. Mary (Petition 2022-12-01-02). I am a Livonia resident, voter and taxpayer, and my home is adjacent to the field where the proposed rezoning and development would occur. I believe that this is the wrong choice for the city of Livonia, and more specifically for my neighborhood. I am concerned about the impact that the proposed rezoning and development would have on the property values and quality of life of my neighborhood.

My wife and I are first time homeowners, and we chose Livonia because the quality of its neighborhoods are unmatched by any of the surrounding cities. If approved, the proposed rezoning and resulting development would have a detrimental impact on my home and neighborhood, and would result in us moving out of Livonia. Additionally, it does not align with the goals laid out for the city in the Livonia Vision 21 Master Plan, and does not have any recent precedent. Finally, I am concerned about the impact of the development on the flood plain, and what effect it would have on the surrounding wetlands.

I hope that the planning commission will take my concerns, as well as the concerns of many other Livonia residents that I have spoken to recently, into consideration and recommend denial of the proposed rezoning.

Kevin Skylis

From: Margaret Yon
To: Planning
Subject: Basilicia of St Mary petition 2022-12-01-02
Date: Sunday, January 29, 2023 10:17:23 PM

To Whom It May Concern

I am writing to voice concerns regarding the rezoning request from St Mary's Basilica for the properties at 18100 Merriman Road and 30600 Brookview Drive. As the homeowners of the residence at 30562 Brookview Drive, we are abutted directly to the rezoning area and have multiple concerns with the impact this will have on our home and neighborhood. According to Livonia Vision 21 Section 13.15-5: Standards of Review for Amendments to the zoning ordinance there are multiple criteria to be considered by the planning commission and the city council. Below are listed a few of the criteria that we are concerned about:

Land suitability- Part of the rezoning request is located in a flood plain of the Taribusi Creek. Has it been researched if the area proposed to be developed can sustain such development?

I**mpacts on the environment**- Increased chemical use from school and apartment complex creating run off into Taribusi Creek and ultimately entering the Rouge waterway system.

Density- 86 one/two bedroom apartments, a school, and community center is creating a highly populated area. While the proposed development is stated to be for senior/elderly housing the reality is only one person in the apartment has to be over age 55 and that only applies to 80% of the complex. Increasing population will require increased use of our city services such as police, fire, and utilities.

Nature of use- A school and community center to compete with Livonia Public School enrollment and Livonia Community Center use. Does the city really need more basketball courts as Father George stated?

Traffic impacts- The high density use of the proposed rezoning will increase vehicle traffic in the area. Has there been a traffic study done to assess what the impact may be? The traffic flow of the proposed use has not been provided to show the impact to the neighborhood.

Aesthetics- The construction of a 97,000 sq ft apartment complex that is 3 or 4 stories and the parking lots associated with it are not consistent with the aesthetics of the surrounding neighborhood of single family homes. Are there any plans to show the landscape buffer between the single family homes and the development?

Infrastructure- Has a storm water management study been done to determine the impact the development will have on the existing infrastructure. The last documented stormwater management study was done in 2002 according to the published data in Livonia Vision 21. There is a definite concern of changing the current drainage the green space provides and forcing it into the already overtaxed system of Livonia has a potential for flooding problems in the future for the residents in the surrounding neighborhoods. While there are not currently any issues regarding flooding reported by the residents there is a concern of who will be responsible if issues arise after development on the proposed area.

Potential impact on property values- The possibility of the proposed development decreasing home values in the neighborhood due to aesthetics and potential problems that may occur.

Another major concern we have regarding this development is the **lack of communicatio**n with the surrounding residents. The original public meeting for this issue was slated for Jan 17 but the proper notification was not followed and the meeting was rescheduled. The only notice of the original hearing was in the Detroit Free Press. As the property directly adjacent to the proposed rezoning request, we did not receive notification in the mail until calling to inquire what the proposed rezoning was about. The planning commision had "inadvertently forgotten" to mail out notices to the residents and the church had not placed a sign within the proper timing as required. A rezoning sign was not placed by the church until after this inquiry as well. There also has been a lack of communication from the church to their "neighbors" regarding the plans. Inviting the neighborhood to share their vision one day before the public meeting appears to just be an attempt to patch the non-communication. We as the surrounding neighborhood that will be affected by this development have not had more than 2 weeks to research what the church has obviously been planning for months, if not years. As it was stated at the study meeting on Jan 24, the planning commision was also just informed of this request for rezoning and the and plans of the Basilica of St Mary and we are encouraging the board to take additional time to review the issues prior to making a decision regarding rezoning the proposed area.

Thank you for taking the time to read our concerns and please do not hesitate to contact us if needed.

Greg and Margaret Yon
30562 Brookview Drive
734-634-3194

From: Nicole Marchelletta
To: Planning
Subject: Rezoning Request - 18100 Merriman Road and 30600 Brookview Drive
Date: Saturday, January 28, 2023 8:15:11 PM

To whom it may concern,

My name is Nicole Marchelletta. I am a lifetime resident of the City of Livonia, with 17 years being spent in the Brookwood Estates subdivision. I am writing today to encourage you all to decline the rezoning request from St. Mary's Basilica for the property located at 18100 Merriman Road and 30600 Brookview Drive.

There are many concerns regarding the potential rezoning of the area of land located off Merriman Road between 6 and 7 Mile. First and foremost, a large construction on this land could present potential environmental issues including but not limited to water pollution, flooding of nearby land and homes, as well as increased vehicle traffic. Second, the building of a multi-story apartment complex on this public land goes against many points addressed in the Livonia Vision 21. Finally, the proposed plans for this area of land and communication with surrounding neighborhoods, as well as other community members, has been extremely subpar.

The Taribusi Creek running through and adjacent to the proposed building property serves as part of the Rouge River Watershed. The Rouge River Watershed is already over 50% urbanized with less than 25% being undeveloped. The urbanization of watershed areas includes placement of nonabsorbent surfaces that do not allow water to be resorbed through soil. These types of surfaces include areas of concrete, parking lots, and driveways that cause increased volumes of runoff leading to flooding and higher velocity flow of the associated waterways. Other than a negative effect on the Rouge River Watershed as a whole, Livonia citizens may be negatively impacted directly. The citizens with houses located on the Taribusi Creek could potentially face flooding problems of their yards and basements. Another concern is the bridge used to cross Taribusi Creek. This bridge serves as a pathway to Coolidge Elementary School and Beverly Park and borders the area of land that St. Mary's Church wishes to develop. In recent years, the creek underneath the bridge has reached depths of greater than 4 feet with fast-flowing waters. When large amounts of precipitation occur, the bridge has been submerged in the fast-flowing water. If this Livonia flood plain is affected, it could present potential safety concerns for children who utilize this public walkway to attend school and/or Beverly Park, one of Livonia's last remaining green spaces.

Moving forward, Livonia Vision 21 published in 2018 highlights many of the reasons the City of Livonia and its' citizens would oppose the rezoning of this property. Page 29 highlights Objective 3.2 "conserve and restore open spaces, waterways, tree canopies, and other natural resources to increase resiliency, adaptability, and biological integrity". Page 35 summarizes the responses to Survey #3 "Future Development Projects and Policies". Within the survey response it is noted that citizens of Livonia favor to "keep - single-family neighborhoods". The rezoning of this

property would result in the destruction of the single-family household neighborhood of the Brookwood Estates subdivision. Other votes collected from surveys highlight that Livonia citizens feel that "traditional townhomes set back from the stress is most appropriate for flexible living areas in Livonia". This is clearly not in line with the plans for a 3-story living building. In addition to this plan not being in line with the vision of Livonia citizens, there is concern regarding the proposed building being described as "senior living", when in fact, it is not. "Independent senior living" is generally defined as "any housing arrangement designed exclusively for older adults". It is essential that prior to rezoning this property the Planning Commission and City Council understand what type of facility the church plans to open. It is inappropriate and misleading to designate an apartment complex in which only one member of the household needs to be 55 years or older as "senior living".

Lastly, the communication surrounding these plans has been lacking in all forms. The church has failed the citizens of Livonia by excluding them from proposed plans that may be taking place right in their own backyards. The protocols required for this type of planning and ground-breaking have not been followed.

Before voting on this matter, I encourage you to consider the following -

Have we done our part to research the potential environmental impact a structure of this nature could have on our Livonia natural areas, neighboring homes, as well as other portions of the Rouge River?

Is this plan in line with what the City of Livonia wishes for its neighborhoods and greenspace?

What benefit would this structure have for the City of Livonia? Will the city benefit monetarily based on tax collection?

Has the City of Livonia ever rezoned private land for the development of several structures located in single-family neighborhoods?

Again, I encourage you all to consider these statements when voting on the rezoning request from St. Mary's Basilica for the property located at 18100 Merriman Road and 30600 Brookview Drive.

If you have any questions, please do not hesitate to reach me by phone or email.

Warm regards,

Nikki Marchelletta
Livonia, MI
734-536-2666

From: stephen myers
To: Planning
Subject: St. Mary"s Church school and apartments
Date: Sunday, January 29, 2023 1:11:21 PM

This is in regards to the possible construction of a school and apartments in the field off Merriman. We are strongly against any structures going up in the field. We moved into this neighborhood 7 months ago, the reason we chose it, wasn't because it was the perfect house, it was because it was the perfect neighborhood. We are the 4th house from the field. An apartment building would totally change the area, and lower property values. One of the many highlights of our area, is every night, we have deer in our yard, some days we have rabbits, owls, even flying squirrels.That would be lost with the addition of these buildings and all the additional vehicles that would now be here. In addition, just because it's listed as senior housing, over 55, doesn't mean whole families wouldn't be moving in.

Has anyone done a study of how many open apartments or existing closed schools are in the area? Or if additional apartments are even needed? Livonia has recently sold off two empty schools, why is another needed? I would submit that the proper location for such a endevor, would be the K-Mart and plaza at 7 Mile and Farmington, that have been closed and empty since 2017, or even the Sears building at the old Livonia Mall site. Both of which have better traffic access, and wouldn't effect any residential neighborhood. Rezoning the land would have a negative impact on all who live in and enjoy the area.

Sincerely,
Stephen and Penny Myers
30514 Brookview

From: Glenn Griffith
To: Planning
Subject: Rezoning behind St.Mary"s on Merriman
Date: Monday, January 30, 2023 9:16:31 AM

Hello,
I live in Brookwood Estates and I cannot attend tomorrow's meeting but I wanted to communicate my concerns.

This rezoning would be detrimental to property value for homeowners and be disruptive to wildlife. It would create significant noise and also traffic that homeowners in the neighborhood don't need. Please don't allow this.

There are vacant buildings all over Livonia that can be used. They may not be able to yeild as big a profit but it would be the right thing for our community.
Thank you for considering!!

Paula Griffith
30761 Bobrich

Sent from AT&T Yahoo Mail on Android

From: Kim P
To: Planning
Subject: DENY REZONING PETITION 2022-12-01-02 Submitted by St. Mary"s Basilica
Date: Monday, January 30, 2023 10:09:10 AM

To the Livonia Planning Department and Commissioners,

My name is Kim Parnis and I'm a resident of Livonia at 31005 Mayville Street. Mayville is located just south of the property in question. I'm writing to request that you DENY the petition to rezone the land behind St. Mary's Basilica.

Changing the zoning from public land to neighborhood (N2) and neighborhood multifamily- maximum 4 stories (NM3-1) would go against the city's master plan for this area, according to the Livonia Vision 21 plan.
Our city already has an abundance of vacant buildings and properties available for redevelopment.

I also have concerns about the wildlife that currently uses this area as its habitat. Having lived in our home for 24 years, we've seen a great deal of wildlife in the area. Denying the wildlife the home it has had for all these years should be everyone's concern.

An additional concern is the negative effect on our property values, as well as noise and light pollution, and water pollution to the creek.

Increased traffic is one more concern. At certain times of day it is already very difficult to make a left turn from Mayville Street on to Merriman Road. Adding the extra traffic that would be created by this development would only make that harder.

The excessive size and height of the proposed buildings are another concern. There is a reason that this area is zoned the way it is.

In a communication that was recently sent by the basilica to its members, it was stated that they are building "with" us (the neighbors) to promote, and I quote, "good neighborliness". Is it "good neighborliness" when they have their annual festival, and for 3 to 4 nights they play music so loud that I can hear it with all my doors and windows shut? My windows and floors vibrate from the high volume, for hours each night. And if that isn't enough, they ask the city, every year, for special dispensation to allow music to be played ridiculously loud until midnight! If this is part of what they consider "good neighborliness", then it's just one more reason to not allow this property to be rezoned.

As I mentioned, we have lived in this home for 24 years. We raised a family in a nice, quiet, residential neighborhood; Brookwood Estates. My hope is that future

generations will get the same opportunity.

The City of Livonia has a motto. That motto is "Families First". Please vote to keep it that way by denying this petition.

Respectfully,
Kim Parnis

Petition 2022-12-01-02

Ann & Gerard Szczepaniak
17627 Hillcrest
Livonia, MI 48152

Dear Planning Board Members,

Our property backs directly into the open field that the petitioner is seeking to have rezoned from public land (P-L) to neighborhood (N2) and neighborhood multi-family (NM3-1). My family purchased our property in Livonia because we loved that the property backed into an open area of public land that had unobstructed views of the natural surroundings.

The proposal to construct a three-story, (86) unit apartment building and a private school on the property will **negatively** impact our quality of life, as well as our homes' property value.

We will no longer be able to enjoy the evening sunsets from our backyard deck—instead we will be facing a tall brick structure, whose residents will be looking down into our backyard and deny us the privacy our home has provided for many years.

In the evening, the lighting for the apartments and parking lot will constantly shine into our yard and home, and noise from the cars that will be coming and going from the apartments, will shatter the peaceful evenings that my family cherishes.

This development needs to be constructed on property that is **NOT** surrounded by existing residential homes. If the petitioner truly has the best interests of our community in mind, then they would seek to develop one of the many abandoned commercial parcels in our city.

The very last thing the City of Livonia needs is another senior living facility. Currently, our city has an abundance of such options for our senior citizens. Sacrificing the limited Public Land within our city, to fulfill the dreams of the petitioner, would be a great injustice to all the citizens of our community.

Our decision to make Livonia our home was strongly influenced by Livonia's pledge to its citizens to put **"families first"**. In fact, the City of Livonia's motto is **"Families First"** and it is displayed on many signs within our city.

I am asking the members of the planning board to continue to honor and support the City of Livonia's promise to its residents to put "families first".

Please do not let the "dreams" of the petitioner, override the "dreams" of the hundreds of Livonia residents that surround this proposed development---and whose lives will be negatively impacted for years to come. Please vote to **DENY** petitioner's request to rezone this property.

Sincerely yours,

Ann & Gerard Szczepaniak

From:	Stefanie Kovaleski
To:	Planning
Subject:	DENY rezoning petition 2022-12-01-02 submitted by St. Mary"s Basilica
Date:	Monday, January 30, 2023 11:56:25 AM

To the Livonia Planning Department and Commissioners,

My name is Stefanie Kovaleski and I am a resident of Livonia. I live in Brookwood Estates and am located at 30503 Jeanine. My home falls just to the south of St. Mary's Basilica.

I'm writing to request that you deny the petition to rezone the land behind St. Mary's Basilica.

When I purchased my home in 2008, a huge selling point was the natural meadow, abridging woods and foot path to the local school. This land is an important part of our community. It serves the children of Brookwook a safe path to school, encouraging independence. The abridging woods is home to a pack of coyotes (10+), turkeys, birds of prey and even a pair of documented American Eagles that nest there each spring. Most importantly, it serves as a flood plain.

This meadow holds a significant amount of water after rainfalls and snowmelts, which keeps the neighboring community from flooding. Many residents in Brookwood have standing water issues from our already high water-table. This water has made it's way into many of our basements. During torrential rainfall, many of us not only have seepage through our foundations, but issues with sewage back-up flooding our basements. Our current system simply cannot withstand the extra water—an issue that we will all have to face if the meadow is paved .

I left the City of Dearborn for this very reason. The city allowed buildings/homes to expand and green areas to be built-up without questioning whether or not the local sewer systems were capable of handling the excess run-off. It wasn't—and many of us took a loss selling our homes.

I am greatly concerned that the addition of large buildings and a parking lot will reduce water management leading to flooing issues.

Changing the zoning from public land to neighborhood (N2) and neighborhood multifamily-maximum 4 stories (NM3-1) would go against the city's master plan for this area, according to the Livonia Vision 21 plan. With so many vacant buildings in the vicinity of this site, a development like this would be better placed an area that can be redeveloped, giving it new life and meeting the variety of housing needs in Livonia with less environmental impact. Other points of concern about rezoning this land include:

- negative effects on property values
- noise and light pollution
- water pollution to the creek
- increased traffic
- reduced safety of kids walking to and from school
- excessive height of buildings

- loss of open space for recreation
- loss of habitat for wildlife
- additional strain on local utilities.

For the above reasons, please choose to deny the petition. By doing so, you will encourage redevelopment of vacant property rather than allowing new development of the minimal amount of natural land we have left in Livonia. Current and future generations will thank you!

Respectfully,
Stefanie Kovaleski

From: Christine Milligan
To: Planning
Subject: PETITION 2022-12-01-02 AGAINST REZONING
Date: Monday, January 30, 2023 2:39:47 PM

City of Livonia Planning commission
PETITION: 2022-12-01-02

Dear Planning Board Members,
My name is Christine and I live on Hillcrest street. I am in strong opposition of the petitioners request to rezone from P-L to NM3-1 as this would directly impact my property value and quality of life in a negative way. My property is 300 feet from the proposed MN3 request to construct a 3-4 story multi-family apartment building. I chose to move to Livonia and invest in my home because of its quiet neighborhoods. I enjoy the openness of the field and wildlife it supports. If a multi-family 3-4 story apartment building is constructed, the value of my home would plummet dramatically and I will never get to see the sunset in my backyard again. My sense of privacy and security will be obstructed by the sound of cars coming and going from the apartment building's parking lot at all hours of the day and night. This structure does not belong adjacent to a neighborhood area where families take their children to walk. This development will also have a negative impact on our environment as it borders a floodplain. The massive structure the petitioner is seeking approval will greatly impact the quality of life for myself and residents in the community. I am hopeful that when it's time for The Livonia City Council to vote on this matter, they have the residents best interest at heart and put "Families First"

Sincerely yours,
Christine Koss.

Coolidge Elementary School

Livonia, MI 48152
734-744-2705
Fax 734-744-2707

Principal
Kristina M. Collyer
kcollyer@livoniapublicschools.org

Dear. Livonia Planning Commission,

My name is Kellie Stark, I am an elementary art teacher and the Green School coordinator at Coolidge Elementary. I am writing in regards to the proposed planning for development of the open green space to the southwest of Coolidge elementary. As a dedicated teacher, parent and environmental activist in the nearby community and neighborhood, I have questions and concerns about the current development plan. How large will this development be? Will this new development take precious green space away from the community and neighborhood? What are the long and short term environmental impacts of development near Tarabusi Creek and wildlife area?

As a Michigan Green School, Coolidge Elementary has recently partnered with "Friends of the Rouge" to engage our students in biological testing of Tarabusi Creek, which lies 20-40 feet north of the proposed development. During our recent Fall survey, our data showed a very low number of macroinvertebrates and insects in the creek. Through further chemical testing from "Friends of the Rouge", the creek indicates high levels of sodium, which are most likely caused from runoff from roads and parking lots, as well as drainage from nearby storm drains. Tarabusi Creek is an important section of the Rouge River Watershed and provides drinking water, once treated to a good portion of Wayne and Oakland counties. Erosion is another issue the students and I observed to the south of the creek resulting in increased silt in the water. Erosion will only be intensified with further development, creating additional sewage and drainage issues for the nearby neighborhood. A natural buffer of at least 50-100 feet of wilderness to the south of the creek could help prevent costly issues to the adjacent area in the future.

Working with a large population of students from the local neighborhood, we see the benefits and need for more open, green spaces in our community. Green spaces add beauty, encourage wildlife and increase home values in the city. Many students in the nearby neighborhood use the open area to play sports, walk their dogs among other activities. After speaking to my third graders about the proposed development, these were their comments; *"I think the area should not be built on because it is a good area to fly kites, launch rockets and play in the snow." "You can do a lot of things there and with a parking lot, it will have salt and salt is bad for the environment." "It may affect the plant life and animals in the area." "The noise could scare animals and bother people." "We want more trees for oxygen." "It could affect tree root systems and oil will runoff into the creek." "We need more open spaces to play"*

The need for more research into the environmental impact and local opinion of land-use by the neighborhood and community should be considered before going forward with any new development. In the city of Livonia, many areas sit vacant and blighted such as the intersections at Seven Mile and Middlebelt and Seven Mile and Farmington. The city should offer tax incentives to developers to sell or develop these properties first over precious green space. Please consider the words of our city's

Coolidge Elementary School

Livonia, MI 48152
734-744-2705
Fax 734-744-2707

Principal
Kristina M. Collyer
kcollyer@livoniapublicschools.org

children as they are the voices of future Livonia. A green space is a place for nature, a place for community, a place for families and a place for peace. Livonia doesn't need more buildings and parking lots.

Sincerely,
Kellie Stark
Coolidge Elementary
Green Team

Lincoln

Adriana

Maddex

Kate.T

Brianna

Jessi

Jon

Scarlett.S.

Elias

Lea

Melvin.M.

Sophia

George

Chloe W.

Mya

Adrian

Brooklyn

Gwendolyn

Abby

Chlo

M.

Kate.S

Reagan

LIVONIA PUBLIC SCHOOLS WHSE#029150 (K)

From: Cathy Bobowski
To: Planning
Subject: DENY rezoning petition 2022-12-01-02 submitted by St. Mary's Basilica
Date: Monday, January 30, 2023 1:30:11 PM

Here's a template that you can use or share with other Livonia residents to communicate your opposition to the rezoning proposal. For those who only have time for copy & paste, it's still important that they hear from as many residents as possible. Feel free to add additional concerns and personal details to customize it. DM me if you need a copy.

Email- Planning@livonia.gov
Subject- DENY rezoning petition 2022-12-01-02 submitted by St. Mary's Basilica

To the Livonia Planning Department and Commissioners,
My name is Cathy Bobowski_ and I'm a resident of Livonia in Brookwood Estates .I'm writing to request that you deny the petition to rezone the land behind St. Mary's Basilica.
This land is an important part of our community and serves many vital functions in it's natural state. It's a place for community recreation and connection to nature where people of all ages and wildlife co-exist.
This area holds a substantial amount of water after rainfalls, which helps to prevent flooding of the surrounding yards and basements. I'm concerned that large buildings and a parking lot will reduce this water management effect, lead to flooding issues, and increased pollution to a vulnerable waterway/floodplain that runs through it.
Changing the zoning from public land to neighborhood (N2) and neighborhood multifamily-maximum 4 stories (NM3-1) would go against the city's master plan for this area, according to the Livonia Vision 21 plan. With so many vacant buildings in the vicinity of this site, a development like this would be better placed an area that can be redeveloped, giving it new life and meeting the variety of housing needs in Livonia with less environmental impact.
Other points of concern about rezoning this land include:
negative effects on property values, noise and light pollution, water pollution to the creek, increased traffic, reduced safety of kids walking to and from school, excessive height of buildings, loss of open space for recreation, loss of habitat for wildlife, and additional strain on local utilities.
For the above reasons, please choose to deny the petition. By doing so, you will encourage redevelopment of vacant property rather than allowing new development of the minimal amount of natural land we have left in Livonia. Current and future generations will thank you!
Respectfully,
__Cathy Bobowski_____

From: Cathy Kevra
To: Planning
Subject: DENY rezoning petition 2022-12-01-02 submitted by St. Mary's Basilica
Date: Monday, January 30, 2023 12:55:18 PM

To the Livonia Planning Department and Commissioners,
My name is Cathy Kevra and I'm a resident of Livonia at 30732 Bobrich Street. I'm writing to request that you deny the petition to rezone the land behind St. Mary's Basilica.
This land is an important part of our community and serves many vital functions in it's natural state. I have frequently used this land in the past when taking my children to and from school. Presently, my grandchildren and I use this area to walk, play, hike, enjoy the scenery and wildlife. It's a place for community recreation and connection to nature where people of all ages and wildlife co-exist.
This area holds a substantial amount of water after rainfalls, which helps to prevent flooding of the surrounding yards and basements. I'm concerned that large buildings and a parking lot will reduce this water management effect, lead to flooding issues, and increased pollution to a vulnerable waterway/floodplain that runs through it. I have witnessed the amount of water that may be present in the fields and would hate to see that in my basement or my neighbors basements. Also, the Tarabusi Creek is an important part of the Rouge River. I have read the reports of the chloride levels that are presently in this creek and know that with a proposed building development, the water pollution will increase. We should be working to improve our waterways, environment and community, not destroy them.
Changing the zoning from public land to neighborhood (N2) and neighborhood multifamily-maximum 4 stories (NM3-1) would go against the city's master plan for this area, according to the Livonia Vision 21 plan. Currently designed as 'Parks and Community' space and 'Floodplain Area' surrounded by 'Low Density Residential' neighborhood, changing the zoning to allow multi family housing would go against multiple goals and objectives of the plan. With so many vacant buildings in the vicinity of this site, a development like this would be better placed in an area that can be redeveloped, giving it new life and meeting the variety of housing needs in Livonia with less environmental impact.
As a Parks and Recreation Commissioner, I have many concerns regarding this proposal. This rezoning would limit public access to frequently used trails and open space for recreation and fitness. Many people use this area for recreation like kite flying, dog walking, wildlife watching, hiking, family activities and fun. It would also not preserve this natural drainage and floodplain land. Our Livonia Vision-21 Plan for future land use includes this objective: "The parks and community areas encompass preservation of open spaces, public park facilities, civic institutions, and the programming that brings them to life intended for active and passive recreation, outdoor spaces and the connections between them continue to be a priority for the City. The designation includes both publicly or privately owned facilities providing recreational, educational, governmental, and other services to the community".

Other points of concern about rezoning this land include:
negative effects on property values, noise and light pollution, increased traffic, reduced safety of kids walking to and from school, excessive height of buildings, and additional strain on local utilities.
For the above reasons, please choose to deny the petition. By doing so, you will encourage redevelopment of vacant property rather than allowing new development of the minimal amount of natural land we have left in Livonia. Current and future generations will thank you!

Respectfully,
Cathy Kevra
30732 Bobrich
Resident and
Parks and Recreation Commissioner

Sent from my iPhone

From: mjbrunswick4@aol.com
To: Planning
Subject: Petition 2022-12-02-02 submitted by Basilica of St. Mary
Date: Monday, January 30, 2023 4:38:03 PM

To whom it may concern,

My name is MJ Brunswick and I reside at 17574 Rexwood Street Livonia, MI 48152-3420.
I am sending this email as I am unable to attend the Tuesday January 31, 2023 meeting.

I am against another school being built or any senior housing or apartments, period, being built on this property.
We have a great school system with Livonia Public Schools as well as LPS being a part of school of choice.
Another school would only compete with the students that we currently have and receive federal money per
student each year. There are enough charter and private schools already.

With regards to the building or apartments, I do not think that would mesh with the housing that is around this
parcel of land. Again there are senior apartments out there already and enough apartment complexes that are
not at 100% capacity. Why do people always want to build new, when there is a current inventory and spaces
that are ready and available to accommodate these needs.

PLEASE COUNT ME AS A NO VOTE FOR THIS PETITION.

Sincerely,

MJ Brunswick
Cell 734-740-2061

From:	Darlene Wood
To:	Planning
Subject:	Petition 2022-12-01-02 Rezoning of St. Mary"s 18100 Merriman and 30600 Brookview
Date:	Monday, January 30, 2023 7:51:45 PM
Attachments:	against-rezoning-of-18100-merriman-and-30600-brookview (2).pdf

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Hello,
Please see the attached petition that was created through Sumofus.org. The petition was created in response to the proposed rezoning for the land owned by Basilica of St. Mary's. At least 400 residents have signed the petition against the rezoning of the vacant land.
If you have any questions please let me know.
Thanks.
Darlene Wood
517-899-0991

Against Rezoning of 18100 Merriman and 30600 Brookview

To: Livonia planning committee

We are against the rezoning of the Basilica of St. Mary on 18100 Merriman Rd and 30600 Brookview due to the following concerns...

Height of proposed building
School and gym - increased traffic
Decrease home values
Noise pollution
Light pollution
Destruction of nature
Environmental impact
Loss of a natural field for animals
Increased traffic
increased emergency vehicles in area
increase waste and odors
loss of open space
Flood Drainage Issues

Why is this important?

We are against the rezoning of the Basilica of St. Mary on 18100 Merriman Rd and 30600 Brookview due to the following concerns...

Height of proposed building
School and gym - increased traffic
Decrease home values
Noise pollution
Light pollution
Destruction of nature
Environmental impact
Loss of a natural field for animals
Increased traffic
increased emergency vehicles in area
increase waste and odors
loss of open space
Flood Drainage Issues

Signed by 400 people:

Name	Postcode
Darlene Wood	48152
Jill Robinson	48152
Jody Kirsch	48152
Constance Sroka	48152
Kelly Belcher	48178
Sandra Davis	48152

Name	Postcode
Frank Cie	48152
Michele McCallion	48152
Toni Burke	48154
Angela Alen	48154
Donna Grabowski	48152
Janie Lane	48154
Cindy Lawler	48152
mike mcgan	48152
Michele Babon	48152
Brett Shiemke	48152
Amy Babon	48152
Ryan Carrow	48152
Samantha Raj	48152
Rosalyn Wilkerson	48152
Nathan Wilkerson	48152
Joshua Raj	48152
Jenny DeOrnellas	48152
Ernie Babon III	48152
Ellen Glynn	48152
Robert Swain	48152
John Patterson	48152
Peggy Besecker	48152-4541
Deb W	48152
Angela Williams	48152
GLENN LENARDON	48154
Amanda Kozlowski	48152
Lynne Sokoloski	48152
Laura Burke	48152
Alex Villarruel	48152
Matthew Vizzaccaro	48154
Haley Trimer	48154

Name	Postcode
Deborah Stanfill	48154
Dan Kozlowski	48155
Dave Gonzalez	48150
Laurie kron	48154
Amy Swain	48152
Patrice Muldowney	48154
Caitlin Bialowicz	48152
Kevin Skylis	48152
Andrea Wilemon	48150
Sheryl Liske	48383
Krystn Hussey	48152
Mary Shepherd	48152
Jane Chora	48152
Sharleen Stjean	48154
Toby DeSimone	48152
Maria Singbiel	48152
Elizabeth Blaesser	48152
Shirley Robertson	48152
Emily Keith	48154
John Blaesser	48152
Dennis Maljak Sr	48152
Monica Suchara	48152
Shelby Oliverio	48843
Ian Stone	48152
Erika Whitmyer	48152
Nicole Oliverio	48843
Heidi Cox	48154
Robin B	48150
Robert O'Keefe	48152
Esther Whittico	48152
Tony Oliverio	48843

Name	Postcode
Mary McKinney	48152
Ernest Babon Jr	48152
Janel Rice	48154
John Berryman	48154
John Krajacic	48152
Kevin Webb	48154
Sara Currie	48152
wayne proctor	48152
Stephanie I	48152
Brian Smith	48152
Julie Pastula	48154
John Cantrell	48219
Mary Baeske	48152
Cheryl Patterson Butkovich	48152
Karen Oliverio	48843
Frank Benavidez	48430
Dave Koss	48152
Christine Koss	48152
Colleen Badgero	48152
Marjorie Marino	48152
Linda Korovesis	48154
Patricia Phillips	48152
Linda G.	48152
Greg Weglarz	48154
Debbie Perrn	48152
Mona Bankey	48174
Ann Szczepaniak	48152
Marie Coletta	48152
Cheyenne Chapman	48154
Joanne Deutsch	48152
Scott Brewer	48152

Name	Postcode
Gail Boettcher	48154
Matejka Patrice	48152
Jon Bialowicz	48150
Stephanie Mehmed-Bialowicz	48150
Beverly Bell	48152
Nicole Lipinski	48154
Steven Johnson	48152
Cheryl Nelson	48152
Carlee Davis	48152
Brianna Cobbs	48152
Morgan Bogacki	48152
Manli Qiu	48152
Robert Hoekstra	48152
Stephanie Strong	48152
Steven Hoekstra	48197
Kathryn Patel	48152
Audrey Yanity	48152
Susan Barill	48152
Tim Barill	48152
Sally Jeffries	48152
Jamie Jeffries	48152
Jeff Pergament	48152
Margaret Hoekstra	48152
Karen Janiga	48152
Edwin Cuschieri	48152
Kiel Vedrode	48152
Lauryn Vedrode	48152
Mary Piontek	48152
Robert Bell	48152
David Piontek	48152
Heather Plinka	48152

Name	Postcode
Heidi Kelly	48152
Heather Helbling	48152
Brenda Lizbinski	48154
Jacob Helbling	48152
Maria Mitter	48150
Joseph Janiga	48152
Faith Piontek	48152
Margaret Yon	48152
Thomas Sweder	48152
KIM PARNIS	48152
Michelle Parnis	48152
William Parnis	48152
Marissa Helbling	48152
Debbie Cler	48152
Megan Coliton	48152
Stacy Maracle	48152
Larissa Barnett	48152
Steve Camarata	77040
Kelley Wooley Lyle	48152
Karen Becker	48154
Margaret Rudis	48152
Smith Smith	48154
Kevin H. Carlisle	48154
Ashley Aiello	48152
Anthony Beauvais	48154
Dale Cronenwett	48185
Shauna Williams	48150
Shawna DeNoyer	48152
Matt DeNoyer	48152
Brandon Makila	48154
Joseph Aiello	48152
Bryan Williams	48152

Name	Postcode
lynda rivera	48152
Amy Frush	48154
Laurie Krivitz	48152
Frances Janis	48152
Nicole Marchelletta	48154
Mary Gosselin	48154
Denise White	48154
Tatanya Lanier	48152
Jack Shepherd	48152
Teri Gribeck	48336
Gary Miller	48152
Leslie Miller	48152
Kimberly Mikonczyk	48152
Alexander Mikonczyk	48128
Laura Lark-Cattaneo	48152
Anthony Marchelletta	48152
Cindy Stapleton	48154
Michael Mikonczyk	48152-3481
Robert Martoia	48152
Henry Gorski	48152
Megan Barill	48154
Aaron Baxter	48154
Sara Healy	48154
Karen Marchelletta	48152
Frank Fenech	48152
Bryan Garchar	48150
Gina Sellinger	48154
Sarah Garchar	48150

Name	Postcode
Sarah Williams	48227
Travis Gosselin	48154
Laura Jannika	48154
Deborah Christiansen	48150
Barb Iovan	48154
Joe Johnston	48152
christine riker	48239
Michael Rudell	48152
Linda EagleTrudell	48150
LINDA BERNHARDT	48154
Carla McWilliams	48152
Carol Bonamici	48154
Brenda Sinclair	48154
Kari Burger	48152
Dave Wood	48152
virginia houston	48152-3425
Laura Green	48154
Amanda King	48186
Donna Kress	48152
Karen Greenwald	48154
Stefanie Kovaleski	48152
Ann Moening	48152
Susan Calvin	48154
David Cusin	48152
Irene Grysiewicz	48154
Judy Weiser	48152
Michael Coliton	48152
Amanda Duke	48152
Carrie Lacross	48152
Michael Duke	48152

Name	Postcode
Robert Singbiel	48152-4502
Chris Srock	48154
Caryn Loughlin	48154
Mary Humitz	48152
Shirley Gorski	48152
Loretta Rendina	48239
Kathy Reece	48154
Jeff Humitz	48152
Lisa Filipek	48846
Patricia Brockway	48230
David & Caren Cunningham	48152
Pauline Drabicki	48150
Jill Sak	48150
Mike Reece	48185
Susan Kusnir	48152
Ann Wollenweber	48152
Karen Adkins	48152
Abby Kuczmarski	48152
Ellen Cusin	48152
Michela Cusin	48152
Matthew Cusin	48152
Stephanie Cusin	48152
Cathy Kevra	48152
Joy Hinton	48150
Kristin Coliton	48152
Kelly Brown	48152
Greg Sproull	48152
Andrea Logan	48168
Stacy Hayne	48152
Patricia Gribeck	48152
Daniel Powell	48152
Mary Garrity	48152

Name	Postcode
Gale Powell	48152
Brad Garrity	48152
Greg Yon	48152
Matthew Kwiecien	48152
Debra Wheelock	48152
Linda Gardner	48154
Sandra Strubank	48154
Susan Proctor	48154
Maryna Ammar	48152
robert passmore	48154
Lynne Curnow	48154
Carol Cauchi	48152
Anna DeMarco-Krzeminski	48152
Niccole Kelly	48152
Matthew Kelly	48152
Sue Schmidt	48152
Doreen Bonkowski	48154
Valerie Thimm	48154
April McPherson	48152
Stephanie Mazur	48152
Lauren Szypula	48154
Paul Proctor	48152
Amy Bertha	48154
Natalie Andrek	48154
Cathy Gifford	48152
Tom Flanagan	48375-5323
Meaghan Burke	48067
Kevin Gifford	48152
Jessica Gresko	48152
Concetta Flanagan	48152
Angela French	48152-3460

Name	Postcode
Narciso Lemmer	48152
Gail Garrity	48625
Paul Condon	48152
Margaret Adams-Ash	48152
Brett Gierak	48152
Christa Larabell	48150
Amanda Washington	48154
James Ash	48152
Jessica C	48152
Judee Taormina	48152
Thomas Garrity	48625
Daniel Cooper	48103
Deborah Bush	48152
Kenneth Bush	48152
Jill Cooper	48103
Nathan Garrity	48152
Jennifer Conte	48154
Jennifer Malinowski	48154
Shahein Rajaee	48154
Sarah Daley	48152
Marilyn Porth	48152
Stacey Garrity	48336
Patricia Villarruel	48152
Danielle Lizura	48152
Grant Welmers	48154
Casey Welmers	48154
Charles Millen	48152
Thomas Michalsen	48198
Kristyn Gierak	48152
Patricia O'Connell	48154

Name	Postcode
Robert Maracle	48152
Stephen Adams	48152
Nicole Larabell	48150
Christi Jenkins	48176
Kyle Malkowski	48152
Emily Ouillette	48152
Charles Millen	49155
Enkelejda Shahu	48154
Claudia Rushlow	48152
Shelley Lesko	48152
Molly Lesko	48152
Julia Scappaticci	48152
Maggie Lesko	48152
Audrey Pegouske	48154
Becca S	48152
Bert Scap	48152
Milan Sridhar	48152
Dan Ly	48152
Jabiveir Veir	48152
Aiden Baney	48152
Jagger Scappaticci	48152
elise p	48154
salem plourde	27712
Alex H	48152
Jack Wagner	48154
Sam Hunt	48152
Brendan Bender	48152
Sayuni D	48154
Brett Vargo	48154
Lily Barber	48154
Ally Sopko	48152
Danielle Lebsack	48154

Name	Postcode
Apryl Kruse	48152
Evelyn Grybas	48154
Daniela Kruse	48152
alex coon	48154
Wendy Scappaticci	48162
David Vinson	48154
Meghan Ingham	48150
Gretchen Weir	48154
lailah acuna	18901
marin k	48152
Lynnae Patrias	48336
Andres Lesko	48152
Marian Nolan-Neville	48150
Jenny Sabbagh	48067
Sarah N	48154
Michael Harris	48085
Violet Floyd	48240
Amanda Hureski	48154
Emilija Vilkaite	48152
Elaine Gerou	80231
Loretta Darke	48152
Kiki Gillies	48152
Edward Kruse	48152
John Wick	15864
Elizabeth Belanger	48072
Russell Rathgeber	48154
Cindy Fleming	48150
Lindsay Obenour	48154
Clifton Washington	48154
Kelley Erickson	48152

Name	Postcode
Paula Griffith	48152
Dean Ricci	48154
Isabella Scappaticci	48152
Caitlin Cherry	48150
Andrea Deane	48154
Amy Saurborn	48187
Thomas Erickson	48152
Melissa Passmore	49154
Steven Sovinsky	48152
Elaine Sovinsky	48152
Regimantas Vilkas	48152
Lucia Morrison	48170
Thomas Erickson	48152
Chris Hankerd	48152
Remigijus Vilkas	48152
Amy Finger	48154
Michelle Wood	48154
Kelsy Schneider	48152
Gregory Schneider	48152
Ashley Monette	48154
Nick Riffe	48152
Vincent Stubbs	48152
Jessica Wilhoite	48152
Janet Roznowski	48150
Judith Malick	48152

From:	David Bydlowski
To:	Planning; David Bydlowski
Subject:	Planning Meeting Tuesday January 31
Date:	Monday, January 30, 2023 5:48:20 PM
Attachments:	stmaryconcern.pdf

Hi,
I have embedded and attached a letter for the Tuesday planning meeting.
Thank you,
David Bydlowski

To members of the Livonia Planning Commission,

My name is David Bydlowski, resident in the Brookwood Estates subdivision. I am writing this letter to voice my concern about possible impacts on the Rouge River due to the construction of buildings behind the Basilica of St. Mary.

The Basilica of St. Mary has been a very good neighbor to the Brookwood Estate subdivision. My next-door neighbors are active members at St. Mary. They have kept our family appraised of the building that will be taking place. We have often talked about our families moving into the proposed senior complex, at some time in the future.

My concern though is the Rouge River. Presently, I am a part-time science consultant at Wayne RESA, Co-Investigator on NASA's AREN Project, and member of the education committee of the Friends of the Rouge's – Rouge Education Project. I am concerned about possible negative effects on the river. I recently did a podcast on "Ecosystem Dynamics":

http://k12science.net/ecosystem-dynamics/

The major point of the podcast is: "A healthy ecosystem can be defined as one that "has the ability to maintain its structure and function over time in the face of external stress." Managing ecosystems in a manner that creates resilience and long-term sustainability is more crucial than ever."

I would like to know what the City of Livonia is doing to maintain or improve the quality of the river. Will the building proposal have a negative effect? How will water quality be monitored? Will there be a census of wildlife? Has there been an analysis of the impact of increased runoff? How will habitat be affected? Any work that is done in the area should generate an improvement in our river system, not any degradation. What is the plan for this?

I have done some monitoring of the river. During the fall of 2022, I went with students at Coolidge Elementary. Our results showed a low water quality due to the small number of macroinvertebrates collected. This fall and winter, I have been collecting salt data, on a monthly basis, through the Salt Watch-Izaak Walton League and have discovered that we have above average levels of chloride ions in our river. As a matter of fact, the highest levels of chloride ions in the country are in our area of southeast Michigan (for sites that are monitoring in the project).

In closing, I would like to reemphasize my concern for the Rouge River Ecosystem at the St.

Mary site. How is it being monitored and how will it be monitored? What mitigating measures will St. Mary take to deal with problems that might arise? I hope that our river ecosystem can be improved and not suffer additional stress and reach long-term sustainability.

Thank you,

David Bydlowski

17523 Stamwich

Livonia, MI 48152

734-306-9508

From:	Garrity, Mary
To:	Planning
Subject:	Please deny rezoning proposal
Date:	Monday, January 30, 2023 6:21:25 PM

To the Livonia Planning Department and Commissioners,

My name is Mary Garrity and I'm a resident at 30810 Bobrich St Livonia, MI 48152. I'm writing to ask that you DENY the request for rezoning the land at 18100 Merriman Rd. & 30600 Brookview Dr. (behind St. Mary's Basilica) from public land (P-L) to neighborhood (N2) and neighborhood multifamily (NM3-1). I come to you as a resident who utilizes this land on a daily basis as a path to walk my son to and from school, to hike and often pick up litter along the wooded trail, and to enjoy the open space and sunset views it provides, serving as a space of solace and connection to nature in these complex, post-pandemic times. My primary concerns about this proposed zoning change and the subsequent development it would allow are related to the negative environmental impacts, effects on the surrounding community who have come to cherish this public natural space, and the lack of alignment with the Livonia Vision 21 Master Plan.

Flooding

First, this land currently serves as a flood plain, an area of land with lower elevation than the surrounding neighborhood that functions to store and drain water from precipitation events. There is a FEMA designated floodplain running through the land that's proposed for rezoning. The last FEMA survey outlining the parameters of the floodplain is almost 11 years old. Opening this land up for building is a poor plan that will very likely lead to flooding of the land surrounding the proposed development, including the yards and basements of the houses of neighbors on the perimeter the land. Even just building on a section of the land, especially with the size and surface area of impermeable pavement required for the scope of this development of a senior apartment complex and school/community center, will offset the natural storm water drainage, creating increased risks of flooding and degradation of the surrounding environment. Unfortunately, environmental impact studies, especially based on out-of-date surveys, cannot reliably predict the effects of building in areas like this, given the number of testimonies that have been shared by people who've experienced flooding issues following new development of land near their homes. Also considering the unprecedented weather patterns we've experienced in recent years with record rainfalls, this is not a risk worth taking. Minimally, an up-to-date floodplain survey from FEMA and wetland survey from EGLE should be required to understand the extent and boundaries of the stormwater management functions that this land currently serves, before any consideration of rezoning for development occurs. Wetland Identification Program site analysis from (EGLE) and FEMA floodplain information can be found here:
https://www.michigan.gov/egle/about/organization/water-resources/wetlands/wetland-identification-program

https://www.fema.gov/floodplain-management/wildlife-conservation/consider-develop

Water Pollution

Secondly, as you know, the Tarabusi creek, a tributary to the Rouge River, runs through the proposed rezoning area. Recently collected data show that the water has levels of chloride that are considered toxic to aquatic life (readings of 358ppm in the fall and 440ppm on 1/9/23, anything 320ppm and above is toxic) and a Total Stream Quality Rating of "Very Poor" based on the minimal amount of bugs/macroinvertebrates that could be found there. If you'd like to reference this data provided by Friends of the Rouge, it can be found here: https://www.iwla.org/water/stream-monitoring/salt-watch/results

REP OFFICIAL Monitoring Data Archive

The condition of this creek is a symptom of a larger problem of pollution to our vital waterways. Rezoning to allow buildings and parking lots to be erected in such close proximity to the creek will guarantee a rise in chloride (aka salt) levels and other chemicals that are washed into the water system via runoff. That will further erode the vitality of the ecosystem making the water more harmful to wildlife. As relatively close neighbors to Flint, Michigan, we've seen the devastating effects of water pollution to a community. We need to collectively protect our waterways and be working toward restoration and conservation efforts rather than contributing to the further degradation of water quality by ignoring the effects of overdevelopment and pollution in our suburban landscape.

Misalignment with Livonia Vision 21 Master Plan

As city planners, you are tasked with determining the larger direction of the city and designing the current and future landscape to meet the needs of the community. With the Livonia Vision 21 Plan outlining the priorities of the community and clearly reflecting them on the Future Land Use Map, it is obvious that the proposed change in zoning and the proposed development in this location is not in alignment with the well-defined vision for Livonia. Currently designated as 'Parks and Community' space and 'Floodplain Area' surrounded by 'Low Density Residential' neighborhood, changing the zoning to allow multifamily housing would go against multiple goals and objectives of the plan. These conflicts are outlined below (goals are underlined, objectives are numbered for citation with language quoted directly from the plan, followed by my bulleted comments):

Housing and Neighborhoods

Objective 1.1- Support a system of organized land use to provide greater housing choices, where new and redevelopment areas respect existing Neighborhoods

- A 3-story building and multifamily units with large parking areas would not respect the existing neighborhood of single family homes and community green space.

1.3- Seamlessly incorporate multiple family housing within established neighborhoods through infill development and strong urban design

- This would not be seamless within this neighborhood who utilizes the land and natural space for recreation, pathway to walk to school, health and well-being. The influx of traffic and people this proposal to rezone would bring will disrupt the habitat, hinder the enjoyment and use of this public natural space, and present risks to the safety of our kids as they

travel to and from school.

1.6- Establish individual neighborhood planning frameworks to assist in neighborhood placemaking, revitalization, and/or transitions

- The neighborhood has not been consulted based on our individual needs and goals for the land.

Sustainability and Resiliency

3.2- Support land use planning efforts that encourage environmentally-friendly development. Facilitate efforts that promote air quality, greenhouse gas reduction, and energy and water conservation.

- Water conservation is a huge issue here, as outlined above. Air quality and increased traffic in the area is also out of alignment with this objective.

3.3- Commit to mitigating the City's climate impacts, including reducing energy, land, and water consumption and improving outdoor and indoor air quality

- The impact to the climate will be felt with the loss of land/habitat for wildlife, pollution to waterways, proximity to floodplain, and increased energy demands.

3.4- Think beyond first costs and consider long-term, cumulative impacts when making infrastructure and policy decisions

- With the loss of this community-loved, public green space, what will be left for our kids and future generations to experience and enjoy? With at least 7 sites of better-suited, developed, vacant land within a 2 mile radius, when will we draw the line to conserve the natural spaces we have left and shift focus to redevelopment, even if first costs create short-term challenges to overcome?

Healthy Communities

4.1- Continue to prioritize good governance and leadership by operating in an open and financially stable manner, focusing on maintaining high levels of citizen involvement and achieving measurable results.

- The citizens in the surrounding neighborhoods were not consulted or adequately notified of this proposal for rezoning or building plan. With minimal notice given in the middle of winter, it has not felt like an open, citizen-centered process.

Economic Development

5.4- Establish a framework to incentivize creative redevelopment of unoccupied "big-box retail "

- Redevelopment over new development, especially since the proposed change to multifamily housing fits better in the high density residential, mixed development centers, and corridor commercial areas outlined on the Future Land Use Map, several of which are located in close proximity to the church.

Parks Trails and Open Space

6.1- Develop and maintain comprehensive park, trail, recreational, fitness, and sports facilities and programs

- This rezoning would limit public access to frequently used trails and open space for recreation and fitness.

6.2- Preserve and/or incorporate natural drainage and flood plains wherever possible into park and recreation sites

- Allowing for building here would not preserve this natural drainage and floodplain land and would prevent public use and enjoyment.

6.4- Develop, maintain, and preserve sufficient open space and recreation facilities to fully satisfy the wide variety of recreation needs of residents

- This is one of the few public open spaces that is conducive to recreation like kite and remote control airplane flying, dog walking, trail hiking, bird and wildlife watching, frolicking, etc.

Infrastructure

7.1- Invest in and implement comprehensive and innovative urban water management, green infrastructure practices, and renewable energy systems

- Again, water management is a major concern in this location.

Urban Design

8.3- Enhance landscaping and site design through redevelopment to enhance the sense of place along major strip corridors

- Given the multiple vacant buildings in the surrounding area, REDEVELOPMENT of vacancies to create space for the type of proposed buildings in this plan would enhance the sense of place and serve as more appropriate locations for these businesses/residences. I can provide photographs and addresses of 7 such spaces within a 2 mile radius of the proposed rezoning site.

8.4- Reserve underdeveloped land for high quality development emphasizing the use of high quality materials and the establishment of a sense of place

- While some may see this as “underdeveloped land” it is in fact a natural space that’s serving a functional purpose within the ecosystem and community. The proposed rezoning and building plan do not fit the specifications of this objective.

Future Land Use

Here is a statement directly from Livonia Vision-21 Plan as it applies to the current designation of this land on the future land use map:

Parks and Community- The parks and community areas encourage preservation of open spaces, public park facilities, civic institutions, and the programming that brings them to life Intended for active and passive recreation, outdoor spaces and the connections between them continue to be a priority for the City. The designation includes both publicly or privately-owned facilities providing recreational, educational, governmental, and other services to the community.

Again, it is clear that the proposed rezoning does not align with this vision for this area.

Missing Middle Housing- recognizing the need for this type of middle housing, opportunities for families of the future and downsizing residents of today, the development of multifamily housing as offered by this rezoning proposal is suggested in the following areas:

• Medium Density Residential
• High Density Residential
• Corridor Commercial
• Mixed Development Centers

• City Center

As you can see, the land up for rezoning does not fit any of the above designations (currently it is designated as parks/community surrounded by low density residential and floodplain area) and thus is not the ideal space to fulfill this middle housing need.

Summary

I hope that you are able to look objectively at this proposal for rezoning and see the plethora of reasons why it's not a wise or supportive choice for the surrounding community or the city as a whole. It would set a new and problematic precedent that works against many of the goals and objectives of the Livonia Vision 21 Master Plan, which is supposed to serve as your north star as a city planning department.

If you continue to approve new development of natural space like this, it eliminates the incentive for potential builders and city leaders to get innovative and find ways to prioritize redevelopment of vacant buildings/sites. The shift toward redevelopment is something we desperately need in this age of transition to a more digital economy, with no likely future use for the number of large commercial buildings that are now taking up space that could serve as housing and community spaces like the vision for St. Mary's development plans.

It is my hope that you're able to step back, take the big picture view for the city into account, and make the choice that upholds the health of the environment, your integrity, and the needs of our kids and grandkids, by DENYING the proposal to rezone this land and thus restricting the overdevelopment problem from proliferating beyond the point of no return.

Thank you for your time and consideration, please contact me with any questions or for further discussion.

Mary Garrity
313-574-3567
marykgarrity@gmail.com or mgarrit2@hfhs.org

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From: Mary Cauzillo
To: Planning
Subject: Proposed rezoning meeting on 1/31/23--St. Mary"s----NO!!!!
Date: Monday, January 30, 2023 9:45:35 PM

Dear Planning Commission:

While I personally do not back up to the property in question, I am strongly against the rezoning for many reasons.

First and foremost, how does this benefit the City of Livonia?

Secondly, do we not already have enough apartments, senior housing, etc.

Thirdly, I was under the impression that the St. Mary's was leasing some of the property, but could not build. I was okay with that, but building on it, I am not.

Is this a short term goal of the city to gain money with no future tax revenue.

What about all the empty spaces, particularly the Sears at 7 & Middlebelt, the K-Mart plaza at 7 & Farmington and the southeast corner of 7 & Farmington.

Wouldn't the planning commission do better by trying to develop empty properties as opposed to taking away green space from our city. It is nice to have a "park" that is not developed with playgrounds and is just an empty space.

I really fear that Livonia is going down hill, and this would be another proof of it. Empty buildings, but building on any "open" space. What would set us apart from Northville, Plymouth, Redford . . . what would keep present residents happy and attract new residents. . . Certainly not using green space when there are so many open spaces. AND NO BENEFIT TO THE CITY besides the initial payment.

I am so against this, and I will be out of town for the meeting. I am hoping my voice is heard.

Sincerely,

Mary Cauzillo
16325 Ellen Drive
Livonia MI 48154
734-542-1163

From:	Matthew Celmer
To:	Planning
Cc:	mjcelmer@Hotmail
Subject:	petition 2022-12-01-02 St. Mary petition. Strongly opposed
Date:	Monday, January 30, 2023 6:55:26 PM

City of Livonia Planning,

I live at 30127 Brookview, just east of the 300 foot notification zone. I have lived at this address for 28 years and have observed many local residents using the land adjacent to the Basilica of St. Mary. This land is used by people exercising their dogs, flying kites, flying r/c planes, hitting golf balls, or just walking. I also travel on Merriman past this property on a regular basis. The road is in pretty rough shape and adding more traffic will certainly not help.
I am strongly opposed to the re-zoning and construction of additional structures on this land for the following reasons:

1. We have poor electrical service in our neighborhood adjacent to the substation. Adding a much higher electrical demand will make the situation worse.
2. The proposal does not address additional traffic on Merriman Rd. that will affect all residents in the local area.
3. The proposal does not address adequate parking for the "school" or the retirement residence.
4. The zoning of the local area is residential with no tall structures with the exception of St. Mary's. I strongly support the current open field and would not want to see a tall, cubic structure or deal with the extra traffic on Merriman. St. Mary's has not submitted a complete proposal that addresses the concerns of the local residents- traffic, parking, eyesore of structure, infrastructure degradation,

I suggest that St. Mary's can buy and develop the Sears property or the Kmart property, which is probably already closer to being zoned appropriately. Those sections of Livonia are more commercial, can handle traffic, have more room for parking and more infrastructure available. The senior residents could walk to Walmart if they used the Sears property.

I will attend the meeting Jan 31 to further voice my opinion,

Thank you,

Matthew Celmer
30127 Brookview

Sent from Mail for Windows

From: raymond riza
To: Planning
Subject: Petition 2022-12-01-02
Date: Monday, January 30, 2023 6:02:35 PM

To whom it may concern, Today, I write not out of malice, but empathy. As a life-long resident of Livonia, and unknowing benefactor of countless city initiatives, I both understand and value the role of civil governance in promoting communal growth. History has proven the inherent nature of leadership to be difficult; no decision, no matter how well-intended, can be implemented with unanimous support. This, along with the fact that much is asked of you from all residents to improve the City of Livonia, I understand and respect. However, recent proposals regarding land development at 18000 Merriman Rd. have not only led me to question this understanding, but openly lose faith in the ability of you, our supposedly impartial leaders, to enact benevolent change. Allow me to present an inquiry: What is power? To some, power may simply be the ability to dictate change. In this, there is no debate that the laws of our great city, state, and nation permit your determinative autonomy regarding the land. To us, the clearly neglected residents of the neighborhoods surrounding the property in question, power currently manifests itself as an ignorant force, blatantly disregarding the desires of those most immediately affected to benefit those who will experience very little impact. I now will describe concrete data aimed to objectively supplement these claims. Dr. Michael Craw, an Associate Professor of Public Administration at the University of Arkansas at Little Rock, possesses a Ph.D. from Indiana University-Bloomington in Political Science and Government. In his research publication, Effects of Multi-Family Housing on Property Values, Crime and Code Violations in Little Rock, 2000-2016, he intently examines the impact of multiple family housing, including (but not limited to) senior-living and assisted-living facilities. Please direct your attention to Table 2, located on page 33 of this publication, which models the “Estimated Short-Run Effect of Multi-Family Housing Development on Single family Home Prices in Little Rock, 2000-2016.” The fifth entry down, titled “Senior Housing”, portrays a 17.9% DECREASE in property value for homes located within 1,000 feet of the property development within 2 years of its completion. Referencing the third column in the table, the data also shows a 13.9% DECREASE in average property sale prices for homes located within 1,000 feet of a senior home development in the “short-run”, which is defined as a 10-year period following the project’s completion. (It is important to note that due to the lack of data outside of the 16-year window investigated, these trends are unable to model long-term impacts with a relevant degree of accuracy.) Next, I move to the issue of crime. On page 36, Dr. Craw stated: “We can conclude that property crime risk was significantly higher for parcels within 1,000 feet of a new senior multifamily housing development that it was before the development was built. On average, property crime risk was 6.9% per year for a given parcel prior to development and 9.1% PER YEAR AFTER, an INCREASE OF 2.2% in property crime risk (for residences within 2000 feet of a senior housing development). This result is statistically significant; the probability of obtaining this result from random sampling error is less than one in twenty.” According to an article published by the U.S. Census Bureau, titled Older People Projected to Outnumber Children for First Time in U.S. History, “By 2030, all baby boomers will be older than age 65. This will expand the size of the older population so that 1 in every 5 residents will be retirement age.” This frequently disregarded truth illuminates a tragic reality associated with our nation’s ever-changing demographical composition: our current societal infrastructure is unready for the impacts this burden will impose. With this being enumerated, I find it appropriate to propose further lines of questioning: How will our community meet the demands of an uncertain future? Will we preserve the sanctity of residential ownership and promote engagement in our great city, or will we allow our parks, community areas, and backyards to be paved over under the guise of skewed economic “growth”? Is it most appropriate to unduly burden long-time residents, and proactive members of our community, to advance the materialistic greed of a few wealthy and powerful actors seeking to capitalize on this demographic trend? Or, perhaps, would it be more appropriate to allow those most impacted by an inconsiderate zoning decision to have a say in charting the future of our own area of inhabitance? Power, the record has and will continue to show, is best wielded when governing bodies heed the sentiments of their constituency. Any democratic political body functions most effectively when average citizens, such as my family who has resided in the same home for over 20 years, take initiative and stand up for the values they deem important. The proposed land development, as should be evident by the ethos of this letter, poses a grave risk to not only our financial well-being, but our day-to-day lives. We are not arguing that the land should stay empty forever. We are not arguing that the Zoning Commission does not

possess the ability to determine what is built on city-owned land. What we are arguing, in exercising our civic duty, is that the needs of the community are grossly disregarded by approving this destructive real-estate development. Is depriving our community of access to a constantly utilized Public Land space (as it is currently zoned) the absolute BEST use of the power that you, our elected officials, are granted by the very individuals that sit before you today? I fervently argue that it is not, and implore your thoughtful reconsideration.

Thank you

Ray Riza 30537 Brookview

References Bureau, U. S. C. (2021, October 8). Older people projected to outnumber children for first time in U.S. history. Census.gov. Retrieved January 30, 2023, from https://www.census.gov/ newsroom/press-releases/2018/cb18-41-population-projections.html Craw, Dr. M. (2017, January 19). Effects of Multi-Family Housing on Property Values, Crime and Code Violations in Little Rock, 2000-2016. ualr.edu. Retrieved January 30, 2023, from https://ualr.edu/publicaffairs/files/2016/06/lr_multifamily_report_final.pdf.

From: Samantha Raj
To: Planning
Subject: ST. MARY"S BASILICA REZONING LETTER
Date: Monday, January 30, 2023 10:19:11 PM

I cannot attend the public hearing on January 31 to read this aloud, so ask that this is read on my behalf. Thank you, Samantha Raj

Good evening to my fellow community members. A lot of you may not know me, but my name is Samantha Raj and I have been a resident of Livonia, particularly the Brookwood Estates neighborhood, since 2019. My husband, my daughter, my dog, and I absolutely love living here – we consider our home here to be our dream home.

I wish I could have been in attendance tonight, but I am home putting my 2-year-old to bed, like I'm sure several other parents in this neighborhood are tonight. If anyone hasn't noticed lately, there are a lot more strollers and tiny little humans strolling in the sub division these days, which is why we must do everything we can to keep the integrity of this neighborhood and keep them safe, so they can grow up here the way we vision it.

That's one of the reasons we bought our home on Brookview Drive. It's a perfect neighborhood for all these young families who recently moved in. It's close to a school, very close to nature, many of us are on a dead-end street with no commercial areas nearby, and it is a quiet and safe place to raise a family. If you ask the parents in Brookwood Estates why they bought a home here, I'm sure most of them would say the same things. Even for those who are not parents, I'm sure they would agree with those points.

This sub division is unlike most neighborhoods in Livonia, or any other cities nearby. My husband and I looked far and wide for a perfect place to find our "forever home" and as soon as we found our house, we knew we found the one. We always joke that this neighborhood has a lot of homes that are "city in the front, but country in the back." So many of us have beautiful landscapes right in our back yard that bring privacy, serenity, and some truly amazing scenery. It's a huge draw to why people live here, and how we value our homes.

When I saw the plans to rezone the field by St. Mary's, I was distraught and disturbed. Especially hearing about how our elected city officials and the leaders at St. Mary's Basilica have already broke ground, and had the audacity to post it to social media, without garnering feedback from the community and officially getting the land rezoned. It is not only disappointing to see, but it really shows just how much this "neighborhood centric" church organization here actually cares about the residents – which is not at all. So I come to you all today to explain my disposition of this rezoning and why I, and most of this community, am against it.

I keep seeing messages about how Livonia is in need for another assisted living facility, and how we need to honor our elderly but putting a complex right next to the church... But building in this area is not the solution. Here is what will happen if this project is approved:

- You will be facing **DOZENS upon DOZENS** of families scrambling to put their homes on the market before the value is lost due to this development. This will take a direct hit to our home values, and people WILL leave. None of us chose to live in this neighborhood with a giant apartment complex in our backyard. Building one is a slap in the face to the taxpayers of this neighborhood. Elderly folks who need a place to live can go to one of the other 25+ assisted living residences in the area, or the developer can choose another building or plot of land to use instead. Might I suggest the abandoned strip mall on 7 mile? Or the old office building off Middlebelt? Perhaps all that empty land behind Stevenson High School or near Madonna University?

- This neighborhood will be absolutely littered with trash, on top of light pollution and noise pollution for several months to come. Not only will this impact our local wildlife, but it

will also leave the residents of Brookwood Estates and nearby responsible for the impact it will cause. Garbage in our yards, loud noises throughout the day while at home (where several of us are still working), and an increased amount of traffic that will clog our streets. Plus with a 150-car parking lot and lights on throughout the night, light pollution will be abhorrent to the surrounding homes. Again, no regard for the community, just looking to profit off this development and get tax-exempt status.

- The multi-story complex will be an eyesore to the dozens of homes whose backyards face this area. Nothing like sitting in your backyard to be watched by those who are overlooking you in the apartment complex behind you. And I don't think there are privacy fences that will block out 3 or 4 stories. Even if there were, who is going to front the bill to cover that cost?

- There is a huge concern that Brookview Drive will be extended to accommodate traffic through the neighborhood to go to the complex, instead of using Merriman Road. This creates HUGE concern, especially for families of little ones who walk or ride their bikes to Coolidge Elementary. An increased amount of traffic of normal vehicles and emergency vehicles will be a safety threat -- not just getting hit by a car, but this also increases the risk of strangers lingering with malicious intentions of speaking to our kids. In the world we live in today, this is a huge issue for me, as that's a primary reason I chose to live here -- so cars couldn't just cut through my street to get to a main road or building, and we didn't have people who didn't live here just driving around aimlessly and loitering our neighborhood. This may not be in the development plan yet, but judging from how this project has already been communicated and ground already broke, I wouldn't be surprised if I woke up one day to my street being torn up to accommodate this.

I have a list of many other concerns, including the impact to our wildlife, the destruction of the watershed this field provides and how that will impact the integrity of homes nearby, and especially the tax-exempt status that this facility is already looking to obtain. This plan to rezone and build on this land benefits **NOBODY** except the church and the stakeholders owning this development. It is catastrophic to this neighborhood, and I know of several vacant buildings that can be rezoned to accomplish the same thing being proposed here today.

I stand with my neighbors and am highly against the rezoning to accommodate this development. I am asking the city to honor this request by our community, as tax paying citizens who deeply care about this city and each other. If not, you will be showing your cards that you only care about money and greed instead of your residents. And if that occurs, many of us will be vacating Livonia.

Honoring the elderly and providing them with assisted care can be accomplished in several other locations throughout the city, and I implore this developer and St. Mary's to do their research to accomplish this elsewhere.

Thank you for your time.

Samantha Raj, Brookwood Estates resident and mom

Samantha Raj
MARKETING & PUBLIC RELATIONS PROFESSIONAL
734-732-0068 | samantharaj520@gmail.com
Let's Connect on LinkedIn

From: Simmons, Jennifer
To: Planning
Cc: Mayor Staff
Subject: FW: Online Petition: Against Rezoning
Date: Tuesday, January 31, 2023 9:06:59 AM

Jennifer Simmons
Constituent Relations Specialist
City of Livonia | Mayor's Office
(734) 466-2204
jsimmons@livonia.gov

From: Livonia Nature <livonianature@gmail.com>
Sent: Monday, January 30, 2023 10:52 PM
To: Mayor Maureen Miller Brosnan <mayor@livonia.gov>
Subject: Online Petition: Against Rezoning

https://petitions.sumofus.org/petitions/against-rezoning-of-18100-merriman-and-30600-brookview?source=messenger-share-email-button&utm_source=messenger

From: suds251@mi.rr.com
To: Planning
Subject: Petition 2202-12-01-02
Date: Tuesday, January 31, 2023 8:27:04 AM

Petition 2022-12-01-02 to rezone property to N-2 and NM3-1. Basilica of St. Mary.

To the Livonia Planning Commission.

I oppose this rezoning to N-2 and NM3-1. Multi family and multi story residential is contrary to the character of the surrounding neighborhood.
There has been past success rezoning these large parcels that were formerly schools into single family homes. Livonia became a successful and prosperous city based on this plan. Single family homes.

If this parcel cannot remain as green space or park space, the best use of this land is single family homes that contribute to the tax base, and long term stability and character of the city.

Steven Smith
34159 Trillium Court
Livonia, MI 48150
734-968-7545
A resident of Livonia since 1978

1-21-23

To whom it May concern.

My name is Kyle Hs.

I was born in 1987 and in 1990 my family moved to Livonia.

I have raised my own family in Livonia. I have a wife and two young Kids. Please do Not allow apartments to go up by St. Mary's Basilicia.

My Dad took me to that Park to shoot model Rockets and fly R/C. airplanes. I ~~Plan~~ and the same with my son. I hope my son does the same with his Kids.

One of the reasons my family moved here is because of the wide open parks. Please Do Not allow this area to be rezoned. Our city needs these open areas for people to recreate and enjoy.

This is Not ~~the Livonia~~ what is needed in Livonia. We need to keep these parks open & available.

Regards. Kyle Hs.

To: Livonia City Planning Commission
From: Amanda Duke
17200 Louise
Livonia, MI 48152
Date: 1/25/23
Subject: 2022-12-01-02 Basilica of St. Mary

RECEIVED
JAN 30 2023
CITY OF LIVONIA
PLANNING COMMISSION

We are against the rezoning of the Basilica of St. Mary on 18100 Merriman Rd and 30600 Brookview for the following reasons.

The height of proposed building, the number of residences, the decrease in home values, noise pollution, light pollution, destruction of nature and environmental impact. Loss of a natural field for animals, increased traffic including increased emergency vehicles, an increase in waste and odors. Loss of open space and flood drainage issues. Many homes in the area have suffered from flooding in basements and we fear removing a natural drainage field will exacerbate these occurrences.

All children in the Brookview Subdivision must walk to Coolidge Elementary as they are not eligible for transportation due to the proximity to the school. There is a path through the subdivision right next to the proposed development. Increased traffic to the area decreases the safety for the smallest of Livonia residents.

I moved to this neighborhood due to the amount of open green space. I do not understand why the city would want to re-zone and develop vacant land when we have so many vacant and abandon buildings just waiting to be re-thought and re-developed. If we do, this is not the kind of city, I want to live in.

Best Regards,
Amanda Duke

From:	Kari Burger
To:	Planning
Subject:	DENY rezoning petition 2022-12-01-02 submitted by St. Mary"s Basilica
Date:	Tuesday, January 31, 2023 9:59:53 AM

Dear Planning Commission,

This letter is in regards to the rezoning of the property on Merriman between 6 Mile and 7 Mile. I live in Brookwood Estates, and I have lived here since 2009. My husband grew up in the subdivision.

I have concerns about the rezoning petition. I will try not to be too long winded. There are definitely environmental concerns: run-off, flooding, destruction of nature, etc. I am sure many people will cover these in their letters and at the meeting, so I don't feel like I need to go too deep into them.

We use that sidewalk and bridge over the creek to get to school and to play at Beverly Park. I don't think that will be impacted now, but if it will be an issue in the future, due to rezoning, that will be very upsetting. That is a very important walkway for the residents of Brookwood Estates.

My main concern is rezoning from public land to multi-family residential. That is a substantial change and does not seem to fit with zoning of the surrounding area. The building that is being proposed is much larger/taller than the homes that would surround it. Add in the parking lot, which would need to be lit at night, which would add light pollution to the area.

Making that zoning change could also be a slippery slope. Say the church builds that housing unit, and then a few years from now determines they need more units, so then they ask to build ANOTHER four-story apartment building? Or what's to stop them from selling the property to a builder, now that it is zoned for residential, and then that builder wants to shove an apartment building back there?

I understand, and don't have an issue, with the church wanting to use their property to expand, so building a Montessori school and gym makes sense since they need room for their programs. My issue is with rezoning that second piece of property from public land to multi-family. It is my opinion that that is too drastic a change and that the senior house building will be out of place, as well as have a negative impact on the area and homes surrounding it.

Thank you for your time and consideration!

Kari Burger

From: Cheryl Davidson
To: Planning
Subject: Proposed 3 story apt building to be erected on Merrimen Rd
Date: Tuesday, January 31, 2023 10:06:25 AM

The church on Merriman wants to build a THREE STORY APARTMENT building close to all the surrounding homes.

I feel sorry for the poor residents who would be forced to look at that everyday! If I were them, I would be pretty upset about this proposal. So, for the record, as a resident of Livonia, I do not support this building proposal.

Cheryl Davidson
19007 Irving, Livonia, MI 48152

From:	Kathy L. Bilpo
To:	Planning
Cc:	Kathy Bilpo
Subject:	Planning Commission Meeting - 1/31/23 - Petition 2022-12-01-02
Date:	Tuesday, January 31, 2023 10:46:23 AM
Attachments:	Letter to City Plannning Commission (W2616942x7AC4C).pdf

Please see attached correspondence regarding our opposition to this Petition.

Letter is also pasted below, in case you cannot access the PDF version. We are OPPOSED to this action.

****

Matt and Kathy Bilpo
17640 Hillcrest Street
Livonia, MI 48152

To: City of Livonia, Planning Commission
Planning@livonia.gov
Date: January 31, 2023
Re: Ordinance to change zoning of property behind St. Mary's church

We are long-time residents of Brookwood Estates subdivision and are opposed to Petition 2022-12-01-02 submitted by Basilica of St. Mary to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood) and NM3-I (Neighborhood Multifamily – Maximum 4 Stories).
This property should not be rezoned for this purpose. We are very concerned that the development of a multi-family dwelling unit in this area would diminish our property value. Further, we believe it would cause issues with excessive traffic and other issues that seem to go with apartment dwellings (dumpsters, large parking lot, etc.) in our otherwise peaceful neighborhood.
We are opposed to this Petition. **This property should not be rezoned for that purpose.**

Thank you.
Matt and Kathy Bilpo

****

Thank you.

Kathy Bilpo
(734) 751-9274 (cell)

Matt and Kathy Bilpo

17640 Hillcrest Street

Livonia, MI 48152

To: City of Livonia, Planning Commission

Planning@livonia.gov

Date: January 31, 2023

Re: Ordinance to change zoning of property behind St. Mary's church

We are long-time residents of Brookwood Estates subdivision and are opposed to Petition 2022-12-01-02 submitted by Basilica of St. Mary to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood) and NM3-I (Neighborhood Multifamily – Maximum 4 Stories).

This property should not be rezoned for this purpose. We are very concerned that the development of a multi-family dwelling unit in this area would diminish our property value. Further, we believe it would cause issues with excessive traffic and other issues that seem to go with apartment dwellings (dumpsters, large parking lot, etc.) in our otherwise peaceful neighborhood.

We are opposed to this Petition. **This property should not be rezoned for that purpose.**

Thank you.

Matt and Kathy Bilpo

From: Livonia Nature
To: Planning
Subject: How to spot a spot zoning - Planning
Date: Tuesday, January 31, 2023 11:30:57 AM

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https://www.canr.msu.edu/news/how_to_spot_a_spot_zoning

From: Brent Woodland
To: Planning
Subject: Opposition to Petition 2022-12-01-02
Date: Tuesday, January 31, 2023 1:16:40 PM

Dear Livonia City Planning Department,

We are writing to express opposition to Petition 2022-12-01-02 submitted by Basilica of St Mary to rezone parts of the properties at 18100 Merriman Rd and 30600 Brookview Dr from P-L (Public Lands) to NM3-I (Neighborhood Multifamily – Maximum 4 Stories).

We are not opposed to rezoning to N2 (Neighborhood) as this is consistent with the surrounding neighborhoods. According to the pre-hearing narrative from the January 24, 2023 Study Meeting, rezoning to N2 is also sufficient for educational uses. The N2 rezoning would therefore support the construction of the proposed St Mary's Academy and Gymnasium.

However, we are opposed to rezoning the property NM3-I since the overall size, height, and occupancy of such buildings are much too large for the surrounding neighborhood(s). Imposition of large apartment complexes into traditional single family neighborhoods negatively impacts property value. Furthermore, an apartment building of the size proposed by Basilica of St Mary (3 stories with a high-pitched roof, 86 apartments, parking for more than 180 cars) would significantly increase traffic on residential streets and impose potential safety risks for children and other pedestrians.

Brent J and Patricia Woodland
31079 Mayville St

From: John Humitz
To: Planning
Subject: Petition 2022-12-01-02 Rezoning of Bryant Field
Date: Tuesday, January 31, 2023 1:48:53 PM

I am emailing to state my disapproval of the rezoning of Bryant Field (Merriman/Brookview)
Currently this is an open field, with attached woods
People in the neighborhood use this field to walk and/or walk their dogs
Kids play in the field, people fly their kites/airplanes, hockey in the winter and/or 4 wheeling etc

There was a school there many years ago, so I guess if a school is needed, I wouldn't be happy, but I would deal with it

I do not want to deal with a a 2-4 story apartment residence
My concern is the amount of traffic and/or noise a 2-4 story building will bring
I live on Stamwich, which is one of the main entrances into the Brookwoods Estates subdivision
i believe that whether Brookview is opened or not, people will come down my street to get to this new building
Also, we have a hard time with electricity outages and water main breaks now,
not sure adding 40-80 new homes is going to help that situation

I would be even more against this type of building if I was one of the residents whose backyard backs up to the field
They get to look out at the open field now, I believe the new building would not be a welcome view

If new apartments are needed, put them in one of the many vacant shopping lots
These lots already have parking lots and in many cases other apartments near by
I don't think it's fair to stick a new apartment building in the middle of an already established neighborhood
People have been fixing up their homes to stay put for the rest of their lives and new people have been moving in hoping their neighborhood because they like the neighborhood feel. I don't think you will find a lot of Brookwood Estates residents that feel this is a good idea for their neighorhood.

From: Matt Bartnick
To: Planning
Subject: DENY rezoning petition 2022-12-01-02 submitted by St. Mary"s Basilica
Date: Tuesday, January 31, 2023 1:21:00 PM

To the Livonia Planning Department and Commissioners,

My name is Matthew Bartnick and I'm a resident of Livonia 32682 Bobrich st. I'm writing to request that you deny the petition to rezone the land behind St. Mary's Basilica.

This land is an important part of our community and serves many vital functions in it's natural state. It's a place for community recreation and connection to nature where people of all ages and wildlife co-exist.

This area holds a substantial amount of water after rainfalls, which helps to prevent flooding of the surrounding yards and basements. I'm concerned that large buildings and a parking lot will reduce this water management effect, lead to flooding issues, and increased pollution to a vulnerable waterway/floodplain that runs through it.

Changing the zoning from public land to neighborhood (N2) and neighborhood multifamily- maximum 4 stories (NM3-1) would go against the city's master plan for this area, according to the Livonia Vision 21 plan. With so many vacant buildings in the vicinity of this site, a development like this would be better placed an area that can be redeveloped, giving it new life and meeting the variety of housing needs in Livonia with less environmental impact.
—Other points of concern about rezoning this land include:

Not egative effects on property values, noise and light pollution, water pollution to the creek, increased traffic, reduced safety of kids walking to and from school, excessive height of buildings, loss of open space for recreation, loss of habitat for wildlife, and additional strain on local utilities.

For the above reasons, please choose to deny the petition. By doing so, you will encourage redevelopment of vacant property rather than allowing new development of the minimal amount of natural land we have left in Livonia. Current and future generations will thank you!
Respectfully,

City of Livonia Small Buisness Owner Matthew Bartnick

January 31, 2023 **Reference: Petition 2022-12-01-02**

Members of the Livonia Planning Commission:

My name is Sally Jeffries, resident of the Brookwood Estates subdivision. I bought my home at 17551 Hillcrest Street in 1994, and have lived there for the past 29 years. The side of my house and backyard are adjacent to the walkway to the field, and my backyard has the full view of the field.

When I purchased my home, there were two things that were important: living in the City of Livonia and the view of the field. I chose to live in Livonia because it is one of the few remaining cities that actually cares about their residents. St. Mary's proposed plans seem completely at odds with Livonia's usual posture of looking out for its residents.

To my surprise and dismay, and extreme disappointment, there was no "heads up" or advance notice given to any of the residents about the proposed plans. This is particularly concerning with respect to the rezoning for the apartment complex. In fact, many of the residents who live on the field, including myself, have recently remodeled or invested in expensive upgrades to their homes. If I had known that there could be an apartment complex in my backyard, I never would have done the upgrade. I am especially anxious that the apartment complex will devalue my home and property value and make it very difficult for me to sell my house.

Below I have listed some of my current concerns:

The proposed plans will adversely affect the resident's life as follows:

1. Traffic: We do not know whether now or in the future, the property owner may construct additional driveways or private access roads in order to facilitate the bringing of more traffic to the site. Even if this is not the case, I am worried that there may potentially be additional daily traffic created by a school's students and families as well as staff, visitors, delivery vehicles etc. Although I've been told that the school will serve students aged 1 through 5, I do not know how many children will be enrolled, so I cannot tell what the school's traffic effect will be. However, regardless of the school's impact, I expect that traffic will increase exponentially from the apartment building, with many dozens of drivers to and from the apartment building (i.e. residents, workmen, moving vans, and countless daily deliveries of all types, from furniture to Amazon packages, creating even more substantial traffic volume into and out of the neighborhood.)

2. Noise: The inclusion of an apartment building in our community will inevitably greatly increase the noise level in our peaceful neighborhood. First, the increased traffic described above will heighten noise levels during both daytime and nighttime hours. Second, the increased number of community residents—especially when confined within a relatively small geographic footprint—will raise the amount of talking, yelling, music, and other sounds heard through the neighborhood. Third, the concentration of people in a

relatively small space means that there are many more comings and goings. This commotion of others during the night will be overheard and interrupt sleep.

3. Light pollution: The field is currently dark at night behind my house, but the lights of the St. Mary's complex shine very brightly year-round. These buildings are more in the corner of the field, but impact the houses that are near it with their bright lights. The 3-story apartments and parking lot, however, would put so much more light into the entire field area that all residents on the field would need to purchase blinds for every window.

4. Flooding: Many residents of the surrounding subdivisions to St. Mary's already experience huge problems with water and flooding. We are troubled by the likelihood of the development plans making the flooding issues worse.

5. Environmental impact: The residents are concerned about the proposed plan's impact on the ecosystem including the woods, creek and river system, wildlife, and the unknown potential of increased runoff.

6. Field availability: The proposed development will disrupt the neighborhood's and my 29+ years of enjoyment and use of the field for exercising and playing with their pets.

Besides describing how this will negatively impact my neighbors and me, I wish to bring to the Planning Commission's attention that the proposed uses in the field rezoning approval of today's meeting appear to be something of a "bait-and-switch" from representations made in the 2018 purchase agreement. The purchase agreement provides "Intended Purpose of the premises proposed by purchaser being used by as a senior center." "Senior centers" are commonly understood to be entities that provide supportive services to the elderly and are also so defined in section 321 of the Older Americans Act. The operation of a senior center **DOES NOT** equate to the construction of residential dwellings.

At the Planning Commission meeting on Tuesday, January 24th, a member asked where else the City of Livonia rezoned public land for apartment housing. The answer was, "Nowhere." In other words, **there is no precedent for such an action.** For all of the reasons explained above, I urge the Planning Commission not to break precedent at this time so that my neighbors and I can continue to live in the tranquil neighborhood in which we currently reside.

Sincerely,

Sally Jeffries
17551 Hillcrest Street
Livonia, MI 48152

Brett Shiemke and Ryan Carrow
Residents at 17615 Hillcrest St. Livonia, MI 48152

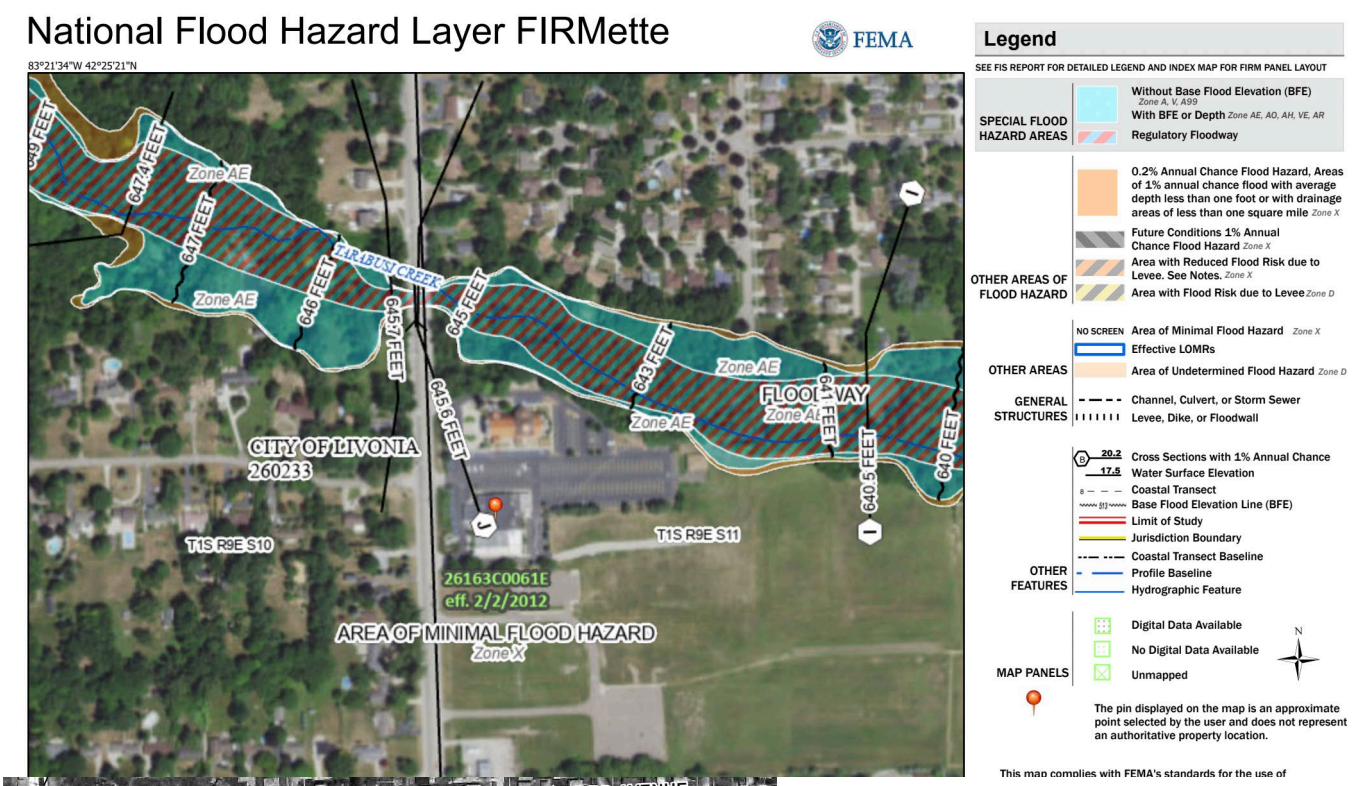
My husband and I moved to Brookwood Estates in November 2019 and our lot directly backs up to the field that is being discussed for rezoning today. When we stepped foot into our backyard for the first time, we knew that this was going to be our next home. The view is beautiful with the large field that runs into a creek and wooded area to the north, and the Church in the background to the west. The area is currently zoned for public use so it was safe to assume that there wouldn't be any disturbance to this wonderful piece of the country inside of the city of Livonia. I look out my windows every day and see people playing fetch with their dogs, flying kites, flying mini airplanes, riding bikes, hitting golf balls, etc. It's peaceful and my favorite thing to talk about with anyone coming to my house for the first time.

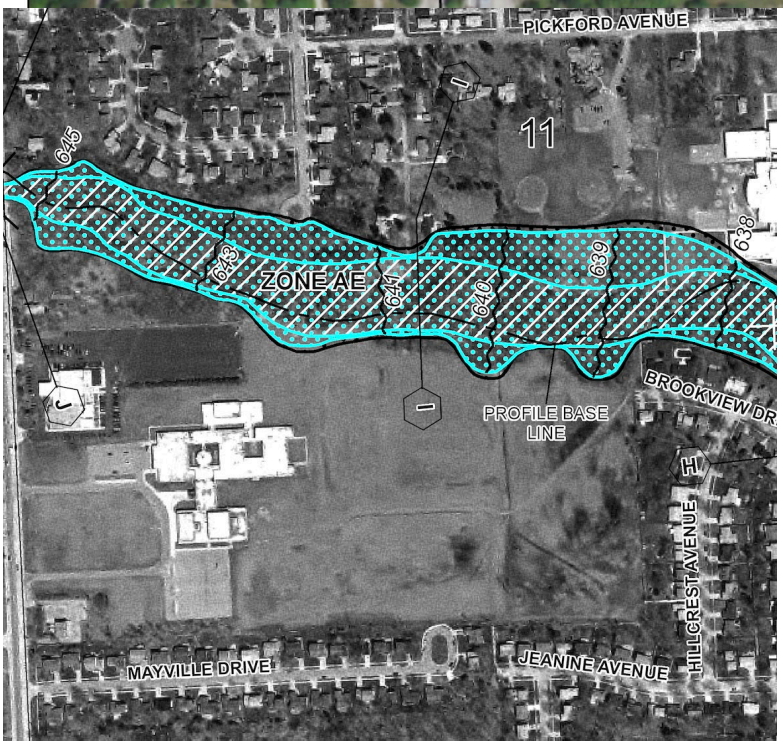
There were many beautiful houses that we found while searching for our home that we passed on because of their location next to commercial buildings, apartment buildings, or being too close to a main road. These things play a major factor in determining whether someone will buy a home and can have a huge impact on the value. Currently, the view from our backyard is a huge selling point and people would be willing to pay more for this house than a house looking at an apartment building or into a parking lot. I cannot stress this point enough…we would not have purchased our home if it backed up to a large apartment building with a large parking lot and lights.

Environmental impact
I am by no means a specialist on how building a structure like this will impact the environment, however, I do have concerns regarding the removal of trees next to the Tarabusi Creek. We should be doing everything in our power to avoid the unnecessary destruction of nature. Are there issues with building too close to creeks? Will the buildings and parking lots change the way the water flows? How will it impact the water table?

Parking lot causing potential water issues for residents
Many of the residents along Hillcrest Street have had issues with water leaking into their basements and taken the necessary steps to rectify those situations. I personally have had cracks repaired, rod holes repaired, sun houses added to the windows of my basement, and had my gutter drains buried to push the water out 15-20ft from my home to prevent further water damage. I also know that at least one of my neighbors had to have their land regraded in order to change the flow of water away from their home. Rezoning this area for multifamily homes will allow for a large building to be built along with a huge parking lot to accommodate the residents. The water will not flow into the ground, it will flow elsewhere and could potentially flow right into our yards. What will the city do to protect our homes from the damages caused by this building?

The images below depict the flood zone for the Tarabusi Creek. It's categorized as Zone AE both with and without Base Flood Elevation (BFE). It is likely that the trees being cut down for this new structure would like within the areas without BFE. These areas should be left alone or the water from the creek will have to go somewhere else (likely toward our homes on Brookview and Hillcrest).





Light Pollution
Parking lots need to be well lit in order to remain safe. Currently, the only lights in our backyards come from the church. Large amounts of artificial light introduced near a wooded area and creek can seriously alter the natural cycles and operations of wildlife nearby. Light pollution negatively impacts animal and plant physiology thereby modifying the competitive interactions of the animals, tampers with their migratory patterns, and distorts predator-prey relations. If the church wants to do what's best for our community, then they need to be leaving the wooded areas untouched.

Can our already strained power grid handle the additional 86 proposed units? We already struggle with power outages in my neighborhood. So much so, that DTE had to send out letters explaining that we needed upgrades to our system.

Noise Pollution
The additional 86 units along with the people coming and going to the school will significantly increase the amount of noise in that area. The field and our backyards are currently a very peaceful place for people to go. Adding in a large parking lot will only cause more unnecessary disruptions within the community.

Environmental Pollution
The addition of the parking lot will bring cars that can potentially leak oil and gas. Also, in the winter, salt will be put down to keep the parking lot free from snow which will then melt and travel into the river. What impacts will the increased salt levels have on the environment. It is well known that certain salt can cause harm to plants and animals.

Final Thoughts
The biggest issue I have with this whole situation is the fact that the church neglected to inform any of the neighborhood about this rezoning of land and building of an apartment complex until they were forced to do so. Even then, only a part of my street (Hillcrest) was informed and nobody on Mayville Street got letters even though they will be directly looking at this monstrosity. Had the church invited us to an event to discuss their plans for building on the land 6 months ago and not the day before it's being voted on then maybe we would be more accepting of their plans. We could have asked questions, raised our concerns, and they could have come up with solutions that satisfied everyone involved. Unfortunately, that's not what happened, and it seems that this church doesn't really want to do what's best for the city of Livonia, they only want to do what they think is best for their community.

To The Planning Commission; JANUARY 30 - MONDAY - 2023

Land of The Free, Please keep this whole Field Free of Bricks, Mortar, Cars, Trucks, horns blowing - Combustion of Gas - NOISE.

We are closing ourselves in more, and, more. No more open spaces! Enough is Enough! Stop, Stop, Stop, leave this land open, for nature, for animals, for people to ENJOY! This field is a beautiful place to walk, to think, play in, or to hit a few golfballs. This field is wonderful, for so many seasons. Please don't wipe it away from us. This land is peaceful open SPACE, we must preserve it. Many other, already, vacant buildings, the church can purchase for their Seniors, for their schooling. Three, Four, story building, it doesn't fit in our community, its a big glob, towering, our homes. It make NO SENSE. Our home values, will go way down. Stop, St, Stop St, Stop St. Please, we do not need more closed in buildings.

Keep this land FREE, FREE, FREE !!

Gives us air to breath, to stretch out, to walk, play on, even holding hand, that I have seen many times.

Give Nature a BREAK, STOP THIS PROJECT, St, Maries, GO SOMEWHERE ELSE!

Thank You Laurence Roberts

RECEIVED
JAN 31 2023
CITY OF LIVONIA
PLANNING COMMISSION

Petition 2022-12-01-02

From: Karen Janiga
To: Planning
Subject: DENY rezoning petition 2022-12-01-02 submitted by St. Mary"s Basilica
Date: Tuesday, January 31, 2023 4:36:39 PM

To the Livonia Planning Department and Commissioners,
My name is Karen Janiga and I'm a resident of Livonia in the Brookwood Estates subdivision.
I am writing to request that you deny the petition to rezone the land behind St. Mary's Basilica.
This land is an important part of our community and serves many vital functions in it's natural state.
It's a place for community recreation and connection to nature where people of all ages and wildlife co-exist.
This area holds a substantial amount of water after rainfalls, which helps to prevent flooding of the surrounding
yards and basements. I'm concerned that large buildings and a parking lot will reduce this water management effect,
lead to flooding issues, and increased pollution to a vulnerable waterway/floodplain that runs through it.
Changing the zoning from public land to neighborhood (N2) and neighborhood multifamily-maximum 4 stories (NM3-1)
would go against the city's master plan for this area, according to the Livonia Vision 21 plan. With so many vacant buildings
in the vicinity of this site, a development like this would be better placed an area that can be redeveloped, giving it new life
and meeting the variety of housing needs in Livonia with less environmental impact.

Other points of concern about rezoning this land include:
negative effects on property values, noise and light pollution, water pollution to the creek, increased traffic, reduced safety
of kids walking to and from school, excessive height of buildings, loss of open space for recreation, loss of habitat for wildlife,
and additional strain on local utilities.

For the above reasons, please choose to deny the petition. By doing so, you will encourage redevelopment of vacant property
rather than allowing new development of the minimal amount of natural land we have left in Livonia.
In hopes of preserving Livonia as a wonderful city to live in and raise a family, thank you for denying this rezoning.

Respectfully,
Karen Janiga
17575 Hillcrest St

From: PENNY Myers
To: Planning
Subject: Property Rezoning - St. Mary"s Church
Date: Tuesday, January 31, 2023 4:55:17 PM

Regarding the proposed rezoning for property at Merriman – St. Mary's Bascillica Church

Besides the obvious dismay of the effect on property values, property view and increase traffic. There is a huge concern for the animals that will become displaced from the noise activity and tearing down of trees. There are deer, rabbits, screech owls, flying squirrels, squirrels, raccoons, etc. that have called this area home for I imagine years.

Concerns regarding building a "school" on the property are huge. Livonia has sold at least two schools in the last two years and Madonna has closed their high school. This indicates a questionable need for schools let alone a new one. We do not believe the city can sustain another school when schools are closing, downsizing and combining. If it is a true desire to help kids, then a partnership with the school board to utilize facilities already in place seems a better option. Or use part of the montessori already in place.

Concerns regarding building an apartment complex. Size of the building is large, parking needed and then the additional flow of traffic in the area and yes again, the property value and views of long time residents who specifically bought, maintain and live in these homes.
There are several senior complex's already that if they are not directly in Livonia are extremely close (Southfield, Canton, Plymouth, etc,) It seems that properties that area already existing and vacant that also already have utilities runs would be a better use of land. Example is the the long time vacant property at 7 Mile and Farmington. Even the old Sears' building at 7 Mile and Middlebelt would better. A bus route, walk to stores, etc.
It would be a huge disappointment if this land that houses so many beautiful creatures for years would be used to for buildings that most likely could be accomplished with existing vacant properties. It is with a great hope that this land is not rezoned and building of any type not be approved at this time.

Penny Myers

From: Ed Cuschieri
To: Planning
Subject: Petition: 2022-12–01-02
Date: Tuesday, January 31, 2023 4:59:17 PM

As a decades long resident on Hillcrest Street, I am totally opposed to proposals of an apartment bldg, school and parking lot on field behind Hillcrest St. My property will be devalued. Increased Traffic thru neighborhood. Crime and a host of other negative issues. Ed Cuschieri. 17562 Hillcrest.

....life is a long song....

From: ROB PETERS
To: Planning
Subject: Proposed Rezoning Bryant Field Area !
Date: Tuesday, January 31, 2023 6:04:43 PM

Hello , this email is in regards to the potential rezoning for the purpose of building in the Bryant Field area. I work afternoons so i am unable to attend the meeting tonight Jan 31 2023 so i am emailing to get my voice heard on this issue. As a long time resident (58years) in the Brookwood Estates sub divisioni (behined Bryant Field) am very against the idea of building more buildings in the Bryant field area. My concerns are the amout of constant 24/7 noise, traffic, and activity that will come with the buildings preposed and also what it will do will take away from the peaceful sereity this area of Livonia has always had. Its always been the most quiet are of the city and thats why my parents and now me love ut so much here ! I also have concerns for with this will do and the effect it will have on the wooded area and creek thar run ajacent to the building site as well. Enough polution seems to make it into our creeks streams and river without us building right next to them. I feel this would be very bad for the wildlife that live and depend on the woods n creek to survive n live. Please take my email into consideration when discussing and decind on this issue.

Thanks for letting me voice my opinion here

Rob Peters , Brookwood Estates resident

From:	Ellen Cusin
To:	Planning
Subject:	DENY Rezoning petition 2022-12-01-02 submitted by St Mary"s Basicila
Date:	Tuesday, January 31, 2023 6:26:35 PM

To the Livonia Planning Department and Commissioners,
Hello, my name is _Ellen Cusin and I've been a resident of Livonia for 60+ years. I am writing to request that you deny the petition to rezone the land behind St. Mary's Basilica.

This land is an important part of our community and serves many vital functions in it's natural state. It's a place for community recreation and connection to nature where people of all ages and wildlife co-exist.

This area holds a substantial amount of water after rainfalls, which helps to prevent flooding of the surrounding yards and basements. I'm concerned that large buildings and a parking lot will reduce this water management effect, lead to flooding issues, and increased pollution to a vulnerable waterway/floodplain that runs through it. After a rain it takes days for this field to dry up.

Changing the zoning from public land to neighborhood (N2) and neighborhood multifamily- maximum 4 stories (NM3-1) would go against the city's master plan for this area, according to the Livonia Vision 21 plan.

With so many vacant buildings in the vicinity of this site, a development like this would be better placed an area that can be redeveloped, giving it new life and meeting the variety of housing needs in Livonia with less environmental impact.
Other points of concern about rezoning this land include:
negative effects on property values,
noise and light pollution,
water pollution to the creek,
increased traffic,
reduced safety of kids walking to and from school,
excessive height of buildings,
loss of open space for recreation,
loss of habitat for wildlife,
and additional strain on local utilities.

For the above reasons, please choose to deny the petition.

By doing so, you will encourage redevelopment of vacant property; rather than allowing new development of the minimal amount of natural land we have left in Livonia. Current and future generations will

Ellen Cusin
Independent Consultant, District Manager
Arbonne International
734.776.7142
www.ellencusin.arbonne.com

https://arbonne.dcatalog.com/v/US-EN-Arbonne-Catalogue/?arb=arb&cbn=Ellencusin
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Ellen Cusin #15326084
Arbonne Independent Consultant
734.776.7142

Dreams are the star
You may not touch them
But if you follow them
You will reach your destiny.

https://vimeo.com/668864822/c030afbf5a

From: JOY GRZANOWSKI
To: Planning
Subject: 2022-12-01-02
Date: Tuesday, January 31, 2023 7:00:27 PM

Our household, located at 30448 Jeanine St, Does Not support the proposed zoning change and development in the aforementioned petition. We chose the neighborhood based on the single family housing in the area and the woodlands that borders Tarabusi creek. This area is an important wildlife corridor and positively contributes the wellbeing of Livonia.

I support St Mary's need to fundraise, but not in the form of permanent alteration of the living environment I have chosen to raise our family in.

Respectfully yours,

Andrew and Joy Grzanowski and sons

Sent from AT&T Yahoo Mail for iPhone

From: Candy Little
To: Planning
Subject: St. Mary's Basilica _ Proposed Re-Zoning _ 31January2023
Date: Tuesday, January 31, 2023 10:30:05 PM

Dear City Planning:

I, Candy Little, attended the Livonia City Planning Commission meeting this evening as a citizen/taxpayer of Livonia residing in the Brookwood Estates at 30653 Bobrich.

When purchasing my house for my family 16 years ago, the meadow/land in the area was a significant attraction.

There is no attraction with re-zoning the meadow/land. There is no attraction for the majority of the citizens in our community. There is no attraction for the wild life. There is no attraction for the environment. There is no attraction for my property value.

There is only an attraction for the St. Mary's Basilica community and not the surrounding community for this re-zoning proposal.

Please do not re-zone this meadow/land for all of the reasons mentioned during the meeting.

There are a number of vacant areas (including Farmington and Seven Mile where K-Mart and other business closed) that can accommodate the vision and plan of St. Mary's Basilica.

Please do not re-zone this precious land for the entire community of Livonia.

Kind regards,

Candy Little

Sent from my iPhone

From: Samantha Raj
To: Planning
Subject: Re: ST. MARY"S BASILICA REZONING LETTER
Date: Wednesday, February 1, 2023 11:32:04 AM

Hello again,

I was able to actually attend the meeting last night, and wanted to follow up to my previous email with a couple of thoughts.

1. As many of my community members and neighbors mentioned, not once has Father George or anyone from St. Mary's reached out to those directly affected by this project to have a conversation. There were a lot of excuses around why this couldn't happen, and yet there were several messages sent to their parish and congregation members about it... That isn't neighborly, that is calculated. It was convenient that one of the rezoning board members was invited, but the neighborhood members were not.
2. Despite anyone's personal opinions about the church and their intentions with this project, I think one thing is common among the hundreds of the community members against this project: **we do not want this land rezoned for purposes of anything.** Not a multi-story living complex, not a single-story complex, nothing. This is precious public land that the city comes to and utilizes in its current state. Our kids play catch, our dogs run and play, people fly model planes and kites, families have picnics, we go for walks, we enjoy the nature trails and trailheads all year long. Any kind of rezoning whether it be for the church's use, another commercialized development, or anything similar, will impact the quality of life the hundreds of us have as Livonia citizens and neighbors within Brookwood Estates/Sunset Park.
3. I heard many parishioners speak about the church and the excitement they have for this development. I listened to their names and heard their addresses. **Not one single person** who showed up in favor of this rezoning and development will have their home personally affected by this. Truthfully, their opinion should not weigh as much as those who are impacted in this way. "Love thy neighbor as thyself" - if somebody were building in your backyard, you would be outraged as well.

I personally want to thank the commission for intentionally listening to everyone's questions and concerns last night. I unfortunately will not be able to make the next meeting on February 14, as I will be on vacation. But I will continue to send letters and help make the voices of our neighborhood heard.

I continue to ask you to please not support this rezoning project.

Thank you,

Samantha Raj
30208 Brookview Drive

Samantha Raj
MARKETING & PUBLIC RELATIONS PROFESSIONAL
734-732-0068 | samantharaj520@gmail.com
Let's Connect on LinkedIn

On Mon, Jan 30, 2023 at 10:18 PM Samantha Raj <samantharaj520@gmail.com> wrote:

> I cannot attend the public hearing on January 31 to read this aloud, so ask that this is read on my behalf. Thank you, Samantha Raj
>
> Good evening to my fellow community members. A lot of you may not know me, but my name is Samantha Raj and I have been a resident of Livonia, particularly the Brookwood Estates neighborhood, since 2019. My husband, my daughter, my dog, and I absolutely love living here – we consider our home here to be our dream home.
>
> I wish I could have been in attendance tonight, but I am home putting my 2-year-old to bed, like I'm sure several other parents in this neighborhood are tonight. If anyone hasn't noticed lately, there are a lot more strollers and tiny little humans strolling in the sub division these days, which is why we must do everything we can to keep the integrity of this neighborhood and keep them safe, so they can grow up here the way we vision it.
>
> That's one of the reasons we bought our home on Brookview Drive. It's a perfect neighborhood for all these young families who recently moved in. It's close to a school, very close to nature, many of us are on a dead-end street with no commercial areas nearby, and it is a quiet and safe place to raise a family. If you ask the parents in Brookwood Estates why they bought a home here, I'm sure most of them would say the same things. Even for those who are not parents, I'm sure they would agree with those points.
>
> This sub division is unlike most neighborhoods in Livonia, or any other cities nearby. My husband and I looked far and wide for a perfect place to find our "forever home" and as soon as we found our house, we knew we found the one. We always joke that this neighborhood has a lot of homes that are "city in the front, but country in the back." So many of us have beautiful landscapes right in our back yard that bring privacy, serenity, and some truly amazing scenery. It's a huge draw to why people live here, and how we value our homes.
>
> When I saw the plans to rezone the field by St. Mary's, I was distraught and disturbed. Especially hearing about how our elected city officials and the leaders at St. Mary's Basilica have already broke ground, and had the audacity to post it to social media, without garnering feedback from the community and officially getting the land rezoned. It is not only disappointing to see, but it really shows just how much this "neighborhood centric" church organization here actually cares about the residents – which is not at all. So I come to you all today to explain my disposition of this rezoning and why I, and most of this community, am against it.
>
> I keep seeing messages about how Livonia is in need for another assisted living facility, and how we need to honor our elderly but putting a complex right next to the church... But building in this area is not the solution. Here is what will happen if this project is approved:
>
> - You will be facing **DOZENS upon DOZENS** of families scrambling to put their homes on the market before the value is lost due to this development. This will take a direct hit to our home values, and people WILL leave. None of us chose to live in this neighborhood with a giant apartment complex in our backyard. Building one is a slap in the face to the taxpayers of this neighborhood. Elderly folks who need a place to live can go to one of the other 25+ assisted living residences in the area, or the developer can choose another building or plot of land to use instead. Might I suggest the abandoned strip mall on 7 mile? Or the old office building off Middlebelt? Perhaps all that empty land behind Stevenson High School or near Madonna University?
>
> - This neighborhood will be absolutely littered with trash, on top of light pollution and noise pollution for several months to come. Not only will this impact our local wildlife, but it will also leave the residents of Brookwood Estates and nearby responsible for the impact it will cause. Garbage in our yards, loud noises throughout the day while at home (where several of us are still working), and an increased amount of traffic that will clog our streets.

Plus with a 150-car parking lot and lights on throughout the night, light pollution will be abhorrent to the surrounding homes. Again, no regard for the community, just looking to profit off this development and get tax-exempt status.

- The multi-story complex will be an eyesore to the dozens of homes whose backyards face this area. Nothing like sitting in your backyard to be watched by those who are overlooking you in the apartment complex behind you. And I don't think there are privacy fences that will block out 3 or 4 stories. Even if there were, who is going to front the bill to cover that cost?

- There is a huge concern that Brookview Drive will be extended to accommodate traffic through the neighborhood to go to the complex, instead of using Merriman Road. This creates HUGE concern, especially for families of little ones who walk or ride their bikes to Coolidge Elementary. An increased amount of traffic of normal vehicles and emergency vehicles will be a safety threat -- not just getting hit by a car, but this also increases the risk of strangers lingering with malicious intentions of speaking to our kids. In the world we live in today, this is a huge issue for me, as that's a primary reason I chose to live here -- so cars couldn't just cut through my street to get to a main road or building, and we didn't have people who didn't live here just driving around aimlessly and loitering our neighborhood. This may not be in the development plan yet, but judging from how this project has already been communicated and ground already broke, I wouldn't be surprised if I woke up one day to my street being torn up to accommodate this.

I have a list of many other concerns, including the impact to our wildlife, the destruction of the watershed this field provides and how that will impact the integrity of homes nearby, and especially the tax-exempt status that this facility is already looking to obtain. This plan to rezone and build on this land benefits **NOBODY** except the church and the stakeholders owning this development. It is catastrophic to this neighborhood, and I know of several vacant buildings that can be rezoned to accomplish the same thing being proposed here today.

I stand with my neighbors and am highly against the rezoning to accommodate this development. I am asking the city to honor this request by our community, as tax paying citizens who deeply care about this city and each other. If not, you will be showing your cards that you only care about money and greed instead of your residents. And if that occurs, many of us will be vacating Livonia.

Honoring the elderly and providing them with assisted care can be accomplished in several other locations throughout the city, and I implore this developer and St. Mary's to do their research to accomplish this elsewhere.

Thank you for your time.

Samantha Raj, Brookwood Estates resident and mom

Samantha Raj
MARKETING & PUBLIC RELATIONS PROFESSIONAL
734-732-0068 | samantharaj520@gmail.com
Let's Connect on LinkedIn

From: Amy Bonser
To: Planning
Subject: Petition 2022-12-01-02
Date: Wednesday, February 1, 2023 6:07:26 PM

Planning Commissioners,

We are residents of the subdivision located behind the St Mary's Basilica and are highly opposed to the construction of a 3-4 story senior living complex on the property behind the St Mary's Basilica and Banquet Center. Not only would a high rise building be highly visible from the homes, the addition of the multi story building and its required 100+ parking spaces will greatly reduce our property values. In addition, such a facility would require 24 hour/day staffing and activity, delivery trucks and multiple dumpsters which will invite rats Livonia is already struggling to abate. We attended the study meeting and were greatly concerned that the plans only include a 400ft space between the proposed project and our neighborhood. When there are so many other commercial properties in need of improvement in Livonia and properties that do not infringe on a neighborhood, it seems unnecessary to grant permission for this project.

We are a multi generation Livonia family and have owned our home for almost 23 years. When we purchased our home, the Bryant school was still standing. We have not been opposed to the building of the beautiful basilica or the current banquet facility since the location is far from the family homes. We are not opposed to the addition of a single story school/community center. We have been aware of the church's efforts to fundraise to be able to create a community center for its members and would support that effort based on the plans shown during the study meeting.

We respectfully request that you deny the rezoning of the property for the multi story senior housing apartment building.

Sincerely,
Jeff and Amy Bonser
17525 Hillcrest St

From: PENNY Myers
To: Planning
Subject: Property Rezoning - St. Mary"s Church
Date: Tuesday, January 31, 2023 4:55:17 PM

Regarding the proposed rezoning for property at Merriman – St. Mary's Bascillica Church

Besides the obvious dismay of the effect on property values, property view and increase traffic. There is a huge concern for the animals that will become displaced from the noise activity and tearing down of trees. There are deer, rabbits, screech owls, flying squirrels, squirrels, raccoons, etc. that have called this area home for I imagine years.

Concerns regarding building a "school" on the property are huge. Livonia has sold at least two schools in the last two years and Madonna has closed their high school. This indicates a questionable need for schools let alone a new one. We do not believe the city can sustain another school when schools are closing, downsizing and combining. If it is a true desire to help kids, then a partnership with the school board to utilize facilities already in place seems a better option. Or use part of the montessori already in place.

Concerns regarding building an apartment complex. Size of the building is large, parking needed and then the additional flow of traffic in the area and yes again, the property value and views of long time residents who specifically bought, maintain and live in these homes.
There are several senior complex's already that if they are not directly in Livonia are extremely close (Southfield, Canton, Plymouth, etc,) It seems that properties that area already existing and vacant that also already have utilities runs would be a better use of land. Example is the the long time vacant property at 7 Mile and Farmington. Even the old Sears' building at 7 Mile and Middlebelt would better. A bus route, walk to stores, etc.
It would be a huge disappointment if this land that houses so many beautiful creatures for years would be used to for buildings that most likely could be accomplished with existing vacant properties. It is with a great hope that this land is not rezoned and building of any type not be approved at this time.

Penny Myers

From: Uhazie, Jacob
To: Reece, Stephanie
Subject: FW: St Mary"s Proposed Apartment on Merriman
Date: Friday, February 3, 2023 9:09:32 AM

Jacob Uhazie
Planning & Economic Development Coordinator
City of Livonia | Planning Department
(734) 466-2293 | (734) 674-7647
juhazie@livonia.gov

From: Simmons, Jennifer <jsimmons@livonia.gov>
Sent: Friday, February 3, 2023 9:05 AM
To: engelsusa1@gmail.com
Cc: Mayor Staff <MayorStaff@Livonia.gov>
Subject: RE: St Mary's Proposed Apartment on Merriman

Good morning, Ms. Engels

Thank you for contacting Mayor Brosnan. I am responding on her behalf. We appreciate you taking the time to share your viewpoint. It has been shared with the Planning Department on your behalf.

Regarding the ground breaking event, the Mayor was invited to St. Mary Antiochian Orthodox Church to help celebrate the Church's 50th anniversary and the church's Pastor coupled it with a ceremonial groundbreaking. That was an unofficial event that has no impact on the zoning or construction proposals before the City Planning Commission.

Stay Well,

Jennifer Simmons
Constituent Relations Specialist
City of Livonia | Mayor's Office
(734) 466-2204
jsimmons@livonia.gov

-----Original Message-----

From: Nancy Engels <engelsusa1@gmail.com>
Sent: Wednesday, February 1, 2023 8:39 AM
To: Mayor Maureen Miller Brosnan <mayor@livonia.gov>
Subject: St Mary's Proposed Apartment on Merriman

Dear Mayor,

I watched the Hearing for the zoning change requested by St Mary's Church on Merriman. It seems like the church bought the property zoned for one purpose and now wants to change it, but the change would clearly negatively impact the neighborhood. I don't understand why it was tabled. It appeared that the majority of the neighborhood did not want the apartment. Like the apartment development that was proposed at Middlebelt and Plymouth last year, which was not approved, how is this one different? Please do not approve this development. Let the church build houses if they wish NOT a commercial apartment. They should have asked for the zoning change when they bought the property.

It was also mentioned that you attended a ground breaking event for this development in November 2022? Is it common to celebrate a new development before any plans and zoning are approved by the city? It appeared to not sit will with a lot of people there.

Thank you for listening

Nancy Engels



Gary Michael Ontko
31291 Mayville St.
Livonia, MI 48152

Feb. 2, 2023

To: Planning Commission,

Please deny the Petition 2022-12-01-02 submitted by Basilica of St. Mary, requesting to rezone parts of the property at 18100 Newman Road & 30600 Brookview Drive.

NM3-1 - Neighborhood Multifamily Maximum 4 stories does not blend in with the residential homes in this area.

Please vote No on the three story senior apartment building.

Sincerely,
G. M. Ontko

RECEIVED
FEB 03 2023
CITY OF LIVONIA
PLANNING COMMISSION

Feb. 2, 2023

Please deny the Petition 2022-12-01-02 submitted by Basilica of St. Mary, requesting to rezone parts of the property at 18100 Merriman Rd. and 30600 Brookview Dr.

NM3-1 - Neighborhood Multifamily Maximum 4 stories does not blend in with the residential homes in the area.

Please vote ~~[redacted]~~ no on the three story senior apartment Building

Sincerely, Donald L. Arterburn
31397 MAYVILLE
LIVONIA, MI. 48152

RECEIVED
FEB 03 2023
CITY OF LIVONIA
PLANNING COMMISSION

Sir Speedy
33599 Seven Mile Rd. • Livonia, MI 48152 • (248) 476-8130 • Fax: (248) 476-1947 • Email: staff@sirspeedy 6310.com • www.SirSpeedy6310.com

From: Melissa Prowse
To: Planning
Subject: DENY rezoning petition 2022-12-01-02 submitted by St. Mary"s Basilica
Date: Wednesday, February 8, 2023 9:28:43 AM

To the Livonia Planning Department and Commissioners,

My name is Melissa Prowse and I'm a resident of Livonia in Brookwood Estates. I'm writing to request that you deny the petition to rezone the land behind St. Mary's Basilica.

This land is an important part of our community and serves many vital functions in it's natural state. It's a place for community recreation and connection to nature where people of all ages and wildlife co-exist.

This area holds a substantial amount of water after rainfalls, which helps to prevent flooding of the surrounding yards and basements. I'm concerned that large buildings and a parking lot will reduce this water management effect, lead to flooding issues, and increased pollution to a vulnerable waterway/floodplain that runs through it.

Changing the zoning from public land to neighborhood (N2) and neighborhood multifamily- maximum 4 stories (NM3-1) would go against the city's master plan for this area, according to the Livonia Vision 21 plan. With so many vacant buildings in the vicinity of this site, a development like this would be better placed an area that can be redeveloped, giving it new life and meeting the variety of housing needs in Livonia with less environmental impact.

Other points of concern about rezoning this land include:

negative effects on property values, noise and light pollution, water pollution to the creek, increased traffic, reduced safety of kids walking to and from school, excessive height of buildings, loss of open space for recreation, loss of habitat for wildlife, and additional strain on local utilities.

For the above reasons, please choose to deny the petition. By doing so, you will encourage redevelopment of vacant property rather than allowing new development of the minimal amount of natural land we have left in Livonia. Current and future generations will thank you!

Respectfully,

Melissa Prowse

From: splitend710@aol.com
To: Planning
Subject: St Mary's desire to Rezone
Date: Thursday, February 9, 2023 6:58:00 PM

Please please please do not allow this to happen! The old Bryant land is a flood plain for the Brookwood Estates homes. Building there will force all that water into all their yards! It is also a beautiful park setting that many many families enjoy! It is like a nature reserve!

Thank you for listening!

Sent from the all new AOL app for iOS

02/12/2023

Hello Members of the Livonia Planning Commission,

My name is Kristen Engels and I am a lifelong resident of 15706 Golfview Street in Livonia. I am writing in regard to the recent rezoning proposal (Petition 2022-12-01-02) from the St Mary Basilica. I had the opportunity to watch Tuesday's (1.31.23) live TV broadcast of the proposal hearing. After further investigation I have come to two conclusions.

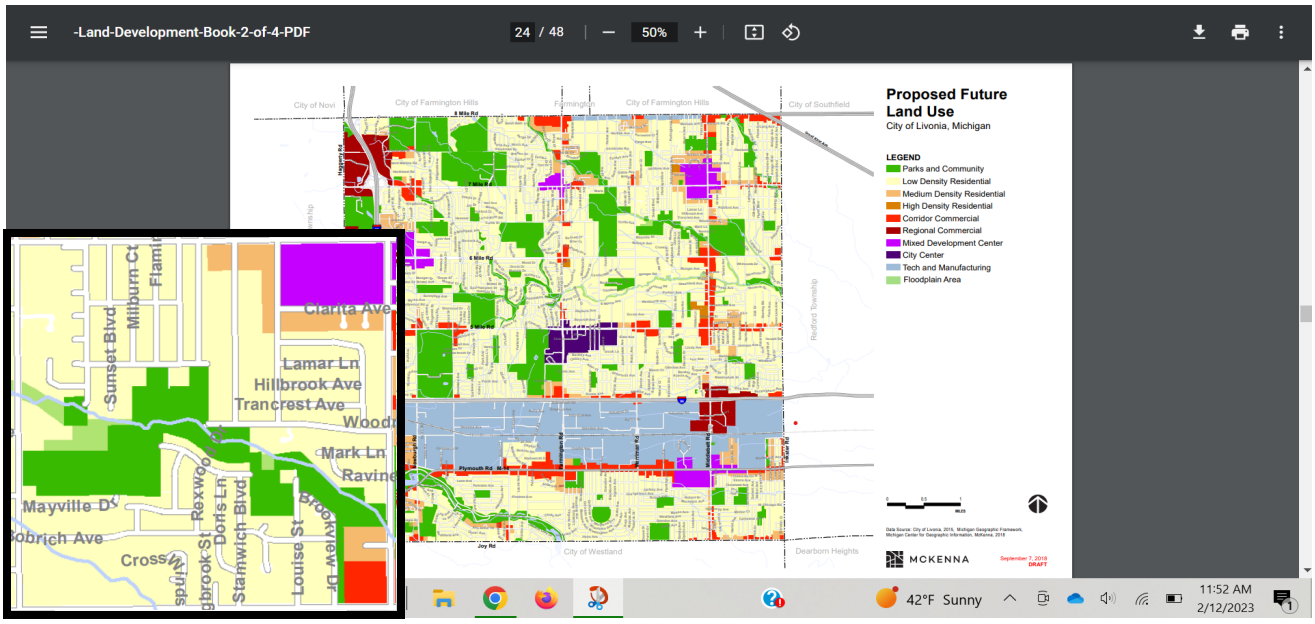
First, the rezoning of the first (most west, L shape) parcel of land from P-L to N-2 for the purpose of the Montessori school is appropriate. Most residents recognize that this does not change the atmosphere of the neighborhood as there are already schools nearby. Moreover, as an educational facility it still provides public service to all members of the community, just as it did when it belonged to Livonia Public Schools. Overall, the proposed rezoning is appropriate as it fits the current atmosphere of the surrounding neighborhood.

Secondly, it is my firm belief that the rezoning of the second (most east, rectangular) parcel of land from P-L to NM3-I for the purpose of some manner of senior residential facility should **not** be approved. My four main concerns and reasonings are as follows:

1. **Environmental Concerns**
    a. *Waterway Pollutants*. As a proud member of Friends of the Rouge, I am concerned about what the increase of impermeable surfaces could mean for already toxic chloride levels in Tarabusi Creek. Impermeable surfaces refer to surfaces made from materials that water can not penetrate to reach the ground (and ultimately soak in). Examples of such surfaces include roads, sidewalks, parking lots, and the roofs of buildings. As this water cannot return to the water table, it follows the path of least resistance and ends up overwhelming small tributaries like Tarabusi Creek. As this water travels over these impermeable sources it picks up contaminants such as fertilizers and road salt. This leads to these contaminants and excess water to overwhelm local creeks like Tarabusi Creek. In fact, approximately 80% of rouge waterway contamination comes from non point sources like water runoff! This, combined with the fact that the proposed rezoning would already be shrinking the existing floodplain, would only lead to disasters for the neighborhoods and communities downstream. Although the creek may seem small at a glance, it is the combination of many of these small branches which connect together and empty out our Great Lakes. As stewards of the land, it is important for us (citizens of Livonia and the Livonia Planning Commission) to care for the health of the waterways in order to protect the land and be good neighbors to those downstream.

b. *Flood Plains.* Presently, most of the proposed rezoning (and beyond) are dedicated flood plains and public land. This can be seen below in a draft Livonia Vision 2021 Book Two Land Development map dated from 2018. During most of the year, these areas consist of both dedicated wetlands and or vernal ponds. As wetlands are one of the most productive ecosystems on the planet, this improves local air and water quality while providing a sanctuary for local fauna and animal life. During rainstorms, the importance of these areas increase tenfold as water runoff ends up collecting in large quantities. In fact, during Tuesday's session several residents attested that not only does the field flood, but some of the water overflows into the backyards (and basements) of the surrounding neighbors. Clearly, without plans to provide adequate water retention areas it is illogical to allow this rezoning.

Livonia Vision 2021 Book Two Land Development:



c. *Light pollution.* While most pollutants are visible with the naked eye, light pollutants often go undetected. And yet light pollutants have been attributed to changing the natural circadian rhythms of humans and animals. This means the biological clock is disrupted, allowing for odd and unrestful sleep schedules. When thinking of adding a multi-story apartment building one can only imagine the additional lights that will be needed both inside and out. This will be extremely disruptive to neighboring family homes that directly face the property. Residents are already displeased with the lighting from the storage shed on the St Mary Basicalla's property, and it would be un-neighborly to ask them to bare more.

2. **There is a lack of clarity surrounding the proposed senior facility.**
    a. *What is it?* Open communication is key to any good relationship, especially those between neighbors. And yet, from my observations of last Tuesday's session there was no clear consensus on what kind of senior residency facility the St Mary Basilica plans to build. The main two options discussed were dependent (assisted) and independent senior living facilities. Dependent (assisted) senior living facilities are for seniors who require some kind (part-time or full-time) of physical or medical assistance in order to live a comfortable and safe life. This means that this type of housing requires having full-time staffing to meet the needs of the residents. On the other hand, independent senior living facilities allow general anatomy to most members, with maybe a few part-time programs to check in on residents. Perhaps if the St Mary Basilica shared more information on their plans for the site the citizens of Livonia would feel more comfortable allowing a zoning that would allow up to a four story building to be built.
    b. *Who has access?* The other unclear facet is who has access to this senior resident facility. While it was repeatedly stated at Tuesday's meeting that all seniors (55+) would be eligible for these apartments, I had some concerns. Nearly every speaker who was for the passing of the rezoning cited that they want a place for their parents and fellow church elderly to live. While this is a lovely notion, it does imply that the members of the church would have priority residence. Again, perhaps if more clear plans were given on the facility itself neighbors would be more open to the idea of changing a zoning from public land (P-L) to some status of resident housing that would better fit the current single family home neighborhood.

3. **Livonia Community**
    a. *Basilica of St Mary*. No one can deny that the Basilica of St Mary has been a staple in the neighborhood for decades. In addition to holding regular mass for its patrons, it also organizes copious events for the Livonia community and beyond. Speaking from my own experience, I have attended and enjoyed several of these events. In middle school my soccer team practiced on the fields behind the church. In high school, I had several lovely academic and sport banquets hosted in the Cultural Center. For countless summers I have attended the summer Michigan Fun Fest fairs hosted in the surrounding fields and public space. And most recently, I have walked the trails along Tarabusi Creek which are accessible from my sister's house (off of Bainbridge).

Nevertheless, all these things, these fabulous community gathering events, would be threatened with the building of a senior residence facility. I mean, it would not be ethical to host a fair directly outside a senior home. Moreover, on a more regular basis it would not be kind to subject the potential senior residents to the late night parties of the Cultural Center banquet hall. If there are already noise complaints from nearby residents one can reasonably assume it would be even louder for the seniors that would be living behind the Cultural Center banquet hall. For the sake of allowing the Basilica of St Mary to continue to host its numerous well loved public community events the commission should not allow the rezoning for a multiple level senior residence facility.

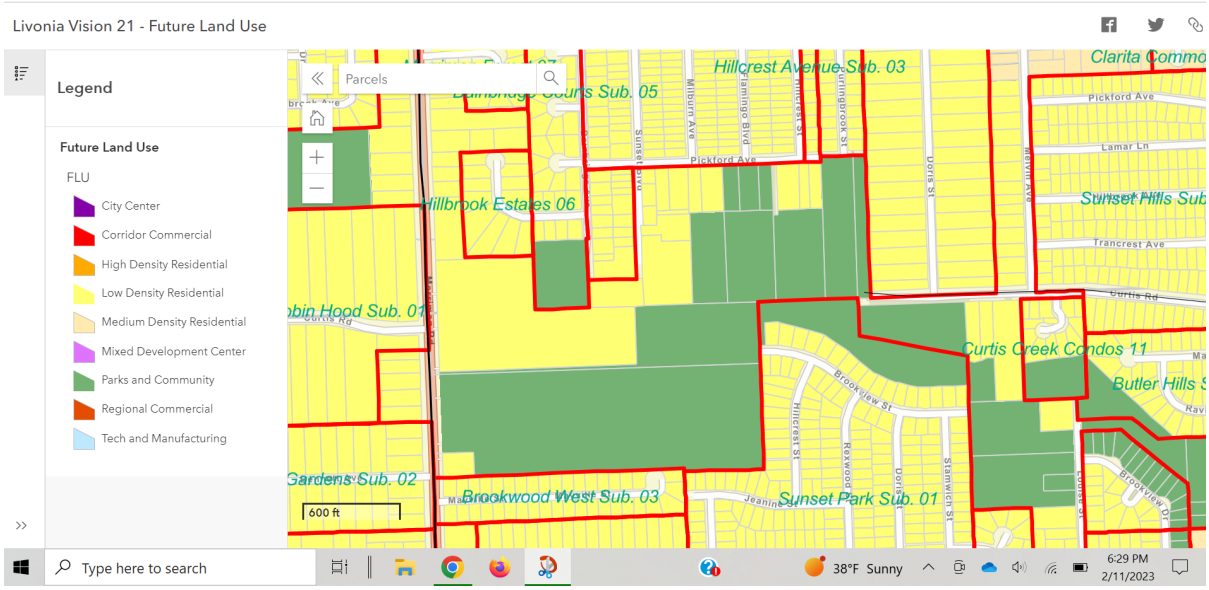
b. *Loss of Public Lands*. In today's day and age, the amount of public land in America is not growing. In fact, in the past 15 years the United States of America has lost more than 24 million acres of public land! As this is a shrinking commodity, the City of Livonia should be working to conserve it, not rezone it. This is because public lands have many benefits for the entire community, including (but not limited to) being a source of clean air and water, providing refuge for wildlife, allowing space for recreational activities, and being a community gathering space. Overall, it would be tragic to allow this rezoning and thus lose an area that is a vital public gathering space for the whole community.
c. *Precedent*. As stated multiple times in Tuesday's meeting, Livonia has no record of ever converting public land (P-L) to multilevel resident housing (NM3-I), especially in a single family home community. This means that if this rezoning were to pass, it would create an avenue for it to happen in other areas of Livonia. This opens the door for other multi-level apartment buildings to be built in single family home neighborhoods. Overall, to keep our Family First community here in Livonia we should not approve a rezoning that allows public land to be turned into multi level apartment buildings within single family home neighborhoods.

4. Suspicious Activity; City may be too involved to be unbiased.

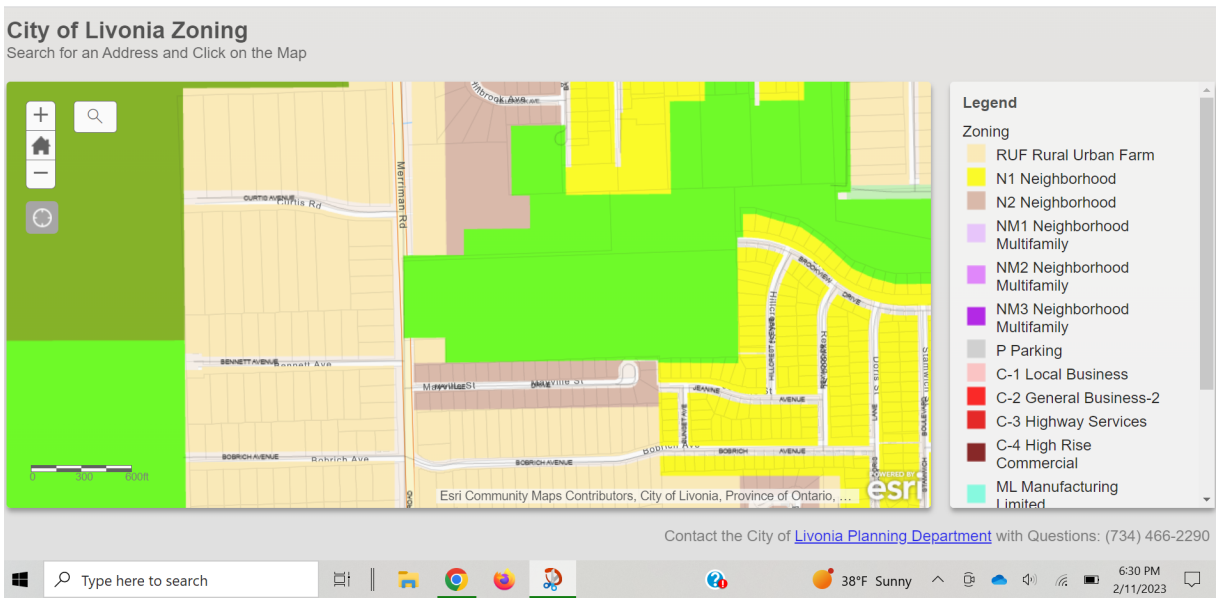
a. *Livonia Vision 21*. As members of the Livonia Planning Commission are already aware, the planning for the Livonia Vision 21 started in late 2017 and was officially adopted in January 2019. In this, the “Livonia Vision 21 - Future Land Use” proposed rezoning map was published. A screenshot of this map zoomed at the proposed rezoning site and surrounding neighborhoods is included below. As

it is clear to see, the area proposed for the multi-level residential senior facility is already marked as “low density residential.” This infers that the city was already in discussion with the St Mary Basilica as early as 2017 in regards to building some form of resident housing. While this may have been five years in the works, the local residents of the surrounding neighborhoods got less than a five day notice of the proposed rezoning. Perhaps it is my own ignorance on the rezoning and planning process, but to me this seems shady and underhanded on the side of both the St Mary Basilica and the City of Livonia.

Livonia Vision 2021 Anticipated Zoning:



Livonia’s Current Zoning:



b. *City Officials Connections*. Although I am a proud citizen of Livonia and hold it in high regard, I worry that Livonia officials may be too "close" to this project to be unbiased. These concerns are listed below:
    i. Firstly, the City of Livonia Mayor attended the St Mary Basilica's ground breaking ceremony in honor of the new facilities. Obviously, this occurred before the rezoning and design plans were approved. What makes it even more troublesome was that none of the surrounding neighborhood residents knew about this at the time. While some may say the Mayor was just there in celebration of Father George and the church itself, it seems suspicious that this auspicious occasion was celebrated as a groundbreaking ceremony and not just a party.
    ii. Secondly, at the beginning of Tuesday's session, Father George had the chance to address the commission (and crowd) to inform them on the St Mary Basilica's proposal. In this speech, he repeatedly addressed a certain member of the Livonia Planning Commission. This individual was referred to as Father George's "friend," and it was stated that Father George was working closely with him in order to ensure the proposal would be passed. Although friendship on its own is not a crime, this statement, combined with the circumstances of the proposal, cause me to question the Livonia Planning Commission and the City of Livonia's impartiality on this matter.
    iii. Lastly, one of the speakers from Tuesday's session was a former Livonia Public Schools board member. As a board member, he likely played a role in selling the St Mary Basilica the public land back in what I believe was the year 2018. Moreover, at Tuesday's meeting, it came to light that not only was he a member of St Mary Basilica, but he was also a proud supporter of the proposed rezoning. To me, this seems as though there was a conflict of interest between his role as a leading member of Livonia Public Schools and his personal interest in the wellbeing of St Mary Basilica. This, combined with the Livonia Vision 2021 led me to believe that this rezoning has been in the works for a long time and that Livonia officials were not only aware of it but facilitating it as well.

Above are just a few of the countless reasons why it would be unwise to rezone the most eastward parcel to NM3-I. There are additional reasons, such as the potential for spot zoning, senior safety near the steep Tarabusi Creek banks, decreased value of neighborhood homes, and more that I have not elaborated on. For all these reasons and more, I strongly encourage

the commission to make the appropriate decision in this scenario. **Please let me know if the residents are able to speak at the February 14th discussion, as I would like to lend my voice.** If not, I will be tuning into the February 14th meeting.

Thank you,
Kristen Engels

UNAPPROVED MINUTES

MINUTES OF THE 1,194th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, January 31, 2023, the City Planning Commission of the City of Livonia held its 1,194th 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 7:05 p.m.

Members present:	Wafa Dinaro	David Bongero	Sam Caramagno
	Glen Long	Ian Wilshaw	

Members absent: Peter Ventura

Mr. Mark Taormina, Planning Director, 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 2022-12-01-02 Basilica of St. Mary

Mr. Caramagno, Secretary, announced the first item on the agenda, Petition 2022-12-01-02 submitted by Basilica of St. Mary under Sections 13.13 and 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood) and NM3-I (Neighborhood Multifamily – Maximum 4 Stories).

Mr. Taormina: Thank you, Mr. Chairman. This is a request to rezone portions of the Basilica of St. Mary property, which is located on Merriman Road. The purpose of the rezoning is to construct a one-story educational academy and a three-story senior apartment building. The land owned by St. Mary's totals roughly 21.3 acres and is currently divided into three zoning classifications. The front part of the property, which is about 8.7 acres and includes the Basilica and Cultural Center, is zoned RUF (Rural Urban Farm) and N2 (One Family Residential). The remaining 12.6 acres, which mostly includes the easterly part of the site and the land previously owned by Livonia Public Schools, are zoned PL (Public Lands). Bordering the site to the north are residential properties on Bainbridge and Sunset streets, as well as public parkland, including Bainbridge Park, and Beverly Park. Traversing these properties is a tributary of the Bell Branch, which is part of the Upper Rouge River, and which mostly is undeveloped and contains floodplain. To the east are single family homes that are part of the Sunset Park Subdivision, and to the south is the remaining portion of the Bryant school property, which is still owned by Livonia Public Schools and zoned PL. Of the roughly 12.6 acres of PL-zoned property owned by St. Mary's, the proposed zoning changes would affect 9.2 acres. Of this, roughly 2.96 acres or a third of the area would be rezoned to N2 (Neighborhood) for the academy, and then the remaining two thirds, or 6.24 acres would be rezoned to NM3-I (Neighborhood Multifamily), and that would be for the apartment building. The 3.4 acres located at the far east end of the site would remain under the Public Land zoning designation. Looking only at the N2 rezoning, the proposed expansion of the N2 district follows the outer edge of the parking lot at the rear of the Basilica and the Cultural Center. It also includes a narrow strip along the south side of the property, which is adjacent to the Cultural Center. Educational uses are treated as a permitted use in the N2 district. The academy, as shown, would be about 35,000 square feet located 150 feet east of the Cultural Center. It would encompass a portion of the former school property, as well as a portion of the existing parking lot located behind the Cultural Center. The building would be one level with a maximum height of 36 feet. The preliminary floor plan that was submitted with the application shows that the building would contain multiple classrooms and multipurpose rooms, a gymnasium that would have bleachers and a stage, locker rooms, restrooms, storage, mechanical rooms, and several offices. Looking at the proposed NM3-I District, it extends east of the proposed academy and

gymnasium for a distance of roughly 723 feet. The NM3-I zoning is intended primarily for senior housing and condominium multiple dwellings. NM3 by itself allows for buildings up to two stories in height. The requested NM3-I classification would increase the allowable building height to four stories. The preliminary plans show one building, three stories in height, positioned in the south-central portion of the area proposed to be rezoned. Overall building dimensions would equal 75 feet by 435 feet. The maximum building height is 48 feet. Each floor contains roughly 32,625 square feet, with a gross building area equal to approximately 97,875 square feet. The building would accommodate 28 apartments on the first and second floors and 30 apartment units on the third floor for a total of 86 units. Materials on the building would include a combination of brick, block, as well as Hardie plank. This is all very early in the design stages. Parking details have not been reviewed at this time. I'll note once again that the easterly 3.4 acres identified on the plans as Parcel 2 would remain undeveloped under the PL zoning classification. The master plan designates the portions of the property that would be rezoned as Floodplain area and Parks and Community. The 100-year flood hazard area extends across the northern edge of the site and the Parks and Community classification reflects the previous use and ownership of the property by Livonia Public Schools. I have several other slides we can show as the as the meeting progresses. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: The first item is from the Engineering Division, dated December 19, 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 rezoning at this time. The subject parcels are assigned the addresses of #18100 Merriman Road and #30600 Brookview Drive. The legal descriptions included with the submitted drawings appear to have a small error on the description of the area to be rezoned from PL to N2. On the Re-Zoning Sketch drawing, the last dimension of the description should be 172.00 feet, not 192.00 feet. Also, the description for the original Parcel 2 is missing a bearing and distance for the easterly leg of the parcel (where the parcel abuts Brookview Drive) on all the sheets. The existing parcel is currently served by public water main, sanitary sewer and storm sewer. The submitted drawing do not indicate any of the proposed utility connections or*

calculations, so we are unable to comment on impacts to the existing systems until design calculations are provided during the design and permitting submittals. The proposed drawings do not indicate any storm water detention which will be required in order to meet the Wayne County Stormwater Ordinance. Also the drawings do not indicate the limits of the existing floodplain and wetlands, which will need to be located prior to any Engineering approvals. It should be noted that any work within the Merriman Road right-of-way will require the owner to obtain permits with the Wayne County Department of Public Service." The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Finance Department, dated December 19, 2022, which reads as follows: *"I have reviewed the addresses 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 January 5, 2023, 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 as they are tax exempt, therefore I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. Mr. Chairman, I'll note that we received somewhere in the order of 60 letters. The Planning Commission has a copy of all of those letters that have been received up until 4:30pm today.

Mr. Wilshaw: Yes, thank you. We do have many emails and letters that were received. Those are all on file. We've had a chance to read through those, and they will also become part of the permanent record for this item. So, we appreciate that from everyone who's contacted us. Is there any questions of any of the commissioners of our planning staff? I don't see any questions. Before we get started, I do want to try to prompt our audience through this process, because there are a lot of people in the audience. And this may be a new process to some of you. Many of you attended our study meeting last week and may have heard some of this same speech before, but I want to just give it again for anyone who isn't familiar with how this process works. What we have before us tonight is a rezoning request. The purpose of this meeting tonight is to look at the zoning of the property and decide if the change that's been requested from PL to N2 and NM3 I is something that we approve of or not, in terms of making a recommendation to our City Council. So, we're going to have discussion that's going to be mostly focused

on the zoning of the property and the use of the property. We're not going to get into the details of the appearance of the buildings, the layout of the buildings, the materials, where the parking lots located. Those types of things, because that comes in a second process called a site plan. So, what we're going to do tonight is talk about zoning. We're gonna make a recommendation of either approving or denying that rezoning request, and it may be a modified request, or it may be the original request, we'll see how things go. That will then be moved on to City Council with our recommendation of either approving or denying that. Once it gets to City Council, they will have that same process to go through and make the final decision on the zoning. That then starts a process as that is happening, of the site plan, and then the petitioner will have to come back to us again, with a site plan for this site. That's where all those details of the building and the materials and the parking and the layout will be discussed and decided. Usually that process involves a lot of modification and iterations until we get to a product that is either accepted or not. Again, we'll make a recommendation on that site plan, which will then go to City Council and the City Council make the final decision on that petition. So, there's several meetings that are going to take place, if you've never been through one of these before. I'm talking at least four meetings in the sense of our meeting tonight for a zoning meeting for City Council. Then it's going to go to site plan for us and then site plan for City Council. So that's the basic process if anyone hasn't been through this and wants to understand what's going on. We're going to try to focus our discussion tonight on zoning because that's what we have before us. So, with that, I'm going to ask that the petitioner start, and we're going to hear from them about their petition and we will have some questions and then we'll give everyone else a chance to talk. Good evening, Father George.

Father George, 18100 Merriman, Livonia, MI. Good evening, ladies and gentleman, as I stand before you today, and I like to inform you I am the pastor and founder of St. Mary's Orthodox Basilica started in 1972 on the farm of McKenna land. We came here tonight to ask for a zoning approval. So, our church community and our neighborhood will grow to accommodate children in the Montessori School, in a family and youth center and also have a place to house our elderly. We're not building nursing home. We're not building an assisted living. We are building a three-story building. That's what the land can take. We don't have any more land. The school is still on. I think there is some acres. We are here to work with the city and with the board, and whatever

it will make us in our neighborhood are happy. If you have any question for me, I'm willing to answer, but I've been in this room, so many time to always ask for permission, and we will not violate whether you approve our zoning. We will come back. If you don't approve our zoning, we will also come back because we want to make sure that we still are on Merriman Road. Our congregation is growing. We're one of the largest churches growing in the City of Livonia, and as you see the basilica stand there, it's one of its kind in America. We have a wonderful conversation with our neighbor yesterday, and we will not violate any one rules or orders. A citizen is someone who loves not only himself but their neighborhood and if we are to preach anything, we are to love our neighbor and we work for our neighbor.

Mr. Wilshaw: Thank you Father George, is there an additional presentation that you'd like to make?

Mr. Wilshaw: Okay, can I get your name and address?

Ghassan Abdelnour, JV Associates Architect, at 24001 Orchard Lake Road, Farmington, MI.

Mr. Wilshaw: Thank you, sir.

Mr. Abdelnour I just want to just start with thanking the Planning Department and for helping us through that process. Mr. Taormina was helping us through come in submitting all these drawings. Give us the advice to see where we're going with this project and going through the whole steps for this project. I just want to add a little bit about some of the meetings what we had yesterday with the neighbors with the board and Father George and Father Jim and a lot of questions were asked in this meeting. I mean, everybody was asking about the environment. Are we touching any trees? Are we touching any floodplain? Are we touching any wetland? There was other issues. The height of the building? Are we doing four story? Are we doing three story? There was different issues about circulations and patterns for the site. What about engineering and about some water, where the drainage is going? I just like to kind of give some…we didn't start with this study yet, but we are, I mean, I worked with the City of Livonia, maybe with over 40 projects. So, we know that the City of Livonia is not going to give us any permit unless we meet all the codes, the requirements for the county, for the city and for the state. So, once the reason why we didn't have our civil drawings done because in rezoning they were not required.

That's why we didn't submit them. But definitely, like you said in the Planning Commission, when we come in front of you for the Planning Commission, and I'm a member of the Planning Commission in West Bloomfield for 13 years. So, I know what it's needed, what it's required, and how we're going to make the city happy and our board and especially our neighbors, that we want to tell them that this project is to meet all the codes and requirements what the city tell us, and there is no permit going to be taken unless all these permits are approved and we meet with the requirements of the whole neighborhood and the city. And just to kind of give you a little bit idea about the way we design the site land…we're not talking about Planning Commission's and site plan approval right now. But we like to say that we trying to stay away from any wetland, from any floodplain and from any environmental issues and the design that you saw on the site plan. Some questions came out. Are you doing underground detention or above ground detention? We like to work with the city and the neighbors. Originally, we thought that above ground detention is good. It's a nice water that it's good to be nice space is better environmentally, but if the neighbors think that we do have issues with above ground detention, I talked to Father George and the board, and they said, even if we have to do underground detention and make the neighbors happy, we can work with it. So, we are here actually what I'm trying to say, we try to work with the neighbors. We try to work with the city, and we try to make everybody happy in the process. It's a church been there for 50 years, and I think, I hope, it's gonna be for another 100. And most of them…a lot of the people who goes to that church there, they live in Livonia. I mean, we love Livonia, we work with Livonia, and Mark has been friends for so long, that he helped us through the process of different projects and hopefully, we're gonna do the same thing and this one, and we want to make sure that whatever you ask us to do, we're willing to work around our projects, and the advice you give us to make it happen, we're willing to work with you and make this process going in the right direction. And if you have any questions, please ask me and I'll answer any.

Mr. Wilshaw: Thank you for the information on the meeting that you had with the residents yesterday. That's helpful to convey that. We'll see if there's any questions for you. Is there any questions from any of our commissioners on this project?

Mr. Bongero: Good evening, I was able to attend the meeting last night, and I thought Father George and his team did a great job. It's a

shame that not everybody could be there, because it was a good chance to get some one on one. They made a very good point to address anybody's questions. Some people had multiple questions, concerns, and they didn't answer them the best they could, and if they didn't know the answer, they promised they'd get answers. So, it was very good. I appreciate you doing that. My only question was, on the retirement building, have you considered going two stories? I know it's gonna take more of the footprint. But…

Mr. Abdelnour Can I answer like little bit of that question? The reason why we started with this building, and we do have some elevation already drawn for the building. If we go to the midpoint of the roof, it's only around 38 feet. And typically, I don't know if Mark can help us. In regular houses, usually the midpoint, you can't exceed 35, so really, we're only missing what 20 feet if you put the building next to a regular house. So, we're trying to work and we can work with the pitches of the roof and we can make it look neat as we climb it as we can, but let me go back to the two story…the two story, if we do two story, we're going to have ended up pushing the building a little bit further, I think to the east, and we're trying to stay within the area we working with. Our setback now from the building to the property line is 500 I think 20. To the nearest house on the east side is 650 feet and if you go to the north side, with the closest house were around 460 and to the property line we're 220 feet. So, we try to make the project a little bit more compacted. Closer to the building. closer to the church, and not…because the minute we go with two story, I'm going to be extending a lot more because that's the reason really why we went and we did the two story trying to kind of save the property have more green area on the site and trying to make the project a little bit more compacted. Really that's how the whole thing started.

Mr. Bongero: I understand that. With the Montessori School, I think that's what you're planning. What are the ages for that school?

Father George: The Montessori School is one to five years old and we have all parishioners and non-parishioners that attend the school.

Mr. Bongero: I think you also said at the meeting that anybody can use the gymnasium.

Father George: Yes. The gymnasium came to be many years ago, when we attend many public hearing. The public school was in dire need. We do host all public school sport activity in our cultural center.

It's almost as a good neighbor. And they are in need of a gymnasium. We have our use and if the city…any school would like to use it, it's more than welcome to use it. We don't have anything that is forbidden to use from anyone.

Mr. Bongero: And the same applies for the retirement.

Father George: Yes.

Mr. Bongero: So, timing wise, I think I heard you last night, you're thinking, three years from now,

Father George: It depend, the process takes a long time. As we get the zoning, then we have to move to the second step. Then the third steps, and this is will be all private funding from the church, from the parishioners. Where people who already pledged the money, because they want to see their parents be there, the neighborhood is there, the children is there, the church is there. Things are changing a lot in our society, and we would like to maintain some kind of semblance to keep the family. So, it might be two and a half years, three years, we might begin building the school first and the Family and Youth Center, but as we prepare for the soft cost, maybe we can do it all together.

Mr. Bongero: I think you're projecting $30 million?

Father George: 25 to30 million.

Mr. Bongero: You think it's gonna take two, three years to raise that?

Father George: No, we already have pledges close to 10 million, and the bank promise that when we have at least 20% of the funding, we will begin. We're not going to raise…all churches don't pay their mortgage, right away. Churches in the long-range plan…we're not in business, so if…we will do whatever it takes to make it easy, so that we have few banks who said, we will fund the project, we need maybe 15 20% down.

Mr. Bongero: Okay. So, depending on how this goes tonight, if you got approval, you're going to get immediately working on the site plan, architectural renderings, so that everybody here can get a chance to see them, right?

Father George: Absolutely. It's our neighborhood, okay. And it's my neighbor and I've been there 51 years when Merriman was one lane.

Mr. Bongero: Thanks, father.

Father George: Thank you.

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

Ms. Dinaro: Can you tell us a little bit more about that? What is your plan to engage the community if zoning is approved tonight? What plans do you have to engage the community and…

Father George: I want to apologize for one thing. I meant to engage the community six months ago, but I'm getting old and I'm sick and we had so many interruption, we lost so many people who died with the COVID, the deacon, many of the founders of this church, but whatever you advise us to meet on a monthly basis. I am…the church is open. This is not the first time that the community came. When the school system was going through all this change, our facility was open for the public to meet with no charge. We give them refreshment, no entertainment, but refreshment and coffee. So, our place is open to meet anytime, whatever it takes. No one should live in a place feel unwanted. This is our neighborhood. And they are all wanted. So, the next step before we go to the city council, we will have another meeting. I told them yesterday, we didn't have all the answer, you know, how was the floodplain is going to be and if we're going to charge for counseling or not. But once this process move, we will find the answer together.

Mr. Wilshaw: Any other questions? All right. Thank you. Any other questions from any of our other commissioners?

Mr. Caramagno: Good evening. Tell me how this comes together where you want to do a the Montessori as well as the multifamily housing. How…who makes that decision? Is there a board at the church? Who makes that decision? And how many people are on the board that…

Father George: We have parish council that has a team. We have the members, the chairman, the Treasurer, and we have a Maryim Center committee that's made out of businesspeople in the community in the church. And we have…they are set up. So, we came with this plan to answer the need of our church community in our neighborhood. We have every day people call they said you know my mother is looking for a place to live. Can we…is there a place for rent? What would we do with our parents? We're not a throwaway society. Then, also to have the Montessori school

with the Family and Youth Center, the Family Youth center will be for the family of Livonia. If you go to the court in Livonia, you find judges sometimes, and they have no place to send people if they need marriage counseling. So, it came up to be a perfect package. Now how it's gonna be, what's the charge, somebody asked us for a sign, we've never had any sign. We don't advertise. It's a word of mouth. From if somebody needs a place to live somebody and fit in and meet all the criteria 55 years and older. It's not for youth to live in that place.

Mr. Caramagno: So with this board that you've got together and a group of leaders in the church, how do you come up with close to 90, the need for close to 90 units? What…

Father George: 86 units only because what…this is what the architect said, that is what the land can take.

Mr. Caramagno: Okay, so what is the demand? Where's the demand for 86 units?

Father George: I have already 70 widows in our church.

Mr. Caramagno: How many?

Father George: 70 widows. The founders of our church, those who own all the businesses in Livonia many years ago, they're dying out. I was the youngest member of that community 51 years ago, now I am the oldest. So, it is the need and wherever you need, you read about the need for place for senior housing.

Mr. Caramagno: So, the need is based upon your math of the 70 widows, or the architect that you said said you can build 86 units on this property. Which is it, one or the other?

Father George: Really, it's both. It is what we can accompany and what we can accommodate, because we don't have the land. If Livonia Board of Education will sell us more land, that will be even great.

Mr. Caramagno: You're getting into my next question now. So, thank you. So, you're trying to maximize the use of this property and I think that's why many people are here tonight. The concern would be and my thinking that it's oversaturation of housing on that piece of property surrounded by residential land now. But let's go back to what you were saying that they'd sell you more property, are you saying that you'd, you'd petition to put up another apartment there?

Father George: No. But we will have maybe a different space. We will have more space for gardening, more space for the cultural, more space for education. More space…we are locked in. There is one way you will go into our property and our Maryim Center, and there is no exit anywhere else except our property.

Mr. Caramagno: I'm familiar with that. Thank you, I would…we'll listen to some more, but I would tell you that I'd be more supportive of a single story, more of a neighborhood network there. Even if you had to have more property, and perhaps the math doesn't work for that, and that's probably why you're going up, but that's kind of where I'm at now. That's the question I had. One of the other questions…we'll get this out now. What will be…what would prevent the church and the board from building this apartment and then selling it later to an apartment management company? And then the church wipes their hands of it and has nothing to do with it. What would prevent that?

Father George: Our constitution in the church, prevent selling any church property and to give it to a to sell the apartment that will be in violation of our Constitution? We want to maintain to serve the community, not only one year, two years, but as long as we are in this life exist.

Mr. Caramagno: Okay, so you have a constitution that will prevent you from ever selling any portion of the church property?

Father George: Right. We are not in business to invest. We are in business to serve the public and serve our parishioners.

Mr. Caramagno: Okay, thank you.

Mr. Wilshaw: Thank you. Mr. Caramagno. Any other questions?

Mr. Long: So, as you reviewed the demand for this, you talked about 70 widows that you have and people within your, your parish, is there some kind of preference that would be given to current members for this facility? Or is it first come, first served.

Father George: First come, first served.

Mr. Long: Okay? What percentage of your flock is Livonia residents? Do you know?

Father George: Maybe 50% of our parishioners live in Livonia? And they have businesses in Livonia.

Mr. Long: Okay. And then you, you want to do the school as well. And that's what's in front of us is both? Have you considered doing one? Or do we need to take both at the same time? If we, you know…do you need both in order to make this work? Can you talk about that?

Father George: If you address the issue totally, it makes for a better plan for the future. So, at least me, my parishioners and the community are assured what's gonna happen. According to the plan of the city, nothing can violate the ordinance of the city. So cost…we might start building the school, and the Family and Youth center, and maybe in the last stage after two, three years to build the housing. It's all depend about the approval. As I said, we are not going anywhere. This is our home. Everybody should understand that. This is our home, our base. We've been here. We're the oldest, one of the oldest churches in Livonia and we are one of the most growing churches in Livonia. We feed the hungry, we clothe the naked, we raise fund for the poor, so, it's not only about us, it's about our society.

Mr. Long: I guess the last question that I have for now, and I think I want to hear what a lot of people have to say or what all people have to say and want to speak, but you mentioned to Mr. Caramagno, that it's in the church constitution that you cannot sell this property.

Father George: Yes.

Mr. Long: But just kind of playing that forward, if hard times came along, I mean, what? What does that mean? I mean, if the church were to ever fail, then what happens then?

Father George: Our church historically in America, never failed. business failed, family failed, but the church never fail. God in its midst, and it will not be shaken. We could have moved to Salem Township, but we are where our parishioners at and that's why we are successful. The greatest danger in the world is misinformation and labeling people and this is something we do not want to cross. We want to be within the law of what our right and our neighbors, right without violating anyone. The church cannot sell any property. Historically, if you look in the last 50 years, there is not one Orthodox church that was sold. And even though the

neighborhood changed, people move away, but they still come back to their church. Thank you.

Mr. Long: I appreciate that. I guess you know, I've seen the church that I attended as a youth in Detroit growing up that stayed in there, the neighborhood turned over and there was a lot of different people that moved in and the church went on for a while, but then eventually that sold. It wasn't attracting to the to the people who were living there anymore, so that's kind of my concern. I understand your point, though, and I agree with you that the church doesn't fail, the business fails, but I'm just trying to play that forward and envision how this unwinds.

Father George: One of the reason that you're building this school, and the Family and Youth Center, and a place for the seniors, is to keep the church alive and the neighborhood alive. If people moved away, things will die out. Do we need to repeat what other did? For 51 years, we came to this body, and we work with the city government about everything we did and we will do to keep our family and our neighborhood in tact. If people moved away, and there is no need that to visit my mother, and to have my child in a daycare, or to have my family and youth center for even a sports event, your people will go away. But we're not going away.

Mr. Long: Thank you.

Mr. Wilshaw: Thank you, Mr. Long.

Mr. Bongero: Just one quick follow up, I think to Mr. Long's point, you would not consider going for one zoning for the school and at a later date coming back for the retirement building? I guess that's what kind of what the question was.

Father George: I mean, it does. What difference does it make? We are…we keep our word. We keep our promise and we're working with you. So, what difference does it make? It makes it easy for us to have a master plan. If you have a master plan, you know where you're going.

Mr. Bongero: Maybe you just kind of start with one and see how it goes.

Father George: Well, the building we will start with one. We're not building everything in one time. But I would appeal to you that the zoning has to be for everyone, for everything. But it's all up to you.

Mr. Bongero: It's not up to me. Thank you.

Father George: Thank you.

Mr. Wilshaw: Thank you Mr. Bongero. Any other questions from our commissioners to our petitioner? If not, I do have a couple of brief questions. I generally don't ask a lot of questions for those in our audience who don't normally watch our meetings because I'm supposed to be running the meeting, but I do have a couple of brief questions that are more procedural, and it really is a spin-off of some of the questions that you've already heard. I just want to make sure the school itself, the Montessori, is there going to be any limitations on who can attend that school?

Father George: Absolutely not.

Mr. Wilshaw: Okay. And will that school be run by the church or will it be run by an independent organization?

Father George: By a committee in the church. We have St. Mary's Academy's Board of Director and they are the…one of our principal of it is a parishioners who specialized in Education approved by the state and the city, and so it's not leased out or anything else.

Mr. Wilshaw: So, the educators will be employees of the school through the church?

Father George: The principal, and the director are member of the church, but we do have other teacher who are not a member of our church.

Mr. Wilshaw: Okay, and they are just gonna be employees?

Father George: And they worked with us. Yes.

Mr. Wilshaw: Okay and similarly with the independent living facility, I heard. It sounds like that's going to be the same criteria. The only limitation is going to be 55 and older.

Father George: Yes.

Mr. Wilshaw: No other limitations on income or any other…?

Father George: No, because it's private and it's not a public funding. It's private funding. It's not a section eight building, it is you submit an

application to the management and if you meet all the criteria, and you pay the rent, you're in.

Mr. Wilshaw: Okay, and similarly, the independent living facility will be a property of the church. It will stay a property of the church and the employees who work there will be employed by the church.

Father George: Well, we have always the principal director will be from the church, because every one of these building has its own committee. I cannot run and be there for every committee, but the Maryim Center committee, they will have to hire a management company that understand. I've enough problem, hearing people complaining about my sermon, let alone dealing with rentals and collect the rent.

Mr. Wilshaw: Right. All right. I understand. Thank you, father, George. With that, I think we've exhausted all the questions from the commission. So, this is the opportunity for people in our audience who wish to speak for against this petition to come forward. Because there are so many people and I know there's gonna be so much interest in speaking, I do have a few rules that I would like to set for this evening so that we can make sure that everybody gets an opportunity to speak. Starting with the fact that, obviously, we'd ask that everyone please be respectful of everyone else's views. I appreciate the results so far tonight at the meeting. People have been very good at listening to our petitioner and respecting his views. I would ask that they will do the same for you and listen to your views and respect those. I would not like to hear any heckling from the audience, or any comments being made from the audience out loud, because those will not be picked up by our microphones and can also slow the meeting down. We're going to ask that residents comments be limited to two minutes so that we give everybody an opportunity to come up and speak and not be here until 11 or 12 at night. If you have a particular person that is a representative of the community, or a subdivision group, or something like that, that wants to come forward and give a more in-depth presentation or has something prepared we are willing to extend that for those people, obviously. Let's see. What else do we have? You can come to either podium to speak. I will ask that our petitioners sit down for this time.

Father George: You want me to stay here?

Mr. Wilshaw: You can sit down for now and we'll listen to the residents. For the residents who have never spoke here before we ask that

you please address us and not the audience because the meeting is for our purposes tonight. We want to hear what you have to say. Any questions that you ask please ask them of us. And anything that is asked the petitioner will be listening to those questions. And when they when we're done with hearing from all the residents will have an opportunity for the petitioner to come back up and address some of those questions. And yes, definitely, everyone please start with your name and address so we can attribute your name or your comments for the record.

Steve Johnson, 18240 Sunset Street, Livonia, MI. Our family lives adjacent to the north of this property. Our property line is going to be 200 feet away from this apartment back here. I purchased the home and our property from my father's estate about 15 years ago. Immediately after that, after I moved in, I started hearing loud sounds that I located was the St Mary's Cultural Center. From their website, it says St. Mary's was built and open for business in the fall of 1991. We can accommodate a group from 500 or 50 to 500 people. We are a full-service banquet hall. This building is clearly not used for church purposes exclusively. A number of folks here tonight have been to different events, and they have no affiliation with the church and yet it is not zoned commercial. As other banquet halls in the city are it appears to be zoned RUF (Rural Urban Farm) and it certainly is not located in a commercial area, as other banquet halls are required to in the City of Livonia. I have given the Planning Commission tonight an article by Brad Newman from the Michigan State University, entitled How to spot a spot zoning. It explains how spot zoning is illegal. Although PL (public land) to N2 (Neighborhood) where the school would be may does not meet the four criteria required to be identified as spot zoning, public land to NM3 I (Neighborhood multifamily up to four stories) clearly fits the definition of spot zoning in this case. Perhaps this is why the Planning Director Taormina last week, when asked about going from public lands to this four-story said that he could not recall any other instances in the city.

Mr. Wilshaw: Mr. Johnson, the two minutes is up if you could summarize, please.

Mr. Johnson: Okay. As of today, there are over 450 persons who have signed an online petition against this rezoning. If the property remains public lands, we would like to work with the St. Mary's to turn this beautiful area into a nature preserve and leave a legacy for

our children and our grandchildren. Because the future is now Thank you.

Mr. Wilshaw: Thank you very much. Good evening, ma'am.

Amelia Wilkie, 31716 Curtis, Livonia, MI. I'm also an architectural designer. So, I know my way around these things. In Livonia there's approximately 16 assisted living and living senior residences, which include independence, so there really is no need for an additional independent senior living facility. So, I really questioned having a separate building for a gym and a Montessori school when other churches have a culture center that includes banquet halls, classrooms, and gyms, such as my church in Southfield and how doing that would save the church money, which right now, they propose $30 million for their plan. It's an unnecessary amount that they don't have at the moment. and there's other ways around this. Thank you.

Colleen Badgero, 17415 Sunset Street, Livonia, MI it's about a five-house trek towards the fields where this is being proposed. This land that was purchased over the years by St. Mary's is serves a vital environmental and quality of life functions for us in its current natural state. It's a low elevation area of land that collects and absorbs a significant amount of water from precipitation. As we discussed earlier, there's a portion that is floodplain designated and with increasing storm patterns and heavy rains in recent years, building a large structure and impermeable parking lot services would gravely affect the stormwater management in this area. The loss of open land with native plant species growing and absorbing the water will cause runoff to the remaining school owned land and surrounding neighborhood. The outline of whatever water retention system is in place doesn't appear to be accommodated in the scope of these plans that have been presented so far. So, flooded yards, and basements place residents at risk for quality of life, financial and health problems down the road. Sending the water to the creek isn't a great solution either, because this creek already has levels of chloride, aka road salt, that are considered toxic to aquatic life. The stream quality has a reading of very poor from samples analyzed by Friends of the Rouge organization. So, adding more salt and chemicals and other pollution by bringing this many people and their cars and their waste into this environment is going to create further damage to this water system. We need to be reversing damage not adding more, in my opinion. My biggest concern is the zoning to the N2 for the community center. I can see how that fits in the master plan and

in this neighborhood, but the housing is not compatible with the surrounding neighborhood as outlined in the master plan. So, that's all I have to say. My daughter is here and would like to present if that's okay.

Mr. Wilshaw: She is welcome to.

Ms. Badgero: She has the same address as me.

Mr. Wilshaw: Very good. Thank you.

Ms. Badgero: Do not take our meadow. First, me and my friends absolutely love riding our bikes there. Second, you'd be practically taking many children's happy place. Third, I wouldn't feel safe walking school by big buildings and parking lots with lots of people where it used to feel like the safest place in the world to me. Fourth, people's backyards could be flooded, because when it rains, huge puddles form there, but when you build buildings there, there'd be no room for those puddles, so they'd be forced away into other people's backyards, and they will start to flood. I may be a kid but I'm more powerful than you thin, aAnd I care about the future. I love playing in nature and I hope that one day my kids will have places like this to explore and play. Please don't approve the rezoning so the land can be protected once again. Do not take our meadow.

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

Kevin Skylis, 30528 Jeanine Street, Livonia, MI. I have some questions. I also wrote a letter in opposition. So, questions for the commission. How does this not constitute spot zoning and if so, is spot zoning considered an acceptable practice for zoning Livonia? Secondly, what safeguards are there to ensure that the senior residents will be used exclusively for seniors? How does this align with the Livonia Vision 21 Master Plan? And then if there's no precedent for this, which seems was established last week, then how can you assess the impact on the neighboring communities? And then maybe more of a question for the petitioner, but why should the neighboring communities believe that you'll engage with us when the first meeting with the community was after you had already submitted the petition?

Mr. Wilshaw: Is there anyone on this side wishing to speak? I want to try to alternate. Good evening, ma'am.

Margaret Rudis, 31038 Mayville, Livonia, MI. Our backyard faces the field. We've been there 31 years, and I also want to address the concern with flooding. Some years back, the school had done some resurfacing with some dirt in the backyard, and it really worsened the flooding that we already…we get some soggy grass, we've learned to live with it over 30 years, rainy seasons. But they did a small change with some dirt out there and was like, wow, this is the worst flooding we've ever had. And the butterfly effect. I can only imagine that what that would be doing with parking lots and all that…that yes, it would have an impact on flooding in my backyard and all of the surrounding areas. Also lighting. They built that garage for storage back there, and it's just this spotlight. We practically can see a shadow standing in our living room. I'm not, I'm not making that up. If you're standing there, the lights are out. It's so bright. If they do do this, concerns about lighting, aim things downward. You know, traffic, all the other things. But the letter that was right at the beginning had me nodding my head that yeah, because they said about the water and the flooding and all that that first letter that was read. I guess I'm done. I just wanted to throw in my two cents of that. Yeah, we're really, really concerned about this and that it hasn't been addressed the water than all the other issues. And also, if there is approval, I love the idea of maybe start with the school. Do you have to approve the whole thing? See how that part goes. The school and the gym. That's more reasonable than the whole thing all at once. So please, if you are going to approve this, maybe just do the first part and then maybe down the road, they could come back and ask for the other part. Sounds reasonable. Thank you.

Mr. Wilshaw: Thank you.

Emil Ancholouni, Farmington Hills, MI. I hope that that will allow me to speak.

Mr. Wilshaw: You're welcome to speak.

Mr. Ancholouni: I want to address the fact that Father George talked about is the community and how we support our church and how we want to live and grow in the future. I married a young lady from Livonia, Churchill High School. My in laws live in Livonia. My brother in law's both live in Livonia. I've been a member of St. Mary's Parish for 37 years, ever since I moved to Farmington Hills. It is part of my existence. One of my sons has just got engaged, he's going to be married at St. Mary's Church, and I hope that someday I'll have grandchildren that will go to St. Mary's Church. So, I'm talking about the fact that the community is

growing. I was one person, and now I have a family of 10, 12, maybe 15 grandchildren someday, I hope. And so I'm looking for the future. I'm also 63 years old. And I'm looking at this 55 year apartment residency as a way for me to, to live my sunset years, so that I can be close to my church, close to my community, and be able to experience the community support that I've had my whole life. That's really all I want to say I but I do think it's very important that the whole master plan be approved now because I'm planning for my retirement and for my life. And I would really like to know that our church is on solid ground when it comes to the master plan.

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

Bill Parnis, 31005 Mayville, Livonia, MI. I think Father George is a good man and I think he sees things as the glass half full and maybe not recognizing the glass half empty. I have to view it that way. I want to be charitable. I can talk about specific issues, but really what it all comes down to for me personally is a matter of trust. I've lived for 24 years on Mayville Street. There's been a number of events put on by St. Mary's. I know they go to the city and ask for approval, noise variances and so forth, but yet, despite whatever the approval is, then you know, a half hour after the music is still playing. And so, for me, these are small issues, and we just ignore them because it's just a weekend or a week, but this is not small. This is permanent. And I really…it's a trust issue for me that all these things that have been said, are they really going to be held to or not? And that is really where my concern is as a neighbor. Thank you.

Mr. Wilshaw: Thank you.

Susan Chavey. 31412 Curtis, Livonia, MI. I live directly across the street from the church. I've lived in Livonia…I actually knew Father George when he moved. We were neighbors then, and I can one up him by saying Merriman was a dirt road when I first moved in there. Seven Mile and Farmington were two lanes. Anyway, I have known Father George, watched him build an amazing church, an amazing community. And always with open doors. He's helped me personally; he's helped my family. He's allowed us, even though we're not members of church, to bury both of my parents at the Basilica. He is a man of his word. When you talk about trust, he will work with you if you need. If you have a question, go to him. I talked to him recently about lighting when I heard this was coming up. And he's been calling me what are the concerns? Can you come over and tell us. We'll have an

electrical engineer work with you because I am affected by the lights. I mean, I live directly across street, but I have watched him build this community. I've watched him follow through. He is an honest man, and I don't know what else to say. I watched the basilica be built. Everything was according to city guidelines, according to what the city requested. He is a man of his word. He is honorable. His church has open arms. I think if you ever needed something and you approached him or actually tried to talk to him directly, you would find that, you know he would work with you, he would be willing to work with you. So, I encourage you guys to be open about what's going on and trust that the city will require what's necessary for this project to move forward. Thank you.

Mr. Wilshaw: Thank you for speaking.

Darlene Wood 30527 Jeanine Street, Livonia, MI. I got a couple of questions. First one is what's to say that say that the church can't change its constitution and then sell the building outright at a later date. There's been a lot of articles in the paper recently about population declining especially youth. People aren't having as many children. So, therefore, the school might not flourish in years going on. They had a groundbreaking ceremony in November and that was even before the petition was presented to Livonia. So, I'm not understanding quite how there's this situation where they're being open and honest. I do have an amended petition with 467 signatures from the one that I had recently submitted. I was hoping that I could give that to you today.

Mr. Wilshaw: You can hand it to miss Reece and she'll put it in our file. Thank you.

Ms. Wood: And the number…and the number of signatures are growing. But we'll leave it at that. Thank you.

Mr. Wilshaw: Thank you. Good evening.

Julia St. Peter, 18276 Bainbridge Avenue, Livonia, MI. We are the last house on the street. Obviously, my husband and I are concerned about environmental issues, because we're the last house on the street. But the two things I want to ask you is first, maybe to postpone, maybe rezoning, just until we hear more about what their plans to do with the pond and with everything so that way, then the neighbors will all know what's going on, and I for one, feel comfortable about that. The second issue that hasn't been

talked much. I've worked in many senior homes as a history and there is a drop off where the creek is at and no one has addressed that and I know it is an independent senior community, but my concern is if someone's deteriorating with their mind, what's gonna stop them to go off, because I don't want them to fall or get hurt or anything like that. So, I'm just concerned for seniors that way, but I'm sure the facility would be beautiful, and all that jazz and it is their land. So, I know they have their right to do so, but I, for one, just want more detailed plans before proceeding forward. And that's it. Thank you.

Mr. Wilshaw: Thank you for coming.

Laura Burke, 30573 Brookview, Livonia, MI. I did write something because I can go on and on and on and hearing father and all these other neighbors of mine….again, I could go on and on, but before I go and read my prepared speech, I do want to say that I have no reason to doubt anybody's words up here, but I am the one house I believe, other than Mr. Johnson, that actually touches the property. I'm at 30573 Brookview. I am not even on there or on the petition that you guys have. Okay. So, my fence line is the property. Okay. We and I will first say we have gone to weddings there. We have gone to showers there. I have gone to all my kids sporting events there. We have spent money in the beer tent that my husband loves father, for the festivals. We have riden the rides with the kids. We enjoyed the fireworks. We even had a party for the fireworks in our backyard. My house is perpendicular to the structure, not the school, but the actual apartment structure. So, I feel a little dismayed when I see people walking my line, putting pink ribbons on my fence line and many neighbors coming up to me, someone's been here and somebody's been there, and so I many times called the city and I think I spoke to you Mark, and I said is there anything going on, because I see that they're having a groundbreaking. Nothing that we've heard of is what I was told. And then somebody else said something…sent me a…I get things in my mailbox about this. And this is how I heard these things. And that is really, really bothersome that I had to call and call and call and then when we called about the…we got this message that it was in the free press about the hearing. And I said what hearing? I'm so close, why haven't I gotten it? And that was a mistake and they didn't send them out and that's why this was proposed to have it on the 31st. So, I'm just saying I have nothing against the church. We've been there since 1984. Okay. And this is my…what I actually wanted to say the reason why I am opposed to the rezoning is quite simple. There are two and

three stories, senior living structures up and down Middle Belt, and a newly built complex across from the fire department and the police station that is very beautiful. As I have also gone and looked at. There are a few on Seven Mile between Merriman and Farmington with an apartment complex on the corner of Seven Mile and Merriman. All these places, and I'm sure I can mention several more across the city that I'm sure you get the idea. All of them fit into the area that they are located. The structures are located amongst other buildings and businesses. This proposed three story structure does not fit into the surrounding area, which is a single-family home situation. I am in a neighborhood of over 400 single family homes. For a three-story structure to be there changes the whole aesthetics of that subdivision. I will say this does not just change the aesthetics of my home. I am perpendicular, so I am I am fortunate enough even though I'm sitting very close to the parking or to the property that when I sit on my deck, and I'm washing my dishes and I'm sitting in my den watching TV, I'm looking at the beautiful lawns of all my neighbors. That is not the case for the people on Hillcrest or Mayville. They will sit on their deck and look at that structure.

Mr. Wilshaw: Ma'am. Ma'am, ma'am,ma'am, can I ask that you summarize?

Ms. Burke: I'm going to summarize right now.

Mr. Wilshaw: Thank you.

Ms. Burke: If I ever thought of something being built on that field, which we expected from time to time, I mean, my husband and I are not ignorant. We figured something was gonna go down. We always thought it would be with the aesthetics with single family homes. I have no problem, I have no issue. Some people may, I don't having somebody's house right next to mine. That's what neighbors do. That's what neighborly things are done. I understand that. But I never thought it would be a three-story structure that we have to look at. I totally sympathize with everything that they're talking about the old people. I took care of my mother. I have been taking care of her. I don't have other people changing their aesthetics to take care of my mother. Thank you.

Mr. Wilshaw: Thank you. Ma'am, you're welcome to speak. Good evening.

Nadia Helenia, church member. I have been with this church since the beginning. Actually, I'm one of the…my husband and I were one of the

founding fathers. Father George came to us in his early 20s. He baptized my five children. He also baptized my 13 grandchildren, whether they live in the state or not. I've been living in Livonia for 43 years in Sheffield. And I would like to move back to Livonia in our new Marian center to our new Maryim Center. I always was begging Father George to start this thing here. Our church does nothing but good in Livonia. I'm sorry, I'm a little nervous. We spread love, we spread hope, we spread gratitude. We spread…the Bible teaches us love thy neighbor. We never, we never aggravated our neighbors, whether in our home, in our businesses, or definitely not in our church. I would really, really like to have this project go through. Because like I said, it's not just me. There's a lot. I've been a widow for 35 years. I was widowed when I was 47. And I'm begging for somewhere like this where I could walk to my church. That's all I have to say.

Mr. Wilshaw: Good evening, sir.

Greg Yon, 30562 Brookview, Livonia, MI. I live right next door to Mrs. Burke. So, she's not the only one that the property touches. I am the neighbor along with Mrs. Burke that is at the dead end of Brookview. We were talking earlier about notification and all these other things. Most of these people are here because they just found out about this the other day period. I've lived there for 20 years, and not once was this mentioned to the members of the community that already occupied the outskirts of this property that's zoned for public land. I really have a couple points to make here. Sorry. But first, I'm going to read the term elderly housing that we've been talking about tonight, because it's right in the petition that was submitted to you guys, and the term elderly housing refers to a building or a group of buildings that provides housing in which at least 80% of the occupied units are rented, at least to one person over 55. So, anybody else in that apartment does not necessarily have to be 55.and this is an apartment. The other 20% of the occupants can be anybody. So the term elderly housing allows somebody that's under 55 to move into that building, unlike what we've been being told here tonight at this particular juncture. Secondly, you brought up a great point earlier about dividing this into two sections. That property up front was zoned for a school back in the early days of Livonia, it was Bryant Junior High when I moved in. That property has since been torn down and sold or kept by the school board. That property is zoned for some type of an educational facility. The back land on this property was always public land, zoned for public land. This is a high density

building being built and land that was designated for public land. And should we create an apartment complex here? It's going to set precedent for other properties in this city. When somebody comes in and says, I have an idea, or I have something I want to do, and nobody else around them knows anything about it. This is elderly housing, one person, and you guys should know this because you saw the petition. We've been throwing that term around all night. And that's the true term and that's written right in this petition. Now, I understand you guys don't make the law but this…to throw this to the City Council, and force them to get in all kinds of accolades and battles at this point for two separate issues here, a school up front, and a high density apartment complex on public land before everything has been studied and accurately portrayed, would not be a service to the City Council either. So, this is two separate issues. The front and then the housing, and nobody wants to come home and stare at an apartment complex. We have seen all the lighting, heard all the issues from all the residents, and when you're that person in that backyard or that resident with the information that we received a day ago, we've had no opportunity to look at this or come together with the Planning Commission. If it wasn't for two people that called on January 4, we would have never known about this because those petitions were not sent out. It was a supposed an accident that these came out or were not sent out, and then everything was pushed back to today. This was supposed to be done on the 17th. We never got our letters on top of everything else that's been said here today until two people discovered it. Had those letters not been sent out., and none of us showed up. I'm not really sure how today would have went because there would have been nobody sitting here because nobody knew about it.

Mr. Wilshaw: All right. Thank you, sir.

Mr. Wilshaw: Good evening, sir.

Brad Garrity, 30810 Bobrich Street, Livonia, MI. I was born in Livonia. I grew up in the house I live in now. When I bought a house, I bought one on Dora street, just south of Seven Mile, same square mile, and then when we had more money, and we were gonna go buy a new house, we actually bought my parents' house and spent all the money we had and the money we're still making to stay in this neighborhood. I have played in that field. That field is part of our community. I love Father George and the whole thing. We got married at St. Mary's Cultural Center. This whole thing is already part of our lives. I don't live on Mayville and I don't live

on Bainbridge, so I don't deal with the lights. Thanks, guys, for blocking those forests. But I'm raising my kids here. We play in this field. I don't want to look at an apartment building. Part of the reason we bought here is because it is residential housing. That's what we have. I don't have my ducks in a row. This is an emotional plea. This is part of our lives. Love these people. They've always they're great. Love the whole thing. We don't know about this, and nobody wants to look at it. I don't want to look at it. I want to keep walking my kids through this field and playing in the woods with them. That's what I want to do.

Michael Coliton, 31193 Bobrich Street, Livonia, MI. I live approximately 500 yards in direct line of this three to four story massive complex they wish to build. I bought in this neighborhood there was Bryant school there. I bought a house by a school with the gymnasium. They tore it down. But I will tell you this, we welcomed Father George into our neighborhood, they're part of our community and to find out nine days ago that they want to build a massive structure right by our homes without even consulting us. We came to their events, we supported them. We did all of this, all of these people here because they love Livonia and they appreciate what you guys are doing. We respect, we respect the church there be at best medical is beautiful. So, all I'm asking is this I understand there are two lots. One is for both requesting zoning. It would make logical sense for two things. Number one, if you wish to consider approving the zone for the school for the gymnasium, I bought a house buy one I really don't have like the stand that makes a lot of sense. Number two, I would welcome a conversation in depth with our community with the parish and your members. So, we can agree to work together as part of community to help build father towards dream, help build our community along with your great Christian values you have. Does anyone argue with that? That's what we want right? Give us the time, please. I'm asking you to deny this zoning request for this massive complex. Give us the time to work together as a community as you wish us to. Right? Aren't we Livonia? They are too. Please deny that second request and please let it give us the time to talk and work together. Thank you so much, guys.

David Wido,30889 Mayville, Livonia, MI. Most of what I'm going to say is really…already been said, but, you know, this is the first time that I've attended, you know, one of these Planning Commission meetings. That's why it's very important, right, to myself, my family, you know, my boys. You know, and I'll echo some of the other comments, right, just about notification. I have a neighbor, actually tell me and I go and start searching online and find

some documents, find a groundbreaking, right, that's kind of appalling. My understanding that Mayor was there, right? How does that work? So anyway? But, you know, so to kind of go through some of these, right, you know, 80 apartments, right? How are you going to shuttle…how are you going to get 80 apartments worth of people and cars in and out of that facility? Right? Their driveway is not going to support it? Right. You know, we've had people already talked about stormwater retention, right, where we all live in Michigan, it's bad enough as it is without, you know, businesses building up and, and, you know, sealing the ground from being able to absorb the water. You know, as mentioned, right, three stories don't match the neighborhood, right. It's, it's a single-family home community, you know, and I asked the commission to deny the request. So, thank you.

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

Evan Lindman, 18736 Hillcrest Street, Livonia, MI. I want to challenge the commission to think about what we're thinking about tonight. I didn't know about this petition and what their you know, zoning until probably three or four days ago. I live very close to the church, and I own and operate a lawn care business, and let me tell you, what they're proposing is going to be a disaster to the houses and the river and the stream, the woods all around what they're trying to do. It is not a…come on, let's be honest, this was a church, that could have the courtesy to being truthful and honest to send out more letters to the surrounding community but what they're actually you know going to do is…we actually need to think about this and quite honestly, the church is beautiful, but if you put a school and a giant apartment there on Merriman that's a big eyesore for people who are driving by and for the people all surrounding there, though to this is a field for people growing up and I would challenge you…I don't…it's apparently…it's supposed to be in apartment complex for the nuns and you know, the nuns there. I would question how many people actually, like, live in Livonia that go to their church and I don't even think their church is actually thriving as well as they're on putting off though too. So really, think about this. We need to think about where we're thinking about this. Don't push this through tonight

Mr. Wilshaw: Folks, let's not let's settle down everyone. Let’s give this young lady a chance to speak.

Sandra Lung. I have been in Livonia for over 52 years. I actually went to Bryant and I realized that a lot of things going on in complexes but if the church really won the school be realistic. They would have bought the church the school 20 years ago. I am not trying to be mean, but I see…I face where…right by Laura, right on Hillcrest facing the church. I love seeing the church. That's my sunset, the happy place. If that is blocking my view, and I can't see what's you know, I love the scenery. Not only you see me, the wildlife, the river, all these creeks that children go through. My biggest concern is the Mayville where there's a dead end. I see children going through how are they going to get to school? If they have these elderly God knows what they're going to be like? They say they're gonna be screening. But this is…be realistic. This is a new world. People are dangerous and we are on a dead end street on Brookfield and to help these children come through passing through their creek. Crossing the bridge go into Coolidge. This is a big concern for me. I love these children. I don't want them to be, you know, attacked. You know, this is a real world that people, children are dropped off on the dead-end street, they go to school, I watch them go to school every day. You know, that's my biggest concern. And not only this complex, you know, this the water like, environment that's really bothering me. Because when the floods come up the river goes up to that, that bridge level, I've seen it. And it's actually overflowed. So, I feel sorry for Sunset because I was gonna buy on that side, and I didn't because that flood zone. The water was going constantly I did not buy on that side. So, I feel sorry for those people on that dead end on that side. Thank you. Okay.

Mr. Wilshaw: Thank you for your comments. Good evening.

Tricia Woodland, 31079 Mayville Street, Livonia, MI. I'm not here to degrade the church or Father George or any of that stuff. I'm just very concerned about the three-story apartment building that they want to put up. I don't feel like it fits in with the neighborhood. I feel like I've lived places where there have been empty fields and they typically always get filled up with housing. And so, we can't necessarily expect that field may remain vacant, but if it's going to be filled up, it needs to be filled up with similar structures. Regular housing. The other thing, just as an aside is if this is going to be an apartment building for elderly people, it seems to me that elderly people do much better if they don't have a lot of stairs to go up and down. And so, it's a little…it's just weird to me that you would want a three story apartment

building for elderly people when they're better off on main level flooring. So that's my comment.

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

Mr. Wilshaw: Please want one moment. Everyone please quiet down. Thank you.

Hatham Fakhouri, 34820 Fairfax Drive, Livonia, MI. Without being said. I mean, the Basilica of St. Mary brought me into Livonia15 years ago. I brought my parents into Livonia. I brought four of my brothers into Livonia, I brought my in-laws unfortunately from Kentucky into Livonia.

Mr. Wilshaw: This is a recorded meeting, you know,

Mr. Fakhouri: Edit that out… No, but in all seriousness, I thank the community for all of the concerns. I mean, I think it suffice to say many of the concerns are fear based concerns. Right? I mean, some of the concerns as far as who's going to be coming into Livonia are similar to the same type of remarks that we heard from similar members of the community 51 years ago when the basilica wanted to break ground in the City of Livonia, because they didn't want our type to be in the City of Livonia. They didn't want

Mr. Wilshaw: Please, everyone, please settle down.

Mr. Fakhouri: Thankfully, thankfully, thankfully, the number of individuals who echoed that sentiment were few. And the greater Livonia community was an open arms community. And since then, the Livonia has welcomed us and welcomed many from our community, and I'm talking about the Orthodox community into the City of Livonia, who have lived here who have started businesses here, who have thrived here and who've been active members of this society. And just like that, we have to look at the future of who's going to be coming into Livonia and who's going to be participants of Livonia. At the same time, who's also going to come back into Livonia. I know that two of my parents are both elderly. One lives in a senior living facility right now that he does not like. My mother who is going to be going into a senior living facility. My mother-in-law wants to be going into…these are people who want to be coming back into the City of Livonia on top of the economic benefit that's going to be happening…on top of the involvement with the community. I think there's gonna be many benefits with this development and I appreciate a yes vote on this zoning board.

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

Paul Condon, 31115 Hillbrook, Livonia, MI. We are directly across the ditch from the proposal. Just a couple of questions, technical questions, maybe if you do pass the rezoning tonight. And during the future steps of this process, the project is next to expensive they don't get the approvals whatever. Does the zoning stay as you rezone it, or does it revert back?

Mr. Wilshaw: It stays?

Mr. Condon: It stays okay. That being said, if I had just bought, I don't know, maybe $200,000 worth of property, couldn't get it rezoned the way I want it to and needed it, I would then probably try and sell that. I don't know that the church would have any value in a big piece of property that now they really can't build on. So, I wonder how that situation would possibly develop. Also very concerned about the runoff like many of our neighbors. I do want to try and be respectful of the fact that a property owner has within certain guidelines that are being established here, the right to do with their property, they put the money up. If we wanted that property, we probably should have all got together chipped in and bought it, but we didn't. We never had a chance obviously well as a true or not. So, the rezoning would stay with the property?

Mr. Wilshaw: Correct.

Mr. Condon: With the rezoning and stay with it, okay. So, someone else then could come in and do something different, obviously. Okay. Very good. I was just curious about how that process works. So, thank you.

Mr. Wilshaw: You're welcome, Mr. Condon. Good evening.

Nancy Ghannam, 31335 Rayburn Street, Livonia, MI. I'm also the parish council president at the Basilica of St. Mary's and a few people have said some kind of insulting things regarding the Basilica. So, I'd like to address them. First of all, I want to apologize if anybody was offended by our groundbreaking. That was done as a ceremonial event. We all understood that we did not have anything approved and we weren't putting, you know, a building up. It was done ceremonial to celebrate our 50th anniversary, to celebrate Father George's 50th anniversary as a priest and his 50th wedding anniversary. It was done because our bishops

and our hierarchy was here, it was completely ceremonial. It wasn't done, underhanded, conniving, or anything else as people have tried to imply this evening. So, I do find that insulting. Number two, the senior living center that is being built. That is proposed to be built for the parishioners in our church that want to be there and it will not be exclusive to them. They want to be there because it is next to the church. They don't want to move to another facility. They want to be able to walk to the church, when they get to the point where they can't drive as many people do at that age. They want to be able to walk to the church, they want to be able to walk to the activities that we have in the church. Every Wednesday we have a group of ladies that that meet and put together our bulletin. They have senior activities; they have senior luncheons like Mrs. Hannah Nia said they are anxious to live there. If there are other facilities in the area, they probably won't move into those they are anxious to move into the one that will be adjacent to our church. When that is built, and we have our seniors living there, it will bring people into the area, parishioners back that want to take their parents out to lunch, they will then be frequenting the restaurants in the area that want to take their parents shopping that want to take their parents to all the other stores in the area, it will bring more economic growth to the area. The issue of the water, we are going to be residents of the area as we are building a building there. So, we will be affected if we don't take care of the water. So, if there's groundwater, if there's runoff, we are going to make sure that all of these issues are addressed as we are going to have a building in that area. We have our church, we have our offices, we occupy that area, we're not building it and then leaving, we're there. So, we need to make sure that that will be taken care of so the issue that all these people have spoken about will face us too and we will address it. Anytime…

Mr. Wilshaw: Can you summarize, if possible, please.

Ms. Ghannam: Yes. Anytime that we have been addressed to any issue that has come to Father George's attention where a neighbor is upset about something, immediately I get a phone call, we must address this issue. So, people here are speaking that we are the worst, as if we are the worst neighbors ever. If the music is too loud, we lower it immediately. Have we made mistakes? Absolutely. And I'm sure everybody else has. We follow the noise…we have a permit, and we follow it. Has it ever been left on longer? I'm sure it has, and we apologize for that. And we're always working. Sometimes the person in charge doesn't know

when the noise permit. We are not perfect. We're also group of volunteers that run the church. We're not paid employees. So, we do make mistakes. I ask that you do approve this project in its entirety as it relies on each other, and one more thing I'm sorry. People keep talking about the three-story building. I don't think they paid attention to what Mr. Abdenour said. It's three feet higher than a two-story house. So, they're talking about it like it's, you know, 50 feet higher than a normal home. It's three feet higher than a two-story house. We need to keep that in perspective, when you hear about the building, thank you.

Mr. Wilshaw: Folks, we need to keep the meeting moving. So, try to keep the clapping down a little bit. I understand that you want to show your appreciation for the comments, but keep it brief. Please, sir.

Ray Riza, 30537 Brookview, Livonia, MI. Two houses from the dead end on the field. First of all, ma'am, you're insulted….

Mr. Wilshaw: Sir, sir, please address us. I don't want to get into a debate back and forth between people.

Mr. Riza; We were insulted that we found out two days ago. We were insulted. Congratulations, Father, George, on the 50 years of great work at that church. You don't celebrate with a groundbreaking and a shovel with the Mayor. You celebrate with a party and a celebration, not a groundbreaking. Second of all, I don't think it's been addressed, and I sent an email to the commission, so this is all verified information if you want to go to the email. A 17.9% decrease in home value on a home within 1,000 feet of a senior home development in the short run. These are all facts. Now I'm going to reiterate a lot what that's been said. I will be staring at a three or possibly four story building because it is going to be allowed, if it is allowed to go up to four stories plans may change. I'm not stupid. I know that that field should have been developed a long time ago with single family homes like mine. Now my single-family home, I'm going to sit there and look at a basically commercial building. No, I don't want that and I don't want a 17.9% decrease in my home value all of the sudden. So, I just wanted to address that. All of the other stuff…The church has been wonderful. They do wonderful things, but numbers don't lie.

Kathy. Plotzke, 30549 Jeanine, Livonia, MI. First, I want to say that I'm a little upset that I just found out about this three days ago as well, didn't have a lot of time to do research. The research that I did

do though, was in regards to the Livonia Vision 21 Master Plan, and what I found throughout that, there are several subcategories that go speak directly to maintaining open space, maintaining green space, and a couple of them the sustainability and resiliency once the goal of conserving and restoring open space waterways, trees, parks, trails, open space states, they want to develop maintaining and preserving of open space green space. Subcategory, Parks and Rec encourage the preservation of open space and in addition the public surveys that were done in this master plan talks about the residents wanting to keep parks, green space trees, single family neighborhoods, and they desire the preservation of natural spaces. Get into another portion of the housing development in the Master Plan, and it says that the recommendation is to seamlessly incorporate multifamily units into the neighborhoods, and that new housing should be encouraged to be located close to the street with prominent entrances facing the street residential in scale, and with parking street parking available. It appears that none of this is consistent with the vision 21 plan for Lavonia. So I'm going to ask that because of this flying in the face of Livonia its own Master Plan that this petition is opposed. Thank you.

Mr. Wilshaw: Good evening. We'll start with you.

Margaret Yon, 30562 Brookview, Livonia, MI. And it would appear that the last lady and I both wrote exactly what we were gonna say so I'm not going to reiterate everything she said. But Livonia Vision 21 is about community and family. Community we are welcome to support. We are welcome to be here with the Basilica. Maybe work with them see something that might compromise both. When we bought this house it was a single family neighborhood, single family homes. That's kind of what we envisioned would go in that field at one point. Another issue that I have concerning with is the last stormwater management drainage was in 2002. At the time, it was known that the infrastructure for Livonia is subpar. Actually, aging and being right on the creek, I can sit in my backyard, watch the storm water raise four to six feet with rushing water. That is not going to support the extra concrete that this project is bringing in. So, you know, if you guys are really really in support of Livonia Vision 21 you're on board with the city I urge you to decline at least half of this project. Thank you.

Robert Hoekstra, 30564 Jeanine Street, Livonia, MI. Directly adjacent to the field. And I'll be very brief because I just want to make one point. I

want to implant in you with respect to the intent of this meeting tonight, which is the reduction of even any square inch of public land in Livonia. I deem is completely unacceptable given families first since 1950. Public Land is precious. Any reduction of it to me is unacceptable. I am asking you to oppose this project.

Mr. Wilshaw: Thank you, sir.

Ms. Skylis, 30528 Janine Street, Livonia, MI. My home is kind of adjacent to the field. So, while my home doesn't…I'm sorry. Can you guys hear me now?

Mr. Wilshaw: Yes.

Ms. Skylis: Wonderful. So, my home does lay adjacent to the field, it doesn't back it directly, but when we look out of our back door, or out of our second story window, we are able to see the field. It's over to the left of us. I do have concerns very similar to everyone else's who lives in the area. The main one will…actually there's two main ones, any type of negative impact when it comes to flooding in our neighborhood, as well as the marketability and value of our homes if we were to sell our homes anytime in the near future. And even after that, not in the near future, because I have a very hard time believing that people who live up to this area want to look out their backdoor to an apartment complex, a large parking lot, and potentially any other structures that could potentially be built in the future if the church did choose to purchase more property in the future. Those are all current concerns mine. I would also like to bring up the fact that, you know, one of the church members brought up love thy neighbor is a Bible verse, I believe. I'm not well versed in the Bible. However, I will say, I don't see that happening here. It's offensive to me that the church took the time to have a groundbreaking ceremony, and while I understand that Father George was ill, for six months, at least that's what he said during the, I believe the study hearing last Tuesday. I find it hard to believe that there's time to schedule and attend a groundbreaking but no time to inform your neighbors about what's going on around them. I don't get it. So just to piggyback off that real quick. I know I'm over time and sorry, but I've only been here since 2021, and the church has already left a very bad impression on me personally, as a neighbor. The music during their some summer festival, the bass is so loud that people's homes vibrate. When I call the police, over 30 people had called before me to complain about it and the music did not

subside and I want answers as to why neighbors are not taken into consideration then. But now we should take you consideration now. Thank you.

Mr. Wilshaw: Good evening.

Austin St. Peter, 18276 Bainbridge, Livonia, MI. The north side of the proposed apartment buildings. I just feel that the justification to going from this special two- story to three story to even possibly four story, the justification was just stating that they believe that there will be like want for that. I just want like a more proposed like a more documented explanation that it is needed to be a three story and unless it's not then we can stay at the two story so I suggest postpone this until the that's verified that it is needed to be 89 units or so.

Mr. Wilshaw: Okay, thank you, sir.

Christopher Martin, Livonia, resident. My parents had been here for quite some time also, both in the Navy and World War II. Bought in Old Rosedale Gardens in 1947. Grandfather and Grandmother had also been in the cit. Paid a lot of taxes over the years. My taxes went to buy that…put a school up over there. Then later on was taken down. This is still public land. I want it to remain public land. Put a park there. Name the park after whoever they want. It's public land. Father talked about some type of constitution. I carry this with me. It's a little tattered. In my pocket, Constitution of the United States. We're not some third world country. You guys have the opportunity. Keep this public land. That's what it was zoned and that's what it was designated for. Don't change it.

Mr. Wilshaw: Good evening.

Jamie Jeffries.17551 Hillcrest Street, Livonia, MI. I want to read a letter on behalf of my mom and me.

Mr. Wilshaw: You're welcome to.

Ms. Jeffries: Okay, it's written from her perspective. My name is Sally Jeffries. I bought my home at 17551 Hillcrest street in 1994 and have lived there the past 29 years. The side of my house and backyard are adjacent to the walkway to the field, and my backyard has the full view of the field. When I purchased my home, there were two things that were important. Living in the City of Livonia and the view of the field. I chose to live in Livonia

because it is one of the few remaining cities that actually cares about their residents. St. Mary's proposed plans seem completely at odds with Livonia's usual posture of looking out for its residents. To my surprise and dismay, and extreme disappointment, there was no heads up or advanced notice given to any of the residents about the proposed plans. This is particularly concerning with respect to the rezoning for the apartment complex. In fact, many of the residents who live on the field including myself, have recently remodeled or invested in expensive upgrades to their homes. If I had known that there could be an apartment complex in my backyard, I never would have done the upgrade. I am especially anxious that the apartment complex will devalue my home and property value and make it difficult for me to sell my house. The proposed plans will adversely affect the residents life as follows: 1. The traffic. We don't know whether now or in the future the property owner may construct additional driveways or private access roads in order to facilitate bringing more traffic to the site. Even if it's not the case, I'm worried that there may potentially be additional daily traffic created by the school students, families, staff, visitors, delivery vehicles, etc. Although I've been told the school will serve students aged one through five, I do not know how many children will be enrolled so I cannot tell what the school's traffic will be. However, regardless of the school's impact, I expect the traffic will increase exponentially from the apartment building with many dozens of drivers to and from the building, residents work cars, moving vans, daily deliveries of all types from furniture to Amazon packages, creating even more substantial traffic volume. The noise inclusion of the apartment building will greatly increase the noise level of our peaceful neighborhood. 3. Light pollution. The field is currently dark at the night behind the house. The lights of St. Mary's complex shine very brightly year-round. These buildings are more in the corner but impact the houses near it with their lights. The three story apartments and the parking lot, however, would put so much more light into the entire field that all the residents would need to purchase blinds likely. Flooding, as has been mentioned by many people. Environmental impact and the field availability .The proposed development will disrupt the neighborhoods and my 29 plus years of enjoyment and use of the field for exercising, taking your pets, and to conclude, besides describing how this will negatively impact my neighbors and me, I wish to bring to the Planning Commission's attention that the proposed uses in the field rezoning approval of today's meeting appear to be something of a bait and switch from the representations made in the 2018 Purchase Agreement. The

Purchase Agreement provides intended purpose of the premises proposed by purchaser being used by a senior center Senior Centers are commonly understood to be entities that provide supportive services to the elderly and are also so defined in Section 321 of the of the Older Americans Act. The operation of a senior center does not equate to the construction of residential dwellings. At the Planning Commission meeting on Tuesday, January 24, a member asked where else in the City of Livonia has rezone public land for apartment housing? The answer is nowhere. In other words, there's no precedent for such an action. For all these reasons explained above, I urge the commission to not break precedent in this time so that my neighbors and I can continue to live in the tranquil neighborhood where we currently reside.

Mr. Wilshaw: Thank you, Ms. Jeffries.

Mr. Wilshaw: Good evening, sir.

Alex Villaro, 17415 Sunset Street, Livonia, MI. My wife and I both were born and raised in Livonia. We were confused for a few years and moved into the city. Now we're back. Moved back in 2017 and the main reason was we wanted a quiet suburban community. So, we moved in, we love the field, love everything about it. So, bear with me. I'm not a public speaker. I'm a construction worker. I did some quick math, and I listened to everybody speak tonight and I got a couple of concerns. The one was the water. That's a big field. There's 36 acres left, on the south side. All that topography flows north to the creek. If this rezoning goes through, with that proposed development, that's a lot of concrete going in blocking that view or blocking that flow of rainwater. Right now, they're proposing about 1,600 feet, leaving 400 feet left on the east end. That's a ton of water that's going to get trapped in either…be stagnant on the LPS property or back up even further into the neighborhood. That's a major concern for me. We met with the church yesterday, they were very respectful. I appreciate it sincerely. They didn't have an answer for that. They said they would work on it. This is what I do for a living. That's gonna be very hard to tackle without regrading the LPS property which I don't think you're gonna let them do. Another concern. You mentioned engineering had no comment on utilities and I didn't hear anything on traffic. Can this area in Livonia support that? I think this whole idea of denying or approving is premature. I think it needs to be delayed until more studies have been done. Which is my next point. When was the last wetland study done? Why is it that as an issue in front of

you to make this decision. This is a big decision. You can't go back once you make it. Let's make sure we put everything in front of us that we need to make the right decision.

Char Baringhouse, Livonia resident. My family and I are proud parishioners of St. Mary's Church. Our church families started out 50 years ago meeting our new young priest, a newlywed, sent to help us from a parish. We rented space from various local churches, then we're finally able to build our first modest church, which is now attached to the cultural center, where many have attended events and sampled the hospitality of our dedicated staff. Our leader and visionary, Father George, saw a beautiful basilica within our means, and as a parish we worked hard together to bring this dream to fruition, but that is not where the dream ends. A community where one can worship, gather and grow on in years was part of the vision that we've embraced and planned for. This land was purchased many years ago with that dream in mind. We have come far and set our sights on the beautiful Maryim Center. This project is well thought out well planned and in keeping with the high standards that we have set forth for every part of our St Mary's campus. As we all know, our senior citizens are the backbone of our community, and they often need additional assistance and services. Building a senior center and the churches vacant land would be a great way to provide these services. The senior center would provide a place for seniors to socialize and take part in activities that will help keep them active and engaged. This would also provide a great opportunity for the church to give back to its local community by providing a much-needed service. Not only would this senior center be beneficial to our seniors in our community, but it would also bring economic benefits. A senior center could provide jobs for those in the area, and it would also increase foot traffic in the area, which could bring in additional business for local retailers. I hope that with your support, we can build a future for generations to come. Change and growth is sometimes difficult, and we acknowledge and understand that some prefer to see the land remain in its present state. While that is not in keeping with our proposal, we are committed to being good stewards to our neighbors and the Livonia community. Thank you.

Larry Nasser, Farmington Road, Livonia. First of all, let me thank the board for the work you do. I know sometimes it's very challenging, and this probably time is one of them. And I would like to thank also the audience, everybody who attended here tonight to express their feelings and their concerns. I am a parishioner of St.

Mary's. My father was one of the founders of St. Mary's. I've been in Livonia for 63 years. Also, many of them that are here opposing were supporters of mine, when I ran for school board, and I was on the school board. And so, I have a lot of love and affection for everybody in this room. And I'm hoping that we can at some way, come to some kind of agreement where everybody can live in peace. If there was some miscommunication or no communication on behalf of our church that some of the neighbors felt, we do apologize for that. I would be more than happy to intervene as a facilitator to get them together. Many of them that are here know me from the board as working for the community and working for them. So, with that, I would like to say a little bit more about who we are. And we are the teachers, the doctors, lawyers, Para pros, janitors, veterans. Our St. Mary's consists of all these people. I was born and raised here, as I said, and attended the first Cooper school that was on the corner of Middle Belt and Ann Arbor Trail. It was a Little Red School. Probably most of you don't know it, if you haven't been there that long or attended was Little Red School and it only had five, six rooms. It was very small until they built a new Cooper, which I was the first class at that new Cooper school there. That was down Ann Arbor Trail. My wife was also a resident of Livonia, all of her life, she graduated from Churchill. We raised our two kids here who graduated from Livonia Public Schools, from Franklin. We will most likely die here. You know, it's funny because at my age now I see that there's less in front of me than there was behind me, and so when I think about those things I think about all the things that are going on in our nation and in the States and of course the great City of Livonia here, and as I age, I pray that my health will stay good and I hope to live in my house as long as possible. Most likely at some point a home will be too much for me and I'll need some kind of assistance.

Mr. Wilshaw: Mr. Nasser, if you can, please summarize.

Mr. Nasser: Okay, so I just I'm hoping that the board will come out in support of this. It is something that we do need. It's something that we have been looking at for a long time somewhere to go with our elderly people. One last thing I want to comment on is that when I was on the school board, one of our big challenges was declining enrollment. We had declining enrollment and for every student that we lost was $1,000. And then when we had declining enrollment, less money coming in, we had to cut programs and we had to cut services. It was terrible. It was really bad. It caused a lot of people to start moving west to

Northville Novi schools. Father George had mentioned about 70 people, some of the elders that…and 50 of them I know are here in Livonia. Those widows, if they would be allowed to move into a place like this, would give 50 homes for single family for young families that are coming to start new homes and have kids and it will support the school system, which is very important. The school systems talked about less than it should be. It's very important aspect. That's why many of us are here, lived here, stayed here. And generations stay in the same house for many years for many generations. So, I hope that the community can come together see, I know it's difficult. There was always difficult times closing schools. You all remember that and all the other things that had to happen. So, but in any case, thank you very much for hearing me out and I hope that the whole community can come together on this. We shouldn't, be something that parts us, hopefully something that brings us together in some way, shape or form..

Mr. Wilshaw: Understood. Thank you. Good evening.

Mary Garrity, 30810 Bobrich Street, Livonia, MI. I just want to say that our neighborhood is also filled with a lot of great people, policemen, nurses like me. Doctors, lawyers, were a great bunch of people too. So, just throwing that out there. And also, Livonia also has a Master Plan. I'm gonna read it. It's in my email that I emailed you guys but I'm going to read it and I'm going to have a little bit to say about it, but it literally says Livonia Vision 21 Master Plan. First of all, let's see, develop and maintain comprehensive park trail recreation, fitness and sport facilities and programs. The rezoning This is my part would limit public access to frequently used trails and open space for recreation and fitness. Next thing, preserve and or incorporate natural drainage and floodplains wherever possible into park and recreation sites. My rebuttal is allowing for building here would not preserve this natural drainage and floodplain land and would prevent public use and enjoyment. Lastly, because my email was 20 million pages, develop, maintain and preserve sufficient open space and recreation facilities to fully satisfy the wide variety of recreation needs of residents. My rebuttal is this is one of the few public open spaces that is conducive to recreation, like flying a kite with your kids, remote control airplane, walking your dogs, going on a nature hike, like my husband said, you know, seeing the deer Please vote no.

Mr. Wilshaw: We did get a chance to read your emails. While it was very well written. I appreciate that. Thank you. Good evening, sir.

Mark Vines, 30547 Bobrich, Livonia, MI. Good evening. Thank you for letting me speak. Thanks for your work tonight. I'd also like to thank the Brookwood Estates committee for doing great job. I was part of that group who had no idea that this was happening until just a few days ago. I would like to say, and I'm not the sharpest tool in the shed, but I would like to say, Father George, we haven't met, but I respect you very much and I respect your congregation, and I respect what you're trying to do. You mentioned that you love your neighbors and I do as well. As far as the environmental concerns, people have talked about that tonight and have said, I think a lot of given a lot of valid information about that, and I think that the committee should really consider that information. What's, you know, we've had some very talented people getting information, I think that really needs to be considered strongly. As far as having a senior facility, I can tell you that my wife and I took care of all four of our parents. I'm not saying that we were perfect. I'm not saying that. We did the best we could, and with that being said, it would have been nice to be able to walk out my back door and take mom to church or any of those kinds of things, but in certain cases we didn't have that we weren't able to add on an adjacent building for my parents, and I understand the want to, but I'm more about the need to and there's a lot of good people out there that need help and they can get the help with the withstanding infrastructure. So, with that said, thank you.

Mr. Wilshaw: Thank you, sir.

Marlon Hanstad, 30546 Brookview Drive, Livonia, MI. My close neighbors are right with me here tonight as well. A couple of things I want to address. 1. Constitution. I'll get back to that one. The other thing is, a little bit of our story, not to bore you, but this is our story. We were first married 42 years ago lived in Livonia. We left went to Plymouth Canton area, grew the kids up there. We always said there's no better city than Livonia, Michigan. And we came back six years ago, kind of planning out where we're going out into the golden sunset of retirement. We said we don't need this large house. We don't need it. We're gonna sell and go back to Livonia. We bought a ranch there right on Brookview Drive just six years ago. Now I'm getting this thrown at me. And my value is going to drop unbelievably. It's been stated here 17%, after six years of being a resident here again. It's not as friendly if this is zoned. It's not as friendly as the towns I thought. The other thing is this go back to constitution. I can speak from experience. I was on the Board of Directors slash elder board of

the largest church in Detroit metro area located out off on M 14 in Plymouth, Michigan. We change constitutions a couple of times within the couple of terms I was in. So, don't tell me they can't not resell it. They can change the constitution to resell it. They can do that. If it's an internal board, which my assumption is it is. That's what it sounds like. That's my concern. I stand here my wife, Susan 30546 Brookview Drive. We vehemently oppose this zoning.

Mr. Wilshaw: Good evening, ma'am.

Amy Bonser, 17525 Hillcrest, Livonia, MI. I attended the study meeting last week, and I've been listening very carefully at both meetings and I'm hearing some discrepancies and what we're being told about the three story complex. Last week, we were told it was going to be independent living, yet a lot of the members of the congregation have spoken about how they want to have a place for their parents to age and get the assistance they need. So, will this be assisted living? Or will this be independent living? They are two very different things. Assisted living is a 24/7 operation with lots of staff, lots of cars. There's already going to be a myriad of parking spaces and dumpsters needed for the space. So, I just would like some clarification on that. I am highly opposed to any form of the senior living. I would welcome a school. Thank you.

Mr. Wilshaw: Good evening.

Laura Cattaneo, 17474 Doris, Livonia, MI. What that woman just kind of brought up is what I've been hearing again here right now. And that still gives me pause. I mean, we all have emotional feelings about it right now and no one is trying to criticize or critique anyone or say they're not loyal. They're not Christian. They're not caring, but it comes down, I think, to black and white. And tonight, it seems like there's too many disparancies, too many discrepancies It really has to come down to very black and white when you make these decisions. Not about our feelings or anything like that. I mean, you have to know what you're going to do with this land. It has to be given. We understand we want to protect their seniors; they want this for them. It's very emotional right now. And I feel it has to come down to dollars and cents, telling you what you're going to do and having very specific things and sitting in here, right now, another woman came up and she said a wonderful story, but she said senior center. Again, another discrepancy. Senior Center. What are you saying? Are you going to build an activity center like Livonia seniors? Are you just building buildings for 55 and over? What is

the plan here? It still doesn't make any sense. So, I asked that the board really look at just facts figures dollars cents, there's not enough answers right now to put this in right now, and not yes, they postpone this.

Mike Burgess, 30825 Mayville, Livonia, MI. Some of the flooding concerns that the residents have brought up right behind where the garage and the fence are behind the church…well, behind the garage. There is a storm drain, and about 50 yards away from there, there's another storm drainage. And all the years that I've been here, which is well over a dozen, I've never seen an adequate water supply flow through there on drainage, and I'm just asking that the City Council at least postpone and postpone the vote until the city engineers can assess that value of those two storm drains. And that's all I have to say. Thank you.

Mr. Wilshaw: Thank you, Mr. Burgess. Good evening, ma'am.

Sue Barill, 30540 Jeanine Street. Livonia, MI. I'm just going to be real brief. I wasn't planning on talking tonight, but I just want, when you're making your decision tonight to consider what would be best for the community as a whole, and, you know, leaving this as public land where the whole public can use it, or rezoning it to accommodate the church community, which the more I hear tonight, as much as they say it will be for everybody in the community, it sounds very exclusive to me to their community, and not that they're reaching out to the residents of the neighborhood as a whole.

Father Jim King, priests at the Basilica of St. Mary. I have been serving here in this community for 26 years now. I can't believe it's gone that fast. But I came here directly out of seminary to help serve with Father George I was asked by the community to come and work with their youth, and to this day…I was a lay man when I first got here, became a deacon and now a priest. I still serve in that capacity. I oversee the youth and outreach ministry at our church, and it's been a privilege and an honor to be here in Livonia. I bought my first home here in Livonia. Raised my family here in Livonia. The basilica is my home parish, where my kids are being raised, where they were baptized, and God willing where they will be married one day. But I really just want to say that over the years, I've had an opportunity to meet many of the members and the neighbors and the residents here in Livonia and it is a gem in America. This is a beautiful city, and I'm honored to be able to be a part of it and to serve. I appreciate everything that I've heard here tonight. Really, thank

you for being here and for sharing your concerns. I want to ask the commission tonight to take to heart everything that's been said, but also to take a step back and remember what is being asked for tonight. All we're asking for is to have this land rezoned for the potential of more discussion, more facilitation, more conversation, as we move forward. But in order for us to even consider, and to move forward with the communication, we need to have this land rezoned. That has nothing to do with what goes on after that. So, there's a lot of other processes that has to take place.

Mr. Wilshaw: Please, please, please.

Father Jim: We were quiet for all of you, at least I was and I really appreciate what you have to say. This is my true feeling as a somebody who is raising my children here as well. This community, this Basilica of St. Mary community, for 25 years before I got there, and for the past 25 years has been serving this community. I've seen it firsthand. I've met many of you in our church. You asked to come and visit our parish and see what this place is all about and I greatly enjoy that I'd meet many of you at our community events and I meet a lot of the seniors in this event every single year for the past 20 years, as we host, as many of you know, Thanksgiving dinner for close to 400 to 500 people every single year for Thanksgiving. We host for free, a community center, not for the homeless, not for the needy, but just for the seniors, the elderly, the veterans, and the orphans when we have the opportunity. So, thank you so much, but please consider where we're at right now. We're just asking for rezoning. There's a lot of process that from my understanding that has to go on after that. And so, it sounds like there is willingness to consider different options back there, but we need to have the land rezone so that we can continue the conversation Thank you.

Francis Janis, 17439 Sunset, Livonia, MI. A lot of people have already addressed what I had written out originally. The flooding was something I had that's been addressed. Light pollution that's been addressed. I'm also mom to a nine-year-old son that attends Coolidge Elementary. We only moved here about a year ago and he has been involved in an ecological Club, where they actually took samples of the stream out there. There is a lot of runoff from road salt in that stream. I think the best thing I could say is a song that we were listening to this week. They pave Paradise, and they put up a parking lot. Please vote no on this please, for our kids. Thank you.

Mr. Wilshaw: Good evening, ma'am.

Ellen Cusin, 31098 Bobrich Street, Livonia, MI. I wasn't going to speak. But after hearing the gentleman speak earlier about just go ahead and approve it. And we'll see what happens. No, I'm sorry. That land, we found out by reading the observer after it happened that it had been sold. It was not even told to us many years ago. Then, if I didn't have a good neighbor, who happened to find out that this was going on, I would not be here. I would not know anything until it was done again. That's how we're finding out. I've lived at that, right there, in Livonia for 30 years there and the rest of my life has been over at Merriman and Joy. My whole life has been in Livonia. Livonia is supposed to be for the people, for the families. If we're taking away green space. What's left? What is the draw? Why? Why come to Livonia? Okay, I mean, I just feel like we're being blindsided and something's not right. Even the sign that goes and says that this is being proposed. It's white snow out black ladders. It's by the entrance, the first southern entrance to the original church, whatever they want to call it. Okay. I'm sorry, I do not know that. What?

Mr. Wilshaw: Please. Focus on us.

Ms. Cusin: He was talking to me. So, it wasn't even in a position it could have been placed that we're planning on doing this. Put it by the stoplight. So when you're there, oh, what's going on? I'm interested, I'm gonna take a look at that. No, it was hidden. It wasn't even put by the entrance to the old Bryant School, where you could pull in there and say, oh, what's the sign up for? So, I'm very concerned about…there is not transparency for what I'm seeing. So, going ahead and just approving and see what happens in the future. I'm not comfortable with that.

Mr. Wilshaw: Okay, thank you, ma'am.

Brian Smith, 301 26 Brookview Drive, Livonia, MI. I wasn't going to speak tonight. But after listening to everybody, I feel it'd be a dereliction of my duty as a citizen not to. My mother was pregnant with me when they moved into my house in 1960. They're both my mother and father in heaven now, but I bought the house from them. The only house I've ever lived in. I'm the third guy in my side of the street that is still living in their parents' house. That's incredible. It speaks to the quality of life, and part of that is that field. As the young lady said here earlier, children fly kites, men fly radio-controlled airplanes, children launch rockets as science

projects. Dogs play fetch. There's a trail system that goes along the Caribosee, well, you can call it a floodplain or a wetland, I don't really know, but there's a trail system that runs along there. This proposal and that sits before us would actually seal off four trailheads. I don't even know if you guys are aware of that. But there's four trailheads leading down to that creek. I feel sorry for the folks on the south elevation. We've heard people tonight say that there's an issue with noise and light pollution already, which I wasn't even aware of. I don't live on the south elevation but the north elevation is what I want to talk about tonight because that's the one that's facing the woods and the Cariboosee creek. I know that Bryant field, which I still call it…I've been going on those trails since I attended Coolidge. It was a few years ago, but there's a lot of deer that live in those trails. I've seen them face to face on those trails and I just think that sealing off excess is not the way to go. So, I would encourage you to not to approve this proposal as it stands. I think would have a devastating effect on our property values and our quality of life, which really makes Livonia special. Thank you.

Mr. Wilshaw: Thank you, Mr. Smith.

Mr. Wilshaw: Good evening, sir.

Tom Erle, 31545 Pembroke Street, Livonia, MI. It's been a long haul for me. It's back in 76 when I moved to Livonia. I really love this community. At this meeting, you said you were going to focus on zoning. I understand that's very important. However, rezoning actually has to take into effect many other things about what can be built there. I think you should table this discussion, until you can get some major studies done on this property. I think it's a wonderful plan that the priest wants to do with this community, but I hear a lot of questions, and one of the biggest questions I hear about is, how are you going to take care of your drainage? That is an engineering thing. You can't change the engineering, just because you change the zoning. You have to understand what that zoning does. What can you do with the land with the engineering as you have to do? Now there's ways of creating floodplain, it can be in the ground, it can be above the ground. But those are types of things that you should be finding out before you resolve it. In my humble opinion. There's other issues with the lights and other things that you want to discuss. Those normally can be done with, with a simple changing of lighting. But it hasn't been done before. So, you don't have the trust that you would have if you had that upfront. And that's what

I'm hearing, even though it's not my neighborhood, it's still my city. I think that should be answered first before you rezone it. So, take a chance and do due diligence that you might be in better off shape. Like I say, I like what the priest had to say.

Mr. Wilshaw: Thank you, Mr. Erle. Good evening, ma'am.

Sue Hanstad, 30546 Brookview Drive, Livonia, MI. My husband has already spoke, and I've heard a lot of good comments both ways, but I want to bring up the fact that we are just one house away from this field. So, it influences us and affects us greatly. And when you talk about being a good neighbor, I would just like to know there are many public areas in Livonia that are empty, that have been vacated. Why don't we look at something like that to be a good neighbor. If we really want another resource and another senior center. Look at something like that where it's not in the single home area. That's all I'm going to say. I hope you vote no. Thank you.

Mr. Wilshaw: Good evening, ma'am.

Diana Albarchini, 14179 Cranston Street, Livonia, MI. I would like to add my voice to Father Jim and Father George and the last gentleman here. They sounded very wisdom. I'm going to ask you the same thing to think about it in a wise way, because we have a lot of people here including myself who are looking forward for the center. When we grow old or a housing, I don't know the exact wording, but you know what it means to live there when we're older. We are looking forward for it. We love Livonia. We've been living here in Livonia for a while. My kids goes to Livonia and the community is wonderful and the church is also wonderful. We have a big parishioner number and you should not be afraid from a church, if they're not gonna zone right or do right, because it could be…this could be a chance for the engineering problems to be actually solved and have your the water issue resolved. So that could be potential. So, if that, you know, if you don't want to vote yes, at least wait for all the studies to be done and hopefully that will be solved and the marketing value will come up because we have the best neighbor, and the best city and we make the market value the people make it. Thank you.

Mr. Wilshaw: Thank you, ma'am. Good evening.

Beverly Vines 30547 Bobrich Street, Livonia, MI. Again, I was not planning to speak tonight, but I feel like I need to at least ask that you set

this aside, deny the rezoning tonight. Think about the impact it has. I've heard love your neighbor quite a bit. Love your neighbor does not take your backyard or public land away from somebody. Love your neighbor is doing what's best for them. I'm pretty sure that perhaps any of your members or any of the other people that live in Livonia or are on any boards, if this was proposed that would happen to their backyard, that they would probably feel a little bit differently about it. I am compassionate for older people, as my husband stated, we moved our parents in, we took care of them in their house, we did everything that we could. There are ways to take care of our elders, and I strongly believe in taking care of our older people. But it cannot be in my mind, a way to take away from families that have had public land in their backyard that just seems not appropriate doesn't seem fair to those people that are living there. I see the vision. It's a strong, it's a good vision. But I think it needs to be dealt with in a different way and not take people's backyards from them and public land. Thank you for listening. Appreciate it.

Amelia Vilkas, 31716 Curtis, Livonia, MI. Can I finish what I wanted to originally?

Mr. Wilshaw: I'll give you a minute.

Ms. Vilkas: So, every architect at an architectural firm knows that there's a process of design that goes and primarily there's seven steps of the process. The first is the predesign, which is to conduct research and collect information so local zoning land use restrictions, project scope, clients' desires scale, surrounding buildings, neighborhood site conditions, building codes, and more. The second is then the development of the designs and that means developing the design proposal creating site plans, floor plans, building elevations, structural, mechanical, electrical, plumbing, and heating, ventilation and air conditioning. We have not seen those. Only on the fifth process do you go to the city and present your proposal that is known and that has not been done. There has been a mess in so many steps. And it makes this project very questionable. That's all I want to say.

Salem Samaan, Livonia resident. I'm also a member of the parish and the legal advisors of the parish and I'm also the co-chairman of this Maryim project. I've heard a lot of things tonight, and I appreciate everything that everybody had to say. I appreciate the fact that some people feel emotional about what's happening, but when I hear things about what you need to do

first, this is zoning. After this happens, there's no way or no reason for you guys to approve the site plan or the project. When do you start actually doing the work that has been talked about? Once we get to that point, we have to get the engineering done. We have to get the water issue taken care of. There is many things that would have to happen before we come back before you for you to be able to say okay, yes or no, and that decision is up to you. If you don't agree with what's going to be constructed you get to say, No, this is not that. I think we're putting the cart before the horse here. We're saying, well, we don't have the plans, all the studies. How can we do any studies if we don't have the zoning to move forward with these studies? To get it done and move forward? So, thank you very much.

Monica Suchara, 31413 Curtis Road, Livonia, MI. Only question I have is how many three and four story buildings do we have in Livonia? And how many in residential areas? As far as I see, I drive around I see very few. The last one I know of went into Madonna University and that was a dorm. And actually Madonna University sent notes to all the neighbors, three, four, five miles across to them, asking if it is okay. Number two, how many private schools have we just put in this year? I believe weput in two charter schools, am I correct? I'm not sure. So, every public, for every public school we put into our city is saying we have no confidence in our public schools. It drives me nuts. That part drives me nuts because I'm very pro public, and we're losing students and where are they going? You know. So, that's another thing to take in consideration. And right now, they have a Montessori. There's been a sign up for three, four years. I don't even know if they fill that Montessori, and right now they can say one to five. How do you know it doesn't go one to high school? We don't know that. They can change that, and we also have a what 50 million? What do we spend for our rec center? And we also have programs for all our children, for all our seniors, for all people that are handicapped, everything we have our own. So that's not going to say I'm a hyper person, excuse me, and I like you over there. I like you a lot. Oh, my God got a nice face. Bye.

Mr. Wilshaw: Is there anyone else wishing to speak? I think we've given everyone a good shot. If everyone can please quiet down a little bit. Now we're going to give an opportunity for the petitioner to come forward and address any issues that they would like to, again, we're not going to engage in a debate back and forth. But we do always give our petitioner the last word. So, if they would

like to add anything from what they've heard, answer any questions or address any issues that were raised, this is the time to do it.

Father George: Once again, this is very helpful. It's bringing to light question that we are not aware of it. When we had the groundbreaking ceremony, because the bishop was in town we didn't build. We did not have the right to send an announcement to the neighbor. It's the city's job. So, when you say that and where's the sign is'..the sign is on our property? We cannot put it on Bryant Junior High School. We are not here to debate what everyone has said. All what I'm saying, that all these concern will be answered and will be bound by law as the City of Livonia whether the Zoning Commission, the city, the police, because the best advocate for all of us, is you, the police, the fire marshal, the traffic and all of them, they will not violate the law that we stand. I appeal to you to that we can vote for it and we can work together in the future because this meeting, as much as we may be differ and disagree, we all have saying the same thing. So, who's going to decide one over the other? We're here. We're listening. I sat down here for two and a half hours and it seems to me I'm the one who's been attack and distrusted and talking about trust and not trust.

Mr. Martin: Free speech. Free speech.

Father George: Yes. Well, thank you. Give me the time to speak. Don't answer without…don't interrupt me. I did not interrupt you. When we talk about constitution, we're not talking about the Constitution of the Nation, we're talking of the constitution of archdiocese. So, I am here to work with you to any proposal, to any modification, to any change that will bring this project to fruition. I thank you.

Mr. Wilshaw: Thank you, Father George. Going to go to our commissioners and see if there's any questions that they have, either for our planning staff or for the petitioner. Is there any questions from any of our commissioners based on the information we've heard so far?

Mr. Long: The plan for the school. I've heard differing age groups for the school. What would be the if you if you built the school, what would be the grade levels that attended that school?

(Audience asked if he could speak louder)

(Inaudible)

Mr. Long: Well, so first of all, my question, sorry, I wasn't close enough to the microphone, tut my question was, what would be the age group for the schools?

Mr. Abdelnour: One to five. It's a Montessori school. Its age one through five. One year old to five-year-old. It's basically it's just a matter, there's no kindergarten, there's no first, second grade. It's just a one through five, period, not grade, but age group..

Mr. Long: So, after five years old, then they would attend a different school?

Mr. Abdelnour: We don't deal with them after that.

Mr. Long: Thank you.

Mr. Wilshaw: Any other questions from any of our commissioners, for our petitioner?

Mr. Wilshaw: I do want to thank everyone in the audience for your comments. Obviously, there was a lot of comments that we received. There's a lot of information that we're taking in and there's a lot of issues that were raised. And we appreciate everyone's thoughts and comments on this issue, both for and against. Mr. Taormina, I did have just a couple of questions, based on some of the information that we heard. There was discussion about this remaining public land. This property, as I understand it, is not public land. It was purchased by the church when it was sold by the school district some years ago. Is that correct?

Mr. Taormina: It's my understanding that St. Mary's or an affiliate of St. Mary's is now the owner of the property in question…they own it. It's no longer owned by Livonia Public Schools.

Mr. Wilshaw: Okay, and the public lands zoning is kind of a unique zoning in our choices of zoning, in the sense that it's dedicated strictly to land that is owned by governmental entities, such as a school city and perhaps smaller municipalities. Is that correct?

Mr. Taormina: No, the ordinance does not preclude public land being owned by a private corporation, firm or person, but the use itself needs to be authorized and licensed for public service or public use.

Mr. Wilshaw: Okay, so that explains what the purpose of public land is. Okay. Okay, and the other question was in regards to the master plan, What does the master plan say this property's designation is?

Mr. Taormina: As I indicated in my opening remarks, the Parks and Community designation reflects the prior ownership by LPS. The master plan also has a category called floodplain and that recognizes that a substantial portion of the property is in fact, regulated floodplain area.

Mr. Wilshaw: Okay. All right. Thank you. That was a couple hours ago. So, you need to refresh my memory. Thank you. Is there anyone else with any questions for either the petitioner or for our planning staff on the commission? If not…

Mr. Caramagno: Mr. Taormina, I've got a question. If this were to get changed to zoning for the high rise multistory apartment complex, if it were to go down that road, could the school, and anything can happen I understand, could the school potentially sell the rest of that land? And is there a precedent to build apartments on that property for a developer then?

Mr. Taormina: If what you're saying is that if this rezoning is approved and an apartment building is constructed on the property and then at some future date LPS decides to sell additional land, would that open the door potentially for additional similar type of development? I would say that it would potentially…decisions would be made by the city that would recognize those adjoining land uses as probably being compatible, to some extent. But each case is going to have to be reviewed on its own separate merits, and now we're talking about a different property and potentially different impacts to the surrounding area. So, I would say it doesn't set a precedent.

Mr. Caramagno: You say it does or does not?

Mr. Taormina: I would not, but I think it could potentially influence to some extent, the future use.

Mr. Caramagno: So, if you've got a 100, home, apartment building sitting there, and the school sells the rest of that property to a developer, they say, hey, listen, there's already an apartment building there, I want to put in 12 more of these things now.

Mr. Taormina: Yes, I don't think it does. It doesn't guarantee that by any means.

Mr. Caramagno: No, of course not, but yeah, but it puts you in a bad position. It could put you in a bad position. So okay, Thank you, Mark.

Mr. Wilshaw: All right. Thank you, Mr. Caramagno. Any other questions from any of our commissioners? Mr. Taormina, to kind of play off Mr. Caramagno' s question, slightly in terms of and, it was raised by one of our residents, Mr. Condon, raised the issue of if this property is rezoned, and I'm speaking specifically of the NM3 I, the high rise section of the property, if it's rezoned to that zoning, and the church decides to not go forward with this project, that zoning will stay with that property, and it could potentially be sold off by the church to a private developer, who would already have that zoning secured, and then they could present a site plan to build something on that property privately outside of the church's project, is that correct?

Mr. Taormina: That's possible. Once the zoning is in place, it doesn't guarantee the ownership. That's not the purpose of zoning which provides the framework for what can be developed on that property. So, yes, I mean, theoretically, what you're saying could occur.

Mr. Wilshaw: Right, the guarantee that we've heard so far tonight is that it's the church's constitution, their internal documents and processes that prevent or preclude them from being able to sell a property. But there's, there's no, is there a guarantee that we can incorporate into this process anywhere to prevent that

Mr. Taormina: The only way that could happen would be through a conditional zoning agreement which is something that City Council would have to entertain. The conditions upon which the zoning would be affected would have to be voluntarily offered by the church. So, the church would have to present that to the City Council, and the City Council could consider that for approval. It's not something that either this body or the council can impose upon the develop. It would have to be voluntary on the part of the Petitioner as a conditional zoning agreement as specified in the statute.

Mr. Wilshaw: So, the property owner themselves, which in this case is the church, would be able to say that they're willing to condition the zoning, that it would be only for their use and then if the property is not used by them for that process, it would…the zoning would revert back to its former use, and that would be an offer that they would have to make to us. Is that correct?

Mr. Taormina: That is my understanding, and we'd have to confer with our legal department to make sure that they would agree with that, but we've done similar types of agreements in the past, so I believe it is possible.

Mr. Wilshaw: Okay. Okay. That's the only question I had, at the moment. Is there anything from anyone else again?

Mr. Long: Mark, with some of the other rezonings that we've had, maybe to a commercial status, I believe that the zoning doesn't necessarily go for a vote with City Council until a site plan, it kind of gets coupled with the site plan. Am I correct with that? Or do they always do a zoning first and then come back for a…

Mr. Taormina: Typically, what will happen is, once this body makes a recommendation, City Council will then hold a public hearing. If they decided to move the project forward, there would be a First Reading, which basically announces the fact that the City is in the process of changing the zoning of the property. But that doesn't commit the City to the change. What happens next is, for a lack of a better term, the City Council puts the brakes on the zoning process and allows the petitioner then to file a site plan application. That's when we get into all of the details associated with the project, whether it's lighting, engineering, flooding, and our stormwater detention. All these things are addressed as part of the site plan review process. This body then makes a recommendation to City Council, which has a similar review of the details of the site plan. The final step in the process is the Second Reading and Roll Call vote on the zoning, followed by a vote on the site plan. That typically happens at the end and is the final step in the process. You're right, the action to rezone the property typically does not occur until such time that the City Council has reviewed the full plan, and the plans have been fully considered.

Mr. Long: So, if that process were followed, or here as well, you would have the same type of thing. It would be given a first reading, but until a site plan would come through on this, the zoning would not be officially changed until the site plan if that same process were held.

Mr. Taormina: That's correct. The rezoning is really an amendment to the zoning ordinance and zoning map. That process requires publication. The Second Reading and Roll Call doesn't occur

until after the site plan has been reviewed and is ready for approval.

Mr. Long: Thank you for that procedural clarification.

Mr. Wilshaw: Thank you, Mr. Long. I appreciate you bringing that issue up. It is kind of a complex process that happens here at the city when it comes to rezonings and the first reading and second reading that happened at Council and those are terms that not everyone in the audience or the community are necessarily familiar with, or that's a process that they don't necessarily see on a daily basis and their day to day lives. So, it's good to understand that it is fairly typical in the city for zoning as it goes to City Council to be held essentially, until the site plan catches up to it. So, it's not often that you will see a zoning change in the city without some sort of a detailed site plan right behind it at that exact same meeting. So, just so people understand that process a little bit more thorough, I appreciate your asking those questions. The other thing to keep in mind is for the folks in our audience. zoning and site plans are two very distinctly different processes. And as we make whatever recommendation that we make. City council doesn't necessarily agree with our recommendations they sometimes will deny a request that we approve of, or in our recommendation, there's times that we make a denying request or recommendation and City Council make an approving recommendation. There's also the scenario of a petitioner requesting a particular zoning use such as…I'm going to just use the example in this case of a NM3-I which allows a four-story building and we or the City Council may only approve a lesser zoning, more restrictive zoning. Is that correct, Mr. Taormina? That happens on occasion.

Mr. Taormina: That is correct.

Mr. Wilshaw: So, I think that things can be…there's a lot of different paths that this can go on. It's the whole point of what I'm trying to say to both our folks here that are in the audience watching this and also online and on TV, so just wanted to make those comments. If there's no other questions or comments from any of our commissioners, ten I will close the public hearing and a motion is in order

Mr. Wilshaw: And this is where the silence happens.

Mr. Long: Mr. Chairman, you know we've listened to a lot of different voices here tonight and came into this with an open mind

because I wanted to hear what everybody had to say. I cannot myself get behind the multi-story, the three story zoning for that part of the parcel. I can get behind a car compromise zoning that would be the N2, which would allow the…it's a neighborhood. It would not allow the multi-story building to be built, but it would allow the school.

On a motion by Long, seconded by Bongero, and adopted, it was

#01-04-2023 ***RESOLVED***, That pursuant to a Public Hearing having been held by the City Planning Commission on January 31, 2023, on Petition 2022-12-01-02 submitted by Basilica of St. Mary under Sections 13.13 and 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood) and NM3-I (Neighborhood Multifamily – Maximum 4 Stories), the Planning Commission does hereby recommend to the City Council that only the N2 portion of the request be approved at this time, for the following reasons:

1. The proposed N2 District is compatible with the surrounding land uses and zoning districts.

2. The current P-L District is intended for uses or facilities that furnish governmental services to the public.

3. The proposed N2 District will provide for the development of the subject property in a manner that is appropriate for its size and location.

4. The proposed zoning change will allow the development of an educational academy that will provide needed services for the Basilica and the surrounding area, and

5. The proposed zoning change is consistent with the Future Land Use Plan's goals, policies, and objectives.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 and 13.15 of Livonia Vision 21 Zoning Ordinance, as amended.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Bongero, Long, Caramagno, Wilshaw
NAYS: Dinaro
ABSENT: Ventura
ABSTAIN: None

Mr. Wilshaw: Is there any discussion?

Mr. Caramagno: Mr. Chair.

Mr. Wilshaw: Mr. Caramagno?

Mr. Caramagno: I share in Mr. Long's opposition to a high-rise building apartment complex. I have concern from what I heard earlier. I'm not opposed to the alternate and the school building, but I did hear very clearly earlier that the church is not interested in a split decision on this. I don't know if they've changed their mind or will change their mind based upon this vote, but I heard it pretty clearly earlier that it's all or nothing. So, I'm willing to go through with the vote. But I don't know if we should ask them if they're interested in this or not, before we vote on it.

Mr. Wilshaw: Well, normally we don't go back to the petitioner in the middle of a motion. But if…

Mr. Caramagno: We don't have to, but I'm just…I heard it pretty clearly said earlier that it's all or nothing. They're not interested in a partial.

Mr. Wilshaw: This is the motion that has been made. So, this is what will, if approved, will go on to City Council and if they want something else, they can present something else to either us or City Council at that point. We're making a recommendation for the N2. This is a request just to approve the N2 zoning.

Mr. Taormina: To answer Mr. Caramagno's question, I guess the follow-up question would be, will there be a subsequent consideration for the other part of the request?

(Audience said they couldn't hear)

Mr. Taormina: The question is whether or not there will be a subsequent consideration for the balance of the request. The Commission is only addressing the N2 portion of the petition at this point. I don't know if it's the intent of the Commission to then address the NM3 request as a separate resolution.

Mr. Wilshaw: Mr. Long?

Mr. Long: Thank you. Mr. Taormina, can you put the map back up? It's okay, we've been here a long time and we have screensavers and timeouts.

Mr. Taormina: Yeah. So, what's your, if I may…

Mr. Long: So, on the map right there, the L shaped parcel is suggested here to go from PL to N2, and that was the area where they wanted to place the school, correct.

Mr. Taormina: That is correct.

Mr. Long: Okay. So, my motion refers only to the L-shaped parcel and does not touch the public land that was requested to go to NM3-I.

Mr. Taormina: Understood.

Mr. Long: Okay. So, therefore, you know, I guess I'm not touching that with my motion. I guess we could, I don't know the rules of procedure as to whether we could take that separately, or what, but the intent of my proposal here was to just offer up the school.

Mr. Taormina: If the Commission decides to vote on that, then the question is, will there be a second resolution? We should still address the balance of the request, whether it's a denial, a tabling, or an alternate zoning classification, because that is part of the request. You can bifurcate the resolution.

Mr. Wilshaw: The petition before us is for both pieces, so we should address them either positively or negatively in some form or another, and certainly alternative motions are also available to be put on the floor if someone wishes to do that, and we could vote on that, that doesn't happen very often.

Mr. Taormina: You should vote on this portion now.

Mr. Long: So, we would vote on mine first and then move forward.

Mr. Wilshaw: Right, we can vote on your motion, and then we'll allow for another motion to be put on the floor for the remaining parcel if someone's willing to make that motion. Okay. Is that okay to the maker of this motion?

Mr. Long: That's okay to the maker of this motion. We can deny this and if we start over if that's what my colleagues prefer. Thank you.

Mr. Wilshaw: All right. is there any more discussion on this motion, which again, is to only approve the into portion of the of the zoning. Any other questions, comments? If not, if the Secretary is ready, please call the roll.

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

Mr. Wilshaw: We do have an opportunity now for any additional motions to be made on this.

Ms. Dinaro: I'm going to motion to table it.

Mr. Wilshaw: Okay. Miss Dinaro is making a motion to table the remaining portion, which is the NM3 portion, I guess we're going to call that the NM3-I. Is there support for our tabling motion?

Mr. Bongero: Support.

Mr. Wilshaw: All right. There is a motion made by Mrs. Dinaro supported by Mr. Bongero. There is no discussion on tabling motions, unfortunately.

Mr. Wilshaw: Before you call the roll, I just want to ask Ms. Dinaro a clarifying question. Are you setting a date certain or an open ended?

Ms. Dinaro: I think open ended for now.

Mr. Wilshaw: Okay. Mr. Taormina?

Mr. Taormina: In this case, we would have to act on the petition within a certain timeframe. I apologize, but I believe it's 60 days from the point in time when it is determined that the application is complete. So, this item would most likely have to appear at our next meeting.

Mr. Wilshaw: Okay, so it will go to our next study.

Mr. Taormina: Unless the petitioner is willing to push it back. So that is the other option.

Mr. Wilshaw: Okay. All right. So, it seems like the most prudent day would be to put our next regular public meeting. Is that acceptable to you?

Ms. Dinaro: I suppose.

Mr. Wilshaw: You're the maker of the motion. So, we have a tabling to our next regularly scheduled meeting. And that will give the…we can ask our Planning Department if they want to talk to the petitioner about…or figure out if that date is within our guidelines. Is there there's no discussion on tabling so Mr. Secretary, are you caught up?

Mr. Caramagno: I think so.

Mr. Wilshaw: Please call the roll.

On a motion by Dinaro, seconded by Bongero, and adopted, it was

#01-05-2023 ***RESOLVED***, That pursuant to a Public Hearing having been held by the City Planning Commission on January 31, 2023, on Petition 2022-12-01-02 submitted by Basilica of St. Mary under Sections 13.13 and 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, requesting to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive, located on the east side of Merriman Road between Mayville Drive and Seven Mile Road in the Northwest ¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood) and NM3-I (Neighborhood Multifamily – Maximum 4 Stories), the City Planning Commission does hereby table the part of the request for the change of zoning to NM3-I to February 14, 2023.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Dinaro, Bongero, Caramagno
NAYS: Long, Wilshaw
ABSENT: Ventura
ABSTAIN: None

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

LETTER TO THE LIVONIA CITY COUNCIL

15.

Law
October 25, 2023

MEETING DATE	PREPARED BY
PH110823/R120423	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA ZONING ORDINANCES, AS AMENDED: Department of Law, re: Petition 2023-09-01-05 submitted by Matick Construction, L.L.C., requesting to rezone the property at 37739 Seven Mile Road, located on the south side of Seven Mile Road between Blue Skies Drive and Glengarry Drive in the Northeast ¼ of Section 7, from N2 (Neighborhood) to C-1 (Local Business).
Public Hearing held November 8, 2023.

BACKGROUND DETAILS

At your public hearing meeting held on November 8, 2023, you responded to Petition 2023-09-01-05, submitted by Matick Construction, L.L.C., for a change of zoning of the property located on the south side of Seven Mile Road between Blue Skies Drive and Glengarry Drive (37739 Seven Mile Road) in the Northeast 1/4 of Section 7, from N2 (Neighborhood) to C-1 (Local Business).

Accordingly, herewith submitted for your consideration is the proposed ordinance amendment prepared by the Department of Law, together with the map prepared by the Planning Department.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

It is respectfully suggested that the PROPOSED AMENDMENT to the Livonia Zoning Ordinance, as amended: Department of Law, re: Petition 2023-09-01-05 submitted by Matick Construction, L.L.C., with respect to this item, be considered for its FIRST READING in accordance with provisions of law and City Charter.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

DETAILED WORK BEING PERFORMED

November 8, 2023

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc):

ATTACHMENTS

1. 2023-09-01-05_1st
2. Proposed Ordinance - Pet. 2023-09-01-05 - Matick Construction
3. PH1110823 Matick Minutes
4. PH110823 LTC 2023-09-01-05, Matick Construction
5. 2023-09-01-05_E-COUNCIL Pkt

APPROVED BY

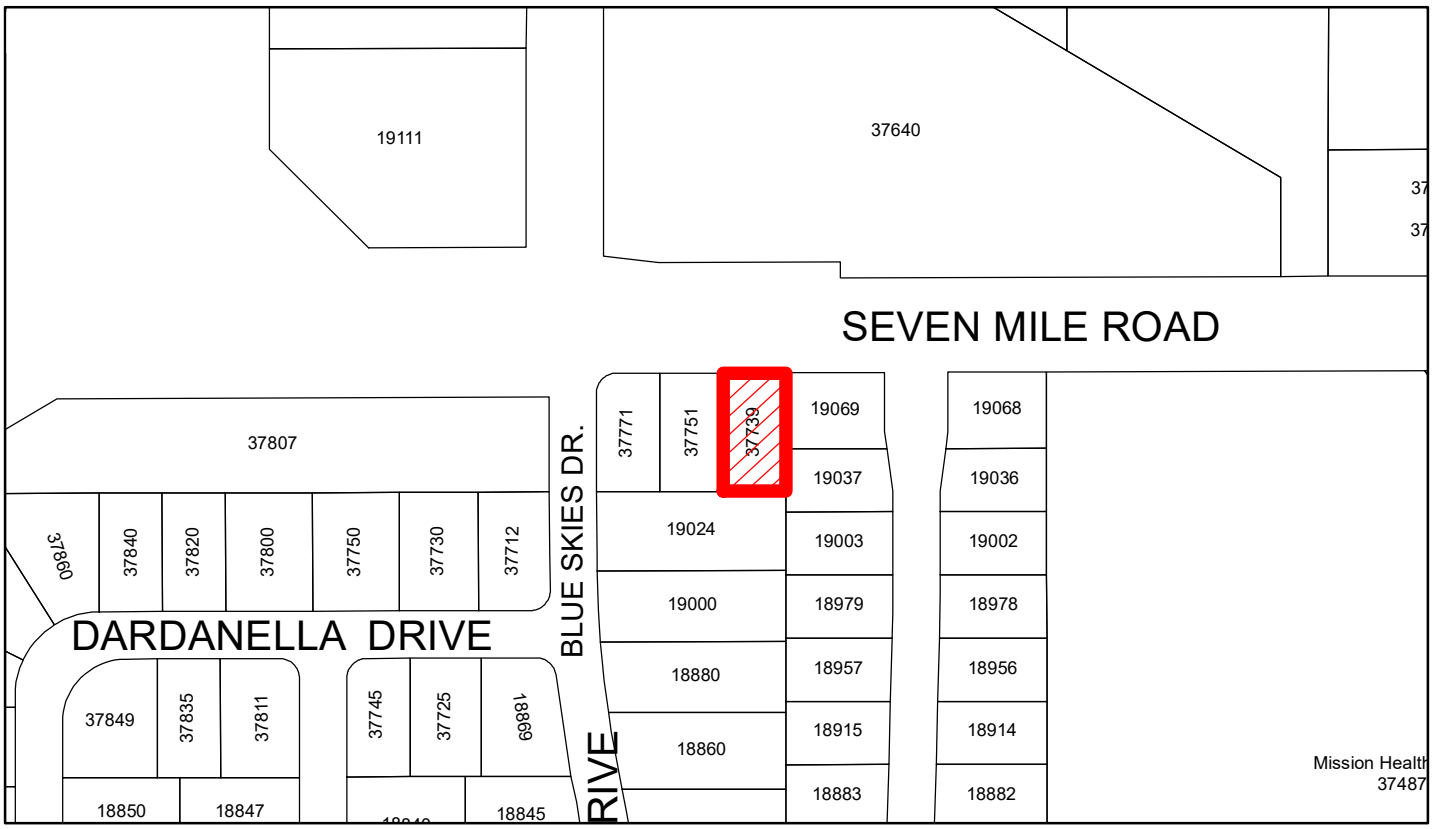


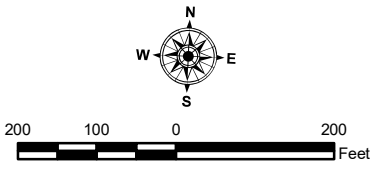
Paul Bernier, City Attorney — Date: November 09, 2023



Maureen Miller Brosnan, Mayor — Date: November 09, 2023

BOUNDARY OF DISTRICT AS AMENDED FROM N2, NEIGHBORHOOD TO C-1, LOCAL BUSINESS

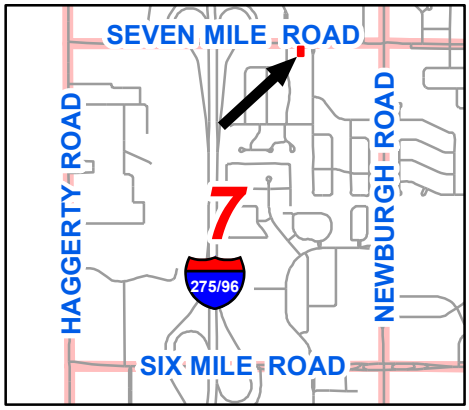




PETITION NO. 2023-09-01-05
A PART OF THE N.E. 1/4 OF SECTION 7

AMENDMENT NO. TO
THE LIVONIA ZONING MAP
CITY OF LIVONIA, MICHIGAN
ORDINANCE NO.

Adopted by the City Council on



_____ MAYOR

_____ CLERK

AN ORDINANCE AMENDING SECTION 7 OF THE ZONING MAP OF THE CITY OF LIVONIA AND AMENDING ARTICLE III OF LIVONIA ZONING ORDINANCE, AS AMENDED, KNOWN AND CITED AS "THE CITY OF LIVONIA ZONING ORDINANCE" BY ADDING SECTION 3.____ THERETO.

THE CITY OF LIVONIA ORDAINS:

Section 1. Pursuant to the report of the City Planning Commission, dated October 18, 2023, setting forth its resolution 10-60-2023 recommending approval of Petition 2023-09-01-05, having been considered by the Council, and the Council having conducted a public hearing on November 8, 2023, on said petition, and having concurred in the recommendation of the City Planning Commission, the Council hereby adopts said Petition 2023-09-01-05 to amend the Zoning Ordinance and Zoning Map of the City of Livonia and all proceedings heretofore conducted on said petition are hereby approved.

Section 2. Article III of the City of Livonia Zoning Ordinance, as amended, is hereby amended by adding thereto the following section:

Section 3. __. Petition 2023-09-01-05 submitted by Matick Construction L.L.C. is hereby approved, and the zoning classification of the premises hereinafter described is hereby changed from N2 (Neighborhood) to C-1 (Local Business):

> Land situated in the City of Livonia, County of Wayne, State of Michigan, described as follows:
>
> 07A1 Melody Manor T1S R9E L72 P 43 WCR Lot 1
>
> and the Northeast 1/4 of Section 7 of the Zoning Map is hereby amended to conform to the changes made in this section.

Section 4. The attached map designated "Amendment No. ___ to the Zoning Map of the City of Livonia" showing all of the amendments and changes made in the foregoing Section 2 of this ordinance is hereby approved, established and made a part hereof.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 6. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

_____

CITY OF LIVONIA
PUBLIC HEARING

Minutes of Meeting Held on Wednesday, November 8, 2023

A Public Hearing of the Council of the City of Livonia was held at the Livonia City Hall Auditorium on November 8, 2023.

MEMBERS PRESENT: Jim Jolly, President
Laura Toy, Vice President
Rob Donovic
Kathleen McIntyre
Scott Morgan

MEMBERS ABSENT: Scott Bahr
Brandon McCullough

OTHERS PRESENT: Paul Bernier, Assistant City Attorney
Mark Taormina, Planning and Economic Development Director
Sara Kasprowicz, Recording Secretary

The Public Hearing was called to order at 7:00 p.m. with Council President Jim Jolly presiding. This item is regarding Petition 2023-09-01-05 submitted by Matick Construction L.L.C. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 37739 Seven Mile Road, located on the south side of Seven Mile Road between Blue Skies Drive and Glengarry Drive in the Northeast ¼ of Section 7, from N2 (Neighborhood) to C-1 (Local Business).

This item will be moved to the Regular Meeting of **December 4, 2023**.

The Public Hearing is now open. There were approximately 3 persons in the audience.

Jolly Mr. Taormina, can you give us an introduction here?

Taormina Thank you. Again, this is a rezoning request involving property that is on Seven Mile Road just east of Blue Skies Drive. This parcel consists of a single lot, lot one of Melody Manor subdivision. Melody Manor was planted in 1950 lot one has about eight feet of frontage on Seven Mile Road and has a depth of 150 feet. The total lot area is 12,000 square feet. The property contains a house and an inground pool, both dilapidated and scheduled for demolition by the city. Surrounding this property immediately to the west are lots two and three of Melody Manor subdivision. These are both zoned C-1. These lots were rezoned and developed in 2006 and 2007. They are subject of a conditional zoning agreement. Lots one and two, immediately adjacent to the site, you'll notice they are the only lots within the subdivision that only have frontage on Seven Mile Road. So, what's unique about this lot and a lot immediately

to the west is, you'll notice, at least on this map, but if you look at the entire subdivision, they're the only two lots that have frontage on Seven Mile Road, where it is limited to Seven Mile Road. To the east and west are residential properties and are part of the subdivision and then north across Seven Mile Road is vacant property. The reason for the rezoning, this zoning change would facilitate the future development of a general professional office building that would be used mainly for sales and marketing in connection with a commercial contractor called Matick Construction. Preliminary site plans submitted show about a 2600 square foot building. You can see it's on the west side of the lot. And then just to familiarize with this plan, so this is the existing office building to the west of this property. The property we're looking at is right here. So, this gray rectangular shape would be the building that would be situated on the property. You can see the parking lot is about 13 parking spaces, is immediately to the east or on the east half of the site. Access would be limited to single drive-off on Seven Mile Road. According to the petitioner, no commercial vehicles would be parked there. The company's other location is on Amrhein Road within Livonia. The building setback is showing that at least on this conceptual plan, are 16 feet from Seven Mile Road, 20 feet from the south property line, 60 feet from the east property line and 8 feet from the west property line. So, all the setbacks, at least conceptually shown in this plan, do meet the zoning regulations. The petitioner has voluntarily offered a conditional zoning agreement. This would restrict the future use of the property general office. There was a draft agreement included in your packet and that agreement was modeled after the one that was approved for the adjacent property. Planning Commission has recommended approval of the zoning change. And with that, Mr. Chairman, Mr. President, I'll answer any questions you may have.

Jolly Thank you. Are there any questions from the Council? Mr. Donovic?

Donovic Thanks, Mr. President. The rendering that was provided to us, Mark, is it a true rendering? Is that what they're expecting the building to look like or was it just something that they threw on there?

Taormina I think this is an example. I'm gonna let the petitioner describe to you what his vision is for property, should the zoning move forward.

Donovic Thank you, Mr. President.

Jolly To the petitioner. Please come to the podium. Can you give us an introduction as to what your plans are?

Dinatali Yeah, Justin Dinatali, with Matick Construction. Looking to rezone 37739 Seven Mile to C-1. We're looking for a one-story building, 2600 square feet. This is kind of our inspirational photo right now. We've got an architect who created the site plan. And we're open to recommendations for facade layout. I know the city of Livonia has a certain look and feel that

they go for, for the commercial properties within Livonia. And we're very flexible in that manner. But we want something that's going to draw eyes and let everyone know that we're a construction company and kind of give a little bit of a flair to draw eyes and give some curb appeal compared to what's there currently. But we are flexible. So, we're not that set on this design.

Jolly If this move forward from this hearing, with a pending or expected approval, would you have those the architectural plans done for a site plan in the near future?

Dinatali Yes.

Jolly Okay. Vice President Toy.

Toy Thanks, Mr. President. To the petitioner through the Chair, how long have you been in business?

Dinatali 14 years. I was actually born and raised in the neighborhood right behind this property.

Toy So you knew where to buy. Where did you go to school?

Dinatali I went to Stevenson High School and Schoolcraft.

Toy Good for you. What kind of construction do you do, sir?

Dinatali Commercial Construction, no residential. For the last 14 years we've we've stepped to commercial and our current shop on Amrhein is where we do the construction related activities. That's where our vehicles are parked, that’s where we have shop space. Our intentions for this building are to house our executives, the other owner who's working at the other business, that's my Uncle Jim Matick, who started the company 14 years ago, Matick Construction. We plan to have himself, myself and our sales and marketing team within this building for strictly sales and marketing related activities.

Toy So how many do you employ full time, seasonal or whatever?

Dinatali Currently, right now, we have five W-2 employees. As a general contractor, we have hundreds of subcontractors with our logo in the area.

Toy Good for you. Thank you so much.

Jolly Mr. Donovic.

Donovic Thank you, Mr. President. Mr. Taormina, can you explain, this building has been condemned by the city of Livonia and is slated to be demoed. Can you give us an update on that, where the demolition is?

Taormina Yeah. So, the bids for the demolition work went out. They are scheduled their out for bid and I think next week is their bid opening. So, the city is moving forward with plans to demolish the structures on this property.

Donovic I know you guys are commercial construction. Personally, my preference you guys are not planning to bid to demo this building and get paid by the city are you?

Dinatali We think that we could save the city a significant amount of money by doing demolition. So, I did submit a bid to Mr. Hanna, but ultimately, that's your decision. I just think that, you know, being a family-owned small business in the city of Livonia and knowing that this is going to be our property, and the lien is ultimately going to be put on me, or the current owner. We submitted a pretty favorable bid for the demolition.

Donovic Mr. Bernier, is that a conflict of interest? I'm trying to wrap my mind around this. So, the petitioner is buying the building and has to have a demo. The building has to be demoed. The building has to be demoed to be able to get a plan approved on it eventually, and then the person buying it is bidding on it and he would be getting paid by the city to bid on the building that needs to be knocked down. Is there some sort of conflict here? It's hard to explain.

Bernier It's my understanding that they don't own the property at this time. So, in other words, they would just be bidding as a contractor for the demolition of it. Whatever cost is involved in it is going to go on the taxes at that closing time, then it's going to come out of the proceeds that the purchase the seller would get. So ultimately, it's not going to cost the city a nickel either way. And ultimately, it's probably not going to affect them either because they're going to buy the property.

Donovic So long as this gets rezone and approved, I'm assuming it's contingent upon…

Bernier I don't see a conflict. I understand what you're saying, but bottom line is, none of its going to come out of the city's pockets either way, because it's going to come out of the sale. That's going to come out of the sale of the building, and I'm sure the sale of the building is going to be factored by how much they have to be paid to knock it down. Obviously, there's other taxes. So, I don't I don't see a problem with it.

Donovic Thank you, Mr. President. Thanks, Mr. Bernier.

Jolly Vice President Toy.

Toy Just one last question to you, sir. Are you related to the Matick family that has the Chevy dealership on Schoolcraft there, is that your uncle?

Dinatali He's my great uncle. Jim’s grandfather, oh, great uncle.

Toy I'm going to offer an approving. It's nice to see people that live in Livonia, that will do business in Livonia and make a concerted effort to make the kind of offers you're making in regards, and that's not up to us, but others within our city. So, thank you very much.

Jolly Again, if there's nothing else from Council. I'd like what you said, to make this a showpiece for what you are. And I think that site deserves that coming from where it is now, to be something else that's a draw for good sites. Okay. With that being said, there is no one here for public comment and we will close the public hearing. Thank you very much. Appreciate everything and we'll see you soon.

As there were no further questions or comments, the Public Hearing was declared closed at 7:11p.m.

LETTER TO THE LIVONIA CITY COUNCIL

Planning
October 18, 2023

MEETING DATE	PREPARED BY
	Stephanie Reece, Program Supervisor,

AGENDA ITEM

Petition 2023-09-01-05 submitted by Matick Construction L.L.C. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 37739 Seven Mile Road, located on the south side of Seven Mile Road between Blue Skies Drive and Glengarry Drive in the Northeast ¼ of Section 7, from N2 (Neighborhood) to C-1 (Local Business).

BACKGROUND DETAILS

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

October 18, 2023

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2023-09-01-05 - Matick Construction

Dear Council Members:

At the 1,205th Public Hearings and Regular Meeting held by the City Planning Commission on October 17, 2023, the following resolution was adopted:

1. The Petitioner has agreed to voluntarily offer a conditional zoning agreement under MCL 125.3405 of the Michigan Zoning Enabling Act, Act 110 of 2006, which will include a statement of conditions that will limit the use of the property for general office purposes only.

2. Changing the zoning of the property to C-1, Local Business, and restricting the use to a general office is appropriate given the unique circumstances of this property, including its size and location.

3. Development of the site consistent with the conceptual plan presented by the Petitioner would be compatible with the surrounding neighborhood and an enhancement.

4. The proposed zoning change represents a reasonable and logical plan for the subject property that adheres to sound land use planning principles.

SPECIFIC NAME OF PRODUCT AND NUMBER TO BE PURCHASED (if more than one)

CONTRACT: Amount and/or purchase price and length of contract (with dates if applicable)

DETAILED WORK BEING PERFORMED

November 8, 2023

FISCAL CONSIDERATIONS (Amount requested and Account(s) used. If applicable, Grant Funding information)

ACCEPTANCE OF BID (Please detail the following: Why accepted, why not lowest bidder, company name, contact person, full address)

REASON TO WAIVE BID PROCESS (Emergency, Professional services, No advantage to City and why, Consortium package, etc):

ATTACHMENTS

1. 2023-09-01-05_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development Director — Date: October 18, 2023



Maureen Miller Brosnan, Mayor — Date: October 19, 2023

Petition 2023-09-01-05 submitted by Matick Construction L.L.C. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 37739 Seven Mile Road, located on the south side of Seven Mile Road between Blue Skies Drive and Glengarry Drive in the Northeast ¼ of Section 7, from N2 (Neighborhood) to C-1 (Local Business).

REZONING APPLICATION
CITY OF LIVONIA, MICHIGAN

All applications must be presented in quadruplicate to the City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097. Applications **must** include property owner's name, address and notarized signature. You are invited and encouraged to review your proposal with the Planning Department staff.

Date Filed: 08/30/2023 Petition 2023-09-01-05

Site Address: 37739 SEVEN MILE RD. Sidwell 025 01 0001 000

Requesting To Rezone Property From R3 To C1

For the Following Reason (s) 2,600 SF OF OFFICE SPACE FOR MATICK CONSTRUCTION

Applicant: JUSTIN DINATALE Business/Company: MATICK CONSTRUCTION

Applicant's Address: 36959 AMRHEIN City: LIVONIA State: MI Zip Code: 48150

Applicant's Phone # (734) 497-6635 Applicant's Email JUSTIN@MATICKCONSTRUCTION.COM

For fee computation, see attached Fee Schedule **Please provide the following information:**

RECEIVED
SEP 14 2023
CITY OF LIVONIA
PLANNING COMMISSION

1) **Legal Description** of the property to be considered. Paper copy must be clearly printed.

2) **Fully Dimensional Map (3 copies)** drawn at an appropriate scale, with a north arrow, dated & legend key to symbols and showing:
   - The land that would be affected by the proposed amendment.
   - The dimensions, square footage & acreage of the land.
   - The existing conditions of the site, including all structures & parking layout.
   - A legal description of the land to be rezoned.
   - All public and private right-of-ways & easements bounding & intersecting the site.
   - A preliminary plan showing the proposed land use(s) of the land under consideration.
   - The zoning classification of all abutting zoning districts.
   - The structures and existing land uses on all property adjacent to the subject parcel and on other such property as may, in the City Planner's determination, be necessary to properly reflect the existing character of the surrounding neighborhood.

3) A copy of the Fully Dimensional Map submitted in a pdf. format either on a CD or it can be emailed to Planning@livonia.gov

Owner of Property: KAREN ANN LORING

Owner's Address: 21555 HAGGERTY City: NOVI State: MI Zip Code: 48375

Owner's Phone # 248 533-9387 Owner's Email SUNTZ1776@gmail.com

Signature of Owner: Karen Ann Loring Print Name: KAREN ANN LORING

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

on this 12th day of May 20 23.

Signature of Notary Alyssa M. Craigie My commission expires 09/25/2029.

ALYSSA MARIE CRAIGIE
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Sep 23, 2029
ACTING IN COUNTY OF Oakland.

APPROVED AS FORM
Department of Law

By: Sonja Michael E. Fisher

Date: 9/12/2023

UNAPPROVED MINUTES

MINUTES OF THE 1,205th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, October 17, 2023, the City Planning Commission of the City of Livonia held its 1,205th 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:	Wafa Dinaro	David Bongero	Sam Caramagno
	Glen Long	Peter Ventura	Ian Wilshaw

Members absent: None

Mr. Scott Miller, Planner IV, 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 2023-09-01-05 Matick Construction

Mr. Caramagno, Secretary, announced the first item on the agenda, Petition 2023-09-01-05 submitted by Matick Construction L.L.C. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 37739 Seven Mile Road, located on the south side of Seven Mile Road between Blue Skies Drive and Glengarry Drive in the Northeast ¼ of Section 7, from N2 (Neighborhood) to C-1 (Local Business).

Mr. Miller: This parcel measures 80 feet along Seven Mile Road and has a depth of 150 feet and is therefore 12,000 square feet in size. It currently contains a residential house and an in-ground pool. The change of zoning would facilitate the development of an office building. To the west is an office building occupied by a Farmers Insurance Agency that is zoned C-1. To the east and south are residential homes zoned N2 and to the north across Seven Mile Road, is vacant property that is zoned RUF. The existing house and pool would be removed as part of the redevelopment. The preliminary site plan shows a 2,600 square foot building on the west half of the site and on the east half of the site would be a parking lot. Access to the site would be by a single drive off a Seven-Mile Road. General office is considered a permitted use in C-1 zoning. If this rezoning is approved, the development of this office building would be required to go through the site plan approval process. That is the extent of this petition.

Mr. Wilshaw: Okay, thank you, Mr. Miller. Is there any correspondence from departments?

Mr. Uhazie: Yes. The first item is from the Engineering Division, dated September 18, 2023, 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 rezoning at this time but would like to note the following items: 1. The subject parcel is assigned the address of #37739 Seven Mile Road. Once drawings have been submitted for permits, the Engineering Department will assign additional addresses if needed. 2. The legal description included with the submitted drawings appears to be correct and should be used in conjunction with this project should the rezoning be approved. 3. The existing parcel is currently serviced by public sanitary sewer, water main and storm sewer. The submitted drawings do not include any information regarding proposed services to the buildings, but we do not believe there will be any negative impacts to the system with the proposed usages. 4. The proposed development will be required to meet the Wayne County Stormwater Ordinance. The submitted drawings do not indicate any storm sewer information, but the developer will need to obtain storm sewer permits through the Wayne County Department of Public Service prior to construction. 5. Any work within the Seven Mile Road right-of-way will require permitting through Wayne County."* The letter is signed by David W. Lear,

P.E., Assistant City Engineer. The next letter is from the Finance Department, dated September 20, 2023, which reads as follows: *"I have reviewed the addresses connected with the above noted petition. The following amounts are due to the City of Livonia: $895.12 Unpaid Water and Sewer charges"* The letter is signed by Connie Kumpula, Chief Accountant. This has been paid on September 25, 2023. It has been resolved. The next letter is from the Treasurer's Department, dated October 1, 2023, 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 taxes due, and they are delinquent. ALL taxes for this location that are on the 2023 tax roll will need to be paid before the demolition of the building."* The letter is signed by Lynda Scheel, Treasurer. There has been an update to that, and the taxes were paid on October 3, 2023. That is it.

Mr. Wilshaw: Okay, are there any questions from any of our commissioners for our planning staff? I don't see any questions from commissioners. Is our petitioner in the audience? Please come forward to the podium. We'll ask that you start with your name and address for the record.

Justin DiNatale, 37739 Seven Mile Road, Livonia, MI.

Mr. Wilshaw: Thank you for coming tonight. I do want to remind both the petitioner and my fellow commissioners that this is a rezoning request, and the primary focus tonight should be on zoning issues. Although I do know you've submitted some preliminary conceptual building layouts and stuff like that to us as well. So, I just want to acknowledge that.

Mr. DiNatale: Yes, correct. The architect is actually here tonight if you have any questions.

Mr. Wilshaw: Okay. Great. Thank you. What else would you like to tell us about your petition that you haven't already heard from our planning staff?

Mr. DiNatale: Nothing other than what we talked about in the study meeting. I mean, we're just a growing commercial general contractor here in Livonia. Born and raised in Livonia and want to continue to grow within Livonia. Right now, we have a shop on Amrhein Road. All commercial construction activities, including our trades or commercial vehicles, and any construction related activities are going to remain at the Amrhein Road location. The

purpose of this property, that we wish to rezone, is to house our sales and marketing and executives, which will not be driving commercial vehicles and will only be doing office type related activities. It'll simply be maintained as an office building and I did review the conditional rezoning verbiage that was sent to me by Mark Taormina, and we are completely flexible and willing to accept the conditional rezoning.

Mr. Wilshaw: Okay. And just for everyone's benefit, the discussion around conditional zoning was brought up in relation to this user having this particular zoning for the property, and if this user was to perhaps move to a bigger office or need to relocate or whatever, what would happen to this property if you were to leave and what you're proposing is to offer a voluntary conditional letter saying that this zoning would be tied to your use of this property and that if you were to leave this property, then the zoning could revert back to its former condition. So, I just wanted to acknowledge that, so thank you. If there's any questions from any of our commissioners for the petitioner? Ms. Dinaro.

Ms. Dinaro: Justin, what's the timing on the demolition of the vacant house that's there?

Mr. DiNatale: So, I know that the City of Livonia…it was voted that the current owner, which is Miss Loring, would have to demo the property within 60 days, otherwise there'd be a lien on the property. Matick construction submitted a bid to the City of Livonia for the demolition of the property, which we have not heard back on, but we are going to demo it as soon as, you know, basically, our purchase agreement is contingent on the rezoning of the property at the moment. So, if the property is clear to rezone, we plan on demolition immediately. We've already got all the crew in place to do such.

Ms. Dinaro: Great.

Mr. Wilshaw: Thank you, Ms. Dinaro. Any other questions for the petitioner? Mr. Bongero.

Mr. Bongero: I think at the study meeting, you said you did speak with the neighbors.

Mr. DiNatale: Yes.

Mr. Bongero: And they're in favor?

Mr. DiNatale: Yeah. I actually grew up in the neighborhood. Yeah, and everyone's excited to see the blight that exists there today go away, at least the people I spoke to.

Mr. Bongero: Okay. That's all. Thank you.

Mr. Wilshaw: All right. Any other questions from any of our commissioners? Mr. Caramagno.

Mr. Caramagno: I know when we spoke about the rezoning of this property, there was some question about what would be required as a barrier around this property. Would there be a vinyl fence or a concrete wall? What have we found out about that? And would that be part of the agreement going forward?

Mr. DiNatale: Yeah, I think we prefer to do a vinyl fence rather than any other material just in terms of aesthetics being that it backs up to a neighborhood. And then we're, I think that's, that's something that would go through the planning review when we submit our plans for the property, but we're flexible. You know, we don't have any hard stops on facade requirements, the fencing, etc. So, we're willing to accommodate city of love on his request. But right now, our plan is for a vinyl fence.

Mr. Caramagno: Okay, Mr. Chairman, for the planning commissioners, is that a requirement when you put a commercial property next to residential, you have to have some sort of barrier?

Mr. Miller: Right, right. You have to have a protective wall, greenbelt, or in this case, you could do a fence if that's what the neighbors want.

Mr. Caramagno: Does that choice lie with the developer or the builder, or is that a…is that a choice that is understood between the two parties?

Mr. Miller: That is up to you guys too during site plan approval. If you guys approve a fence.

Mr. Caramagno: Okay. Thank you. So that's the next step. Thank you.

Mr. DiNatale: And there is fencing that exists there today. But it's all different types of materials. There is metal and vinyl and wood, thank you.

Mr. Wilshaw: Thank you, Mr. Caramagno. Any other questions for our petitioner? I don't see any other questions. Anything else that you'd like to state before we move to our audience members?

Mr. DiNatale: No. Okay. Thank you.

Mr. Wilshaw: Alright. Just take a seat for a moment. We'll see if there's anyone in our audience wishing to speak for or against this petition. You're welcome to come forward and give your thoughts. We do have one person in the audience coming forward at this time. Good evening, sir.

Tim Orow, 19069 Glengarry, Livonia, MI. I live right behind the house. Right on the corner of Glengarry and Seven Mile. Sorry, you never talked to us? So I'm not sure what neighbors…

Mr. Wilshaw: Sir, if you could please talk to us.

Mr. Orow: I never had a conversation with this person. All I saw was a sign outside the property saying it was going to be rezoned. I know absolutely nothing about what is planned for the property, what it would look like. I mean, I had to face that current resident's home for years, and it's always looked like that, and then they took the roof off. But, you know, we were happy to see that it was going to get demolished. So, my concerns are I just don't know what really is planned. Nothing was discussed with us. I don't know what neighbors were consulted about future plans.

Mr. Wilshaw: Okay. What is your thought on what you've heard so far today? Obviously, you're still learning, but what's your opinion in terms of the rezoning and development of this property.

Mr. Orow: There is already a commercial building next door to that. I'm not sure what other options are for that property other than leaving it vacant, which causes other issues. I'm not totally against it. I just…since I backup to it, it would be nice to know what it would look like. Things like that and understand the usage. That's not an issue. It's just not a very wide site, so I don't know how that would get laid out, as far as what is the traffic going to look like. Just, you know, the aesthetics.

Mr. Wilshaw: Sure. Okay, well, let me at least explain, we do have some conceptual ideas of what the…how the property is going to be laid out, the petitioner may be able to give you some of that, so that you can see it. In fact, I think he's handing it to you right now. But for what it's worth, just so you know how this process

works, we're in the zoning process right now to rezone the property from its current residential zoning to this commercial use, which also includes office use. We don't have a separate zoning for office at this point. So that's why their intention is to use it as an office not as a commercial building, if you want to consider it that way. But what we're going to do is make a decision today on the zoning part of the process. Once that happens, then he has to go to the City Council. City Council has to approve that zoning as well and then he's going to come back to us in a separate process called the site plan. And that's where we really get into the nitty gritty of what the building is going to look like, how it's gonna be laid out, the materials, the parking lot, the fencing, all those types of things. So that's the second part. That's the second half of this process, if you will. So, you do have another chance, for what it's worth, to come back and watch that process as well and give your input. So, I just want to share that with you.

Mr. Orow: Yeah and as I said, I'm not opposed. Just surprised.

Mr. Wilshaw: You just want to you want to learn more about it, too.

Mr. Orow: Yeah, it does affect us in some regards, especially being close proximity. Definitely understand any, obviously, anything is an improvement.

Mr. Wilshaw: Well, thank you.

Mr. Wilshaw: Thank you for your comments, sir. Anyone else in the audience wishing to speak on this item? either for or against? If not, the petitioner certainly has a chance to make a last comment if he wants to. I think he's already had a chance to make comments. Is there anything else you wanted to add?

Mr. DiNatale: No, but again, we're very flexible. Very flexible, and, you know, happy to give out my information and discuss offline as well. The neighbors that I spoke to received this piece of paper with a description of what we're looking to do and the picture of the rendering.

Mr. Wilshaw: Okay, great. And I appreciate you providing that to this particular resident who obviously didn't get that. So that's good.

Mr. DiNatale: Thank you.

Mr. Wilshaw: Thank you. All right. If there's no other comments, I can close the public hearing and a motion would be an order from the Commission.

On a motion by Bongero, seconded by Dinara, and unanimously adopted, it was

#10-60-2023 ***RESOLVED***, That the City Planning Commission does hereby recommend to the City Council that Petition 2023-09-01-05 submitted by Matick Construction L.L.C. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 37739 Seven Mile Road, located on the south side of Seven Mile Road between Blue Skies Drive and Glengarry Drive in the Northeast ¼ of Section 7, from N2 (Neighborhood) to C-1 (Local Business)., be approved subject to the following conditions:

1. The Petitioner has agreed to voluntarily offer a conditional zoning agreement under MCL 125.3405 of the Michigan Zoning Enabling Act, Act 110 of 2006, which will include a statement of conditions that will limit the use of the property for general office purposes only.

2. Changing the zoning of the property to C-1, Local Business, and restricting the use to a general office is appropriate given the unique circumstances of this property, including its size and location.

3. Development of the site consistent with the conceptual plan presented by the Petitioner would be compatible with the surrounding neighborhood and an enhancement.

4. The proposed zoning change represents a reasonable and logical plan for the subject property that adheres to sound land use planning principles.

FURTHER RESOLVED**,** That notice of the above hearing was given in accordance with the provisions of Section 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended.

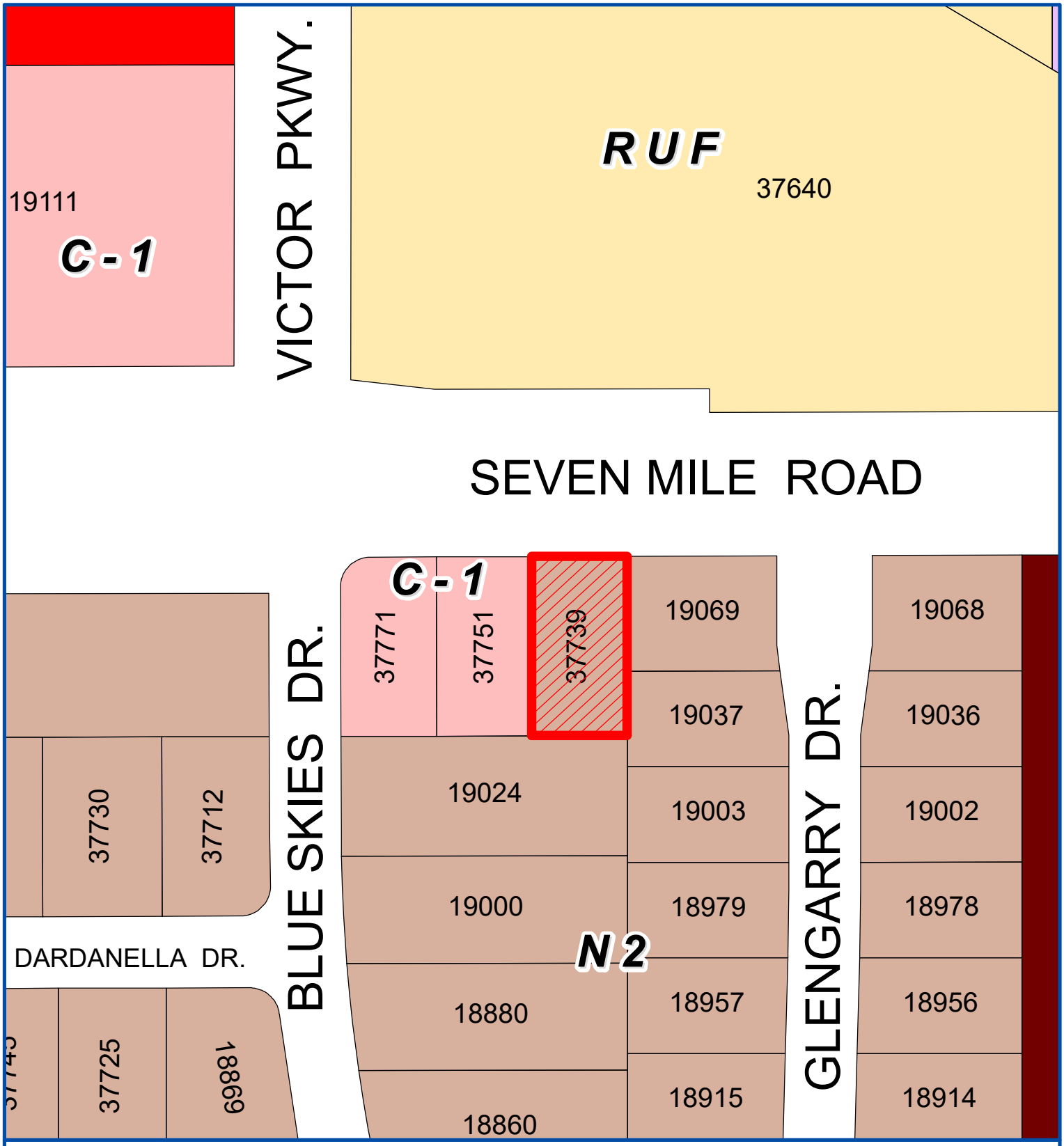
Mr. Wilshaw: Is there any discussion?

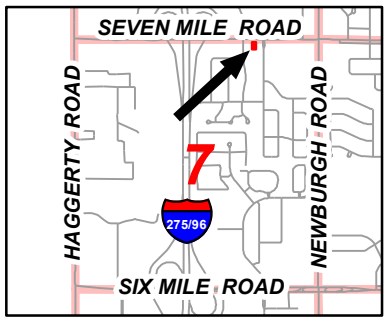
Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with an approving resolution.

Reason for Rezoning Request

Matick Construction is requesting the rezoning of 37739 7 Mile Rd. from R3 to C1 so that we can build a 2,600 sq ft office space to serve as a headquarters for our Livonia based Design/Build Commercial General Contracting firm. The space will house 5 executives of Matick Construction, there will not be any commercial vehicles on premises, nor will there be any construction related activities taking place within the space once it's finished. The space will simply be used for offices as we will be keeping our current space at 36959 Amrhein Rd. Livonia, MI for our shop space/parking of commercial vehicles. Matick Construction is a family-owned, Livonia based, small business, that has been around for 15 years. We look forward to growing our business in the city we were born and raised in and appreciate your consideration of our request. Below is a rendering of what we would like to build but we are happy to accommodate façade requests from the city of Livonia.







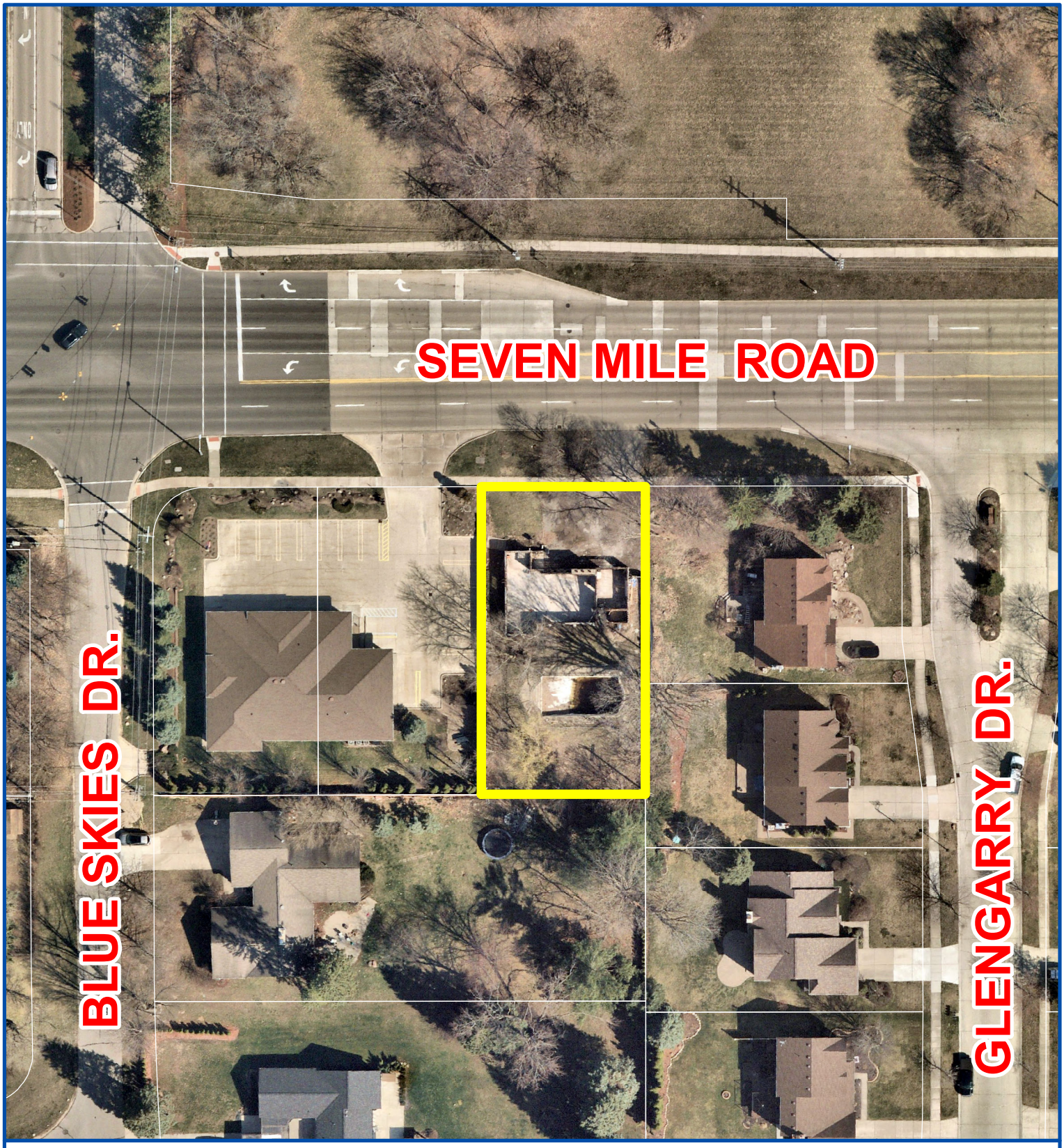
Address & Zoning Map

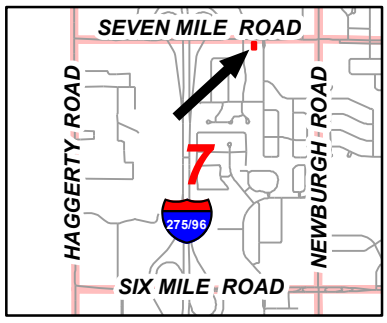
Petition 2023-09-01-05
Matick Construction
37739 Seven Mile Road
N2 to C-1

N

Not to Scale

City of Livonia
Planning Department





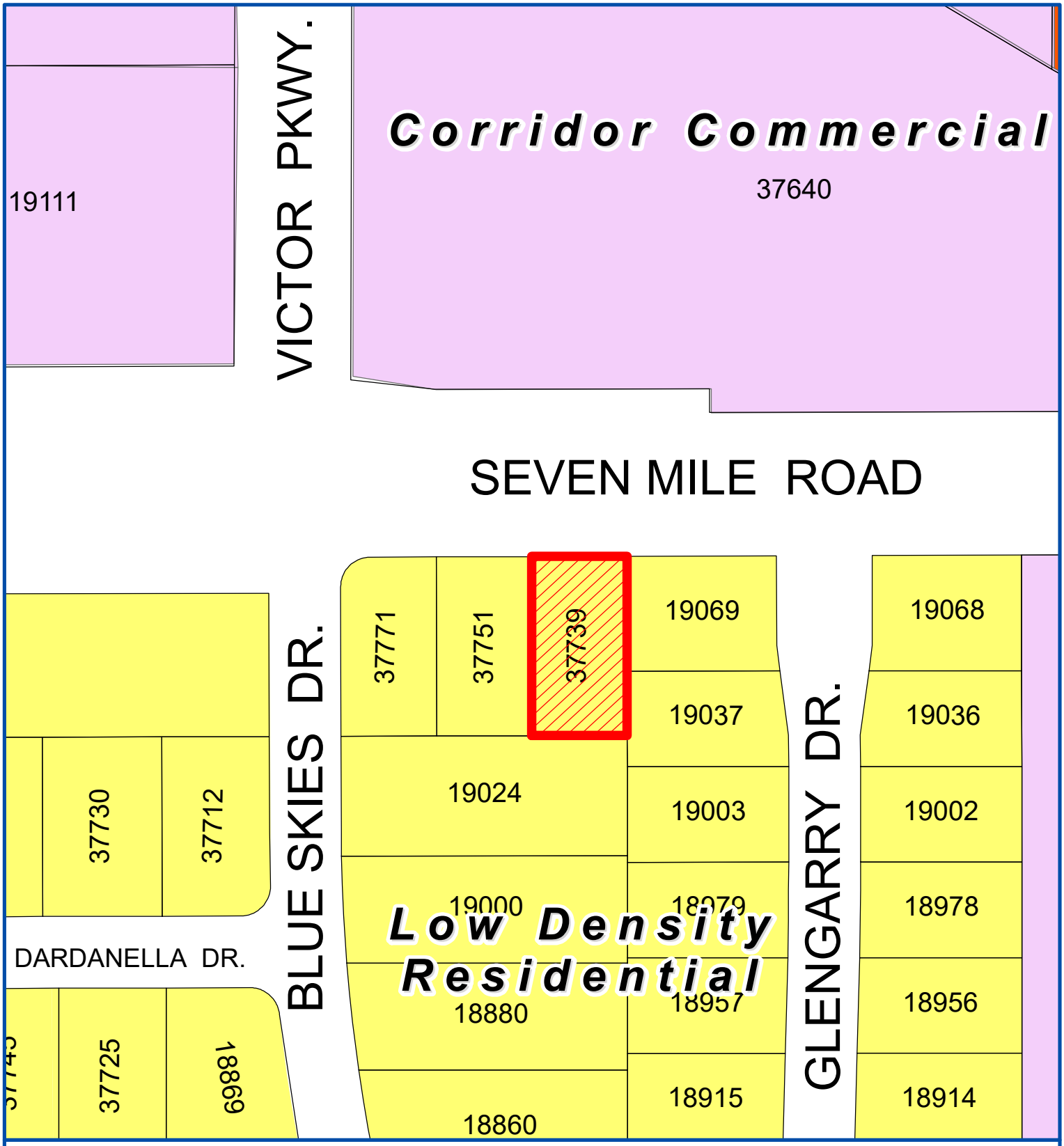
Aerial Map

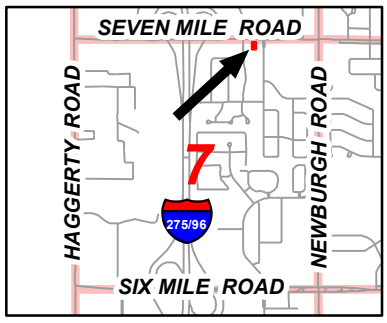
Petition 2023-09-01-05
Matick Construction
37739 Seven Mile Road
N2 to C-1

N

Not to Scale

City of Livonia
Planning Department





Future Land Use Map

Petition 2023-09-01-05
Matick Construction
37739 Seven Mile Road
N2 to C-1

N

Not to Scale

City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PREHEARING

ITEM 1

Petition 2023-09-01-05 submitted by Matick Construction L.L.C. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 37739 Seven Mile Road, located on the south side of Seven Mile Road between Blue Skies Drive and Glengarry Drive in the Northeast ¼ of Section 7, from N2 (Neighborhood) to C-1 (Local Business).

October 10, 2023: Study Meeting:

This rezoning petition involves a parcel on the south side of Seven Mile Road between Blue Skies Drive and Glengarry Drive. The parcel measures approximately eighty feet (80') in width along Seven Mile Road by a depth of 150 feet for a land area of 12,000 square feet or roughly 0.28 acres. The subject property contains a residential house and an inground pool. The change of zoning would facilitate the development of an office building.

A letter accompanying the request explains that the rezoning would allow Matick Construction to build an office building that would serve as the Company's headquarters. Matick Construction is a family-owned company that has been in business for fifteen years. They are a general contractor specializing in commercial remodels, tenant improvements, light industrial spaces, and medical offices and renovations. The envisioned office building would accommodate five (5) executive suites. No commercial vehicles would be parked at this location. Their current location on Amrhein Road would remain their shop, where the Company's commercial vehicles would be kept.

Immediately west of the subject site is an office building occupied by a Farmer Insurance Agency, zoned C-1. To the east and south are residential properties zoned N2. To the north, across Seven Mile Road, is a vacant property zoned RUF, Rural Urban Farm.

The Livonia Vision 21 Future Land Use map designates the subject property as *Low-Density Residential,* corresponding with the existing zoning. The current N2 zoning requires a minimum lot area of 8,400 square feet, a minimum lot width of seven feet (70'), and a minimum depth of 120 feet.

The existing house and pool would be removed as part of the redevelopment of the property. The preliminary site plan shows a 2,600-square-foot building on the west half of the site. A parking lot would occupy the east half of the site. Required parking for a general office building is one (1) space for each 200 square feet of floor area. A structure of this size (2,600 x 80% ÷ 200) would require eleven (11) parking spaces. The preliminary site plan shows thirteen (13) parking spaces. Access to the site would be from a single drive off Seven Mile Road.

In a C-1 district, the minimum required front yard setback for a building is fifteen feet (15'). The proposed building would set back approximately sixteen feet (16') from Seven Mile Road. The minimum required setback for the rear yard is twenty feet (20'); in this case, the office building appears to be approximately twenty feet (20') from the south property line. The minimum side yard setback from the residential district to the east is twenty feet (20'). The

building would be approximately sixty feet (60') from the east property line. Where the property abuts C-1 zoning along the west, the Ordinance allows for a zero-setback subject to applicable building and fire codes. The site plan shows that the building would be setback eight feet (8') from the west property line. The building appears to comply with all minimum required setback regulations.

General office buildings fall under permitted uses in the C-1 zoning district. The office building would need to go through the site plan approval process before development. This procedure requires both Planning Commission and City Council review and approval. During this time, a more intensive study of the plans, including site, landscape, and elevations, would occur.

SKETCH NO. SK-01

PROJECT NAME : MATICK OFFICE

PROJECT NO. : ABD2341

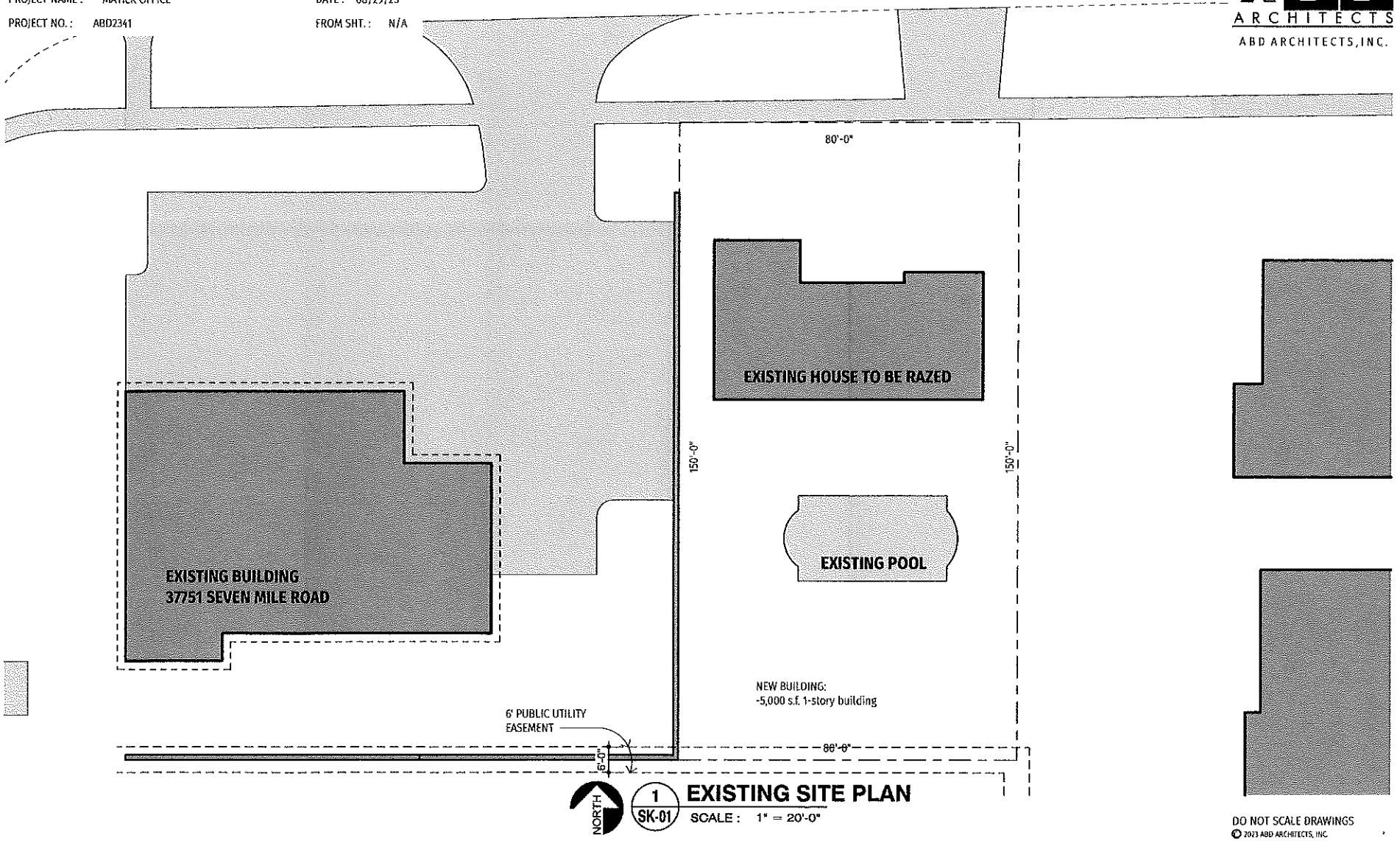
DATE : 08/29/23

FROM SHT. : N/A

SEVEN MILE ROAD 120' R.O.W.

ABD ARCHITECTS

ABD ARCHITECTS, INC.



1 SK-01 **EXISTING SITE PLAN**

SCALE : 1" = 20'-0"

2601 WENDOVER RD. BLOOMFIELD HILLS, MICHIGAN 48302 PHONE (248) 213-6010 WWW.ABDARCH.COM

DO NOT SCALE DRAWINGS

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SKETCH NO. SK-02

PROJECT NAME : MATICK OFFICE

PROJECT NO. : ABD2341

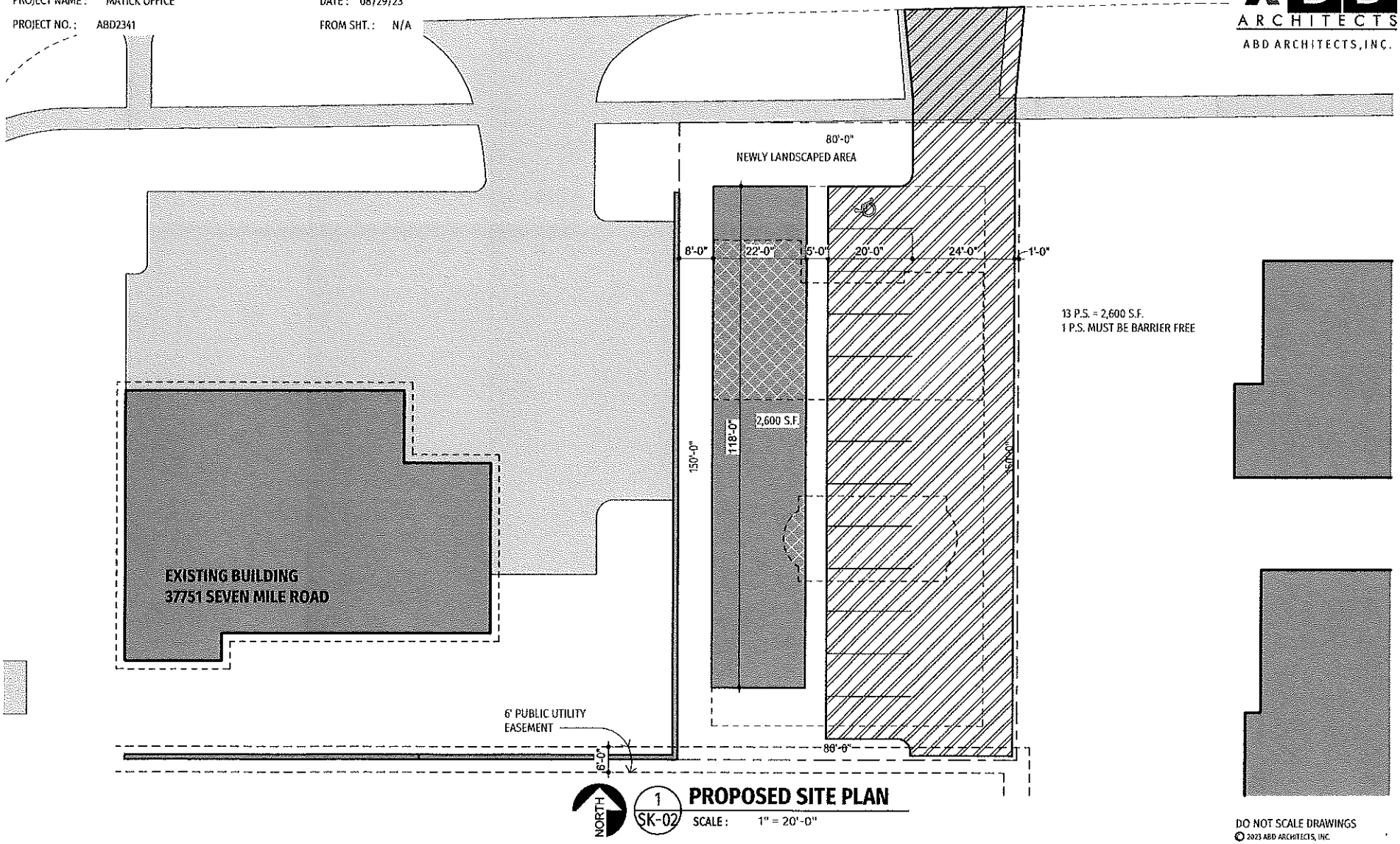
DATE : 08/29/23

FROM SHT. : N/A

SEVEN MILE ROAD 120' R.O.W.

ABD ARCHITECTS

ABD ARCHITECTS, INC.



1 SK-02 **PROPOSED SITE PLAN**

SCALE : 1" = 20'-0"

DO NOT SCALE DRAWINGS

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2601 WENDOVER RD. BLOOMFIELD HILLS, MICHIGAN 48302 PHONE (248) 213-6010 WWW.ABDARCH.COM


Coffin | Renner

CORRESPONDENCE

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

September 18, 2023

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2023-09-01-05 – #37739 Seven Mile 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 rezoning at this time, but would like to note the following items:

1. The subject parcel is assigned the address of **#37739 Seven Mile Road**. Once drawings have been submitted for permits, the Engineering Department will assign additional addresses if needed.

2. The legal description included with the submitted drawings appears to be correct, and should be used in conjunction with this project should the rezoning be approved.

3. The existing parcel is currently serviced by public sanitary sewer, water main and storm sewer. The submitted drawings do not include any information regarding proposed services to the buildings, but we do not believe there will be any negative impacts to the system with the proposed usages.

4. The proposed development will be required to meet the Wayne County Stormwater Ordinance. The submitted drawings do not indicate any storm sewer information, but the developer will need to obtain storm sewer permits through the Wayne County Department of Public Service prior to construction.

5. Any work within the Seven Mile Road right-of-way will require permitting through Wayne County.

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: 2023 Petition File

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

September 20, 2023

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

Petition 2023-09-01-05 - 37739 Seven Mile 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:	$	895.12
Total Due City of Livonia	$	895.12

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

Transaction Statement

Service Address
37739 SEVEN MILE
LIVONIA, MI 48152

Mailing Address

KAREN ANN LORING
21555 HAGGERTY STE 1121
NOVI, MI 48375

Account Number	Amount Due
032503100-001	$895.12

Account Number	From - Through
032503100-001	10/01/2022 - 09/18/2023

Services
Water & Sewer - Metered

Service Address
37739 SEVEN MILE
LIVONIA, MI 48152

Beginning Balance
$871.82

Date	Type	Amount	Description
10/14/2022	Penalty	$87.19	
10/15/2022	Bad Debt	($529.70)	Adjustment Reason: Transfer
12/15/2022	Bill	$69.75	Due Date 01/10/2023
01/13/2023	Penalty	$49.90	
03/15/2023	Bill	$69.75	Due Date 04/10/2023
04/13/2023	Penalty	$61.88	
06/15/2023	Bill	$69.75	Due Date 07/10/2023
07/13/2023	Penalty	$75.03	
09/15/2023	Bill	$69.75	Due Date 10/10/2023

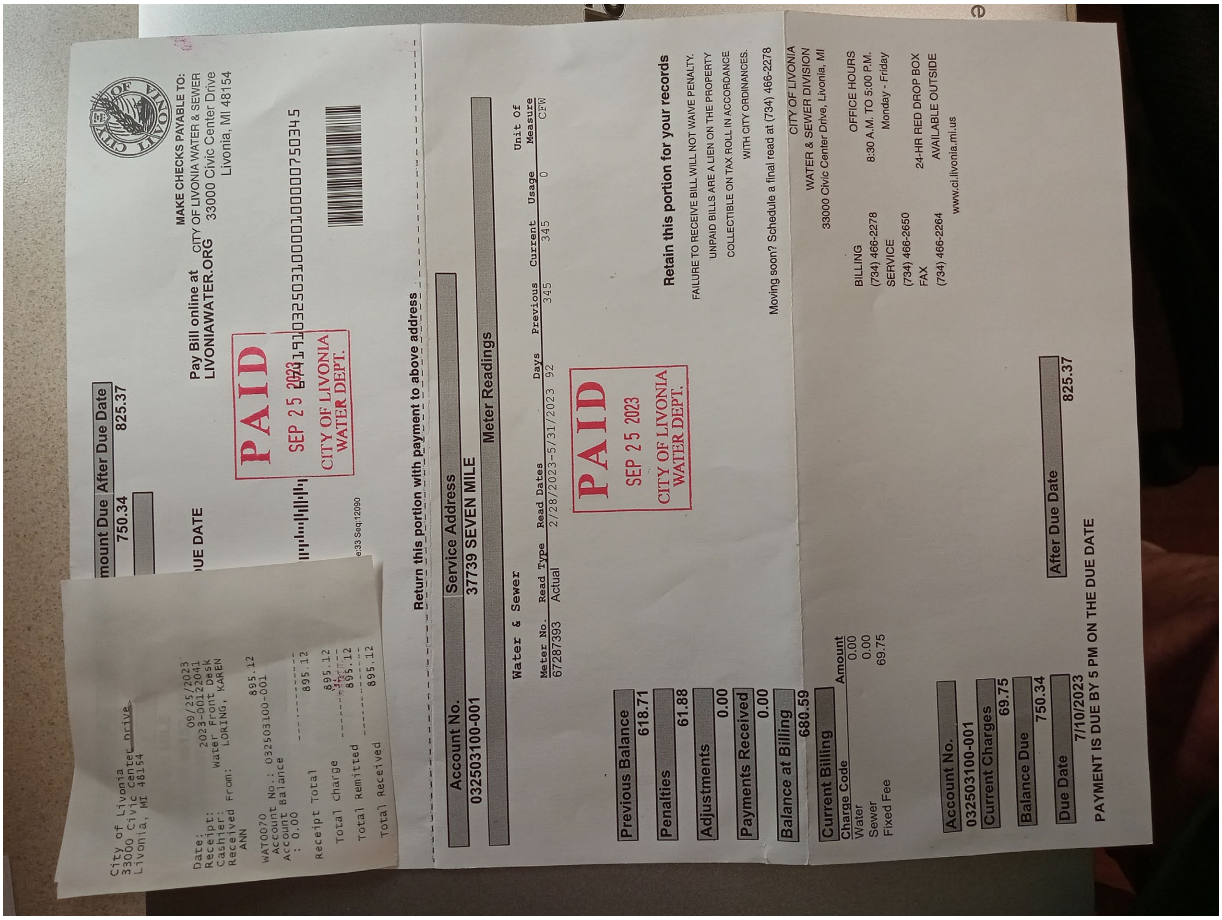
Total Due
$895.12

Transaction Statement

Account Number 032503100-001

From: Justin DiNatale
To: Miller, Scott
Cc: Planning
Subject: Re: FW: Petition 2023-09-01-05 - 37739 Seven Mile Road.pdf
Date: Monday, September 25, 2023 7:40:31 PM
Attachments: CitySeal100x100_8f7d9122-2022-4a3b-86d9-f05a096c6a3c.png
SocialLink_Youtube_32x32_9b8afb50-3b86-4678-b53d-7e423a9d8771.png
SocialLink_Twitter_32x32_a844deab-cb87-48f2-9175-647012b70cfe.png
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SocialLink_Facebook_32x32_15fe2196-de42-486f-ac8c-bd89c9da8fd7.png

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Justin DiNatale
Business Development

Cell: 734-497-6635 | Office: 734-838-5900
36959 Amrhein Rd. Livonia, MI 48150
www.matickconstruction.com

On Mon, Sep 25, 2023 at 8:44 AM Miller, Scott <smiller@livonia.gov> wrote:

> Attached is correspondence from the City's Department of Finance indicating that there are unpaid water and sewer charges due for 37739 Seven Mile Road. The City will not render any decision on your proposed rezoning request until this is resolved. Please email the Planning Department (planning@livonia.gov) a copy of the paid receipt.

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER

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

RECEIVED
OCT 03 2023
CITY OF LIVONIA
PLANNING COMMISSION

October 1, 2023

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

Re: Petition 2023-09-01-05 37739 Seven Mile Road

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 taxes due, and they are delinquent. ALL taxes for this location that are on the 2023 tax roll will need to be paid before the demolition of the building.

Sincerely,

Lynda L. Scheel
Lynda L. Scheel
Treasurer, City of Livonia

LORING KAREN ANN | CITY OF LIVONIA | 2023 Summer | 025 01 0001 000

MESSAGE TO TAXPAYER

VISIT WWW.LIVONIATAX.ORG FOR TAX AND PAYMENT INFORMATION. THIS INFORMATION MAY BE PRINTED DIRECTLY FROM THE WEBSITE. WE RESERVE THE RIGHT TO CHARGE FOR DUPLICATES. WHEN PAYING BY CHECK, INCLUDE YOUR PHONE NUMBER AND PARCEL NUMBER. PLEASE USE ONLY THE 33000 CIVIC CENTER DRIVE, LIVONIA, MI 48154-3060 ADDRESS FOR MAILING CHECK PAYMENTS FOR TAXES.

PAYMENT INFORMATION

This tax is due by: **09/14/2023**

Pay by mail to: CITY OF LIVONIA
TREASURER'S OFFICE
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3060

Do not combine tax payments with other payments due to the City of Livonia. Payment for taxes must be on a separate check.

See reverse side for additional information

PROPERTY INFORMATION

Property Assessed To:
LORING KAREN ANN
37739 SEVEN MILE
LIVONIA, MI 48152

Prop #: 025 01 0001 000 School: LIVONIA PUBLIC
Prop Addr: 37739 SEVEN MILE
Legal Description:
07A1 MELODY MANOR T1S R9E L72 P43 WCR LOT 1

RECEIVED
OCT 03 2023
CITY OF LIVONIA
PLANNING COMMISSION

TAX DETAIL

Taxable Value: 69,644 RESIDENTIAL-
State Equalized Value: 102,800 Class: 401
PRE/MBT %: 0.0000

Sent to: PROPERTY OWNER

DESCRIPTION	MILLAGE	AMOUNT
SCHOOLCRAFT CC	2.27000	158.09
WAYNE CNTY OPER	5.60990	390.69
SCHOOL DEBT	2.05000	142.77
CNTY ISD SPEC ED	3.34430	232.91
STATE EDUCATION	6.00000	417.86
SCH SINKING FUND	0.78830	54.90
SCHOOL OPERATING	9.00000	626.79
CNTY ISD OPER	0.09560	6.65
WCRESA ENHANCE	1.98760	138.42
Total Tax	31.14570	2,169.08
Administration Fee		0.00
Interest:		43.38
TOTAL AMOUNT DUE		2,212.46

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County: OCTOBER 01 - SEPTEMBER 30
Twn/Cty: DECEMBER 01 - NOVEMBER 30
School: JULY 01 - JUNE 30
State: OCTOBER 01 - SEPTEMBER 30
Does NOT affect when the tax is due or its amount

RETAIN THIS PORTION FOR YOUR RECORDS.

The below original stub required for payment processing. Please detach along perforation. Keep the top portion for your records.

Sent to: **PROPERTY OWNER**

Pay this tax to:
CITY OF LIVONIA
TREASURER'S OFFICE
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3060

PLEASE RETURN THIS PORTION WITH PAYMENT OR THE ENTIRE BILL WITH SASE FOR A PAID RECEIPT

This tax is due by: **09/14/2023**
After 09/14/2023 additional interest and fees apply

2023 Summer Tax for Prop #: 025 01 0001 000

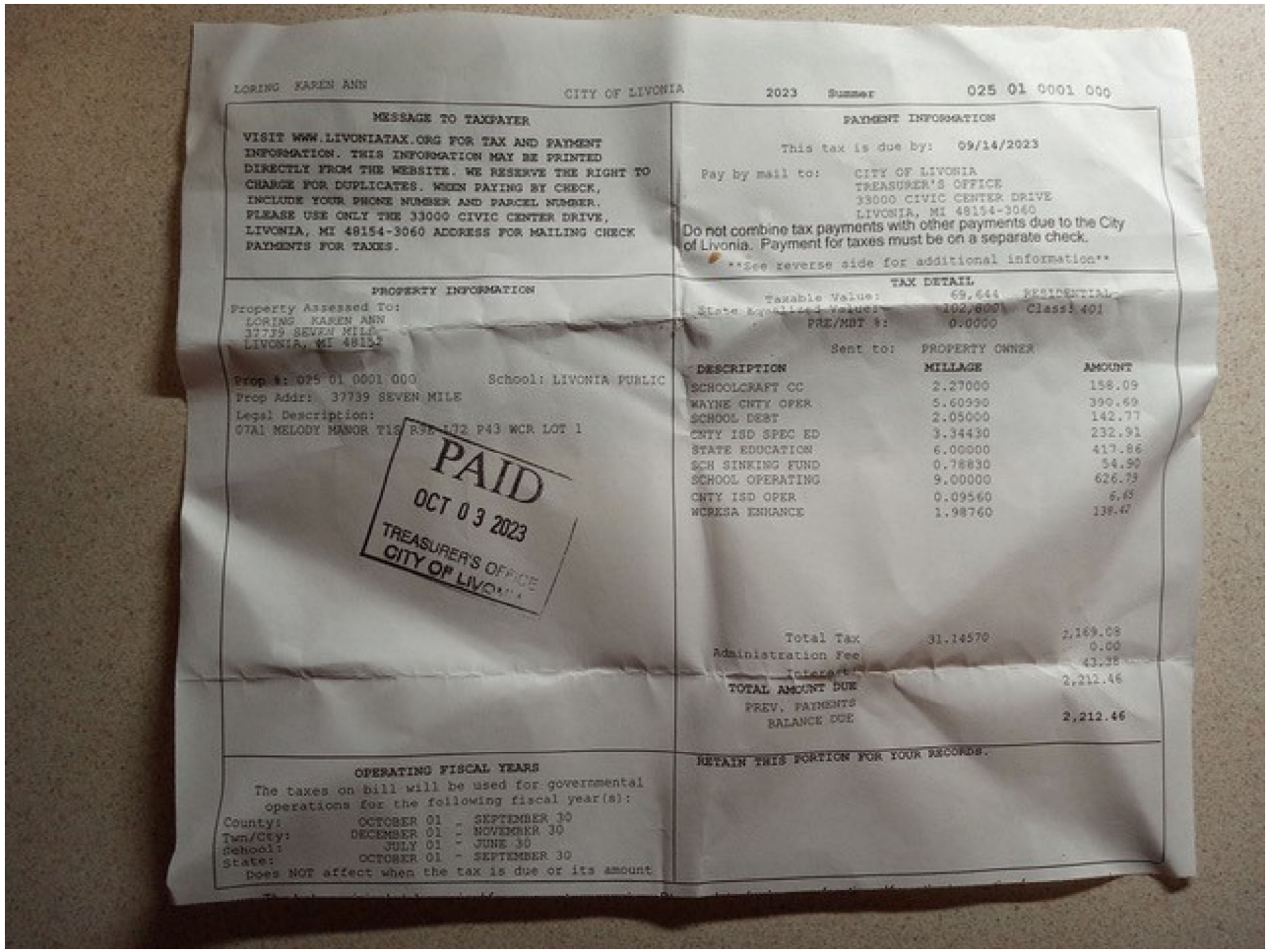
TAXPAYER NOTE: Are your name & mailing address correct? If not, please contact the Assessor's Office. Thank You.
Property Addr: 37739 SEVEN MILE

(Partial payments are accepted)
Make Check Payable To: **CITY OF LIVONIA**

TOTAL AMOUNT DUE: 2,212.46

To: LORING KAREN ANN
21555 HAGGERTY STE 121
NOVI MI 48375

Amount Remitted: _____
Check# _____
Cash _____



LORING KAREN ANN CITY OF LIVONIA 2023 Summer 025 01 0001 000

MESSAGE TO TAXPAYER

VISIT WWW.LIVONIATAX.ORG FOR TAX AND PAYMENT INFORMATION. THIS INFORMATION MAY BE PRINTED DIRECTLY FROM THE WEBSITE. WE RESERVE THE RIGHT TO CHARGE FOR DUPLICATES. WHEN PAYING BY CHECK, INCLUDE YOUR PHONE NUMBER AND PARCEL NUMBER. PLEASE USE ONLY THE 33000 CIVIC CENTER DRIVE, LIVONIA, MI 48154-3060 ADDRESS FOR MAILING CHECK PAYMENTS FOR TAXES.

PAYMENT INFORMATION

This tax is due by: 09/14/2023

Pay by mail to: CITY OF LIVONIA
TREASURER'S OFFICE
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154-3060

Do not combine tax payments with other payments due to the City of Livonia. Payment for taxes must be on a separate check.

See reverse side for additional information

PROPERTY INFORMATION

Property Assessed To:
LORING KAREN ANN
37739 SEVEN MILE
LIVONIA, MI 48152

Prop #: 025 01 0001 000 School: LIVONIA PUBLIC
Prop Addr: 37739 SEVEN MILE
Legal Description:
G7A1 MELODY MANOR T1S R9E L72 P43 WCR LOT 1

PAID
OCT 03 2023
TREASURER'S OFFICE
CITY OF LIVONIA

TAX DETAIL

Taxable Value: 69,644 RESIDENTIAL
State Equalized Value: 102,800 Class: 401
PRE/MBT %: 0.0000

Sent to: PROPERTY OWNER

DESCRIPTION	MILLAGE	AMOUNT
SCHOOLCRAFT CC	2.27000	158.09
WAYNE CNTY OPER	5.60990	390.69
SCHOOL DEBT	2.05000	142.77
CNTY ISD SPEC ED	3.34430	232.91
STATE EDUCATION	6.00000	417.86
SCH SINKING FUND	0.78830	54.90
SCHOOL OPERATING	9.00000	626.79
CNTY ISD OPER	0.09560	6.65
WCRESA ENHANCE	1.98760	138.47
Total Tax	31.14570	2,169.08
Administration Fee		0.00
Interest		43.38
TOTAL AMOUNT DUE		2,212.46
PREV. PAYMENTS		
BALANCE DUE		2,212.46

OPERATING FISCAL YEARS

The taxes on bill will be used for governmental operations for the following fiscal year(s):

County:	OCTOBER 01	- SEPTEMBER 30
Twn/City:	DECEMBER 01	- NOVEMBER 30
School:	JULY 01	- JUNE 30
State:	OCTOBER 01	- SEPTEMBER 30

Does NOT affect when the tax is due or its amount

RETAIN THIS PORTION FOR YOUR RECORDS.

OTHER ITEMS RELATED TO THE PETITION

LETTER TO THE LIVONIA CITY COUNCIL

16.

Law
November 2, 2023

MEETING DATE	PREPARED BY
S110123/R111323/R120423	Brenda Smyser, Program Supervisor,

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Department of Law, re: to Title 12, Chapter 16 (Parks and Playgrounds), Section 010 to change the name of park site AA after the Livonia Lions Club and Devon-Aire Wood Park to John T. Dufour Park.

BACKGROUND DETAILS

At your study meeting of November 1, 2023, you unanimously approved renaming the following Parks:

- Parksite AA to be named after the Livonia Lions Club,
- Devon-Aire Wood Park to John T. Dufour Park, and

Accordingly, the proposed Ordinance amendment reflecting these requested changes is hereby submitted for your consideration and possible adoption.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

First read

ATTACHMENTS

1. S110123 LTC Renaming City parks
2. facility naming guidelines
3. Proposed Ord Livonia Lions Club & John Dufour Park
4. S110123 Renaming City Parks Minutes

APPROVED BY

Date: November 06, 2023

Paul Bernier, City Attorney

Date: November 09, 2023

Maureen Miller Brosnan, Mayor

LETTER TO THE LIVONIA CITY COUNCIL

9.

Parks and Recreation
October 20, 2023

MEETING DATE	PREPARED BY
S110123/R111323	Ann Cox, Program Supervisor,

AGENDA ITEM

REQUEST TO CONSIDER RENAMING CITY PARK SITES: Department of Parks and Recreation, re: in order to recognize the Livonia Lions Club, John T. Dufour, and Ronald Reinke for their contributions to the City of Livonia.

BACKGROUND DETAILS

The Parks and Recreation Commission discussed renaming park sites on September 6, 2023, and October 4, 2023.

#3920-23 **RESOLVED** that the Commission recommends to Council the following parks be renamed:

-Parksite AA to be named after the Livonia Lions Club
-Devon-Aire Wood Park to John T. Dufour Park
-The indoor natatorium at the Jack E. Kirksey Recreation Center to the Ronald R. Reinke Aquatic Center

The Commission wishes to bring forward requests to rename parks after the Livonia Lions Club, John T. Dufour, and Ronald Reinke for their contributions to the City of Livonia and Parks and Recreation.

The Livonia Lions Club has spent several years working with scout and community groups remaking Parksite AA in Section 31. The work has included invasive species removal, trail maintenance, and forestry management. For these reasons, we recommend renaming Parksite AA to Lions Park in their honor.

John Dufour is widely considered the father of Livonia Parks and Recreation. During his time as Superintendent, we acquired most of our park sites, and his vision led to the park system we have today. In searching for places that follow our renaming guidelines, we recommend renaming Devon-Aire Woods Park to John T. Dufour Park.

If John Dufour is the father, Ronald Reinke was the worthy heir to his legacy. Ronald's work gave us the Rec Center, Fox Creek Golf Course, and countless improvements that are still with us today. We recommend renaming our indoor natatorium, the Ronald R. Reinke Aquatic Center.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Parks and Recreation Commission respectfully requests that City Council act upon the Commission resolution and instruct the Law Department to prepare ordinance revisions.

ATTACHMENTS

1. facility naming guidelines

APPROVED BY



Ted Davis, CPRP, Superintendent of Parks and Recreation — Date: October 20, 2023



Paul Bernier, City Attorney — Date: October 20, 2023



Maureen Miller Brosnan, Mayor — Date: October 20, 2023

City of Livonia
Parks and Recreation Department

FACILITY NAMING GUIDELINES

Purpose: To establish facility naming guidelines in approving philanthropic or honorary naming rights of city owned or controlled property or facilities, recognizing individuals, civic or charitable organizations.

Definitions: The following words will have the meaning ascribed to them herein:

A. “Civic or charitable organization” shall mean a non-profit entity, family or group that has made a substantial contribution to the community, either through civic involvement, involvement in the events relevant to the specific property, or to the geographic location of specific city property, or made a financial and/or in-kind donation to support a specific public service or city property.
B. “Individual” shall mean a person who has made a financial and/or in-kind donation to support a specific service or city property.
C. “Honorary Naming Rights” shall mean the naming of city property to honor the service, commitment, or other type of participation by an individual or civic or charitable group.
D. “Philanthropic Naming Rights” shall mean the naming of city property due to a charitable donation from an individual, civic or charitable group, or other entity or organization that is intended to enhance the community by financial and/or in-kind support for a specific public service or city property.
E. “City property” shall mean city owned or controlled real property; public facilities such as buildings or parks; features or attributes of a facility such as a bench, walkway, hallway or room; or other public venue.

Process: The process to establish naming rights for city property shall be as follows:

A. The renaming of facilities is strongly discouraged; however, those facilities named for geographic location, outstanding feature, or subdivision may be considered for renaming.
B. Request for change should be submitted in writing to the Department Head.
C. The option of dedication, hyphenated or shared naming may be considered in lieu of a complete name change.
D. Boards/Commissions concerned with the acquisition and/or use of the property should be consulted for input on the naming/renaming of said facility.
E. Funding for any change should be considered prior to City Council approval. This might include new signage, plaque and/or escrow account for replacement of items such as benches.
F. The final decision to name or rename City property, will be made by the City Council. This decision will be made, by Resolution, during a Regular City Council Meeting.

Commission approved 5/2/18

AN ORDINANCE AMENDING SECTION 010 OF TITLE 12, CHAPTER 16 (PARKS AND PLAYGROUNDS) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 010 of Title 12, Chapter 16 of the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

12.16.010 Parks and playgrounds established - Purpose - Names for specific areas. The parcels of land hereinafter referred to, each of which is owned by the City and used for park, playground and recreational purposes, and each of which is designated as being used for such purposes on the master plan of the City adopted pursuant to Act 285 of the Public Acts of 1931, as amended, shall hereinafter be known and referred to by the names respectively established therefor in the succeeding subsections of this section:

1. The land owned by the City in the Northwest 1/4 of Section 1, immediately east of the Hearthstone Subdivision, shall be known and referred to as "Hearthstone Park."

2. The land owned by the City in the Southeast 1/4 of Section 1, immediately adjacent to the Botsford Elementary School, shall be known and referred to as “Harvey W. Moelke Park."

3. The land owned by the City in the Southwest 1/4 of Section 5, immediately adjacent to a proposed Livonia public school site, shall be known and referred to as "Glen Brook Park."

4. The land owned by the City in the Southwest 1/4 of Section 9, immediately adjacent to the Marshall Elementary School, shall be known and referred to as "Helman Park."

5. The land owned by the City in the Northwest 1/4 of Section 11, immediately adjacent to the Coolidge Elementary School, shall be known and referred to as "Beverly Park."

6. The land owned by the City in the Southeast 1/4 of Section 12, immediately adjacent to the Taft Elementary School, shall be known and referred to as "Meadows Park."

7. The land owned by the City in the Northwest 1/4 of Section 12 and located at 29400 Curtis shall be known and referred to as "Parkview Park."

8. The land owned by the City in the Southeast 1/4 of Section 21 and at the intersection of Farmington and Lyndon Roads shall be known and referred to as "Livonia Henry Ford Centennial Athletic Field."

9. The land owned by the City in the Northeast 1/4 of Section 22 (Lot Nos. 324 and 325 of Livonia Gardens Subdivision) shall be known and referred to as the "Harry S. Wolfe Playground."

10. The land owned by the City in the Northeast 1/4 of Section 23, immediately north of and adjacent to Roosevelt Elementary School, shall be known and referred to as "Robert F. Nash Memorial Park."

11. The land owned by the City in the Northeast 1/4 of Section 24, immediately adjacent to the Harrison Elementary School, shall be known and referred to as "Compton Park."

12. The land owned by the City in the South 1/2 of Section 24, immediately adjacent to the Adams Elementary School, shall be known and referred to as "John F. Dooley Park."

13. The land owned by the City in the Northeast 1/4 of Section 32, immediately adjacent to the Garfield Elementary School, shall be known and referred to as "Country Homes Park."

14. The land owned by the City in the Southwest 1/4 of Section 34 at the intersection of West Chicago Road and Brookfield Avenue, shall be known and referred to as "Judge James E. Mies Park."

15. The land owned by the City in the Northwest 1/4 of Section 35, immediately adjacent to the Livonia Public School Property formerly known as Jefferson Elementary School, shall be known and referred to as "~~Devon-Aire Woods~~ John T. Dufour Park."

16. The land owned by the City in the Northwest ¼ of Section 36, immediately adjacent to the Wilson Elementary School, shall be known and referred to as "Clements Circle Park."

17. The land owned by the City in the Northwest ¼ of Section 36 (the north 40 feet of Lot 45, Lot 46, and Lot 106 of the Chicago Heights Subdivision) shall be known and referred to as the "Thomas Elliott Playground."

18. The land owned by the City in the Southeast ¼ of Section 21 and located on the west side of Stark Road, shall be known and referred to as the "John Stymelski Veterans' Park."

19. The land owned by the City in the Southeast ¼ of Section 22 (Parcel No. 088-99-0001-000) and located on Lyndon Avenue immediately adjacent to the Jackson Elementary School, shall be known and referred to as "George H. Pastor Park."

20. The land owned by the City in the Northwest ¼ of Section 34, south and adjacent to the Shelden Center and the Alfred Noble Library, shall be known and referred to as "W. Warren Shelden Park."

21. The land owned by the City in the Southwest ¼ of Section 2, on the west side of Sunset Boulevard, shall be known and referred to as "Hillcrest Park."

22. The land owned by the City in the South ½ of Section 3, immediately adjacent to Tyler Elementary School, shall be known and referred to as "Livonia Jaycee Community Park."

23. The land owned by the City in the Northwest ¼ of Section 8, immediately adjacent to Gold Manor Subdivisions No. 2 and 3, shall be known and referred to as "Gold Manor Park."

24. The land owned by the City in the Northeast ¼ of Section 8, immediately adjacent to and east of Beatrice Gardens Subdivision, shall be known and referred to as "Denmar Park."

25. The land owned by the City in the Southwest ¼ of Section 9, immediately adjacent to and west of the existing Helman Park, shall be combined with the existing Helman Park and shall be known and referred to as "Helman Park."

26. The land owned by the City in the Southeast ¼ of Section 11, south of Curtis Road, shall be known and referred to as "Sunset Park."

27. The land owned by the City in the West ½ of Section 12, on the west side of Harrison Avenue, shall be known and referred to as "Parkview Park."

28. The land owned by the City in the Southeast ¼ of Section 14, immediately adjacent to and east of Golfview Woods Subdivision, shall be known and referred to as “Golfview Park.”

29. The land owned by the City in the East ½ of Section 17, immediately adjacent to Hoover Elementary School, shall be known and referred to as “Fairway Park.”

30. The land owned by the City in the Northwest ¼ of Section 17, immediately adjacent to Holmes Junior High School, shall be known and referred to as “Robert McCann Memorial Park.”

31. The land owned by the City in the Southwest ¼ of Section 18, immediately adjacent to and west of Greenwood Farms Subdivision, shall be known and referred to as “Greenwood Park.”

32. The land owned by the City in the West ½ of Section 18, immediately adjacent to Blue Grass Farms Subdivision, shall be known and referred to as “Blue Grass Park.”

33. The land owned by the City in the Northwest ¼ of Section 19, immediately north and adjacent to Tiffany Park Subdivision No. 6, shall be known and referred to as “Bien Park.”

34. The land owned by the City in the Southeast ¼ of Section 20, immediately north and adjacent to Madonna Estates Subdivision, shall be known and referred to as “Madonna Park.”

35. The land owned by the City in the Northwest ¼ of Section 21, immediately adjacent to and west of Koloff’s Greenbriar Meadows Subdivision, shall be known and referred to as “Greenbriar Park.”

36. The land owned by the City in the Southwest ¼ of Section 31, immediately adjacent to Dover Courts Subdivision, shall be known and referred to as “Dover Park.”

37. The land owned by the City in the Southeast ¼ of Section 36, immediately adjacent to Cleveland Elementary School, shall be known and referred to as “Wilson Acres Park.”

38. The land owned by the City in the East ½ of Section 10 and the East ½ of the Northwest ¼ of Section 10, lying between Merriman Road on the east and Hubbard and Brookfield Roads on the west, between Six and Seven Mile Roads, shall be known and referred to as “Rotary Community Park.”

39. The land owned by the City in the Southwest ¼ of Section 4 and the Southeast ¼ of Section 5, located on either side of and immediately adjacent to the section line separating Sections 4 and 5, shall be known and referred to as "Bicentennial Park," excepting therefrom the following described parcel:

The north 800 feet of the South 860 feet of the Southwest ¼ of Section 4, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan, bounded on the East by the West line of Bicentennial Estates Subdivision (Liber 99, Pages 77, 78, 79 and 80, Wayne County Records), and on the West by the East right-of-way line of Bicentennial Drive (86 feet wide), as established.

40. The land and house owned by the City in the Northeast ¼ of Section 6 (Parcel No. 021-99-0001-001), said land lying at the Southwest corner of Newburgh and Eight Mile Roads, shall be known and referred to as "Greenmead," and the main house located thereon to be known and referred to as "Hill House Museum"; and further, the North 550 feet of the East 1,000 feet of Parcel No. 021-99-0001-001 shall be known and referred to as the "Livonia Historical Village at Greenmead."

41. An ice arena building located on land owned by the City in the Southeast ¼ of Section 21, (Parcel No. 084-99-0016-000) located at the southeast corner of Stark and Lyndon Roads, shall be known and referred to as the "Eddie Edgar Sports Arena."

42. The North 800 feet of the South 860 feet of the Southwest ¼ of Section 4, T.1 S., R. 9 E., City of Livonia, bounded on the East by the West line of Bicentennial Estates Subdivision (Liber 99, Pages 77, 78, 79 and 80, Wayne County Records), and on the West by the East right-of-way line of Bicentennial Drive (86 feet wide), as established, shall be known and referred to as the "Ben Celani Recreation Area."

43. The land owned by the City in the Northwest ¼ of Section 34, bounded on the east by vacant Hubbard Road, on the west by Fairfield Avenue, and extending south four hundred (400) feet from Orangelawn Avenue, as well as vacated Hubbard Road, as well as the west 100 feet of Rosedale Gardens Lots 1167-1176, shall be known and referred to as the "Rudolf R. Kleinert Park."

44. The land owned by the City in the Northeast ¼ of Section 36 and located at the Southwest corner of Plymouth and Inkster Roads, shall be known and referred to as "Livonia Sesquicentennial Park."

45. The land owned by the City in the Northwest ¼ of Section 5, except approximately the East 250 feet thereof, shall be known and referred to as "Whispering Willows Golf Course."

46. The land owned by the City in the South ½ of Section 5, lying east of the Fitzgerald Gardens Subdivision and west of and immediately adjacent to Bicentennial Park, shall be known and referred to as "Fox Creek Golf Course."

47. The land owned by the City in the East ½ of the Southeast ¼ of Section 17 and also the West 400 feet of the Southwest ¼ of Section 16, shall be known and referred to as "Idyl Wyld Golf Course."

48. The land owned by the City in the Northwest ¼ of Section 22 and located at the Southwest corner of Shadyside and Five Mile Roads (Parcel No. 086-01-0307-001) shall be known and referred to as "Larry J. Nehasil Park."

49. The land owned by the City in the Southwest ¼ of Section 9, immediately adjacent to the Marshall Elementary School, and land owned by the City in the Southwest ¼ of Section 9 that was combined with the existing Helman Park shall be known and referred to as the "Harry Tatigian Park and Nature Preserve."

50. The land owned by the City in the Southwest ¼ of Section 31, and located at the West ¼ corner of Section 31; thence N. 89° 19' 38" E 1979.48 feet along the East-West ¼ line of said section; thence S 00° 00' 00" W 60.00 feet; thence N 89° 19' 38" E 352.30 feet to the point of beginning; thence N 89° 19' 38" E 212.35 feet; thence S 00° 00' 28" W 137.77 feet; thence S 89° 43' 50" W 50.00 feet; thence S 79° 52' 40" W 58.44 feet; thence S 89° 43' 50" W 103.07 feet; thence N 00° 40' 22" W 146.29 feet to the point of beginning, shall be known and referred to as "Washington Park."

51. The land owned by the City in the Southeast ¼ of Section 31, and located west of Stonehouse Avenue and south of Westwind Drive, shall be known and referred to as the "Livonia Lions Club Park."

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

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 1, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Brandon McCullough, Kathleen McIntyre, Vice President Toy, Scott Bahr, Rob Donovic, Scott Morgan, and President Jim Jolly. Absent: None.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; Eric Goldstein, Assistant City Attorney; Todd Zilincik, City Engineer; Mark Taormina, Planning and Economic Development Director; Doug Moore, Assistant Director of Public Works; and Ted Davis, Superintendent of Parks and Recreation.

9. REQUEST TO CONSIDER RENAMING CITY PARK SITES: Department of Parks and Recreation, re: in order to recognize the Livonia Lions Club, John T. Dufour, and Ronald Reinke for their contributions to the City of Livonia.

   Ted Davis, Superintendent of Parks and Recreation, presented the request to Council.

   Paul Bernier, City Attorney, relinquished his position to Eric Goldstein, Assistant City Attorney, at 8:48 p.m. to allow him to speak on this item as a resident.

   Councilmember Bahr asked if it would make more sense to change Devonaire Park to Dufour Park.

   Mr. Davis explained the origin of the name Devonaire.

   Vice President Toy said she appreciates naming Parks after important people in this instance but cautions to be careful due to history.

   Councilmember McCullough thinks this is a great idea and it will help people learn more about history.

   Paul Bernier, Livonia resident, gave some history and thinks we often lose sight of people that built this city. He is pleased to have a park named after his uncle, John Dufour.

   Councilmember McIntyre thanked Paul Bernier for the history given to Council.

   Councilmember McIntyre offered an approving motion for a First Read of the Ordinance on the Regular agenda.

   Paul Bernier, City Attorney resumed his seat at 9:01 p.m.

   DIRECTION: APPROVING FIRST READ REGULAR

LETTER TO THE LIVONIA CITY COUNCIL

17.

Law
November 3, 2023

MEETING DATE	PREPARED BY
S110123/R111323/R120423	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Department of Law, re: to Title 12, Chapter 18 (Naming of Public Places and Buildings), Section 020 to change the name of the indoor natatorium at the Jack E. Kirksey Recreation Center to the Ronald R. Reinke Aquatic Center.

BACKGROUND DETAILS

At your study meeting of November 1, 2023, you unanimously approved renaming the indoor natatorium at the Jack E. Kirksey Recreation Center to the Ronald R. Reinke Aquatic Center.

Accordingly, the proposed Ordinance amendment reflecting these requested changes is hereby submitted for your consideration and possible adoption.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

First read

ATTACHMENTS

1. S110123 LTC Renaming City parks
2. facility naming guidelines
3. Proposed Ordinance Ronald R. Reinke natatorium
4. S110123 Renaming City Parks Minutes

APPROVED BY

Paul Bernier, City Attorney — Date: November 03, 2023

Maureen Miller Brosnan, Mayor — Date: November 09, 2023

LETTER TO THE LIVONIA CITY COUNCIL

9.

Parks and Recreation
October 20, 2023

MEETING DATE	PREPARED BY
S110123/R111323	Ann Cox, Program Supervisor,

AGENDA ITEM

REQUEST TO CONSIDER RENAMING CITY PARK SITES: Department of Parks and Recreation, re: in order to recognize the Livonia Lions Club, John T. Dufour, and Ronald Reinke for their contributions to the City of Livonia.

BACKGROUND DETAILS

The Parks and Recreation Commission discussed renaming park sites on September 6, 2023, and October 4, 2023.

#3920-23 **RESOLVED** that the Commission recommends to Council the following parks be renamed:

-Parksite AA to be named after the Livonia Lions Club
-Devon-Aire Wood Park to John T. Dufour Park
-The indoor natatorium at the Jack E. Kirksey Recreation Center to the Ronald R. Reinke Aquatic Center

The Commission wishes to bring forward requests to rename parks after the Livonia Lions Club, John T. Dufour, and Ronald Reinke for their contributions to the City of Livonia and Parks and Recreation.

The Livonia Lions Club has spent several years working with scout and community groups remaking Parksite AA in Section 31. The work has included invasive species removal, trail maintenance, and forestry management. For these reasons, we recommend renaming Parksite AA to Lions Park in their honor.

John Dufour is widely considered the father of Livonia Parks and Recreation. During his time as Superintendent, we acquired most of our park sites, and his vision led to the park system we have today. In searching for places that follow our renaming guidelines, we recommend renaming Devon-Aire Woods Park to John T. Dufour Park.

If John Dufour is the father, Ronald Reinke was the worthy heir to his legacy. Ronald's work gave us the Rec Center, Fox Creek Golf Course, and countless improvements that are still with us today. We recommend renaming our indoor natatorium, the Ronald R. Reinke Aquatic Center.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Parks and Recreation Commission respectfully requests that City Council act upon the Commission resolution and instruct the Law Department to prepare ordinance revisions.

ATTACHMENTS

1. facility naming guidelines

APPROVED BY



Ted Davis, CPRP, Superintendent of Parks and Recreation — Date: October 20, 2023



Paul Bernier, City Attorney — Date: October 20, 2023



Maureen Miller Brosnan, Mayor — Date: October 20, 2023

City of Livonia
Parks and Recreation Department

FACILITY NAMING GUIDELINES

Purpose: To establish facility naming guidelines in approving philanthropic or honorary naming rights of city owned or controlled property or facilities, recognizing individuals, civic or charitable organizations.

Definitions: The following words will have the meaning ascribed to them herein:

A. “Civic or charitable organization” shall mean a non-profit entity, family or group that has made a substantial contribution to the community, either through civic involvement, involvement in the events relevant to the specific property, or to the geographic location of specific city property, or made a financial and/or in-kind donation to support a specific public service or city property.
B. “Individual” shall mean a person who has made a financial and/or in-kind donation to support a specific service or city property.
C. “Honorary Naming Rights” shall mean the naming of city property to honor the service, commitment, or other type of participation by an individual or civic or charitable group.
D. “Philanthropic Naming Rights” shall mean the naming of city property due to a charitable donation from an individual, civic or charitable group, or other entity or organization that is intended to enhance the community by financial and/or in-kind support for a specific public service or city property.
E. “City property” shall mean city owned or controlled real property; public facilities such as buildings or parks; features or attributes of a facility such as a bench, walkway, hallway or room; or other public venue.

Process: The process to establish naming rights for city property shall be as follows:

A. The renaming of facilities is strongly discouraged; however, those facilities named for geographic location, outstanding feature, or subdivision may be considered for renaming.
B. Request for change should be submitted in writing to the Department Head.
C. The option of dedication, hyphenated or shared naming may be considered in lieu of a complete name change.
D. Boards/Commissions concerned with the acquisition and/or use of the property should be consulted for input on the naming/renaming of said facility.
E. Funding for any change should be considered prior to City Council approval. This might include new signage, plaque and/or escrow account for replacement of items such as benches.
F. The final decision to name or rename City property, will be made by the City Council. This decision will be made, by Resolution, during a Regular City Council Meeting.

Commission approved 5/2/18

AN ORDINANCE AMENDING SECTION 020 OF TITLE 12, CHAPTER 18 (NAMING OF PUBLIC PLACES AND BUILDINGS) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 020 of Title 12, Chapter 18 of the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

12.18.020 Public places and buildings -- Names for specific areas or buildings. The parcels of land or buildings hereinafter referred to, each of which is owned by the City and used for public purposes, shall hereinafter be known and referred to by the names respectively established therefore in the succeeding subsections of this section:

1. The land owned by the City in that part of the Northwest 1/4 of Section 22, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan, described as beginning at a point distant East along the North line of said Section 22, 800 feet and South 310 feet from the N.W. 1/4 corner of Section 22, proceeding thence East 200 feet; thence South 280 feet; thence West 200 feet; thence North 280 feet to the point of beginning, shall be known and referred to as the "Livonia City Hall - Edward H. McNamara Building."

2. The land owned by the City in that part of the Northwest 1/4 of Section 22, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan, described as beginning at a point distant East along the North line of said Section 22, 1,355 feet and South 230 feet from the N.W. 1/4 of Section 22, proceeding thence East 250 feet; thence South 240 feet; thence West 250 feet; thence North 240 feet to the point of beginning, shall be known and referred to as the " Robert and Janet Bennett Library."

3. The land owned by the City in that part of the Northwest 1/4 of Section 22, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan, described as beginning at a point distant S. 01°25' W. along the West line of said Section 22, 831.22 feet and S. 88°35'30" East along the Southerly line of Civic Center Drive (66 feet wide), as extended, 290 feet to the point of beginning; proceeding thence S. 01°24'30" West, 650 feet; thence South 88°35'30" East, 400 feet; thence North 01°24'30" East, 650 feet; thence North 88°35'30" West, 400 feet to the point of beginning, shall be known and referred to as the "Robert Turner Police Headquarters Building."

4. The land owned by the City in that part of the Northeast 1/4 of Section 21, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan, described as beginning North 89°44' West, 363 feet from the East 1/4 corner of Section 21; thence North 89°44' West, 960.30 feet; thence North 677.73 feet; thence South 89°38'48" East, 685 feet; thence South 01°23' West 342.93 feet; thence South 89°38'48" East, 280 feet; thence South 333.30 feet to the point of beginning except that part described as beginning North 89°44' West, 881 feet from the East 1/4 corner of Section 21; thence North 33 feet; thence North 89°44' West, 60 feet; thence North 00°39'33" East, 8.79 feet; thence North 44° right RAD 80 feet arc 125.66 feet; thence North 45°39'33" East, 194.43 feet; thence South 89°20'27" East, 147.86 feet; thence South 44°20'27" East, 248.51 feet; thence South 14°20'27" East, 85.81 feet; thence South 44°20'27" East, 214.39 feet; thence South 00°39'33" West, 105.90 feet; thence North 89°44' West, 60 feet; thence South 33 feet; thence North 89°44' West, 258.98 feet to the point of beginning 7.71 AC

and

The land owned by the City in that part of the Northeast 1/4 of Section 21, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan, described as beginning North 89°44' West, 881 feet from the East 1/4 corner of Section 21; thence North 00°39'33" East, 67.43 feet; thence North 44°20'27" West, 384.43 feet; thence on a curve to right RAD 20 feet arc 31.42 feet; thence North 45°39'33" East, 169.57 feet; thence South 89°20'27" East, 98.14 feet; thence South 44°20'27" East, 19.53 feet; thence South 14°20'27" East, 90 feet; thence South 44°20'27" East, 213.65 feet; thence South 00°39'33" West, 258.98 feet to the point of beginning 3.09 AC, and shall be known and referred to as the "Silver Village."

5. The land owned by the City in that part of Lot 496 except the North 100 feet, the South 100 feet, the West 100 feet and the East 100 feet thereof of Supervisor's Livonia Plat No. 8 as recorded in Liber 66, Page 59 of Wayne County Records, said plat being part of the North 1/2 of the Southeast 1/4 of Section 2, T. 1 S., R. 9 E., Livonia Township (now City of Livonia), Wayne County, Michigan

and

The land owned by the City in that part of the Southeast 1/4 of Section 2, T. 1 S., R. 9 E., Livonia Township (now City of Livonia), Wayne County, Michigan, described as beginning at a point distant South 01°58'52" East, 1,416 feet and North 87°43'30" East, 448 feet from the center 1/4 corner of Section 2; thence North 87°43'30" East, 110 feet; thence South 02°10'35" East, 180 feet; thence South 87°43'30" West, 110 feet; thence North 01°58'52" West, 180 feet to the point of beginning, shall be known and referred to as the "McNamara Towers Site."

6. The land owned by the City in that part of the Southeast 1/4 of Section 30, T. 1 S., R. 9 E., City of Livonia, County of Wayne, Michigan, described as beginning at a point on the East line of said Section distant North 00°04'20" East, 1,098.14 feet from the intersection of said East line and the center line of Plymouth Road and proceeding thence due West, 1,153.85 feet; thence North 00°05' East, 377.54 feet; thence due East, 1,153.79 feet of the East line of Section 30; thence South 00°04'20" West along said East line 377.54 feet to the point of beginning 10.00 acres (Sidwell No. 120-99-0002-000), shall be known and referred to as "Newburgh Village."

7. The land owned by the City in that part of Lots 1723, 1724, 1729, 1730 and also adjacent vacated street to said lots of Rosedale Gardens Subdivision No. 9 as recorded in Liber 77, page 41, Wayne County Records, said subdivision being a part of the N.W. 1/4 of Section 34, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan (Sidwell No. 134-03-1640-000), shall be known and referred to as "Noble Library."

8. The land owned by the City in that part of the Southeast 1/4 of Section 2, T. 1 S., R. 9 E., City of Livonia, Wayne County, Michigan, described as beginning at a point on the South Section line distant North 89°52'30" West, 1,876 feet and North 120 feet from the S.E. corner of Section 2 and proceeding thence North 80 feet; thence West, 120 feet; thence South 80 feet; thence East, 120 feet to the point of beginning (Sidwell No. 008-99-0009-000), shall be known and referred to as "Sandburg Library."

9. The land owned by the City in that part of the Northeast 1/4 of Section 22, T.1 S., R. 9 E., City of Livonia, Wayne County, Michigan, described as Lots 27 thru 52 inclusive except the N 35.00 feet thereof also Lots 53 thru 182 including also all adjacent vacated streets and alleys Livonia Park Sub T1S R9E L51 P92 WCR more particularly described as beginning at a point distant S 00°01'50" E 88.00 feet and S 89°45'00" E 43.00 feet from N 1/4 corner Section 22 proceeding thence S 89°45'00" E 621.55 feet thence S 00°09'29" E 1199.18 feet thence N 89°19' 58" W 625.53 feet thence N 00°01'50" E 1194.60 feet to POB 17.13 acres (Sidwell No. 085-02-0027-001), shall be known and referred to as "Jack E. Kirksey Recreation Center."

10. The natatorium contained within the Jack E. Kirksey Recreation Center shall be known and referred to as the "Ronald R. Reinke Aquatic Center."

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

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

P:\Brenda\Ordinances\Code\Title 12\12.18 Ronald R. Reinke natatorium.doc

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD NOVEMBER 1, 2023

Meeting was called to order at 8:00 p.m. by Council President Jim Jolly. Present: Brandon McCullough, Kathleen McIntyre, Vice President Toy, Scott Bahr, Rob Donovic, Scott Morgan, and President Jim Jolly. Absent: None.

Elected and appointed officials present: Susan Nash, City Clerk; Paul Bernier, City Attorney; Eric Goldstein, Assistant City Attorney; Todd Zilincik, City Engineer; Mark Taormina, Planning and Economic Development Director; Doug Moore, Assistant Director of Public Works; and Ted Davis, Superintendent of Parks and Recreation.

9. REQUEST TO CONSIDER RENAMING CITY PARK SITES: Department of Parks and Recreation, re: in order to recognize the Livonia Lions Club, John T. Dufour, and Ronald Reinke for their contributions to the City of Livonia.

   Ted Davis, Superintendent of Parks and Recreation, presented the request to Council.

   Paul Bernier, City Attorney, relinquished his position to Eric Goldstein, Assistant City Attorney, at 8:48 p.m. to allow him to speak on this item as a resident.

   Councilmember Bahr asked if it would make more sense to change Devonaire Park to Dufour Park.

   Mr. Davis explained the origin of the name Devonaire.

   Vice President Toy said she appreciates naming Parks after important people in this instance but cautions to be careful due to history.

   Councilmember McCullough thinks this is a great idea and it will help people learn more about history.

   Paul Bernier, Livonia resident, gave some history and thinks we often lose sight of people that built this city. He is pleased to have a park named after his uncle, John Dufour.

   Councilmember McIntyre thanked Paul Bernier for the history given to Council.

   Councilmember McIntyre offered an approving motion for a First Read of the Ordinance on the Regular agenda.

   Paul Bernier, City Attorney resumed his seat at 9:01 p.m.

   DIRECTION: APPROVING FIRST READ REGULAR

LETTER TO THE LIVONIA CITY COUNCIL

18.

Council Office
November 7, 2023

MEETING DATE	PREPARED BY
R120423	Maureen Miller Brosnan, Mayor,

AGENDA ITEM

ADMINISTRATIVE RESPONSE TO CR 214-23: Office of the Mayor, re: the subject matter of removing dead deer from private residential property.

BACKGROUND DETAILS

Earlier this year, the City Council passed resolution #214-23, seeking a report and recommendation on the subject matter of removing dead deer from private residential property.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To discuss subject matter as presented

ATTACHMENTS

1. R071023 New Data - Resident Response recd 7-27-23
2. LetterToCouncil-Deer Population 7-19-23
3. Deer population info provided at R071023
4. Coyote info provided at R071023
5. R071023 New Data 6 - Resident Response
6. R071023 New Data 5 - Resident Response
7. R071023 New Data 4 - Resident Response
8. R071023 New Data 3 - Resident Response
9. R071023 New Data 2 - Resident Response
10. R071023 New Data 1 - LPD response - Deer Crashes
11. PSH061923 Min
12. PsH061923 New Data 2 - Management of Deer Population - Recd 6-19-23
13. PSH061923 New Data 1 - Resident response - Recd 6-19-23
14. PSH061923 LTC deer population
15. R092319 Subject matter of deer and coyote in the City CR 329-19 (MISC)
16. Administration Response: Removing Dead Deer from Residential Property

APPROVED BY

OFFICE OF THE MAYOR

MAUREEN MILLER BROSNAN
MAYOR

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

November 7, 2023

TO: Livonia City Council

RE: Removing Dead Deer from Residential Property

Dear Council Members,

Earlier this year, the City Council passed resolution #214-23, seeking a report and recommendation on the subject matter of removing dead deer from private residential property.

As you know, when dead deer are found in the road or right-of-way the City's waste hauler GFL Environmental collects them. When deer remains are found in our parks and on public land, the City DPW removes them. **Removing the carcass from a private yard or ravine area is the issue of concern.**

Following our research and discussion, the administration provides the following:

CITY STAFF IS NOT THE ANSWER

The Livonia DPW is not staffed to remove fallen deer from private property. Adding this as a service to residents cannot be justified under current staffing and budget constraints.

For several years, we have struggled to hire and retain Public Service workers and especially seasonal staff, who would be the employees tasked with performing this labor-intensive work, often performed under difficult circumstances. Given our low staffing levels, we are already struggling to maintain our park property and facilities to the standards expected within our community. Adding this work would spread our resources too thin.

Additionally, there are liability concerns when City employees work on private property. If we were to have City employees perform the work, our Risk Management team, in conjunction with the Law Department, recommend using a lengthy (500-word) form for residents to sign that is entitled Release of Liability and Assumption of Risk.
It should also be noted that we have not been able to find any other communities that have their employees remove dead deer from private property.

VOLUNTEERS CAN BE AN OPTION

The City's Livonia Service Corps is a loose assembly of exceptional people who have volunteered to serve their fellow residents on an as-needed basis. The Mayor's Office keeps a list of these volunteers and has called upon them whenever they find a resident in need of special assistance who we believe isn't able to afford to hire out the work. They have served us with a variety of tasks such as yard maintenance, helping move heavy items, and, yes, even dragging dead deer to the street, on occasion.
This isn't always the answer, as the work must coincide with the availability of the volunteer or group of volunteers. We also must be judicious in connecting the residents in need with the volunteers, to ensure things are handled with sensitivity and both sides are comfortable with the arrangement.

These Livonia Service Corps members are thanked each year during the Celebration of Service Volunteer Breakfast.

PRIVATE FOR-HIRE OPTIONS

We have located two for-hire options that remove dead deer. It is our expectation that information regarding these companies may be shared by City staff with our residents – but specifically not recommended to the residents – if they call with a request to remove dead deer from their property.

- **Platinum Wildlife Removal (734-822-6667)** is based in Livonia. They can typically handle same-day requests, depending on the time of the request, but they say they respond within 48 hours. Estimated cost is $499-$699 and they don't do water collections.

- **Respectful Removals LLC (248-820-2208)** is run by Gary J. Cornellier and they're available 24/7 to respond. They do not quote prices or ranges. However, they do offer to collect dead deer either for free or a donation for those who cannot afford to pay for it. It is not clear how they determine those in need.

SUMMATION

Moving forward, the administration will continue to respond to the infrequent resident requests for removing dead deer with the encouragement that residents handle this process directly or with the help of family, friends and neighbors. If the resident still cannot get the animal to the curb for collection by GFL Environmental, we will attempt to find volunteer help and/or share the information for private for-hire companies, depending on the situation.

We hope this information proves helpful.

Sincerely,

Maureen Miller Brosnan
Mayor

Cc: DPW

NEW DATA RECEIVE 7/27/2023
RE: DEER POPULATION

Kasprowicz, Sara

From: noreply@civicplus.com
Sent: Thursday, July 27, 2023 4:36 PM
To: CityCouncil
Subject: Online Form Submittal: City Council Inquiries

City Council Inquiries

This form is for any questions, comments, or concerns you may have for the City in regards to city council meetings or other city council inquiries. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	Douglas
Last Name	Piazza
Address	29631 Nottingham Circle Livonia, Mi. 48152
Email Address	bond66@juno.com
Phone Number	3135822602
Topic	Other City Council Inquiry
Date of Issue	7/27/2023
Attachment (Optional)	*Field not completed.*
Comments	I have heard that Livonia is having a problem with surplus deer. I suggest that Livonia adopt the solution that the city of Dearborn found several years ago for the same problem. The city of Dearborn hired hunters. The deer meat was donated to charities. Douglas Piazza, a Livonia resident (phone:313 582 2602) email:bond66@juno.com

Email not displaying correctly? View it in your browser.

NEW DATA IN REGARDS TO THE DEER POPULATION
RECEIVED 7-19-23

July 12, 2023

Members of the City Council
City of Livonia
33000 Civic Center Dr.
Livonia, MI 48154

Re: Deer Debate: Dilemma or Opportunity?

Dear Councilpersons,

Thank you for addressing the concerns of residents regarding the increased deer population - and other wildlife – taking place in Livonia. While watching the July 10th council meetings and listening to the discussion of possible abatement suggestions, I gazed out my front window to see two lovely doe sauntering slowly across my lawn. This is not an unusual sight in our neighborhood, but it still catches me off-guard -- and I love it!

As many Livonia residents can claim, I, too, have lived in this city for decades. First in 1965 as a child living on Bobrich west off Merriman, long before Rotary Park was developed. After marrying, my husband & I lived on Fairfax west off Purlingbrook for 11 years, then back on Bobrich for 10 years (Rotary Park was in full swing), and now we've lived on Munger east off Merriman since 2004 - with a yard that backs up to the Bell Creek. Not that my re-locations throughout Livonia are pertinent, however, it was not until 2005 that I ever set eyes on a single deer in any Livonia neighborhood! But now, witnessing a "herd" of 8-12 (or more) deer grazing in yards is commonplace. New fawns are plentiful. While working in my yard, I've been no farther than 25 feet from a deer who was not the least bit concerned with my presence. I've not seen any aggressive deer behavior towards humans or pets – only between bucks that get in a tussle every now and then.

The coyote-sightings on Munger over the last 20 years have dwindled considerably. Whatever Livonia's efforts were/are in this matter are appreciated. I realize all wildlife can contribute positively and negatively to the eco-system but I wonder if the deer have helped cull the coyotes; I've witnessed groups of deer taking on single coyotes that threaten the fawns.

The lack of natural predators, continued in-fill housing throughout the city, and residents who actually FEED THE DEER make it obvious that Livonia's deer population is increasing at a rate that makes residents concerned and, sometimes, angry. I've adjusted; the deer have taught me I can't expect my blooming lilies to last more than a day or my roses to provide colorful enjoyment. I've also learned to drive slowly down my street at dawn & dusk. Live deer lounging on lawns have taken the place of those ceramic ornamental deer once sold from Martin's shop on Inkster Road.

Yes, I've seen deer crossing five-lane Merriman south of Six Mile and I've also seen a buck walking through my neighborhood with an arrowhead stuck in his hindquarters. And yes, I know deer are being struck and killed by vehicles throughout the city. I am not opposed to responsible culling, if that option is determined to offer the best chance of reducing the deer population, especially before a driver's or passenger's life is lost due to a vehicle/deer collision.

Now, let's talk turkeys. One extremely large tom and seven to eight hens have taken up residence in the ravine adjacent to my yard. They're not shy about walking down the middle of Munger and into open garages. This morning, two large hens and 12 poults waddled across my back patio. They were darling, but this influx of wild turkeys is possibly how the deer population came to be what it is now.

Thank you for your continued service to our wonderful city.

Sincerely,

Jerilyn German Petersmark

Jerilyn German Petersmark
30611 Munger Dr.
Livonia, MI 48154-6234
JPetersmark@gmail.com
734.516.2297

Lethal Removal

It is commonly assumed that hunting or organized deer culling will decrease the deer population; however, there are issues with this approach:

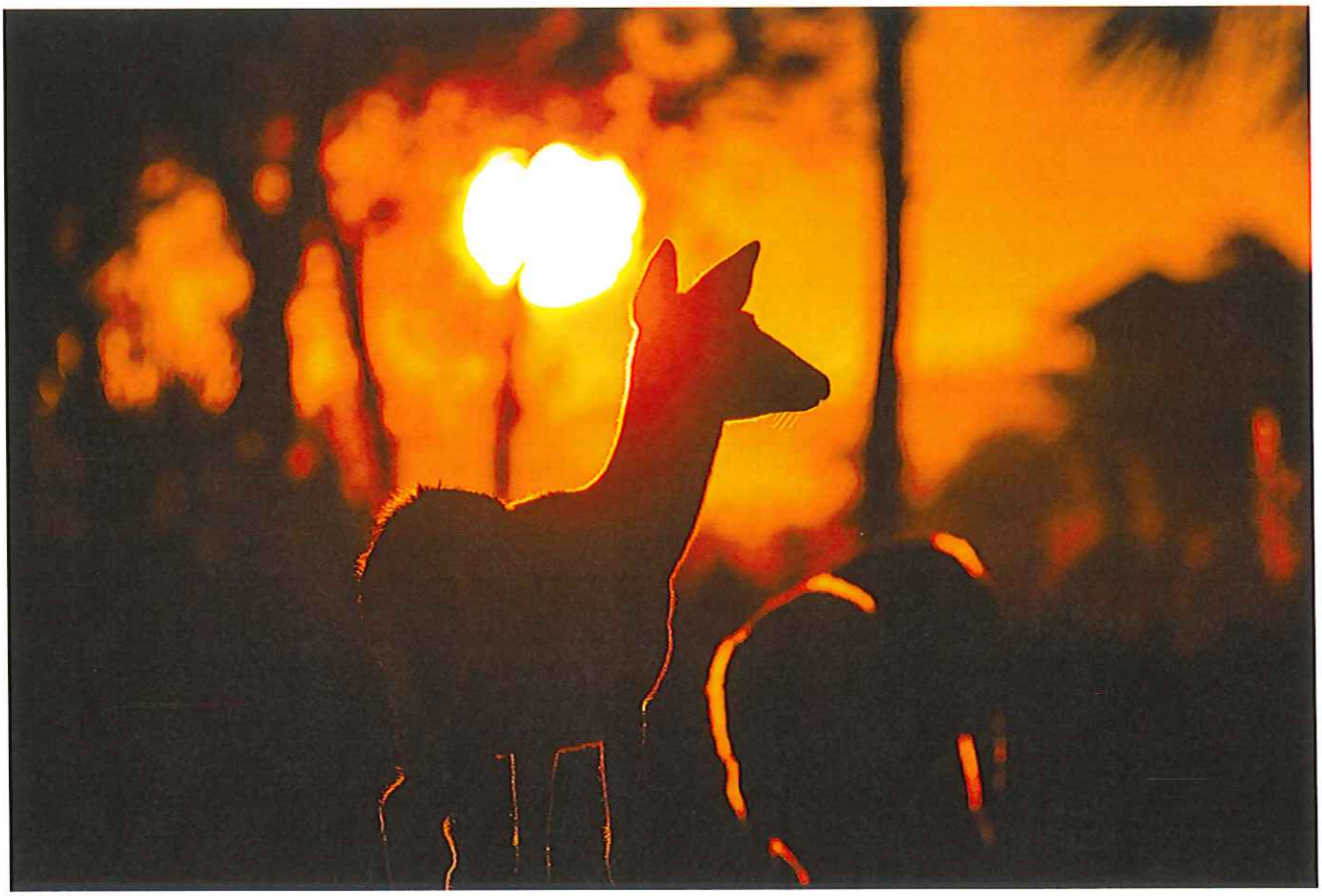
1. **Increased reproduction:** Deer are very adaptable, and their productivity is keenly tied to their food resource. When there are fewer deer in an area and abundant food, they will maximize their reproduction – i.e. having twins and triplets in the spring instead of a single fawn. This causes their numbers to rebound quickly after any deer removal. Therefore, even if deer numbers can be lowered, they don't stay at that level.
2. **Immigration of new deer to area:** Deer from the surrounding area may take advantage of any vacated niche. This, combined with a high reproductive rate, can lead to deer numbers bouncing back quickly after any depopulation effort.
3. **Deer moving to sanctuary areas once hunting or professional culling commences:** Deer will move into unhunted "safe" areas within their habitat (or even make long distance movements) in response to hunting or culling activities. Once lethal control has ceased, they move right back into their original territory.
4. **Increased removal effort:** Even if deer numbers are lower after lethal removal efforts, it then requires more effort by hunters or sharpshooters to take out the same number of deer (since the deer will be scarcer and warier) in subsequent years. Lower deer numbers also make the environment less attractive to hunters, and drive up costs for professional culling.
5. **Recurring challenge:** Getting deer numbers to a low level, and then keeping them at that level, can be extremely difficult and result in the need for perpetual annual hunts or culling activities.

SPECIAL CHALLENGES FOR COMMUNITY LEADERS TO CONSIDER BEFORE INITIATING LETHAL CONTROL:

1. **Inaccessible hunting areas:** Many community hunts or culls are limited to larger public green space areas for safety reasons. This is particularly problematic in densely populated areas. Even where density is lower, some private landowners will not want hunters on their properties. These challenges of access, combined with localized deer home ranges in urban and suburban areas, mean that deer killed in one area may not be the ones causing conflicts elsewhere.
2. **Safety concerns:** Residents in urban and suburban communities may be concerned about safety issues such as stray arrows or shotgun slugs going into their yards or homes, and panicked or wounded deer darting onto roadways.
3. **Ethical concerns:** Before instituting any lethal control program, it should be determined that there are no humane alternatives available that could be used instead. Lethal control should only be used when necessary to protect human safety and when no humane alternatives are available. If lethal control is deemed necessary, any control method should predictably and effectively cause the least amount of harm to the least amount of animals.
4. **Controversy:** Any sort of cull or hunt will result in a certain amount of controversy. In the worst cases, for example when wounded animals are seen by distressed citizens, the public can become

divided and angry, drawing time and attention away from other issues of public concern.

5. **Logistical issues:** Wounded deer may run off huntable property onto private land. Therefore the town may need to consider:
    - Will adjoining landowners be asked to allow hunter trespass for blood trail tracking purposes?
    - Will public parks be closed during hunting periods?
    - Will other recreational activities be impeded?
    - Will set-back restrictions (pertaining to firearms discharge within a certain distance of a dwelling) be amended to allow for more hunter access?
6. **Additional liability insurance:** Town attorneys need to explore if the town or community is covered for all liability in regard to culling activity.
7. **High direct and indirect costs:** If sharpshooters are used, there will be a recurring annual cost. If public hunters are used, there are indirect costs for the community such as law enforcement staff time and overtime, and restricted use of town green space.
8. **Use of public funds:** Doing "something" (e.g. a deer cull) may appease those who want to see action taken, but if the conflicts aren't solved, then it's ultimately a waste of taxpayer dollars.



A Note on Deer Fertility Control

Deer fertility control is an innovative and advancing field with demonstrated applicability to suburban and urban deer populations. Options range from immunocontraception (using a vaccine that induces an immune response to block reproduction) to surgical sterilization (which involves surgically removing reproductive organs or interrupting the fertilization pathway).

Most of these tools are still in experimental phases, and thus are not available for general use at this writing. However, researchers are refining and field-testing deer fertility control methods, while policy managers pursue federal and state registration to allow for future management applications.

A more detailed description of fertility control methods is provided in Appendix I.

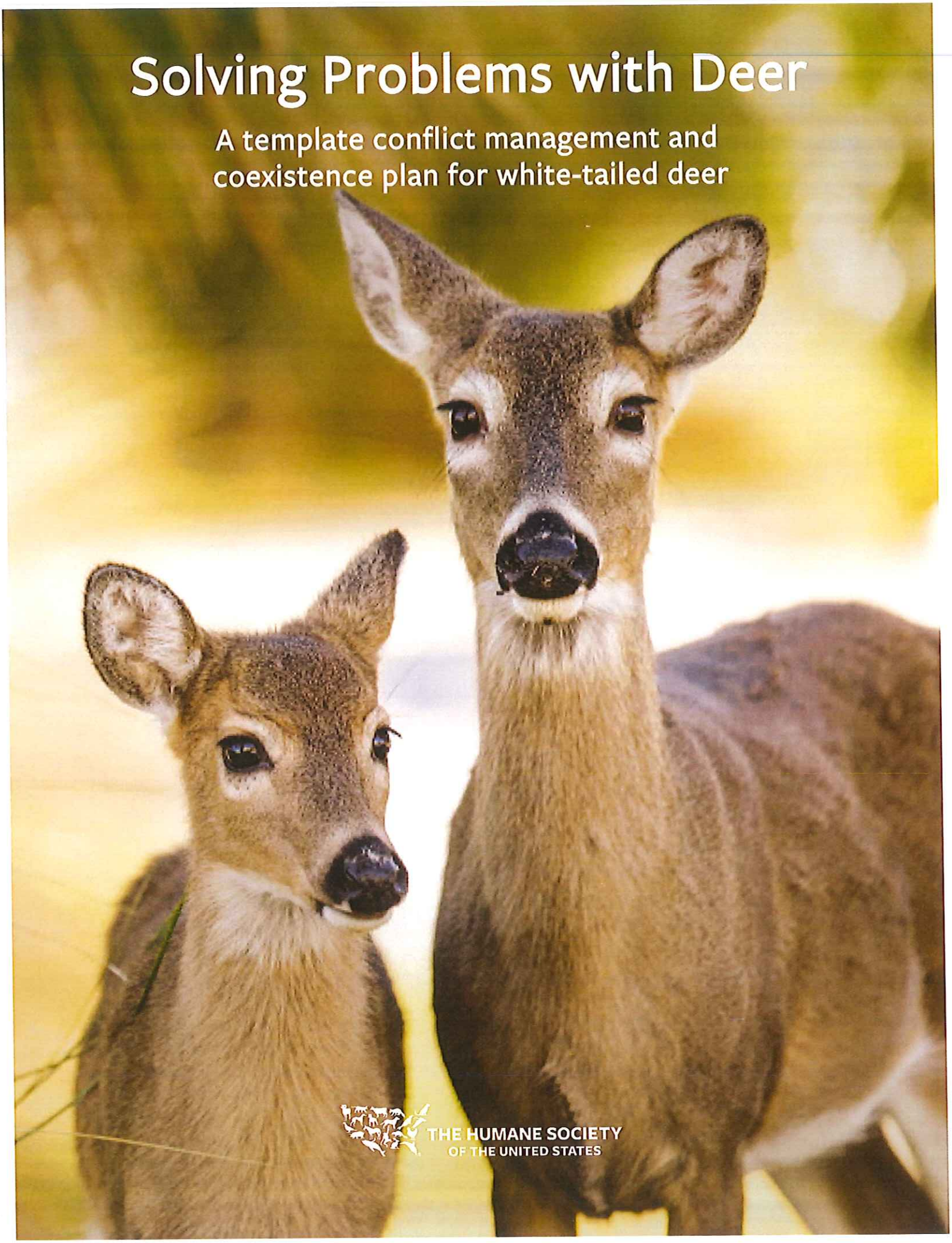
For more information about fertility control options or to further discuss the process of conducting a pilot project, please contact HSUS via email: wildlife@hsus.org.

Additional resources may also be found through The Botstiber Institute for Wildlife Fertility Control: www.wildlifefertilitycontrol.org, or through the Science and Conservation Center: www.sccpzp.org.



Solving Problems with Deer

A template conflict management and coexistence plan for white-tailed deer



THE HUMANE SOCIETY
OF THE UNITED STATES

HOW TO USE THIS DEER CONFLICT MANAGEMENT & COEXISTENCE PLAN

This deer conflict management and coexistence plan has been prepared by The Humane Society of the United States (HSUS) for use by communities (including, but not limited to, cities, villages, towns, counties, homeowners associations, etc.) in humanely and effectively preventing and solving conflicts with white-tailed deer. The information in this plan has been gathered from scientific and peer-reviewed articles, from experts in the field of human-deer conflict resolution, and from successful deer conflict management models across the U.S. We invite you to use this plan as your own or modify it as necessary to suit the needs of your community.

ACKNOWLEDGEMENTS

The HSUS would like to specially thank Laura Simon for her expertise and work in the creation of this plan. We would also like to thank the following individuals for their expert review: John Hadidian, Allen Rutberg, and Colin Berry.

PHOTO CREDITS

FRONT COVER: Richard Ellis. PAGE 4: RICHARD ELLIS, PAGE 6: ISTOCK; PAGE 11: ISTOCK; PAGE 13: RICHARD ELLIS; PAGE 17: ISTOCK; PAGE 19: RICHARD ELLIS; PAGE 20: ISTOCK

CONTENTS

CONTENTS iii

Introduction 1

Biology of white-tailed deer 2

Deer conflicts and solutions 4

The Comprehensive Approach 9

What communities can do: A step by step guide 11

Lethal Removal 15

A Note on Deer Fertility Control 17

Appendix A: Sample Resolution 18

Appendix B: Sample Public Survey 19

Appendix C: Sample Deer-Vehicle Collision Report Form 21

Appendix D: Tips for Avoiding Deer/Vehicle Collisions 22

Appendix E: Repellents & Scare Devices 23

Appendix F: Handling Orphaned Fawn Calls 26

Appendix G: Sample Public Complaint Form 27

Appendix H: Deer Fertility Control 28

Resources 31

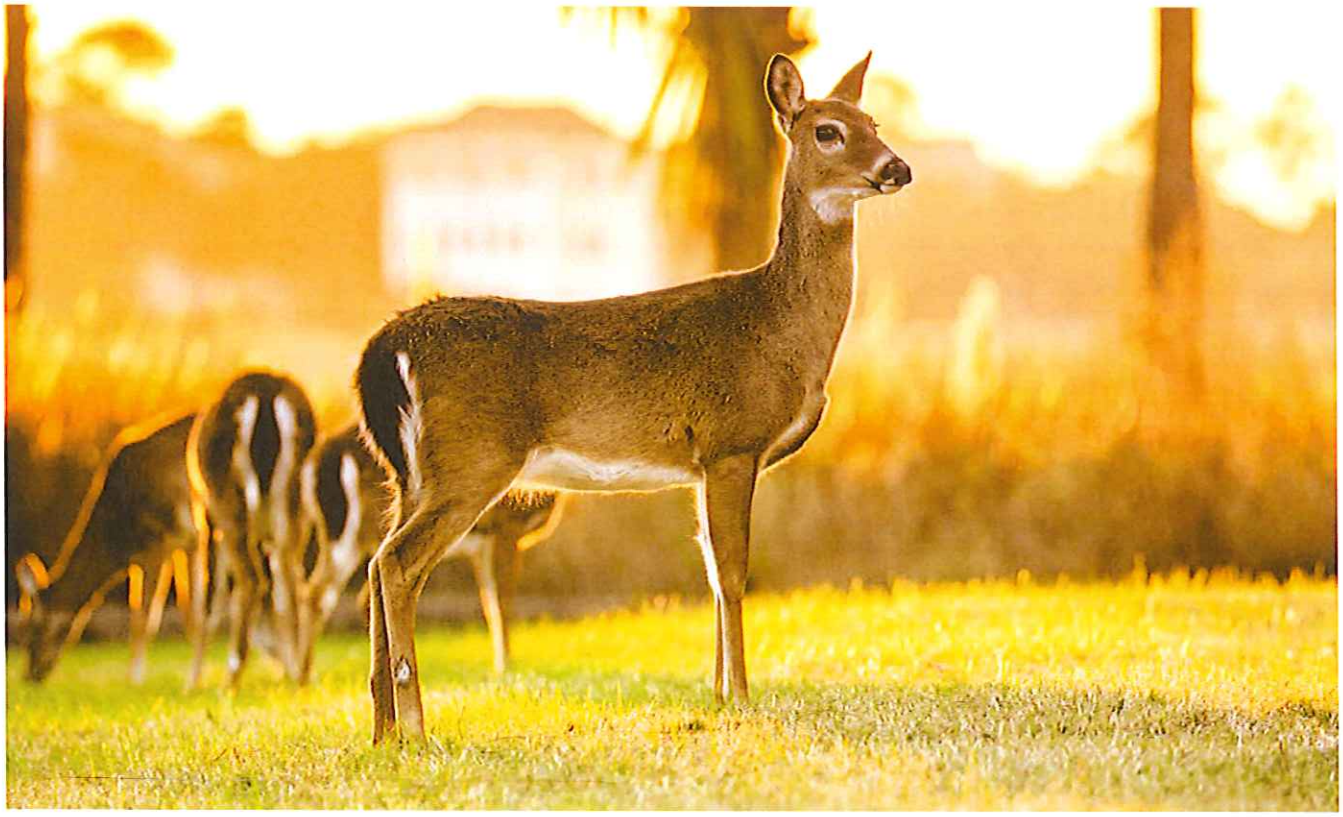
Bibliography 32

Introduction

As cities and towns develop land and make changes to the landscape that make it more attractive to white-tailed deer, the inevitable result is a growing number of human-deer conflicts, ranging from garden and ornamental browse damage to roadway collisions. One of the most publicly supported and sustainable ways for communities to resolve these conflicts is by promoting policies of co-existence, which acknowledge the need to resolve conflicts while also encouraging appreciation of wildlife. Community leaders can and should promote ways to resolve conflicts with deer effectively and humanely, on both an individual and community level.

The goal of this deer conflict management plan is twofold: 1) to provide a framework for evaluating community issues with white-tailed deer and 2) to recommend step-by-step actions that address conflicts with deer through a comprehensive, practical, effective, science-based, humane, long-term and community-supported plan.

The end result of putting a plan in place is a community that's more knowledgeable and better equipped to co-exist with deer and other wildlife.



Biology of white-tailed deer

White-tailed deer are North America's most abundant large herbivore, with a range extending from southern Canada down to South America. Because of their ability to adapt to human-dominated landscapes, white-tails are also the deer species most commonly encountered in urban and suburban areas. For this reason, this conflict-management plan focuses on white-tailed deer (referred to from here on as "deer"), although much of the content presented also applies to issues with other deer species.

Deer are most active around dawn and again at dusk but may be active at any time of day, traveling well-used trails to their preferred feeding and bedding areas. Their diet changes seasonally and varies locally based on what is available. As ruminants, their 4-chambered stomachs are very good at breaking down both high and low quality food, digesting a varied diet including leaves, buds, twigs, fruits and nuts, grass, corn, alfalfa, and even lichens and other fungi. They eat a wide variety of green succulent plants in spring and summer, and in the fall eager consumption of acorns, corn and other tree nuts allows them to build up a store of fat that enables them to survive the winter season, when only low-quality foods such as the buds and twigs of woody plants are available.

Deer prefer "edge" habitat, the boundary between forest and field, where abundant browse is accessible. Because suburban landscapes mimic this desired type of habitat, providing food, water, and safe bedding sites close together, it's no wonder deer exist at high densities in suburbs.

Deer live in matrifocal family groups consisting of the doe and her female offspring from this and previous years. Bucks may aggregate at some times of the year in small groups, but during the mating season are more solitary. In places like Canada and the northern U.S. (which have long winters with high snow cover), deer may "yard up" temporarily in large groups to limit exposure to weather. A deer's home range is usually less than a square mile, sometimes considerably less for does living in suburbs.

Mating season (or "rut") begins in November in the northern parts of their range and in January or February in the southern parts of their range. This rutting behavior, combined with the onset of hunting season, means deer are on the move, resulting in increased roadway crossings at this time of year.

Deer are highly adaptable; they adjust easily and quickly to changing environmental conditions. In lean years, deer tend to have just one fawn or none, reabsorbing their embryos when their nutritional status is poor. When their food supply is good, twins or triplets may be born.

When fawns are born they are reddish-brown, weighing about as much as a small cat, with those classic white spots on their sides and back that serve to camouflage them. They need this camouflage because the doe "parks" her fawns somewhere (often a suburban backyard) and only visits her fawns twice a day to nurse them, usually around dawn and dusk.

At about a month old, the fawns will start traveling around with their mother, and imitate what she does. In this way, they learn the features of their habitat, what and where to browse, who their predators are, and how to

avoid them. They are weaned sometime after ten weeks old. Male fawns usually leave after a year, but female offspring separate from their mothers over a couple of years and may share their mother's home range as adults.

Deer have quite a few predators, including coyotes, wolves, bobcats, dogs and people. They use speed and agility to outrun these predators, sprinting up to 30 miles per hour and leaping as high as 10 feet and as far as 30 feet in a single bound. Although they are great jumpers, fences that are 8 feet or higher typically deter them.



Deer conflicts and solutions

ROOT OF CONFLICTS BETWEEN DEER AND PEOPLE:

There are several root causes of conflicts between deer and people in urban and suburban areas:

- **Suburban development:** Conversion of farmland and forest to suburbs brings people and deer together in an environment where both species thrive, inviting conflict. Suburbia's golf courses, parks, grassy lawns and tree-lined or hedge borders and the flowers, ornamentals, bird feeders and vegetable gardens in suburban backyards provide more food for deer in suburbia than mature woods where most vegetation is out of reach in the forest canopy. For the deer, good nutrition means excellent physical condition and a high reproductive rate; for people, proliferating deer in suburbs means browse lines, depleted gardens, and road hazards.
- **Wildlife feeding:** Safe from harassment and hunting, suburban deer can quickly lose their fear of people and pets and make themselves at home in backyards and on playing fields. Intentional backyard feeding emboldens them even more, concentrating deer and worsening conflicts.
- **Clashing values and perceptions:** People vary in their values, perceptions and attitudes towards deer. Hunters, wildlife watchers, animal advocates and deer feeders see and relate to deer differently. As a result, residents will differ in their views on how deer issues should be handled, on what the deer conflict is, and even if one even exists! Their desires and perceptions may be incompatible, leading to discord and controversy.

BACKYARD AND GARDEN COMPLAINTS:

Much to the displeasure of gardeners, deer enjoy browsing on many of the ornamental plants (such as tulips, roses, and hostas) commonly and widely used in urban and suburban landscaping. The best way to prevent deer damage to gardens is to replace plants attractive to deer with more deer-resistant native species and to protect highly desirable plants with repellents or fencing.

SOLUTIONS:

1. **Alternative plantings:** Encouraging residents to plant deer-resistant flowers and ornamental varieties will bring the best results. There is a wide variety of less tasty yet equally beautiful flower and ornamental options, and many gardening resources which your community website can link to, such as the local Cooperative Extension Service, nurseries, and deer-resistant gardening specialty lists (see Resources).
2. **Repellents:** A variety of repellent products, used singly (or better yet) in combination, can create a very effective multi-sensory deterrent to repel deer. Commercial repellents work by creating unpleasant tastes or odors, gastrointestinal discomfort, or a sense of pain (hot pepper or peppermint) when the active ingredient comes in contact with the eyes, nose, or mucous membranes of the deer. There are a variety of repellents on the market, yet some work better than others. Some of the more effective repellents contain a sulphurous odor (e.g., rotten eggs), believed to induce fear by giving off smells that deer associate with rotten meat or a predator. The trick is to not only choose the right repellent, but to also apply it diligently – which means every 2 weeks and after any heavy rains. (Please see Appendix E for recommended repellents and application instructions.

3. **Physical Barriers:** There are many options for protecting garden and landscaping plants. An 8 foot woven wire fence will keep deer out of larger areas, plastic netting can be used over particular bushes, and individual protective "tubes" and fencing can be placed around prized seedlings until they grow out of reach of the deer. There are also various options with electric fences. Some contain scent attractants (to ensure quick contact with electrified material) or moveable polytape "fences," which consist of nylon material with electric fibers running through it.
4. **Scare-based devices:** There are various scare-based products on the market, such as a motion-sensing "Scarecrow" sprinkler device that is hooked up to a hose and blasts any animal moving within a set range with a strong burst of water. Other devices pose a mild electric shock or emit deer distress calls. Although deer may acclimate to scare devices over time, if moved around and put on an alternating schedule, the deterrent effect will last longer.

DEER- VEHICLE COLLISIONS

It is estimated that each year there are roughly 1.5 million deer/vehicle collisions on U.S. roadways. Many factors contribute to deer-vehicle collisions, such as traffic volume, driver speed and distraction, extent to which roads bisect habitat, development patterns, extent of visual barriers, and speed limit.

Fortunately, there are many humane and effective ways to reduce the number of collisions involving deer, ranging from increasing individual awareness and caution to implementing new technology and structures. One community (Rochester Hills, MI) that implemented these solutions found a large drop in deer-car collisions in the first year, and has experienced success with a multi-faceted approach for approximately $5000 a year (see Appendix D for more information).

SOLUTIONS:

1. **Public eduction:** Some of the best collision-reducing efforts focus on public education of both current and new drivers. The messaging should focus on the following points:
    - Be vigilant. Watch from side to side as you drive, especially in areas of low visibility or where shrubs or grasses are near the road.
    - Watch for group behavior. Deer often travel in groups. If one deer crosses the road, slow down and watch for more to follow. Females travel together in winter, and fawns follow their mothers in spring and summer.
    - Be extra cautious in the fall, when bucks are on the move due to rutting and hunting seasons, and in the spring (May to June), when yearlings are seeking new territories.
    - Be especially watchful at dusk and dawn, when deer tend to be more active.
    - Use your high beams at night and turn down interior lights to see farther ahead. Slow down and watch for the eye-shine of deer near road edges.
    - Try to drive straight, avoiding swerving around wildlife; rather, try to brake firmly and blow your horn. Animals are easily confused. If you swerve, deer may run into the vehicle rather than away from it. And swerving could mean driving into another vehicle or off the road into poles or fences.
    - Slow down! Speeds below 45 mph result in fewer accidents with deer.

1. The Black-legged tick has well over 100 hosts, including all mammals, lizards, and many popular songbirds.
2. Studies have shown that the removal of one host isn't enough to suppress the Lyme-disease causing tick (Ostfeld, 2011, Jordan et al, 2007). Even when a high proportion of deer are removed from a location, the ticks switch to other hosts or congregate in higher densities on the remaining deer.
3. Deer removal programs may also put the public more at risk by creating disease "hot spots" (S. Perkins et al, 2006; Ostfeld, 2011). That is, mature ticks that normally latch onto large hosts (i.e., deer) are more likely to end up on people and dogs after deer populations have been reduced.

There's good reason why the Centers for Disease Control (CDC) and health authorities don't recommend hunting to control Lyme disease - because it hasn't been shown to work.

SOLUTIONS:

1. **Public eduction campaign** about the need to routinely check oneself and family members for ticks after being outdoors, taking precautions like wearing light-colored clothing, tucking in sleeves and socks, using tick-repelling products on your skin and insecticidal sprays on properties, doing habitat alteration to reduce tick and tick-host habitat, and consulting a doctor immediately when signs of Lyme disease or the characteristic rash occur. (see CDC website: www.cdc.gov/lyme/index.html)
2. **The 4-poster:** This device uses deer to kill ticks. It contains a corn bait to attract deer, and when they eat the corn, a chemical (10% permethrin) is applied (by rollers) to their necks and shoulders, killing 95%-98% of the adult ticks. This device has been tested by the USDA in a 5 state, 7 year research program and has proven extremely effective in reducing tick numbers (McGraw and McBride, 1991). A study done at the Goddard Flight Center also found that by using the 4-Poster system, adult ticks were completely eliminated by the 2nd year of the study; and all stages were reduced 91-100% by year 3 (Solberg et al, 2003). The advantages granted by this kind of device seem to outweigh any disadvantages stemming from the supplemental feeding of deer. This device is well suited to a community level approach.
3. **Damminix Tick Tubes** consist of cardboard tubes filled with permethrin-treated cotton balls which mice use for nesting material. The ticks that feed on mice in the spring and fall are exposed to permethrin and killed. This product is commercially available and well suited to a property-level approach.

AGGRESSIVE DEER

Rarely, there have been cases of deer being aggressive towards dogs and people. The cause of this is often protectiveness over fawns, or sometimes humans going into enclosures where bucks are in rut. These incidents are very rare, not always verified, and often associated with different individual perceptions.

SOLUTIONS:

Educating the public about:

- Not approaching a deer with fawns
- Keeping dogs on a leash (particularly during fawn-rearing season, which occurs late spring to summer)
- Hazing methods such as approaching a deer and opening and closing an umbrella, clapping hands and yelling, or shaking an aluminum can with coins inside.

BIODIVERISTY LOSS/FOREST REGENERATION:

Deer can certainly impact ecosystems and have a strong influence on forest biodiversity. However, many other factors impact forest biodiversity in largely invisible ways, such as acid rain, insect damage, parasitic organisms, invasive and other competing plant species, pollution, and weather extremes. In addition, the natural process of forest growth stages (i.e. succession) means that as forests grow, trees mature and their canopies shade out the slower growing plants below. The result is that forests become less diverse as they age. Sun-loving flowers may be shaded out of existence with or without deer.

While we may want to see a certain flower grow somewhere, this doesn't mean it "should" be there. There is no forest blueprint for what should grow. What we want to see in the natural world is influenced by our aesthetic preferences—which may not be grounded in any biological reality. It's vital that community leaders have baseline data collected so that deer impacts can be measured, and make sure any action plan is tailored to achieving very defined and realistic goals which can be reliably assessed.

SOLUTIONS:

There are various ways to increase biodiversity and forest regeneration. Borrowing from the field of forestry, one can utilize the following techniques: permanent or moveable fencing, overstory thinning, small patch cuts, liming, fertilization of soil, stem protectors, etc. The first step, however, is defining exactly what is to be achieved, and understanding the growing conditions and type/extent of habitat manipulation required for the desired plant species and assemblages.



The Comprehensive Approach

There is no one solution to conflicts with deer. A good deer conflict mitigation program will be comprehensive and multifaceted. The focus needs to be on managing deer *conflicts*, not deer numbers. Many communities get mired in arguments about how many deer they have and how many deer they want, and lose sight of more effective, less costly, and more publicly acceptable ways to manage deer conflicts.

THE PROBLEM WITH NUMBERS

One of the biggest challenges with focusing on deer numbers, rather than deer conflicts, is that it's extraordinarily difficult to determine how many deer "should" live in an ecosystem or community. Often, the terms "biological carrying capacity" and "cultural carrying capacity" are used, but what do those terms mean?

Biological carrying capacity (BCC) is the number of deer a given piece of land (or ecosystem) can support. If BCC is exceeded, that means there's not enough food for all and some deer will starve. Except in the most extreme and prolonged winters, adult deer rarely starve in suburbs; before deer populations reach that point, fawn production and survival drop off. However, the term is often misapplied. You may hear that "BCC has been exceeded" because people see localized signs of heavy browsing. However, this doesn't necessarily mean that the deer are in critical condition – or that they are anywhere near exceeding their biological carrying capacity. It may just mean that they are eating certain kinds of plants more heavily than others. Likewise, you may hear that 25 deer per square mile (or another number) is what your community "should have." This one-size-fits-all recommendation is a political judgment that has nothing to do with biology. Depending on the type and quality of food and cover, different kinds of habitats can support different numbers of deer –there's no one magical number that any community "should" have.

Cultural carrying capacity is the number of deer that is desired or tolerated by people in a given community. Yet this concept is impossible to define because no one level of deer will satisfy all residents. For a gardener, 2 deer may be too many, yet for a nature lover or hunter, 25 deer might be welcome. Surveys show us that people tend to assume that wildlife numbers are parallel with conflict occurrence and severity. That is, people's desires for more or fewer deer are dependent on whether they're experiencing conflicts, and the severity of those conflicts. If the conflict is resolved without removing deer, their tolerance level goes up and they perceive there to be fewer deer, even if the number of deer remains exactly the same. Community leaders need to be aware of this phenomenon, and be careful to focus programs on reducing wildlife conflicts, rather than overly focusing on wild animal numbers.

Another problem with focusing solely on deer numbers, rather than conflicts, is that progress can be difficult to measure. Obtaining an accurate count of the number of deer in a community can be both expensive and difficult (with all survey methods involving biases and varying margins of error).

CRUCIAL ELEMENTS OF A DEER CONFLICT MITIGATION PLAN

The focus for an effective deer conflict management plan needs to be on addressing the root cause of conflicts with deer by using an adaptive management framework, i.e. one that is flexible and allows for modification as conflicts or unforeseen issues arise.

There are several elements that are crucial to the success of any deer conflict mitigation plan:

- **Collect site-specific data to indicate the localization and seriousness of the conflict.** The focus needs to be on assessing and defining your community's specific deer-related conflicts.
- **Set clear, achievable and measurable goals.** These goals need to be **tailored** to address specific conflicts and have clear benchmarks to assess program success.
- **Use strategies that are long-term and site specific.** Avoid "quick fix" strategies that don't provide long-term benefits.
- **Create an ongoing monitoring program.** A solid monitoring system is vital for assessing whether the program has achieved its goals, in addition to seeing what changes need to be made. This could be as simple as setting up a resident complaint and/or collision reporting system.
- **Clearly spell out the long term-costs and time-line.** The public needs to know how much public money is supporting the program, over what time period, and where and when certain activities will occur (including those which might impact them, such as park closings).
- **Public outreach, education and involvement are pivotal to program success & community support.** Make sure the public is part of the process, is solicited for their input, informed of all key meetings and decisions, is educated about how to co-exist with deer and resolve conflicts, and if possible directly involved in providing data and assessing outcomes. The community's web site and all other outreach and media avenues should be used to achieve this goal.



What communities can do: A step by step guide

The goal is to create a Deer Conflict Management Plan which clearly outlines the community's deer-related conflicts and attempts to resolve them in a site-specific manner. The focus needs to be on managing deer conflicts, not deer numbers!

STEP 1: GATHER LOCAL DATA:

a. **Conduct resident surveys:** Surveys can to be distributed through a town-wide mailing with either the survey itself attached (with a return envelope) or through a link to an online survey platform (such as SurveyMonkey). These surveys need to objectively measure residents' attitudes towards deer, the type and severity of their conflicts with deer, and their preferences regarding ways to manage these conflicts. Sample survey questions are included in Appendix B.

b. **Deer-car collision data** should be collected through a robust accident-reporting system, with data collected by the Public Works or police department which includes date, time of day, exact location of accident, injuries (and severity), damage to vehicle, light conditions, etc. (see Appendix D- sample Collision Report form). Using this data, identify collision hotspots for warning sign/device placement and mitigation measures and flag the locations of roadway sightline barriers which need to be removed.

c. A **complaint reporting system** is helpful for centralizing all deer- related complaints into one central source and logging them into a universal database which includes type of complaint (damage to garden/ ornamentals, collisions, orphaned fawn, deer sighting), level of severity, and exact location.

d. **Collect information on the location and type of deer attractants** in town, such as location of public flower exhibits, roadside or roadway- divider floral beds and who maintains them (ex: Garden Club), and to what extent they contain deer preferred flower species. Also record location of people who feed deer for follow-up visits.

e. **Deer habitat** can be assessed by plotting on a map or Geographic Information System all parcels of public and private green space, noting areas of high deer density and possible deer corridors.

f. **Deer feeder locations** and any areas where feeding stations have been reported should be identified.

STEP 2: DO MAP OVERLAYS

Once all the above data is collected, map overlays can be created showing accident hotspots, location and type of complaints, location of deer feeding activities, and where certain attractants are that entice deer into roadways. Plotting this type of data will give you a clear picture of what and where your community's specific deer conflicts are, and where solutions can be applied in a site-specific manner.

STEP 3: CREATE PUBLIC INPUT CHANNELS

The extent to which any deer program is accepted by residents mostly depends on their perception of how fair and open the process was and if their concerns were heard. To this end, the following can be done:

a. **Conduct resident survey** (as outlined above)

b. **Set up a deer task force.** To be effective and credible, this committee should be balanced, with all important stakeholder positions fairly represented.

c. **Have open public forums** to discuss the deer situation. Residents should be encouraged to speak at these forums. Guest/expert speakers can also be very helpful, but again, credibility requires that diverse views are represented among speakers.

d. **Present easily accessible information to public:** The town or city's website and other outreach/ media connections can be utilized to provide good information to the public about deer conflict management methods such as how to deer-proof your garden or yard and avoid collisions, and why not to feed deer. It can also be used to keep the public apprised about what the town is considering, any key meetings, and the work of its deer committee. Make sure that any report or information includes long and short-term costs (direct, indirect) and a specific timeline. The media and other information distribution channels should be utilized to maximize public awareness, education and outreach.

STEP 4: CREATE ACTION PLAN: UTILIZE RANGE OF NON-LETHAL OPTIONS FOR SITE-SPECIFIC APPLICATION

After completing the Evaluation phase, set out the Action Plan as approved by the Deer Task Force and community leaders, and based on public input. One designated person should be in charge of overseeing the deer program (i.e. serve as the Deer Program Coordinator). The Coordinator could develop a master list of volunteers who, after appropriate training, can speak to those residents who call with complaints, do site visits, and even give samples of repellents or information about deer-resistant plants for those who are having backyard deer issues. The deer program can and should be promoted as a source of community pride, as something that is achievable with some effort on the part of all residents, and something that can bring about a harmonious relationship between residents and their community wildlife. Components of the action plan should be specific, measurable, and specific to the root causes of conflicts with deer in the community:

A. **Deer Damage to Gardens**

a. Public Education: Put conflict-solving information on community website (including web links to local resources), and informative flyers in community mailings on where to find deer-resistant plant lists, repellents, and fencing options. Local Cable TV and news media, electric bill inserts, and other information distribution channels should be considered along with special public presentations given for residents on conflict-solving methods.

b. Host deer-resistant gardening workshops for residents which are presented in the evening or on weekends by an expert and also include site visits to homes for private consultations.

c. Promote deer-resistant flower and ornamental species in all community landscaping and floral displays. Collaborate with garden club and local beautification committees to ensure that all town floral displays contain deer-resistant species and use these to publicize preventative gardening strategies.

d. Set up town study plots. Have a deer-resistant garden plot next to a deer-attracting garden plot, plus various plots to which certain repellants are applied (along with control plots for comparison). Put photos of deer damage (or lack of) on website and use study plots to educate residents how to garden defensively.

e. Host deer-proofing demonstration days – Utilize boy scouts and other local volunteer groups to put up fencing or tree guards at local parks and have "deer discount days" at local garden stores (i.e. where deer deterrent products are discounted on certain days, etc).

B. **Deer-Car Collisions:** Once local deer collision data has been collected and analyzed, the following solutions can be applied. Coordinate a roadway maintenance plan which is overseen by a designated person:

   a. Do educational outreach (i.e. "Don't Veer for Deer" campaign): put information on community web site, PSAs, local media. Focus on peak months (Nov-Dec rut and May-July fawn rearing). (See Appendix D for more information)

   b. New driver education: get driving tips and Don't Veer for Deer campaign literature to all new driver education programs (partner with high school, driving school, programs for the elderly, etc).

   c. Reduce visual barriers on roadways: do vegetative management and brush removal to increase visibility on major roadways and negotiate with private landowners about reducing roadway brush on private property adjacent to major roads or accident hotspots.

   d. Treat collision hot spots, utilizing speed bumps, fencing, movable changeable message boards, warning devices (ex: Streiter lites, Deer Deter Wildlife Crossing Guard (http://strieter-lite.com ; http://deerdeter.com), and evaluating hot spots for possible lower speed limit designation

   e. Investigate possible salt replacement alternatives for winter.

   f. Set up and maintains accident-reporting system and continue mapping accident locations and other details.

   g. Use Rochester Hills MI "Don't Veer for Deer" campaign as a model – see http://www.rochesterhills.org/index.aspx?NID=569

C. **Deer feeders**

   a. Develop educational literature, publicizing how feeding is not good for the deer.

   b. Encourage neighbor-to-neighbor sit-downs and have town personnel conduct diplomatic visits to offenders.

   c. A deer feeding ban ordinance can be passed to discourage the feeding of deer, and contact information provided for the reporting of violators.

D. **Lyme disease**

   a. Public education campaign focusing on personal prevention steps, including links on community website to CDC and other expert resources regarding disease prevention methods (personal protection measures, landscaping practices, etc.

   b. Tick Management: Consider drawing up community –based plan for strategic placement of 4-Posters (see Lyme disease section for more information on 4-posters).

E. **Biodiversity issues**

   a. Seek out collaboration with local Natural Resource schools/universities to have college students do field survey work to objectively assess deer impacts and browsing levels on local flora and establish baseline data.

   b. Consider use of forestry methods (fertilizing, temporary or permanent fencing, stem protectors, etc) to protect valued plant communities.

F. **Aggressive/Habituated deer**

   a. Assessment: Have local animal care and control professional evaluate the situation.

b. Educate residents about temporary and rare nature of aggressive deer situations, importance of keeping dogs and people away from fawns, and describe hazing methods they can use if a deer comes too close or becomes threatening.

G. **Orphaned fawns:** This topic should be included in all educational materials and in spring-summer media (See Appendix F for more information):

- That the vast majority of seemingly "orphaned fawns" are NOT orphaned and should be left alone.
- It is common to have fawns "parked" in yards and fields by their mother and as they rely on environmental camouflages for protection. The doe will nurse her fawn twice a day but stays away the rest of the time since her odor will attract predators (fawns are odorless). Once the fawn is about a month old, it will travel around with its mother.
- Only if the fawn is injured, wandering and vocalizing all day, and/or a dead lactating doe is found in the road should the fawn go to a licensed wildlife rehabilitator.
- If the fawn is picked up by a well-intentioned resident, the resident needs to be advised to quickly return the fawn to the original site for the mother to reclaim.

STEP 5: PROGRAM ASSESSMENT AND MONITORING:

1. Set up a robust resident complaint and deer-car collision reporting system and monitor over time to see if goals are achieved and if accidents and "nuisance" complaints decline over time (See Appendices B, C and G)
   a. **Resident complaints**: record type, extent, duration, location of complaint, time and date
   b. **Collision reporting:** accident location (exact), time of day, if injuries, damage to car(s), if just dead deer in road, etc.
2. Conduct resident survey every year to measure resident satisfaction with program, see if satisfaction ratings increase.



Appendix A: Sample Resolution

Resolution No._____

A Resolution Approving a Deer Conflict Management Plan

WHEREAS the City of ____ has a duty and responsibility to protect their health, safety and welfare of its residents; and

WHEREAS it is recognized that deer are a natural part of the landscape and the ecology of the region, despite human encroachment upon their habitat; and

WHEREAS deer provide great pleasure to residents and are beneficial to the community as a whole, and

WHEREAS deer may create conflicts due to their browsing activities and movements and certain human activities may serve to unintentionally create or exacerbate such deer-human conflicts; and

WHEREAS due to the varied interests of persons and organizations regarding actions that can be taken in the management of deer, a written management plan is desirable to ensure that the varied interests are evaluated and considered when seeking to address conflicts with deer, and;

WHEREAS the purpose of the Deer Conflict Management & Coexistence Plan is to provide effective long term solutions to deer conflicts, including education, habitat modification, hazing, exclusion, repellent methods, and tolerance, to resolve and reduce human-deer conflicts within the City in a humane, ecologically sound, and effective manner; and

WHEREAS deer-related conflicts can be resolved through public education about deer-resistant gardening, defensive driving, tick-borne disease prevention, and feeding bans along with effective roadway signage and maintenance practices, among other recommended actions; and

WHEREAS the City is directed to prioritize nonlethal methods, including education and methods list within the Deer Management Plan, as primary methods in deer management; and ,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF _____ that the Deer Conflict Management Plan attached hereto and incorporated herein by reference, is hereby approved. The resolution shall be effective immediately.

Adopted and approved this ____ day of _____

Attest _____

Appendix B: Sample Public Survey

Name _____

Address _____

Phone (cell) _____ (home) _____ Email: _____

1. **Do you enjoy seeing deer in the community?**
   a) Yes
   b) No
   c) Sometimes
   d) In the community, but not in my yard

2. **Are you experiencing any deer issues currently?**
   ___Yes ____No

3. **What deer-related issues are you/ have you experienced in the past year?** (*Browsing = eating of vegetation)
   a) Deer-auto collision
   b) Browsing* of vegetable gardens
   c) Browsing* on ornamentals/ flowers
   d) Browsing* of crops
   e) Human-habituated "too tame" deer
   f) Neighbor feeding deer and attracting them to my yard
   g) Other: _____

4. **Rate the level of severity of any deer issue you've experienced in the past year:**
   Use a 1-5 scale here, with 1 being caused no problem to 5 being caused a severe problem:
   a) Deer-car collision ___
   b) Browsing on vegetable garden ___
   c) Browsing on ornamentals/ flowers ___
   d) Browsing of crops ___
   e) Human-habituated "too tame" deer ___
   f) Neighbor feeding deer ___
   g) Other: _____

5. **Have you taken any actions to alleviate the deer issues?**
   Yes__ No__

6. **What actions have you taken?** (circle all that apply, and indicate how successful the action was on a 1-5 scale—with 1 being ineffective and 5 being highly effective)

   a) __Tolerance / no action

   b) __Switched to planting deer-resistant flower/ plant varieties

   c) __Used fencing / netting / barriers

   d) __Used repellents

   e) __Scare devices

   f) __Hazing – i.e. using scare tactics to re-instill natural fear of humans

   g) __Other: _____

7. **What kind of deer conflict management program is acceptable to you?**

   a) Prefer non-lethal (no killing of deer) options only

   b) Prefer Lethal (killing of deer) options only

   c) Combination of both options above for managing issues

   d) No opinion/Don't care

   e) Other: _____

8. **What specific actions are acceptable to you?**

   a) Do nothing/ leave deer alone

   b) Non-lethal population control measures –dart deer with contraception vaccine or use surgical sterilization

   c) Non-lethal conflict mitigation measures – public education and workshops on deer resistant gardening, prevention of Lyme disease, preventing deer-vehicle collisions, etc.

   d) Lethal measures – archery hunting

   e) Lethal measures – shotgun hunting

   f) Lethal measures –sharpshooting program

   g) Other: _____

9. **How do you feel about deer?**

   a) I enjoy the presence of deer,

   b) I enjoy the presence of deer, BUT I am experiencing some conflicts

   c) I do not enjoy the presence of deer and regard them as nuisances

   d) I'm concerned about collisions

   e) I'm concerned about Lyme disease

   f) Other:_____

10. **Please provide additional comments or a description of issues that you would like to make the committee aware of regarding deer.**

Appendix D: Tips for Avoiding Deer/Vehicle Collisions

This kind of information can be put into educational materials, posters, fliers and web site text to help residents reduce the likelihood of collisions with deer:

BE VIGILANT: When you drive, make a habit of watching from side to side, especially in areas of low visibility or where roadside shrubs or grasses are close to the road.

WATCH FOR GROUP BEHAVIOR: Deer tend to travel in groups. If one deer crosses the road, watch for more to follow. Female deer tend to stay together as "doe groups" in winter and have young fawns following them in the spring.

BE AWARE OF SEASONS: In the fall (Nov –Dec), bucks are on the move due to rutting and hunting seasons. In spring (May- June), fawns are following their mothers. Be extra careful driving at these peak times of year.

BE AWARE OF TIME OF DAY: Deer are most active at dusk and dawn. Be watchful, especially during early morning and evening, when wildlife may be moving across roads.

USE HIGH BEAMS: At night, use your high beams to see farther ahead. Slow down and watch for the eye-shine of deer near the road edges.

DRIVE STRAIGHT! Do not swerve to avoid wildlife but stay in your lane, brake firmly, and blow your horn. Animals are easily confused. If you swerve, you may collide with another car, telephone pole, fence or other roadside object. Also deer may run into the vehicle rather than away from it.

IF YOU HIT A DEER: Pull off the roadway. Turn on the vehicle hazard flashers, and be careful of other traffic when you leave your car. Don't attempt to drag a deer off the roadway unless you know it's dead and it's safe to do so. An injured deer can cause serious injury.

See: http://www.rochesterhills.org/index.aspx?NID=569 and www.deercrash.org for more information and http://www.michigandeercrash.com/Deer_Crash_Brochure.pdf for a sample brochure

Appendix E: Repellents & Scare Devices

Repellents are products that are meant to disrupt and reduce deer browsing. However, deer are very adaptable. Therefore, the effectiveness of repellents will depend on a number of factors:

- Seasonal changes in plant palatability
- Local deer taste preferences
- Availability of alternative foods
- Time of year
- Deer density
- Type of repellent and concentration of active ingredients
- Durability of the repellent and how often it is applied

Plants are most vulnerable in winter when snow cover or extreme cold reduces food availability, and in early spring when young, succulent spring growth on ornamentals may occur before native plants. In addition, most repellents require reapplication at regular 2-3 week intervals and after heavy rains. This is why people may consider repellents to be labor-intensive and not always cost-effective, particularly over larger acreage. On the more positive side, repellents are easy to apply and invisible, thus having much aesthetic appeal.

WHAT MAKES SOME REPELLENTS MORE EFFECTIVE THAN OTHERS?

Odor-Based Repellents: The most effective deer repellents tend to be those that produce sulfurous odors and are considered "fear-inducing." These repellents depend completely on detection through odor. It is believed that deer associate a sulphur smell with the presence (or carnage) of a predator or spoiled food. Not all sulphurous odors are equally effective, however. For example, compounds containing garlic seem to be less effective than sulphur compounds in urine.

Aside from fear-inducing odors, repellents use other modes of action (some repellents combine several modes of action) which include:

- **Taste:** These include bitter ingredients that presumably create a bad flavor. Taste receptors in deer are different from those in humans; some compounds which are very bitter to people don't bother deer at all. Taste-based repellents must be continually applied to the growing parts of plants. Taste-based repellents seem to have a shorter duration of effectiveness than odor-based. This may be due to the lack of an associated odor cue, so deer repeatedly sample growing plants and quickly notice if the hot pepper flavor is absent from any plant parts.
- **Pain:** these include ingredients like hot pepper (capsaicin) or ammonia, which cause irritation on contact with the mucous membranes, eyes, mouth, nose or gut.
- **Conditioned aversion:** these products cause animals to form an association between the treated item and a feeling of sickness, usually gastrointestinal.

TIPS FOR SUCCESSFUL REPELLENT APPLICATION:

1. All repellents work best if applied before the deer's feeding pattern becomes established. This means applying repellents before bud-break and as new growth appears. The goal is not to break a browsing habit, but rather to prevent one from forming!
2. Repellents need to be reapplied after heavy rains. Routine reapplication every 2-3 weeks is vital so that new, growing plant parts are protected as well.
3. Deer may become accustomed to the same repellent and ignore it over time. Alternating repellents may help to keep the deer confused and more wary.
4. At the height of growing season, choose an odor repellent over a taste-based one. Taste-based repellents need to be constantly applied to any new growth to keep the whole plant tasting bad.

HOW DO I CHOOSE A REPELLENT?

Many repellents are stocked by local garden, farm supply or hardware store, and it's a good idea to ask what seems to be working best in your area.

NON-COMMERCIAL REPELLENTS:

Soap Bars: Hanging a bar of soap from a bush or tree will help protect it. Be sure to leave the soap wrapper ON and drill a hole through the center of the soap and suspend it with a string. The brand of soap must be high in tallow fatty acid, like Irish Spring. Glycerin and coconut-based fatty acid soaps do NOT seem to repel deer well. Disadvantage: the sphere of protection is limited to the immediate area around the tree/bush. Be sure to hang the soap bars no more than 3 feet apart, up to a height of 6 feet, all around the tree/bush.

Human Hair: Although hanging sachets of human hair costs very little, it does not consistently repel deer. Hair can be obtained from beauty salons and barbershops quite easily, however. Hair should be bagged in 1/8-inch mesh bags or nylon stockings, and contain at least 2 handfuls of hair apiece. Bags should be hung at least 3 feet apart from each other and up to a height of 6 feet if the tree/bush to be protected has a wide diameter. Refresh the bags monthly with fresh hair.

HOMEMADE SOLUTIONS:

- Mix 3 eggs well in a blender. Mix with 1 gallon of water. Spray on plants. Reapply after heavy rains. Disadvantage: this solution may clog sprayer.
- Mix 4 eggs, 2 oz. red pepper sauce, 2 oz. chopped garlic. Blend with enough water to make 1 quart. Strain and apply with spray can.

A SAMPLING OF COMMERCIAL REPELLENTS:

Deer Away Big Game Repellent (BGR): This product comes in both a powder and liquid) and has scored well in repellent studies. BGR is an odor-based repellent comprised mostly of putrescent egg solids. It is usually available in garden stores.

Miller's Hot Sauce and **Deer Away Deer and Rabbit Repellent:** Both of these products rely on trigeminal nerve irritation in the mouth caused by the hot pepper sensation. The effectiveness of any capsaicin-based (hot

pepper) product appears to depend largely on the concentration of capsaicin used and that the product be reapplied every 2-3 weeks (or less) so that any new plant growth is covered.

Hinder: This is an odor deterrent, based on ammonium soaps high in fatty acid. This is one of the few products that can be used on garden vegetables. It is usually available in garden stores.

Milorganite: This human sewage-based fertilizer is primarily an odor deterrent, available at most garden stores. Recommendation: Spread in a wide band around the perimeter of a garden, reapply as directed and after heavy rains. It is usually available in garden stores.

SCARE DEVICES:

Another way to deter deer is to scare them. However, deer tend to habituate to most scare devices over time. Their initial fear of a device that looks, moves, or sounds strangely may even result in curiosity followed by rapid habituation as the deer learns that the device is not harmful. Here are some examples but this list is not all-inclusive:

- **Scarecrow Motion Activated Sprinkler:** This is a motion sensor combined with a sprinkler that attaches to a spray hose. When a deer comes into its adjustable, motion detecting range, a sharp burst of water is sprayed at the animal. By combining a physical sensation with a startling stimulus, this device appears to be more effective than other devices that rely on sights or sounds alone. This device reportedly is effective for other mammals that may come into gardens.
- **Havahart #5250 "Electronic Deer Repellent":** This highly portable "repellent" consists of 3 stake-like devices, cotton and a scent lure and is aesthetically colored to blend into the environment. The deer are attracted to the lure and receive a mild electric shock when they reach it. The concept is to train them, through aversive conditioning, to stay away from gardens. This 3-post device covers 1200 square feet of garden, according to the company. The current produced by this device has very low amperage and duration of only a few milliseconds.
- **Ultrasonic Devices:** There are several devices which are intended to repel wildlife by producing high-frequency, short-wave ultrasonic sounds that are inaudible to people but are heard by the target animals. While ultrasonic devices placed in yards and other outdoor areas can be effective for keeping deer away, devices like "deer whistles" meant to be affixed to car bumpers to prevent deer-auto collisions have not been shown to be effective.

Appendix F: Handling Orphaned Fawn Calls

In late spring and summer, residents may see a helpless-looking fawn curled up in their yard. They often assume the fawn is orphaned, and grab the animal. They don't realize that this is the worst thing they can possibly do.

What's happened is that the mother deer has "parked" her fawn somewhere that seemed safe in the night. The fawn is completely dependent on her spotted coat (blends into the landscape) and on being scent-less to avoid detection by dogs, coyotes, and other sources of danger.

Only when the fawn is a month old will she start traveling around with her mother. Until then, she stays put – more or less—and waits for her mother to come back and nurse her 2-3 times a day – usually in the early morning or at night. The doe does not stay with her fawn because she doesn't want to attract predators.

People don't realize this, and instead "kidnap" many healthy fawns, mistakenly thinking they're orphaned. They don't realize the mother is frantically looking for her baby, and that the fawn needs to be raised by its mother in order to learn vital survival skills.

If the caller has already picked up the fawn, they should be instructed to:

- **Promptly return the fawn to exactly where she was found.** (Let the caller know that, contrary to popular myth, the doe will not abandon her fawn due to human scent.)
- Do not stay at the site or the mother will stay away.

ONLY under the following circumstances should the caller be instructed to take the fawn to a licensed wildlife rehabilitator:

- If the mother is definitely dead (ex: if roadstruck – the undersides can be checked for signs of lactation).
- If he fawn has been crying and wandering around all day.
- If the fawn is definitely injured (i.e. broken leg --- not to be confused with their normal wobbly stage when they first start moving around.)

Rehabilitators can be located by going to: www.humanesociety.org/wildliferehab

Appendix G: Sample Public Complaint Form

Name _____ Date: _____

Address _____City:_____

Email _____

Phone _____

Is complaint at your home? If not, location: _____

COMPLAINT TYPES:

___ Browsing flowers

___Browsing vegetable garden

___Browsing trees/ ornamental

___Collision with own vehicle

___Collision with other vehicle

___Caught in netting or fence

___Came into house or dwelling

___ At birdfeeder

____Aggressive to pet

ADDITIONAL INFORMATION:

___Aggressive to person

___ Neighbor feeding deer

CONCERNS (NO ACTUAL CONFLICT)

___Concern about having collision

___Concern about Lyme disease

___ "Too many deer"

___ Concern for deer welfare

____Orphaned fawn

____Want to hunt in town

____ Don't want hunting in town

Appendix H: Deer Fertility Control

OVERVIEW

The first step for a community considering the use of fertility control to manage deer population numbers is to closely evaluate whether it is justified based on the characteristics and severity of deer conflicts. It is important to determine whether fertility control will really address your community's particular concerns. Once this has been discussed, and your community's plan seeks to include a fertility control component, the next step would be to contact a fertility control researcher or service provider to further discuss your community's goals, problems, and possible solutions and learn about what options might be practical and logistically feasible. At this time, most fertility control programs for deer are multi-year research-based projects and require significant scientific justification and oversight in order to be carried out in the field.

Fertility control options may be initially expensive and labor intensive, but because these options result in few or no fawns being born, they provide a long-lasting effect and prevent that "bounce back" in deer numbers that would otherwise occur every spring fawning season. Laboratory and field researchers continue to develop, test, and refine deer fertility control tools and techniques. The following material will provide additional information on different methods and applications of current deer fertility control efforts.

IMMUNOCONTRACEPTION

Immunocontraception is a fertility control method that uses the body's immune response to prevent pregnancy. There are multiple immunocontraceptive products being utilized, researched, refined, and field-tested for use in deer.

The most extensively tested immunocontraceptive is **porcine zona pellucida** (PZP), a protein based vaccine that is given to females via intramuscular injection (either by hand or with a dart delivered via CO_2-powered dart gun or blowpipe). This injection causes her to produce antibodies that bind to her egg coating and block sperm attachment, thereby blocking fertilization during breeding. Currently, PZP is being tested on deer in the field under state-issued scientific use permits.

Currently developed PZP formulations utilized include:

- **Native (PZP)** –Provides a year of contraception with two initial treatments. Contraception is extended for one or more years with annual boosters. May be delivered by dart or by hand. Native PZP is EPA-Registered for use in deer as ***ZonaStat-D, but is pending final revisions*; state registrations, which will be needed for management use, are pending. Native PZP** is manufactured at the Science and Conservation Center in Billings, MT. http://www.sccpzp.org/
- **PZP- 22** – Combines the native PZP vaccine with a set of controlled-release PZP pellets that extend contraception to approximately 2 years or more with a single injection. Past studies in deer have documented the success of hand-injections. Field studies testing effectiveness and longevity of remotely delivered PZP-22 booster treatments are underway . PZP-22 is not yet registered with the EPA, nor with any individual states.SpayVac® - Is a PZP vaccine produced by Immuno Vaccine Technologies, Nova Scotia, Canada which has demonstrated multi-year effectivity with a single dose. The mechanism of

action of SpayVac® may differ somewhat from that of native PZP and PZP-22. SpayVac®is not yet registered with the EPA, nor with any individual states.

Another immunocontraceptive agent that has been effectively used in deer fertility control programs is **GonaCon™**. In contrast to PZP-based vaccines, GonaCon™ works by specifically targeting the hormone GnRH (gonadotropin releasing hormone). GnRH is a normally occurring hormone that stimulates and regulates the production of sex hormones in males and females. Antibodies produced in response to GonaCon™ injections neutralize naturally-occurring GnRH and block the release of these sex hormones, resulting in infertility. Because the steroid hormones blocked by *GonaCon™ influence behavior and many physiological processes, it should be applied with caution until more field testing has been completed. In particular, use on males should be avoided because of its demonstrated effects on antler growth.*

- **GonaCon™** - was developed by the USDA/APHIS National Wildlife Research Center in Fort Collins, Colorado, and registered by the EPA for use in white-tailed deer in 2009. In captive studies, this vaccine has also demonstrated multi-year fertility control in female deer (approximately 2 to 4 years) with a single injection.

SURGICAL STERILIZATION

Surgical sterilization involves a much more invasive process than immunocontraception, but once performed is permanent. Like other methods of fertility control, surgical sterilization is still in the experimental stages (with the exception of the state of Maryland, where this method is permitted for deer management outside of research). This method requires the management team to have specific expertise in both chemical capture (sedation darting) and veterinary anesthesia and surgery.

Though sex-specific, there are multiple methods of surgical sterilization procedures being applied in the field, all of which are performed under anesthesia by a licensed veterinarian with adequate training in such techniques.

For female deer:

Ovariectomy - ovaries are surgically removed. This procedure yields permanent infertility, as animals cannot reproduce without ovaries and eggs present for impregnation.

Tubal Ligation -Fallopian tubes are clamped and separated so eggs won't travel from the ovary into the uterus. This method is commonly referred to a getting one's "tubes tied", and since the sex organs that produce and house eggs are still present, there is a very small chance that an egg could still find its way into the uterus and the animal could become pregnant. Therefore, since a pregnancy can technically still occur (although rare), this method does not guarantee permanent infertility 100% of the time.

For Male Deer:

Vasectomy- the vas deferens are clamped and separated to avoid the advance of sperm from the testicles into the seminal stream. Similar to tubal ligation, since the sex organs (testes) that produce and house sperm are still present, there is a very small chance that sperm could still find its way into the seminal stream. Therefore, since release of sperm can technically still occur (although rare), this method does not guarantee permanent infertility 100% of the time. Castration, or removal of both testes, in NOT recommended in deer. Given the role that testosterone plays in deer behavior and antler growth, the

testes should remain in the body to avoid potentially life threatening side effects related to inhibited antler development.

Fertility Control Field Research Requirements

At this time, most fertility control methods are only permitted for use under the auspices of research by field scientists. Regardless of the method of fertility control, research projects require sound scientific study design, where the purpose and outcomes will contribute to the existing body of research and knowledge within the field. Research permits are awarded at the discretion of the individual state's wildlife and natural resource authorities, who generally require a full research proposal be submitted. Additional review and permissions from Institutional Animal Care and Use Committees may be required under the Animal Welfare Act and other applicable laws. Depending on the technology being tested, EPA authorization may also be needed.

For management applications, fertility control project plans must still be reviewed and permitted by the state wildlife authority. Each state wildlife authority will impose requirements that they see fit for their individual state's requirements and needs.

For more information about fertility control options or to further discuss the process of conducting a pilot project, please contact HSUS Staff via email: wildlife@hsus.org

ADDITIONAL FERTILITY CONTROL RESOURCES

- Botstiber Institute for Wildlife Fertility Control: www.wildlifefertilitycontrol.org
- Science and Conservation Center: www.sccpzp.org

Resources

DEER-VEHICLE COLLISIONS:

- www.deercrash.com - put together by various DOTs with methods and reviews
- www.michigandeercrash.com/Deer_Crash_Brochure.pdf - sample brochure

DEER –RESISTANT PLANTS:

- hwww.deerresistantplants.com
- www.easywildflowers.com – great native flower resource
- wildlifehotline.org/deer.html
- www.humanesociety.org/deer
- www.deerproofyourgarden.com –gardening expert Sandy Baker is available to give public presentations, private landowner garden assessments, and make deer-proofing recommendations for communities
- Local garden stores
- Local Cooperative Extension Service – for listing of native deer-resistant plants

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Controlling deer populations humanely

Wildlife fertility control

SHARE

Killing programs aimed at reducing deer populations are often controversial, difficult to execute safely in urban and suburban areas, and don't result in long-term population reduction. Wildlife fertility control offers a humane way to manage deer populations where necessary and appropriate.

PZP (porcine zona pellucida) is an immunocontraception vaccine that can be used to control fertility in adult female deer and other mammals. Unlike some fertility control vaccines and methods that can cause undesirable behavior changes, PZP simply prevents fertilization from occurring. Most importantly, because PZP is a natural protein, like all other proteins found in animals, it is safe to use and will not harm animals. PZP can be delivered to adult female deer by hand or remotely using darts shot from a dart gun.

> Recent improvements in the PZP vaccine now prevent deer from having fawns for up to three years with just one treatment. These vaccines significantly reduce the time needed to dart animals and, more importantly, reduce the costs of treating deer.

Since the 1990s, the HSUS has conducted several successful PZP immunocontraception research projects on deer. The biggest and most successful have been at Fire Island National Seashore (FINS) in New York, on Fripp Island in

South Carolina and at the National Institute of Standards and Technologies (NIST) in Gaithersburg, Md.

Fire Island National Seashore was the HSUS's original deer study site. The primary goals there were to see how effective PZP was in deer and whether or not more than 200 of them could be darted each year. Both were easily accomplished, but more importantly, we found immunocontraceptives alone could be used to stabilize and reduce a deer population over time.

Recent improvements in the PZP vaccine now prevent deer from having fawns for up to three years with just one treatment.

The HSUS has also been using PZP to treat the deer population at NIST for 20 years. During this time, the number of deer collisions has dramatically decreased, the remaining deer have become healthier and the deer population growth rate remains low, despite the fact that urbanization and development around the facility results in constant migration of new deer into the facility's deer population.

The immunocontraception study on Fripp Island, S.C., has been the most successful. Over a five-year period, the deer population decreased by nearly 60 %. In addition, residents of Fripp Island are very pleased by the results, happy to see that the remaining deer population on the island is healthier and causing fewer conflicts.

Surgical sterilization

Sterilization programs are another option for humanely controlling the population growth of white-tailed deer and although sometimes cost-prohibitive, recent programs have shown great results.

Resources

Deer advocate toolkit [PDF]

Deer Conflict Management & Coexistence Plan [PDF]

Donate

How to avoid vehicular collisions with deer

Slow down and be aware—especially at dawn and dusk and in the fall

SHARE

Each year, there are roughly 1.5 million deer/vehicle collisions on U.S. roadways.

Fortunately, there are many humane and effective ways to reduce the number of collisions involving deer, ranging from increasing individual awareness and caution to implementing new technology and structures.

Public officials frequently attribute deer/vehicle collisions to increasing deer populations, while failing to consider the impact of humans on the landscape. We have created more roadways with more people driving on them, disrupted migration routes by roadways and given rise to ever-shrinking wildlife habitat.

Additionally, frequent mowing of roadsides (which creates succulent plant growth), along with road-salt use in the winter, attract deer to roads.

Road design, road condition and driving speeds are the factors that most strongly influence the number of deer/vehicle collisions. Bumpier, narrower roads with twists and turns, and slower travel speeds (under 45 mph) result in fewer collisions with wildlife.

Give Wildlife a Brake

Drive with deer in mind

Be vigilant. Watch from side to side as you drive, especially in areas of low visibility or where shrubs or grasses are near the road.

Watch for group behavior. Deer often travel in groups. If one deer crosses the road, slow down and watch for more to follow. Females travel together in winter and fawns follow their mothers in spring and summer.

Be extra cautious in the fall, when bucks are on the move due to rutting and hunting seasons, and in the spring (May to June), when yearlings are seeking new territories.

Be especially watchful at dusk and dawn, when deer tend to be more active.

Use your high beams at night to see farther ahead. Slow down and watch for the eye-shine of deer near road edges.

Try to drive straight, avoiding swerving around wildlife; rather, try to brake firmly and blow your horn. Animals are easily confused. If you swerve, deer may run into the vehicle rather than away from it. And swerving could mean driving into another vehicle or off the road into poles or fences.

Slow down!

Making roads safer

Enforce speed limits in areas with deer. The lower the speed, the fewer collisions with deer.

Erect fences. One of the most successful techniques for alleviating deer/vehicle collisions is to use fencing to prevent deer from crossing roads.

Install devices that warn deer of oncoming cars.

Streiter Lite® reflectors, which reflect headlights to create an optical illusion of a fence and alert deer to oncoming vehicles, have been reported to reduce deer/vehicle collisions by 60 to 100 %.

Deer Deter devices alert deer to oncoming vehicles by combining a strobe light effect with ultrasonic high-pitched sounds.

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Deer in the garden

When your backyard buffet draws hooved wildlife

SHARE

Deer conflicts in the garden can be easily avoided or minimized thanks to a variety of readily available solutions. There may not be a perfect answer, but we do have a good toolbox for you to work with.

Tolerance is a good thing

Tolerance is needed when figuring out the best solution for your particular deer problems. Some damage is bound to happen where there are deer, but you can minimize the damage. Under mild browsing conditions, a good repellent may be all that's needed. Under heavy browsing conditions, you may need to limit your plants to the more deer-resistant varieties and use deer-proof fencing around your garden.

Adjust what you plant

Take a look at is what is attracting the deer and where it is planted. Replace hard-hit flowers and other plants with more deer-resistant species. There are many deer-resistant annual and perennial flowers, ornamentals and tree species to choose from.

A deer's taste buds vary geographically and seasonally and are affected by what alternative plants are available. Your local Cooperative Extension Service office can be an excellent source of information on what types of flowers and ornamentals deer usually avoid in your area.

Good fences make good deer neighbors

Where deer browsing is a serious problem, the only completely effective way to protect crops or plants is with fencing. However, when deer are really hungry, they will jump fences up to eight feet high (some say even higher).

Where deer browsing is a serious problem, the only completely effective way to protect crops or plants is with fencing.

There are a variety of fencing options ranging from eight-foot woven wire fencing to electric fence garden kits to poly-tape (electrified nylon) fences, which are portable and good for more temporary use. The best type depends on how large an area you need to protect and for how long, so check with your local garden store or local Cooperative Extension agents before buying anything. The eight-foot-high woven wire fence stands out as the most effective deer barrier and it lasts more than 20 years.

Electric fences

Electric fences can work very well for deterring deer, yet these provide more of a "psychological barrier" than a physical one. (Deer can jump over them, but the use of electric shock teaches deer to stay away.) They can be constructed in a variety of configurations (such as baited; single strand; five, seven or nine wires pitched either horizontally or vertically) and are powered by high-voltage, low-amperage chargers that provide timed pulses of short duration.

To ensure that deer learn their lesson, some electric fences have a scented bait attachment which entices the deer to make contact with the fence—after which they receive a mild jolt to their nose or tongue. Aluminum foil squares containing a dab of peanut butter can provide the same "enhancement" when folded over single or multi-strand electric fences.

Electric fences must be maintained with regular voltage checks and mowing so that overgrowth doesn't short out the lower wires.

Netting, chicken wire and hardware cloth (wire mesh)

"Buck rubs" are the damage caused by bucks rubbing against trees to remove the velvet from their antlers. Prevent buck rubs by wrapping trees with any commercial product sold for that purpose, or by placing cylinders of hardware cloth or corrugated plastic sleeves around the trunks.

To prevent browsing on young saplings, use small-scale, temporary fencing enclosures or individual tree "shelters" (plastic or hardware cloth cylinders) until they reach a height of four to five feet.

You can drape mesh netting over low-growing plants or vegetables that are likely to get eaten or encapsulate them with protective netting, chicken wire or hardware cloth. We have received reports of birds getting caught in the netting, so use it with caution or consider using hardware cloth instead.

Repellents

A variety of repellent products used singly or—better yet—in combination, can create a very effective multi-sensory deterrent to repel deer. Commercial repellents work by creating unpleasant tastes or odors, gastrointestinal discomfort, or a sense of pain (hot pepper or peppermint) when the active ingredient comes in contact with the eyes, nose or mucous membranes.

Some of the more effective repellents contain a sulphurous odor (e.g., rotten eggs), believed to induce fear by giving off smells that deer associate with rotten meat or a predator. Some examples of popular repellents include Liquid Fence, Bobbex and Deer Away® Big Game Repellent. Liquid Fence and Deer Away Big Game Repellent score consistently high in studies assessing repellent effectiveness.

A variety of repellents is stocked at your local garden, farm supply or hardware store. Ask which particular repellent seems to work best in your area.

Tips for applying repellents

All repellents work best if applied before the deer's feeding pattern becomes established. Apply repellents before bud-break and as new growth appears, to prevent a browsing habit from forming.

Reapply repellents after heavy rains and at least every two to three weeks.

Deer may become accustomed to the same repellent, so alternate repellents to keep the deer confused and warier. At the height of growing season, use an odor repellent over a taste-based one. Taste-based repellents need to be constantly applied to any new growth to keep the whole plant tasting bad.

Hang bars of soap that are high in fatty acid (e.g., Irish Spring brand) on trees or shrubs you want to protect. With any strategy, moving things around and switching types of products will help keep deer on their toes and make them wary.

Predator urines make big promises but have scored poorly in studies. The source of predator urine products are fur farms, which raise wild animals for their pelts. The animals suffer from terrible, cramped conditions and die extremely inhumane deaths. For this reason alone, predator urine products should never be used.

Scare devices

The key to using scare devices is to couple them with other strategies (repellents, for example), to vary the kind used, and to change their location in the yard or garden.

The Scarecrow Motion-Activated Sprinkler attaches to a garden hose. When a deer comes into its adjustable, motion-detecting range, a sharp burst of water is sprayed at the animal. The combination of physical sensation and a startle effect provide effective aversive conditioning.

The Havahart Spray-Away Elite Motion Detector is similar in action to the Scarecrow, yet is hose-free and solar powered. This device uses infra-red technology to detect animal movement

The Havahart 5250 Electronic Deer Repellent consists of 3 stake-like devices and a scent lure. Deer are attracted to the lure and then receive a mild electric shock when they reach it.

The Deer Shield Electronic Deer Guard is a device which emits varied digital recordings of alarmed and territorial deer, thereby using their own form of communication to inspire deer to go elsewhere.

A final word

Deer are curious and motivated by their need to eat, so they may test and retest the barriers and deterrents you use. You can stay a step ahead of them by changing what you apply so they don't get accustomed to any one strategy. With a little ingenuity and diligence, you will find it really is possible to live in deer country—and have your flowers and vegetables too.

Resources

Deer advocate toolkit [PDF]

Deer Conflict Management & Coexistence Plan [PDF]

Are deer responsible for biodiversity loss and forest growth failures?

Why killing programs don't solve deer conflicts

Controlling deer populations humanely

Also of interest:

4,000 Beagles

How to get your dog to stop digging

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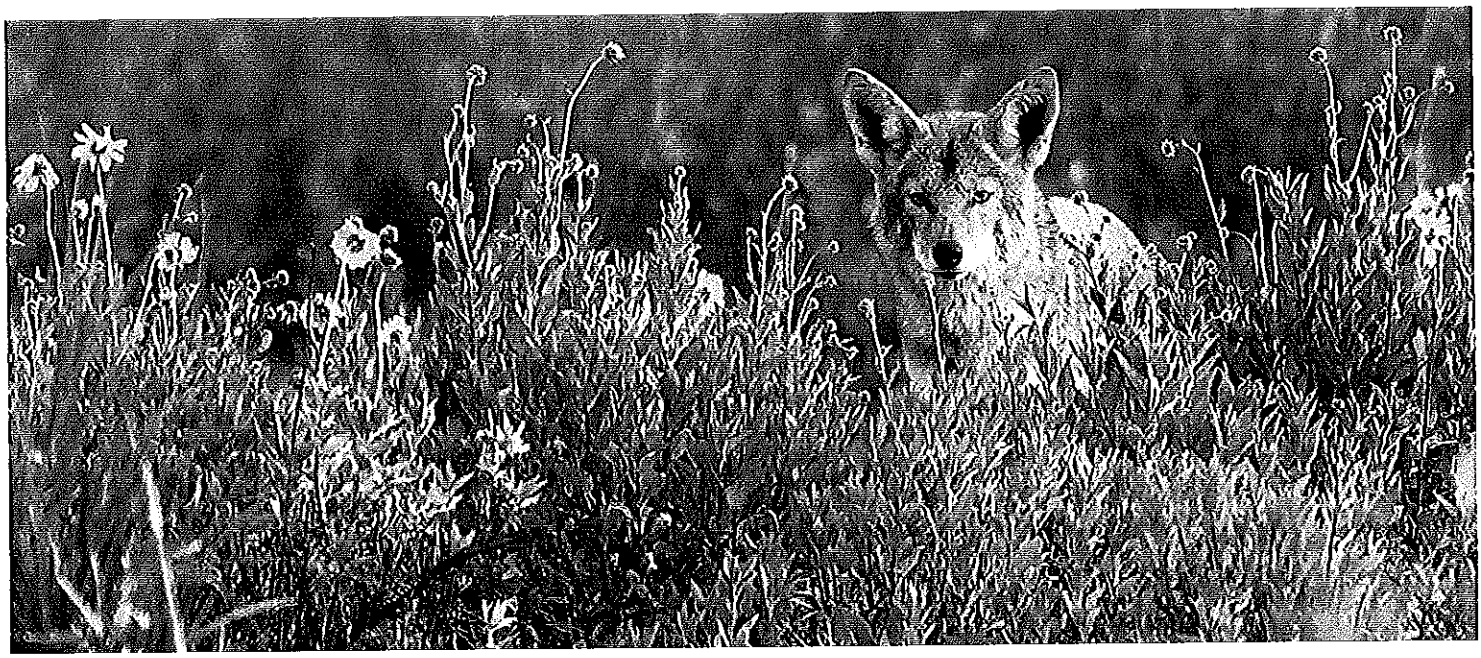
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Why killing coyotes doesn't work

Trapping and killing won't stop conflicts with coyotes

WILD NEIGHBORS (ADAPTED FROM THE BOOK)

SHARE



Charles Wood

For more than a century, human beings have waged a war on coyotes, killing them with poison, traps, guns, hunting dogs and a variety of other cruel coyote killing methods.

Nonetheless, the wary nature of coyotes and their remarkable adaptability has allowed them to quadruple their range throughout North America.

As a result, communities across the country are encountering coyotes and experiencing conflicts that they have never had to face before. The presence of

coyotes in a community can be alarming to those who are not used to living with them.

Occasional attacks by coyotes on pets and coyote aggression toward people (although rare) can trigger an alarm from people who fear for the safety of their pets and children. To allay this, communities may feel they need to initiate wide-scale programs to trap and kill coyotes.

These killing programs don't work and are inhumane. Better solutions exist.

What does work?

Coyotes are here to stay—it's up to us to find ways of coexisting with them. A program combining education in techniques to resolve coyote conflicts and how to discourage coyotes offers the best method for handling and preventing conflicts with coyotes and is working already in a number of communities.

HAZING

Hazing is a the most effective method, making use of deterrents to move an animal out of an area or discourage an undesirable behavior or activity. Hazing can help maintain a coyote's fear of humans and deter them from backyards and play spaces.

Read More

Why don't coyote-killing programs work?

They are ineffective.

It is extremely difficult to ensure that the problem-causing coyote(s) will be the one(s) located and killed.

> Coyotes removed from an area will quickly be replaced by others. Coyote pairs hold territories, which leaves single coyotes ("floaters") constantly looking for

new places to call home.

If attractants in a neighborhood are not removed (e.g., pet food, garbage, etc.) new coyotes in an area can quickly become "nuisance" coyotes.

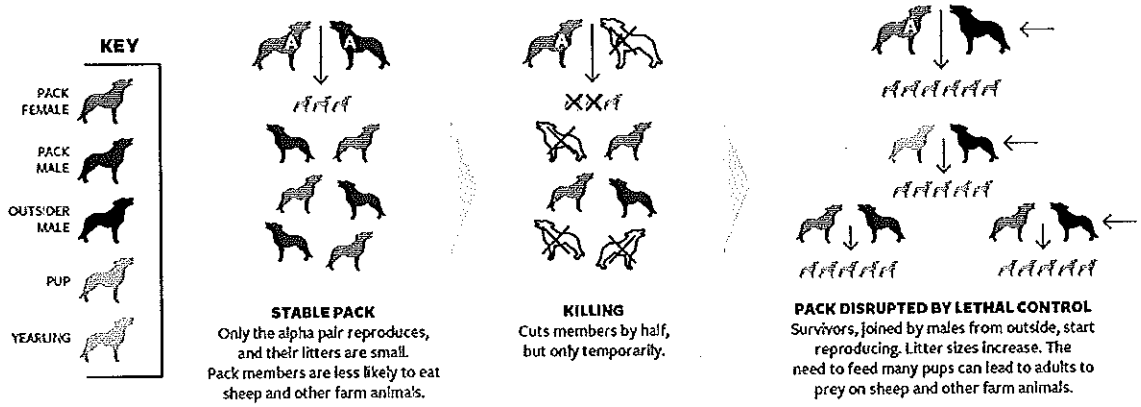
They won't reduce coyote populations.

Research suggests that when aggressively controlled, coyotes can increase their reproductive rate by breeding at an earlier age and having larger litters, with a higher survival rate among the young. This allows coyote populations to quickly bounce back, even when as much as 70 % of their numbers are removed. (see infographic below)

It is nearly impossible to completely eradicate coyotes from an area. Despite bounties and large-scale efforts to kill coyotes over the last 100 years, coyotes have in fact expanded their range throughout the U.S. and Canada tremendously. One study even found that killing 75 % of a coyote population every year for 50 years would still not exterminate the population.

Why killing doesn't work

Shoot or poison coyotes and you will have just as many again within a year or two. Kill one or both members of the alpha pair (A)—the only pair who normally reproduces—and other pairs will form and reproduce. At the same time, lone coyotes will move in to mate, young coyotes will start having offspring sooner, and litter sizes will grow.



Removal is costly.

Coyotes are intelligent animals and are difficult to catch. Even a skilled trapper or sharpshooter, at a hefty price tag, will need many hours to catch a targeted coyote.

Trapping is inhumane.

The most common devices used to capture coyotes are leg-hold traps and neck snares. Both can cause severe injuries, pain and suffering.

Pets become unintended victims of traps set for coyotes. An informal search of media reports suggests thousands of unintended incidents have occurred, causing heartbreak for the families affected.

Non-target wild animals are also caught in traps, and many sustain injuries so severe that they die or must be killed.

What about diseased coyotes?

Some coyote trappers claim that diseased coyotes are to blame for pet attack incidents and that removing such animals from the population is the answer. This is not the case.

There is no evidence that coyotes with mange are more likely to attack people or pets. Mange-afflicted coyotes can simply appear threatening because they are weak, strange-looking (due to hair loss) and may be found resting in suburban areas during the daytime.

Attacks on dogs during the months of April-December are probably caused by coyotes who have lost their fear of people. This occurs when coyotes are being fed in residential areas and are not chased away by people.

A 10-year study of over 300 coyotes in the greater Chicago metropolitan area found only two coyotes who had attacked pets. Necropsies done on these coyotes showed that they had been eating pet food, but were otherwise healthy.

Can we relocate coyotes?

Although it may seem like a more humane alternative, relocating coyotes is not a good idea.

Relocating a coyote is most often a death sentence for that animal.

Coyotes are very territorial and occupy large home ranges up to 40 square miles.

If relocated, they will do almost anything to get back home.

Unfamiliar with their new terrain, they are often killed by cars.

They can be injured or killed during territorial disputes with coyotes already established in the area that they are released in.

In addition, state wildlife laws usually prohibit the relocation of coyotes, since they are a rabies-vector species (even though rabies is very rare in coyotes).

Resources

Solutions for Coyote Conflicts [PDF]

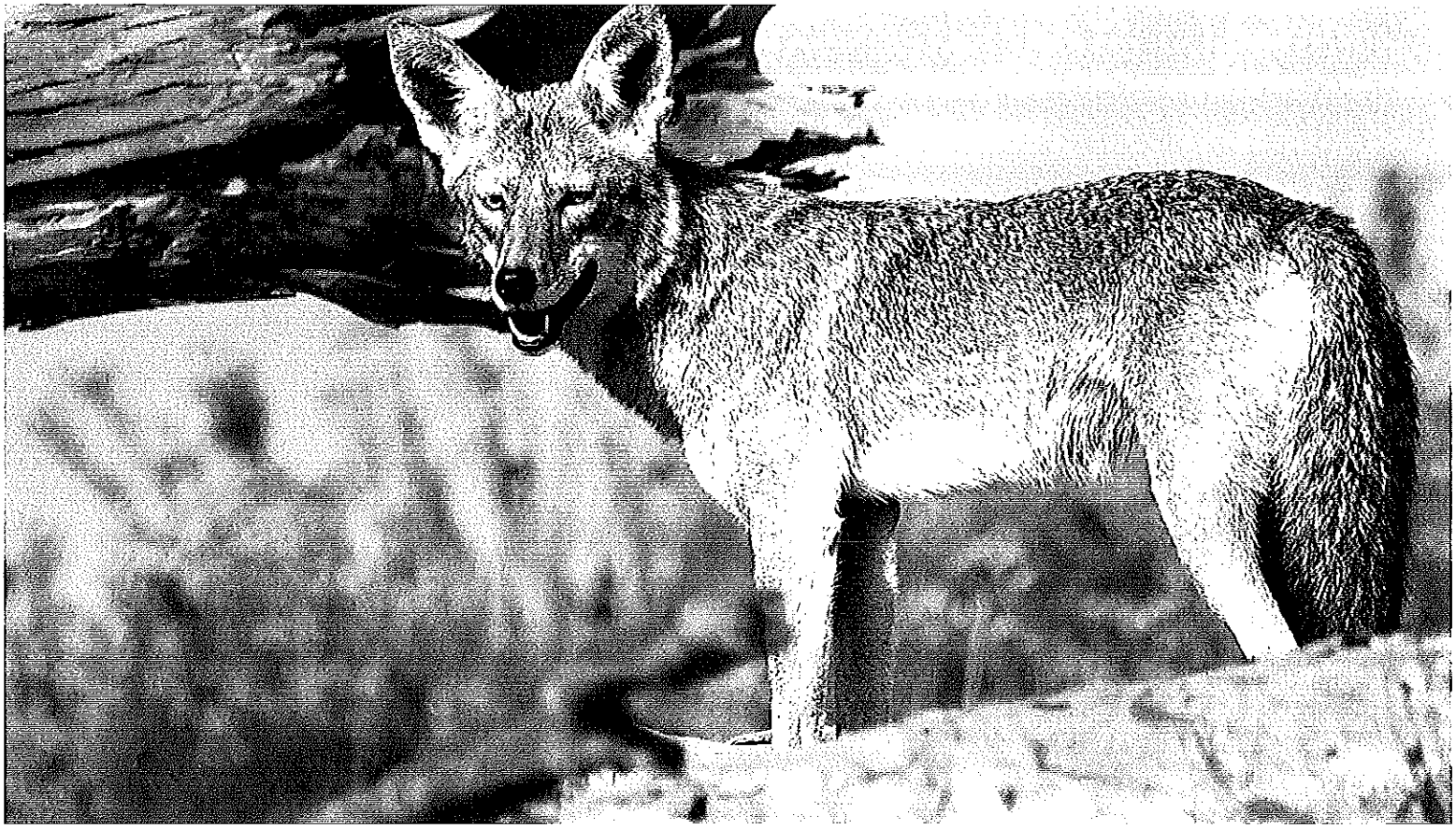
Preventing Coyote Conflicts [PDF]

Coyote Hazing Guidelines [PDF]

Coyote Management Plan [PDF]

Coyote Advocate Toolkit [PDF]

Your gift can do so much for animals in need.



Introduction and goals

The goal of this template coyote management and coexistence plan is to provide a program for reducing human-coyote conflicts while prioritizing human safety. The suggested actions outlined in this plan are designed to increase citizens' knowledge and understanding of how coyotes behave and make clear how such behavior can be managed to reduce or eliminate conflicts with coyotes.

This coyote management and coexistence plan is based on scientific research, a thorough understanding of coyote ecology and biology in urban settings, and the best known management practices and management tools. This plan is guided by the following basic principles:

1. Human safety is a priority in managing human-coyote interactions.
2. Coyotes serve an important role in ecosystems by helping to control the population of rodents, Canada geese, rabbits and other urban mammals.
3. Preventive practices such as reduction and removal of food attractants, habitat modification and responding appropriately when interacting with wildlife are key to minimizing potential interactions with coyotes.
4. Solutions for coyote conflicts must address both problematic coyote behaviors (such as aggression toward people and attacks on pets) and the problematic human behaviors (intentionally or unintentionally feeding coyotes and letting pets outside unattended) that contribute to conflicts.
5. Non-selective coyote removal programs are ineffective for reducing coyote population sizes or preventing human-coyote conflicts.
6. A community-wide program that involves residents is necessary for achieving coexistence among people, coyotes and pets.



How to use this template coyote management plan

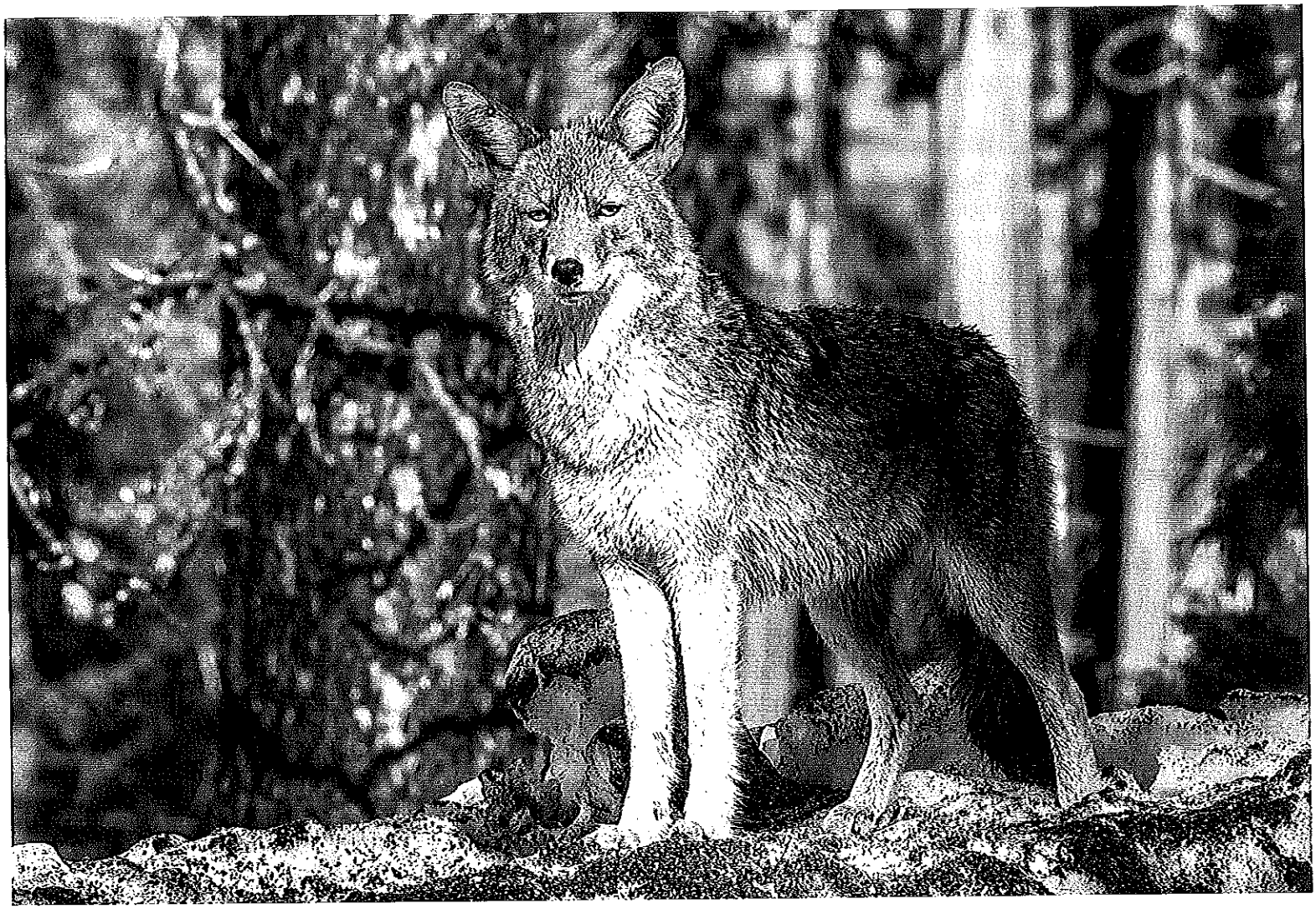
This coyote management and coexistence plan has been prepared by the Humane Society of the United States for use by communities (including, but not limited to, cities, villages, towns, counties, homeowners associations, etc.) in humanely and effectively preventing and solving conflicts among coyotes, people and companion animals. The information in this plan has been gathered from scientific and peer-reviewed articles, from experts in the field of human-coyote conflict resolution, and from successful coyote management plans across the U.S. We invite you to use this plan as your own or modify it as necessary to suit the needs of your community.

Acknowledgements

The HSUS would like to specially thank Paula-Marie Lewis, a Ph.D. student at Griffith University, Australia, for her work in the creation of this management plan.

We would also like to acknowledge the following coyote management plans, which helped to influence the ideas and guidelines presented in this plan:

- City and County of Broomfield (CO) Coexistence with Wildlife Policy
- City of Calabasas (CA) Coyote Management Plan
- City of Centennial (CO) Coyote Management Plan
- City of Davis (CA) Coyote Management and Coexistence Plan
- City and County of Denver (CO) Coyote Management Plan
- Portland (OR)-Vancouver (BC) Model Coyote Management Policy
- Village of Riverside (IL) Coyote Home Audit Checklist
- City of Wheaton (IL) Coyote Policy



The coyote

Due to their intelligence and adaptability—in addition to extensive urbanization and the subsequent decline of larger predators—coyotes have successfully expanded their range across North America. Coyotes are now found in all states in the U.S. except Hawaii and have become well established in nearly every ecosystem. They live in deserts, swamps, tundra and grasslands, brush, dense forests, cities and suburbs. People can live among coyotes yet never see them. Often it's only an evening chorus or group howling and yipping that alerts us to the presence of this wild canid in our neighborhoods. It is important to keep in mind that coyotes have been interacting with and adapting to people for at least the last 100 years.

ECOLOGICAL IMPORTANCE

Coyotes are curious, smart and adaptable creatures and our urban areas provide the perfect balance of food, shelter and water for them. What you may not know is that even in fragmented and urbanized landscapes, coyotes can play an integral role in their environment by providing ecosystem services and helping to maintain species diversity. Coyotes in urban areas not only provide free rodent control by feeding on mice and rats, but also help to regulate the population size of other species that may cause conflicts with people in urban areas (such as voles, wild turkeys, white-tailed deer and Canada geese).

GENERAL BIOLOGY, REPRODUCTION AND BEHAVIOR

Appearance and signs: Most coyotes weigh approximately 25-35 pounds, although their long legs and thick fur make them appear larger. Coyote fur varies in color from gray-brown to yellow-gray. They have a black-tipped tail which helps to distinguish them from other canids such as foxes. Coyotes also have yellow/amber eyes (which help to distinguish them from domestic dogs), large ears and narrow, pointed muzzles (which help to distinguish them from wolves).

Since coyotes are naturally very skittish and afraid of humans, they are rarely seen. Thus, their signs (including prints, scat and vocalizations) may be a better indicator of their presence. Coyote prints are similar to those of a domestic dog's, but are usually observed in a straight line (as opposed to the meandering path of domestic dog tracks). More commonly, coyote howling or other vocalizations may be heard. Coyotes produce a variety of sounds (including howls, barks, whines and yips) to communicate with one another and defend their territory. Small groups of two or three coyotes can distort their voices and sound like a group of 20. Coyotes also use scat (feces) to communicate by depositing it in the middle of a trail or on the edge of their territory. Coyote scat is similar to dog scat in size and appearance, but unlike dog scat, it is rope-like and typically filled with hairs, seeds and bones.

Diet: Coyotes are opportunistic omnivores with great flexibility in their diet. They generally hunt small mammals such as mice, rats, voles, rabbits and prairie dogs, but will also eat fruit and berries and will even scavenge road-killed animals. In urban areas, coyotes are also known to eat pet food, unsecured garbage and compost. They may also prey on unattended domestic pets such as cats and small dogs if given the opportunity. This does not indicate a danger to humans, but is rather a natural coyote behavior. This behavior can be prevented by reducing human-associated food attractants in urban areas and not letting pets outside unattended (unless protected by a coyote-proof enclosure or fence).

Social structure: Most coyotes (called resident coyotes) live in family groups with one breeding pair and three to four other related individuals. Coyotes do not hunt in packs, but work together to defend their territory from other coyote family groups. Other coyotes (called transient coyotes) live alone or as an isolated mated pair.

Coyotes mate once per year during their breeding season (which occurs from January through March). During the pup season (April through August), the breeding pair will give birth to pups (typically in April or May). Litter size depends on available resources and the number of coyotes in the area. The average litter size is four to seven pups. Coyotes will place their pups in a den for the first 6 weeks, after which the pups will learn to hunt with their parents. Coyote dens are found in steep banks, rock crevices and underbrush, as well as in open areas. During dispersal season (September through December), the pups from the previous year (yearlings) will leave the family group and become transient coyotes in search of a new home range.

Habitat: Coyotes are naturally diurnal (most active at dawn and dusk), but often shift to more nocturnal activity in urban and suburban areas in an effort to avoid people. Coyotes prefer open space and natural preserve areas over human-dominated landscapes, but are extremely adept at living in proximity to people. Coyotes thrive in these areas because food, water and shelter are abundant.

Home range sizes vary for each individual coyote. Research has shown that home range sizes for resident coyotes average 2–5 square miles, while transient coyotes have larger home ranges (averaging 10 square miles). Home range size can be an important indicator of resource distribution and abundance and also may correlate with population density.

Coyote attractants in urban areas

Coyotes are drawn to urban and suburban areas for the following reasons:

1. **Food.** Urban areas provide a bounty of natural food choices for coyotes, who primarily eat rodents such as mice and rats. However, coyotes can be further attracted into suburban neighborhoods by human-associated food such as pet food, unsecured compost or trash, and fallen fruit in yards. Intentional and unintentional feeding can lead coyotes to associate humans with sources of food, which can result in negative interactions among coyotes, people and pets. To reduce food attractants in urban and suburban areas:
   - Never hand-feed or otherwise deliberately feed a coyote.
   - Avoid feeding pets outside. Remove sources of pet food and water. If feeding pets outside is necessary, remove the bowl and any leftover food promptly.
   - Never compost any meat or dairy (unless the compost is fully secured).
   - Maintain good housekeeping, such as regularly raking areas around bird feeders, to help discourage coyote activity near residences.
   - Remove fallen fruit from the ground.
   - Keep trash in high-quality containers with tight-fitting lids. Only place the cans curbside the morning of collection. If you leave trash cans out overnight, they are more likely to be tipped over and broken into.
   - Bag especially attractive food wastes such as meat scraps or leftover pet food. If it is several days before garbage will be picked up, freeze the food temporarily or take it to a dumpster or other secure storage container.
2. **Water.** Urban areas provide a year-round supply of water in the form of storm water impoundments and channels, artificial lakes, irrigation, pet water dishes, etc., which support both coyotes and their prey.
   - In dry conditions, water can be as alluring as food, so remove water bowls set outside for pets and make watering cans unavailable.
3. **Access to shelter.** Parks, greenbelts, open spaces, golf courses, buildings, sheds, decks and crawl spaces, etc., increase the amount and variability of cover for coyotes. They allow coyotes to safely and easily remain close to people, pets, homes and businesses without detection.
   - In the spring, when coyotes give birth and begin to raise young, they concentrate their activities around dens or burrows in which their young are sheltered. Coyotes may take advantage of available spaces under sheds or decks for use as a den, bringing them into close contact with people and pets.
4. **Unattended pets.** Pets are a normal part of an urban landscape. Within their territory, coyotes may consider pets as potential prey or potential competitors. **Free-roaming pets**, especially cats and sometimes small dogs, may attract coyotes into neighborhoods. The best way to minimize risk to pets is to not leave them outside unattended.
   - **Cats.** Coyotes primarily eat small mammals such as mice and rats, but will also prey on slightly larger mammals such as rabbits and groundhogs. Approximately the same size as a groundhog or rabbit, free-roaming outdoor cats may also be seen as eligible prey items by coyotes. It is important to note that attacks on cats are normal coyote behavior and do not indicate a danger for people. The only way to protect cats from coyotes (and the other dangers of outdoor life such as cars, disease, dogs and other wildlife) is to keep cats indoors (or only let them outside in a secure enclosure or when accompanied by a person and under the control of a leash and harness).
   - **Feral cats.** People who feed feral cats are often concerned that coyotes might prey on the cats. These concerns are well founded, as coyotes will be attracted to both the outdoor pet food and the cats themselves as prey. Although there is no sure way to protect feral cats from coyotes, the following tips can be helpful:
     - Feed cats only during the day and at a set time—and pick up any leftovers immediately.

- Provide escape routes for cats.
- Haze coyotes seen on the property (see Appendix B). Making them feel uncomfortable will encourage them to stay out of the area.

- **Dogs** are also vulnerable to coyote confrontations. These incidents generally involve coyotes who are accustomed or habituated to people (usually due to wildlife feeding) or coyotes who are protecting their territory and pups (usually during breeding season).
  - Small, unattended dogs may be seen as potential prey for coyotes. It is important to either keep dogs on a leash 6 feet long or shorter when outdoors or to stay within 6 feet of them when outside. (Coyotes may view a dog on a leash longer than 6 feet as an unattended pet.) Attacks on unattended small dogs are normal coyote behavior and do not indicate a danger for people.
  - Although attacks on larger dogs are rare, coyotes will sometimes go after a large dog when they feel that their territory is threatened. This generally occurs during the coyote breeding season, which takes place from January through March. During this time, it is especially important not to let dogs outside unattended and to keep them on leashes (6 feet long or shorter) when in public areas.
  - Fences can be used to keep coyotes out of residential yards, but they must be "coyote-proof." Coyote-proof fences are at least eight feet tall and made of a material that coyotes cannot climb or at least 6 feet tall with a protective device on top such as a "coyote roller (coyoteroller.com) that rolls off any coyotes (and dogs) that try to scramble over the fence. To prevent coyotes from digging under a fence, it should extend underground at least twelve inches or include an L-shaped mesh apron that extends outward at least 18 inches and is secured with landscape staples.
- **Other domestic animals** kept outside, such as chickens and rabbits, may also be viewed as prey by coyotes. Protect poultry or other outdoor animals from coyotes (and other predators) with protective fencing (both structural and electric), by ensuring that they are confined in sturdy cages or pens each evening and by using livestock-guarding animals where possible.

EDUCATION AND OUTREACH

A critical element of a successful coyote management plan is the education and awareness of residents. Education is the key to having residents make appropriate decisions regarding their safety and managing their property and pets. This involves decreasing food attractants, taking precautions with pets and creating tolerance of normal coyote behavior.

An educational campaign should focus on how residents can coexist with coyotes successfully. Educational outreach opportunities include:

1. **Educational materials.** These can include brochures, informational postcards mailed or hand-delivered to specific neighborhoods with a high number of coyote sightings and interactions, detailed information and appropriate links made available on local websites, e-newsletters, development of various public service announcements to run on public access channels, or coyote signage posted in appropriate parks and open spaces.
2. **Trainings.** Incorporate coyote education in schools and make educational seminars and trainings available to the public.
3. **An outreach and education team.** Composed of trained community volunteers (Appendix B), a team can help with community outreach by tabling at community events, presenting in classrooms and/or following up directly with individuals and neighborhoods who may have concerns.

HAZING: AN INTERVENTION TECHNIQUE

Generally, coyotes are reclusive animals who avoid human contact. Coyotes in urban and suburban environments, however, may learn that neighborhoods provide easy sources of human-associated food while presenting few real threats. These coyotes, having lost their fear of humans, may visit yards and public areas even when people are present and may cause conflicts with people and pets. Humans have contributed to this habituation of coyotes by not reacting when they see a coyote. We have a tendency to either ignore them due to fear or to be enamored by them because they are wild and it is "cool" to see one. To coexist safely, it's important to modify this behavior and attitude in resident coyote populations.

The best solution for addressing problematic coyote behavior is by instituting a community-based hazing program (See Appendix B).

Hazing is an activity or series of activities that is conducted in an attempt to change behaviors of habituated coyotes and/or to re-instill a healthy fear of people in the local coyote population. Hazing techniques include generating loud noises, spraying water, shining bright lights, throwing objects, shouting, etc. Hazing can help maintain coyotes' fear of humans and deter them from neighborhood spaces such as backyards, greenbelts and play spaces.

A hazing program encourages the use of harassing actions without employing weapons or causing bodily harm to the coyote. The more often an individual animal is hazed, the more effective hazing is in changing coyote behavior. Being highly intelligent animals, coyotes who are hazed quickly learn to avoid neighborhoods, people and pets.

The goals of hazing are to:

- Reverse the habituation of coyotes to people, teaching them to once again fear and avoid humans
- Discourage coyotes from entering public areas such as parks, playgrounds and yards when people are present
- Discourage coyotes from approaching people and pets
- Empower residents by giving them tools to use when they encounter a coyote, thereby reducing their fear of coyotes
- Increase awareness about coyote behavior among residents and involve the community in coyote management efforts

Basic hazing: Consists of directly facing the coyote and being "big and loud" by waving your arms over your head, making loud noises or squirting the coyote with water until the coyote(s) chooses to leave. Using a variety of different hazing tools is critical because coyotes can become desensitized to the continued use of just one technique, sound or action (see Appendix B). Basic hazing can be performed by anyone and includes the following techniques:

Coyote coexistence strategies and techniques

MONITORING AND COLLECTING DATA

Monitoring and data collection are critical components of an effective coyote management plan. This is best accomplished with input from both residents and city officials using a coyote hotline and/or an online reporting form.

The purpose of monitoring human-coyote interactions is to document where coyotes are frequently seen, to count how many coyotes are within an area and to identify human-coyote conflict hotspots. Gathering specific data on incidents will allow for targeting of educational campaigns and conflict mitigation efforts, as well as the ability to measure success in reducing conflicts over time.

A standard Coyote Incident Form (Appendix A) should be made available to residents and employees to allow for consistent reporting of coyote incidents. Contact information—including the date, time, name, address and phone number of the individuals submitting the report—should be included, as well as specific information about the incident.

HUMAN-COYOTE CONFLICT DEFINITIONS

The following definitions will be used for the process of categorizing human-coyote conflicts:

Coexistence:

Humans and coyotes exist together. Humans take an active role in helping coyotes in their community stay wild by removing attractants, taking responsibility for pet safety, hazing coyotes in their neighborhood and learning about coyote ecology and behavior.

Observation:

The act of noticing signs of a coyote(s), such as tracks, scat or vocalizations, but without visual observation of the coyote(s).

Sighting:

A visual observation of a coyote(s). A sighting may occur at any time of the day or night.

Encounter:

A direct meeting that is between human and coyote(s) with no physical contact and that is without incident.

Incident:

A conflict between a human and a coyote where the coyote exhibits any of the following behaviors: growling, baring teeth, lunging or making physical contact with the person. A human is not bitten.

Human attack:

A human is bitten by a coyote(s).

Provoked: An attack where the involved human encourages the coyote to engage. Examples include a human hand-feeding a coyote, approaching a coyote with pups or intervening in a coyote attack on a pet.

Unprovoked: An attack where the involved human does not encourage the coyote to engage.

The following definitions will also be used for the process of categorizing conflicts among coyotes, pets and livestock.

Pet attack:

Coyote(s) kills or injures a domestic pet.

Attended: Pet is on a leash less than 6 feet in length or is in the presence of a person less than 6 feet away.

Unattended: Pet is free-roaming, walking off-leash more than 6 feet from a person, or on a leash longer than 6 feet.

Livestock loss/depredation:

Coyote(s) kills or injures livestock.

reproductive rates), allowing for quick regeneration of their population numbers. The disruption of their family group structure leads to an increase in the number of females breeding in the population, and the increase in available resources leads to larger litter sizes, earlier breeding ages among females and higher survival rates among pups. This allows coyote populations to bounce back quickly, even when as much as 70 percent of their numbers are removed through lethal control efforts. For these reasons, lethal programs are not effective at reducing coyote populations, and non-selective coyote trapping programs are not effective at solving conflicts.

In addition, coyotes removed from an area will quickly be replaced by transient coyotes looking for a vacant home range. If the root causes of human-coyote conflicts have not been addressed, incoming coyotes may quickly become nuisance coyotes as well. It is far better to have well-behaved resident coyotes who will hold territories and keep transients at bay then to risk having to deal with newcomers who do not know the "rules."

Lethal responses (coyote removal) should be considered only in the event of an unprovoked, confirmed attack on a human. If implemented, lethal control efforts should focus on the offending coyote(s) only, rather than the coyote population at large. This requires significant surveillance efforts to make sure that the correct animal(s) is targeted and removed.

Lethal control should be considered as only one of a suite of management interventions (e.g., removal of attractants, hazing, etc.) that involve an array of humane and non-lethal measures. It is worth remarking that if non-lethal control techniques are effective enough to reduce human-coyote interactions and conflicts to acceptable levels, then the lethal control limited option may remain in the toolbox without being used.

LOCAL ORDINANCES

In addition to the suggested responses below, the following community-wide ordinances may be helpful:

Leash law. Implementing a leash law and monetary fine for off-leash dogs can help address problematic behavior that could lead to coyote-pet conflicts. Residents should be instructed to keep pets on a leash 6 feet long or shorter.

Anti-feeding ordinance. Banning the feeding of wildlife (exceptions may be made for bird feeders) and establishing a monetary fine may be helpful in addressing problematic feeding behavior that can lead to the habituation of coyotes.

- Yelling and waving your arms while approaching the coyote.
- Making loud noises with whistles, air horns, megaphones, soda cans filled with pennies, pots and pans.
- Throwing projectiles such as sticks, small rocks, cans, tennis balls or rubber balls at the direction of the coyote.
- Squirting water from a hose, water gun or spray bottle (with vinegar water).

See this fun and educational video for more hazing tips: bit.ly/19hkRB2

High-intensity hazing: Consists of approaching the animal quickly and aggressively, throwing projectiles, paint balls, pepper balls, sling shots, clay pellets or pepper spray at the coyote. High-intensity hazing should only be carried out by trained professionals such as animal control and police officers. High-intensity hazing should be used in specific areas and only in response to more egregious incidents.

LETHAL CONTROL

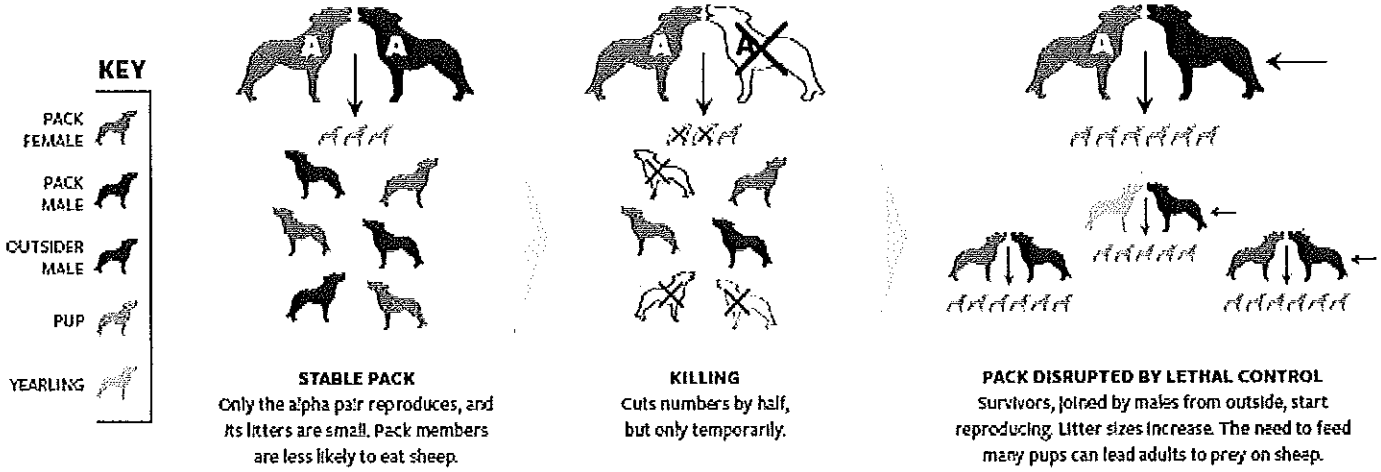
Lethal control programs may seem a like a quick fix to problems among coyotes, people and pets. However, removal programs are not effective in reducing coyote populations or addressing the root causes of conflicts. Coyote removal programs are costly (due to the difficulty of catching coyotes) and controversial among the public.

When implementing lethal control, it is extremely difficult to ensure that problem-causing coyote(s) will be the ones located and killed. Since firearms are usually unsafe to use in urban and suburban areas, traps (which are by design non-selective for particular coyotes) are generally the method used. Because coyotes are so intelligent and wary of human scent, it is very difficult to catch any coyote in a trap, never mind the problem-causing coyote.

Research has shown that when lethally controlled, coyotes exhibit a "rebound effect" (a surge in their

Why killing doesn't work

Shoot or poison coyotes and you will have just as many again within a year or two. Kill one or both members of the alpha pair (A)—the only one that normally reproduces—and other pairs will form and reproduce. At the same time, lone coyotes will move in to mate, young coyotes will start having offspring sooner, and litter sizes will grow.



STABLE PACK
Only the alpha pair reproduces, and its litters are small. Pack members are less likely to eat sheep.

KILLING
Cuts numbers by half, but only temporarily.

PACK DISRUPTED BY LETHAL CONTROL
Survivors, joined by males from outside, start reproducing. Litter sizes increase. The need to feed many pups can lead adults to prey on sheep.

Coyote Behavior	Classification	Response
Coyote injures or kills pet off-leash with human nearby (within 6 feet)	Attended Pet Attack	Gather information on specific animals involved and report circumstances. Educate on pet management, coyote attractants and hazing, Perform yard/neighborhood /public area audit*. Post education signs and/or send educational materials to residents in the area. Implement high intensity hazing techniques (by ACOs, police, etc.)–using rubber bullets, paintball guns, etc.
Coyote injures or kills pet on-leash (within 6 feet)	Attended Pet Attack	Gather information on specific animals involved and report circumstances. Educate on pet management, coyote attractants and hazing. Perform yard/neighborhood/ public area audit*. Post education signs and/or send educational materials to residents in the area. Implement high-intensity hazing techniques (by ACOs, police, etc.)–using rubber bullets, paintball guns, etc.
Coyote aggressive toward person, showing teeth, back fur raised, lunging, nipping without contact	Incident	Gather information on specific animals involved and report circumstances. Educate on pet management, coyote attractants and hazing. Perform yard/neighborhood/ public area audit*. Post education signs and/or send educational materials to residents in the area. Implement high-intensity hazing techniques (by ACOs, police, etc.)–using rubber bullets, paintball guns, etc.
Coyote has bitten human (Human encouraged coyote to engage by hand feeding, approaching coyote with pups, intervening during pet attack, etc.)	Provoked Human Attack	Identify and gather information on all details of attack (including action of victim before and after attack, whether feeding or pets were involved, action of victim towards coyote and how incident was resolved.) Any human bitten by a coyote(s) will need to seek the advice of their physician concerning the administration of a post-exposure rabies vaccination. If the offending coyote is killed, he/she should not only be tested for rabies, but should be also given a full necropsy (to determine general health and whether feeding was involved). Educate residents on coyote attractants, yard/neighborhood audits, hazing and pet management. Levy fines (for wildlife feeding or leash law violations) when appropriate. Implement high-intensity hazing techniques (by ACOs, police, etc.)–using rubber bullets, paintball guns, etc. for any other habituated or bold coyotes in area.
Coyote has bitten human (Human did not encourage coyote to engage)	Unprovoked Human Attack	Identify and gather information on all details of attack (including action of victim before and after attack, whether feeding or pets were involved, action of victim towards coyote and how incident was resolved.) Any human bitten by a coyote(s) will need to seek the advice of their physician concerning the administration of a post-exposure rabies vaccination. If the offending coyote is killed, he/she should not only be tested for rabies, but should be also given a full necropsy (to determine general health and whether feeding was involved). Lethal control efforts, if implemented, should focus on the offending coyote(s), rather than the coyote population at large. Educate residents on coyote attractants, yard/neighborhood audits, hazing and pet management. Levy fines (for wildlife feeding or leash law violations) when appropriate. Implement high-intensity hazing techniques (by ACOs, police, etc.)–using rubber bullets, paintball guns, etc. for any other habituated or bold coyotes in area.

* (See Appendix C)

Human-coyote conflict classification and recommended responses

Coyote Behavior	Classification	Response
Coyote heard; scat or prints seen	Observation	Distribute educational materials and information on normal coyote behavior.
Coyote seen moving through the area (day or night)	Sighting	Distribute education materials and information on normal coyote behavior.
Coyote seen resting in area (day or night)	Sighting	If area frequented by people, educate on normal coyote behavior and how to haze to encourage animal to leave. Look for and eliminate attractants.
Coyote entering a yard (no person present)	Sighting	Educate on coyote attractants; provide hazing information and yard audit*.
Coyote following or approaching a person with no incident	Encounter	Educate on hazing techniques. Look for and eliminate attractants.
Coyote following or approaching a person and pet with no incident	Encounter	Educate on hazing techniques and pet management. If an open area, post education signs to alert other residents to keep dogs on leash and to haze coyotes. If it is pup season and there is a known den nearby, consider blocking off the path or area until pup season is over.
Coyote entering a yard with pets, no incident	Encounter	Educate on coyote attractants and pet management, provide hazing information and yard audit*.
Coyote entering yard with people and pets, no pet attack occurring	Encounter	Gather information on specific animals involved and report circumstances. Educate on coyote attractants and pet management, provide hazing information and yard audit*.
Coyote injures or kills unattended pet in back yard	Unattended Pet Attack	Gather information on specific animals involved and report circumstances. Educate on coyote attractants and pet management, provide hazing information and yard audit*.
Coyote injures or kills pet off-leash in open space area	Unattended Pet Attack	Gather information on specific animals involved and report circumstances. Educate on pet management and hazing, Look for and eliminate food attractants. Post education signs in open area to alert other residents to keep dogs on leash and to haze coyotes. If it is pup season and there is a known den nearby, consider blocking off the path or area until pup season is over.
Coyote injures or kills livestock	Livestock Loss/Depredation	Gather information on specific animals involved and report circumstances. Educate on proper livestock husbandry (including the use of secure enclosures, livestock guarding animals, and/or proper fencing).

OFFICE USE ONLY:

Outcome of incident: _____

_____

Human injuries: _____ Post-exposure rabies vaccination recommended: Yes ☐ ..... No ☐

Pet injuries: _____ Pet killed: Yes ☐ ..... No ☐

Coyote injuries: _____ Coyote euthanized: Yes ☐ ..... No ☐

Coyote necropsy results: _____

Stomach contents: human food: Yes ☐ ..... No ☐

Sign of disease: Yes ☐ ..... No ☐

If Yes, describe: _____

DEFINITIONS:

OBSERVATION:

The act of noticing signs of a coyote(s), such as tracks, scat or vocalizations, but without visual observation of the coyote(s).

SIGHTING:

A visual observation of a coyote(s). A sighting may occur at any time of the day or night.

ENCOUNTER:

A direct meeting that is between human and coyote(s) with no physical contact and that is without incident.

INCIDENT:

A conflict between a human and a coyote where the coyote exhibits any of the following behaviors: growling, baring teeth, lunging or making physical contact with person. A human is not bitten.

HUMAN ATTACK:

Provoked: An attack where the involved human encourages the coyote to engage. Examples include a human hand-feeding a coyote, approaching a coyote with pups or intervening in a coyote attack on a pet.

Unprovoked: An attack where the involved human does not encourage the coyote to engage.

PET ATTACK:

Coyote(s) kills or injures a domestic pet.

Attended: Pet is on a leash less than six feet in length or is in the presence of a person less than six feet away.

Unattended: Pet is free-roaming, walking off-leash more than six feet from a person or on a leash longer than six feet.

LIVESTOCK LOSS/DEPREDATION:

Coyote(s) kills or injures livestock.

Appendices

Appendix A:

COYOTE INCIDENT REPORT FORM

Date: _____ Time of interaction: _____ Duration of Interaction: _____

Name of reporting party: _____

Address of reporting party: _____

Phone number of reporting party: _____

Address of interaction: _____

Location type (park, commercial property, residential property, natural preserve, vacant land, other): _____

Type of interaction: *Observation, Sighting, Encounter, Incident, Pet Attack: Attended/Unattended, Human Attack: Provoked/ Unprovoked?* (See reverse for definitions) _____

Activity of reporting party prior to interaction (e.g., walking, running, riding bike): _____

Was the coyote being intentionally fed? Yes ☐ ..... No ☐

Was there pet food present? Yes ☐ ..... No ☐

Was unsecured garbage present? Yes ☐ ..... No ☐

Were other food attractants present? Yes ☐ ..... No ☐

(e.g., bird seed, compost, fruit, etc.) If yes, describe: _____

Was a pet involved? Yes ☐ ..... No ☐

Type of pet: Cat ☐ ..... Dog ☐ ..... Other ☐ _____

Breed/weight of pet:

Was pet on leash? Yes ☐ ..... No ☐

(If yes, was leash longer than 6 ft.?) Yes ☐ ..... No ☐

Description of interaction/what happened: _____

_____

_____

Actions taken by reporting party (e.g., ran away, hazed coyote, none, etc.): _____

How did coyote respond? (e.g.,* ran away, approached, etc.)

_____

_____

6. Hazing efforts should be exaggerated at the beginning of a hazing program, but less effort will be needed as coyotes learn to avoid people and neighborhoods. Coyotes learn quickly, and their family members and pups will emulate their behavior, leading to a ripple effect throughout the local coyote population.
7. Certain levels of hazing must always be maintained so that coyotes do not learn or return to unacceptable habits.
8. Obviously sick or injured coyotes should not be hazed by the general public. In these cases, police or animal control officers should be contacted.
9. People should never run from or ignore a coyote. Running from a coyote can initiate a chasing instinct, while ignoring a coyote creates habituation and negates the positive effects of hazing.
10. It is important to identify and remove possible coyote attractants in conjunction with hazing. Hazing will be less effective if food attractants are plentiful in a neighborhood.

Appendix B:

GUIDELINES FOR IMPLEMENTING A COMMUNITY-BASED HAZING PROGRAM

Because coexisting with wildlife involves the community, the most successful coyote hazing programs involve residents and volunteers. Residents are best equipped to respond consistently and at the most opportune times in their own neighborhoods, greenbelts, parks and open spaces. Coyotes will also learn to fear the general public faster if they are hazed by the residents that they already encounter in their home ranges.

Involving the community in coyote hazing efforts has the additional benefit of empowering residents and reducing their fear of coyotes by giving them tools to address coyote conflicts themselves.

Before attempting to haze coyotes on their own, residents should first be properly trained on the following topics:

- Basic coyote ecology and behavior.
- Seasonal behavior changes—breeding season, pups, denning behavior.
- Influences of human behavior on coyotes.
- How to identify and remove food attractants.
- Safety tips for pets.
- Hazing techniques, tools and tips for success.

When possible, in-person trainings and meetings are the best way to relay this information to residents and to train them in coyote hazing techniques. Supplemental materials, such as handouts, brochures and websites, can also provide this information when necessary.

CREATING A VOLUNTEER HAZING TEAM

A group of volunteers trained in coyote hazing techniques can be quite useful to respond to coyote conflicts in public areas (such as parks, playgrounds, etc.). The following guidelines are suggested for managing a volunteer hazing team:

1. Volunteers should be trained in proper coyote hazing techniques (as discussed above).
2. Volunteers should be added to a Community Citizen Volunteer email list, from which they will be notified of "hot spots" and asked to haze in the area.
3. Updates, additional coyote information, electronic flyers and handouts should be sent to members of the Community Citizen Volunteer group to disseminate to the general public.
4. Volunteers should fill out a Hazing Interaction Report after each hazing activity.
5. Hazing Interaction Reports will include the following details:
   - Date, location, time of day, number of coyotes.
   - Initial coyote behavior, hazing behavior, coyote response.
   - Effectiveness ratings.
   - Tools and techniques used.
   - Additional details/comments.

COYOTE HAZING TIPS FOR SUCCESS

1. Hazing is most effective when an individual coyote is hazed by a variety of people using a variety of tools and techniques.
2. The coyote being hazed must be able to recognize that the potential threat is coming from a person. Therefore, hiding behind a bush and throwing rocks or hazing from inside a car or house (for example) isn't effective.
3. When hazed for the first time, a coyote may not respond at first or may run a short distance away. If this happens, it is important to continue hazing (and intensify the hazing if possible) until the coyote leaves the area. Otherwise, the coyote will learn to wait until the person gives up. Inconsistent hazing will create an animal more resistant to hazing instead of reinforcing the notion that "people are scary."
4. Make sure to provide an escape route for the coyote. Do not corner the coyote or chase the animal in the direction of traffic or other people.
5. A group of coyotes should be hazed in the same manner as a single coyote. In a group, there will always be a dominant coyote who will respond first, and once he runs away, the others will follow.

Appendix D:

EXAMPLE COYOTE RESOLUTION

RESOLUTION NO. _____

A RESOLUTION APPROVING A COYOTE MANAGEMENT PLAN

WHEREAS, the City of _____ has a duty and responsibility to its residents to protect the public health, safety, and welfare of its residents; and

WHEREAS, the city of _____ desires to identify and achieve a balance between the importance of human safety and the ecology of the region; and

WHEREAS, due to the varied interests of persons and organizations regarding actions that can be taken in the management of coyotes, a written management plan is desirable to ensure that the varied interests are evaluated and considered when seeking to address conflicts with coyotes, and;

WHEREAS, the City of _____ has developed a Coyote Management Plan to provide recommendations for educating the community regarding living and interacting with wildlife and addressing perceived or actual conflicts with coyotes including sightings, attacks on pets, aggressive behavior of coyotes, and a general fear of harm to life and property caused by coyotes, and;

WHEREAS, the purpose of the Coyote Management Plan is to provide effective solutions to coyote conflicts, including a behavior classification and recommended response chart, to resolve and reduce human-coyote conflicts within the City in a humane and effective manner; and

WHEREAS, a combination of education and hazing have been found to be the most effective methods to alleviate the potential dangers that may result from coyote-human interactions, and

WHEREAS, the _____ is directed to utilize non-lethal methods, including education and hazing methods, as primary methods in coyote management, considering lethal responses (coyote removal) only in the event of an unprovoked attack on a human,

NOW, THEREFORE, BE IT RESOLVED by _____, that:
The Coyote Management Plan attached hereto and incorporated herein by reference, is hereby approved.
The resolution shall be effective immediately.

APPROVED AND ADOPTED THIS _____ **DAY OF** _____

ATTEST: _____

Appendix C:

COYOTE YARD AUDIT CHECKLIST

(For municipal or homeowner use)

	OK	FIX	Ways to mitigate
FOOD			NEVER hand-feed or intentionally feed a coyote!
Pet Food			Never feed pets outdoors; store all pet food securely indoors.
Water Sources			Remove water attractants (such as pet water bowls) in dry climates.
Bird Feeders			Remove bird feeders or clean fallen seed to reduce the presence of small mammals that coyotes prefer to eat.
Fallen Fruit			Clean up fallen fruit around trees.
Compost			Do not include meat or dairy among compost contents unless fully enclosed.
BBQ Grills			Clean up food around barbeque grills after each use.
Trash			Secure all trash containers with locking lids and place curbside the morning of trash pickup. Periodically clean cans to reduce residual odors.
LANDSCAPING			Trim vegetation to reduce hiding places and potential denning sites.
STRUCTURES/ OUTBUILDINGS			Restrict access under decks and sheds, around woodpiles, or any other structure that can provide cover or denning sites for coyotes or their prey.
FENCING			Enclose property with an 8-foot fence (or a 6-foot fence with an additional extension or roller-top) to deter coyotes. Ensure that there are no gaps and that the bottom of the fence extends underground 6 inches or is fitted with a mesh apron to deter coyotes from digging underneath.
PETS			Never leave pets unattended outside.
			Never allow pets to "play" with coyotes.
			Fully enclose outdoor pet kennels.
			Walk pets on a leash no longer than 6 feet in length.

We encourage you to take steps to eliminate attractants on your property in order to minimize conflicts with coyotes. We also urge you to share this information with friends and neighbors because minimizing conflicts is most effective when the entire neighborhood works together.

Our Promise

We fight the big fights to end suffering for all animals.

Together with millions of supporters, we take on puppy mills, factory farms, trophy hunts, animal testing and other cruel industries. With our affiliates, we rescue and care for thousands of animals every year through our animal rescue team's work and other hands-on animal care services.

We fight all forms of animal cruelty to achieve the vision behind our name: a humane society. And we can't do it without you.

THE HUMANE SOCIETY OF THE UNITED STATES

1255 23rd Street, NW, Suite 450 Washington, DC 20037
humanesociety.org

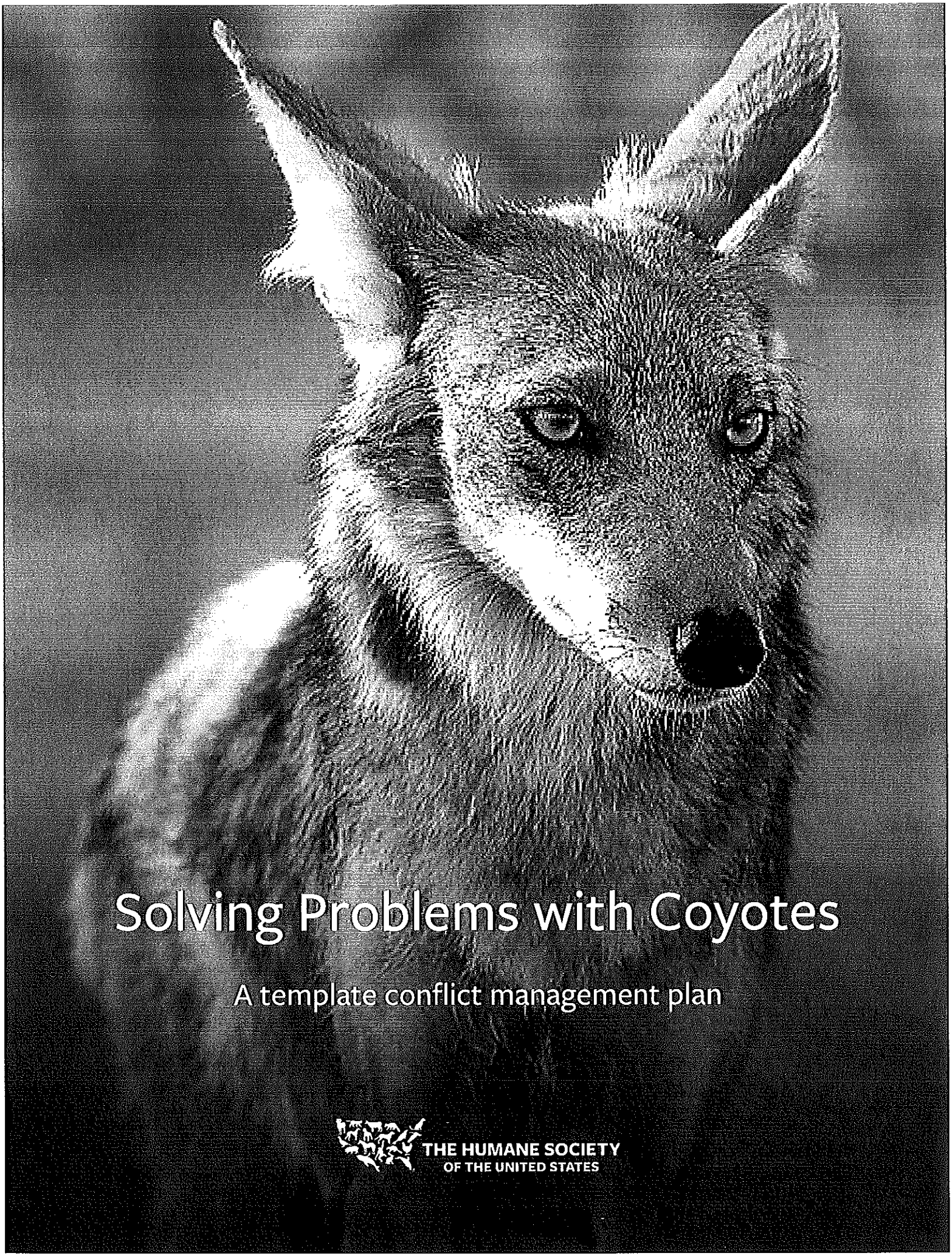
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Solving Problems with Coyotes

A template conflict management plan

THE HUMANE SOCIETY
OF THE UNITED STATES

CONTENTS

CONTENTS 1

HOW TO USE THIS TEMPLATE COYOTE MANAGEMENT PLAN 3

INTRODUCTION AND GOALS 4

THE COYOTE 5

Ecological importance 5

General biology, reproduction and behavior 6

COYOTE ATTRACTANTS IN URBAN AREAS 7

COYOTE COEXISTENCE STRATEGIES AND TECHNIQUES 9

Monitoring and collecting data 9

Human-coyote conflict definitions 9

Education and outreach 10

Hazing: an intervention technique 10

Lethal control 11

Local ordinances 12

HUMAN-COYOTE CONFLICT CLASSIFICATION AND RECOMMENDED RESPONSES 13

APPENDICES 15

Coyote incident report form 15

Definitions: 16

Guidelines for implementing a community-based hazing program 17

Creating a volunteer hazing team 17

Coyote hazing tips for success 17

Coyote yard audit checklist 19

Example coyote resolution 20

NEW DATA RECEIVED FOR THE REGULAR MEETING OF JULY 10, 2023 ITEM 10

From: Marlene Katafias
To: CityCouncil
Subject: Deer Management in Livonia
Date: Thursday, June 29, 2023 2:00:45 PM

Hello,
My name is Marlene Katafias, 15100 Merriman. I was at the special meeting to discuss the deer problem. I didn't speak since I didn't have anything additional to say. The deer population has indeed expanded in recent years. I have lived at this address since 1952 and never saw deer here prior to 15 years ago or so. I believe one of the council members was going to check out how other municipalities have done with culling and I looked into a few myself. Please check with the following that seem to have had some success, although it does have to be an annual event.

Big Rapids, Michigan. They have been partnering with the USDA Wildlife Services and Michigan Sportsmen Against Hunger since 2014 and appear to have some success with the program, plus the venison goes to feed the hungry.

Michigan Parks Authority has been culling deer in the Metro Parks system since 1999 and consider the program a success.

Since I agree that something must be done, I just wanted to pass the above information on.

I have been sitting in on Council Meetings lately to become familiar how are local government works and would like to let all of you know that I think you are doing an outstanding job.

Thank you

Marlene Katafias
734-891-7297
mkatafias@gmail.com

Virus-free.www.avg.com

NEW DATA RECEIVED FOR REGULAR MEETING OF JULY 10, 2023

From: Simmons, Jennifer
To: CityCouncil; Mayor Staff
Cc: Brosnan, Maureen Miller
Subject: FW: Deer issue
Date: Tuesday, June 27, 2023 10:26:27 AM

Jennifer Simmons
Constituent Relations Specialist
City of Livonia | Mayor's Office
(734) 466-2204
jsimmons@livonia.gov

From: Jennifer Jerore <forev099@yahoo.com>
Sent: Monday, June 26, 2023 10:57 PM
To: Mayor Maureen Miller Brosnan <mayor@livonia.gov>
Subject: Deer issue

I cannot attend the meeting regarding the deer population but wanted to send a comment as I feel strongly about the subject. Deer are in there natural habitat and I don't think we should give into a few noisy citizens because they are eating there hostas. Up north in the middle of the woods at our cottage we plant things deer don't like and that solves the problem, we need to be respectful of Wildlife, what is next squirrels or chipmunks? My vote ….leave the deer ALONE we have other things we can be using tax dollars to address….
Thank you
Jennifer Jerore

Sent from Yahoo Mail for iPhone

NEW DATA RECEIVED FOR REGULAR MEETING OF JULY 10, 2023

Kasprowicz, Sara

From: Kenneth Kettenbeil <kketten@umich.edu>
Sent: Friday, June 23, 2023 10:18 AM
To: CityCouncil
Subject: Deer cull information

Dear Livonia City Council,

I saw on the news this week the story about the deer issue in Livonia.

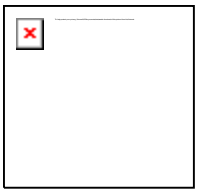
I work at the University of Michigan-Dearborn and we have conducted culls on our campus, three times since 2015. We created a website to inform the community about all aspects of the cull, including: why it is necessary, options explored, safety and related issues. Our situation may be a little different than yours since we do culls to maintain a 300-acre natural area tied to faculty research and community engagement.

I thought the site may be helpful as you explore solutions to the local deer population. We have biologists on campus that may be helpful to you as you discuss this issue in your city.

Please let me know if we can be of any help to you.

https://umdearborn.edu/external-relations/key-issues/deer-management

Ken
--
Ken Kettenbeil
Vice Chancellor
External Relations
4901 Evergreen Road
1161 AB
Dearborn, MI 48128
313-593-5518
kketten@umich.edu



NEW DATA RECEIVED FOR THE
REGULAR MEETING OF JULY 10, 2023

Kasprowicz, Sara

From: clerk
Sent: Thursday, June 22, 2023 11:46 AM
To: CityCouncil; Mayor Staff
Cc: Nash, Susan M.; Kasprowicz, Sara
Subject: FW: Deer Management, My Opiniom

|

clerk@livonia.gov

From: Faten Fawaz <faten111@hotmail.com>
Sent: Wednesday, June 21, 2023 4:43 PM
To: clerk <clerk@livonia.gov>
Cc: Sabine Neighbor <dreikatzenspielen@gmail.com>
Subject: Deer Management, My Opiniom

Hello,

My name is Faten Fawaz, and I reside on Wentworth St., 48154. Here is my opinion on the recent deer mgmt. discussion:

- Based on the number of deer killed per year (200+ as stated by the rep from the Mayor's office at the public hearing on 6/19), it is likely nature is taking care of the issue. As stated by the rep, this number is not entirely due to automobile accidents.
- Repeated research shows that culling results in an increase of deer, referred to as the "Rebound Effect". Deer will reproduce at higher rates and will birth more females when a sudden population decrease occurs.
- Strongly encourage the input of DNR for well-studied options and associated impacts.
- Regarding ticks: "Deer are immune to Lyme disease and do not carry the disease. If an infected tick bites a deer, the disease does not spread to other ticks that may bite the deer as it would if the tick bit a mouse. Reducing the number of deer may reduce the number of ticks, but because of the dilution effect, the result can be a higher percentage of remaining ticks with the disease since the ticks will choose other hosts that may be carriers of the disease. Deer also browse on the vegetation that provide tick habitat. While deer may provide a meal for the adult tick, research shows the risk of Lyme disease is statistically correlated to mice, chipmunks, and ground dwelling birds. Deer groom themselves, eliminating many ticks." https://www.deerfriendly.com/lyme-disease

I have a suggestion… Research indicates that the number of deer remain constant or may decrease when they live in conditions unsuitable for sustaining new reproduction.

We should investigate solutions for long-term results.
For example…
- Host a yearly Livonia Flower Fest Sale in the Spring, showcasing deer-proof flowers, vegetation, landscaping, etc.

- Instruct residents to spray non-hazardous solutions to vegetation and respray after it rains, and make recommendations what sprays to use.

- Loosen the regulations around residential fence heights, and offer fence installers incentives to build fencing in this city that will deter deer where fencing is installed, and in turn preferred fencers can offer discounts to Livonia residents.

This will reduce the number of deer that tread into residential properties, also decreasing tick spread.

It will be the benefit of our community to look for sustainable solutions to serve our now, near, and far needs.

Thank you for allowing us the opportunity to share in this matter with our community leaders and elected officials!

Mrs. Faten Fawaz
248 818 0891

Sent from my iPhone

NEW DATA RECEIVED FOR REGULAR MEETING OF JULY 10, 2023

Kasprowicz, Sara

From: noreply@civicplus.com
Sent: Wednesday, June 21, 2023 9:04 AM
To: CityCouncil
Subject: Online Form Submittal: City Council Inquiries

City Council Inquiries

This form is for any questions, comments, or concerns you may have for the City in regards to city council meetings or other city council inquiries. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	Laura
Last Name	Gerhardinger
Address	14119 S Livonia Cres
Email Address	lgerha1991@gmail.com
Phone Number	4199447212
Topic	City Council Meetings
Date of Issue	6/19/2023
Attachment (Optional)	*Field not completed.*
Comments	I could not attend the meeting on deer and coyote populations, but I wanted to write in to confirm that the deer are a significant problem in my neighborhood. I continually see the same herd (between 3 to over 10 at times) wandering my neighborhood. Recently two deer were laying in my neighbor's yard in the middle of the day. It took a lot of yelling to get them to leave. The other day I confronted two deer to get them to leave my yard, and they were not scared, and came closer to me. This confrontation made me very nervous. I am trying to create an ecosystem in my yard by replacing lawn with native plants. The deer are eating a lot of plants before they have a chance to grow. They also nearly killed an apple tree that was planted last fall. I am in support of a deer cull and anything the DNR recommends to decrease the deer population. I love seeing them, but I also have a lot of concerns about their population as they have no natural predators.

Email not displaying correctly? View it in your browser.

NEW DATA RECEIVED FOR REGULAR MEETING OF JULY 10. 2023

From: Paul Walters
To: Donovic, Rob; Mayor Maureen Miller Brosnan; CityCouncil
Cc: Leadership Staff
Subject: Re: Management of Deer Population
Date: Tuesday, June 20, 2023 9:50:46 AM
Attachments: CitySeal100x100_8f7d9122-2022-4a3b-86d9-f05a096c6a3c.png
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SocialLink_Youtube_32x32_9b8afb50-3b86-4678-b53d-7e423a9d8771.png

---

All,

I know the question was brought up by citizen's last night in the meeting about deer involved crashes resulting in injuries. I wanted to provide you all with that information. Over the last 5 years there have been a total of 235 deer involved crashes in Livonia, which resulted in 9 reports of possible injury, 4 reports of suspected minor injury and 1 report of suspected serious injury.

Sgt. Paul Walters
Traffic Services Bureau
Livonia Police Department
734-466-2107

From: Donovic, Rob <rdonovic@livonia.gov>
Sent: Monday, June 19, 2023 5:39:30 PM
To: Mayor Maureen Miller Brosnan; CityCouncil
Cc: Leadership Staff; Paul Walters
Subject: Re: Management of Deer Population

Hello,

Thank you for sending all of this very detailed information—an hour and a half before a very important meeting. I appreciate all of the dedication and detail oriented work done by city staff to better inform us. Unfortunately, we can't research it minutes before a meeting.

Thank you

Rob Gjonaj Donovic
Council Member
CIty of Livonia | City Council
(734) 466-2254
rdonovic@livonia.gov
www.livonia.gov

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From: Mayor Maureen Miller Brosnan <mayor@livonia.gov>
Sent: Monday, June 19, 2023 5:23:08 PM
To: CityCouncil <CityCouncil@Livonia.gov>
Cc: Leadership Staff <LeadershipStaff@Livonia.gov>; Walters, Paul <paul.walters@livoniapd.com>
Subject: Management of Deer Population

Good afternoon,

Please see the attached letter and correlated correspondence.

Best,

Maureen Miller Brosnan
Mayor
City of Livonia | Mayor's Office
(734) 466-2201
mayor@livonia.gov

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable laws. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and/or reply to this e-mail message. Thank you.

PUBLIC SAFETY, HEALTH AND ENVIRONMENT COMMITTEE

MONDAY, JUNE 19, 2023

A Public Safety, Health and Environment Committee meeting was held on Monday, June 19, 2023, in the Livonia City Hall Auditorium.

Committee Members Present:	Kathleen McIntyre, Chair Rob Gjonaj Donovic, Vice Chair Scott Morgan
Committee Members Absent:	None
Other Councilmember Present:	Council President Jim Jolly Brandon McCullough, Councilmember
City Officials and Others Present:	Lynda Scheel, City Treasurer Susan Nash, City Clerk Sgt. Paul Walters, Traffic Services Bureau, LPD Dave Varga, Chief of Staff Ted Davis, Superintendent of Parks and Recreation Don Rohraff, Director of Public Works
Additional attendees:	See attached sign in sheet.

The meeting convened at 7:02PM

1. CR 18-22 Subject matter of what options are available concerning the culling and management of the deer and coyote populations in the city.

The Public Safety and Health Committee was led by the Chair, Kathleen E. McIntyre. Background information was given to explain how this subject matter was placed into Committee 2019, clarifying why it has taken so long for such a complicated topic to be discussed.

Councilmember McIntyre gave a slide presentation provided by both the DNR and SEMCOG, showing their research and date regarding deer management.

Dave Varga, Chief of Staff, gave additional information provided by our Livonia Police Department, indicating the calls, reports and complaints regarding deer-related situations in the city.

Many residents shared their stories and encounters with the deer in their yards. The following were consistent complaints and concerns regarding the overpopulation of deer:

- Ticks carrying Lyme disease.
- Destroyed vegetation.
- Dangerous to small pets and children
- Dangerous to drivers

Various suggestions were made to control the population, which include:

- Organized deer cull
- Protect vegetation with coverings.
- Taller fences
- Spray solution to deter the deer.

Councilmember Rob Donovic offered a motion to join the Urban Deer Coalition

Councilmember Brandon McCullough offered a motion to put this item into Committee of the Whole

Councilmember Brandon McCullough requested the Administration to provide a report and recommendation to remove deceased deer from residential property.

The Committee recommends:

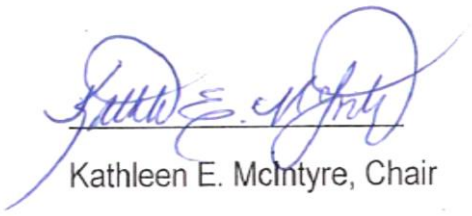
- A resolution to join the Urban Deer Coalition
- A resolution to put this subject matter into Committee of the Whole
- That the Administration provide a report and recommendation to remove deceased deer from residential property.

Note: This item will remain in committee

The meeting adjourned at 8:44PM

This item is to be placed on the **Regular Meeting Agenda of July 10, 2023**

Respectfully submitted,



MEETING: PUBLIC SAFETY AND HEALTH COMMITTEE

DATE: MONDAY, JUNE 19, 2023

TIME: 7:00 PM

NAME	DEPT OR CONTACT INFO FOR NOTIFICATIONS* *PERTAINING TO THE SUBJECT MATTER OF THIS MEETING
Marlene Kattalian	
Victoria Trygar	
Nancy Kusch	NKUSCH@AOL.COM
Jim Krone	
John Scheler	15635 Brookfield
Sara Schatt	
VERI JOHNSON	14847 Ingram site clean up
Rick Smith	19851 FLAMINGO
ROSEMARY MARTIN	33023 CURTIS
BARB HAGAN	31062 Pembroke St
MARIA JOHNSTON	19132 Gill Rd
Donna Manusac	35203 Oakdale
David & Sharon Crosby	30339 Rayburn
Martha + Kevin Webb	16885 Canterbury
Lisa Kovaleski	15429 Oporto
DORIS FURMANSKI	30219 PERTH

Sue Clark 16007 Oak Dr 48154

Michael J. Barker 33621 N. HAMPSHIRE

Mary Bonen 33621 N. Hampshire

Dennis Martell 18620 Filmore 48152

Gini Kreiz 34075 Pembroke 48152

Lewis Jeffries 18313 Stamford 48152

Edward Kozial 11790 Jarvis 48150

Jill Pavlat 33130 Curtis 48152

Sally Rowe 19200 Allaga 48150

Debra Wheelock 15741 Latham 48152

Greg & Charity Gould Corycn 48154

Tom & Mary McDonnell 30990 Raybarn 48154

Barbara Dave St. Clair 17730 Fairfield 48152

Diane Pietrzyk 18693 Godfrey 48152

Pat & Dale Wallman 15137 Riverside St 48154

Linda Summers 14647 Bainbridge 48154

Susan Flatley 11621 Riverside 48154

Debbie & Jamie Jarvi 31573 Merrimack Pkwy 48152

Bruce Tennisswood 34921 Bracon Livonia 48150

Chris Fernitz 11141 Garden Livonia 48150

Robin Book 18380 Lakeland Livonia 48152

Margot McCormack 30616 Cooley Blvd Westland 48185

Margaret Innis 34105 Burton Dr. Livonia 48154

Linda Marchowsky 16239 Riverside, Liv. 48154

MEETING: PUBLIC SAFETY AND HEALTH COMMITTEE

DATE: MONDAY, JUNE 19, 2023

TIME: 7:00 PM

NAME	DEPT OR CONTACT INFO FOR NOTIFICATIONS* *PERTAINING TO THE SUBJECT MATTER OF THIS MEETING
MARTHA PTASNIK	
BRIAN CULLETON	
Sheila Malkowski	
PAULA SUCHANEK	35369 Banbury
CHERYL CHAMPINE	35200 Banbury Ct.
Conni SPOKA	17499 DORIS LN.
Melissa Wagoner	20445 Hubbard Liv
Diane Burden	
Jim Beckton	14050 Stark
Roger + Ellen Stacey	19474 Pollyanna
Valerie Burton	29748 Puritan
Susan Nye	35016 Bristol Ct.
DAVID SMITH	15382 COMSTOCK ST.
Jeff + Kristin Dains	15130 Pasternacki
DAVE LUMLEY	14954 GARY LANE 48154
GLORIA LEARNED	14072 STARK RD 48154
ERIK KUSZYNSKI	37734 PICKFORD DR
A. SOCIA	19263 GILL RD
P. MALO	35164 Scone St. Liv.

Claudette ECAM 27545 BENTLEY
Bonnie Mattia 14632 Bainbridge
Deb Christiansen Livonia 48150
John Morrison 33364 CURTIS
Susan Morrison
Laurie Phelps 18355 Loveland
Deb Stoner 18505 Loveland
Bonnie Weiss 14265 Norman
Cheryl Mandeville 17271 Lathers
Andra Masters 17275 Lathers
Annette Wojcik 30449 Barkley
Fred & Laura McGee 17435 Brookview Dr.
Diane Peters 35260 Schoolcraft
PHYLLIS NOFZ 16399 BELL CREEK LANE
DEBBIE RAIS 17343 FRANCAVILLA
Donna McGeorge 17940 Fairfield
JIM McDONALD 16859 POLLYANNA
Irene Grysiewicz 16112 Burton Ct
Gary McCuistion 14217 Livonia Crescent
Susan Nosh Clerk
LARRY BERNHARDT 14744 FLAMINGO LN 48154
Christopher Bak 34600 Northland Dr. Livonia 48152
Craig R. Juedstodt 19099 FAIRWAY LIV. 48152
Tom Birchler 17309 Doris Liv 48152
Lori Miller 11788 Farmington 48150
Matt Colling 34570 Nobel Ct. Livonia 48152
WILLIAM RAMROTH 15561 FOCH ST. LIVONIA, 48154

NEW DATA RECEIVED FOR PUBLIC HEARING OF JUNE 19, 2023

From: Paul Walters
To: Donovic, Rob; Mayor Maureen Miller Brosnan; CityCouncil
Cc: Leadership Staff
Subject: Re: Management of Deer Population
Date: Monday, June 19, 2023 6:44:08 PM
Attachments: CitySeal100x100_8f7d9122-2022-4a3b-86d9-f05a096c6a3c.png
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SocialLink_Youtube_32x32_9b8afb50-3b86-4678-b53d-7e423a9d8771.png
Coyote Stats.docx

Attached is the data in regard to calls for service involving coyotes over the last five years.

Sgt. Paul Walters
Traffic Services Bureau
Livonia Police Department
734-466-2107

From: Donovic, Rob <rdonovic@livonia.gov>
Sent: Monday, June 19, 2023 5:39:30 PM
To: Mayor Maureen Miller Brosnan; CityCouncil
Cc: Leadership Staff; Paul Walters
Subject: Re: Management of Deer Population

Hello,

Thank you for sending all of this very detailed information—an hour and a half before a very important meeting. I appreciate all of the dedication and detail oriented work done by city staff to better inform us. Unfortunately, we can't research it minutes before a meeting.

Thank you

Rob Gjonaj Donovic
Council Member
CIty of Livonia | City Council
(734) 466-2254
rdonovic@livonia.gov
www.livonia.gov

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From: Mayor Maureen Miller Brosnan <mayor@livonia.gov>
Sent: Monday, June 19, 2023 5:23:08 PM
To: CityCouncil <CityCouncil@Livonia.gov>
Cc: Leadership Staff <LeadershipStaff@Livonia.gov>; Walters, Paul <paul.walters@livoniapd.com>
Subject: Management of Deer Population

Good afternoon,

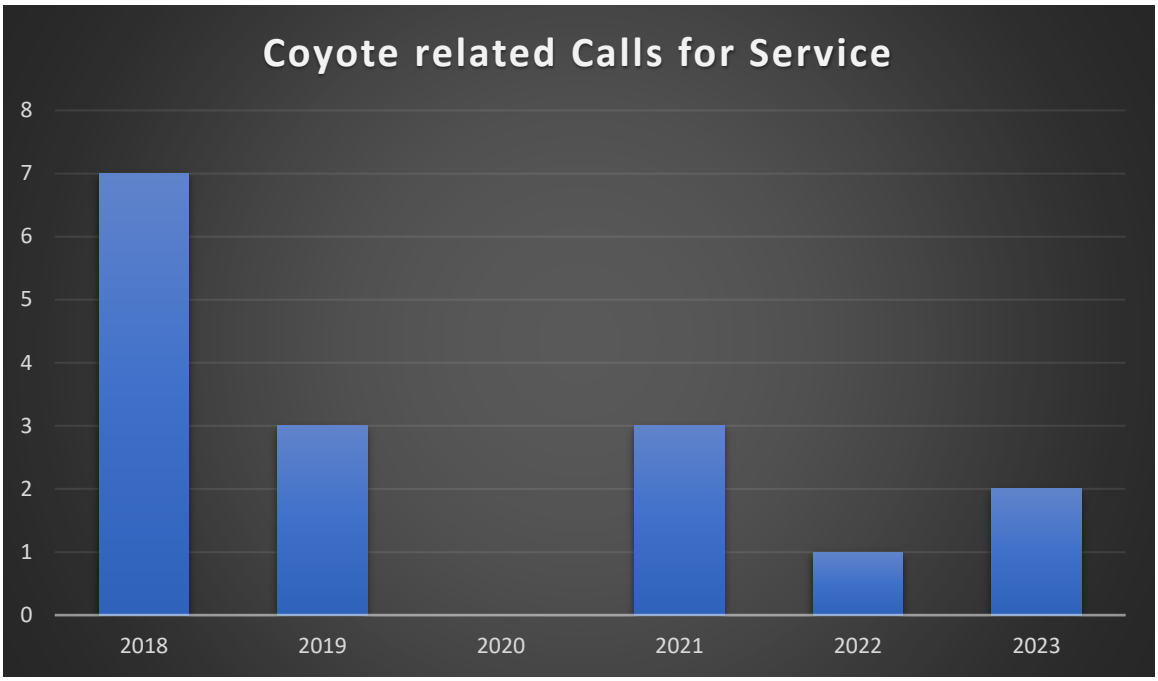
Please see the attached letter and correlated correspondence.

Best,

Maureen Miller Brosnan
Mayor
City of Livonia | Mayor's Office
(734) 466-2201
mayor@livonia.gov

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Livonia Police Department Coyote Statistics 2023



Reason for CFS:

2018- Deceased x3, Seen/Concerned x4
2019- Deceased x1, Seen/Concerned x2
2020- None
2021- Seen/Concerned x3
2022- Seen/Concerned x1
2023- Seen/Concerned x2

Only CFS of interest relating to a possible coyote related attack.

CFS #230018956

On 05/06/2023 at 0748 hours, PO Garcia, PO Naumovski and I, PO Alghazaly were dispatched to Seven mile and Hillcrest for a coyote running around chasing the caller and also possibly bit her dog. Upon arrival, I observed the coyote running around on 7 Mile and Purlingbrook. PO Garcia attempted to apprehend the coyote by providing it treats with no luck. I drove back to LPD to obtain a dog stick to attempt to restrain the coyote with the dog stick. After multiple failed attempts on trying to apprehend the coyote, I decided to deploy my taser cartridge Serial Number: C620DATDC in attempt to not run away from officers anymore and hurt nearby civilians. The taser deployment took effect on the coyote. I attempted to place the dog stick around the coyote's neck, but I was unable to sinch the rope around and it fled the location. The coyote took off east towards Doris and officers lost sight of it. ACO Polovich made the location in attempt to locate the coyote with no luck. While on scene officer's made contact with Cynthia Eckley. Eckley stated that she has had the coyote at her residence for a month. Eckley stated she found the coyote when it walked up to her residence and has had it since then. Eckley stated she had a DNA test done on the coyote because she believes it is a mixed dog.

OFFICE OF THE MAYOR

MAUREEN MILLER BROSNAN
MAYOR

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

June 19, 2023

TO: Public Safety and Health Committee Meeting of the Livonia City Council

RE: Culling, management of Deer Population

Council Members:

As part of this upcoming committee meeting, we are providing you with some data and information regarding the deer population and issues related to it in Livonia.

Overall, there is a sense that the deer population has been increasing and we have data that supports that.

Police, Sanitation data

For example, a Livonia Police Department report (*see attached*) shows that deer vehicle crashes, dispatches for deer issues, and calls for dead/injured deer in 2022 (the last full year) were significantly higher than previous years. So far, 2023 looks to have similarly high numbers.

Another data point focusing on deer/vehicle crashes in the LPD report shows that Livonia's numbers are generally below some neighboring communities (Farmington Hills, Novi and Southfield), but higher than others (Dearborn, Plymouth, Westland, etc.)

Since DPW took over Sanitation last year (first quarter of 2022), the City recorded 205 calls for dead deer. So far this year, we have 115. All of those dead deer are collected by GFL Environmental. Unfortunately, previous years' records are not available from GFL or our paper records.

SEMCOG survey

The interest in Livonia's deer population seems significant, based on social media. When Livonia Today shared a link to the SEMCOG Deer Survey in September of 2022, the reach was 30,729, including 56 shares. In total, 755 comments were recorded on the initial post and the shares – and those reactions were mixed between initiating a cull and leaving the deer population alone.

The survey was conducted in October and November of 2022 and had only 12% of the 13,526 respondents from Wayne County. Overall, 60% of survey takers believed the deer population had increased in the last three years.

City Ordinances

Neither the Zoning Ordinance nor the Code of Ordinances addresses anything specific to deer. However, there are ordinance provisions in Code Section 6.01.510, that ban hunting and trapping, and 6.01.530, that ban ground feeding. These would be applicable to deer.

Per section 6.01.530, it is unlawful:

> to feed any wild animal, whether directly or indirectly, or place or permit placement on the ground, any fruit, berries, grain, vegetables, nuts, salt or other edible material or bait which may reasonably be expected to feed wild animals.

Additionally, Section 6.01.510 provides that:

> It is unlawful for any person, at any time, to hunt, trap, or ensnare any animals, [except] for ... use of a live trap any animal thereon for the purpose of live release thereafter.

Requests for action

The Mayor's Office has received 3 complaints a year identified as deer overabundance/nuisance during 2021 and 2022, whereas by June of this year, we've received 6 such calls.

Similarly, requests for "Deer Crossing" signs have been higher: 2 in 2021, 6 in 2022, and 4 over the first half of 2023. Those recent requests were in neighborhoods.

However, the Traffic Commission has not approved any new signs in recent years, though there are several in place near parks and on main roads. The threshold to add a sign is based the number of deer/vehicle crashes in a year.

Neighboring communities

Some communities have taken specific action, including Ann Arbor, which used sharpshooters to kill a certain number of deer from 2016-2020.

That community, along with Farmington Hills and Rochester Hills, have tips and suggestions on their websites, focusing on plants that can repel deer, co-existing with deer and other ideas.

Southfield voters approved an advisory measure in November 2022 calling for the city to reduce the community's deer herd by humane, lethal means. If a deer cull were allowed, the city intends to donate meat, when deemed safe and where feasible, to local food banks and similar organizations. Any culling would require the approval of the Michigan Department of Natural Resources. Southfield is still weighing their options and will have to budget for whatever they decide to do.

Coyote data

This report has focused largely on deer. However, over the last seven years, Livonia has averaged about 19 calls to Animal Control a year for coyote. Numbers are fairly steady and not increasing.

Calls per year have been:

- 2016 – 15
- 2017 – 18
- 2018 – 21
- 2019 – 24
- 2020 – 21
- 2021 – 16
- 2021 – 20

Thus far this year, the City has received seven calls.

Moving forward on the deer population

It should be noted that Livonia's deer population is part of a larger ecosystem that obviously moves from area to area. At this point, we believe that any solution deemed appropriate to try to reduce the herd should be a regional solution.
However, we are open to further discussion of the issue. If the Council is interested in participating in the conversation the administration is having on the issue of the deer population, we would ask for two Council members who would like to participate to volunteer through my office.

Sincerely,

Maureen Miller Brosnan
Mayor

Cc: Leadership Staff, Sgt. Walters
Attachment

Livonia Police Department

Departmental Correspondence

Date: 06/19/2023

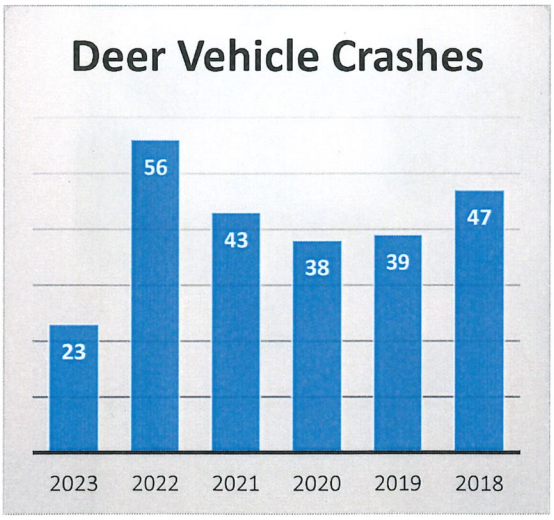
Subject: Deer Related Incidents

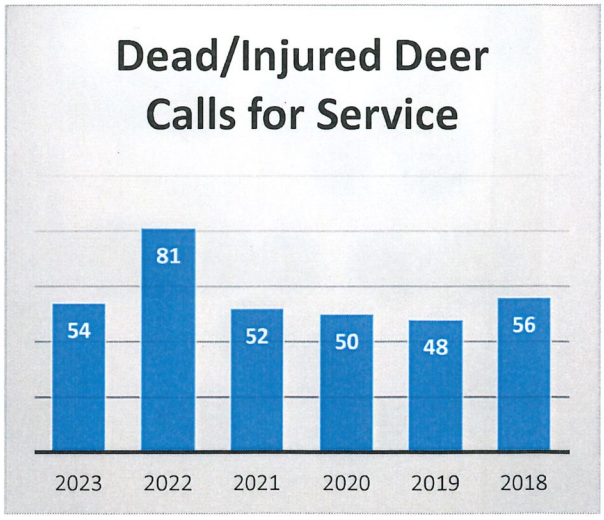
To: Chief Goralski (through channels) Dept: Administration

From: Sergeant Walters Dept: Traffic Services Bureau

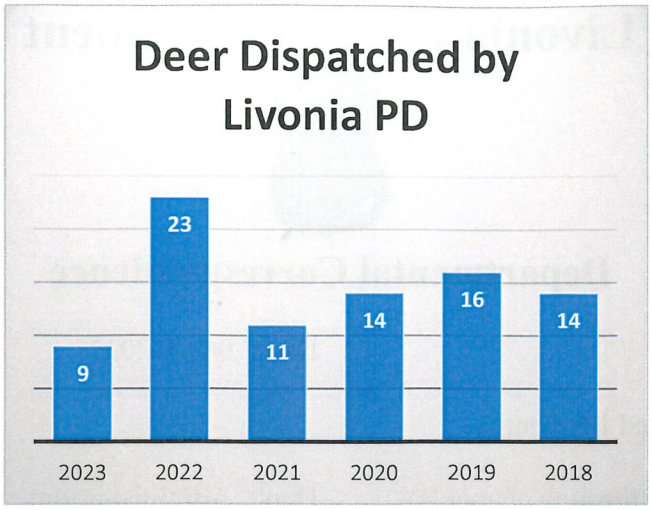
Sir,

I have compiled all of the data you requested about deer related incidents in Livonia. Below is a graph of all deer related traffic crashes over the last five years that occurred in Livonia. I also completed a Clemis search of all reports of dead or injured deer over the last five years. This was performed by a narrative search using the keywords: deer, dead, injured and is displayed in the graph below.

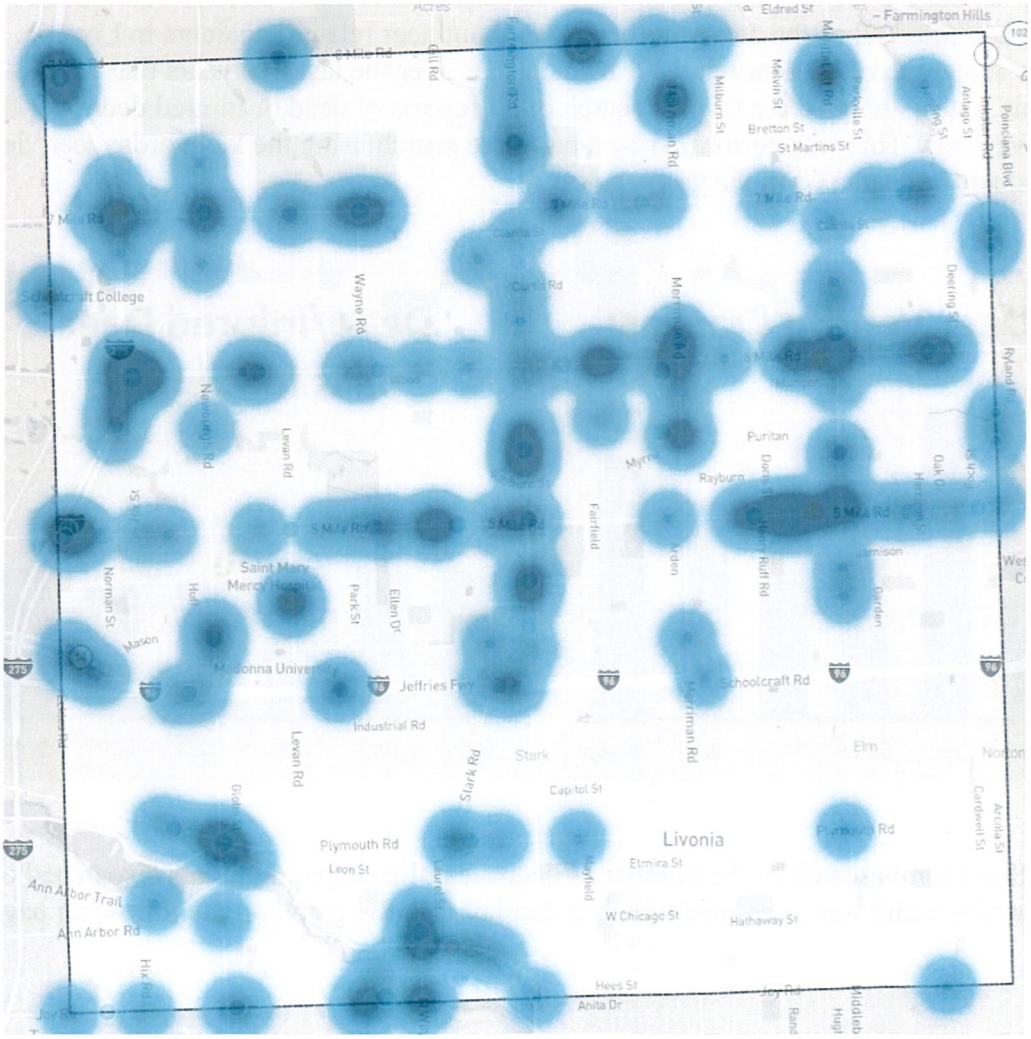




A further Clemis search of the number of deer the police department has dispatched over the last five years was examined which is displayed in the graph on the following page.



Below is a cluster map of all deer related traffic crashes that have occurred in Livonia over the last five years. The darker the area indicates a higher volume of incidents in that area.



Since the city of Livonia is debating about joining the Urban Deer Management Coalition, I checked the traffic crash data over the last five years comparing our deer related crashes with the neighboring cities. Below is a chart of all deer related traffic crashes over the last five years sorted by the city they occurred in.

	Canton Twp	Dearborn	Dearborn Heights	Farmington	Farmington Hills	Garden City	Livonia	Northville Twp	Novi	Plymouth Twp	Redford Twp	Southfield	Westland
2018	34	7	4	4	119	1	47	30	82	31	5	69	15
2019	37	7	5	8	116	1	39	44	68	34	3	50	24
2020	42	14	5	5	92	0	38	32	87	23	3	50	19
2021	68	14	4	4	125	1	43	29	109	36	2	67	29
2022	64	10	4	5	122	2	56	29	104	42	3	64	23
2023	21	1	2	3	43	1	23	11	30	13	1	20	5

Based on the data, it is apparent Livonia has a large deer population, however, we appear to have less deer related vehicle crashes than cities to the north of us. The data also does show a spike in deer related incidents in 2022 and by the end of 2023 we will know if there is an upward trend of deer related incident in our city.

Respectfully submitted,

Sergeant Paul Walters #665
Traffic Services Bureau

Incl.:
cc:

NEW DATA RECEIVED FOR PUBLIC SAFETY AND HEALTH COMMITTEE MEETING OF JUNE 19, 2023

From: noreply@civicplus.com
To: CityCouncil
Subject: Online Form Submittal: City Council Inquiries
Date: Monday, June 19, 2023 9:26:44 AM

City Council Inquiries

This form is for any questions, comments, or concerns you may have for the City in regards to city council meetings or other city council inquiries. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	Ewa
Last Name	Kedzierska
Address	20310 Mayfield
Email Address	ewalicja1@gmail.com
Phone Number	3139294434
Topic	Other City Council Inquiry
Date of Issue	6/19/2023
Attachment (Optional)	*Field not completed.*
Comments	Please distribute to pertinent members of the Public Safety and Health Committee and those invited to attend today Monday 19th June 2023 for CR 329-19 concerning opinions available concerning culling and management of deer and coyote populations. 1. The City of Livonia is a City and as such cares for the health and safety of its residents. Deer and coyote populations have grown out of proportion in the city and should be managed. Deer have become a nuisance as well as the coyotes. I have nothing against deer but as the numbers are so large - Not in my back yard! 2. A suggestion is a strong campaign in the City to make residents aware that feeding and "looking after" deer should not be done - difficult to enforce but an awareness campaign goes in the right direction. Also, bird feeders should be in places where the deer cannot reach them as they are easy pickings! 3. Ease up on ordinance, restrictions, on back yard fencing. On my street 10 houses with long back yards and fencing would not prevent the deer jumping them but would probably discourage them and hopefully push them back into the wild park and river that they normally would live in. 4. Distibuting the "pill" could help prevent new fawns

5. Culling - deer are clever and in Ann Arbor have learnt not to gather in the parks where the culls take place and the problem there has not been ameliorated. Suggestion - cull in one area at a time - I and my neighbours would be happy to stay indoors or away for a day if an orgainzed cull took place in our back yards. In one day at least 20 deer walk through our yards, many have been born in our area and that's why they keep coming back.
6. I cannot walk barefoot or even in shoes in my back yard due to the droppings, of which there are many - this is unhealthy, deer do carry some disease as well as ticks which are dangerous. It is an unpleasant and I won't start about the damage the deer do to all of our yards by eating every plant in sight! Deer are not afraid of "us" and do attack.
This is a difficult situation which has been ignored for too long and I look forward to some resolution from the City.
Thank you,
ewa kedzierska
313 929 4434
6/19/23

Email not displaying correctly? View it in your browser.

LETTER TO THE LIVONIA CITY COUNCIL

1.

Council Office
May 17, 2023

MEETING DATE	PREPARED BY
PSH061923/R071023	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

Subject matter of what options are available concerning the culling and management of the deer and coyote populations in the city. (CR 329-19)

BACKGROUND DETAILS

At the Regular Meeting of September 29, 2019, Councilmember Scott Bahr requested the subject matter of what options are available concerning the culling and management of the deer and coyote populations in the city be referred to the Public Safety, Health and Environment Committee.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

To discuss subject matter as presented

ATTACHMENTS

1. R092319 Subject matter of deer and coyote in the City CR 329-19 (MISC)

APPROVED BY

SEPTEMBER 23, 2019

AUDIENCE COMMUNICATION

Councilmember Bahr stated that at the August 26th, 2019 meeting he offered the subject matter of culling and management of the deer and coyote populations in the City of Livonia to the Public Safety, Health and Environment Committee, and that he failed to get support on the motion and is now reiterating his request.

On a motion by Bahr, supported by McIntyre, and unanimously adopted,

it was:

MISC
Subject matter of what options are available concerning the culling and management of the deer and coyote populations in the City of Livonia.
(Refer to the Public Safety, Health and Environment Committee)

#329-19 RESOLVED, that upon the motion by Councilmember Scott Bahr, seconded by Councilmember Kathleen McIntyre, at the Regular Meeting held September 23, 2019, regarding the subject matter of what options are available concerning the culling and management of the deer and coyote populations in the City of Livonia, the Council does hereby refer this item to the Public Safety, Health and Environment Committee for its report and recommendation.

AUDIENCE COMMUNICATION (Regular Meeting of September 23, 2019)

Motion by:	***Jolly***
Seconded by:	***Kritzman***
ROLL CALL:	
Ayes:	**Jolly, Kritzman, Bahr, White, McIntyre and Toy**
Nays:	***None***
Absent:	***Meakin***

LETTER TO THE LIVONIA CITY COUNCIL

19.

Engineering
November 6, 2023

MEETING DATE	PREPARED BY
R120423	Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST TO RELEASE DEVELOPMENT BONDS: Engineering Division, re: for Heritage Square Site Condominium, located on the east side of Newburgh Road, south of Six Mile Road in the Northwest 1/4 of Section 17. (CR 403-18)

BACKGROUND DETAILS

Council Resolution No. 403-18, dated November 19, 2018, set the General Improvement Bond which would be required to assure the installation of public improvements within the subject subdivision at $1,044,719.00, of which $104,472.00 was to be in cash.

The proprietor has now completed the Sidewalk, Entrance & Landscaping, Monuments & Markers, Public Utility and Site Development Bond requirements and we hereby certify that these improvements have been installed in accordance with the City's standards and specifications.

It is recommended that the following bond requirements totaling $25,750 be released to Heritage Square Livonia LLC, c/o Enrico Soave, Kucyk, Soave & Fernandes, P.L.L.C, 37771 Seven Mile Road, Suite C, Livonia, Michigan 48150.

Sidewalk $10,000.00
Entrance & Landscaping $7,500.00
Monuments & Markers $2,500.00
Public Utility $5,000.00
Site Development $750.00

Please note that the General Improvement Bond and the Soil Erosion Bonds were previously released and the As-Built Drawing Bond in the amount of $10,000 will be retained until its requirements have been met.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

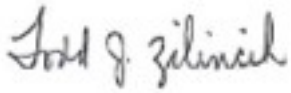
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Sidewalk $10,000.00
Entrance & Landscaping $7,500.00
Monuments & Markers $2,500.00
Public Utility $5,000.00
Site Development $750.00

ATTACHMENTS

1. CR 403-18
2. 11-1-23 Schedule of Bonds & Fee Requirements - Heritage Square Site Condominums

APPROVED BY



Todd Zilincik, P.E., City Engineer — Date: November 06, 2023



Don Rohraff, Director of Public Works — Date: November 06, 2023



Maureen Miller Brosnan, Mayor — Date: November 09, 2023

the attached contract amendment between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315, to provide survey and design engineering services for the 2019 Concrete Road Repair Program (Contract 19-C) in an amount not to exceed $184,900.00, said amount being based on the preliminary cost estimates and subject to adjustment based on the actual bids; FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Code of Ordinances Section 3.04.140.D.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed $184,900.00 from funds budgeted in Account No. 204-441-818-102 (Road, Sidewalk and Tree Fund) for this purpose, and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

#402-18 RESOLVED, that having considered the report and recommendation of the City Engineer, dated October 26, 2018, submitted pursuant to Council Resolution 365-16, which bears the signature of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed amendment to the Engineering contract between the City of Livonia and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315 for the 2019 Concrete Road Maintenance/Selective Slab Program (Contract 19-J), the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the attached contract amendment between Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, Michigan 48315, to provide design engineering services for the 2019 Concrete Road Maintenance/Selective Slab Program (Contract19-J) in an amount not to exceed $26,500.00, said amount being based on the preliminary cost estimates and subject to adjustment based on the actual bids; FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Code of Ordinances Section 3.04.140.D.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed $26,500.00 from funds budgeted in Account No. 204-441-818-102 (Road, Sidewalk and Tree Fund) for this purpose, and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

#403-18 RESOLVED, that Kucyk, Soave & Fernandes, P.L.L.C., as proprietor, having requested the City Council approve the proposed Heritage Square Site Condominiums located at the east side of Newburgh Road between Five Mile and Six Mile Roads (36900 and 36910 Mallory Drive; former Clay Elementary School site, and 16600 Newburgh Road

and a portion of 16700 Newburgh Road) in the Northwest ¼ of Section 17 of the City of Livonia (hereafter the "Condominium"), and it further appearing that approval of the site plan for the Condominium was given by the City Planning Commission on June 26, 2018, and by the City Council on July 23, 2018, and it further appearing that such site plan, together with Development Plans and Specifications for Improvements, have been examined and approved by the Department of Public Works as set forth in the report of that Department dated October 25, 2018; and the City Council having approved the Master Deed on July 23, 2018, in Council Resolution 273-18; therefore, the City Council does hereby establish the following requirements:

(1) All of the improvements, utilities and grading shall be constructed, installed and accomplished in conformity with the provisions of the ordinances of the City of Livonia, the conditions contained in Council Resolution 273-18 and the regulations and specifications of the Department of Public Works and the Development Plans submitted by the proprietor and approved by such Department; all such improvements to be constructed, installed, accomplished and completed within a period of two (2) years from the effective date of this resolution; failing this, the approval contained herein shall be considered null, void and of no effect whatsoever;

(2) That all inspection fees and other charges due to the City of Livonia shall be fully paid at the time and in the manner provided in the said ordinance provisions;

(3) That the installation of all such improvements shall be subject at all times to the supervision and inspection and final approval of the Department of Public Works, and such improvements shall not be considered as having been satisfactorily and completely installed until there is filed with the City Council the certificate as provided in such ordinance provisions;

(4) That the proprietor enter into an agreement with the City of Livonia agreeing to construct, within the prescribed period of time and in the prescribed manner, all improvements required to the extent required by the City of Livonia and as shown on the approved Development Plans;

(5) That as a condition of obtaining final approval of the Master Deed prior to the completion of all required improvements, the proprietor shall file with the City of Livonia a corporate surety bond, certified check, cash bond, irrevocable letter of credit, or other financial assurance in such form as may be approved by the Department of Law guaranteeing the satisfactory installation of all such

improvements, utilities and grading by the proprietor within the prescribed period in the following amounts:

(a)	General Improvement Bond at least $104,472.00 shall be in cash	$1,044,719.00, of which
(b)	Sidewalk Bond at least $ 10,000.00 shall be in cash	$ 107,113.00, of which
(c)	Grade & Soil Erosion Control Bond	$ 9,000.00 (all cash) (paid 10/2/2018, receipt #6025)
(d)	Landscape/Entrance Markers	$ 7,500.00 (all cash)
(e)	Monuments and Markers Bond	$ 2,500.00 (all cash)
(f)	Public Utility Bond	$ 5,000.00 (all cash)
(g)	Site Development Bond	$ 750.00 (all cash)
(h)	As-Built Drawings Bond	$ 10,000.00 (all cash)

and require cash payments in addition to the above amounts, in the total amount of $131,902.00 of which $128,777.00 is currently due.

(6) That all required cash deposits, certified checks, irrevocable bank letters of credit and/or surety bonds which shall be established by the City Engineer pursuant to Article XVIII of Ordinance No. 543, Section 18.66 of the ordinance, shall be deposited with the City prior to the issuance of engineering permits for this site condominium development; and

(7) That the distribution lines for telephones and electric service are to be placed underground and ornamental streetlights are to be provided throughout the Condominium in accordance with City ordinances.

A site plan Identified as Sheet C-4, dated October 26, 2018, as revised, prepared by Hennessey Engineers, Inc., a Landscape Planting Plan identified as Sheet LP-1, dated October 16, 2018, as revised, prepared by Nagy Devlin Land Design, and the Preliminary Floor Plan and Elevations identified as Sheet No. PP-3, dated October 10, 2018, as

revised, prepared by Detroit Architectural Group, was received and placed on file for the information of the Council.

#404-18 RESOLVED, that having considered a communication from the City Planning Commission, dated September 21, 2017, approved for submission by the Mayor, which transmits its resolution #09-52-2017, adopted on September 19, 2017, with regard to Petition 2017-08-02-10, submitted by Livonia Retail Management, L.L.C., to operate a full-service restaurant with drive-up window facilities and outdoor seating on the site of the commercial development known as Livonia Market II located on the south side of Seven Mile Road between Middlebelt Road and Melvin Avenue (29659 Seven Mile Road), in the Northeast ¼ of Section 11, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2017-08-02-10 is hereby approved and granted, subject to the following conditions:

1. That the maximum interior seating count for the restaurant shall not exceed forty (40);

2. That the maximum outdoor seating count for the restaurant shall not exceed twelve (12);

3. That the Site Plan labeled Sheet C-4 dated October 26, 2018, as revised, prepared by Hennessey Engineers, Inc., is hereby approved and shall be adhered to;

4. That the Landscape Planting Plan labeled LP-1 dated October 16, 2018, as revised, prepared by Nagy Devlin Land Design is hereby approved and shall be adhered to;

5. That the Preliminary Floor Plan and Elevations labeled Sheet No. PP-3 dated October 10, 2018, as revised, prepared by Detroit Architectural Group is hereby approved and shall be adhered to; except that the elevations shall be revised to incorporate the brick and stone materials as presented to the Planning Commission, and all rooftop mechanical units shall be shielded from view by the parapet walls of the building;

6. That all conditions imposed by Council Resolution #131-17 shall remain in effect to the extent that they are not in conflict with the foregoing conditions;

7. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time of application for building permits; and

Heritage Square Site Condominiums November 1, 2023

SCHEDULE OF BONDS & FEE REQUIREMENTS
I. Bond Requirements

	Current	Recommended
A. General Improvement Bond		
Water Mains	$150,000.00	$0.00
Sanitary Sewers	$332,440.00	$0.00
Storm Sewers, including Footing Drain Storm Sewers	$157,930.00	$0.00
Paving (Public Street)	$354,600.00	$0.00
Estimated Construction Cost	$994,970.00	$0.00
Construction Contingencies (Approximately 5%)	$49,749.00	$0.00
	Total $1,044,719.00 ($104,472.00 min. cash bond)	**$0.00**
B. Sidewalk Bond		
Sidewalks	$97,375.00	$0.00
Construction Contingencies (Approx. 10%)	9,738.00	$0.00
	Total $107,113.00 ($10,000.00 min. cash bond)	$0.00
C. Grading & Soil Erosion Control Bond (Ord. #1187) (SESC Permit #18-24)	$9,000.00 (cash) (paid 10-2-18, receipt #6025) (released 4-1-22)	$0.00
D. Entrance Markers/Landscaping	$7,500.00 (cash)	$0.00
E. Monuments & Markers (Ord. #951)	$2,500.00 (cash)	$0.00
F. Public Utility Bond	$5,000.00 (cash)	$0.00
G. Site Development Bond	$750.00 (cash)	$0.00
H. As-Built Drawing Bond	$10,000.00 (cash)	n/c
TOTAL CASH BONDS	**$149,222.00**	$**10,000.00**

II. Fees (Cash Payments to the City)

A. Trees	$12,500.00
B. Street Name Signs	$600.00
C. Traffic Control Signs	$2,000.00
D. Street Light Contribution in Aid (First Year Cost)	$35,000.00*

II. Fees (Cash Payments to the City) Continued

E. Engineering Services Gen. Improv. & Sidewalk

1. Plan Review & Admin. (2%) $24,060.00 (paid 11-16-18, receipt #6103)
2. Field Inspection (5%) $54,617.00 (paid 11-16-18, receipt #6103)

$78,677.00

F. Engineering Services (Grading & Soil Erosion Control)
(SESC Permit #18-24)

1. Plan Review $625.00
2. Permit & Inspection $2,500.00

$3,125.00
(paid 10-2-18, receipt #6025)

TOTAL CASH PAYMENTS $131,902.00

*To be adjusted and/or refunded based on street light public hearings and the type of lighting units to be determined by the City Council.

LETTER TO THE LIVONIA CITY COUNCIL

20.

Engineering
November 6, 2023

MEETING DATE	PREPARED BY
R120423	Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST TO APPROVE FINAL COST INFORMATION AND TO AUTHORIZE ADDITIONAL APPROPRIATIONS AND EXPENDITURES; Engineering Division, re: for the 2022 Sidewalk Program - Contract 22-G (118-22)

BACKGROUND DETAILS

Council Resolution No. 118-22, adopted April 4, 2022, approved a contract for the 2022 Sidewalk Program with Joe Rotondo Construction Corporation, 38807 Ann Arbor Road, Suite 2, Livonia, Michigan 48150. The final allocation of costs connected to this project are shown on Attachment A. In order to finalize this project, it is recommended that the City Council establish a final project cost at $678,410.76 (this includes the 10% Engineering Division's administrative fee) of which $134,904.50 is to be charged to Single Lot Assessments and a total of $543,506.26 which is to be charged to the following City funds; $407,000.75 to the Road, Sidewalk and Tree Fund, Account No. 204-447-977-010, $118,722.25 to the Michigan Transportation Fund (Local Road – Distributed Sidewalk Cost), Account No. 203-451-977-010, $2,210.25 to the Michigan Transportation Fund (Major Road – Distributed Sidewalk Cost), Account No. 202-451-977-010 and $13,871.00 to the Unexpended Fund Balance of the Water and Sewer Fund (592). Also, included in the final project, the cost is $223.36 for the AT&T damaged walk, $224.97 for the DTE damaged walk, $554.79 for the Sod Solutions damaged walk and $698.89 for the Contractor permitted damaged walk. These costs will be billed to and paid for by each entity.

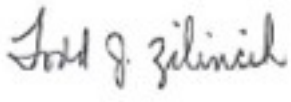
PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

In order to finalize this project, it is recommended that the City Council establish a final project cost at $678,410.76 (this includes the 10% Engineering Division's administrative fee) of which $134,904.50 is to be charged to Single Lot Assessments and a total of $543,506.26 which is to be charged to the following City funds; $407,000.75 to the Road, Sidewalk and Tree Fund, Account No. 204-447-977-010, $118,722.25 to the Michigan Transportation Fund (Local Road – Distributed Sidewalk Cost) Account No. 203-451-977-010, $2,210.25 to the Michigan Transportation Fund (Major Road – Distributed Sidewalk Cost), Account No. 202-451-977-010 and $13,871.00 to the Unexpended Fund Balance of the Water and Sewer Fund (592). Also, included in the final project, the cost is $223.36 for the AT&T damaged walk, $224.97 for the DTE damaged walk, $554.79 for the Sod Solutions damaged walk and $698.89 for the Contractor permitted damaged walk. These costs will be billed to and paid for by each entity.

ATTACHMENTS

1. CR 118-22
2. 11-6-23 Attachment A - Final Cost Breakdown for the 2022 Sidewalk Program

APPROVED BY



Todd Zilincik, P.E., City Engineer — Date: November 07, 2023



Don Rohraff, Director of Public Works — Date: November 07, 2023



Michael Slater, Finance Director — Date: November 07, 2023



Maureen Miller Brosnan, Mayor — Date: November 09, 2023

Circle Pool, with the City's participation estimated to be $1,027.00, for a total amount estimated at $160,000.00, the Council does hereby approve the proposed Intergovernmental Agreement between the County of Wayne and the City of Livonia and the Mayor and City Clerk are hereby authorized, for and on behalf of the City of Livonia, to execute the Intergovernmental Agreement in the manner and form herein submitted, subject to approval as to form and substance by the Department of Law, and to do all other things necessary or incidental to the full performance of this resolution.

#117-22 RESOLVED, that having considered the report and recommendation of the Assistant Director of Public Works, dated March 3, 2022, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, the Council does hereby accept the bid of Scooby's Lawn Care LLC, 2018 Helen, Garden City, MI 48135, for completing all work required in connection with the City's 2022-2025 Municipal Park Mowing Program, for a total amount not to exceed $37,114.00 per year, the same having been in fact the lowest bid received and meets all specifications; FURTHER, in the event the lowest bidder is unable to perform the services, the Council does hereby accept the bid of United Lawnscape, 12240 Merriman, Livonia, MI 48150 as alternate for completing all work required for the City's 2022-2025 Municipal Park Mowing Program at a cost not to exceed $109,186.00 per year; FURTHER, the Council does hereby authorize the expenditure of the foregoing amounts from funds budgeted in Account No. 101-524-818-015 (Parks Maintenance Fund) for this purpose; and the Mayor and City Clerk are hereby authorized to execute a contract, which is approved as to form and substance by the Department of Law, for and on behalf of the City of Livonia with the aforesaid bidder(s) and to do all other things necessary or incidental to the full performance of this resolution.

#118-22 RESOLVED, that having considered a communication from the City Engineer, dated March 16, 2022, submitted pursuant to Council Resolution 67-22, adopted on February 28, 2022, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, to which is attached a list of prices for various items needed for the 2022 round of sidewalk repairs, the Council does hereby authorize and accept the unit price bid of Rotondo Construction Corporation, 38807 Ann Arbor Road, Suite 2, Livonia, Michigan 48150, for completing all work required in connection with the 2022 Sidewalk Replacement Program (Contract 22-G) and agreed upon inspector days of 60 based upon the Engineering Division's estimate of units involved and subject to a final payment based upon the actual units completed in accordance with the unit prices accepted herein, for a total amount not to exceed $706,228.50, which includes a 10% administrative fee ($63,293.50), the contract amount of $632,935.00, and the saw cutting portion of the project ($10,000.00), which

will be handled by and paid to Precision Concrete Inc., 1896 Goldeneye Drive, Holland, MI 49424, said estimated cost and unit prices having been in fact the lowest bid received and meets all specifications; FURTHER, the Council does hereby authorize payment in an amount not to exceed $632,935.00 payable to Rotondo Construction Corporation, 38807 Ann Arbor Road, Suite 2, Livonia, Michigan 48150, based upon the bid unit prices and said amount to be adjusted based upon the quantities of work completed; FURTHER, the Council does hereby authorize payment in an amount not to exceed $10,000.00 payable to Precision Concrete Inc., 1896 Goldeneye Drive, Holland, Michigan 49424 for the saw cutting portion of the contract; FURTHER, the Council does hereby authorize an advance in the amount of $132,257.84 (single lot assessments portion of the program) from the Road, Sidewalk and Tree Fund with the provision that this fund be reimbursed from that portion of the project which is to be financed by special assessment at such time as funds are subsequently received from the payment of bills as assessments by affected property owners; FURTHER, the Council does hereby authorize an expenditure in the amount of $6,500.00 from funds budgeted in Account No. 202-451-977-010 (Major Road – Distributed Sidewalk Cost) and $99,270.66 from funds budgeted in Account No. 203-451-977-010 (Local Road- Distributed Sidewalk Cost) to cover the costs related to the construction or reconstruction of handicap ramps at major and local roads; FURTHER, the Council does hereby authorize an expenditure in the amount of $18,200.00 from the Unexpended Fund Balance of the Water and Sewer Fund for sidewalk work adjacent to and including water and storm and sanitary sewer structure repairs; FURTHER, the Council does hereby authorize an expenditure in the amount of $450,000.00 to repair sidewalks heaved by tree roots from funds budgeted in the Road, Sidewalk and Tree Fund (Account No. 204-441-977-010 Contractual Service Sidewalk) for the 2022 Sidewalk Repairs; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties; and the Mayor and City Clerk are hereby authorized to execute a contract, approved as to form and substance by the Department of Law, for and on behalf of the City of Livonia with the aforesaid bidder and to do all other things necessary or incidental to the full performance of this resolution.

#119-22 RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 9, 2022, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby accept the unit price bid of P.K. Contracting, LLC, 1965 Barrett Dr., Troy, Michigan 48084 for completing all work required in connection with the 2022 Lane Line Marking Program (Contract 22-H) for the not to exceed amount of $93,367.50, based on the Engineering Division's estimate of units involved, and subject to a final payment based

ATTACHMENT A

2022 SIDEWALK PROGRAM - Contract Award Amount -- $652,935.00

A. Final Cost Information:

Construction Costs (Rotondo)	$607,646.15
†Construction Costs (Precision)	$10,000.00
Administrative Fee (10%)	$60,764.61
Total Project Cost	$678,410.76

B. Apportionment of Costs:

	Final Costs	Authorized	Additional to be Authorized
*Total Single Lot Assessment	$134,904.50	$132,257.84	$2,646.66*
Total City Participation			
Tree Root Repairs	$407,000.75	$450,000.00	($42,999.25)
ADA Ramps			
Local Roads	$118,722.25	$99,270.66	$19,451.59
Major Roads	$2,210.25	$6,500.00	($4,289.75)
Water & Sewer Repairs	$13,871.00	$18,200.00	($4,329.00)
AT&T Damaged Walk	$223.36	$0.00	$223.36
DTE Damaged Walk	$224.97	$0.00	$224.97
Sod Solutions Damaged Walk	$554.79	$0.00	$554.79
Contractor Damaged Walk (Forfeited Bond Fund)	$698.89	$0.00	$698.89
Total Project Cost	$678,410.76	$706,227.87	

Notes:

*Includes additional homeowner requested walk at 12 locations totaling $8,769.89

†The Precision Concrete portion of the construction costs uses a grinding technique to repair the lifted walk.

The AT&T, DTE, Sod Solutions and Contractor damaged walk will be billed and paid for by the respective entities.

A total of 480 locations were completed under this contract (not including the 21 locations (50 corners) where ADA ramps were completed).

Attachment for letter dated November 6, 2023.

LETTER TO THE LIVONIA CITY COUNCIL

21.

Engineering
November 6, 2023

MEETING DATE	PREPARED BY
R120423	Karen Worley, Secretary IV,

AGENDA ITEM

REQUEST TO APPROVE FINAL COST INFORMATION AND TO AUTHORIZE ADDITIONAL APPROPRIATIONS AND EXPENDITURES; Engineering Division, re: for the 2023 Sidewalk Program - Contract 23-G (71-23)

BACKGROUND DETAILS

Council Resolution No. 071-23, adopted February 27, 2023, approved a contract for the 2023 Sidewalk Program with Joe Rotondo Construction Corporation, 38807 Ann Arbor Road, Suite 2, Livonia, Michigan 48150. The final allocation of costs connected to this project are shown on Attachment A. In order to finalize this project, it is recommended that the City Council establish a final project cost at $955,705.23 (this includes the 10% Engineering Division's administrative fee) of which $148,010.36 is to be charged to Single Lot Assessments and a total of $807,694.87 which is to be charged to the following City funds; $626,629.99 to the Road, Sidewalk and Tree Fund, Account No. 204-447-977-010, $139,046.05 to the Michigan Transportation Fund (Local Road – Distributed Sidewalk Cost), Account No. 203-451-977-010, $13,335.85 to the Michigan Transportation Fund (Major Road – Distributed Sidewalk Cost), Account No. 202-451-977-010 and $22,804.65 to the Unexpended Fund Balance of the Water and Sewer Fund (592). Also, included in the final project cost is $4,632.63 for the Sod Solutions damaged walk and $1,245.70 for the Contractor permitted damaged walk. These costs will be billed to and paid for by each entity.

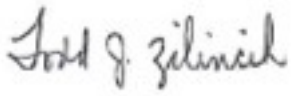
PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

In order to finalize this project, it is recommended that the City Council establish a final project cost at $955,705.23 (this includes the 10% Engineering Division's administrative fee) of which $148,010.36 is to be charged to Single Lot Assessments and a total of $807,694.87 which is to be charged to the following City funds; $626,629.99 to the Road, Sidewalk and Tree Fund, Account No. 204-447-977-010, $139,046.05 to the Michigan Transportation Fund (Local Road – Distributed Sidewalk Cost), Account No. 203-451-977-010, $13,335.85 to the Michigan Transportation Fund (Major Road – Distributed Sidewalk Cost), Account No. 202-451-977-010 and $22,804.65 to the Unexpended Fund Balance of the Water and Sewer Fund (592). Also, included in the final project cost is $4,632.63 for the Sod Solutions damaged walk and $1,245.70 for the Contractor permitted damaged walk. These costs will be billed to and paid for by each entity.

ATTACHMENTS

1. CR 71-23
2. 11-6-23 Attachment A - Final Cost Breakdown for the 2023 Sidewalk Program

APPROVED BY



Todd Zilincik, P.E., City Engineer — Date: November 07, 2023



Don Rohraff, Director of Public Works — Date: November 07, 2023



Michael Slater, Finance Director — Date: November 07, 2023



Maureen Miller Brosnan, Mayor — Date: November 09, 2023

SUSAN M. NASH
CITY CLERK

LORI L. MILLER
DEPUTY CLERK

OFFICE OF THE CITY CLERK

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2230
FAX: (734) 421-1147

March 23, 2023

Joe Rotondo Construction Corp.
38807 Ann Arbor Road, Ste. 2
Livonia, MI 48150

Precision Concrete, Inc.
1896 Goldeneye Drive
Holland, MI 49424

To whom it may concern:

The Council of the City of Livonia, at a Regular Meeting held February 27, 2023, adopted the following resolution:

#071-23 RESOLVED, that having considered a communication from the City Engineer, dated February 2, 2023, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, the Council does hereby authorize and accept the quote of Joe Rotondo Construction Corp., 38807 Ann Arbor Road, Suite 2, Livonia, Michigan 48150, for completing all work required in connection with the 2023 Sidewalk Repair Program (Contract 23-G) by extending their Contract 22-G unit prices for Contract 23-G, with the exception of revised unit prices for bid items 1, 2, 3, 4, 5, 8, 9, 11, 20 and 23 (concrete sidewalk of various thickness of 4, 6 or 8-inches, along with 7-inch road pavement, removal and replacement of concrete curb and gutter, placement of 6-inch ADA ramps consisting of 4' x 2' or 5' x 2' inserts), removal of 4" – 6" sidewalk or approach, placement of 4" – 6" concrete sidewalk with integral curb and adjustment of sanitary structure) and agreed upon Inspector Days of 110 based upon the Engineering Division's estimate of units involved and subject to a final payment based upon the actual units completed in accordance with the unit prices accepted herein, for a total amount not to exceed $990,113.92, which includes a 10% Administrative Fee ($88,646.72), the Contract amount of $886,467.20, and the saw cutting portion of the project ($15,000.00), which will be handled by and paid to Precision Concrete, Inc., as set forth below; FURTHER, such action is taken without competitive bidding for the reasons that A) concrete material prices have risen rapidly and this bid largely protects the City from such increases; B) information from other communities' bidding procedures indicates that these prices are favorable for the City, and C) the Rotondo firm is a local contractor and has completed concrete repairs for the City of Livonia over the past several years, including the Sidewalk Programs from 2006 through 2011 and 2013 through 2022, such that there are ample reasons to waive competitive bidding under Code of Ordinances Section 3.04.140E3; FURTHER, the Council does hereby authorize a payment in an amount not to exceed $15,000.00 to Precision Concrete Inc., 1896 Goldeneye Drive, Holland,

Michigan 49424 for the saw cutting portion of the contract; FURTHER, the Council does hereby authorize an advance in the amount of $164,798.26 (single lot assessments portion of the program) from the Road, Sidewalk and Tree Fund, provided that this fund be reimbursed from that portion of the project which is to be financed by special assessment at such time as funds are subsequently received from the payment of bills and assessments by affected property owners; FURTHER, the Council does hereby authorize an expenditure in the amount of $9,842.00 from funds budgeted in Account No. 202-451-977-010 (Major Road – Distributed Sidewalk Cost) and $119,704.25 from funds budgeted in Account No. 203-451-977-010 (Local Road- Distributed Sidewalk Cost) to cover the costs related to the construction or reconstruction of handicap ramps at major and local roads; FURTHER, the Council does hereby authorize an expenditure in the amount of $18,803.30 from the Unexpended Fund Balance of the Water and Sewer Fund for sidewalk work adjacent to and including water and sewer structure repairs; FURTHER, the Council does hereby authorize an expenditure in the amount of $450,000.00 to repair sidewalks heaved by tree roots from funds budgeted in the Road, Sidewalk and Tree Fund (Account No. 204-441-977-010 Distributed Sidewalk Cost) for the 2023 Sidewalk Repairs; FURTHER, the Council does hereby authorize an additional appropriation and expenditure in the amount of $211,966.11 from Account No: 204-463-974-200 (Non-Motorized Path) for this purpose; and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties; and the Mayor and City Clerk are hereby authorized to execute a contract for and on behalf of the City of Livonia with the aforesaid bidder and to do all other things necessary or incidental to the full performance of this resolution.

Very truly yours,

Susan M. Nash

Susan M. Nash, City Clerk

SMN/ljr
Xc: Engineering

ATTACHMENT A

2023 SIDEWALK PROGRAM - Contract Award Amount -- $914,967.20

A. Final Cost Information:

Construction Costs (Rotondo)	$843,151.40
†Construction Costs (Precision)	$28,238.69
Administrative Fee (10%)	$84,315.14
Total Project Cost	$955,705.23

B. Apportionment of Costs:

	Final Costs	Authorized	Additional to be Authorized
*Total Single Lot Assessment	*$148,010.36	$164,798.26	($16,787.90)
Total City Participation			
Tree Root Repairs	$626,629.99	$661,966.11	($35,336.12)
ADA Ramps			
Local Roads	$139,046.05	$119,704.25	$19,341.80
Major Roads	$13,335.85	$9,842.00	$3,493.85
Water & Sewer Repairs	$22,804.65	$18,803.30	$4,001.35
Sod Solutions Damaged Walk	$4,632.63	$0.00	$4,632.63
Contractor Damaged Walk (Forfeited Bond Fund)	$1,245.70	$0.00	$1,245.70
Total Project Cost	$955,705.23	$975,113.92	

Notes:

*Includes additional homeowner requested walk at 9 locations totaling $5,009.28

†The Precision Concrete portion of the construction costs uses a grinding technique to repair the lifted walk.

The Sod Solutions and Contractor damaged walk will be billed and paid for by the respective entities.

A total of 545 locations were completed under this contract (not including the 22 locations (53 corners) where ADA ramps were completed).

An additional amount of $13,500 was approved by the City Council with CR #260-23 for Precision Concrete Inc. on August 21, 2023.

Attachment for letter dated November 6, 2023.

LETTER TO THE LIVONIA CITY COUNCIL

22.

Law
November 1, 2023

MEETING DATE	PREPARED BY
R120423	Brenda Smyser, Program Supervisor,

AGENDA ITEM

ACCEPTANCE OF GRANT OF EASEMENT: Department of Law, re: for a 12' water main secured without monetary consideration from Aletha Apartments for public utility easement in connection with the water main constructed at 14931 Farmington Road, in the Northeast 1/4 of Section 21. Parcel ID 46-081-99-0018-001.

BACKGROUND DETAILS

We are transmitting for Council acceptance of a Grant of Easement, secured without monetary consideration, from Aletha B. Phipps Apartments, LLC, for public utility easement in the Northeast 1/4 of Section 21, in connection with the water main constructed within the Aletha Apartments Development.

This document, recently received from the Engineering Division, has been approved as to form by the Department of Law and the legal description approved by the Engineering Division. A map prepared by the Engineering Division is attached indicating the location of the proposed subject conveyance.

Should the Council determine to accept the aforesaid Grant of Easement, the following proposed resolution is submitted for the Council's consideration:

RESOLVED, that having considered a communication from the Department of Law, dated November 1, 2023, approved for submission by the Mayor, transmitting for Council acceptance of a Grant of Easement from Aletha B. Phipps Apartments, LLC, executed by Brad Emmett, Its Member/Owner for a public utility easement in connection with the construction of a water main at the subject location in the Northeast 1/4 of Section 21, more particularly described as:

12-Foot Wide Water Main Easement

A 12-foot wide water main easement lying 6.00 feet each side of the centerline, over Parcel 081-99-0018-001 of part of the Northeast 1/4 of Section 21, Town 1 South, Range 9 East, City of Livonia, Wayne County, Michigan. More fully described as: commencing at the Northeast ¼ Corner of said Section 21; thence South 1308.90 feet along East line of said Section 21; thence S 89°54'20" W 33.00 feet; thence S 05°06'31" W 144.19 feet; thence N 89°41'00" W 245.25 feet; thence S 61°12'54" W 64.46 feet to the Point of Beginning; thence along the centerline of said 12.00 foot wide easement S 28°47'06" E 10.39 feet; thence S 03°35'42" E 88.78 feet to the Point of Ending.

See Attached Water Main Easement Sketch

The Council does hereby, for and on behalf of the City of Livonia, accept the aforesaid Grant of

Easement and the City Clerk is hereby requested to have the same recorded in the Office of the Register of Deeds and to do all other things necessary or incidental to fulfill the purpose of this resolution.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

Accept Grant of Easement

ATTACHMENTS

1. Aletha Apartments Easement

APPROVED BY



Date: November 01, 2023

Paul Bernier, City Attorney



Date: November 09, 2023

Maureen Miller Brosnan, Mayor

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
City Engineer

DAVID W. LEAR, P.E.
Assistant City Engineer

MAUREEN MILLER BROSNAN
MAYOR

DONALD R. ROHRAFF
Director of Public Works

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2571
FAX: (734) 466-2195

November 1, 2023

Department of Law
City of Livonia

Re: Public Utility Easement for 12' Water Main
N.E. 1/4 of Section 21
for Aletha Apartments (14931 Farmington Road)

Ladies and Gentlemen:

Transmitted herewith is the signed Grant of Easement received from Aletha B. Phipps Apartments, LLC for a 12-foot wide public utility easement in the N.E. 1/4 of Section 21. The above easement was required by this office in connection with the water main constructed within the Aletha Apartments Development.

The legal description contained in the instrument meets with the approval of this office. In addition, we are attaching herewith a map showing the proposed conveyance.

Please review the instrument as to form and forward same to the City Council for their acceptance.

Should you have any questions, please feel free to contact this office.

Sincerely,

Todd J. Zilincik, P.E.
City Engineer

TJZ:kjw
Attachment
cc: Brad Emmett, Aletha B. Phipps Apartments, LLC, 3699 Vorhies Road, Ann Arbor, MI 48105
DPW
File

M:\ALL OTHER MATTERS\Easements\Aletha Apartments, 14931 Farmington Road\11-1-23 Letter to Law, 12 ft Water Main Easement, Aletha P. Phipps Apartments.doc

GRANT OF EASEMENT
Tax I.D. No. 46-081-99-0018-001
14931 Farmington Road
Livonia, Michigan 48154

GRANT OF EASEMENT

THIS INDENTURE, made this 30th day of October, 2023, between Aletha B. Phipps Apartments, LLC, a Michigan limited liability company (Grantor) whose street number and post office address is 3699 Vorhies Road, Ann Arbor, Michigan 48105, and the CITY OF LIVONIA, a Michigan municipal corporation (Grantee), whose street number and post office address is 33000 Civic Center Drive, Livonia, Michigan, 48154.

WITNESSETH:

That the Grantor, for and in consideration of the sum of One Dollar ($1.00) paid by the Grantee, the receipt of which is hereby confessed and acknowledged, does by these presents grant unto Grantee, its successors and assigns an easement for the purpose of installing and maintaining a water main, in, unto and upon that certain piece of land situated in the City of Livonia, County of Wayne and State of Michigan, described as follows:

PARCEL ID: **46-081-99-0018-001**

PROPERTY ADDRESS: **14931 Farmington Road**

LEGAL DESCRIPTION APPROVED
Todd G. Zelinski
11-1-2023

EASEMENT DESCRIPTION:

12-Foot Wide Water Main Easement

A 12-foot wide water main easement lying 6.00 feet each side of the centerline, over Parcel 081-99-0018-001 of part of the Northeast ¼ of Section 21, Town 1 South, Range 9 East, City of Livonia, Wayne County, Michigan. More fully described as: commencing at the Northeast ¼ Corner of said Section 21; thence South 1308.90 feet along East line of said Section 21; thence S 89°54'20" W 33.00 feet; thence S 05°06'31" W 144.19 feet; thence N 89°41'00" W 245.25 feet; thence S 61°12'54" W 64.46 feet to the Point of Beginning; thence along the centerline of said 12.00 foot wide easement S 28°47'06" E 10.39 feet; thence S 03°35'42" E 88.78 feet to the Point of Ending.

See Attached Water Main Easement Sketch

Including the right of access for the Grantee to go over and upon that part of said piece of land of the Grantor, for the purpose of installing, repairing and maintaining said water main of the Grantee providing that the granting of the above easement does not vest in the Grantee authority to use any portion of said property for any purpose other than herein designated; provided also, that this easement shall continue only for such period of time as the Grantee, its successors and assigns, shall maintain said public utility. Any restoration of property by the Grantee necessitated by water main installation, repair and maintenance shall be limited to backfilling the excavation and establishment of grass. It shall exclude all other

improvements such as paved surfaces, corresponding sub-base materials, plants, trees, flower beds, electrical lines and lights, boulders and any other miscellaneous items located within the water main easement.

IT IS UNDERSTOOD AND AGREED, as a part of the consideration for the granting of the above easement, that the Grantee will use every effort possible to leave the premises in as good condition as at present.

IT WITNESS WHEREOF, the said Grantor has executed this Easement and Dedication the day and year above written.

GRANTOR:

Aletha B. Phipps Apartments, LLC
a Michigan limited liability company

By:_____
Brad Emmett
Its: Member/Owner

GRANT OF EASEMENT

STATE OF MICHIGAN)
COUNTY OF Wayne) SS

On this 30 day of October, 2023, before me personally appeared Brad Emmett to me personally known, who being by me sworn, did for themself say that they are the Member/Owner of Aletha B. Phipps Apartments, LLC, a Michigan limited liability company named in and which executed the within instrument and the said instrument was signed on behalf of said limited liability company in accordance with its Operating Agreement and Articles of Organization, and said Brad Emmett acknowledged said instrument to be the free act and deed of said limited liability company.

N. LANTTO
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Aug 10, 2025
ACTING IN COUNTY OF Wayne

_____ 10/30/2023

Notary Public acting in and for the
County of Wayne, Michigan
My Commission expires: 8/10/2025

Prepared by: Todd J. Zilincik, P.E.
City Engineer
Engineering Division
33000 Civic Center Drive
Livonia, Michigan 48154

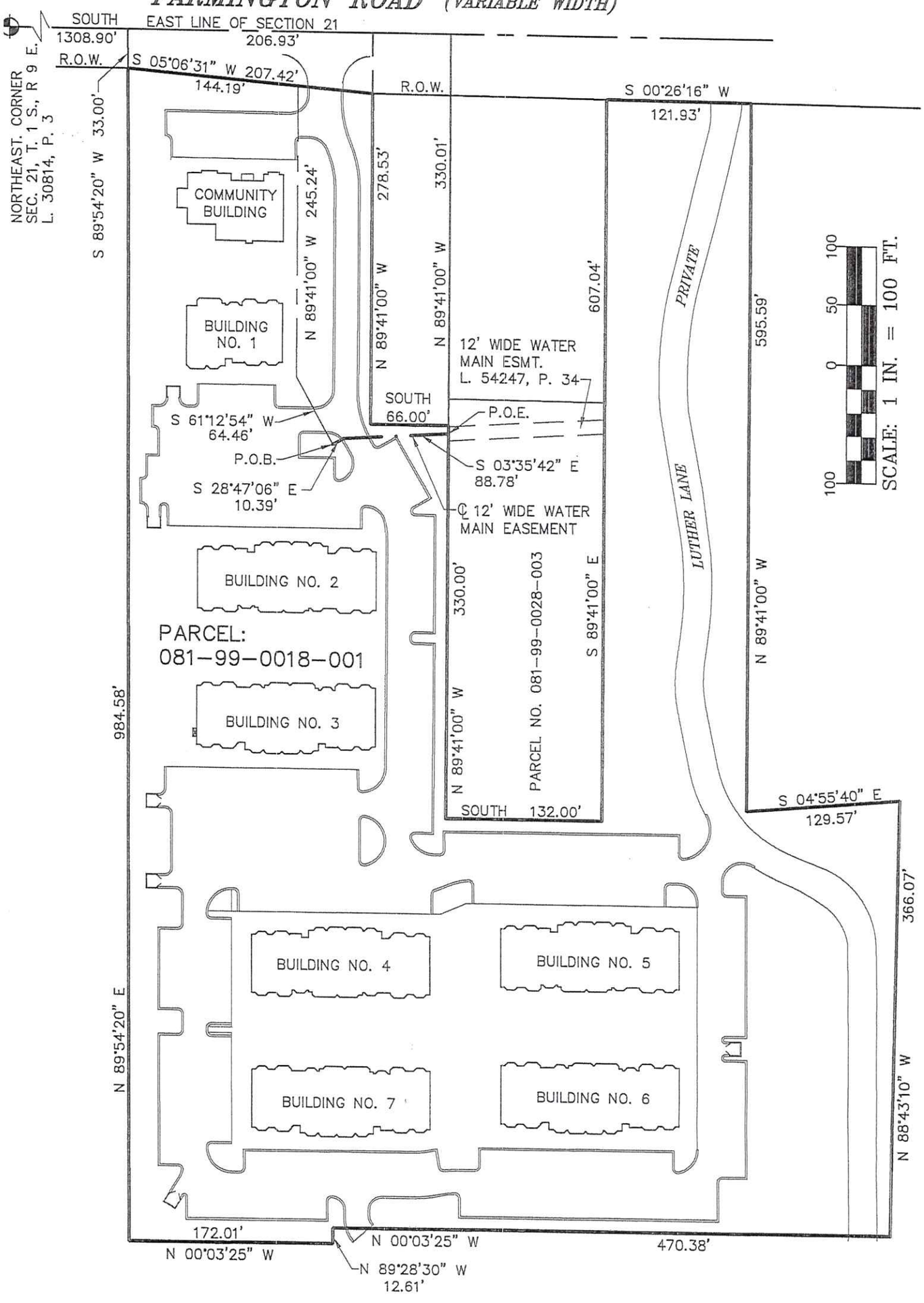
Approved as to form:
DEPARTMENT OF LAW

_____

Dated: _____

When recorded, return to: OFFICE OF THE CITY CLERK, 33000 Civic Center Drive,
Livonia, Michigan 48154

EXHIBIT "A"
WATER MAIN EASEMENT



ARPEE/DONNAN, INC.
32233 SCHOOLCRAFT, SUITE 103
LIVONIA, MICHIGAN 48150

PREPARED FOR
ALETHA PHIPPS APARTMENTS LLC
5225 SHELDON
CANTON, MI 48188
(734) 397-7895

DATE: 09/29/23
PROJ. NO: 13022
SHEET 1 OF 2

EXHIBIT "A"
WATER MAIN EASEMENT

WATER MAIN EASEMENT DESCRIPTION

A 12 FOOT WIDE WATER MAIN EASEMENT LYING 6.00 FEET EACH SIDE OF THE CENTERLINE, OVER PARCEL 081–99–0018–001 OF PART OF THE NORTHEAST 1/4 OF SECTION 21, T. 1 S., R. 9 E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN. MORE FULLY DESCRIBED AS; COMMENCING AT THE NORTHEAST 1/4 CORNER OF SAID SECTION 21; THENCE SOUTH 1308.90 FEET ALONG THE EAST LINE OF SAID SECTION 21; THENCE S 89°54'20" W 33.00 FEET; THENCE S 05°06'31" W 144.19 FEET; THENCE N 89°41'00" W 245.24 FEET; THENCE S 61°12'54" W 64.46 FEET TO THE PONT OF BEGINNING; THENCE ALONG THE CENTERLINE OF SAID 12.00 FOOT WIDE EASEMENT S 28°47'06" E 10.39 FEET; THENCE S 03°35'42" E 88.78 FEET TO THE POINT OF ENDING.

PROPERTY DESCRIPTION (081–99–0018–001)

THAT PART OF THE NORTHEAST 1/4 OF SECTION 21 T. 1 S., R. 9 E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE DUE SOUTH 1308.90 FEET ALONG THE EAST LINE OF SAID SECTION 21; THENCE S 89°54'20" W 33.00 FEET TO THE WESTERLY LINE OF FARMINGTON ROAD AND THE POINT OF BEGINNING; THENCE S 05°06'31" W 207.42 FEET ALONG THE WESTERLY LINE OF FARMINGTON ROAD; THENCE N 89°41'00" W 278.53 FEET; THENCE DUE SOUTH 66.00 FEET; THENCE N 89°41'00" W 330.00 FEET; THENCE DUE SOUTH 132.00 FEET; THENCE S 89°41'00" E 607.04 FEET TO THE WESTERLY LINE OF FARMINGTON ROAD; THENCE S 00°26'16" W 121.93 FEET ALONG SAID WESTERLY LINE; THENCE N 89°41'00" W 595.59 FEET; THENCE S 04°55'40" E 129.57 FEET; THENCE N 89°43'10" W 366.07 FEET; THENCE N 00°03'25" W 470.38 FEET: THENCE N 89°28'30" W 12.61 FEET; THENCE N 00°03'25" W 172.00 FEET; THENCE N 89°54'20" E 984.58 FEET TO THE POINT OF BEGINNING.
CONTAINING 10.310 ACRES

ARPEE/DONNAN, INC.
32233 SCHOOLCRAFT, SUITE 103
LIVONIA, MICHIGAN 48150

PREPARED FOR
ALETHA PHIPPS APARTMENTS LLC
5225 SHELDON
CANTON, MI 48188
(734) 397–7895

DATE: 09/29/23
PROJ. NO: 13022
SHEET 2 OF 2

LETTER TO THE LIVONIA CITY COUNCIL

23.

Law
November 6, 2023

MEETING DATE	PREPARED BY
R120423	Brenda Smyser, Program Supervisor,

AGENDA ITEM

REQUEST TO APPROVE A SETTLEMENT: Department of Law, re: Middlebelt Plymouth Venture, LLC v City of Livonia; U.S. District Court Case No. 2:22-cv-12734.

BACKGROUND DETAILS

Please be advised that the attorneys for the parties in the above-referenced case have agreed, subject to City Council approval, to resolve this case. Assuming that you concur with the settlement agreement, the City of Livonia agrees to the Wonderland Flats residential development and car wash as detailed in the Consent Judgment and plans. This Consent Judgment settles all claims brought against the City.

For the reasons discussed in the Closed Committee of the Whole meeting held on November 8, 2023, the Law Department recommends approval of this settlement.

If you have any questions, please do not hesitate to contact the Law Department,

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

RESOLVED, that having considered a communication from the Department of Law, dated November 9, 2023, approved for submission by the Mayor, THE COUNCIL DOES HEREBY AUTHORIZE THE DEPARTMENT OF LAW TO RESOLVE THE CLAIMS BROUGHT ON BEHALF OF MIDDLEBELT PLYMOUTH VENTURE LLC, U.S. DISTRICT COURT CASE NO. 2:22-cv-12734, as detailed in the Consent Judgment and plans, and the Department of Law is hereby authorized to do all things necessary or incidental to the full performance of this resolution.

ATTACHMENTS

APPROVED BY

Paul Bernier, City Attorney — Date: November 13, 2023

Maureen Miller Brosnan, Mayor — Date: November 15, 2023

LETTER TO THE LIVONIA CITY COUNCIL

X1.

Housing
November 29, 2023

MEETING DATE	PREPARED BY
R120423	Madison Bjertness, CDBG Specialist,

AGENDA ITEM

X1. REQUEST FOR AUTHORIZATION TO SELL CITY-OWNED SCATTERED SITE HOUSING PROPERTY ACQUIRED FROM THE FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM: Livonia Housing Commission, re: for the home located at 35546 Orangelawn, to Amy Spicer for a sale price of $245,500.

BACKGROUND DETAILS

The City of Livonia purchased the property located at 35546 Orangelawn on November 8, 2002. This property was acquired utilizing Federal Community Development Block Grant (CDBG) Program funds and has been a rental home since that time. The 35546 Orangelawn property was vacated in August 2023. An appraisal of the property was conducted which resulted in an appraised value of $245,000.

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

The Livonia Housing Commission would respectfully request that the Livonia City Council approve the sale of 35546 Orangelawn, Livonia, MI. 48150 to Amy Spicer and further authorize the Law Department to prepare a Quit Claim Deed and authorize the Housing Director or Community Development Division Director to execute the appropriate sale documents. Proceeds from the sale are to be returned to the federal CDBG program and classified as program income.

ATTACHMENTS

1. 35546 Orangelawn Appraisal
2. Signed PA JMI

APPROVED BY

Jim Inglis, Director of Housing — Date: November 29, 2023

Michael Slater, Finance Director — Date: November 29, 2023

Date: November 29, 2023

Paul Bernier, City Attorney

Date: November 30, 2023

File No. 221052

********* INVOICE *********

File Number: 221052 08/28/2022

City of Livonia
33000 Civic Center Drive
Livonia, MI 48154

Invoice # : 221052
Order Date : 8/10/2022
Reference/Case # :
PO Number :

35546 Orangelawn
Livonia, MI 48150

Appraisal Fee	$	350.00
	$	
Invoice Total	$	350.00
State Sales Tax @ 0%	$	0.00
Deposit	($	)
Deposit	($	)
Amount Due	$	350.00

Terms: 30 Days Net

Please Make Check Payable To:

Ridener Appraisal Service, Inc.
18465 Stoneridge Court
Northville, MI 48168

Fed. I.D. #: 38-3367840

Thank you for your business
Please refer to invoice # when remitting

File No. 221052

APPRAISAL OF

Single Family Dwelling

LOCATED AT:

35546 Orangelawn
Livonia, MI 48150

CLIENT:

City of Livonia
33000 Civic Center Drive
Livonia, MI, 48154

AS OF:

August 20, 2022

BY:

Sherri L. Bourque
Certified Residential Appraiser

File No. 221052

City of Livonia
33000 Civic Center Drive
Livonia, MI, 48154

File Number: 221052

In accordance with your request, I have appraised the real property at:

35546 Orangelawn
Livonia, MI 48150

The purpose of this appraisal is to develop an opinion of the defined value of the subject property, as improved. The property rights appraised are the fee simple interest in the site and improvements.

In my opinion, the defined value of the property as of August 20, 2022 is:

$245,000
Two Hundred Forty-Five Thousand Dollars

The attached report contains the description, analysis and supportive data for the conclusions, final opinion of value, descriptive photographs, assignment conditions and appropriate certifications.

Sherri L. Bourque
Certified Residential Appraiser

Residential Appraisal Report

File No. 221052

PURPOSE

The purpose of this appraisal report is to provide the client with a credible opinion of the defined value of the subject property, given the intended use of the appraisal.

Client Name/Intended User: City of Livonia | E-mail: Esims@livonia.gov
Client Address: 33000 Civic Center Drive | City: Livonia | State: MI | Zip: 48154
Additional Intended User(s): City of Livonia Community Development (CBDG)

Intended Use: Estimate market value for potential sale

SUBJECT

Property Address: 35546 Orangelawn | City: Livonia | State: MI | Zip: 48150
Owner of Public Record: City of Livonia | County: Wayne
Legal Description: 32H282 COUNTRY HOMES NO 2 T1S R9E L77 P58 59 60 WCR LOT 282
Assessor's Parcel #: 46125010282000 | Tax Year: 2021 | R.E. Taxes $: 0.00
Neighborhood Name: COUNTRY HOMES NO 2 | Map Reference: CT 2020 | Census Tract: 5585.00
Property Rights Appraised: [X] Fee Simple [ ] Leasehold [ ] Other (describe)

SALES HISTORY

My research [ ] did [X] did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.
Prior Sale/Transfer: Date | Price | Source(s): Livonia Assr Records
Analysis of prior sale or transfer history of the subject property (and comparable sales, if applicable): The was no previous recorded history for the past 36 months for the subject and the past 12 months for the comparables.

Offerings, options and contracts as of the effective date of the appraisal: No offerings, options or contracts as of the effective date of the appraisal.

NEIGHBORHOOD

Neighborhood Characteristics				One-Unit Housing Trends				One-Unit Housing		Present Land Use %	
Location	[ ] Urban	[X] Suburban	[ ] Rural	Property Values	[ ] Increasing	[X] Stable	[ ] Declining	PRICE	AGE	One-Unit	90 %
Built-Up	[X] Over 75%	[ ] 25-75%	[ ] Under 25%	Demand/Supply	[ ] Shortage	[X] In Balance	[ ] Over Supply	$(000)	(yrs)	2-4 Unit	0 %
Growth	[ ] Rapid	[X] Stable	[ ] Slow	Marketing Time	[X] Under 3 mths	[ ] 3-6 mths	[ ] Over 6 mths	200 Low	55	Multi-Family	0 %
Neighborhood Boundaries: See Attached Addendum								270 High	85	Commercial	10 %
								235 Pred.	65	Other	%

Neighborhood Description: See Attached Addendum

Market Conditions (including support for the above conclusions): See Attached Addendum

SITE

Dimensions: 60 X 122 | Area: 7320 Sq.Ft. | Shape: Rectangular | View: N;Res;
Specific Zoning Classification: NM | Zoning Description: Neighborhood
Zoning Compliance: [X] Legal [ ] Legal Nonconforming (Grandfathered Use) [ ] No Zoning [ ] Illegal (describe)
Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use? [X] Yes [ ] No If No, describe.

Utilities	Public	Other (describe)		Public	Other (describe)	Off-site Improvements—Type	Public	Private
Electricity	[X]	[ ]	Water	[X]	[ ]	Street: Concrete	[X]	[ ]
Gas	[X]	[ ]	Sanitary Sewer	[X]	[ ]	Alley: None	[ ]	[ ]

Site Comments: See Attached Addendum

IMPROVEMENTS

GENERAL DESCRIPTION		FOUNDATION		EXTERIOR DESCRIPTION	materials	INTERIOR	materials
Units [X] One [ ] One w/Acc. unit [ ]		[X] Concrete Slab [ ] Crawl Space		Foundation Walls	Concrete/Avg.	Floors	Hdwd/Crmc/Avg.
# of Stories 1		[ ] Full Basement [ ] Partial Basement		Exterior Walls	Brick/Avg.	Walls	Plaster/Avg.
Type [X] Det. [ ] Att. [ ] S-Det./End Unit		Basement Area 1113 sq. ft.		Roof Surface	Asphlt Shngle/Avg	Trim/Finish	Wood/Pntd/Avg.
[X] Existing [ ] Proposed [ ] Under Const.		Basement Finish 0 %		Gutters & Downspouts	Aluminum/Avg.	Bath Floor	Ceramic/Avg.
Design (Style): Ranch		[ ] Outside Entry/Exit [ ] Sump Pump		Window Type	D.Hung/Avg.	Bath Wainscot	Ceramic/Avg.
Year Built 1955				Storm Sash/Insulated	Vinyl/Avg.	Car Storage	[ ] None
Effective Age (Yrs) 20				Screens	Aluminum/Avg.	[X] Driveway	# of Cars 2
Attic	[ ] None	Heating [X] FWA [ ] HW [ ] Radiant		Amenities	[ ] WoodStove(s) #0	Driveway Surface	Concrete
[ ] Drop Stair	[ ] Stairs	[ ] Other Fuel: Gas		[ ] Fireplace(s) # 0	[X] Fence Chn Link	[X] Garage	# of Cars 2
[ ] Floor	[X] Scuttle	Cooling [X] Central Air Conditioning		[X] Patio/Deck Patio	[X] Porch Concrete	[ ] Carport	# of Cars 0
[ ] Finished	[ ] Heated	[ ] Individual [ ] Other		[ ] Pool None	[ ] Other None	[X] Att.	[ ] Det. [ ] Built-in

Appliances: [P] Refrigerator [P] Range/Oven [X] Dishwasher [X] Disposal [ ] Microwave [P] Washer/Dryer [X] Other (describe): Fan

Finished area above grade contains: 6 Rooms | 3 Bedrooms | 1.1 Bath(s) | 1,123 Square Feet of Gross Living Area Above Grade

Additional Features: The subject is a three bedroom,brick sided ranch with a two car detached garage.

Comments on the Improvements: C4;No updates in the prior 15 years;Percentage of physical depreciation is rounded upwards to the nearest whole percentage and is based on the age-life method of deprecation. No repairs, functional or external depreciation were noted at the time of inspection. This appraiser makes no guarantee or warranties, express or implied, regarding the condition of the mechanicals and structural condition of the subject property. It is assumed that they are in sound and working condition. The subject is occupied. All utilities were on at the time of the inspection.

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Residential Appraisal Report

File No. 221052

FEATURE	SUBJECT	COMPARABLE SALE NO. 1		COMPARABLE SALE NO. 2		COMPARABLE SALE NO. 3	
Address	35546 Orangelawn Livonia, MI 48150	34958 Parkdale St Livonia, MI 48150		35159 Parkdale St Livonia, MI 48150		35133 Richland St Livonia, MI 48150	
Proximity to Subject		0.33 miles NE		0.24 miles NE		0.34 miles SE	
Sale Price	$ 126,000		$ 225,000		$ 255,000		$ 265,000
Sale Price/Gross Liv. Area	$ 112.20 sq. ft.	$ 197.02 sq. ft.		$ 226.87 sq. ft.		$ 235.77 sq. ft.	
Data Source(s)		RCMLS#2220036960;DOM 25		RCMLS#2220028176;DOM 3		RCMLS#543287334;DOM 7	
Verification Source(s)		Livonia Assr Records		Livonia Assr Records		Livonia Assr Records	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) $ Adjustment	DESCRIPTION	+(-) $ Adjustment	DESCRIPTION	+(-) $ Adjustment
Sale or Financing Concessions		Conv No Concessions		Conv No Concessions		Conv No Concessions	
Date of Sale/Time	05/03/2004	CLD 07/11/2022		CLD 06/01/2022		CLD 05/31/2022	
Location	N;Res;	N;Res;		N;Res;		N;Res;	
Leasehold/Fee Simple	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
Site	7320 sf	8100 sf	0	7320 sf		10890 sf	0
View	N;Res;	N;Res;		N;Res;		N;Res;	
Design (Style)	Ranch	Ranch		Ranch		Ranch	
Quality of Construction	Brick/Avg.	Brick/Avg.		Brick/Avg.		Brick/Avg.	
Actual Age	67	67	0	67	0	67	0
Condition	Not Updated	Not Updated		Not Updated		Not Updated	
Above Grade Room Count (Total / Bdrms / Baths)	6 / 3 / 1.1	5 / 3 / 1.1		5 / 3 / 1.1		5 / 3 / 1.1	
Gross Living Area	1,123 sq. ft.	1,142 sq. ft.	0	1,124 sq. ft.	0	1,124 sq. ft.	0
Basement & Finished Rooms Below Grade	1113sf0sfin	1142sf0sfin	0	1113sf750sfin Finished	0 -5,000	1113sf0sfin	0
Functional Utility	Typical	Typical		Typical		Typical	
Heating/Cooling	FWA/Gas/CA	FWA/Gas/CA		FWA/Gas/CA		FWA/Gas/CA	
Energy Efficient Items	None	None		None		None	
Garage/Carport	2 Car Garage	2 Car Garage		2 Car Garage		1 Car Garage	2,500
Porch/Patio/Deck	Porch/Patio	Porch/Patio		Porch/Patio		Porch/Deck	0
Fireplace	No Fireplace	No Fireplace		No Fireplace		No Fireplace	
Fence	Fence	Fence		Fence		Fence	
Net Adjustment (Total)		[X] + [ ] -	$ 0	[ ] + [X] -	$ 5,000	[X] + [ ] -	$ 2,500
Adjusted Sale Price of Comparables		Net Adj. 0.0% Gross Adj. 0.0%	$ 225,000	Net Adj. -2.0% Gross Adj. 2.0%	$ 250,000	Net Adj. 0.9% Gross Adj. 0.9%	$ 267,500

SALES COMPARISON APPROACH

Summary of Sales Comparison Approach See Attached Addendum

COST APPROACH

COST APPROACH TO VALUE

Site Value Comments Not developed

ESTIMATED [ ] REPRODUCTION OR [ ] REPLACEMENT COST NEW

Source of cost data

Quality rating from cost service Effective date of cost data

Comments on Cost Approach (gross living area calculations, depreciation, etc.)

OPINION OF SITE VALUE				= $
Dwelling	1,123 Sq. Ft. @ $			= $ 0
Bsmt: 1113 Sq.Ft.	Sq. Ft. @ $			= $ 0
Garage/Carport	484 Sq. Ft. @ $			= $ 0
Total Estimate of Cost-New				= $ 0
Less Depreciation	65 Physical $0	Functional	External	= $ (0)
Depreciated Cost of Improvements				= $ 0
"As-is" Value of Site Improvements				= $
INDICATED VALUE BY COST APPROACH				= $ 0

INCOME

INCOME APPROACH TO VALUE

Estimated Monthly Market Rent $ X Gross Rent Multiplier = $ 0 Indicated Value by Income Approach

Summary of Income Approach (including support for market rent and GRM) Subject is located in a predominately owner occupied market area, therefore the income approach is not a consideration to determine value in this report.

RECONCILIATION

Indicated Value by: Sales Comparison Approach $ 245,000 Cost Approach (if developed) $ 0 Income Approach (if developed) $ 0

Greatest weight is giving to the sales comparison approach. The cost approach was not developed and is not required by Fannie Mae and income approach was excluded based on market area being predominately owner occupied.

This appraisal is made [X] "as is," [ ] subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, [ ] subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed [ ] subject to the following:

See Attached Addendum

Based on the scope of work, assumptions, limiting conditions and appraiser's certification, my (our) opinion of the defined value of the real property that is the subject of this report is $ 245,000 as of 08/20/2022, which is the effective date of this appraisal.

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Scope of Work, Assumptions and Limiting Conditions

Scope of work is defined in the Uniform Standards of Professional Appraisal Practice as " the type and extent of research and analyses in an assignment." In short, scope of work is simply what the appraiser did and did not do during the course of the assignment. It includes, but is not limited to: the extent to which the property is identified and inspected, the type and extent of data researched, the type and extent of analyses applied to arrive at opinions or conclusions.

The scope of this appraisal and ensuing discussion in this report are specific to the needs of the client, other identified intended users and to the intended use of the report. This report was prepared for the sole and exclusive use of the client and other identified intended users for the identified intended use and its use by any other parties is prohibited. The appraiser is not responsible for unauthorized use of the report.

The appraiser's certification appearing in this appraisal report is subject to the following conditions and to such other specific conditions as are set forth by the appraiser in the report. All extraordinary assumptions and hypothetical conditions are stated in the report and might have affected the assignment results.

1. The appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or title thereto, nor does the appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.

2. Any sketch in this report may show approximate dimensions and is included only to assist the reader in visualizing the property. The appraiser has made no survey of the property.

3. The appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made thereto.

4. Neither all, nor any part of the content of this report, copy or other media thereof (including conclusions as to the property value, the identity of the appraiser, professional designations, or the firm with which the appraiser is connected), shall be used for any purposes by anyone but the client and other intended users as identified in this report, nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent of the appraiser.

5. The appraiser will not disclose the contents of this appraisal report unless required by applicable law or as specified in the Uniform Standards of Professional Appraisal Practice.

6. Information, estimates, and opinions furnished to the appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished to the appraiser is assumed by the appraiser.

7. The appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraiser assumes no responsibility for such conditions, or for engineering or testing, which might be required to discover such factors. This appraisal is not an environmental assessment of the property and should not be considered as such.

8. The appraiser specializes in the valuation of real property and is not a home inspector, building contractor, structural engineer, or similar expert, unless otherwise noted. The appraiser did not conduct the intensive type of field observations of the kind intended to seek and discover property defects. The viewing of the property and any improvements is for purposes of developing an opinion of the defined value of the property, given the intended use of this assignment. Statements regarding condition are based on surface observations only. The appraiser claims no special expertise regarding issues including, but not limited to: foundation settlement, basement moisture problems, wood destroying (or other) insects, pest infestation, radon gas, lead based paint, mold or environmental issues. Unless otherwise indicated, mechanical systems were not activated or tested.

This appraisal report should not be used to disclose the condition of the property as it relates to the presence/absence of defects. The client is invited and encouraged to employ qualified experts to inspect and address areas of concern. If negative conditions are discovered, the opinion of value may be affected.

Unless otherwise noted, the appraiser assumes the components that constitute the subject property improvement(s) are fundamentally sound and in working order.

Any viewing of the property by the appraiser was limited to readily observable areas. Unless otherwise noted, attics and crawl space areas were not accessed. The appraiser did not move furniture, floor coverings or other items that may restrict the viewing of the property.

9. Appraisals involving hypothetical conditions related to completion of new construction, repairs or alteration are based on the assumption that such completion, alteration or repairs will be competently performed.

10. Unless the intended use of this appraisal specifically includes issues of property insurance coverage, this appraisal should not be used for such purposes. Reproduction or Replacement cost figures used in the cost approach are for valuation purposes only, given the intended use of the assignment. The Definition of Value used in this assignment is unlikely to be consistent with the definition of Insurable Value for property insurance coverage/use.

11. The ACI General Purpose Appraisal Report (GPAR™) is not intended for use in transactions that require a Fannie Mae 1004/Freddie Mac 70 form, also known as the Uniform Residential Appraisal Report (URAR).

Additional Comments Related To Scope Of Work, Assumptions and Limiting Conditions

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Appraiser's Certification

The appraiser(s) certifies that, to the best of the appraiser's knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are the appraiser's personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. Unless otherwise stated, the appraiser has no present or prospective interest in the property that is the subject of this report and has no personal interest with respect to the parties involved.
4. The appraiser has no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. The appraiser's engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. The appraiser's compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. The appraiser's analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
8. Unless otherwise noted, the appraiser has made a personal inspection of the property that is the subject of this report.
9. Unless noted below, no one provided significant real property appraisal assistance to the appraiser signing this certification. Significant real property appraisal assistance provided by:

Additional Certifications:

Definition of Value: [X] **Market Value** [ ] **Other Value:** _____

Source of Definition: _____

ADDRESS OF THE PROPERTY APPRAISED:
35546 Orangelawn
Livonia, MI 48150
EFFECTIVE DATE OF THE APPRAISAL: 08/20/2022
APPRAISED VALUE OF THE SUBJECT PROPERTY $ 245,000

APPRAISER

Signature: Sherri L. Bourque
Name: Sherri L. Bourque
State Certification # 1204005188
or License # _____
or Other (describe): _____ State #: _____
State: MI
Expiration Date of Certification or License: 07/31/2023
Date of Signature and Report: 08/28/2022
Date of Property Viewing: 8/20/2022
Degree of property viewing:
[X] Interior and Exterior [ ] Exterior Only [ ] Did not personally view

SUPERVISORY APPRAISER

Signature: _____
Name: _____
State Certification # _____
or License # _____
State: _____
Expiration Date of Certification or License: _____
Date of Signature: _____
Date of Property Viewing: _____
Degree of property viewing:
[ ] Interior and Exterior [ ] Exterior Only [ ] Did not personally view

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(gPAR™) General Purpose Appraisal Report 05/2010
GPAR1004_10 05262010

ADDENDUM

Client: City of Livonia	File No.: 221052	
Property Address: 35546 Orangelawn	Case No.:	
City: Livonia	State: MI	Zip: 48150

Neighborhood Boundaries
The subject is located North of Joy Road, South of Plymouth Road, East of Farmington Road and West of Merriman Road. The single family dwellings consist primarily of one and two story detached dwellings mixed in style and construction quality. Commercial property is located along main thoroughfares and only effects properties that abut to it. The subject is serviced by the Livonia Public School System.

Neighborhood Description
The subject's neighborhood is overall in moderate proximity to local employment centers and recreational amenities with predominate employment centers located within a reasonable commute by auto or mass transit. Interest rates are being lowered in an effort to curb inflation.

Neighborhood Market Conditions

Interest rates are still expected to remain relatively low through 2022. The Federal Reserve announced at the December 2021 FOMC meeting the a projected increase of 0.9 in the federal funds rate for 2022 and a continued increase through 2024. FHA, VA, and Land Contract sales are acceptable alternative forms of financing. Due to the increasing acceptance of appraisal waivers by lenders, it has become evident that in many instances, the market valuation is being inflated with the higher sales not requiring an appraisal or being subjected to the appraisal process. Often, when confirmed by the agent, the higher prices sales that can not be supported by the market have opted to use an appraisal waiver. This is supported often by similar sales in a market area and one sale being substantially priced above the market and not supported.

Site Comments
This lot is typical for the area in terms of size and appeal. There are no adverse apparent adverse easements, conditions or easements. This lot is suitable for the improvements.

This appraiser did not investigate specific zoning ordinances and is not qualified to determine zoning violations and setbacks.

No adverse environmental condition were noted from a visual inspection of the property and surrounding area or from common public record.

Comments on Sales Comparison
Comparable sales were selected based on similarity to subject based on location, square footage, functional utility and condition. All comparable sales are with the subject's competing market area. After appropriate and necessary adjustments, the comparable sales selected indicated a range and a mid-range value for the subject. The comparable sales reported in this appraisal are deemed the most appropriate in estimating the fair market value for the subject. Paired analysis, market reaction and experience are used to determine adjustment amounts. Realcomp MLS was the primary source for obtaining sale and listing data. Adjustment values of zero in the sales comparison grid indicated that the appraiser considered an adjustment, however after consideration, determined the difference to be so minimal that it is not recognized by the market. Therefore, no adjustment was made.

Equal consideration is given to all comparable sales. All comparable sales are located within the same neighborhood. They share the same amenities and construction quality. All comparables contribute to the final estimate of value. The subject and all comparables are serviced by the Livonia Public School System.

Bracketing for the subject's square footage was not possible. After a thorough search through RealComp MLS no recent and reliable sales were found to bracket the subject's square footage. However, all comparable sales are within the recommended FNMA Guideline of 100 Sf +/-. This appraiser felt it was relevant to remain in the subject's market area and utilized recent and reliable comparable sales. No adverse effect was noted. No adjustment is warranted for the site size differences, the size difference is negligible. The market does not recognize the minimal difference. No adjustment was made for energy efficient items as it is difficult to verify these items in the MLS comments as they are not always listed.

It should noted that the appraiser considered numerous sales within the defined neighborhood. The appraiser noted sales in various states of condition. In comparable selection the appraiser made a concentrated effort to locate and select homes similar to the subject in terms of physical characteristics and condition. Due to UAD requirements the appraiser is forced to differentiate between Condition and the Quality of Construction. In addition UAD mandates that condition and quality rating are to be reported on an "absolute" basis and not have a "relative" basis. Consequently, in some cases, the appraiser will have to make adjustments to comparables that have the same rating due to minor differences in terms of the overall condition or quality from one comparable to the next. The appraiser has assessed the features and condition through the use of RCMLS listings, interior photos, exterior inspections and in some cases, realtor interviews. During the course of research the appraiser deemed that all comparable sales warrant a similar condition rating.

Conditions of Appraisal

EXPOSURE TIME: estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.

Comment: Exposure time is a retrospective opinion based on an analysis of past events assuming a competitive and open market. The opinion of the time period for reasonable exposure is not intended to be a prediction of a date of sale or a one line statement. Instead, it is an integral part of the analyses conducted during the appraisal assignment. The opinion may be expressed as a range. USPAP 2021-2022 Edition The Appraisal Foundation

Samantha Bourque, a State of Michigan Licensed Limited Real Estate Appraiser #1201075897, participated in this report. The participation includes physical inspection of subject property, exterior inspection of the comparable sales and inputting

subject data in report.

The purpose of their appraisal is to estimate market value of the subject property for non federally related mortgage purposes.

Appraisers are required to be licensed in the State of Michigan and are regulated by the Department of Licensing and Regulatory Affairs. PO Box 30018, Lansing, Michigan, 48909.

The electronic signatures currently being utilized were established by our software provider (ACI/Polaroid Digital Solutions) These signatures are generated through the computer/computer software.

This appraisal is not a home or environmental inspection and the appraiser is not acting as a home or environmental inspector when preparing this report. The borrower has the right to have the home inspected by a professional home or environmental inspector.

When completing the appraisal, a visual inspection was done in accordance with FNMA guidelines. The inspection is not technically exhaustive. The inspection does not offer warranties or guarantees of any kind. The appraiser provides an opinion of value. This appraisal does not guarantee that the property is free of defects or environmental problems.

SCOPE OF APPRAISAL: The scope of the discussion in this report is specific to the needs of the client and to the intended use of this report. The report was prepared for the sole and exclusive use of the client and its use or reliance on by anyone other that the client is prohibited. The appraiser is not responsible for unauthorized use of the report. If you are not the client listed above, you are a 'third party' to the report and are warned not to rely on this report in anyway. It's quite possible that misinterpretation of the information contained may occur. No one, client or third party, should rely on this report to disclose the condition of the property or the presence/absence of any defects. This is an appraisal report, not a home inspection report.

This report should be read in it's entirety, including all attachments and addendums. Special attention should be given to the certification and limiting conditions.

This report has been prepared for the mortgage lending purposes only. Any other use is strictly prohibited without the express written consent of the appraiser.

SCOPE OF WORK

To develop the opinion of value shown on the report, the appraiser(s) performed a complete appraisal process as defined by the Uniform Standards of Professional Appraisal Practice (USPAP). This means that no departures from Standards Rule 1 were invoked.

In conducting the appraisal assignment, the appraiser first collected preliminary public record information, and made an initial search of available market sales, trends, and influences using local MLS data. A physical viewing of the subject property was made in accordance with the information requirements of the URAR format. General research on comparable properties in the subject and competing neighborhoods was performed. Comparable sales selection was refined to the most similar and recent sale properties subject to the conditions of appraisal. A residential market analysis using standard residential appraisal methods and techniques was completed. The value indications from the comparable sale properties were reconciled into a final value estimate. The land value estimate is limited to a review of real market assessed land value, land sales in the neighborhood, and abstraction of land values from improved sales in the neighborhood.

The purpose of the final value reconciliation is to develop a rational, defensible conclusion of the most probable market value for the subject property subject to the assumptions and conditions specified for this assignment.

Any other visits or work performed will be deemed outside the scope of the original assignment and a fee will be charged.

The appraisal fee charged contemplates only th report and does not contemplate court appearances or testimony, any court appearances require a fee to be paid from the office to court and return to the office. The fee is billed at $200.00 per hour, with a six hour minimum, payable 10 days in advance before the date of testimony or deposition. Any additional information will be billed at the same rate. Any additional inspections of the subject property will be billed at the rate of $100 per inspection. There is a 72 hour notice for cancellation or a cancellation fee will be charged.

LIMITING CONDITIONS AND ASSUMPTIONS:
The estimate of market value is effective as of the date of the initial inspection of the subject property, which is noted on the appraisal report. This is not a prospective determination of market value and this appraiser makes no estimates of market value for any date other than that specified in the report. Conditions or events outside the scope of work statement, assumptions and conditions under which this estimate of market value is determined could alter this appraiser's opinion of market value and render this report void.

The appraiser is not an expert in matters of contracting, estimating, pest control, mold, structural engineering, hazardous waste, survey, condemnation, title matters or any profession other than real property appraisal. This appraiser shall not be held responsible for issues arising out of areas beyond his expertise. It is assumed that all permits for construction, modification and/or changes, were obtained. Any representation regarding square footage is an approximation and the appraiser does not guarantee accuracy. The appraiser will not be liable for any representation of square footage. The inspection is not technically exhaustive. The inspection does not offer warranties or guarantees of any kind. The appraiser provides an opinion of value subject to the conditions and assumptions of the assignment. When performing the inspection of this property, the appraiser visually observed areas that were accessible. The appraiser is not required to disturb or move

anything that obstructs access or visibility.

Information used as supporting data is assumed to be reliable. This appraiser will not be held liable for representation of properties provided by any third party.

The report was prepared for the sole and exclusive use of the client and its use or reliance on by anyone other that the client is prohibited. The appraiser is not responsible for unauthorized use of the report. It's quite possible that misinterpretation of the information contained may occur. No one, client or third party, should rely on this report to disclose the condition of the property or the presence/absence of any defects. This is an appraisal report, not a home inspection report.

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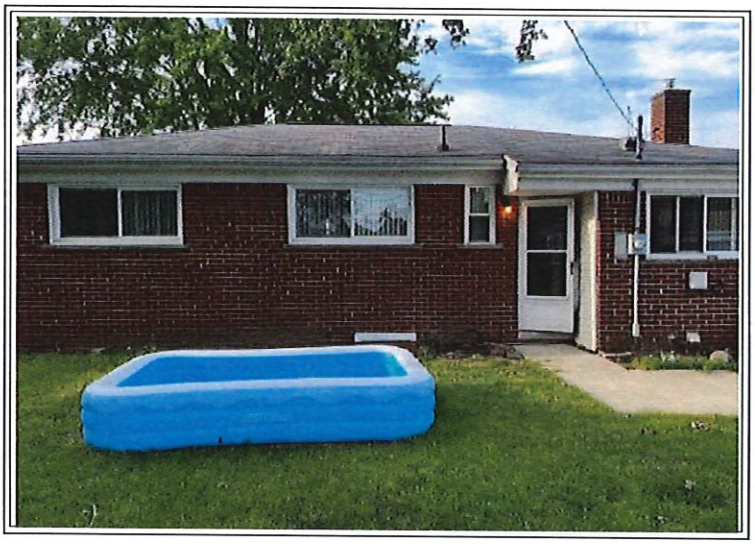
SUBJECT PROPERTY PHOTO ADDENDUM

Client: City of Livonia		File No.: 221052
Property Address: 35546 Orangelawn		Case No.:
City: Livonia	State: MI	Zip: 48150

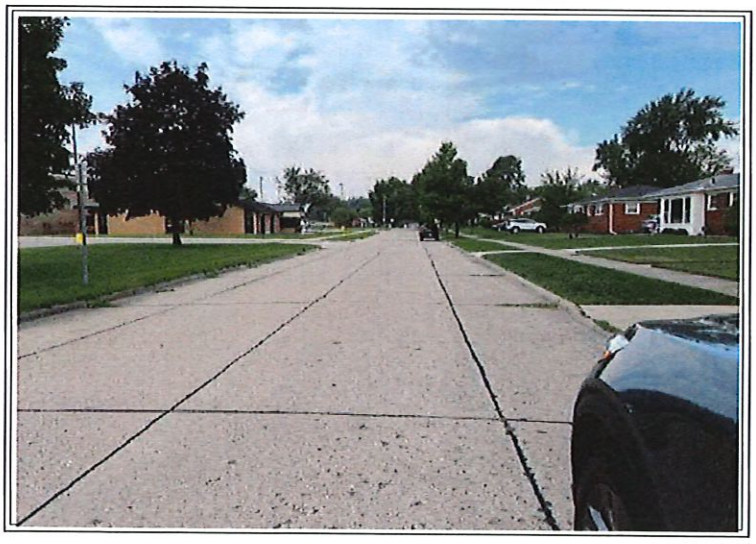


FRONT VIEW OF SUBJECT PROPERTY

Appraised Date: August 20, 2022
Appraised Value: $ 245,000



REAR VIEW OF SUBJECT PROPERTY



STREET SCENE

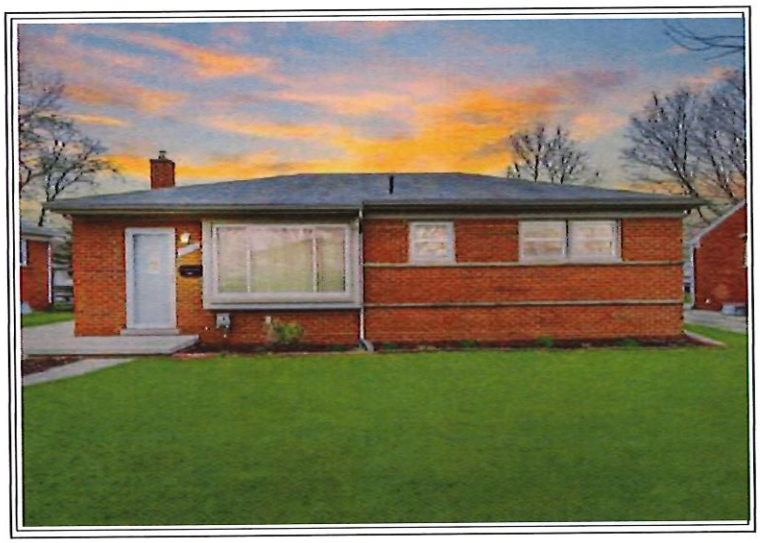
COMPARABLE PROPERTY PHOTO ADDENDUM

Client: City of Livonia		File No.: 221052
Property Address: 35546 Orangelawn		Case No.:
City: Livonia	State: MI	Zip: 48150



COMPARABLE SALE #1

34958 Parkdale St
Livonia, MI 48150
Sale Date: CLD 07/11/2022
Sale Price: $ 225,000



COMPARABLE SALE #2

35159 Parkdale St
Livonia, MI 48150
Sale Date: CLD 06/01/2022
Sale Price: $ 255,000



COMPARABLE SALE #3

35133 Richland St
Livonia, MI 48150
Sale Date: CLD 05/31/2022
Sale Price: $ 265,000

ADDITIONAL PHOTO PAGE

Client: City of Livonia		File No.: 221052
Property Address: 35546 Orangelawn		Case No.:
City: Livonia	State: MI	Zip: 48150



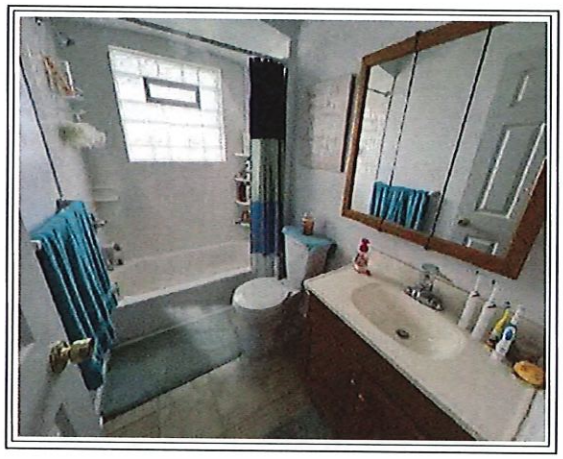
KITCHEN 1 OF 2



KITCHEN 2 OF 2



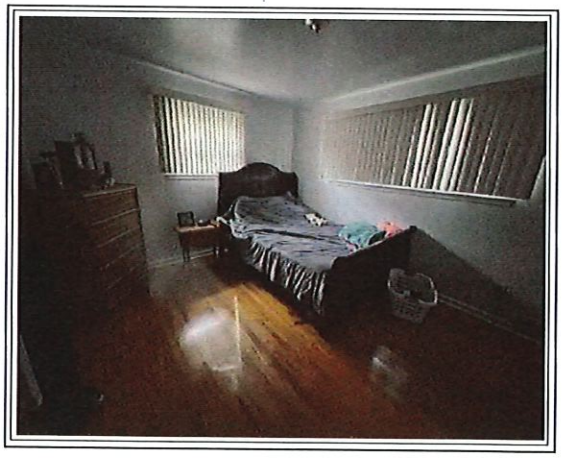
LAVATORY



BATHROOM



BEDROOM



BEDROOM

ADDITIONAL PHOTO PAGE

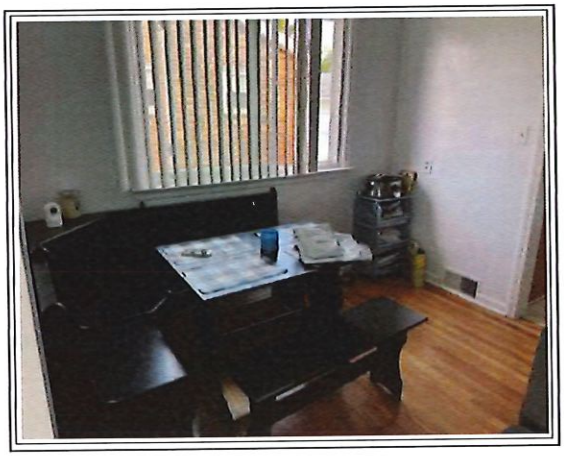
Client: City of Livonia		File No.: 221052
Property Address: 35546 Orangelawn		Case No.:
City: Livonia	State: MI	Zip: 48150



BEDROOM



LIVING ROOM



DINING AREA



BASEMENT



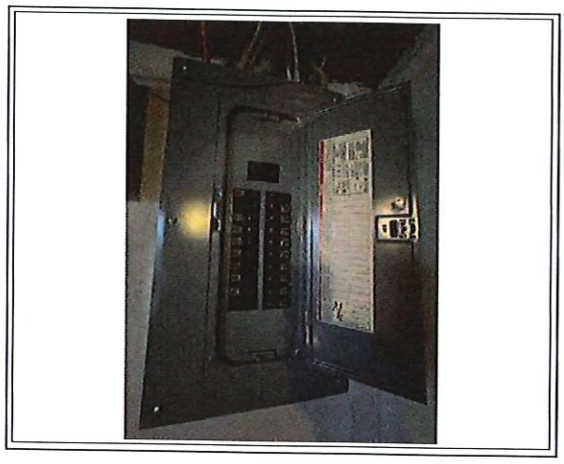
FURNACE



WATER HEATER

ADDITIONAL PHOTO PAGE

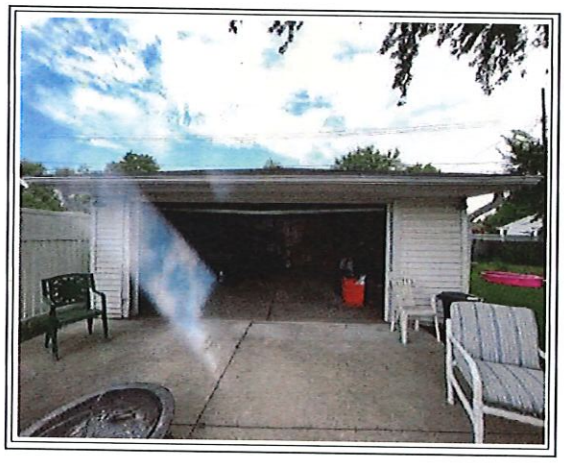
Client: City of Livonia	File No.: 221052	
Property Address: 35546 Orangelawn	Case No.:	
City: Livonia	State: MI	Zip: 48150



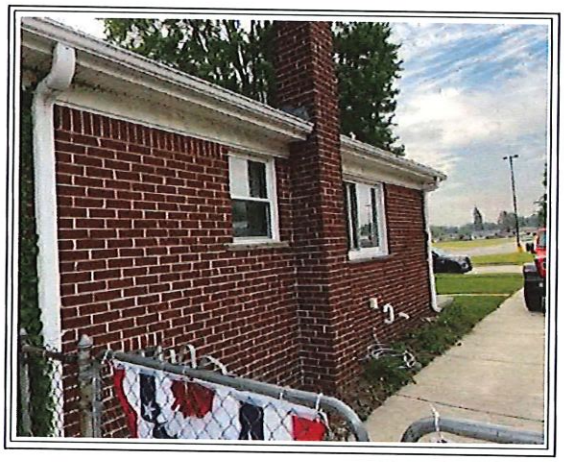
ELECTRICAL PANEL



GARAGE



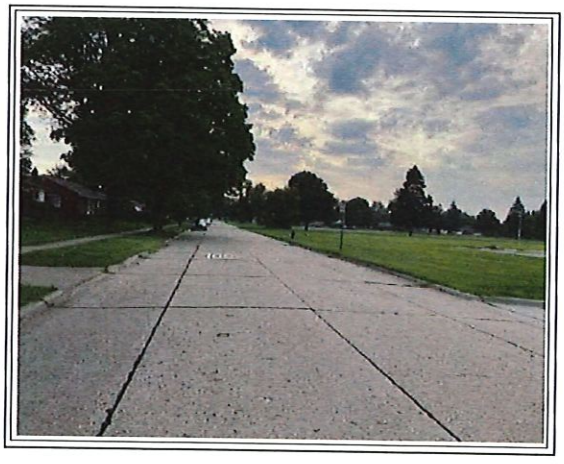
GARAGE



SIDE VIEW



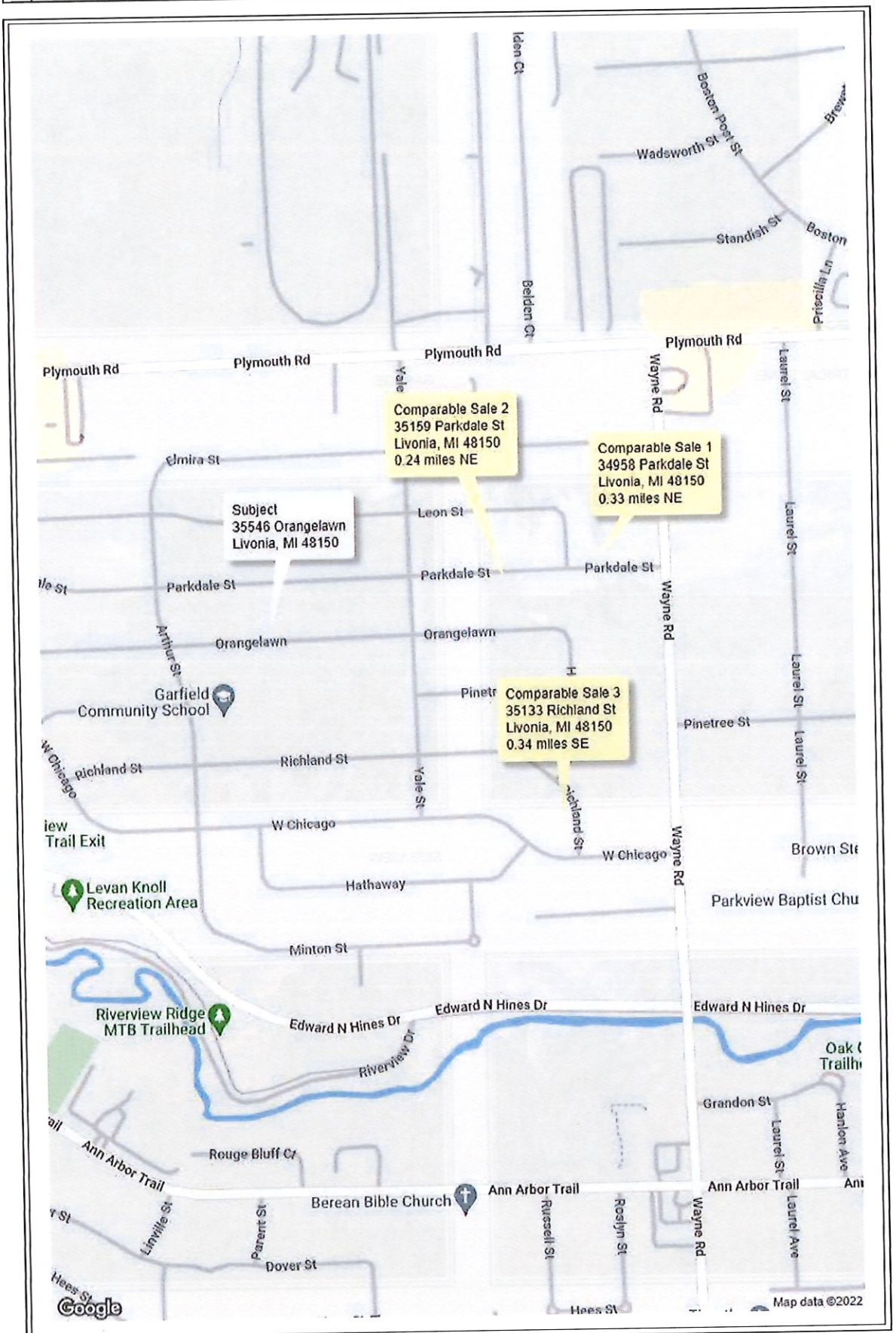
SIDE VIEW



STREET SCENE

LOCATION MAP

Client: City of Livonia	File No.: 221052
Property Address: 35546 Orangelawn	Case No.:
City: Livonia	State: MI Zip: 48150



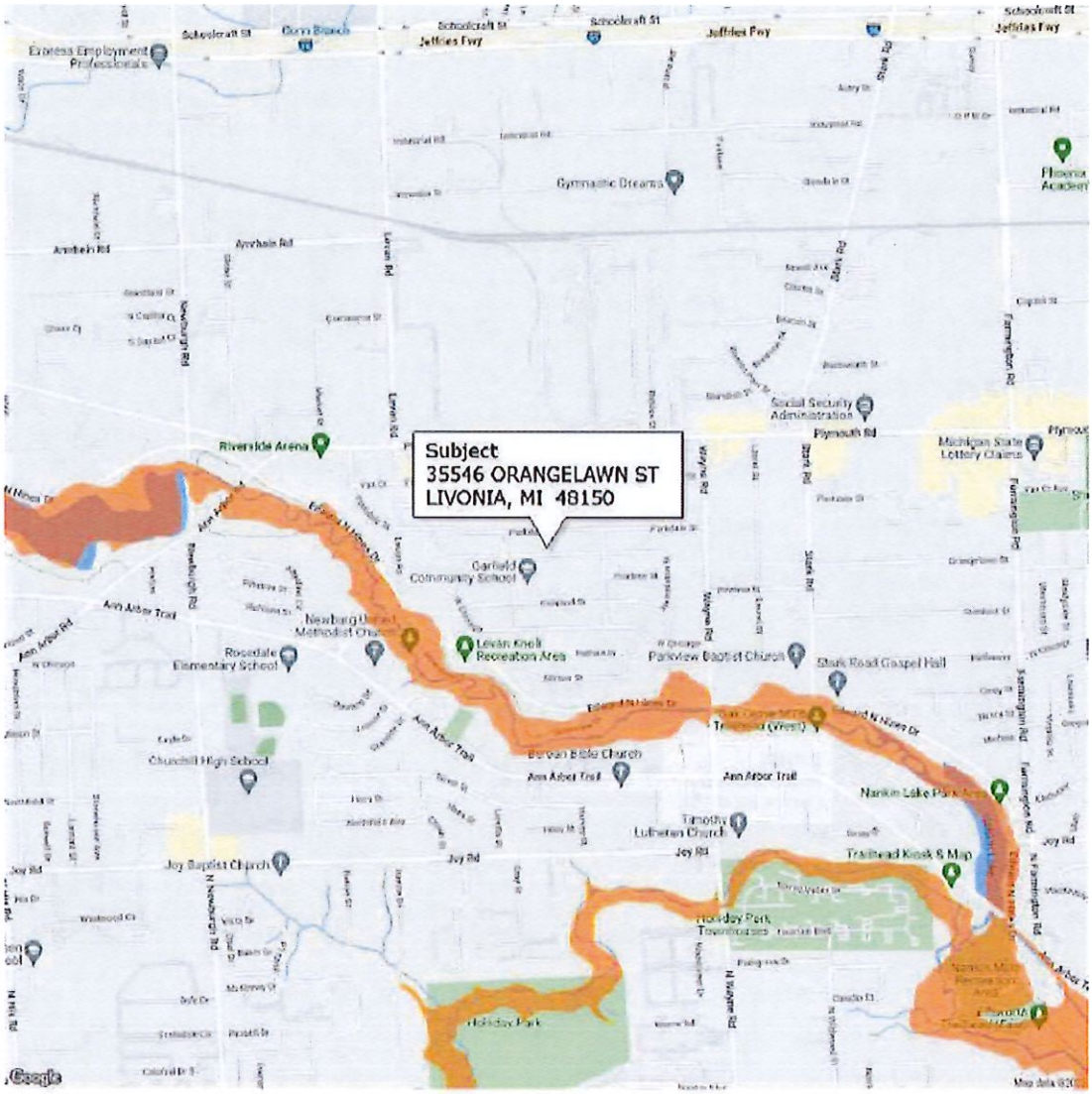
AERIAL MAP

Client: City of Livonia		File No.: 221052
Property Address: 35546 Orangelawn		Case No.:
City: Livonia	State: MI	Zip: 48150



FLOOD MAP

Client: City of Livonia		File No.: 221052
Property Address: 35546 Orangelawn		Case No.:
City: Livonia	State: MI	Zip: 48150



FLOOD INFORMATION

Community: CITY OF LIVONIA
Property is NOT in a FEMA Special Flood Hazard Area
Map Number: 26163C0210E
Panel: 26163C0210
Zone: X
Map Date: 02-02-2012
FIPS: 26163
Source: FEMA DFIRM

LEGEND

= FEMA Special Flood Hazard Area – High Risk

= Moderate and Minimal Risk Areas

Road View:

= Forest = Water

Sky Flood™

No representations or warranties to any party concerning the content, accuracy or completeness of this flood report, including any warranty of merchantability or fitness for a particular purpose is implied or provided. Visual scaling factors differ between map layers and are separate from flood zone information at marker location. No liability is accepted to any third party for any use or misuse of this flood map or its data.

Client: City of Livonia	File No.: 221052	
Property Address: 35546 Orangelawn	Case No.:	
City: Livonia	State: MI	Zip: 48150

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING

P831093

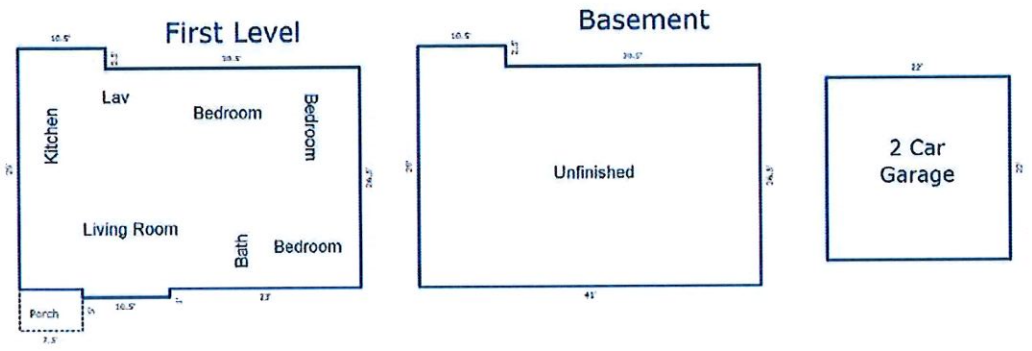
CERTIFIED RESIDENTIAL APPRAISER
LICENSE

SHERRI LYNN BOURQUE

LICENSE NO.	EXPIRATION DATE	AUDIT NO	
1204005188	07/31/2023	3473575	THIS DOCUMENT IS DULY ISSUED UNDER THE LAWS OF THE STATE OF MICHIGAN

FLOORPLAN SKETCH

Client: City of Livonia	File No.: 221052	
Property Address: 35546 Orangelawn	Case No.:	
City: Livonia	State: MI	Zip: 48150



Sketch by Apex Sketch

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
GLA1	First Floor	1.0	1123.3	142.0	1123.3
BSMT	Basement	1.0	1112.8	140.0	1112.8
GAR	Garage	1.0	484.0	88.0	484.0
P/P	Porch	1.0	37.5	25.0	37.5
	Net LIVABLE	cnt	1	(rounded)	1,123

AREA CALCULATIONS BREAKDOWN

Name	Base	x	Height	x	Width	=	Area
First Floor			10.5	x	1.0	=	10.5
			41.0	x	26.5	=	1086.5
			10.5	x	2.5	=	26.2
3 total items						(rounded)	1,123

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gmar

PURCHASE AGREEMENT

MLS# 20230089551 DATE 11-16-23

LISTING BROKER Remerica Hometown	SELLING BROKER Pointe Of Sail Realty
LISTING AGENT Lori Emma	SELLING AGENT Robert Bergman
AGENT ID# 372421 OFFICE ID# 233609	AGENT ID# 349268 OFFICE ID# 431193
EMAIL lorimetz@remerica.com	EMAIL rjbergman1@hotmail.com
PHONE 313-715-0107	PHONE 313-300-8444
CO-LISTING AGENT	CO-SELLING AGENT
AGENT ID# OFFICE ID#	AGENT ID# OFFICE ID#
EMAIL	EMAIL
PHONE	PHONE

1. **PROPERTY DESCRIPTION:** The undersigned Buyer hereby offers and agrees to purchase Property located in Michigan, City/Township/Village of Livonia County of wayne Tax ID# 46125010282000
Legal description as per tax id# 46125010282000 and in reference to MLS # 20230089551 or as ammended by title
Also commonly known as 35546 Orangelawn 48150- 2539
Street Address
Property described above shall include all available sub surface and mineral rights, all fixtures, improvements and appurtenances now in or on Property, including all built-in appliances/equipment, shelving, cabinets, all lighting fixtures, ceiling fans, attached carpeting, all window treatments and hardware, attached mirrors, hard-wired telephone system and instruments designed for the system, television antennae, satellite dishes (if owned) and complete rotor equipment, storm doors, storm windows, screens, awnings, garage door openers and transmitters, water softeners and security systems (if owned), mailboxes, fences, fireplace inserts, doors, screens, gas logs, grates, gas attachments and equipment, attached humidifiers, all landscaping, fuel in tanks, central vacuum and attachments, and Stove

Items specifically excluded in the Listing Agreement or MLS publication must be listed hereafter, or they will be deemed included in the sale:

2. **PRICE:** Buyer agrees to pay the sum of Two Hundred Forty five thousand five hundred dollars Dollars ($ $245,500) in consideration for which Seller will provide a warranty deed subject to existing building and use restrictions and easements and rights of way of record.

3. **METHOD OF PAYMENT:** All money must be paid in U.S. funds by cashier's check, wired funds, or such other funds acceptable to the closing agent. Sale shall be completed by the following method: (Mark only the box that applies.)

☐ **A. CASH SALE.** Delivery of the Warranty Deed conveying marketable title and payment of the purchase price.

☒ **B. CASH SALE WITH NEW MORTGAGE.** Agreement contingent upon Buyer securing a CONV mortgage, not contingent upon sale or closing of other assets, in the amount of $ and paying $ 165000 down plus mortgage costs, prepaid items, adjustments and flood insurance (if required) by lender. Buyer agrees to apply for such mortgage at buyer's own expense within 5 calendar days from final acceptance of this Agreement. If a mortgage commitment conditioned only upon marketable title and satisfactory survey (if required) is not delivered to Listing Broker within calendar days from date of agreement, the Seller may declare Agreement void. Buyer further agrees that in connection with application to lender, Buyer will promptly comply with lender's requirements and requests for true and accurate information required to process loan application. ***Please see Sec 41***

☐ **C. SALE BY LAND CONTRACT/MORTGAGE ASSUMPTION/SELLER FINANCING.**
(See appropriate land contract financing addendum attached and made a part hereof.)

AS
Buyer(s) Initials

J.M.
Seller(s) Initials

MLS # 20230089551

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4. **EARNEST MONEY DEPOSIT:** Buyer is depositing with broker $ $2500 in the form of a check, money order, cashier's check or certified funds. An additional sum of $ _____ shall be tendered within _____ calendar days of acceptance by Seller, making the total earnest money deposit $ $2500 . Total sums deposited will be deemed the Earnest Money Deposit to be held in accordance with the laws of the State of Michigan and applied to the purchase price at closing. The Earnest Money Deposit shall be disbursed ONLY in accordance with either: (a) the terms hereof; (b) a fully executed mutual release; or (c) until a civil action has determined to whom the deposit must be paid. If offer made is not accepted by Seller, the Earnest Money Deposit shall be returned to Buyer.

5. **ACKNOWLEDGEMENT OF EARNEST MONEY DEPOSIT:** Received by: Pointe Of Sail Realty (upon acceptance)
Company Name

R Bergman _____ _____
Agent Signature

6. **CLOSING:** Subject to all conditions herein, closing shall take place on or before Please See Sec 41 at Listing Office or other mutually agreed-upon location. Seller shall pay all state and county transfer taxes and other costs required to convey clear title. Buyer shall not be deemed in default of this Agreement for any delay beyond the agreed upon closing date due to reasons associated with Truth in Lending and/or federal disclosure requirements related to Buyer's Good Faith Estimate.

7. **POSSESSION:** Seller shall deliver possession to Buyer ☒ at closing or ☐ by 12:00 Noon _____ days after closing (closing to apply if no choice is made.) If possession is not delivered at closing, from and including day of closing, through date of vacating property, SELLER SHALL PAY the sum of $_____ per day. Designated escrow agent shall retain from amount due Seller the sum of 1 ½ times daily fee, times total days for occupancy. Designated escrow agent shall disburse occupancy fee due Buyer every 30 days, upon written request from Buyer. Seller shall be entitled to any unused portion of occupancy fee as determined by date Property is vacated and keys surrendered to ☐ Buyer ☐ Listing Broker ☐ Selling Broker. Seller is legally obligated to deliver possession as specified herein. If Seller FAILS to deliver possession as specified herein, Seller shall pay TWICE the daily occupancy fee per day and may be liable for cost of eviction, actual attorney fees, damages and other costs incurred by Buyer in obtaining possession and collecting any amount due. Brokers have no obligation, implied or otherwise, as to condition of premises or for seeing that premises are vacated on date specified.

8. **AVAILABILITY OF HOME PROTECTION PLANS:** Buyer and Seller acknowledge having been advised of availability of home protection plans.

9. **SEWER AND WATER CHARGES:** Seller agrees to pay for all sewer and water charges to date of ☐ CLOSING ☐ POSSESSION (possession will apply if no choice has been made.) Designated escrow agent shall retain from amount due Seller at closing $300.00, or more if needed for final water and sewer charges. After water and sewer bills are verified paid, any unused portion shall be returned to Seller.

10. **TITLE EVIDENCE AND SURVEY:** Seller agrees to order title insurance upon acceptance of offer and to furnish Buyer a commitment of Title Insurance to be issued without standard exceptions. Buyer to secure and pay for a survey, if required by the title company to remove the standard exceptions. After closing, a Policy of Title Insurance, at seller's sole cost, without standard exceptions will be issued in the amount of purchase price, bearing date of closing or later guaranteeing title in condition required for performance of Agreement. **Title Commitment shall be "marked up" at closing insuring through date of recording.**

Title Insurance has been recommended by the real estate broker(s).

11. **TITLE OBJECTIONS:** If objection to title is made, based upon written notice that title is not in the marketable condition required for performance hereunder, Seller shall have 30 calendar days from date notified in writing of particular defects claimed, to either: (a) remedy title; or (b) obtain title insurance satisfactory to Buyer. Buyer agrees to complete sale within 10 calendar days of written notification that the title has been remedied or by date specified in this Agreement if later. If Seller is unable or unwilling to remedy title within time specified, Buyer will waive requirement in writing within 10 calendar days of written notification thereof, or Agreement may be declared null and void at Buyer's option.

12. **TAXES:** All property taxes due and payable on or before date of closing shall be paid by Seller. Current taxes shall be prorated and adjusted as of date of closing in accordance with due date of municipality or taxing unit(s) in which Property is located. Buyer acknowledges that Property taxes are subject to change. If taxes are not paid in advance, see addendum made a part hereof. Seller shall pay transfer taxes and other costs required to convey title. Buyer shall pay all costs for recording the warranty deed.

13. **ASSESSMENTS:** Seller shall discharge in full all public authority charges confirmed by municipality or taxing unit(s) (special assessments, water, sewer, paving charges, etc.) which are currently due and payable. Buyer is responsible for other assessments including, but not limited to, capital and lateral charges (assessed, but value not yet determined) which are confirmed and become due and payable after closing.

AS
Buyer(s) Initials

Seller(s) Initials

MLS # 20230089551

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14. **CONDOMINIUM/HOMEOWNERS ASSOCIATION ASSESSMENTS:** Current dues shall be prorated to date of closing. Any delinquent condominium/homeowner association dues/assessments/liens shall be paid by Seller at closing. Any and all dues/assessments/liens confirmed and becoming due and payable after closing will be paid by Buyer. (See Condominium Addendum made a part hereof if applicable)

15. **MAINTENANCE OF PROPERTY:** Seller is responsible for keeping Property in substantially the same condition as of date of Agreement. Seller is responsible to maintain grounds and keep all systems in working order until Property is vacated and keys are surrendered by Seller except for conditions disclosed in Seller's Disclosure Statement or conditions discovered by Buyer as part of inspections. In the event Property has been winterized, it shall be the obligation and expense of Seller to de-winterize Property prior to closing. Seller agrees to leave Property broom-clean and free of debris and personal property.

16. **UTILITIES:** Seller shall order final billings on all utilities (gas, electric, etc.) as of the day of possession and Seller shall pay final billings. Seller shall not direct any utilities to be disconnected. Buyer agrees to inform all utility companies of ownership and to assume and pay all billings from day of taking possession.

17. **RISK OF LOSS:** Seller is responsible for any damage to the Property, except for normal wear and tear until the closing or possession, whichever is later. If there is damage that Seller is unable or unwilling to repair or to arrange and pay to be repaired, Buyer has the option to cancel this Agreement and the Earnest Money Deposit shall be immediately refunded to Buyer or Buyer can proceed with the closing and deduct from the purchase price a fair and reasonable estimate of the cost to repair the Property and assume the responsibility for the repair, thereby releasing Seller.

18. **SELLER'S DISCLOSURE STATEMENT:** (Initial only one).

Buyer(s) Initials AS

_____ A **With Disclosure:** Buyer has, prior to writing this offer, received Seller's Disclosure Statement.

_____ B **Without Disclosure:** All Parties understand that Seller's Disclosure Statement was not available at time this offer was written. Seller shall provide Buyer with a Seller's Disclosure Statement with Seller's Acceptance of this offer pursuant to Public Act 92 of 1993.

19. **LEAD-BASED PAINT DISCLOSURE/INSPECTION:** (For residential housing built prior to 1978)

A. AS (Buyer's Initials) Buyer acknowledges that prior to signing this Agreement, Buyer has received and reviewed a copy of the Lead-Based Paint Seller's Disclosure Statement.

B. _____ (Buyer's Initials) Buyer shall have a _____ day opportunity after date of Agreement to conduct an inspection of Property for presence of lead-based paint and/or lead-based hazards. (Federal regulations require a 10 day or other mutually agreed upon period of time.) If Buyer is not satisfied with results of this inspection, upon notice of Buyer to Seller within this period, Agreement shall be terminated and Earnest Money Deposit shall be refunded to Buyer.

C. AS (Buyer's Initials) Buyer hereby waives an opportunity to conduct a risk assessment or inspection for presence of lead-based paint and/or lead-based paint hazards.

20. **DEFAULT:**

A. **BUYER:** In the event Buyer fails to fulfill obligations set forth herein or fails to close this transaction in the time and manner provided, Seller may elect to enforce the terms hereof, declare the sale void, and retain Earnest Money Deposit (per paragraph 4) as liquidated damages and/or seek all available legal or equitable remedies.

B. **SELLER:** In the event Seller fails to fulfill obligations set forth herein or fails to close this transaction in the time and manner provided, Buyer may elect to enforce terms herein, declare sale void, be entitled to refund of Earnest Money Deposit (per paragraph 4), and/or seek all available legal or equitable remedies.

21. **FEES:** Buyer agrees to pay closing fees charged by lender and/or title company and a compliance/transaction fee of $487 payable to Selling Broker at closing.

22. **TIME LIMIT:** Buyer is making this offer valid until _____ ☐ AM ☐ PM on _____ or until withdrawn in writing.

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TRANSACTIONS TransactionDesk Edition

23. **ADDITIONAL DOCUMENTS ATTACHED:** The Seller's Disclosure Statement, Lead Based Paint Disclosure, Agency Relationship Disclosure, plus the following checked items are also attached hereto.

☐FHA/VA Addendum	☐Unplatted Land Addendum	☐Contingency Sales Agreement	☐Swimming Pool Addendum
☐Private Road Addendum	☐Condominium Addendum	☐Vacant Land Addendum	☐ Home Warranty
☐Add'l (General) Conditions	☐Well & Septic Addendum	☐Financing Addendum	☐_____

24. **FLOOD INSURANCE:** Buyer may, at his expense, obtain a Floodplain Certification within X calendar days from the date of Seller's acceptance of this Agreement. If the Certification discloses that the property is in a Special Flood Hazard Area, Buyer may notify Seller, in writing, within _____ days from the date of the Certification that Buyer declares this Agreement null and void and the deposit shall be returned to the Buyer. Failure to notify Seller that the property is in a Special Flood Hazard Area within this same time period shall constitute a waiver of Buyer's right to terminate the Agreement under this paragraph and Buyer agrees to obtain a policy of flood insurance if required to do so by the mortgage lender. NA ZONE X AS

25. **WELL AND SEPTIC SYSTEM INSPECTION:** See attached addendum made a part hereof, if applicable.

26. **PROPERTY INSPECTION/DUE DILIGENCE CONTINGENCY: Note: Inspections required by FHA, VA, lenders, or municipalities are not made for, nor should they be relied upon by, Buyer.** Broker(s) recommend that Buyer conduct independent private inspection(s) of property at Buyer's expense. Due diligence may include, but is not limited to, any inspection(s) or research deemed necessary by Buyer, including: structural integrity, condition of mechanical systems, environmental status, health or safety conditions, surveys or infestation. **To ensure intended use of premises it is recommended that Buyer research:** square footage; building and use restrictions; easements; ordinances; regulations; school district; and/or property tax status. If Buyer **DOES NOT** notify Seller, in writing, within _____ calendar days from date of final acceptance of Agreement that Buyer is dissatisfied with results of due diligence, Agreement shall be binding without regard to inspection(s). If Buyer notifies Seller, in writing and within specified time, that, in Buyer's sole judgment, Buyer is dissatisfied with results of due diligence, Buyer shall do one, or a combination, of the following within the contingency period stated above.

A. Present to Seller an amendment for mutual agreement that cites a list of repairs and/or conditions to be remedied.
B. Present to Seller an amendment for mutual agreement with a credit to be applied against the purchase price, and/or a price reduction, in full satisfaction of inspection contingency.
C. Present to Seller a Notice of Dissatisfaction with due diligence which shall render Agreement null and void, in which case Seller agrees to authorize Broker to return all earnest monies to Buyer.
D. In the event Seller and Buyer are unable to reach an Agreement to Buyer's proposals made under A or B, Buyer shall either elect to proceed with transaction by waiving this contingency in writing, or declare Agreement void by election of C within 3 calendar days of receipt of Seller's written responses to A or B above.

Buyer: Does _____ (Buyer Initials) **Does Not** AS (Buyer Initials) desire to have Property Inspection.

27. **LIABILITY OF BUYER FOR DAMAGE:** Buyer shall be solely responsible for any and all damage to Property as a result of any and all inspection(s) of Property authorized by or conducted by Buyer. Buyer shall pay for any and all necessary repairs to restore Property to its condition prior to inspection(s) or shall reimburse Seller for actual cost of such restoration.

28. **MUNICIPAL INSPECTIONS:** If a municipal inspection and/or certification of premises are required by local ordinance, state or federal law, or Buyer's lending institution, Seller agrees to pay for inspections. Seller agrees to complete any and all repairs required by municipality, provided repairs do not exceed $_____. If Seller does not complete all repairs required by municipality, Buyer may assume the additional costs to complete repairs, or Buyer may declare this Agreement void.

29. **BUYER ACCEPTANCE OF CONDITION: AS IS CONDITION** – By closing this transaction, Buyer shall be deemed to have accepted the Property in "AS IS" condition and it shall be deemed by closing this transaction that Buyer is satisfied with the condition of the Property.

30. **TIME FOR LEGAL ACTION:** Buyer and Seller agree that any legal action against either party or against Broker(s) or their agents related to the condition of the Property or arising out of the provisions of this Agreement or any services rendered or not rendered must be brought within the shorter of (a) the time provided by law, or (b) one (1) year after the Closing, or be forever barred.

31. **SHOWINGS:** Seller agrees not to allow the Property to be shown after the inspection contingency is removed or has expired.

32. **FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT (FIRPTA):** The parties to this transaction acknowledge that they are bound by the requirements of FIRPTA, and that the required addendum or affidavit shall be prepared and executed to determine the amount required to be withheld from a foreign Seller's proceeds, if any.

AS
Buyer(s) Initials

JMD
Seller(s) Initials

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33. **This is a legal and binding document, and both Buyer and Seller acknowledge that they have been advised to consult an attorney to protect their interests in this transaction. Where the transaction involves financial and tax consequences, the parties acknowledge that they have been advised to seek the advice of their accountant or financial adviser.**

34. **DISCLAIMER OF BROKER(S) AND RELEASE:** Broker(s) and Broker(s)' agents specifically disclaim responsibility for the condition of Property and/or for performance of Agreement by the parties. Parties acknowledge that they are not relying on any representation or warranties that may have been made other than those in writing, and the parties waive and release and relinquish any and all claims or causes of action against the Broker(s), their officers, directors, employees and/or their agents for the condition of the Property or the performance of this Agreement by the parties. Broker(s) and its agents are not experts in the areas of law, tax, financing, surveying, structural conditions, hazardous conditions, or engineering, and Buyer acknowledges that Buyer has been advised to seek professional advice from experts in these areas.

35. **FINAL WALK-THROUGH PRIOR TO CLOSING:** Buyer reserves the right to walk through Property within 48 hours prior to closing to determine whether terms of Agreement have been met.

36. **ENTIRE AGREEMENT:** This Agreement supersedes any and all understandings and agreements and constitutes the entire agreement between the parties and no oral representations or statements shall be considered a part hereof.

37. **TIME IS OF THE ESSENCE:** Buyer and Seller understand that no extensions of time limits contained herein are expected or agreed to unless specified in writing and signed by both Buyer and Seller. Time is of the essence.

38. **SUCCESSORS AND ASSIGNS:** This Agreement shall bind the personal representatives, administrators, successors and assigns of the parties.

39. **FACSIMILE/ELECTRONIC AUTHORITY:** As an Alternative to physical delivery, the parties agree that this Agreement, any amendment or modification of this agreement and/or any written notice of communication in connection with the agreement may be delivered to the Seller in care of the Listing Agent and the Buyer in care of the Seller Agent via electronic mail or by facsimile via the contact information set forth above. Any such communication shall be deemed delivered at the time it is sent or transmitted. Seller represents and warrants that an electronic email address has been provided to the Listing Agent from which Seller may receive electronic mail. Buyer represents and warrants that an electronic email address has been provided to Selling Agent from which Buyer may receive electronic mail. The parties agree that the electronic signatures and initials shall be deemed to be valid and binding upon the parties as if the original signatures or initials were present in the documents in the handwriting of each party. All electronic means of signature or initials by any party must be accompanied with a certificate.

40. **MISCELLANEOUS:**
    - A. **Amendment:** The parties agree that this Agreement may not be altered, amended, modified, or otherwise changed, except by a duly executed written agreement between the parties.
    - B. **Headings:** The headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.
    - C. **Grammar and Syntax:** The grammar and syntax used in this Agreement shall be construed to give proper meaning and consistency to its content. Thus, "or" means "and/or," the singular may be construed to include the plural, the plural the singular, and the use of any gender or tense may be construed to include all genders and tenses.
    - D. **Governing Law:** This Agreement shall be governed by and construed according to the laws of the State of Michigan, the state in which the Property is located.
    - E. **Electronic Storage of Documents and Records:** The undersigned Sellers and Buyers hereby stipulate and acknowledge that all documents relating to this agreement and all records and correspondence relating thereto, whether now existing or created hereafter, may be stored as electronic images and the originals of the electronically stored documents may be destroyed. The electronic images shall be deemed to serve as the original documents thereafter.

41. **OTHER TERMS AND CONDITIONS:** Purchaser waives private home inspection

Purchasers home is to market this week with open house this weekend. Purchasers condo is in extremely good condition and sale of said condo shall be expeditious. Seller to grant purchasers up to 30 days to secure new buying entity.

AS
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Seller(s) Initials

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AuthentiSign ID: A43ED0E7-DA84-EE11-8925-6045BDD68161

BUYER SIGNATURE AND ACKNOWLEDGMENT OF RECEIPT: Buyer hereby makes this offer with terms and conditions contained herein and acknowledges receiving a copy of this Agreement.

BUYER Amy Spicer (Please Print) BUYER Amy Spicer (Signature) 11/16/23

BUYER _____ (Please Print) BUYER _____ (Signature)

WITNESS Robert Bergman (Please Print) DATE 11/16/23

SELLER SIGNATURE: Seller hereby agrees to terms and conditions contained herein. Seller acknowledges receiving a copy of this Agreement.

SELLER James M Inglis (Please Print) SELLER _____ (Signature)

SELLER _____ (Please Print) SELLER _____ (Signature)

WITNESS _____ DATE _____

BUYER ACKNOWLEDGMENT OF ACCEPTANCE: Buyer's signature below acknowledges receipt of Seller's signed acceptance of this Agreement and constitutes a final acceptance of Seller's counteroffer (if any changes were made by the Seller, thereby making this Agreement a counteroffer).

BUYER _____ (Please Print) BUYER _____ (Signature)

BUYER _____ (Please Print) BUYER _____ (Signature)

WITNESS _____ DATE _____

DISCLAIMER: This form is provided as a service of the Greater Metropolitan Association of REALTORS® to its members. Those who use this form are expected to review both the form and details of this particular transaction to ensure that each provision of this form is appropriate for this transaction. The Greater Metropolitan Association of REALTOR® is not responsible for the use or misuse of this form, for misrepresentation, or warranties made in connection with this form.

* Sale of 35546 Orangelawn is subject to Approval by the Livonia Housing Comission and Livonia City Council.

11-27-23

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