COUNCIL MEMBERS
BRANDON McCULLOUGH, President
MARTHA PTASHNIK, Vice President
CARRIE BUDZINSKI
ROB GJONAJ DONOVIC
JIM JOLLY
SCOTT MORGAN
LAURA M. TOY

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, JUNE 3, 2024 7:00 P.M.

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

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

1994th Regular Meeting Agenda of the Council of the City of Livonia
Monday, June 3, 2024

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 – Regular Meeting Minutes of May 20, 2024

AUDIENCE COMMUNICATION

REPORTS FROM THE MAYOR AND OTHER CITY OFFICIALS

CONSENT AGENDA

1. REQUEST TO UTILIZE THE GREENMEAD PROPERTY FOR THE 175th, 176th and 177th ANNUAL HIGHLAND GAMES: Department of Parks and Recreation and the St. Andrew's Society of Detroit, re: for the proposed game days of August 2-3, 2024, August 1-2, 2025, and July 31-August 1, 2026.

2. BLOCK PARTY AND STREET BARRICADE: Lauren Feigel, re: to be held Sunday, June 30, 2024, from 12:00 p.m. to 10:00 p.m. along the Five Mile Service Road from 36996 to 36916 Five Mile Road, with no rain date requested.

3. BLOCK PARTY: Nicholas Scott, re: to be held Friday, July 5, 2024, from 3:00 p.m. to 10:00 p.m., on Ohio Street, between Maryland and California, with no rain date requested.

4. BLOCK PARTY: Carol Dobos, re: to be held Saturday, August 24, 2024, from 4:00 p.m. to 9:00 p.m., on Cranston Street between Scone and Perth Streets, with a rain date of Sunday, August 25, 2024.

5. REAPPOINTMENT OF IAN WILSHAW TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire on June 9, 2027.

6. REAPPOINTMENT OF WAFA DINARO TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire on June 9, 2027

7. REAPPOINTMENT OF SUSAN HARVEY TO THE PLYMOUTH ROAD DEVELOPMENT AUTHORITY: Office of the Mayor, re: for a three-year term, which will expire on May 16, 2027.

8. APPOINTMENT OF RHETT GRONEVELT TO THE PLYMOUTH ROAD DEVELOPMENT AUTHORITY: Office of the Mayor, re: to complete an unexpired term, set to expire on May 16, 2025.

9. REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND AUTHORIZE THE PURCHASE OF AXON IN-CAR AND BODY CAMERAS, TASER BRAND ENERGY CONTROL DEVICES, DATA STORAGE SYSTEM AND RENEWAL OF THE 5-YEAR OFFICER SAFETY PLAN: Division of Police, re: to upgrade current equipment, warranties and services, from budgeted funds.

10. REQUEST TO RENEW SOFTWARE MAINTENANCE AGREEMENT WITH SOLE SOURCE PROVIDER: Department of Information Systems, re: with ESRI, Inc., for the City's Geographic Information System (GIS) for a period of one year, from budgeted funds.

11. AWARD OF BID: Livonia Housing Commission, re: for the replacement of fifty-four, thirty-gallon hot water heaters at Silver Village, from budgeted funds.

12. AWARD OF BID: Livonia Housing Commission, re: for the replacement of four, ninety-gallon hot water heaters at McNamara Towers Building 1 and 2, from budgeted funds.

13. AWARD OF BID: Livonia Housing Commission, re: for the replacement of eighty-one refrigerators at McNamara Towers, from budgeted funds.

14. AWARD OF BID: Livonia Housing Commission, re: for the replacement of carpet at McNamara Towers Building 2, from budgeted funds.

15. REQUEST TO ADJUST WATER AND SEWER CONSUMPTION RATES, INDUSTRIAL SURCHARGE RATE AND INDUSTRIAL WASTE CONTROL CHARGE: Public Works Division, re: to become effective on July 1, 2024.

16. AWARD OF CONTRACT: Engineering Division, re: for the 2024 Water Main Replacement Project, Westfield Avenue and Harrison Road, from the Unexpended Fund Balance of the Water and Sewer Fund, to be reimbursed by the proceeds of the Drinking Water Revolving Fund Revenue Bonds.

UNFINISHED BUSINESS – MEETINGS OF THE COMMITTEE

17. CAPITAL OUTLAY AND INFRASTRUCTURE COMMITTEE MEETING OF MAY 15, 2024.
    a. The subject matter of the 2022 Facility Condition Assessment and Space Needs Assessment. (CR 02-23)

18. FINANCE & BUDGET COMMITTEE MEETING OF MAY 22, 2024
    a. The subject matter of the Annual Audit Reports for the period December 1, 2022, to November 30, 2023. (CR 367-02)

UNFINISHED BUSINESS

19. REQUEST TO WAIVE THE DRIVEWAY ORDINANCE REQUIREMENT: Matthew Rowe, re their home on 36804 Sunnydale Street, to exceed the 25' ordinance and to allow the widening of their driveway to 30'.

20. REQUEST TO WAIVE THE SIDEWALK REQUIREMENT: Brittany and Nicholas Onifer, re: for the newly constructed home at 15940 Ingram.

21. PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Department of Parks and Recreation, re: to amend Chapter 8.24.050 (Keeping wild animals, birds and bees) in order to allow for introducing bee hives on park property for educational purposes.

22. PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Department of Law, re: to Title 2, Chapter 23 (Department of Information Systems), in order to remove the role of the Director of Finance in the responsibility for management of the Director of Information Systems.

23. PROPOSED AMENDMENT TO THE LIVONIA ZONING ORDINANCE, AS AMENDED, Department of Law, re: Petition 2024-01-01-01 submitted by SR&D Development, requesting to rezone the property at 18340 Middlebelt Road, located on the east side of Middlebelt Road between Six Mile Road and Pickford Avenue in the Northwest ¼ of Section 12, from RUF (Rural Urban Farm) to C1 (Local Business).

24. ROLL CALL: Proposed Amendment to the Livonia Zoning Ordinance, as amended: Department of Law, re: Petition 2024-03-01-02 submitted by Belaggio Homes Inc., requesting to rezone the properties at 19282, 19316, and 19358 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood). First Reading given by Councilmember Rob Gjonaj Donovic on May 20, 2024.

25. ROLL CALL: Proposed Amendment to the Livonia Zoning Ordinance, as amended: Department of Law, re: Petition 2024-03-01-03 submitted by TCM Development, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).
First Reading given by Council Vice President Martha Ptashnik on May 20, 2024.

26. ROLL CALL: Proposed Amendment to the Livonia Zoning Ordinance, as amended: Department of Law, 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 Northwest¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood).
First Reading given by Councilmember Rob Gjonaj Donovic on January 17, 2024.

27. WAIVER PETITION: Planning Commission, re: Petition 2024-02-02-04 submitted by Basilica of St. Mary, requesting waiver use approval to construct and operate a Montessori school and family/youth center at 18100 Merriman Road, located on the east side of Merriman Road between Six Mile Road and Seven Mile Road in the Southwest ¼ of Section 11.

28. WAIVER PETITION: Planning Commission, re: Petition 2024-02-02-05 submitted by N.C. Designers & Contracting Inc., on behalf of Mike Alcodray, requesting waiver use approval to re-develop the existing gas station site, including constructing a new building with a drive-up window for a food-service operation, at 34901 Ann Arbor Trail, located on the southwest corner of Ann Arbor Trail and Wayne Road in the Southwest ¼ of Section 33.

29. REQUEST TO AUTHORIZE THE IMPLEMENTATION AND COLLECTION OF A PROPERTY TAX ADMINISTRATION FEE: City Treasurer, re: in the amount of 1% on the School Operating and Plymouth Road Development Authority (PRDA) tax levies.

30. AWARD OF BID: Department of Parks and Recreation, re: for Custodial services at the Jack E. Kirksey Recreation Center, from budgeted funds.

NEW BUSINESS

31. REQUEST TO AMEND THE CONTRACT WITH ANDERSON, ECKSTEIN AND WESTRICK, INC. FOR CONSTRUCTION ENGINEERING SERVICES FOR THE WEST CHICAGO RECONSTRUCTION PROJECT, HARRISON ROAD TO INKSTER ROAD: Engineering Division, for same. (CR 336-21)

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 Clerk's Office of the City of Livonia, upon adequate notice, will make reasonable accommodations for persons with disabilities. Please call (734) 466-2236 or email clerk@livonia.gov as soon as possible if you need assistance. Council agendas are available on the City's website www.livonia.gov - under Your Government, City Council, Agendas & Minutes.

LORI L. MILLER, CITY CLERK

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

1. REQUEST TO UTILIZE THE GREENMEAD PROPERTY FOR THE 175th, 176th and 177th ANNUAL HIGHLAND GAMES: Department of Parks and Recreation and the St. Andrew's Society of Detroit, re: for the proposed game days of August 2-3, 2024, August 2, 2025, and July 31-August 1, 2026.

   Cathy Hasse, Highland Games Chair, presented the request to Council.

   Councilmember Jolly offered an approving motion for the Consent Agenda.

   DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

1.

Parks and Recreation
April 23, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Ted Davis, CPRP, Superintendent of Parks and Recreation

AGENDA ITEM

REQUEST TO UTILIZE THE GREENMEAD PROPERTY FOR THE 175th, 176th and 177th ANNUAL HIGHLAND GAMES: Department of Parks and Recreation and the St. Andrew's Society of Detroit, re: for the proposed game days of August 2-3, 2024, August 1-2, 2025 and July 31-August 1, 2026.

BACKGROUND DETAILS

Attached please find a proposal from the St. Andrew's Society of Detroit requesting the use of Greenmead for their 175th, 176th, and 177th Annual Highland Games. Proposed dates are:

August 2-3, 2024
August 1-2, 2025
July 31-August 1, 2026

The Department of Parks and Recreation has reviewed and agrees to the attached proposal.

The schedule remains mainly the same starting with the Ceilidh on Friday night, Heavy Athletic games, Highland Dance competition, Bag Piping and band competition as well as Scotch Whiskey tasting at the Blue House and their "Pipe Down" on Saturday night.

The St. Andrew Society will supply the City of Livonia will all insurance and licensing required and pay the event fee to the Livonia Police Department.

We are looking forward to continuing to work with the St. Andrew's Society for the continued success of their games.

Therefore we respectfully request City Council approve the St. Andrew's Society's proposal to hold the 2024, 2025 and 2026 Highland Games at Greenmead as per the attached contract extension.

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

City Council approval of the St. Andrew's Society's proposal to hold the Highland Games August 2-3, 2024, August 1-2, 2025 and July 31-August 1, 2026 at Greenmead as per the attached contract extension.

ATTACHMENTS

1. 2024-2026 Highland Games Letter of Intent

APPROVED BY



Ted Davis, CPRP, Superintendent of Parks and Recreation — Date: April 23, 2024



Carter Fisher, City Attorney — Date: April 23, 2024



Maureen Miller Brosnan, Mayor — Date: May 02, 2024

[Type here]

ST. ANDREW'S SOCIETY OF DETROIT
HIGHLAND GAMES
175TH ANNIVERSARY
1849 - 2024

August 2 - 3, 2024
Greenmead Historical Park
Livonia, MI
highlandgames.com

Maureen Brosan, Mayor
Members of the Livonia City Council
33000 Civic Center Drive
Livonia, Michigan 48154

Dear Mayor Brosnan and Members of the Livonia City Council,

This letter of intent is to ask that the St. Andrew's Society of Detroit and the Annual Highland Games be allowed to continue hosting our event at Greenmead Historic Park. 2024 will be the 24th h year that our Games will be held at this location. Our relationship with the City of Livonia and the Staff at Greenmead has always been a pleasant one and we hope it can continue.

We would like to propose that our agreement with Livonia/Greenmead be extended to cover2024=2026. Our event is held the first Saturday in August with the Ceilidh (Scottish Party with music) on the Friday evening before the Games. The dates in question would be

August 2-3, 2024, August 1-2, 2025 and July 31-August 1, 2026

The 2024 Games will be the 175t th Annual Highland Games sponsored by the St. Andrew's Society of Detroit. We are the oldest continuous Highland Games in North America.

In the past, the Greenmead Staff has allowed our Field Crew to come start working and laying out the field on the Monday prior to the Games. The crew works the entire week marking off the field and setting up tents and areas that we use. We have also been permitted the use of the Meeting House and Judge Blue's office during this week. We pride ourselves in leaving the grounds of Greenmead as pristine on Sunday when we leave as when we enter on Monday.

The basic format of our event would be the same as in the past. This would include food vendors, merchandise vendors, Highland Dance competition, Heavy Athletic events, Bag Piping and Band competition, Scottish animals on display, children's activities and Clans from all over the United States. Our Ceilidh on Friday night would open at 5:00 p.m. and close at 11:00 p.m. Tickets for this event are sold in advance. In agreement with the Livonia Police Department we limit the size of the group to 1,200 in attendance. We provide adequate lighting for all areas: parking lot, roads and walkways. We also have the Livonia Police Department on sight for all security reasons.

On Saturday, we propose to host an educational Scotch Whisky tasting at two different times during the day. We have done this in the past at the Alexander Blue House and would like to

ST. ANDREW'S SOCIETY OF DETROIT
HIGHLAND GAMES
175TH ANNIVERSARY 1849 - 2024

August 2 - 3, 2024
Greenmead Historical Park
Livonia, MI
highlandgames.com

continue to use this facility for this purpose. Those in attendance must be of legal age and they also need to purchase a special ticket over and above the general admission ticket. There will also be a Scotch Tasting on Friday night. This is more of a high-end tasting, tickets will be sold in advance and only those over 21 will be allowed into the tasting,

On Saturday evening we would like to continue as we have in the past keeping open our main Entertainment Tent for the purpose of holding a 'Pipe Down'. We would close this down at 8:30- 9:00 p.m. at the latest. Our merchandise vendors will be instructed to leave their areas via the Newburgh Road exit. This will eliminate any traffic congestion by those walking and any vehicles. Our buses will provide transportation for guests parked off site

We will provide general liability insurance in the amount of $1,000,000.00 with the City of Livonia named as an additional assured. We will continue to obtain the necessary licenses from the State of Michigan for our beer, wine and liquor sales as well as obtaining a Large Raffle License. We do provide liquor liability coverage.

The Highland Games will continue to provide most of our own electric power, lights and communication needs. We appreciate the use of the conveniently located electrical panels to run certain events and to help out our vendors. We would hope that this is practice that we can continue to plan on.

The flat fee of $ 9,000 to the Greenmead will be paid at the end of the Games.
We will continue to provide Greenmead approximately sixty entrance wristbands and sixty parking passes for their workers on Games Day.

The Highland Games owns at semi-trailer that we use to store much of our equipment needed to stage our event. We propose to move this vehicle onto the Greenmead property on Monday of Games Week. We will provide port-a-johns, dumpsters, and electric generators. The City of Livonia will provide some snow-fencing and supervision during the event. Lawn mowing, done by the City, just prior to the tents being erected on Thursday will continue. We will work with the Parks and Recreation Department regarding bleachers, picnic tables and trash cans that will be delivered the week of our Games.

If there is any new building or changes to an area at Greenmead we would appreciate being promptly informed so that we have adequate time to adjust our field layout.

ST. ANDREW'S SOCIETY OF DETROIT
HIGHLAND GAMES
175TH ANNIVERSARY 1849 - 2024

August 2 - 3, 2024
Greenmead Historical Park
Livonia, MI
highlandgames.com

We will continue to work with and employ the Livonia Police Department for both Friday and Saturday.

We highly encourage our guests to patronize Livonia restaurants, hotels and other establishments. Our Host Hotel is always located in Livonia.

The Highland Games Committee as well as all of the members of the St. Andrew's Society of Detroit appreciates the long standing and good relationship that we have with the City of Livonia and the Greenmead staff. We look forward to many more years of working together.

We hope that many of you will attend our event this year.

Sincerely,

Cathy S. Hasse

Cathy S. Hasse
Chair of the 175th Annual Highland Games
Greenmead Historic Park, Livonia, Michigan
August 2-3,2024
Hassehouse2@gmail.com
248-760-9252

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

2. BLOCK PARTY AND STREET BARRICADE: Lauren Feigel, re: to be held Sunday, June 30, 2024, from 12:00 p.m. to 10:00 p.m. along the Five Mile Service Road from 36996 to 36916 Five Mile Road, with no rain date requested.

   Lauren Feigel, resident, presented the request to Council.

   Vice President Ptashnik offered an approving motion for the Consent Agenda.

   DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

1.

Clerk
May 6, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	lauren feigel

AGENDA ITEM

BLOCK PARTY AND STREET BARRICADE: Lauren Feigel, re: to be held Sunday, June 30, 2024, from 12:00 p.m. to 10:00 p.m. along the Five Mile Service Road from 36996 to 36916 Five Mile Road, with no rain date requested.

BACKGROUND DETAILS

The party is planned for approximately 50 people for a Country Home Estates 4th of July celebration. They are asking for four barricades placed at Fitzgerald and 5 Mile Service Drive (the road is open to 5 Mile) and barricades placed at 5 Mile Service Drive and 5 Mile Road. This party is for the nine houses on the block on 5 Mile Service Drive. There is no rain date planned.

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

Approve as submitted.

ATTACHMENTS

1. R052024 Block Party Lauren Feigel

APPROVED BY

Date: May 07, 2024

_____
Doris DeMarco, Deputy Clerk

REQUEST FOR NOISE WAIVER BLOCK PARTY and/or BARRICADING OF CITY STREETS

Send to: Livonia City Council, c/o City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097
or hand deliver to the City Clerk's Office **at least 8 weeks prior to the planned event**

PLEASE PRINT

Date of Application: 5/2/24 Date to appear at a Council Meeting: 6/3/24

Name of Neighborhood Representative: County Homes Estates

Address (please include zip code): 36916 5 mile, Livonia, MI 48154

Telephone Number with area code: Home: 734-377-0724 Office: 734-744-2810

Email: lfeigel@livoniapublicschools.org

Please circle what is being requested – **"BLOCK PARTY"** and/or **"STREET BARRICADING"**

6/30/24	ϕ	12pm - 10pm
Date of Block Party and/or Barricading	Rain Date	Start/end time of Block Party and/or Barricading **End time is no later than 10:00 p.m.**

Location of Block Party and/or Barricading: (Be specific. Indicate which streets and between which boundaries).

Fitzgerald St to 5 mile Rd., barricading 5 mile Service Dr.
Barricades placed @ Fitzgerald + 5 mile Ser. Dr. (Rd. open to 5 mile Rd)
Barricades placed @ 5 mile Serv. Dr. + 5 mile Rd.

Type of Event: Briefly (Describe activities planned. Music, barbecue, games, etc.) 4th of July celebration
Block Party to include all 9 houses on our block (on 5 mile Serv. Dr.)

How many barricades are you requesting (max. 10)? 4

Approximate Number Attending: 50

Date of Council Approval/Denial: _____

Council Resolution Number: _____

RECEIVED
OFFICE OF THE CITY CLERK
2024 MAY -6 PM 2:01

City Council Office Document
Revised August 2021
A:Block Party Form

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

3. BLOCK PARTY: Nicholas Scott, re: to be held Friday, July 5, 2024, from 3:00 p.m. to 10:00 p.m., on Ohio Street, between Maryland and California, with no rain date requested.

   Nicholas Scott, resident, presented the request to Council.

   Councilmember Toy offered an approving motion for the Consent Agenda.

   DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

2.

Clerk
May 2, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	

AGENDA ITEM

BLOCK PARTY: Nicholas Scott, re: to be held Friday, July 5, 2024, from 3:00 p.m. to 10:00 p.m., on Ohio Street, between Maryland and California, with no rain date requested.

BACKGROUND DETAILS

They will host a block party with BBQ, games, waterslides, music, and fireworks. They are requesting 4 barricades and are expecting approximately 100 people.

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

Approve as submitted.

ATTACHMENTS

1. R052024 Block Party Nicholas Scott

APPROVED BY

Date: May 07, 2024

_____
Doris DeMarco, Deputy Clerk

REQUEST FOR NOISE WAIVER BLOCK PARTY and/or BARRICADING OF CITY STREETS

Send to: Livonia City Council, c/o City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097
or hand deliver to the City Clerk's Office **at least 8 weeks prior to the planned event**

PLEASE PRINT

Date of Application: 5/1/2024 Date to appear at a Council Meeting: _____

Name of Neighborhood Representative: Nicholas Scott

Address (please include zip code): 32622 Ohio St 48150

Telephone Number with area code: Home: 734-377-9220 Office: _____

Email: nicholasscott0221@gmail.com

Please circle what is being requested – **"BLOCK PARTY"** and/or **"STREET BARRICADING"**

7/5/2024	_____	3pm to 10pm
Date of Block Party and/or Barricading	Rain Date	Start/end time of Block Party and/or Barricading **End time is no later than 10:00 p.m.**

Location of Block Party and/or Barricading: (Be specific. Indicate which streets and between which boundaries).

Shutting down Ohio st from Colorado/Wisconsin to California/Maryland

Type of Event: Briefly (Describe activities planned. Music, barbecue, games, etc.) 4th of July party. BBQ, games, waterslides, music and fireworks.

How many barricades are you requesting (max. 10)? 4

Approximate Number Attending: 100

Date of Council Approval/Denial: _____

Council Resolution Number: _____

RECEIVED
OFFICE OF THE CITY CLERK
2024 MAY -1 PM 4:29

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

4. BLOCK PARTY: Carol Dobos, re: to be held Saturday, August 24, 2024, from 4:00 p.m. to 9:00 p.m., on Cranston Street between Scone and Perth Streets, with a rain date of Sunday, August 25, 2024.

   Carol Dobos, resident, presented the request to Council.

   Councilmember Morgan offered an approving motion for the Consent Agenda.

   DIRECTION APPRO□ING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

3.

Clerk
May 2, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	

AGENDA ITEM

BLOCK PARTY: Carol Dobos, re: to be held Saturday, August 24, 2024, from 4:00 p.m. to 9:00 p.m., on Cranston Street between Scone and Perth Streets, with a rain date of Sunday, August 25, 2024.

BACKGROUND DETAILS

They will host a block party with children's games and a potluck. They are expecting approximately 30 people.

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

Approve as submitted.

ATTACHMENTS

1. R052024 Block Party Carol Dobos

APPROVED BY

Date: May 07, 2024

_____
Doris DeMarco, Deputy Clerk

Form-BlockParty.pdf Open with Google Docs

REQUEST FOR BLOCK PARTY and/or BARRICADING OF CITY STREETS

(To be sent to: Livonia City Council, c/o City Clerk,
33000 Civic Center Drive, Livonia, MI 48154-3097
or hand delivered to the City Clerk's Office)
PLEASE PRINT

May 1, 2024
Date of Application

CAROL DOBOS
Name of Neighborhood Representative

13980 CRANSTON 48154
Address (please include zip code)

Cell 734-776-4973
Telephone Number: Home ~~Home~~ _____ Office ~~Office~~ _____
(please include area code)

Please circle what is being requested – **"BLOCK PARTY"** and/or **"STREET BARRICADING"**

August 24, 2024
Date of Block Party and/or Barricading

August 25, 2024
Rain Date

4PM - 9PM
Time of Block Party and/or Barricading
(Ending Time – No Later than 10:00 p.m.) (Be as specific as possible)

Location of Block Party and/or Barricading.
(Be as specific as possible – indicate what **streets** as well as what **boundaries**).

CRANSTON (FROM SCONE TO PERTH)

Type of Event (Describe briefly activities planned, i.e. music, barbecue, games, etc.)

BLOCK PARTY - CHILDREN'S GAMES, POT-LUCK

Approximate Number Attending: 25-30

Date of Council Approval/Denial: _____

Council Resolution Number: _____

City Council Office Document
Revised July1996
A:Block Party Form

2024 MAY -2 AM 11:40
RECEIVED
OFFICE OF THE CITY CLERK

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

7. REAPPOINTMENT OF IAN WILSHAW TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire on June 9, 2027.

   Mark Taormina, Planning and Economic Development Director, presented the request to Council.

   Councilmember Toy offered an approving motion for the Consent Agenda.

   DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

7.

Mayor's Office
May 1, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Mark Taormina, Planning and Economic Development Director

AGENDA ITEM

REAPPOINTMENT OF IAN WILSHAW TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire on June 9, 2027.

BACKGROUND DETAILS

Honorable Members of the City Council, City of Livonia
RE: Reappointment of Ian Wilshaw to the Planning Commission

Dear Council Members:

I am herewith submitting to you, for your consideration and approval, the reappointment of Mr. Ian Wilshaw, 36376 Fairway, Livonia, Michigan 48152, as a member of the Planning Commission for a term that will expire on June 9, 2027.

Your approval on this reappointment is respectfully requested.

Sincerely,
Maureen Miller Brosnan, Mayor

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

Reappoint Ian Wilshaw to the Livonia Planning Commission for a three-year term.

ATTACHMENTS

None

APPROVED BY

Maureen Miller Brosnan

Date: May 02, 2024

Maureen Miller Brosnan, Mayor

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

8. REAPPOINTMENT OF WAFA DINARO TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire on June 9, 2027.

   Mark Taormina, Planning and Economic Development Director, presented the request to Council. Councilmember Jolly offered an approving motion for the Consent Agenda.

   DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

8.

Mayor's Office
May 3, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Mark Taormina, Planning and Economic Development Director

AGENDA ITEM

REAPPOINTMENT OF WAFA DINARO TO THE LIVONIA PLANNING COMMISSION: Office of the Mayor, re: for a three-year term, which will expire on June 9, 2027

BACKGROUND DETAILS

Honorable Members of the City Council, City of Livonia
RE: Reappointment of Wafa Dinaro to the Planning Commission

Dear Council Members:

I am herewith submitting to you, for your consideration and approval, the reappointment of Ms. Wafa Dinaro, 15680 Huff Street, Livonia, Michigan 48154, as a member of the Planning Commission for a term that will expire on June 9, 2027.

Your approval on this reappointment is respectfully requested.

Sincerely,
Maureen Miller Brosnan, Mayor

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

Reappoint Wafa Dinaro to the Livonia Planning Commission for a three-year term.

ATTACHMENTS

None

APPROVED BY

Maureen Miller Brosnan

Date: May 13, 2024

Maureen Miller Brosnan, Mayor

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

9. REAPPOINTMENT OF SUSAN HARVEY TO THE PLYMOUTH ROAD DEVELOPMENT AUTHORITY: Office of the Mayor, re: for a three-year term, which will expire on May 16, 2027.

   President McCullough presented the request to Council.

   Councilmember Donovic offered an approving motion for the Consent Agenda.

   DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

9.

Mayor's Office
May 1, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Mark Taormina, Planning and Economic Development Director

AGENDA ITEM

REAPPOINTMENT OF SUSAN HARVEY TO THE PLYMOUTH ROAD DEVELOPMENT AUTHORITY: Office of the Mayor, re: for a three-year term, which will expire on May 16, 2027.

BACKGROUND DETAILS

Honorable Members of the City Council, City of Livonia
RE: Reappointment of Susan Harvey to the Plymouth Road Development Authority

Dear Council Members:

I am herewith submitting to you, for your consideration and approval, the reappointment of Ms. Susan Harvey, 2575 S. Haggerty Suite 500, Canton, Michigan 48188, as a member of the Plymouth Road Development Authority for a term that will expire on May 16, 2027.

Your approval on this request is respectfully requested.

Sincerely,
Maureen Miller Brosnan, Mayor

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

Reappoint Susan Harvey to the Plymouth Road Development Authority for a three-year term.

ATTACHMENTS

None

APPROVED BY

Maureen Miller Brosnan

Date: May 02, 2024

Maureen Miller Brosnan, Mayor

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

10. APPOINTMENT OF RHETT GRONEVELT TO THE PLYMOUTH ROAD DEVELOPMENT AUTHORITY: Office of the Mayor, re: to complete an unexpired term, set to expire on May 16, 2025.

    President McCullough presented the request to Council.

    Vice President Ptashnik offered an approving motion for the Consent Agenda.

    DIRECTION APPROVING CONSENT

    Councilmember Jolly stepped down at 9:36 p.m. to avoid the potential appearance of a conflict of interest.

LETTER TO THE LIVONIA CITY COUNCIL

10.

Mayor's Office
May 8, 2024

MEETING DATE	PRESENTED BY
Study Meeting of May 20, 2024	Mark Taormina, Planning and Economic Development Director

AGENDA ITEM

APPOINTMENT OF RHETT GRONEVELT TO THE PLYMOUTH ROAD DEVELOPMENT AUTHORITY: Office of the Mayor, re: to complete an unexpired term, set to expire on May 16, 2025.

BACKGROUND DETAILS

Honorable Members of the City Council, City of Livonia
RE: Appointment of Rhett Gronevelt to the Plymouth Road Development Authority

Dear Council Members:

I am herewith submitting to you, for your consideration and approval, the appointment of Mr. Rhett Gronevelt, 34000 Plymouth Road, Livonia, Michigan 48150, as a member of the Plymouth Road Development Authority, to fill John Hiltz's vacant seat with a term set to expire on May 16, 2025.

Your approval on this appointment is respectfully requested.

Sincerely,
Maureen Miller Brosnan, Mayor

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

Appointment of Rhett Gronevelt to the Plymouth Road Development Authority to complete the term of a vacant seat.

ATTACHMENTS

1. Gronevelt, Rhett Resume

APPROVED BY



Date: May 13, 2024

Maureen Miller Brosnan, Mayor

Rhett Gronevelt, PE

Principal (Municipal)



Education
- Master of Science in Civil Engineering, Michigan Technological University, 2000
- Bachelor of Science in Civil Engineering, Michigan Technological University, 1998

Professional Registration(s)
Professional Engineer
MI, 2009, #49808
O□, 2012, #75777

Experience
With O□M since 1999
1 year prior experience

Background

Rhett Gronevelt represents many municipal clients, leading infrastructure planning, design, construction, and management work associated with utility, transportation, and site improvements. His background in construction and transportation, as well as many municipal utility and site projects has allowed him to gain a broad background of every type of municipal project, including parks, utilities, facilities, major county roads, local roads, and major water/wastewater facilities.

Rhett also represents municipal clients conducting plan reviews and functioning as their City/Township Engineer. Rhett has worked with a number of communities to develop utility master plans, capital improvement plans, pavement management plans, and engineering standards. He has assisted municipalities with the evaluation of their infrastructure and the prioritization of capital investment needs, particularly for water and sewer system infrastructure. Most recently, Rhett has worked to grow OHM's office and portfolio in the City of Detroit, where he leads a multi-disciplinary team of 25 professionals committed to advancing the Detroit community. In 2024, Rhett was appointed to serve on the OHM Board of Directors.

Rhett previously held a faculty position at Lawrence Technological University and was a lecturer in the Civil Engineering Department for their Transportation Engineering course. He has served on the Executive Board for the Michigan Section of the American Society of Civil Engineers and has been elected twice as the Regional Governor from Michigan. Rhett has served as vice-chair of the Civil and Environmental Engineering Professional Advisory Committee at MTU, and currently serves in the same role for Wayne State University. Locally, Rhett served on the Wetland Review Board for the Charter Township of West Bloomfield, and now the Zoning Board of Appeals.

Rhett was born and raised in the City of Livonia until he went to college. He currently resides in West Bloomfield Township with his wife Kerri and their two children.

Select Relevant Experience

Auburn Road Study & Reconstruction, Rochester Hills, Michigan
Principal in Charge; OHM provided design and construction engineering of a half a mile of reconstruction of Auburn Road, a MDOT turnback roadway, that created a new business district in the City of Rochester Hills. The project also included the construction of two parallel alleyways, allowing rear access for the local business. Both permanent and temporary ROW was also required from 31 total properties. The old roadway and adjacent sidewalk up to the building fronts was completely removed.

Northland Mall Redevelopment, Southfield, Michigan
Principal in Charge; Oversight of the exciting and challenging redevelopment of a 125-acre former mall site. Coordination and communication with multiple subcontractors, the City of Southfield and other stakeholders are central to the success of this project. Rhett's positive previous experiences in serving the City of Southfield were key in OHM Advisors being chosen to lead this important redevelopment project.

Livonia Sanitary Sewer Asset Management Plan, Livonia, Michigan
Principal in Charge; Preparation of a wastewater asset management plan through the Michigan Department of Environmental Quality (MDEQ) SAW grant program. Prepared

and submitted successful SAW grant application to receive $1,838,000 in grant funds for this project. Oversaw tasks necessary to complete the asset management plan including inventory of wastewater assets through GPS data collection and GIS utility mapping, and field assessment through inspection of 3,000 manholes and 400,000 feet of sewer pipe. This information was used as a basis by other managers to complete condition assessment, sewer metering and wet weather modeling, determination of critical assets with ratings based on condition assessment, deterioration forecasting, probability of failure, and consequence of failure, determination of acceptable levels of service, development of a capital improvement plan, and preparation of a final asset management report.

GLWA Stand-Up Assistance, Detroit, Michigan
Principal in Charge; Rhett has worked extensively with the City of Detroit on the bifurcation of the Water Department, creating the Great Lakes Water Authority and assisting the City with the transition to the management and control of the City's local system.

Southfield Water Main Capital Improvement Program, Southfield, Michigan
Principal in Charge; Planning, implementation and, tracking of the City's Infrastructure Capital Improvement Program, currently averaging about $35M annually of investment. OHM has helped the City with combined planning of water, sewer, drainage, and roadway assets.

Livonia DWRF Water Main Phases I-IV (Summary), Livonia, Michigan
Principal and Project Manager; Replace approximately 23 miles of aged and under-sized water mains in the City. The funding was awarded through the Drinking Water Revolving Fund, for which OHM Advisors completed the Project Plan in 2010. The multi-phased rehabilitation was completed using various methods including horizontal directional drilling, pipe bursting and resin impregnated fiberglass liner. OHM worked with the City to design the most cost-effective replacement method of rehabilitation depending upon impacts to existing pavements, proximity of other utilities and pipe material.

Rochester Hills Stormwater Asset Management Plan, Rochester Hills, Michigan
Principal in Charge; The completion of the SAW grant applications in 2013, and Rochester Hills was awarded $2M of funding in 2014. OHM Advisors led the team to complete the work over the three-year period allowed in the grant.

Rochester Hills Wastewater Asset Management Plan, Rochester Hills, Michigan
Principal in Charge; The completion of the SAW grant applications in 2013, and Rochester Hills was awarded $2M of funding in 2014. OHM Advisors led the team to complete the work over the three-year period allowed in the grant.

Livonia Sanitary Sewer Evaluation Survey; Rehabilitation Plan & SRF, Livonia, Michigan
Project Manager; Three separate projects funded under one $4M SRF Loan. The three contracts included a Pipe Rehabilitation, Manhole Rehabilitation, and Storm Sewer Disconnect Project all focused at reducing I/I into the City's Sanitary system. The work was based on the 2012 SSES project.

Rolling Hills County Park Improvements (combined version) , Washtenaw County, Michigan
Project Manager; A $3.5 million expansion of the 350 acre Rolling Hills County Park in Ypsilanti Township, MI. The Washtenaw County Parks and Recreation Commission hired our team to implement the first phase of improvements outlined in the Master Plan. These include a two-mile access road, a roundabout, 4 miles of paved trails, a site-wide low-impact stormwater management system, soccer fields, and parking lots.

Livonia 2013 Sanitary Sewer Evaluation and Rehabilitation Plan & 2015 SRF, Livonia, Michigan
Project Manager; A comprehensive evaluation of the City's Sanitary Sewer Collection System. This includes CCTV inspection of approximately 20 miles of pipe and 1000 manholes using the PACP and MACP inspection program. The SSES evaluated various options to address peak flow issues into the Wayne County NHVRV system. The recommendation improvements were submitted to the SRF program for funding, and the City received funding for a FY 2013 project.

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

13. REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND AUTHORIZE THE PURCHASE OF AXON IN-CAR AND BODY CAMERAS, TASER BRAND ENERGY CONTROL DEVICES, DATA STORAGE SYSTEM AND RENEWAL OF THE 5-YEAR OFFICER SAFETY PLAN: Division of Police, re: to upgrade current equipment, warranties and services, from budgeted funds.

    Livonia Police Chief Goralski presented the request to Council.

    Steve King, 33950 Coventry, verified they are hip mounted tasers.

    Vice President Ptashnik offered an approving motion for the Consent Agenda.

    DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

13.

Police
April 19, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Thomas Goralski, Police Chief

AGENDA ITEM

REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND AUTHORIZE THE PURCHASE OF AXON IN-CAR AND BODY CAMERAS, TASER BRAND ENERGY CONTROL DEVICES, DATA STORAGE SYSTEM AND RENEWAL OF THE 5-YEAR OFFICER SAFETY PLAN: Division of Police, re: to upgrade current equipment, warranties and services, from budgeted funds.

BACKGROUND DETAILS

The Livonia Division of Police is requesting authorization to purchase the Axon Fleet 3 In-Car Camera and Body 4 Camera package, Electrical Controlled Devices (Taser 10), Interview Rooms and Drone Program system, which is a program provided by Axon that offers a significant discount by bundling these systems together. This will be a 5-year agreement with Axon which includes unlimited cloud storage of any and all video evidence originating from AXON devices and any other 3rd party systems. The department currently utilizes Axon fleet 2 In-Car Camera package in combination with Axon Body 3 cameras and TASER X2 devices. The requested purchase is to replace this end of life equipment and upgrade to equipment with the newest technology. The software of Axon is like no other manufacturer that we have tested and evaluated, and the infrastructure for the Axon system to operate is already being utilized and will not have to be replaced. This vendor is vetted and compatible with the other systems that the department uses and is able to integrate with CLEMIS CAD/RMS systems. Axon's package includes hardware, software, accessories, training programs, 24/7 customer support, equipment refreshes, and warranties.

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

The Livonia Division of Police is requesting approval of the renewal of the 5-Year Officer Safety Plan with Axon.

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

We will be contracting for 138 Body Cameras (Body 4) and Electrical Controlled Devices (Taser 10), 45 In-Car Cameras (Fleet 3 Advanced), 5 Interview Rooms and 6 Drone Pilot licenses.

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

The proposed amount for the 5-year Officer Safety Plan 10 will be $550,000.00 per year, with a total

cost of $2,750,000.00, effective July 1, 2024 thru June 30, 2029.

DETAILED WORK BEING PERFORMED

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

The cost of the 5-year Officer Safety Plan 10, which includes all the systems and services delineated in this document, will be $550,000.00 per year, with a total cost of $2,750,000.00, which includes a savings of $1,041,148.24 by utilizing the Officer Safety Plan bundle offered by Axon. Funds are budgeted for Year 1 in account #101-325-818-000 (Contractual Service). Grant monies will be sought through Michigan Municipal Risk Management Authority post-delivery of equipment and services.

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): Pursuant to Finance Ordinance 3.04.140 E.3, the Livonia Division of Police is requesting the Council's approval to waive the bid process and recognize the current and preferred vendor, Axon, a sole source provider, to supply the Police Department with in-car cameras, body cameras and TASER brand energy devices to continue with one united system for the protection of both the public and police officers that is compatible with our current infrastructure. Axon Enterprises is the sole manufacturer of TASER Brand energy devices and Axon branded products. Axon is also the sole developer and has proprietary rights to Evidence.com (data management services).

ATTACHMENTS

1. S052024 LTC Axon In-Car and Body Cam - PD
2. Quote-Livonia PD Renewal
3. Master Services and Purchasing Agreement_v21 - Livonia PD
4. Axon Standards SOW - Livonia PD
5. SoleSource Livonia Police Dept
6. Axon LivoniaPD-Features Overview
7. Livonia PD ExecutiveSummary

APPROVED BY



Date: May 06, 2024

Thomas Goralski, Police Chief



Date: May 09, 2024

Debra Peck Lichtenberg, CPA, Finance Director



Date: May 09, 2024

Carter Fisher, City Attorney



Date: May 13, 2024

Maureen Miller Brosnan, Mayor

Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
VAT: 86-0741227
Domestic: (800) 978-2737
International: +1.800.978.2737

Q-560071-45404.917JB

Issued: 04/22/2024

Quote Expiration: 05/01/2024

Estimated Contract Start Date: 07/01/2024

Account Number: 110269

Payment Terms: N30

Delivery Method:

SHIP TO	BILL TO
Livonia Police Dept - MI 15050 Farmington Rd Livonia, MI 48154-5417 USA	Livonia Police Dept - MI 15050 Farmington Rd Livonia MI 48154-5417 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Julie Bosack Phone: 312-576-2829 Email: jbosack@axon.com Fax:	Tom Goralski Phone: 7344662301 Email: thomas.goralski@livoniapd.com Fax: (734) 427-8044

Quote Summary

Program Length	60 Months
TOTAL COST	$2,750,000.00
ESTIMATED TOTAL W/ TAX	$2,750,000.00

Discount Summary

Average Savings Per Year	$208,229.65
TOTAL SAVINGS	$1,041,148.24

Payment Summary

Date	Subtotal	Tax	Total
Jun 2024	$550,000.00	$0.00	$550,000.00
Jun 2025	$550,000.00	$0.00	$550,000.00
Jun 2026	$550,000.00	$0.00	$550,000.00
Jun 2027	$550,000.00	$0.00	$550,000.00
Jun 2028	$550,000.00	$0.00	$550,000.00
Total	**$2,750,000.00**	**$0.00**	**$2,750,000.00**

Quote Unbundled Price:	**$3,791,148.24**
Quote List Price:	**$3,335,931.84**
Quote Subtotal:	**$2,750,000.00**

Pricing

All deliverables are detailed in Delivery Schedules section lower in proposal

Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
Program									
100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1			$1.00	($22,683.17)	($22,683.17)	$0.00	($22,683.17)
Fleet3A	Fleet 3 Advanced	3	60	$282.57	$254.57	$231.57	$41,682.60	$0.00	$41,682.60
Fleet3ARe	Fleet 3 Advanced Renewal	42	60	$231.92	$189.57	$189.57	$477,716.40	$0.00	$477,716.40
M00010	BUNDLE - OFFICER SAFETY PLAN 10	138	60	$258.13	$216.65	$216.43	$1,792,040.40	$0.00	$1,792,040.40
CLASS1UAS	AXON AIR, CLASS 1 UAS BUNDLE	2	60	$183.34	$183.34	$0.00	$0.00	$0.00	$0.00
A la Carte Hardware									
100775	AXON BODY 4 - MAGNETIC DISCONNECT CABLE	138			$39.00	$0.00	$0.00	$0.00	$0.00
50114	AXON INTERVIEW - CAMERA - COVERT SENSOR	2			$397.51	$0.00	$0.00	$0.00	$0.00
74059	AXON INTERVIEW - ENCLOSURE - MOTION SENSOR	2			$244.01	$0.00	$0.00	$0.00	$0.00
50118	AXON INTERVIEW - MIC - WIRED (STANDARD MIC)	2			$243.31	$0.00	$0.00	$0.00	$0.00
50218	AXON INTERVIEW - CAMERA - COVERT MAIN UNIT	2			$685.49	$0.00	$0.00	$0.00	$0.00
50118	AXON INTERVIEW - MIC - WIRED (STANDARD MIC)	1			$243.31	$0.00	$0.00	$0.00	$0.00
74056	AXON INTERVIEW - TOUCH PANEL WALL MOUNT	5			$64.00	$0.00	$0.00	$0.00	$0.00
50322	AXON INTERVIEW - TOUCH PANEL PRO	5			$3,286.23	$0.00	$0.00	$0.00	$0.00
50114	AXON INTERVIEW - CAMERA - COVERT SENSOR	4			$397.51	$0.00	$0.00	$0.00	$0.00
74116	AXON INTERVIEW - ENCLOSURE - FLUSH MOUNT	4			$132.00	$0.00	$0.00	$0.00	$0.00
50118	AXON INTERVIEW - MIC - WIRED (STANDARD MIC)	4			$243.31	$0.00	$0.00	$0.00	$0.00
50218	AXON INTERVIEW - CAMERA - COVERT MAIN UNIT	4			$685.49	$0.00	$0.00	$0.00	$0.00
50293	AXON INTERVIEW - CAMERA - OVERT PTZ (PAN-TILT-ZOOM)	1			$1,231.88	$0.00	$0.00	$0.00	$0.00
72036	AXON FLEET 3 - STANDARD 2 CAMERA KIT	42			$2,695.00	$0.00	$0.00	$0.00	$0.00
100769	AXON SIGNAL - SIDEARM LITERATURE AND SCREWDRIVER PACK	6			$2.99	$0.00	$0.00	$0.00	$0.00
50118	AXON INTERVIEW - MIC - WIRED (STANDARD MIC)	2			$243.31	$0.00	$0.00	$0.00	$0.00
50298	AXON INTERVIEW - CAMERA - OVERT DOME	2			$992.92	$992.92	$1,985.84	$0.00	$1,985.84
H00001	AB4 Camera Bundle	130			$849.00	$0.00	$0.00	$0.00	$0.00
H00002	AB4 Multi Bay Dock Bundle	17			$1,638.90	$0.00	$0.00	$0.00	$0.00
H00001	AB4 Camera Bundle	8			$849.00	$0.00	$0.00	$0.00	$0.00
H00002	AB4 Multi Bay Dock Bundle	1			$1,638.90	$0.00	$0.00	$0.00	$0.00
A la Carte Software									
50043	AXON INTERVIEW - STREAMING SERVER MAINTENANCE - PER SERVER	2	57		$32.81	$0.00	$0.00	$0.00	$0.00
50039	AXON INTERVIEW - CLIENT SOFTWARE - MAINT. PER TOUCH PANEL	5	57		$28.06	$0.00	$0.00	$0.00	$0.00
50041	AXON INTERVIEW - STREAMING SERVER LICENSE - PER SERVER	2	57		$1,750.00	$0.00	$0.00	$0.00	$0.00
50045	AXON EVIDENCE - STORAGE - INTERVIEW ROOM UNLIMITED	9	57		$111.16	$0.00	$0.00	$0.00	$0.00
50037	AXON INTERVIEW - CLIENT SOFTWARE - PER TOUCH PANEL-PC	5	57		$1,500.00	$0.00	$0.00	$0.00	$0.00
100112	AXON AIR - EVIDENCE.COM LICENSE - PILOT DATA	6	60		$33.85	$0.00	$0.00	$0.00	$0.00
73682	AXON EVIDENCE - AUTO TAGGING LICENSE	138	60		$10.85	$10.85	$89,838.00	$0.00	$89,838.00
73739	AXON PERFORMANCE - LICENSE	138	60		$10.85	$10.85	$89,838.00	$0.00	$89,838.00

73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	5000	60	$0.65	$0.65	$195,000.00	$0.00	$195,000.00
ProLicense	Pro License Bundle	10	60	$43.40	$0.00	$0.00	$0.00	$0.00
A la Carte Services								
85149	AXON TASER - 2 DAY PRODUCT SPECIFIC INSTRUCTOR COURSE	1		$6,786.00	$0.00	$0.00	$0.00	$0.00
75014	AXON SIGNAL - PSO - INSTALLATION SERVICE ONSITE	1		$3,000.00	$0.00	$0.00	$0.00	$0.00
99901	AXON ACCELERATE CONFERENCE REGISTRATION	10		$849.00	$0.00	$0.00	$0.00	$0.00
85144	AXON BODY - PSO - STARTER	1		$13,000.00	$0.00	$0.00	$0.00	$0.00
85147	AXON TASER - PSO - STARTER	1		$14,000.00	$0.00	$0.00	$0.00	$0.00
11642	AXON INVESTIGATE - THIRD PARTY VIDEO SUPPORT	138	60	$10.85	$2.09	$17,332.80	$0.00	$17,332.80
73896	AXON STANDARDS - IMPLEMENTATION SERVICE	1		$30,000.00	$29,999.13	$29,999.13	$0.00	$29,999.13
85170	AXON INTERVIEW - INSTALLATION - STANDARD (PER ROOM)	5		$7,450.00	$7,450.00	$37,250.00	$0.00	$37,250.00
A la Carte Warranties								
50448	AXON INTERVIEW - EXT WARRANTY	5	46	$28.59	$0.00	$0.00	$0.00	$0.00
Total						**$2,750,000.00**	**$0.00**	**$2,750,000.00**

Delivery Schedule

Hardware

Bundle	Item	Description	QTY	Shipping Location	Estimated Delivery Date
AB4 Camera Bundle	100147	AXON BODY 4 - CAMERA - NA US FIRST RESPONDER BLK RAPIDLOCK	130	1	06/01/2024
AB4 Camera Bundle	100147	AXON BODY 4 - CAMERA - NA US FIRST RESPONDER BLK RAPIDLOCK	8	1	06/01/2024
AB4 Camera Bundle	100147	AXON BODY 4 - CAMERA - NA US FIRST RESPONDER BLK RAPIDLOCK	4	1	06/01/2024
AB4 Camera Bundle	100466	AXON BODY 4 - CABLE - USB-C TO USB-C	143	1	06/01/2024
AB4 Camera Bundle	100466	AXON BODY 4 - CABLE - USB-C TO USB-C	9	1	06/01/2024
AB4 Camera Bundle	74028	AXON BODY - MOUNT - WING CLIP RAPIDLOCK	143	1	06/01/2024
AB4 Camera Bundle	74028	AXON BODY - MOUNT - WING CLIP RAPIDLOCK	9	1	06/01/2024
AB4 Multi Bay Dock Bundle	100206	AXON BODY 4 - DOCK - EIGHT BAY	17	1	06/01/2024
AB4 Multi Bay Dock Bundle	100206	AXON BODY 4 - DOCK - EIGHT BAY	1	1	06/01/2024
AB4 Multi Bay Dock Bundle	70033	AXON - DOCK WALL MOUNT - BRACKET ASSY	17	1	06/01/2024
AB4 Multi Bay Dock Bundle	70033	AXON - DOCK WALL MOUNT - BRACKET ASSY	1	1	06/01/2024
AB4 Multi Bay Dock Bundle	71019	AXON BODY - DOCK POWERCORD - NORTH AMERICA	17	1	06/01/2024
AB4 Multi Bay Dock Bundle	71019	AXON BODY - DOCK POWERCORD - NORTH AMERICA	1	1	06/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100681	AXON SIGNAL - SIDEARM SENSOR ONLY	138	1	06/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	71044	AXON SIGNAL - BATTERY - CR2430 SINGLE PACK	276	1	06/01/2024
Fleet 3 Advanced	70112	AXON SIGNAL - SIGNAL UNIT	3	1	06/01/2024
Fleet 3 Advanced	72036	AXON FLEET 3 - STANDARD 2 CAMERA KIT	3	1	06/01/2024
A la Carte	100769	AXON SIGNAL - SIDEARM LITERATURE AND SCREWDRIVER PACK	6	1	06/01/2024
A la Carte	100775	AXON BODY 4 - MAGNETIC DISCONNECT CABLE	138	1	06/01/2024
A la Carte	72036	AXON FLEET 3 - STANDARD 2 CAMERA KIT	42	1	06/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100390	AXON TASER 10 - HANDLE - YELLOW CLASS 3R	138	2	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100390	AXON TASER 10 - HANDLE - YELLOW CLASS 3R	4	2	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100393	AXON TASER 10 - MAGAZINE - LIVE DUTY BLACK	138	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100393	AXON TASER 10 - MAGAZINE - LIVE DUTY BLACK	4	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100394	AXON TASER 10 - MAGAZINE - HALT TRAINING BLUE	12	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100395	AXON TASER 10 - MAGAZINE - LIVE TRAINING PURPLE	6	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100396	AXON TASER 10 - MAGAZINE - INERT RED	30	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100399	TASER 10 LIVE CARTRIDGE	2760	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100400	AXON TASER 10 - CARTRIDGE - HALT	830	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100401	AXON TASER 10 - CARTRIDGE - INERT	300	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100611	AXON TASER 10 - SAFARILAND HOLSTER - RH	121	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100613	AXON TASER 10 - SAFARILAND HOLSTER - LH	17	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100623	AXON TASER - TRAINING - ENHANCED HALT SUIT V2	3	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	20018	AXON TASER - BATTERY PACK - TACTICAL	138	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	20018	AXON TASER - BATTERY PACK - TACTICAL	24	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	20018	AXON TASER - BATTERY PACK - TACTICAL	4	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	70033	AXON - DOCK WALL MOUNT - BRACKET ASSY	2	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	71019	AXON BODY - DOCK POWERCORD - NORTH AMERICA	2	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	74200	AXON TASER - DOCK - SIX BAY PLUS CORE	2	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	80087	AXON TASER - TARGET - CONDUCTIVE PROFESSIONAL RUGGEDIZED	2	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	80090	AXON TASER - TARGET FRAME - PROFESSIONAL 27.5 IN X 75 IN	2	1	09/01/2024
A la Carte	50114	AXON INTERVIEW - CAMERA - COVERT SENSOR	4	1	09/01/2024
A la Carte	50114	AXON INTERVIEW - CAMERA - COVERT SENSOR	2	1	09/01/2024
A la Carte	50118	AXON INTERVIEW - MIC - WIRED (STANDARD MIC)	1	1	09/01/2024
A la Carte	50118	AXON INTERVIEW - MIC - WIRED (STANDARD MIC)	2	1	09/01/2024
A la Carte	50118	AXON INTERVIEW - MIC - WIRED (STANDARD MIC)	2	1	09/01/2024
A la Carte	50118	AXON INTERVIEW - MIC - WIRED (STANDARD MIC)	4	1	09/01/2024

Bundle	Item	Description	QTY	Shipping Location	Estimated Delivery Date
A la Carte	50218	AXON INTERVIEW - CAMERA - COVERT MAIN UNIT	4	1	09/01/2024
A la Carte	50218	AXON INTERVIEW - CAMERA - COVERT MAIN UNIT	2	1	09/01/2024
A la Carte	50293	AXON INTERVIEW - CAMERA - OVERT PTZ (PAN-TILT-ZOOM)	1	1	09/01/2024
A la Carte	50298	AXON INTERVIEW - CAMERA - OVERT DOME	2	1	09/01/2024
A la Carte	50322	AXON INTERVIEW - TOUCH PANEL PRO	5	1	09/01/2024
A la Carte	74056	AXON INTERVIEW - TOUCH PANEL WALL MOUNT	5	1	09/01/2024
A la Carte	74059	AXON INTERVIEW - ENCLOSURE - MOTION SENSOR	2	1	09/01/2024
A la Carte	74116	AXON INTERVIEW - ENCLOSURE - FLUSH MOUNT	4	1	09/01/2024
BUNDLE - OFFICER SAFETY PLAN 10	100399	TASER 10 LIVE CARTRIDGE	420	1	09/01/2025
BUNDLE - OFFICER SAFETY PLAN 10	100400	AXON TASER 10 - CARTRIDGE - HALT	1110	1	09/01/2025
BUNDLE - OFFICER SAFETY PLAN 10	100399	TASER 10 LIVE CARTRIDGE	410	1	09/01/2026
BUNDLE - OFFICER SAFETY PLAN 10	100400	AXON TASER 10 - CARTRIDGE - HALT	1100	1	09/01/2026
BUNDLE - OFFICER SAFETY PLAN 10	73309	AXON BODY - TAP REFRESH 1 - CAMERA	142	1	12/01/2026
BUNDLE - OFFICER SAFETY PLAN 10	73689	AXON BODY - TAP REFRESH 1 - DOCK MULTI BAY	18	1	12/01/2026
BUNDLE - OFFICER SAFETY PLAN 10	100399	TASER 10 LIVE CARTRIDGE	420	1	09/01/2027
BUNDLE - OFFICER SAFETY PLAN 10	100400	AXON TASER 10 - CARTRIDGE - HALT	1110	1	09/01/2027
BUNDLE - OFFICER SAFETY PLAN 10	100399	TASER 10 LIVE CARTRIDGE	410	1	09/01/2028
BUNDLE - OFFICER SAFETY PLAN 10	100400	AXON TASER 10 - CARTRIDGE - HALT	1100	1	09/01/2028
BUNDLE - OFFICER SAFETY PLAN 10	73310	AXON BODY - TAP REFRESH 2 - CAMERA	142	1	06/01/2029
BUNDLE - OFFICER SAFETY PLAN 10	73688	AXON BODY - TAP REFRESH 2 - DOCK MULTI BAY	18	1	06/01/2029
Fleet 3 Advanced	72040	AXON FLEET - TAP REFRESH 1 - 2 CAMERA KIT	3	1	06/01/2029
Fleet 3 Advanced Renewal	72040	AXON FLEET - TAP REFRESH 1 - 2 CAMERA KIT	42	1	06/01/2029

Software

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
AXON AIR, CLASS 1 UAS BUNDLE	100579	AXON AIR - UAS LICENSE - CLASS 1	2	07/01/2024	06/30/2029
AXON AIR, CLASS 1 UAS BUNDLE	100584	AXON AIR - ADVANCED STREAMING ADD-ON	2	07/01/2024	06/30/2029
AXON AIR, CLASS 1 UAS BUNDLE	100586	AXON AIR - API INTEGRATIONS ADD-ON	2	07/01/2024	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	73638	AXON STANDARDS - LICENSE	138	07/01/2024	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	73680	AXON RESPOND PLUS - LICENSE	138	07/01/2024	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	1380	07/01/2024	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	73686	AXON EVIDENCE - STORAGE - UNLIMITED (AXON DEVICE)	138	07/01/2024	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	73746	AXON EVIDENCE - ECOM LICENSE - PRO	138	07/01/2024	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	73746	AXON EVIDENCE - ECOM LICENSE - PRO	1	07/01/2024	06/30/2029
Fleet 3 Advanced	80400	AXON EVIDENCE - FLEET VEHICLE LICENSE	3	07/01/2024	06/30/2029
Fleet 3 Advanced	80401	AXON FLEET 3 - ALPR LICENSE - 1 CAMERA	3	07/01/2024	06/30/2029
Fleet 3 Advanced	80402	AXON RESPOND - LICENSE - FLEET 3	3	07/01/2024	06/30/2029
Fleet 3 Advanced	80410	AXON EVIDENCE - STORAGE - FLEET 1 CAMERA UNLIMITED	6	07/01/2024	06/30/2029
Fleet 3 Advanced Renewal	80400	AXON EVIDENCE - FLEET VEHICLE LICENSE	42	07/01/2024	06/30/2029
Fleet 3 Advanced Renewal	80401	AXON FLEET 3 - ALPR LICENSE - 1 CAMERA	42	07/01/2024	06/30/2029
Fleet 3 Advanced Renewal	80402	AXON RESPOND - LICENSE - FLEET 3	42	07/01/2024	06/30/2029
Fleet 3 Advanced Renewal	80410	AXON EVIDENCE - STORAGE - FLEET 1 CAMERA UNLIMITED	84	07/01/2024	06/30/2029
Pro License Bundle	73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	30	07/01/2024	06/30/2029
Pro License Bundle	73746	AXON EVIDENCE - ECOM LICENSE - PRO	10	07/01/2024	06/30/2029
A la Carte	100112	AXON AIR - EVIDENCE.COM LICENSE - PILOT DATA	6	07/01/2024	06/30/2029
A la Carte	73682	AXON EVIDENCE - AUTO TAGGING LICENSE	138	07/01/2024	06/30/2029
A la Carte	73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	5000	07/01/2024	06/30/2029
A la Carte	73739	AXON PERFORMANCE - LICENSE	138	07/01/2024	06/30/2029

Bundle	Item	Description	QTY	Shipping Location	Estimated Delivery Date
BUNDLE - OFFICER SAFETY PLAN 10	101180	AXON TASER - DATA SCIENCE PROGRAM	138	10/01/2024	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	20248	AXON TASER - EVIDENCE.COM LICENSE	138	10/01/2024	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	20248	AXON TASER - EVIDENCE.COM LICENSE	2	10/01/2024	06/30/2029
A la Carte	50037	AXON INTERVIEW - CLIENT SOFTWARE - PER TOUCH PANEL-PC	5	10/01/2024	06/30/2029
A la Carte	50039	AXON INTERVIEW - CLIENT SOFTWARE - MAINT. PER TOUCH PANEL	5	10/01/2024	06/30/2029
A la Carte	50041	AXON INTERVIEW - STREAMING SERVER LICENSE - PER SERVER	2	10/01/2024	06/30/2029
A la Carte	50043	AXON INTERVIEW - STREAMING SERVER MAINTENANCE - PER SERVER	2	10/01/2024	06/30/2029
A la Carte	50045	AXON EVIDENCE - STORAGE - INTERVIEW ROOM UNLIMITED	9	10/01/2024	06/30/2029

Services

Bundle	Item	Description	QTY
BUNDLE - OFFICER SAFETY PLAN 10	100751	AXON TASER 10 - REPLACEMENT ACCESS PROGRAM - DUTY CARTRIDGE	138
BUNDLE - OFFICER SAFETY PLAN 10	101193	AXON TASER - ON DEMAND CERTIFICATION	1
Fleet 3 Advanced	73391	AXON FLEET 3 - DEPLOYMENT (PER VEHICLE)	3
Fleet 3 Advanced Renewal	73392	AXON FLEET 3 - INSTALLATION - UPGRADE (PER VEHICLE)	42
A la Carte	11642	AXON INVESTIGATE - THIRD PARTY VIDEO SUPPORT	138
A la Carte	73896	AXON STANDARDS - IMPLEMENTATION SERVICE	1
A la Carte	75014	AXON SIGNAL - PSO - INSTALLATION SERVICE ONSITE	1
A la Carte	85144	AXON BODY - PSO - STARTER	1
A la Carte	85147	AXON TASER - PSO - STARTER	1
A la Carte	85149	AXON TASER - 2 DAY PRODUCT SPECIFIC INSTRUCTOR COURSE	1
A la Carte	85170	AXON INTERVIEW - INSTALLATION - STANDARD (PER ROOM)	5
A la Carte	99901	AXON ACCELERATE CONFERENCE REGISTRATION	10

Warranties

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
BUNDLE - OFFICER SAFETY PLAN 10	80464	AXON BODY - TAP WARRANTY - CAMERA	138	06/01/2025	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	80464	AXON BODY - TAP WARRANTY - CAMERA	4	06/01/2025	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	80465	AXON BODY - TAP WARRANTY - MULTI BAY DOCK	18	06/01/2025	06/30/2029
Fleet 3 Advanced	80379	AXON SIGNAL - EXT WARRANTY - SIGNAL UNIT	3	06/01/2025	06/30/2029
Fleet 3 Advanced	80495	AXON FLEET 3 - EXT WARRANTY - 2 CAMERA KIT	3	06/01/2025	06/30/2029
Fleet 3 Advanced Renewal	80495	AXON FLEET 3 - EXT WARRANTY - 2 CAMERA KIT	42	06/01/2025	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	100704	AXON TASER 10 - EXT WARRANTY - HANDLE	138	09/01/2025	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	100704	AXON TASER 10 - EXT WARRANTY - HANDLE	4	09/01/2025	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	80374	AXON TASER 7 - EXT WARRANTY - BATTERY PACK	138	09/01/2025	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	80374	AXON TASER 7 - EXT WARRANTY - BATTERY PACK	4	09/01/2025	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	80374	AXON TASER 7 - EXT WARRANTY - BATTERY PACK	24	09/01/2025	06/30/2029
BUNDLE - OFFICER SAFETY PLAN 10	80396	AXON TASER 7 - EXT WARRANTY - DOCK SIX BAY	2	09/01/2025	06/30/2029
A la Carte	50448	AXON INTERVIEW - EXT WARRANTY	5	09/01/2025	06/30/2029

Shipping Locations

Location Number	Street	City	State	Zip	Country
1	15050 Farmington Rd	Livonia	MI	48154-5417	USA
2	15050 Farmington Rd	Livonia	MI	48154-5417	USA

Payment Details

Jun 2024

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Upfront Hardware and Services	50114	AXON INTERVIEW - CAMERA - COVERT SENSOR	2	$0.00	$0.00	$0.00
Upfront Hardware and Services	50114	AXON INTERVIEW - CAMERA - COVERT SENSOR	4	$0.00	$0.00	$0.00
Upfront Hardware and Services	50118	AXON INTERVIEW - MIC - WIRED (STANDARD MIC)	2	$0.00	$0.00	$0.00
Upfront Hardware and Services	50118	AXON INTERVIEW - MIC - WIRED (STANDARD MIC)	2	$0.00	$0.00	$0.00
Upfront Hardware and Services	50118	AXON INTERVIEW - MIC - WIRED (STANDARD MIC)	4	$0.00	$0.00	$0.00
Upfront Hardware and Services	50118	AXON INTERVIEW - MIC - WIRED (STANDARD MIC)	1	$0.00	$0.00	$0.00
Upfront Hardware and Services	50218	AXON INTERVIEW - CAMERA - COVERT MAIN UNIT	2	$0.00	$0.00	$0.00
Upfront Hardware and Services	50218	AXON INTERVIEW - CAMERA - COVERT MAIN UNIT	4	$0.00	$0.00	$0.00
Upfront Hardware and Services	50293	AXON INTERVIEW - CAMERA - OVERT PTZ (PAN-TILT-ZOOM)	1	$0.00	$0.00	$0.00
Upfront Hardware and Services	50298	AXON INTERVIEW - CAMERA - OVERT DOME	2	$1,985.84	$0.00	$1,985.84
Upfront Hardware and Services	50322	AXON INTERVIEW - TOUCH PANEL PRO	5	$0.00	$0.00	$0.00
Upfront Hardware and Services	73896	AXON STANDARDS - IMPLEMENTATION SERVICE	1	$29,999.13	$0.00	$29,999.13
Upfront Hardware and Services	74056	AXON INTERVIEW - TOUCH PANEL WALL MOUNT	5	$0.00	$0.00	$0.00
Upfront Hardware and Services	74059	AXON INTERVIEW - ENCLOSURE - MOTION SENSOR	2	$0.00	$0.00	$0.00
Upfront Hardware and Services	74116	AXON INTERVIEW - ENCLOSURE - FLUSH MOUNT	4	$0.00	$0.00	$0.00
Upfront Hardware and Services	85144	AXON BODY - PSO - STARTER	1	$0.00	$0.00	$0.00
Upfront Hardware and Services	85147	AXON TASER - PSO - STARTER	1	$0.00	$0.00	$0.00
Upfront Hardware and Services	85149	AXON TASER - 2 DAY PRODUCT SPECIFIC INSTRUCTOR COURSE	1	$0.00	$0.00	$0.00
Upfront Hardware and Services	85170	AXON INTERVIEW - INSTALLATION - STANDARD (PER ROOM)	5	$37,250.00	$0.00	$37,250.00
Upfront Hardware and Services	99901	AXON ACCELERATE CONFERENCE REGISTRATION	10	$0.00	$0.00	$0.00
Upfront Hardware and Services	H00001	AB4 Camera Bundle	8	$0.00	$0.00	$0.00
Upfront Hardware and Services	H00002	AB4 Multi Bay Dock Bundle	1	$0.00	$0.00	$0.00
Year 1	100112	AXON AIR - EVIDENCE.COM LICENSE - PILOT DATA	6	$0.00	$0.00	$0.00
Year 1	11642	AXON INVESTIGATE - THIRD PARTY VIDEO SUPPORT	138	$3,227.79	$0.00	$3,227.79
Year 1	50037	AXON INTERVIEW - CLIENT SOFTWARE - PER TOUCH PANEL-PC	5	$0.00	$0.00	$0.00
Year 1	50039	AXON INTERVIEW - CLIENT SOFTWARE - MAINT. PER TOUCH PANEL	5	$0.00	$0.00	$0.00
Year 1	50041	AXON INTERVIEW - STREAMING SERVER LICENSE - PER SERVER	2	$0.00	$0.00	$0.00
Year 1	50043	AXON INTERVIEW - STREAMING SERVER MAINTENANCE - PER SERVER	2	$0.00	$0.00	$0.00
Year 1	50045	AXON EVIDENCE - STORAGE - INTERVIEW ROOM UNLIMITED	9	$0.00	$0.00	$0.00
Year 1	50448	AXON INTERVIEW - EXT WARRANTY	5	$0.00	$0.00	$0.00
Year 1	73682	AXON EVIDENCE - AUTO TAGGING LICENSE	138	$16,730.03	$0.00	$16,730.03
Year 1	73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	5000	$36,313.77	$0.00	$36,313.77
Year 1	73739	AXON PERFORMANCE - LICENSE	138	$16,730.03	$0.00	$16,730.03
Year 1	CLASS1UAS	AXON AIR, CLASS 1 UAS BUNDLE	2	$0.00	$0.00	$0.00
Year 1	Fleet3A	Fleet 3 Advanced	3	$7,762.31	$0.00	$7,762.31
Year 1	Fleet3ARe	Fleet 3 Advanced Renewal	42	$88,962.49	$0.00	$88,962.49
Year 1	M00010	BUNDLE - OFFICER SAFETY PLAN 10	138	$333,721.78	$0.00	$333,721.78
Year 1	ProLicense	Pro License Bundle	10	$0.00	$0.00	$0.00
Invoice Upon Fulfillment	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	($22,683.17)	$0.00	($22,683.17)

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Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Invoice Upon Fulfillment	100769	AXON SIGNAL - SIDEARM LITERATURE AND SCREWDRIVER PACK	6	$0.00	$0.00	$0.00
Invoice Upon Fulfillment	100775	AXON BODY 4 - MAGNETIC DISCONNECT CABLE	138	$0.00	$0.00	$0.00
Invoice Upon Fulfillment	72036	AXON FLEET 3 - STANDARD 2 CAMERA KIT	42	$0.00	$0.00	$0.00
Invoice Upon Fulfillment	H00001	AB4 Camera Bundle	130	$0.00	$0.00	$0.00
Invoice Upon Fulfillment	H00002	AB4 Multi Bay Dock Bundle	17	$0.00	$0.00	$0.00
Total				**$550,000.00**	**$0.00**	**$550,000.00**

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Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Invoice Upon Fulfillment	75014	AXON SIGNAL - PSO - INSTALLATION SERVICE ONSITE	1	$0.00	$0.00	$0.00
Invoice Upon Fulfillment	M00010	BUNDLE - OFFICER SAFETY PLAN 10	138	$0.00	$0.00	$0.00
Total				**$0.00**	**$0.00**	**$0.00**

Jun 2025

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 2	100112	AXON AIR - EVIDENCE.COM LICENSE - PILOT DATA	6	$0.00	$0.00	$0.00
Year 2	11642	AXON INVESTIGATE - THIRD PARTY VIDEO SUPPORT	138	$3,526.25	$0.00	$3,526.25
Year 2	50037	AXON INTERVIEW - CLIENT SOFTWARE - PER TOUCH PANEL-PC	5	$0.00	$0.00	$0.00
Year 2	50039	AXON INTERVIEW - CLIENT SOFTWARE - MAINT. PER TOUCH PANEL	5	$0.00	$0.00	$0.00
Year 2	50041	AXON INTERVIEW - STREAMING SERVER LICENSE - PER SERVER	2	$0.00	$0.00	$0.00
Year 2	50043	AXON INTERVIEW - STREAMING SERVER MAINTENANCE - PER SERVER	2	$0.00	$0.00	$0.00
Year 2	50045	AXON EVIDENCE - STORAGE - INTERVIEW ROOM UNLIMITED	9	$0.00	$0.00	$0.00
Year 2	50448	AXON INTERVIEW - EXT WARRANTY	5	$0.00	$0.00	$0.00
Year 2	73682	AXON EVIDENCE - AUTO TAGGING LICENSE	138	$18,276.99	$0.00	$18,276.99
Year 2	73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	5000	$39,671.56	$0.00	$39,671.56
Year 2	73739	AXON PERFORMANCE - LICENSE	138	$18,276.99	$0.00	$18,276.99
Year 2	CLASS1UAS	AXON AIR, CLASS 1 UAS BUNDLE	2	$0.00	$0.00	$0.00
Year 2	Fleet3A	Fleet 3 Advanced	3	$8,480.08	$0.00	$8,480.08
Year 2	Fleet3ARe	Fleet 3 Advanced Renewal	42	$97,188.48	$0.00	$97,188.48
Year 2	M00010	BUNDLE - OFFICER SAFETY PLAN 10	138	$364,579.65	$0.00	$364,579.65
Year 2	ProLicense	Pro License Bundle	10	$0.00	$0.00	$0.00
Total				**$550,000.00**	**$0.00**	**$550,000.00**

Jun 2026

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 3	100112	AXON AIR - EVIDENCE.COM LICENSE - PILOT DATA	6	$0.00	$0.00	$0.00
Year 3	11642	AXON INVESTIGATE - THIRD PARTY VIDEO SUPPORT	138	$3,526.25	$0.00	$3,526.25
Year 3	50037	AXON INTERVIEW - CLIENT SOFTWARE - PER TOUCH PANEL-PC	5	$0.00	$0.00	$0.00
Year 3	50039	AXON INTERVIEW - CLIENT SOFTWARE - MAINT. PER TOUCH PANEL	5	$0.00	$0.00	$0.00
Year 3	50041	AXON INTERVIEW - STREAMING SERVER LICENSE - PER SERVER	2	$0.00	$0.00	$0.00
Year 3	50043	AXON INTERVIEW - STREAMING SERVER MAINTENANCE - PER SERVER	2	$0.00	$0.00	$0.00
Year 3	50045	AXON EVIDENCE - STORAGE - INTERVIEW ROOM UNLIMITED	9	$0.00	$0.00	$0.00
Year 3	50448	AXON INTERVIEW - EXT WARRANTY	5	$0.00	$0.00	$0.00
Year 3	73682	AXON EVIDENCE - AUTO TAGGING LICENSE	138	$18,276.99	$0.00	$18,276.99
Year 3	73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	5000	$39,671.56	$0.00	$39,671.56
Year 3	73739	AXON PERFORMANCE - LICENSE	138	$18,276.99	$0.00	$18,276.99
Year 3	CLASS1UAS	AXON AIR, CLASS 1 UAS BUNDLE	2	$0.00	$0.00	$0.00
Year 3	Fleet3A	Fleet 3 Advanced	3	$8,480.08	$0.00	$8,480.08
Year 3	Fleet3ARe	Fleet 3 Advanced Renewal	42	$97,188.48	$0.00	$97,188.48
Year 3	M00010	BUNDLE - OFFICER SAFETY PLAN 10	138	$364,579.65	$0.00	$364,579.65

Jun 2026

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 3	ProLicense	Pro License Bundle	10	$0.00	$0.00	$0.00
Total				**$550,000.00**	**$0.00**	**$550,000.00**

Jun 2027

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 4	100112	AXON AIR - EVIDENCE.COM LICENSE - PILOT DATA	6	$0.00	$0.00	$0.00
Year 4	11642	AXON INVESTIGATE - THIRD PARTY VIDEO SUPPORT	138	$3,526.25	$0.00	$3,526.25
Year 4	50037	AXON INTERVIEW - CLIENT SOFTWARE - PER TOUCH PANEL-PC	5	$0.00	$0.00	$0.00
Year 4	50039	AXON INTERVIEW - CLIENT SOFTWARE - MAINT. PER TOUCH PANEL	5	$0.00	$0.00	$0.00
Year 4	50041	AXON INTERVIEW - STREAMING SERVER LICENSE - PER SERVER	2	$0.00	$0.00	$0.00
Year 4	50043	AXON INTERVIEW - STREAMING SERVER MAINTENANCE - PER SERVER	2	$0.00	$0.00	$0.00
Year 4	50045	AXON EVIDENCE - STORAGE - INTERVIEW ROOM UNLIMITED	9	$0.00	$0.00	$0.00
Year 4	50448	AXON INTERVIEW - EXT WARRANTY	5	$0.00	$0.00	$0.00
Year 4	73682	AXON EVIDENCE - AUTO TAGGING LICENSE	138	$18,276.99	$0.00	$18,276.99
Year 4	73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	5000	$39,671.56	$0.00	$39,671.56
Year 4	73739	AXON PERFORMANCE - LICENSE	138	$18,276.99	$0.00	$18,276.99
Year 4	CLASS1UAS	AXON AIR, CLASS 1 UAS BUNDLE	2	$0.00	$0.00	$0.00
Year 4	Fleet3A	Fleet 3 Advanced	3	$8,480.08	$0.00	$8,480.08
Year 4	Fleet3ARe	Fleet 3 Advanced Renewal	42	$97,188.48	$0.00	$97,188.48
Year 4	M00010	BUNDLE - OFFICER SAFETY PLAN 10	138	$364,579.65	$0.00	$364,579.65
Year 4	ProLicense	Pro License Bundle	10	$0.00	$0.00	$0.00
Total				**$550,000.00**	**$0.00**	**$550,000.00**

Jun 2028

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 5	100112	AXON AIR - EVIDENCE.COM LICENSE - PILOT DATA	6	$0.00	$0.00	$0.00
Year 5	11642	AXON INVESTIGATE - THIRD PARTY VIDEO SUPPORT	138	$3,526.25	$0.00	$3,526.25
Year 5	50037	AXON INTERVIEW - CLIENT SOFTWARE - PER TOUCH PANEL-PC	5	$0.00	$0.00	$0.00
Year 5	50039	AXON INTERVIEW - CLIENT SOFTWARE - MAINT. PER TOUCH PANEL	5	$0.00	$0.00	$0.00
Year 5	50041	AXON INTERVIEW - STREAMING SERVER LICENSE - PER SERVER	2	$0.00	$0.00	$0.00
Year 5	50043	AXON INTERVIEW - STREAMING SERVER MAINTENANCE - PER SERVER	2	$0.00	$0.00	$0.00
Year 5	50045	AXON EVIDENCE - STORAGE - INTERVIEW ROOM UNLIMITED	9	$0.00	$0.00	$0.00
Year 5	50448	AXON INTERVIEW - EXT WARRANTY	5	$0.00	$0.00	$0.00
Year 5	73682	AXON EVIDENCE - AUTO TAGGING LICENSE	138	$18,276.99	$0.00	$18,276.99
Year 5	73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	5000	$39,671.56	$0.00	$39,671.56
Year 5	73739	AXON PERFORMANCE - LICENSE	138	$18,276.99	$0.00	$18,276.99
Year 5	CLASS1UAS	AXON AIR, CLASS 1 UAS BUNDLE	2	$0.00	$0.00	$0.00
Year 5	Fleet3A	Fleet 3 Advanced	3	$8,480.08	$0.00	$8,480.08
Year 5	Fleet3ARe	Fleet 3 Advanced Renewal	42	$97,188.48	$0.00	$97,188.48
Year 5	M00010	BUNDLE - OFFICER SAFETY PLAN 10	138	$364,579.65	$0.00	$364,579.65
Year 5	ProLicense	Pro License Bundle	10	$0.00	$0.00	$0.00
Total				**$550,000.00**	**$0.00**	**$550,000.00**

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Standard Terms and Conditions

Axon Enterprise Inc. Sales Terms and Conditions

Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at https://www.axon.com/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at www.axon.com/legal/sales-terms-and-conditions), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Exceptions to Standard Terms and Conditions

Agency has existing contract(s) originated via Quote(s) Q-200152, Q-204924, and Q-343504.

Agency is terminating those contracts effective 06/30/2024. Any change in this date will result in modification of the program value which may result in additional fees or credits due to or from Axon.

The parties agree that Axon is applying a Net Transfer Credit of ($22,683.17) to the quote for paid but undelivered items.

100% discounted body-worn camera and docking station hardware contained in this quote reflects a TAP replacement for hardware purchased under above quotes. All TAP obligations from these contracts will be considered fulfilled upon execution of this quote.

_____ _____

Signature Date Signed

4/22/2024



Master Services and Purchasing Agreement for Customer

This Master Services and Purchasing Agreement ("**Agreement**") is between Axon Enterprise, Inc. ("**Axon**"), and the customer listed below or, if no customer is listed below, the customer on the Quote attached hereto ("**Customer**"). This Agreement is effective as of the later of the (a) last signature date on this Agreement or (b) date of acceptance of the Quote ("**Effective Date**"). Axon and Customer are each a "**Party**" and collectively "**Parties**". This Agreement governs Customer's purchase and use of the Axon Devices and Services detailed in the Quote Appendix ("**Quote**"). It is the intent of the Parties that this Agreement will govern all subsequent purchases by Customer for the same Axon Devices and Services in the Quote, and all such subsequent quotes accepted by Customer shall be also incorporated into this Agreement by reference as a Quote. The Parties agree as follows:

1. **Definitions**.

   1.1. "**Axon Cloud Services**" means Axon's web services, including but not limited to, Axon Evidence, Axon Records, Axon Dispatch, FUSUS services and interactions between Axon Evidence and Axon Devices or Axon client software. Axon Cloud Service excludes third-party applications, hardware warranties, and my.evidence.com.

   1.2. "**Axon Device**" means all hardware provided by Axon under this Agreement. Axon-manufactured Devices are a subset of Axon Devices.

   1.3. "**Quote**" means an offer to sell and is only valid for devices and services on the offer at the specified prices. Any inconsistent or supplemental terms within Customer's purchase order in response to a Quote will be void. Orders are subject to prior credit approval. Changes in the deployment estimated ship date may change charges in the Quote. Shipping dates are estimates only. Axon is not responsible for typographical errors in any Quote by Axon, and Axon reserves the right to cancel any orders resulting from such errors.

   1.4. "**Services**" means all services provided by Axon under this Agreement, including software, Axon Cloud Services, and professional services.

2. **Term**. This Agreement begins on the Effective Date and continues until all subscriptions hereunder have expired or have been terminated ("**Term**").

   2.1. All subscriptions including Axon Evidence, Axon Fleet, Officer Safety Plans, Technology Assurance Plans, and TASER 7 or TASER 10 plans begin on the date stated in the Quote. Each subscription term ends upon completion of the subscription stated in the Quote ("**Subscription Term**").

   2.2. Upon completion of the Subscription Term, the Subscription Term will automatically renew for an additional 5 years ("**Renewal Term**"). For purchase of TASER 7 or TASER 10 as a standalone, Axon may increase pricing to its then-current list pricing for any Renewal Term. For all other purchases, Axon may increase pricing on all line items in the Quote by up to 3% at the beginning of each year of the Renewal Term. New devices and services may require additional terms. Axon will not authorize services until Axon receives a signed Quote or accepts a purchase order, whichever is first.

3. **Payment**. Axon invoices for Axon Devices upon shipment, or on the date specified within the invoicing plan in the Quote. Payment is due net 30 days from the invoice date. Axon invoices for Axon Cloud Services on an upfront yearly basis prior to the beginning of the Subscription Term and upon the anniversary of the Subscription Term. Payment obligations are non-cancelable. Unless otherwise prohibited by law, Customer will pay interest on all past-due sums at the lower of one-and-a-half percent (1.5%) per month or the highest rate allowed by law. Customer will pay invoices without setoff, deduction, or withholding. If Axon sends a past due account to collections, Customer is responsible for collection and attorneys' fees.

4. **Taxes**. Customer is responsible for sales and other taxes associated with the order unless Customer provides Axon a valid tax exemption certificate.

5. **Shipping**. Axon may make partial shipments and ship Axon Devices from multiple locations. All shipments are EXW (Incoterms 2020) via common carrier. Title and risk of loss pass to Customer upon Axon's delivery to the common carrier. Customer is responsible for any shipping charges in the Quote.

6. **Returns**. All sales are final. Axon does not allow refunds or exchanges, except warranty returns or as provided by state or federal law.

7. **Warranty**.

   7.1. **Limited Warranty**. Axon warrants that Axon-manufactured Devices are free from defects in workmanship and materials for one (1) year from the date of Customer's receipt, except Signal Sidearm and Axon-manufactured accessories, which Axon warrants for thirty (30) months and ninety (90) days, respectively, from the date of Customer's receipt. Used conducted energy weapon ("**CEW**") cartridges are deemed to have operated properly. Extended warranties run from the expiration of the one (1) year hardware warranty through the extended warranty term purchased.

7.2. **Disclaimer. All software and Axon Cloud Services are provided "AS IS," without any warranty of any kind, either express or implied, including without limitation the implied warranties of merchantability, fitness for a particular purpose and non-infringement. Axon Devices and Services that are not manufactured, published or performed by Axon ("Third-Party Products") are not covered by Axon's warranty and are only subject to the warranties of the third-party provider or manufacturer.**

7.3. **Claims**. If Axon receives a valid warranty claim for an Axon-manufactured Device during the warranty term, Axon's sole responsibility is to repair or replace the Axon-manufactured Device with the same or like Axon-manufactured Device, at Axon's option. A replacement Axon-manufactured Device will be new or like new. Axon will warrant the replacement Axon-manufactured Device for the longer of (a) the remaining warranty of the original Axon-manufactured Device or (b) ninety (90) days from the date of repair or replacement.

7.3.1. If Customer exchanges an Axon Device or part, the replacement item becomes Customer's property, and the replaced item becomes Axon's property. Before delivering an Axon-manufactured Device for service, Customer must upload Axon-manufactured Device data to Axon Evidence or download it and retain a copy. Axon is not responsible for any loss of software, data, or other information contained in storage media or any part of the Axon-manufactured Device sent to Axon for service.

7.4. **Spare Axon Devices**. At Axon's reasonable discretion, Axon may provide Customer a predetermined number of spare Axon Devices as detailed in the Quote ("**Spare Axon Devices**"). Spare Axon Devices are intended to replace broken or non-functioning units while Customer submits the broken or non-functioning units, through Axon's warranty return process. Axon will repair or replace the unit with a replacement Axon Device. Title and risk of loss for all Spare Axon Devices shall pass to Customer in accordance with shipping terms under Section 5. Axon assumes no liability or obligation in the event Customer does not utilize Spare Axon Devices for the intended purpose.

7.5. **Limitations**. Axon's warranty excludes damage related to: (a) failure to follow Axon Device use instructions; (b) Axon Devices used with equipment not manufactured or recommended by Axon; (c) abuse, misuse, or intentional damage to Axon Device; (d) force majeure; (e) Axon Devices repaired or modified by persons other than Axon without Axon's written permission; or (f) Axon Devices with a defaced or removed serial number. Axon's warranty will be void if Customer resells Axon Devices.

7.5.1. To the extent permitted by law, the above warranties and remedies are exclusive. Axon disclaims all other warranties, remedies, and conditions, whether oral, written, statutory, or implied. If statutory or implied warranties cannot be lawfully disclaimed, then such warranties are limited to the duration of the warranty described above and by the provisions in this Agreement. Customer confirms and agrees that, in deciding whether to sign this Agreement, it has not relied on any statement or representation by Axon or anyone acting on behalf of Axon related to the subject matter of this Agreement that is not in this Agreement.

7.5.2. Axon's cumulative liability to any party for any loss or damage resulting from any claim, demand, or action arising out of or relating to this Agreement will not exceed the purchase price paid to Axon for the Axon Device, or if for Services, the amount paid for such Services over the twelve (12) months preceding the claim. Neither Party will be liable for special, indirect, incidental, punitive or consequential damages, however caused, whether for breach of warranty or contract, negligence, strict liability, tort or any other legal theory.

7.6. **Online Support Platforms**. Use of Axon's online support platforms (e.g., Axon Academy and MyAxon) is governed by the Axon Online Support Platforms Terms of Use Appendix available at www.axon.com/sales-terms-and-conditions.

7.7. **Third-Party Software and Services**. Use of software or services other than those provided by Axon is governed by the terms, if any, entered into between Customer and the respective third-party provider, including, without limitation, the terms applicable to such software or services located at www.axon.com/sales-terms-and-conditions, if any.

7.8. **Axon Aid**. Upon mutual agreement between Axon and Customer, Axon may provide certain products and services to Customer, as a charitable donation under the Axon Aid program. In such event, Customer expressly waives and releases any and all claims, now known or hereafter known, against Axon and its officers, directors, employees, agents, contractors, affiliates, successors, and assigns (collectively, "**Releasees**"), including but not limited to, on account of injury, death, property damage, or loss of data, arising out of or attributable to the Axon Aid program whether arising out of the negligence of any Releasees or otherwise. Customer agrees not to make or bring any such claim against any Releasee, and forever release and discharge all Releasees from liability under such claims. Customer expressly allows Axon to publicly announce its participation in Axon Aid and use its name in marketing materials. Axon may terminate the Axon Aid program without cause immediately

upon notice to the Customer.

8. **Statement of Work**. Certain Axon Devices and Services, including Axon Interview Room, Axon Channel Services, and Axon Fleet, may require a Statement of Work that details Axon's Service deliverables ("**SOW**"). In the event Axon provides an SOW to Customer, Axon is only responsible for the performance of Services described in the SOW. Additional services are out of scope. The Parties must document scope changes in a written and signed change order. Changes may require an equitable adjustment in fees or schedule. The SOW is incorporated into this Agreement by reference.

9. **Axon Device Warnings**. See www.axon.com/legal for the most current Axon Device warnings.

10. **Design Changes**. Axon may make design changes to any Axon Device or Service without notifying Customer or making the same change to Axon Devices and Services previously purchased by Customer.

11. **Bundled Offerings**. Some offerings in bundled offerings may not be generally available at the time of Customer's purchase. Axon will not provide a refund, credit, or additional discount beyond what is in the Quote due to a delay of availability or Customer's election not to utilize any portion of an Axon bundle.

12. **Insurance**. Axon will maintain General Liability, Workers' Compensation, and Automobile Liability insurance. Upon request, Axon will supply certificates of insurance.

13. **IP Rights**. Axon owns and reserves all right, title, and interest in Axon-manufactured Devices and Services and suggestions to Axon, including all related intellectual property rights. Customer will not cause any Axon proprietary rights to be violated.

14. **IP Indemnification**. Axon will indemnify Customer against all claims, losses, and reasonable expenses from any third-party claim alleging that the use of Axon-manufactured Devices or Services infringes or misappropriates the third-party's intellectual property rights. Customer must promptly provide Axon with written notice of such claim, tender to Axon the defense or settlement of such claim at Axon's expense and cooperate fully with Axon in the defense or settlement of such claim. Axon's IP indemnification obligations do not apply to claims based on (a) modification of Axon-manufactured Devices or Services by Customer or a third-party not approved by Axon; (b) use of Axon-manufactured Devices and Services in combination with hardware or services not approved by Axon; (c) use of Axon Devices and Services other than as permitted in this Agreement; or (d) use of Axon software that is not the most current release provided by Axon.

15. **Customer Responsibilities**. Customer is responsible for (a) Customer's use of Axon Devices; (b) breach of this Agreement or violation of applicable law by Customer or an Customer end user; (c) disputes between Customer and a third-party over Customer's use of Axon Devices; (d) ensuring Axon Devices are destroyed and disposed of securely and sustainably at Customer's cost; and (e) any regulatory violations or fines, as a result of improper destruction or disposal of Axon Devices.

16. **Termination**.

    16.1. **For Breach**. A Party may terminate this Agreement for cause if it provides thirty (30) days written notice of the breach to the other Party, and the breach remains uncured at the end of thirty (30) days. If Customer terminates this Agreement due to Axon's uncured breach, Axon will refund prepaid amounts on a prorated basis based on the effective date of termination.

    16.2. **By Customer**. If sufficient funds are not appropriated or otherwise legally available to pay the fees, Customer may terminate this Agreement. Customer will deliver notice of termination under this section as soon as reasonably practicable.

    16.3. **Effect of Termination**. Upon termination of this Agreement, Customer rights immediately terminate. Customer remains responsible for all fees incurred before the effective date of termination. If Customer purchases Axon Devices for less than the manufacturer's suggested retail price ("**MSRP**") and this Agreement terminates before the end of the Term, Axon will invoice Customer the difference between the MSRP for Axon Devices received, including any Spare Axon Devices, and amounts paid towards those Axon Devices. Only if terminating for non-appropriation, Customer may return Axon Devices to Axon within thirty (30) days of termination. MSRP is the standalone price of the individual Axon Device at the time of sale. For bundled Axon Devices, MSRP is the standalone price of all individual components.

17. **Confidentiality**. "**Confidential Information**" means nonpublic information designated as confidential or, given the nature of the information or circumstances surrounding disclosure, should reasonably be understood to be confidential. Each Party will take reasonable measures to avoid disclosure, dissemination, or unauthorized use of the other Party's Confidential Information. Unless required by law, neither Party will disclose the other Party's Confidential Information during the Term and for five (5) years thereafter. To the extent permissible by law, Axon pricing is Confidential Information and competition sensitive. If Customer receives a public records request to disclose Axon

Confidential Information, to the extent allowed by law, Customer will provide notice to Axon before disclosure. Axon may publicly announce information related to this Agreement.

18. **General**.

18.1. **Force Majeure**. Neither Party will be liable for any delay or failure to perform due to a cause beyond a Party's reasonable control.

18.2. **Independent Contractors**. The Parties are independent contractors. Neither Party has the authority to bind the other. This Agreement does not create a partnership, franchise, joint venture, Customer, fiduciary, or employment relationship between the Parties.

18.3. **Third-Party Beneficiaries**. There are no third-party beneficiaries under this Agreement.

18.4. **Non-Discrimination**. Neither Party nor its employees will discriminate against any person based on race; religion; creed; color; sex; gender identity and expression; pregnancy; childbirth; breastfeeding; medical conditions related to pregnancy, childbirth, or breastfeeding; sexual orientation; marital status; age; national origin; ancestry; genetic information; disability; veteran status; or any class protected by local, state, or federal law.

18.5. **Export Compliance**. Each Party will comply with all import and export control laws and regulations.

18.6. **Assignment**. Neither Party may assign this Agreement without the other Party's prior written consent. Axon may assign this Agreement, its rights, or obligations without consent: (a) to an affiliate or subsidiary; or (b) for purposes of financing, merger, acquisition, corporate reorganization, or sale of all or substantially all its assets. This Agreement is binding upon the Parties respective successors and assigns.

18.7. **Waiver**. No waiver or delay by either Party in exercising any right under this Agreement constitutes a waiver of that right.

18.8. **Severability**. If a court of competent jurisdiction holds any portion of this Agreement invalid or unenforceable, the remaining portions of this Agreement will remain in effect.

18.9. **Survival**. The following sections will survive termination: Payment, Warranty, Axon Device Warnings, Indemnification, IP Rights, Customer Responsibilities and any other Sections detailed in the survival sections of the Appendices.

18.10. **Governing Law**. The laws of the country, state, province, or municipality where Customer is physically located, without reference to conflict of law rules, govern this Agreement and any dispute arising from it. The United Nations Convention for the International Sale of Goods does not apply to this Agreement.

18.11. **Notices**. All notices must be in English. Notices posted on Customer's Axon Evidence site are effective upon posting. Notices by email are effective on the sent date of the email. Notices by personal delivery are effective immediately. Notices to Customer shall be provided to the address on file with Axon. Notices to Axon shall be provided to Axon Enterprise, Inc., Attn: Legal, 17800 North 85th Street, Scottsdale, Arizona 85255 with a copy to legal@axon.com.

18.12 **Entire Agreement**. This Agreement, the Appendices, including any applicable Appendices not attached herein for the products and services purchased, which are incorporated by reference and located in the Master Purchasing and Services Agreement located at https://www.axon.com/sales-terms-and-conditions, Quote and any SOW(s), represents the entire agreement between the Parties. This Agreement supersedes all prior agreements or understandings, whether written or verbal, regarding the subject matter of this Agreement. This Agreement may only be modified or amended in a writing signed by the Parties.

Each Party, by and through its respective representative authorized to execute this Agreement, has duly executed and delivered this Agreement as of the date of signature.

AXON:

Axon Enterprise, Inc.

Signature: _____

Name: _____

Title: _____

Date: _____

CUSTOMER:

Livonia Police Department (MI)

Signature: _____

Name: _____

Title: _____

Date: _____

Axon Cloud Services Terms of Use Appendix

1. **Definitions**.

    a. **"Customer Content"** is data uploaded into, ingested by, or created in Axon Cloud Services within Customer's tenant, including media or multimedia uploaded into Axon Cloud Services by Customer. Customer Content includes Evidence but excludes Non-Content Data.

    b. "**Evidence**" is media or multimedia uploaded into Axon Evidence as 'evidence' by an Customer. Evidence is a subset of Customer Content.

    c. "**Non-Content Data**" is data, configuration, and usage information about Customer's Axon Cloud Services tenant, Axon Devices and client software, and users that is transmitted or generated when using Axon Devices. Non-Content Data includes data about users captured during account management and customer support activities. Non-Content Data does not include Customer Content.

    d. "**Personal Data**" means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

    e. "**Provided Data**" means de-identified, de-personalized, data derived from Customer's TASER energy weapon deployment reports, related TASER energy weapon logs, body-worn camera footage, and incident reports.

    f. "**Transformed Data**" means the Provided Data used for the purpose of quantitative evaluation of the performance and effectiveness of TASER energy weapons in the field across a variety of circumstances.

2. **Access**. Upon Axon granting Customer a subscription to Axon Cloud Services, Customer may access and use Axon Cloud Services to store and manage Customer Content. Customer may not exceed more end users than the Quote specifies. Axon Air requires an Axon Evidence subscription for each drone operator. For Axon Evidence Lite, Customer may access and use Axon Evidence only to store and manage TASER CEW and TASER CAM data ("**TASER Data**"). Customer may not upload non-TASER Data to Axon Evidence Lite.

3. **Customer Owns Customer Content**. Customer controls and owns all right, title, and interest in Customer Content. Except as outlined herein, Axon obtains no interest in Customer Content, and Customer Content is not Axon's business records. Customer is solely responsible for uploading, sharing, managing, and deleting Customer Content. Axon will only have access to Customer Content for the limited purposes set forth herein. Customer agrees to allow Axon access to Customer Content to (a) perform troubleshooting, maintenance, or diagnostic screenings; and (b) enforce this Agreement or policies governing use of the Axon products.

4. **Security**. Axon will implement commercially reasonable and appropriate measures to secure Customer Content against accidental or unlawful loss, access or disclosure. Axon will maintain a comprehensive information security program to protect Axon Cloud Services and Customer Content including logical, physical access, vulnerability, risk, and configuration management; incident monitoring and response; encryption of uploaded digital evidence; security education; and data protection. Axon agrees to the Federal Bureau of Investigation Criminal Justice Information Services Security Addendum for its digital evidence management systems or records.

5. **Customer Responsibilities**. Customer is responsible for (a) ensuring Customer owns Customer Content; (b) ensuring no Customer Content or Customer end user's use of Customer Content or Axon Cloud Services violates this Agreement or applicable laws; and (c) maintaining necessary computer equipment and Internet connections for use of Axon Cloud Services. If Customer becomes aware of any violation of this Agreement by an end user, Customer will immediately terminate that end user's access to Axon Cloud Services.

    a. Customer will also maintain the security of end usernames and passwords and security and access by end users to Customer Content. Customer is responsible for ensuring the configuration and utilization of Axon Cloud Services meet applicable Customer regulation and standards. Customer may not sell, transfer, or sublicense access to any other entity or person. Customer shall contact Axon immediately if an unauthorized party may be using Customer's account or Customer Content, or if account information is lost or stolen.

6. **Privacy**. Customer's use of Axon Cloud Services is subject to the Axon Cloud Services Privacy Policy, a current version of which is available at https://www.axon.com/legal/cloud-services-privacy-policy. Customer agrees to allow Axon access to Non-Content Data from Customer to (a) perform troubleshooting, maintenance, or diagnostic screenings; (b) provide, develop, improve, and support current and future Axon products and related services; and (c) enforce this Agreement or policies governing the use of Axon products.

7. **Axon Body Wi-Fi Positioning**. Axon Body cameras may offer a feature to enhance location services where GPS/GNSS signals may not be available, for instance, within buildings or underground. Customer administrators can manage their choice to use this service within the administrative features of Axon Cloud Services. If Customer chooses to use this service, Axon must also enable the usage of the feature for Customer's Axon Cloud Services tenant. Customer will not see this option with Axon Cloud Services unless Axon has enabled Wi-Fi Positioning for Customer's Axon Cloud Services tenant. When Wi-Fi Positioning is enabled by both Axon and Customer, Non-Content and Personal Data will be sent to Skyhook Holdings, Inc. ("**Skyhook**") to facilitate the Wi-Fi Positioning functionality. Data controlled by Skyhook is outside the scope of the Axon Cloud Services Privacy Policy and is subject to the Skyhook Services Privacy Policy.

8. **Storage**. For Axon Unlimited Device Storage subscriptions, Customer may store unlimited data in Customer's Axon Evidence account only if data originates from Axon Capture or the applicable Axon Device. Axon may charge Customer additional fees for exceeding purchased storage amounts. Axon may place Customer Content that Customer has not viewed or accessed for six (6) months into archival storage. Customer Content in archival storage will not have immediate availability and may take up to twenty-four (24) hours to access.

   For Third-Party Unlimited Storage the following restrictions apply: (i) it may only be used in conjunction with a valid Axon's Evidence.com user license; (ii) is limited to data of the law enforcement Customer that purchased the Third-Party Unlimited Storage and the Axon's Evidence.com end user or Customer is prohibited from storing data for other law enforcement agencies; and (iii) Customer may only upload and store data that is directly related to: (1) the investigation of, or the prosecution of a crime; (2) common law enforcement activities; or (3) any Customer Content created by Axon Devices or Evidence.com.

9. **Location of Storage**. Axon may transfer Customer Content to third-party subcontractors for storage. Axon will determine the locations of data centers for storage of Customer Content. For United States agencies, Axon will ensure all Agency Content stored in Axon Cloud Services remains within the United States. Ownership of Customer Content remains with Customer.

10. **Suspension**. Axon may temporarily suspend Customer's or any end user's right to access or use any portion or all of Axon Cloud Services immediately upon notice, if Customer or end user's use of or registration for Axon Cloud Services may (a) pose a security risk to Axon Cloud Services or any third-party; (b) adversely impact Axon Cloud Services, the systems, or content of any other customer; (c) subject Axon, Axon's affiliates, or any third-party to liability; or (d) be fraudulent. Customer remains responsible for all fees incurred through suspension. Axon will not delete Customer Content because of suspension, except as specified in this Agreement.

11. **Axon Cloud Services Warranty**. Axon disclaims any warranties or responsibility for data corruption or errors before Customer uploads data to Axon Cloud Services.

12. **TASER Data Science Program**. Axon will provide a quantitative evaluation on the performance and effectiveness of TASER energy weapons in the field across a variety of circumstances.

    If Customer purchases the TASER Data Science Program, Customer grants Axon, its affiliates, and assignees an irrevocable, perpetual, fully paid, royalty-free, and worldwide right and license to use Provided Data solely for the purposes of this Agreement and to create Transformed Data. Customer shall own all rights and title to Provided Data. Axon shall own all rights and title to Transformed Data and any derivatives of Transformed Data.

    Axon grants to Customer an irrevocable, perpetual, fully paid, royalty-free, license to use to TASER Data Science report provided to Customer for its own internal purposes. **The Data Science report is provided "as is" and without any warranty of any kind.**

    In the event Customer seeks Axon's deletion of Provided Data, it may submit a request to privacy@axon.com. Where reasonably capable of doing so, Axon will implement the request but at a minimum will not continue to collect Provided Data from Customer.

13. **Axon Records**. Axon Records is the software-as-a-service product that is generally available at the time Customer purchases an OSP 7 or OSP 10 bundle. During Customer's Axon Records Subscription Term, if any, Customer will be entitled to receive Axon's Update and Upgrade releases on an if-and-when available basis.

a. The Axon Records Subscription Term will end upon the completion of the Axon Records Subscription as documented in the Quote, or if purchased as part of an OSP 7 or OSP 10 bundle, upon completion of the OSP 7 or OSP 10 Term ("**Axon Records Subscription**")

b. An "**Update**" is a generally available release of Axon Records that Axon makes available from time to time. An "**Upgrade**" includes (i) new versions of Axon Records that enhance features and functionality, as solely determined by Axon; and/or (ii) new versions of Axon Records that provide additional features or perform additional functions. Upgrades exclude new products that Axon introduces and markets as distinct products or applications.

c. New or additional Axon products and applications, as well as any Axon professional services needed to configure Axon Records, are not included. If Customer purchases Axon Records as part of a bundled offering, the Axon Record subscription begins on the later of the (1) start date of that bundled offering, or (2) date Axon provisions Axon Records to Customer.

d. Users of Axon Records at the Customer may upload files to entities (incidents, reports, cases, etc) in Axon Records with no limit to the number of files and amount of storage. Notwithstanding the foregoing, Axon may limit usage should the Customer exceed an average rate of one-hundred (100) GB per user per year of uploaded files. Axon will not bill for overages.

14. **Axon Cloud Services Restrictions**. Customer and Customer end users (including employees, contractors, agents, officers, volunteers, and directors), may not, or may not attempt to:

    a. reverse engineer, disassemble, or decompile Axon Cloud Services or apply any process to derive any source code included in Axon Cloud Services, or allow others to do the same;

    b. copy, modify, tamper with, repair, or create derivative works of any part of Axon Cloud Services;

    c. access or use Axon Cloud Services with the intent to gain unauthorized access, avoid incurring fees or exceeding usage limits or quotas;

    d. use Axon Cloud Serves as a service bureau, or as part of an Customer infrastructure as a service;

    e. use trade secret information contained in Axon Cloud Services, except as expressly permitted in this Agreement;

    f. access Axon Cloud Services to build a competitive device or service or copy any features, functions, or graphics of Axon Cloud Services;

    g. remove, alter, or obscure any confidentiality or proprietary rights notices (including copyright and trademark notices) of Axon's or Axon's licensors on or within Axon Cloud Services; or

    h. use Axon Cloud Services to store or transmit infringing, libelous, or other unlawful or tortious material; material in violation of third-party privacy rights; or malicious code.

15. **Axon Narrative.** AI-Assisted Report Writing feature. Axon may impose usage restrictions if a single user generates more than one hundred (100) reports per month for two or more consecutive months.

16. **After Termination**. Axon will not delete Customer Content for ninety (90) days following termination. There will be no functionality of Axon Cloud Services during these ninety (90) days other than the ability to retrieve Customer Content. Customer will not incur additional fees if Customer downloads Customer Content from Axon Cloud Services during this time. Axon has no obligation to maintain or provide Customer Content after these ninety (90) days and will thereafter, unless legally prohibited, delete all Customer Content. Upon request, Axon will provide written proof that Axon successfully deleted and fully removed all Customer Content from Axon Cloud Services.

17. **Post-Termination Assistance**. Axon will provide Customer with the same post-termination data retrieval assistance that Axon generally makes available to all customers. Requests for Axon to provide additional assistance in downloading or transferring Customer Content, including requests for Axon's data egress service, will result in additional fees and Axon will not warrant or guarantee data integrity or readability in the external system.

18. **U.S. Government Rights**. If Customer is a U.S. Federal department or using Axon Cloud Services on behalf of a U.S. Federal department, Axon Cloud Services is provided as a "commercial item," "commercial computer software," "commercial computer software documentation," and "technical data", as defined in the Federal Acquisition Regulation and Defense Federal Acquisition Regulation Supplement. If Customer is using Axon Cloud

Services on behalf of the U.S. Government and these terms fail to meet the U.S. Government's needs or are inconsistent in any respect with federal law, Customer will immediately discontinue use of Axon Cloud Services.

19. **Survival**. Upon any termination of this Agreement, the following sections in this Appendix will survive: Customer Owns Customer Content, Privacy, Storage, Axon Cloud Services Warranty, Customer Responsibilities and Axon Cloud Services Restrictions.

Axon Customer Experience Improvement Program Appendix

1. **Axon Customer Experience Improvement Program (ACEIP)**. The ACEIP is designed to accelerate Axon's development of technology, such as building and supporting automated features, to ultimately increase safety within communities and drive efficiency in public safety. To this end, subject to the limitations on Axon as described below, Axon, where allowed by law, may make limited use of Customer Content from all of its customers to provide, develop, improve, and support current and future Axon products (collectively, "ACEIP Purposes"). However, at all times, Axon will comply with its obligations pursuant to the Axon Cloud Services Terms of Use Appendix to maintain a comprehensive data security program (including compliance with the CJIS Security Policy for Criminal Justice Information), privacy program, and data governance policy, including high industry standards of de-identifying Personal Data, to enforce its security and privacy obligations for the ACEIP. ACEIP has 2 tiers of participation, Tier 1 and Tier 2. By default, Customer will be a participant in ACEIP Tier 1. If Customer does not want to participate in ACEIP Tier 1, Customer can revoke its consent at any time. If Customer wants to participate in Tier 2, as detailed below, Customer can check the ACEIP Tier 2 box below. If Customer does not want to participate in ACEIP Tier 2, Customer should leave box unchecked. At any time, Customer may revoke its consent to ACEIP Tier 1, Tier 2, or both Tiers.

2. **ACEIP Tier 1.**

   2.1. When Axon uses Customer Content for the ACEIP Purposes, Axon will extract from Customer Content and may store separately copies of certain segments or elements of the Customer Content (collectively, "**ACEIP Content**"). When extracting ACEIP Content, Axon will use commercially reasonable efforts to aggregate, transform or de-identify Customer Content so that the extracted ACEIP Content is no longer reasonably capable of being associated with, or could reasonably be linked directly or indirectly to a particular individual ("**Privacy Preserving Technique(s)**"). For illustrative purposes, some examples are described in footnote 1[1]. For clarity, ACEIP Content will still be linked indirectly, with an attribution, to the Customer from which it was extracted. This attribution will be stored separately from the data itself, but is necessary for and will be solely used to enable Axon to identify and delete all ACEIP Content upon Customer request. Once de-identified, ACEIP Content may then be further modified, analyzed, and used to create derivative works. At any time, Customer may revoke the consent granted herein to Axon to access and use Customer Content for ACEIP Purposes. Within 30 days of receiving the Customer's request, Axon will no longer access or use Customer Content for ACEIP Purposes and will delete any and all ACEIP Content. Axon will also delete any derivative works which may reasonably be capable of being associated with, or could reasonably be linked directly or indirectly to Customer. In addition, if Axon uses Customer Content for the ACEIP Purposes, upon request, Axon will make available to Customer a list of the specific type of Customer Content being used to generate ACEIP Content, the purpose of such use, and the retention, privacy preserving extraction technique, and relevant data protection practices applicable to the Customer Content or ACEIP Content ("**Use Case**"). From time to time, Axon may develop and deploy new Use Cases. At least 30 days prior to authorizing the deployment of any new Use Case, Axon will provide Customer notice (by updating the list of Use Case at https://www.axon.com/aceip and providing Customer with a mechanism to obtain notice of that update or another commercially reasonable method to Customer designated contact) ("**New Use Case**").

   2.2. **Expiration of ACEIP Tier 1**. Customer consent granted herein will expire upon termination of the Agreement. In accordance with section 1.1.1, within 30 days of receiving the Customer's request, Axon will no longer access or use Customer Content for ACEIP Purposes and will delete ACEIP Content. Axon will also delete any derivative works which may reasonably be capable of being associated with, or could reasonably be linked directly or indirectly to, Customer.

3. **ACEIP Tier 2**. In addition to ACEIP Tier 1, if Customer wants to help further improve Axon's services, Customer may choose to participate in Tier 2 of the ACEIP. ACEIP Tier 2 grants Axon certain additional rights to use Customer

[1] For example; (a) when extracting specific text to improve automated transcription capabilities, text that could be used to directly identify a particular individual would not be extracted, and extracted text would be disassociated from identifying metadata of any speakers, and the extracted text would be split into individual words and aggregated with other data sources (including publicly available data) to remove any reasonable ability to link any specific text directly or indirectly back to a particular individual; (b) when extracting license plate data to improve Automated License Plate Recognition (ALPR) capabilities, individual license plate characters would be extracted and disassociated from each other so a complete plate could not be reconstituted, and all association to other elements of the source video, such as the vehicle, location, time, and the surrounding environment would also be removed; (c) when extracting audio of potential acoustic events (such as glass breaking or gun shots), very short segments (<1 second) of audio that only contains the likely acoustic events would be extracted and all human utterances would be removed.

Content, in addition to those set forth in Tier 1 above, without the guaranteed deployment of a Privacy Preserving Technique to enable product development, improvement, and support that cannot be accomplished with aggregated, transformed, or de-identified data.

☐ Check this box if Customer wants to help further improve Axon's services by participating in ACEIP Tier 2 in addition to Tier 1. Axon will not enroll Customer into ACEIP Tier 2 until Axon and Customer agree to terms in writing providing for such participation in ACEIP Tier 2.

Professional Services Appendix

If any of the Professional Services specified below are included on the Quote, this Appendix applies.

1. **Utilization of Services**. Customer must use professional services as outlined in the Quote and this Appendix within six (6) months of the Effective Date.

2. **Axon Full Service (Axon Full Service)**. Axon Full Service includes advance remote project planning and configuration support and up to four (4) consecutive days of on-site service and a professional services manager to work with Customer to assess Customer's deployment and determine which on-site services are appropriate. If Customer requires more than four (4) consecutive on-site days, Customer must purchase additional days. Axon Full Service options include:

System set up and configuration • Instructor-led setup of Axon View on smartphones (if applicable) • Configure categories and custom roles based on Customer need • Register cameras to Customer domain • Troubleshoot IT issues with Axon Evidence and Axon Dock ("**Dock**") access • One on-site session included
Dock configuration • Work with Customer to decide the ideal location of Docks and set configurations on Dock • Authenticate Dock with Axon Evidence using admin credentials from Customer • On-site assistance, not to include physical mounting of docks
Best practice implementation planning session • Provide considerations for the establishment of video policy and system operations best practices based on Axon's observations with other agencies • Discuss the importance of entering metadata in the field for organization purposes and other best practices for digital data management • Provide referrals of other agencies using the Axon camera devices and Axon Evidence • Recommend rollout plan based on review of shift schedules
System Admin and troubleshooting training sessions Step-by-step explanation and assistance for Customer's configuration of security, roles & permissions, categories & retention, and other specific settings for Axon Evidence
Axon instructor training (Train the Trainer) Training for Customer's in-house instructors who can support Customer's Axon camera and Axon Evidence training needs after Axon has fulfilled its contractual on-site obligations
Evidence sharing training Tailored workflow instruction for Investigative Units on sharing Cases and Evidence with local prosecuting agencies
End user go-live training and support sessions • Assistance with device set up and configuration • Training on device use, Axon Evidence, and Evidence Sync
Implementation document packet Axon Evidence administrator guides, camera implementation guides, network setup guide, sample policies, and categories & roles guide
Post go-live review

3. **Body-Worn Camera Starter Service (Axon Starter)**. Axon Starter includes advance remote project planning and configuration support and one (1) day of on-site Services and a professional services manager to work closely with Customer to assess Customer's deployment and determine which Services are appropriate. If Customer requires more than one (1) day of on-site Services, Customer must purchase additional on-site Services. The Axon Starter options include:

System set up and configuration (Remote Support)

• Instructor-led setup of Axon View on smartphones (if applicable) • Configure categories & custom roles based on Customer need • Troubleshoot IT issues with Axon Evidence and Dock access
Dock configuration • Work with Customer to decide the ideal location of Dock setup and set configurations on Dock • Authenticate Dock with Axon Evidence using "Administrator" credentials from Customer • Does not include physical mounting of docks
Axon instructor training (Train the Trainer) Training for Customer's in-house instructors who can support Customer's Axon camera and Axon Evidence training needs after Axon's has fulfilled its contracted on-site obligations
End user go-live training and support sessions • Assistance with device set up and configuration • Training on device use, Axon Evidence, and Evidence Sync
Implementation document packet Axon Evidence administrator guides, camera implementation guides, network setup guide, sample policies, and categories & roles guide

4. **Body-Worn Camera Virtual 1-Day Service (Axon Virtual)**. Axon Virtual includes all items in the BWC Starter Service Package, except one (1) day of on-site services.

5. **CEW Services Packages**. CEW Services Packages are detailed below:

System set up and configuration • Configure Axon Evidence categories & custom roles based on Customer need. • Troubleshoot IT issues with Axon Evidence. • Register users and assign roles in Axon Evidence. • **For the CEW Full Service Package**: On-site assistance included • **For the CEW Starter Package**: Virtual assistance included
Dedicated Project Manager Assignment of specific Axon representative for all aspects of planning the rollout (Project Manager). Ideally, Project Manager will be assigned to Customer 4–6 weeks before rollout
Best practice implementation planning session to include: • Provide considerations for the establishment of CEW policy and system operations best practices based on Axon's observations with other agencies • Discuss the importance of entering metadata and best practices for digital data management • Provide referrals to other agencies using TASER CEWs and Axon Evidence • **For the CEW Full Service Package:** On-site assistance included • **For the CEW Starter Package:** Virtual assistance included
System Admin and troubleshooting training sessions On-site sessions providing a step-by-step explanation and assistance for Customer's configuration of security, roles & permissions, categories & retention, and other specific settings for Axon Evidence
Axon Evidence Instructor training • Provide training on the Axon Evidence to educate instructors who can support Customer's subsequent Axon Evidence training needs. • **For the CEW Full Service Package:** Training for up to 3 individuals at Customer • **For the CEW Starter Package:** Training for up to 1 individual at Customer
TASER CEW inspection and device assignment Axon's on-site professional services team will perform functions check on all new TASER CEW Smart weapons and assign them to a user on Axon Evidence.
Post go-live review **For the CEW Full Service Package**: On-site assistance included. **For the CEW Starter Package**: Virtual assistance included.

6. **Smart Weapon Transition Service**. The Smart Weapon Transition Service includes:

Archival of CEW Firing Logs Axon's on-site professional services team will upload CEW firing logs to Axon Evidence from all TASER CEW

Smart Weapons that Customer is replacing with newer Smart Weapon models.
Return of Old Weapons Axon's on-site professional service team will ship all old weapons back to Axon's headquarters. Axon will provide Customer with a Certificate of Destruction

*Note: CEW Full Service packages for TASER 7 or TASER 10 include Smart Weapon Transition Service instead of 1-Day Device Specific Instructor Course.

7. **Axon Air, On-Site Training.** Axon Air, On-Site training includes advance remote project planning and configuration support and one (1) day of on-site Services and a professional services manager to work closely with Customer to assess Customer's deployment and determine which Services are appropriate. If Customer's requires more than one (1) day of on-site Services, Customer must purchase additional on-site Services. The Axon Air, On-Site training options include:

System set up and configuration (Remote Support) • Instructor-led setup of Axon Air App (ASDS) • Configure Customer settings based on Customer need • Configure drone controller • Troubleshoot IT issues with Axon Evidence
Axon instructor training (Train the Trainer) Training for Customer's in-house instructors who can support Customer's Axon Air and Axon Evidence training needs after Axon's has fulfilled its contracted on-site obligations
Classroom and practical training sessions Step-by-step explanation and assistance for Customer's configuration of Axon Respond+ livestreaming functionality, basic operation, and best practices

8. **Axon Air, Virtual Training.** Axon Air, Virtual training includes all items in the Axon Air, On-Site Training Package, except the practical training session, with the Axon Instructor training for up to four hours virtually.

9. **Signal Sidearm Installation Service**.

   a. **Purchases of 50 SSA units or more**: Axon will provide one (1) day of on-site service and one professional services manager and will provide train the trainer instruction, with direct assistance on the first of each unique holster/mounting type. Customer is responsible for providing a suitable work/training area.

   b. **Purchases of less than 50 SSA units:** Axon will provide a 1-hour virtual instruction session on the basics of installation and device calibration**.**

10. **Out of Scope Services**. Axon is only responsible to perform the professional services described in the Quote and this Appendix. Any additional professional services are out of scope. The Parties must document scope changes in a written and signed change order. Changes may require an equitable adjustment in the charges or schedule.

11. **Delivery of Services**. Axon personnel will work Monday through Friday, 8:30 a.m. to 5:30 p.m., except holidays. Axon will perform all on-site tasks over a consecutive timeframe. Axon will not charge Customer travel time by Axon personnel to Customer premises as work hours.

12. **Access Computer Systems to Perform Services**. Customer authorizes Axon to access relevant Customer computers and networks, solely for performing the Services. Axon will work to identify as soon as reasonably practicable resources and information Axon expects to use and will provide an initial itemized list to Customer. Customer is responsible for and assumes the risk of any problems, delays, losses, claims, or expenses resulting from the content, accuracy, completeness, and consistency of all data, materials, and information supplied by Customer.

13. **Site Preparation**. Axon will provide a hardcopy or digital copy of current user documentation for the Axon Devices ("**User Documentation**"). User Documentation will include all required environmental specifications for the professional services and Axon Devices to operate per the Axon Device User Documentation. Before installation of Axon Devices (whether performed by Customer or Axon), Customer must prepare the location(s) where Axon Devices are to be installed ("**Installation Site**") per the environmental specifications in the Axon Device User Documentation. Following installation, Customer must maintain the Installation Site per the environmental specifications. If Axon modifies Axon Device User Documentation for any Axon Devices under this Agreement, Axon will provide the update to Customer when Axon generally releases it

14. **Acceptance**. When Axon completes professional services, Axon will present an acceptance form ("**Acceptance**

Form") to Customer. Customer will sign the Acceptance Form acknowledging completion. If Customer reasonably believes Axon did not complete the professional services in substantial conformance with this Agreement, Customer must notify Axon in writing of the specific reasons for rejection within seven (7) calendar days from delivery of the Acceptance Form. Axon will address the issues and re-present the Acceptance Form for signature. If Axon does not receive the signed Acceptance Form or written notification of reasons for rejection within seven (7) calendar days of delivery of the Acceptance Form, Axon will deem Customer to have accepted the professional services.

15. **Customer Network**. For work performed by Axon transiting or making use of Customer's network, Customer is solely responsible for maintenance and functionality of the network. In no event will Axon be liable for loss, damage, or corruption of Customer's network from any cause.

Technology Assurance Plan Appendix

If Technology Assurance Plan ("**TAP**") or a bundle including TAP is on the Quote, this appendix applies.

1. **TAP Warranty**. The TAP warranty is an extended warranty that starts at the end of the one- (1-) year hardware limited warranty.
2. **Officer Safety Plan**. If Customer purchases an Officer Safety Plan ("**OSP**"), Customer will receive the deliverables detailed in the Quote. Customer must accept delivery of the TASER CEW and accessories as soon as available from Axon.
3. **OSP 7 or OSP 10 Term**. OSP 7 or OSP 10 begins on the date specified in the Quote ("**OSP Term**").
4. **TAP BWC Upgrade**. If Customer has no outstanding payment obligations and purchased TAP, Axon will provide Customer a new Axon body-worn camera ("**BWC Upgrade**") as scheduled in the Quote. If Customer purchased TAP, Axon will provide a BWC Upgrade that is the same or like Axon Device, at Axon's option. Axon makes no guarantee the BWC Upgrade will utilize the same accessories or Axon dock.
5. **TAP Dock Upgrade**. If Customer has no outstanding payment obligations and purchased TAP, Axon will provide Customer a new Axon Dock as scheduled in the Quote ("**Dock Upgrade**"). Accessories associated with any Dock Upgrades are subject to change at Axon discretion. Dock Upgrades will only include a new Axon dock bay configuration unless a new Axon dock core is required for BWC compatibility. If Customer originally purchased a single-bay Axon dock, the Dock Upgrade will be a single-bay Axon dock model that is the same or like Axon Device, at Axon's option. If Customer originally purchased a multi-bay Axon dock, the Dock Upgrade will be a multi-bay Axon dock that is the same or like Axon Device, at Axon's option.
6. **Upgrade Delay**. Axon may ship the BWC and Dock Upgrades as scheduled in the Quote without prior confirmation from Customer unless the Parties agree in writing otherwise at least ninety (90) days in advance. Axon may ship the final BWC and Dock Upgrade as scheduled in the Quote sixty (60) days before the end of the Subscription Term without prior confirmation from Customer.
7. **Upgrade Change**. If Customer wants to upgrade Axon Device models from the current Axon Device to an upgraded Axon Device, Customer must pay the price difference between the MSRP for the current Axon Device and the MSRP for the upgraded Axon Device. If the model Customer desires has an MSRP less than the MSRP of the offered BWC Upgrade or Dock Upgrade, Axon will not provide a refund. The MSRP is the MSRP in effect at the time of the upgrade.
8. **Return of Original Axon Device**. Within thirty (30) days of receiving a BWC or Dock Upgrade, Customer must return the original Axon Devices to Axon or destroy the Axon Devices and provide a certificate of destruction to Axon including serial numbers for the destroyed Axon Devices. If Customer does not return or destroy the Axon Devices, Axon will deactivate the serial numbers for the Axon Devices received by Customer.
9. **Termination**. If Customer's payment for TAP, OSP, or Axon Evidence is more than thirty (30) days past due, Axon may terminate TAP or OSP. Once TAP or OSP terminates for any reason:
   - 9.1. TAP and OSP coverage terminate as of the date of termination and no refunds will be given.
   - 9.2. Axon will not and has no obligation to provide the Upgrade Models.
   - 9.3. Customer must make any missed payments due to the termination before Customer may purchase any future TAP or OSP.

TASER Device Appendix

This TASER Device Appendix applies to Customer's TASER 7/10, OSP 7/10, OSP Plus, or OSP 7/10 Plus Premium purchase from Axon, if applicable.

1. **Duty Cartridge Replenishment Plan**. If the Quote includes "**Duty Cartridge Replenishment Plan**", Customer must purchase the plan for each CEW user. A CEW user includes officers that use a CEW in the line of duty and those that only use a CEW for training. Customer may not resell cartridges received. Axon will only replace cartridges used in the line of duty.
2. **Training**. If the Quote includes a TASER On Demand Certification subscription, Customer will have on-demand access to TASER Instructor and TASER Master Instructor courses only for the duration of the TASER Subscription Term. Axon will issue a maximum of ten (10) TASER Instructor vouchers and ten (10) TASER Master Instructor vouchers for every thousand TASER Subscriptions purchased. Customer shall utilize vouchers to register for TASER courses at their discretion however Customer may incur a fee for cancellations less than 10 business days prior to a course date or failure to appear to a registered course. The voucher has no cash value. Customer cannot exchange voucher for any other device or service. Any unused vouchers at the end of the Term will be forfeited. A voucher does not include any travel or other expenses that might be incurred related to attending a course.
3. **Extended Warranty**. If the Quote includes an extended warranty, the extended warranty coverage period warranty will be for a five- (5-) year term, which includes the hardware manufacturer's warranty plus the four- (4-) year extended term.
4. **Trade-in**. If the Quote contains a discount on CEW-related line items and that discount is contingent upon the trade-in of hardware, Customer must return used hardware and accessories associated with the discount ("**Trade-In Units**") to Axon within the below prescribed timeline. Customer must ship batteries via ground shipping. Axon will pay shipping costs of the return. If Axon does not receive Trade-In Units within the timeframe below, Axon will invoice Customer the value of the trade-in credit. Customer may not destroy Trade-In Units and receive a trade-in credit.

Customer Size	Days to Return from Start Date of TASER 10 Subscription
Less than 100 officers	60 days
100 to 499 officers	90 days
500+ officers	180 days

5. **TASER Device Subscription Term**. The TASER Device Subscription Term for a standalone TASER Device purchase begins on shipment of the TASER Device. The TASER Device Subscription Term for OSP 7/10 begins on the OSP 7/10 start date.
6. **Access Rights**. Upon Axon granting Customer a TASER Device Axon Evidence subscription, Customer may access and use Axon Evidence for the storage and management of data from TASER Devices devices during the TASER Device Subscription Term. Customer may not exceed the number of end users the Quote specifies.
7. **Customer Warranty.** If Customer is located in the US, Customer warrants and acknowledges that TASER 10 is classified as a firearm and is being acquired for official Customer use pursuant to a law enforcement Customer transfer under the Gun Control Act of 1968.
8. **Purchase Order.** To comply with applicable laws and regulations, Customer must provide a purchase order to Axon prior to shipment of TASER 10.
9. **Apollo Grant (US only).** If Customer has received an Apollo Grant from Axon, Customer must pay all fees in the Quote prior to upgrading to any new TASER Device offered by Axon.
10. **Termination**. If payment for TASER Device is more than thirty (30) days past due, Axon may terminate Customer's TASER Device plan by notifying Customer. Upon termination for any reason, then as of the date of termination:

    10.1. TASER Device extended warranties and access to Training Content will terminate. No refunds will be given.
    10.2. Axon will invoice Customer the remaining MSRP for TASER Devices received before termination. If terminating for non-appropriations, Axon will not invoice Customer if Customer returns the TASER Device, rechargeable battery, holster, dock, core, training suits, and unused cartridges to Axon within thirty (30) days of the date of

termination.

10.3. Customer will be responsible for payment of any missed payments due to the termination before being allowed to purchase any future TASER Device plan.

Axon Auto-Tagging Appendix

If Auto-Tagging is included on the Quote, this Appendix applies.

1. **Scope.** Axon Auto-Tagging consists of the development of a module to allow Axon Evidence to interact with Customer's Computer-Aided Dispatch ("**CAD**") or Records Management Systems ("**RMS**"). This allows end users to auto-populate Axon video meta-data with a case ID, category, and location-based on data maintained in Customer's CAD or RMS.

2. **Support**. For thirty (30) days after completing Auto-Tagging Services, Axon will provide up to five (5) hours of remote support at no additional charge. Axon will provide free support due to a change in Axon Evidence, if Customer maintains an Axon Evidence and Auto-Tagging subscription. Axon will not provide support if a change is required because Customer changes its CAD or RMS.

3. **Changes**. Axon is only responsible to perform the Services in this Appendix. Any additional Services are out of scope. The Parties must document scope changes in a written and signed change order. Changes may require an equitable adjustment in fees or schedule.

4. **Customer Responsibilities**. Axon's performance of Auto-Tagging Services requires Customer to:

   4.1. Make available relevant systems, including Customer's current CAD or RMS, for assessment by Axon (including remote access if possible);

   4.2. Make required modifications, upgrades or alterations to Customer's hardware, facilities, systems and networks related to Axon's performance of Auto-Tagging Services;

   4.3. Provide access to the premises where Axon is performing Auto-Tagging Services, subject to Customer safety and security restrictions, and allow Axon to enter and exit the premises with laptops and materials needed to perform Auto-Tagging Services;

   4.4. Provide all infrastructure and software information (TCP/IP addresses, node names, network configuration) necessary for Axon to provide Auto-Tagging Services;

   4.5. Promptly install and implement any software updates provided by Axon;

   4.6. Ensure that all appropriate data backups are performed;

   4.7. Provide assistance, participation, and approvals in testing Auto-Tagging Services;

   4.8. Provide Axon with remote access to Customer's Axon Evidence account when required;

   4.9. Notify Axon of any network or machine maintenance that may impact the performance of the module at Customer; and

   4.10. Ensure reasonable availability of knowledgeable staff and personnel to provide timely, accurate, complete, and up-to-date documentation and information to Axon.

5. **Access to Systems**. Customer authorizes Axon to access Customer's relevant computers, network systems, and CAD or RMS solely for performing Auto-Tagging Services. Axon will work diligently to identify the resources and information Axon expects to use and will provide an initial list to Customer. Customer is responsible for and assumes the risk of any problems, delays, losses, claims, or expenses resulting from the content, accuracy, completeness, and consistency of all data, materials, and information supplied by Customer.

Axon Fleet Appendix

If Axon Fleet is included on the Quote, this Appendix applies.

1. Customer Responsibilities.

   1.1. Customer must ensure its infrastructure and vehicles adhere to the minimum requirements to operate Axon Fleet 2 Axon Fleet 3 or a future Fleet iteration (collectively, "**Axon Fleet**") as established by Axon during the qualifier call and on-site assessment at Customer and in any technical qualifying questions. If Customer's representations are inaccurate, the Quote is subject to change.

   1.2. Customer is responsible for providing a suitable work area for Axon or Axon third-party providers to install Axon Fleet systems into Customer vehicles. Customer is responsible for making available all vehicles for which installation services were purchased, during the agreed upon onsite installation dates, Failure to make vehicles available may require an equitable adjustment in fees or schedule.

2. **Cradlepoint**. If Customer purchases Cradlepoint Enterprise Cloud Manager, Customer will comply with Cradlepoint's end user license agreement. The term of the Cradlepoint license may differ from the Axon Evidence Subscription. If Customer requires Cradlepoint support, Customer will contact Cradlepoint directly.

3. **Third-party Installer**. Axon will not be liable for the failure of Axon Fleet hardware to operate per specifications if such failure results from installation not performed by, or as directed by Axon.

4. **Wireless Offload Server**.

   4.1. **License Grant**. Axon grants Customer a non-exclusive, royalty-free, worldwide, perpetual license to use Wireless Offload Server ("**WOS**"). "Use" means storing, loading, installing, or executing WOS solely for data communication with Axon Devices for the number of licenses purchased. The WOS term begins upon the start of the Axon Evidence Subscription.

   4.2. **Restrictions**. Customer may not: (a) modify, alter, tamper with, repair, or create derivative works of WOS; (b) reverse engineer, disassemble, or decompile WOS, apply any process to derive the source code of WOS, or allow others to do so; (c) access or use WOS to avoid incurring fees or exceeding usage limits; (d) copy WOS in whole or part; (e) use trade secret information contained in WOS; (f) resell, rent, loan or sublicense WOS; (g) access WOS to build a competitive device or service or copy any features, functions or graphics of WOS; or (h) remove, alter or obscure any confidentiality or proprietary rights notices (including copyright and trademark notices) of Axon or Axon's licensors on or within WOS.

   4.3. **Updates**. If Customer purchases WOS maintenance, Axon will make updates and error corrections to WOS ("**WOS Updates**") available electronically via the Internet or media as determined by Axon. Customer is responsible for establishing and maintaining adequate Internet access to receive WOS Updates and maintaining computer equipment necessary for use of WOS. The Quote will detail the maintenance term.

   4.4. **WOS Support**. Upon request by Axon, Customer will provide Axon with access to Customer's store and forward servers solely for troubleshooting and maintenance.

5. **Axon Vehicle Software.**

   5.1. **License Grant**. Axon grants Customer a non-exclusive, royalty-free, worldwide, perpetual license to use ViewXL or Dashboard (collectively, "**Axon Vehicle Software**".) "Use" means storing, loading, installing, or executing Axon Vehicle Software solely for data communication with Axon Devices. The Axon Vehicle Software term begins upon the start of the Axon Evidence Subscription.

   5.2. **Restrictions**. Customer may not: (a) modify, alter, tamper with, repair, or create derivative works of Axon Vehicle Software; (b) reverse engineer, disassemble, or decompile Axon Vehicle Software, apply any process to derive the source code of Axon Vehicle Software, or allow others to do so; (c) access or use Axon Vehicle Software to avoid incurring fees or exceeding usage limits; (d) copy Axon Vehicle Software in whole or part; (e) use trade secret information contained in Axon Vehicle Software; (f) resell, rent, loan or sublicense Axon Vehicle Software; (g) access Axon Vehicle Software to build a competitive device or service or copy any features, functions or graphics of Axon Vehicle Software; or (h) remove, alter or obscure any confidentiality or proprietary rights notices (including copyright and trademark notices) of Axon or Axon's licensors on or within Axon Vehicle Software.

6. **Acceptance Checklist**. If Axon provides services to Customer pursuant to any statement of work in connection with Axon Fleet, within seven (7) days of the date on which Customer retrieves Customer's vehicle(s) from the Axon installer, said vehicle having been installed and configured with tested and fully and properly operational in-car hardware and software identified above, Customer will receive a Professional Services Acceptance Checklist to submit to Axon indicating acceptance or denial of said deliverables.

7. **Axon Fleet Upgrade**. If Customer has no outstanding payment obligations and has purchased the "Fleet Technology Assurance Plan" (Fleet TAP), Axon will provide Customer with the same or like model of Fleet hardware ("**Axon Fleet Upgrade**") as scheduled on the Quote.

   7.1. If Customer would like to change models for the Axon Fleet Upgrade, Customer must pay the difference between the MSRP for the offered Axon Fleet Upgrade and the MSRP for the model desired. The MSRP is the MSRP in effect at the time of the upgrade. Customer is responsible for the removal of previously installed hardware and installation of the Axon Fleet Upgrade.

   7.2. Within thirty (30) days of receiving the Axon Fleet Upgrade, Customer must return the original Axon Devices to Axon or destroy the Axon Devices and provide a certificate of destruction to Axon, including serial numbers of the destroyed Axon Devices. If Customer does not destroy or return the Axon Devices to Axon, Axon will deactivate the serial numbers for the Axon Devices received by Customer.

8. **Axon Fleet Termination.** Axon may terminate Customer's Fleet subscription for non-payment. Upon any termination:

   8.1. Axon Fleet subscription coverage terminates, and no refunds will be given.

   8.2. Axon will not and has no obligation to provide the Axon Fleet Upgrade.

   8.3. Customer will be responsible for payment of any missed payments due to the termination before being allowed to purchase any future Fleet TAP.

Axon Respond Appendix

This Axon Respond Appendix applies to both Axon Respond and Axon Respond Plus, if either is included on the Quote.

1. **Axon Respond Subscription Term**. If Customer purchases Axon Respond as part of a bundled offering, the Axon Respond subscription begins on the later of the (1) start date of that bundled offering, or (2) date Axon provisions Axon Respond to Customer. If Customer purchases Axon Respond as a standalone, the Axon Respond subscription begins the later of the (1) date Axon provisions Axon Respond to Customer, or (2) first day of the month following the Effective Date. The Axon Respond subscription term will end upon the completion of the Axon Evidence Subscription associated with Axon Respond.

2. **Scope of Axon Respond**. The scope of Axon Respond is to assist Customer with real-time situational awareness during critical incidents to improve officer safety, effectiveness, and awareness. In the event Customer uses Axon Respond outside this scope, Axon may initiate good-faith discussions with Customer on upgrading Customer's Axon Respond to better meet Customer's needs.

3. **Axon Body LTE Requirements**. Axon Respond is only available and usable with an LTE enabled body-worn camera. Axon is not liable if Customer utilizes the LTE device outside of the coverage area or if the LTE carrier is unavailable. LTE coverage is only available in the United States, including any U.S. territories. Axon may utilize a carrier of Axon's choice to provide LTE service. Axon may change LTE carriers during the Term without Customer's consent.

4. **Axon Fleet LTE Requirements.** Axon Respond is only available and usable with a Fleet system configured with LTE modem and service. Customer is responsible for providing LTE service for the modem. Coverage and availability of LTE service is subject to Customer's LTE carrier.

5. **Axon Respond Service Limitations**. Customer acknowledges that LTE service is made available only within the operating range of the networks. Service may be temporarily refused, interrupted, or limited because of: (a) facilities limitations; (b) transmission limitations caused by atmospheric, terrain, other natural or artificial conditions adversely affecting transmission, weak batteries, system overcapacity, movement outside a service area or gaps in coverage in a service area, and other causes reasonably outside of the carrier's control such as intentional or negligent acts of third parties that damage or impair the network or disrupt service; or (c) equipment modifications, upgrades, relocations, repairs, and other similar activities necessary for the proper or improved operation of service.

   5.1. With regard to Axon Body, Partner networks are made available as-is and the carrier makes no warranties or representations as to the availability or quality of roaming service provided by carrier partners, and the carrier will not be liable in any capacity for any errors, outages, or failures of carrier partner networks. Customer expressly understands and agrees that it has no contractual relationship whatsoever with the underlying wireless service provider or its affiliates or contractors and Customer is not a third-party beneficiary of any agreement between Axon and the underlying carrier.

6. **Termination**. Upon termination of this Agreement, or if Customer stops paying for Axon Respond or bundles that include Axon Respond, Axon will end Axon Respond services, including any Axon-provided LTE service.

Add-on Services Appendix

This Appendix applies if Axon Community Request, Axon Redaction Assistant, and/or Axon Performance are included on the Quote.

1. **Subscription Term**. If Customer purchases Axon Community Request, Axon Redaction Assistant, or Axon Performance as part of OSP 7 or OSP 10, the subscription begins on the later of the (1) start date of the OSP 7 or OSP 10 Term, or (2) date Axon provisions Axon Community Request Axon Redaction Assistant, or Axon Performance to Customer.

1.1. If Customer purchases Axon Community Request, Axon Redaction Assistant, or Axon Performance as a standalone, the subscription begins the later of the (1) date Axon provisions Axon Community Request, Axon Redaction Assistant, or Axon Performance to Customer, or (2) first day of the month following the Effective Date.

1.2. The subscription term will end upon the completion of the Axon Evidence Subscription associated with the add-on.

2. **Axon Community Request Storage**. For Axon Community Request, Customer may store an unlimited amount of data submitted through the public portal ("**Portal Content**"), within Customer's Axon Evidence instance. The post-termination provisions outlined in the Axon Cloud Services Terms of Use Appendix also apply to Portal Content.

3. **Performance Auto-Tagging Data**. In order to provide some features of Axon Performance to Customer, Axon will need to store call for service data from Customer's CAD or RMS.

Axon Application Programming Interface Appendix

This Appendix applies if Axon's API Services or a subscription to Axon Cloud Services is included on the Quote.

1. **Definitions**.

   1.1. "**API Client**" means the software that acts as the interface between Customer's computer and the server, which is already developed or to be developed by Customer.

   1.2. "**API Interface**" means software implemented by Customer to configure Customer's independent API Client Software to operate in conjunction with the API Service for Customer's authorized Use.

   1.3. "**Axon Evidence Partner API, API or Axon API**" (collectively "**API Service**") means Axon's API which provides a programmatic means to access data in Customer's Axon Evidence account or integrate Customer's Axon Evidence account with other systems.

   1.4. "**Use**" means any operation on Customer's data enabled by the supported API functionality.

2. **Purpose and License**.

   2.1. Customer may use API Service and data made available through API Service, in connection with an API Client developed by Customer. Axon may monitor Customer's use of API Service to ensure quality, improve Axon devices and services, and verify compliance with this Agreement. Customer agrees to not interfere with such monitoring or obscure from Axon Customer's use of API Service. Customer will not use API Service for commercial use.

   2.2. Axon grants Customer a non-exclusive, non-transferable, non-sublicensable, worldwide, revocable right and license during the Term to use API Service, solely for Customer's Use in connection with Customer's API Client.

   2.3. Axon reserves the right to set limitations on Customer's use of the API Service, such as a quota on operations, to ensure stability and availability of Axon's API. Axon will use reasonable efforts to accommodate use beyond the designated limits.

3. **Configuration**. Customer will work independently to configure Customer's API Client with API Service for Customer's applicable Use. Customer will be required to provide certain information (such as identification or contact details) as part of the registration. Registration information provided to Axon must be accurate. Customer will inform Axon promptly of any updates. Upon Customer's registration, Axon will provide documentation outlining API Service information.

4. **Customer Responsibilities**. When using API Service, Customer and its end users may not:

   4.1. use API Service in any way other than as expressly permitted under this Agreement;

   4.2. use in any way that results in, or could result in, any security breach to Axon;

   4.3. perform an action with the intent of introducing any viruses, worms, defect, Trojan horses, malware, or any items of a destructive nature to Axon Devices and Services;

   4.4. interfere with, modify, disrupt or disable features or functionality of API Service or the servers or networks providing API Service;

   4.5. reverse engineer, decompile, disassemble, or translate or attempt to extract the source code from API Service or any related software;

   4.6. create an API Interface that functions substantially the same as API Service and offer it for use by third parties;

   4.7. provide use of API Service on a service bureau, rental or managed services basis or permit other individuals or entities to create links to API Service;

   4.8. frame or mirror API Service on any other server, or wireless or Internet-based device;

   4.9. make available to a third-party, any token, key, password or other login credentials to API Service;

   4.10. take any action or inaction resulting in illegal, unauthorized or improper purposes; or

   4.11. disclose Axon's API manual.

5. **API Content**. All content related to API Service, other than Customer Content or Customer's API Client content, is

considered Axon's API Content, including:

5.1. the design, structure and naming of API Service fields in all responses and requests;

5.2. the resources available within API Service for which Customer takes actions on, such as evidence, cases, users, or reports;

5.3. the structure of and relationship of API Service resources; and

5.4. the design of API Service, in any part or as a whole.

6. **Prohibitions on API Content**. Neither Customer nor its end users will use API content returned from the API Interface to:

6.1. scrape, build databases, or otherwise create permanent copies of such content, or keep cached copies longer than permitted by the cache header;

6.2. copy, translate, modify, create a derivative work of, sell, lease, lend, convey, distribute, publicly display, or sublicense to any third-party;

6.3. misrepresent the source or ownership; or

6.4. remove, alter, or obscure any confidentiality or proprietary rights notices (including copyright and trademark notices).

7. **API Updates**. Axon may update or modify the API Service from time to time ("**API Update**"). Customer is required to implement and use the most current version of API Service and to make any applicable changes to Customer's API Client required as a result of such API Update. API Updates may adversely affect how Customer's API Client access or communicate with API Service or the API Interface. Each API Client must contain means for Customer to update API Client to the most current version of API Service. Axon will provide support for one (1) year following the release of an API Update for all depreciated API Service versions.

Axon Investigate Appendix

If the Quote includes Axon's On Prem Video Suite known as Axon Investigate or Third Party Video Support License, the following appendix shall apply.

1. **License Grant**. Subject to the terms and conditions specified below and upon payment of the applicable fees set forth in the Quote, Axon grants to Customer a nonexclusive, nontransferable license to install, use, and display the Axon Investigate software ("**Software**") solely for its own internal use only and for no other purpose, for the duration of subscription term set forth in the Quote. This Agreement does not grant Customer any right to enhancements or updates, but if such are made available to Customer and obtained by Customer they shall become part of the Software and governed by the terms of this Agreement.

2. **Third-Party Licenses**. Axon licenses several third-party codecs and applications that are integrated into the Software. Users with an active support contract with Axon are granted access to these additional features. By accepting this agreement, Customer agrees to and understands that an active support contract is required for all of the following features: DNxHD output formats, decoding files via the "fast indexing" method, proprietary file metadata, telephone and email support, and all future updates to the software. If Customer terminates the annual support contract with Axon, the features listed above will be disabled within the Software. It is recommended that users remain on an active support contract to maintain the full functionality of the Software.

3. **Restrictions on Use**. Customer may not permit any other person to use the Software unless such use is in accordance with the terms of this Agreement. Customer may not modify, translate, reverse engineer, reverse compile, decompile, disassemble or create derivative works with respect to the Software, except to the extent applicable laws specifically prohibit such restrictions. Customer may not rent, lease, sublicense, grant a security interest in or otherwise transfer Customer's rights to or to use the Software. Any rights not granted are reserved to Axon.

4. **Term**. For purchased perpetual Licenses only—excluding Licenses leased for a pre-determined period, evaluation licenses, companion licenses, as well as temporary licenses--the license shall be perpetual unless Customer fails to observe any of its terms, in which case it shall terminate immediately, and without additional prior notice. The terms of Paragraphs 1, 2, 3, 5, 6, 8 and 9 shall survive termination of this Agreement. For licenses leased for a pre-determined period, for evaluation licenses, companion licenses, as well as temporary licenses, the license is granted for a period beginning at the installation date and for the duration of the evaluation period or temporary period as agreed between Axon and Customer.

5. **Title**. Axon and its licensors shall have sole and exclusive ownership of all right, title, and interest in and to the Software and all changes, modifications, and enhancements thereof (including ownership of all trade secrets and copyrights pertaining thereto), regardless of the form or media in which the original or copies may exist, subject only to the rights and privileges expressly granted by Axon. This Agreement does not provide Customer with title or ownership of the Software, but only a right of limited use.

6. **Copies**. The Software is copyrighted under the laws of the United States and international treaty provisions. Customer may not copy the Software except for backup or archival purposes, and all such copies shall contain all Axon's notices regarding proprietary rights as contained in the Software as originally provided to Customer. If Customer receives one copy electronically and another copy on media, the copy on media may be used only for archival purposes and this license does not authorize Customer to use the copy of media on an additional server.

7. **Actions Required Upon Termination**. Upon termination of the license associated with this Agreement, Customer agrees to destroy all copies of the Software and other text and/or graphical documentation, whether in electronic or printed format, that describe the features, functions and operation of the Software that are provided by Axon to Customer ("**Software Documentation**") or return such copies to Axon. Regarding any copies of media containing regular backups of Customer's computer or computer system, Customer agrees not to access such media for the purpose of recovering the Software or online Software Documentation.

8. **Export Controls**. None of the Software, Software Documentation or underlying information may be downloaded or otherwise exported, directly or indirectly, without the prior written consent, if required, of the office of Export Administration of the United States, Department of Commerce, nor to any country to which the U.S. has embargoed goods, to any person on the U.S. Treasury Department's list of Specially Designated Nations, or the U.S. Department of Commerce's Table of Denials.

9. **U.S. Government Restricted Rights**. The Software and Software Documentation are Commercial Computer Software provided with Restricted Rights under Federal Acquisition Regulations and Customer supplements to them. Use, duplication or disclosure by the U.S. Government is subject to restrictions as set forth in subparagraph (c)(1)(ii) of the Rights in Technical Data and Computer Software clause at DFAR 255.227-7013 et. Seq. or 252.211-7015, or

subparagraphs (a) through (d) of the Commercial Computer Software Restricted Rights at FAR 52.227-19, as applicable, or similar clauses in the NASA FAR Supplement. Contractor/manufacturer is Axon Enterprise, Inc., 17800 North 85th Street, Scottsdale, Arizona 85255.

Axon Event Offer Appendix

If the Agreement includes the provision of, or Axon otherwise offers, ticket(s), travel and/or accommodation for select events hosted by Axon ("Axon Event"), the following shall apply:

10. **General**. Subject to the terms and conditions specified below and those in the Agreement, Axon may provide Customer with one or more offers to fund Axon Event ticket(s), travel and/or accommodation for Customer-selected employee(s) to attend one or more Axon Events. By entering into the Agreement, Customer warrants that it is appropriate and permissible for Customer to receive the referenced Axon Event offer(s) based on Customer's understanding of the terms and conditions outlined in this Axon Event Offer Appendix.

11. **Attendee/Employee Selection**. Customer shall have sole and absolute discretion to select the Customer employee(s) eligible to receive the ticket(s), travel and/or accommodation that is the subject of any Axon Event offer(s).

12. **Compliance**. It is the intent of Axon that any and all Axon Event offers comply with all applicable laws, regulations and ethics rules regarding contributions, including gifts and donations. Axon's provision of ticket(s), travel and/or accommodation for the applicable Axon Event to Customer is intended for the use and benefit of Customer in furtherance of its goals, and not the personal use or benefit of any official or employee of Customer. Axon makes this offer without seeking promises or favoritism for Axon in any bidding arrangements. Further, no exclusivity will be expected by either party in consideration for the offer. Axon makes the offer with the understanding that it will not, as a result of such offer, be prohibited from any procurement opportunities or be subject to any reporting requirements. If Customer's local jurisdiction requires Customer to report or disclose the fair market value of the benefits provided by Axon, Customer shall promptly contact Axon to obtain such information, and Axon shall provide the information necessary to facilitate Customer's compliance with such reporting requirements.

13. **Assignability**. Customer may not sell, transfer, or assign Axon Event ticket(s), travel and/or accommodation provided under the Agreement.

14. **Availability.** The provision of all offers of Axon Event ticket(s), travel and/or accommodation is subject to availability of funds and resources. Axon has no obligation to provide Axon Event ticket(s), travel and/or accommodation.

15. **Revocation of Offer**. Axon reserves the right at any time to rescind the offer of Axon Event ticket(s), travel and/or accommodation to Customer if Customer or its selected employees fail to meet the prescribed conditions or if changes in circumstances render the provision of such benefits impractical, inadvisable, or in violation of any applicable laws, regulations, and ethics rules regarding contributions, including gifts and donations

[PLACEHOLDER FOR QUOTE – TO BE ADDED IN BEFORE SIGNATURE]

STATEMENT OF WORK FOR THE IMPLEMENTATION OF AXON STANDARDS FOR <LIVONIA, MI PD> ("SOW")

Submitted By:

Axon Enterprise, Inc. (Axon)

17800 North 85th Street

Scottsdale, AZ 85255

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1. PROJECT OVERVIEW

Axon Standards is a cloud-native software solution provided as a SaaS subscription.

1.1 SOFTWARE

The software detailed in this SOW includes, but is not limited to, the listed functionality:

AXON STANDARDS	▸ Use of Force ▸ Vehicle Pursuit ▸ Vehicle Collision ▸ Internal Complaint ▸ Attachments ▸ Use of Force Analytics ▸ Early Intervention (EIS)	▸ Internal Affairs Investigative Case Management ▸ Configurable Forms and Fields ▸ Restrictions ▸ Redactions ▸ Citizen Complaint

1.2 DEFINITIONS

TERM	DEFINITION
PARTIES	
Agency	<Livonia PD> who is identified within this SOW
End-Users	Specific agency groups using the system
Professional Services	The services that Axon provides within the scope of this SOW
SYSTEMS	
Axon Systems	Software solutions and agency-specific integrations developed by Axon
CJIS	The Federal Bureau of Investigation's criminal justice information system
MDC	Mobile data computer – a device associated within a vehicle or other mobile unit
DataStore	The database Axon provides allowing the agency to query data
Product	The software solution being implemented as part of this SOW
Production Environment	The operational environment where the product is accessed
Training Environment	The pre-production environment where all Axon-specific development, configuration, FAT, UAT, and training take place

Service Portal	An online portal provided by Axon where issues identified are entered and triaged
PROJECT & MILESTONES	
Project	Scope of this SOW as defined by the work to be completed described herein
Project Change Order (PCO)	Change order form outlined in Attachment B to be executed between Axon and the agency if a material change in scope is required for this SOW
Milestone	Event that constitutes completion of work as listed in Attachment A
Milestone Completion Report	The report outlined in Attachment A to be executed at key milestones between agency and Axon to approve completion of project phases
Requirements Phase	Requirements gathering and confirmation occurs during this phase. Confirmed requirements feed the sprint phase, and sprints are designed around what can and cannot be accomplished given time and resource constraints on both Axon and the agency's sides.
Configuration Phase	Project phase encompassing iterative development through sprints. Integrations and workflows are developed and deployed during this phase. The agency forms are also configured during this phase.
Sprint	A period during the configuration phase of the project (typically 2-3 weeks) where specific pieces of functionality are built, configured, and delivered.
Sprint Review	Signifies the end of the sprint where Axon showcases what was built, configured, and delivered. These items are then deemed ready for FAT and UAT.
Go-Live	End-users are activated, and the agency is actively using the product
Cutover	Successful implementation of interfaces, data conversion, and NIBRS state and federal certification
Third-Party Products and Services	Software, hardware, and services that are not owned by Axon but are being provided by Axon for this project as listed in Attachment C
ACCEPTANCE	
Blocker	Issue impacting 50% or more users
Functional Acceptance Testing (FAT)	Testing the functionality of the system as configured for the agency
Integration Acceptance Testing	Scheduled events for testing of each integration point and associated functionality in collaboration with the agency and the agency's vendors
User Acceptance Testing (UAT)	Testing the functionality of the system as configured for the agency from an end-user's perspective

1.3 OUT OF PROJECT SCOPE

Axon is only responsible for performing the professional services described within this SOW. Any additional professional services that are not defined explicitly by this SOW shall be done so through a Project

Change Order. The following are considered outside the scope of this project:

- Administration, management, or support of any internal city, county, state, federal, or agency IT network or infrastructure
- Changes made by the agency or the agency's vendors after the Interface Requirements Documentation has been accepted
- Third-party products and services costs related to the vendors or agency's side of the integration
- Changes made by the agency after configuration is complete

2. PROFESSIONAL SERVICES

2.1 GENERAL

The agency provides a master charge table that Axon loads. Axon provides the appropriate structure to the agency.

2.2 REPORTING AND DATASTORE

- Axon configures and make available to the agency a read-only MS SQL DataStore containing all field and form data from the Axon Suite that allows the agency to utilize available data for reporting and analytical purposes.
- Axon provides the agency with a data dictionary and/or other appropriate documentation.
- If Axon provides reports for specific purposes as indicated, it is the responsibility of the agency to maintain them after Go-Live.

2.3 READINESS

- Axon works in partnership with the agency to determine readiness by conducting functional testing and an end-to-end system review. The Axon program manager and the agency project manager work closely together to plan and execute readiness scenarios.
- Axon conducts functional acceptance testing via use cases approved by Axon and the agency.
- All issues discovered during and after training are entered into the service portal for triage and follow-up.

2.4 TRAINING

Axon works with the agency to identify the agency trainers receiving instruction on the Axon Records, Standards, and/or Dispatch products. Axon provides a training guide that outlines the covered topics, intended audience, facility needs, and duration of the training.

FORMAT

Axon provides the agency with all the necessary training materials and digital assets to facilitate any of the training formats listed below. Training sessions are conducted in an environment containing necessary configurations, forms, and workflows. Any additional training beyond the default method (Tier 1) is subject to adjustments in pricing. Contact your sales representative for more information.

It is the responsibility of the agency to deliver and update the training materials to include agency policies and procedures.

TRAIN THE TRAINER

Axon trains the agency's recommended users (no more than 12 depending on the size of the agency) in full system functionality. This is typically the agency's trainers, or training academy/FTO staff. The agency's trainers are responsible for training all agency end users. Axon provides all training materials for successful training and assists the agency's trainers in creating the course and training schedule.

Additional training options may be discussed.

SCHEDULE:

The training plan contains an agreed-upon schedule that makes efficient use of time and resources to avoid undue staffing impacts on the agency. Training sessions occur after the User Acceptance Testing has been successfully completed and documented.

- Training sessions provided by Axon are conducted on consecutive weekdays (Tuesday-Friday) during normal business hours (9am-6pm with an hour break in between sessions).
- Training sessions required past the agreed-upon schedule in the training plan, regardless of delivery method, are the responsibility of the agency, unless agreed upon previously by the project team and training team management.

2.5 GO-LIVE

Axon works in partnership with the agency to build, coordinate, and execute a Go-Live plan to ensure successful system acceptance. Axon coordinates the Go-Live event.

3. PROJECT MANAGEMENT

3.1 MANAGEMENT RESOURCES

Both parties assign a project manager to ensure completion of deliverables.

Axon's project manager ensures all team members from Axon and the agency are continually updated on the status of the project.

3.2 REQUIREMENTS PLANNING

All project requirements are documented during the kick-off and discovery phases of the project.

Once the agency and Axon agree on all requirements, Axon's project manager works with the agency's project manager to develop a project plan for Axon's implementation.

3.3 CHANGE CONTROL

If any changes in the project cause a material increase or decrease in fees, as determined by Axon, an adjustment in the fees will be agreed upon between the agency and Axon. All PCO forms must be approved and signed by the agency authority (Attachment B).

The agency acknowledges a proposed change request might have an impact on both scheduling and cost for the project that will be outlined in the PCO form.

3.4 PROJECT METHODOLOGY

Axon utilizes a hybrid approach to project management, utilizing aspects of both Agile and Waterfall methodologies. We use Waterfall for the overall project, with respect to major milestones. We utilize Agile during the configuration and build phases of the project.

3.5 MILESTONE COMPLETION REPORT (MCR)

Axon submits an MCR to the agency for approval upon completion of a milestone. Milestone Completion Report included (Attachment A).

Upon receiving an MCR, the agency has 14 calendar days to approve the milestone completion. If the agency has issues related to the milestone completion, the expectation is that the agency responds in writing to

Axon with any issues related to the MCR within the 14 calendar-day window.

4. AGENCY COMMITMENTS

- Ensure the reasonable availability for meetings, phone or email of knowledgeable staff and personnel to provide timely and accurate documentation and information to Axon.
- Identify holidays, non-workdays, or major events that may impact the project.
- Ensure agency desktop, mobile systems, and devices can access the product.
- Make available relevant systems if needed for assessment by Axon (including making these systems available to Axon via remote access, if possible).
- Provide Axon with remote access to the agency's Axon Evidence account when required.
- The agency agrees to pay for licenses upon completion of Go-Live.

5. SUPPORT

- Axon provides updates and enhancements to the product, which the agency automatically receives.
- Axon provides the agency's end users with access to the help.axon.com support portal to submit and review service tickets.
- Following final acceptance, the agency utilizes Axon support via my.axon.com for any further modifications to the product.
- For technical support assistance, the agency may contact a technical support representative at 800-978-2737, or via email at Support@Axon.com. Online, email-based support and remote-location troubleshooting are included on an ongoing basis as part of the agency's investment in the Axon ecosystem. Phone support is available 24/7.

6. TERMS AND CONDITIONS

This SOW is governed by the master services and purchasing agreement executed by the parties:

AXON ENTERPRISE, INC.	AGENCY
Signature:	Signature:
_____	_____
Name:	Name:
_____	_____
Title:	Title:
_____	_____
Date:	Date:
_____	_____

ATTACHMENT A – MILESTONE COMPLETION REPORT (MCR)

By signing for the items in this Milestone Completion Report, I agree that Axon's Professional Services Organization has reached the following milestone(s) for the project agreed upon in the SOW between Axon and <Agency>:

- ☐ Project kick-off
- ☐ Requirements completion
- ☐ Functional review and completion of configuration
- ☐ User acceptance testing
- ☐ Integrations completion
- ☐ Completion of agency training
- ☐ Go-Live
- ☐ Final acceptance

Date services were completed on:

_____ day of _____, 20___

Today's date: _____

Agency name: _____

Signature: _____

Printed name: _____

Title: _____

Email: _____

SAMPLE

ATTACHMENT B – PROJECT CHANGE ORDER

Date:	
Description of change to Axon product or service:	
Justification for change:	
Effects on schedule:	
Effect on project pricing (attach quote for reduction or increase in costs):	
AXON ENTERPRISE, INC. Signature: _____ Name: _____ Title: _____ Date: _____	AGENCY Signature: _____ Name: _____ Title: _____ Agency Name: _____ Date: _____

SAMPLE

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4/25/2024

To: ***Livonia Police Department, Michigan***

Re: Sole Source Letter for Axon Enterprise, Inc.'s TASER Energy Weapons, Axon brand products, and Axon Evidence (Evidence.com) Data Management Solutions

A sole source justification exists because the following goods and services required to satisfy the agency's needs are only manufactured and available for purchase from Axon Enterprise. Axon is also the sole distributor and retailer of all TASER brand products for the agency identified in this letter.

TASER Energy Weapon Descriptions

TASER 10 Energy Weapon

- Multi-shot energy weapon
- Detachable magazine holding 10 TASER 10 Cartridges
- 45-foot (13.7-meter) range
- High-efficiency flashlight
- Green LASER sight
- Central Information Display (CID): Displays mission critical data such as remaining battery energy, burst time, and cartridge status.
- Weapon logs
- TASER Weapons Dock connected to Axon Evidence (Evidence.com) services
- Onboard self-diagnostic and system status monitoring and reporting
- Real-time clock updated when the battery pack is plugged into the TASER Weapons Dock
- Ambidextrous selector switch
- Can be configured by the agency to alert Axon camera systems
- The trigger activates a single cycle (approximately five seconds). Holding the trigger down will continue the discharge beyond the standard cycle (unless configured by the agency to stop at five seconds). The energy weapon cycle can be stopped by placing the safety switch in the down (SAFE) position.
- Compatible with TASER 10 Cartridges only

TASER Brand Energy Weapon Model Numbers

1. Energy Weapons:
   TASER 10 Models: 100390, 100391

2. TASER 10 Magazines
   - TASER 10 live duty magazine (black), item number 100393
   - TASER 10 Hook and Loop Training (HALT) magazine (blue), item number 100394
   - TASER 10 live training magazine (purple), item number 100395

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- TASER 10 inert training magazine (red), item number 100396

3. TASER 10 Cartridges (compatible with the TASER 10, required for this energy weapon to function in the probe deployment mode)
   - TASER 10 live cartridge, item number 100399
   - TASER 10 HALT cartridge, item number 10400
   - TASER 10 inert cartridge, item number 100401

4. Battery Packs for TASER 10 energy weapons:
   - Tactical battery pack Model 22018
   - Compact battery pack Model 22019
   - Non-Rechargeable battery pack Model 22020
   - Disconnect battery pack Model 20027

5. TASER Weapons Dock, used with TASER 10 battery packs:
   - TASER Weapons Dock Core and Multi-bay Module: 74200
   - TASER Weapons Dock Core and Single-bay Module: 74201
     TASER Weapons Dock Single Bay Dataport: 74208

6. Energy Weapon Holsters:
   - Right-hand TASER 10 holster by Safariland Model: 100611
   - Left-hand TASER 10 holster by Safariland Model: 100613
   - Right-hand TASER 10 holster by Blade-Tech Model: 100614
   - Left-hand TASER 10 holster by Blade-Tech Model: 100615
   - Right-hand TASER 10 holster by BLACKHAWK Model: 100616
   - Left-hand TASER 10 holster by BLACKHAWK Model: 100617
   - Ambidextrous TASER 10 holster by So-Tech Model: 100621

7. Enhanced HALT Suit Model: 100623

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Axon Digital Evidence Solution Description

Axon Air System

- Purpose-built solution for law enforcement UAV programs
- Supported applications on iOS and Android
- Automated tracking of pilot, aircraft, and flight logs
- Unlimited Storage of UAV data in Axon Evidence (Evidence.com)
- In application ingestion of data in Axon Evidence (Evidence.com)
- Axon Respond integration for live streaming and situational awareness

Axon Fleet 3 Camera

- High-definition Dual-View Camera with panoramic field of view, 12x zoom, and AI processing for automatic license plate reader (ALPR)
- High-definition Interior Camera with infrared illumination for back seat view in complete darkness
- Wireless Mic and Charging Base for capturing audio when outside of vehicle
- Fleet Hub with connectivity, global navigation satellite system (GNSS), secure solid-state storage, and Signal inputs
- Automatic transition from Buffering to Event mode with configurable Signals
- Video Recall records last 24 hours of each camera in case camera not activated for an event
- Intuitive mobile data terminal app, Axon Dashboard, for controlling system, reviewing video, quick tagging, and more
- Ability to efficiently categorize, play back and share all video and audio alongside other digital files on Evidence.com
- Multi-cam playback, for reviewing up to four videos, including body-worn and in-car footage, at the same time
- Fully integrated with Evidence.com services and Axon devices
- Automatic time synchronization with all Axon Fleet and other Axon on-officer cameras allows for multi-camera playback on Evidence.com.
- Prioritized upload to Evidence.com of critical event videos via 4G/LTE
- Wireless alerts from the TASER CEW Signal Performance Power Magazine (SPPM) and Signal Side Arm (SSA).
- Best-in-class install times, wireless updates and quick remote troubleshooting
- Optional Axon Respond live stream, alerts, and location updates for situational awareness
- Optional Axon ALPR hotlist alerts, plate read retention, and investigative search

Axon Signal Unit (ASU)

- Communications device that can be installed in emergency vehicles.
- With emergency vehicle light bar activation, or other activation triggers, the Axon Signal Unit sends a signal. Upon processing the signal, an Axon system equipped with Axon Signal technology transitions from the BUFFERING to EVENT mode.

Axon Signal Technology

- Sends a broadcast of status that compatible devices recognize when certain status changes are detected
- Only compatible with TASER and Axon products

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Axon Dock

- Automated docking station uploads to Axon Evidence services through Internet connection
- No computer necessary for secure upload to Axon Evidence
- Charges and uploads simultaneously
- The Axon Dock is tested and certified by TUV Rheinland to be in compliance with UL 60950-1: 2007 R10.14 and CAN/ CSA-C22.2 N0.60950-l-07+Al:2011+A2:2014 Information Technology Equipment safety standards.

Axon Evidence Data Management System

- Software as a Service (SaaS) delivery model that allows agencies to manage and share digital evidence without local storage infrastructure or software needed
- SaaS model reduces security and administration by local IT staff: no local installation required
- Automatic, timely security upgrades and enhancements deployed to application without the need for any local IT staff involvement
- Securely share digital evidence with other agencies or prosecutors without creating copies or requiring the data to leave your agency's domain of control
- Controlled access to evidence based on pre-defined roles and permissions and pre-defined individuals
- Password authentication includes customizable security parameters: customizable password complexity, IP-based access restrictions, and multi-factor authentication support
- Automated category-based evidence retention policies assists with efficient database management
- Ability to recover deleted evidence within seven days of deletion
- Stores and supports all major digital file types: .mpeg, .doc, .pdf, .jpeg, etc.
- Requires NO proprietary file formats
- Ability to upload files directly from the computer to Axon Evidence via an Internet browser
- Data Security: Robust Transport Layer Security (TLS) implementation for data in transit and 256-bit AES encryption for data in storage
- Security Testing: Independent security firms perform in-depth security and penetration testing
- Reliability: Fault- and disaster-tolerant infrastructure in at least 4 redundant data centers in both the East and West regions of the United States
- Chain-of-Custody: Audit logs automatically track all system and user activity. These logs cannot be edited or deleted, even by account administrators and IT staff
- Protection: With no on-site application, critical evidence stored in Axon Evidence is protected from local malware that may penetrate agency infrastructure
- Stability: Axon Enterprise is a publicly traded company with stable finances and funding, reducing concerns of loss of application support or commercial viability
- Application and data protected by a CJIS and ISO 27001 compliant information security program
- Dedicated information security department that protects Axon Evidence and data with security monitoring, centralized event log analysis and correlation, advanced threat and intrusion protection, and incident response capabilities
- Redact videos easily within the system, create tags, markers and clips, search 7

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fields in addition to 5 category-based fields, create cases for multiple evidence files

Axon Standards

- Internal affairs and professional standards reporting
- Customizable information display, including custom forms
- Customizable workflows and user groups
- Automated alerts
- Compatible with digital documents, photos, and videos
- Connection with Transcription (beta)
- Shared Index with evidence.com and Records
- Data Warehouse allowing custom summary reports and integration into 3rd party analytic tools.
- Workflow analytics to provide SLA on throughputs
- Integration with the TASER 7 energy weapon for automatically pulling firing logs (alpha)
- Available as an option for Axon Records
- Automatically bundled with Officer Safety Plan 7+

Axon Professional Services

- Dedicated implementation team
- Project management and deployment best practices aid
- Training and train-the-trainer sessions
- Integration services with other systems

Axon Auto-Transcribe

- Transcribes audio to text, producing a time-synchronized transcript of incidents
- Allows searches for keywords (e.g., names, and addresses)
- Embedded time stamps when critical details were said and events occurred
- Produce transcripts in substantially less time than with manual methods
- Pull direct quotes and witness statements directly into reports

Axon Support Engineer:

- Dedicated Axon Regional/Resident Support Engineer Services
- Quarterly onsite visits
- Solution and Process Guidance custom to your agency
- White-Glove RMA and TAP (if applicable) Service for devices
- Monthly Product Usage Analysis
- Resident Support Engineer also includes onsite product maintenance, troubleshooting, and beta testing assistance

Axon Respond for Dispatch (CAD)

- Integration with Axon Respond for Devices (Axon Body 3) for location and/or live streaming in CAD.
- Integration with TASER 7 CEW devices for enhanced situational awareness.
- Native ESRI based mapping with ability to connect to ESRI online communities and your agency's local ArcGIS data.
- SaaS model reduces security and administration by local IT staff: no local installation
- Robust API and SDK allows data to be easily ingested and pushed out to other

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systems -- preventing data silos.
- Complete leveraging of Axon Evidence (evidence.com) sharing to allow fast, efficient, digital and secure sharing of data to DAs and Prosecutors.
- Future versions/enhancements included with minimal down time and no need to purchase an upgrade to the latest version.
- Native integration with Axon Records.
- Reliability: Fault – and disaster – tolerant infrastructure in at least four redundant data centers in both the East and West regions of the United States.
- Security Testing: Independent security firms perform in depth security and penetration testing.
- Automatic, timely security upgrades and enhancements deployed to application without the need for any local IT staff involvement.

Axon Investigate
- Video analysis software
- Compatible with video from cell phones, on-officer cameras, in-car camera systems, social media, and other sources
- Oriented to investigators and prosecutors
- Integration with Axon Evidence services
- Automatically identify video file codecs, formats, hash values, and other metadata
- Automatically determine the required codec necessary to play a wide variety of video formats
- Play forwards/backwards and fast forward through almost any video file
- Scrub forwards/backwards through almost any video file
- Mark and auto export an unlimited number of tagged video frames
- Create subclips from any readable media
- Batch transcode files to standard file formats (including uncompressed, lossless h.264, wmv, and more)
- Add filters to transcode workflow (including resize, deinterlace, pad, crop, blur, concatenate, etc.)
- Provide enhancement capabilities, such as stabilization, brightness adjustments, and frame averaging
- Produce dynamic frame analysis spreadsheets to xml documents
- Validate results compared with hexadecimal analysis tools
- Build and share workflows with other users
- Transcode files directly to Avid Media Composer projects
- Identify duplicate files in any folder based on md5 hash
- Produce detailed written reports via interactive PDF with embedded video and image content within iNPUT-ACE
- Extract I-frames
- Decimate
- Canvas Editor (picture-in-picture)
- Add raw FFmpeg arguments
- Perform four types of macroblock analysis
  - 4x4 prediction removed
  - 8x8 prediction removed
  - Color coded block types
  - Quantization parameter evaluation

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- Offered iNPUT-ACE Software (from Axon Enterprise)
- Variable frame rate (VFR) lightboard designed to accurately calculate time and vehicle speed from any video surveillance camera. This feature is designed to eliminate common errors that might occur during calculations based on frame rate.
- Camera match overlay tool that provides margin of error reports based on scanner, calibration, and resolution accuracy (e.g., a margin of error of +0.5 feet) for data collected from footage.

Axon Justice

- Productivity tool for prosecutors and defense attorneys
- Streamlined evidence management
- Unlimited Auto-Transcribe for audio and video
- Discovery workflows, fully integrated with Axon Evidence services
- Axon Evidence conversion and playback tools for third-party video, including body-worn, in-car, interview room, and CCTV video
- Chain of custody reports with extensive audit trail
- Free sharing with partners
- Customer-defined data retention policies

Axon Customer Support

- Online and email-based support available 24/7
- Human phone-based support available Monday–Friday 7:00 AM–5:00 PM MST; support is located in Scottsdale, AZ, USA
- Library of webinars available 24/7
- Remote-location troubleshooting

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Axon Brand Model Numbers

1. Axon Fleet Camera
   - Axon Fleet Battery System: 74024
   - Axon Fleet Bluetooth Dongle: 74027
   - Axon Fleet 3 Dual View Camera: 72000
   - Axon Fleet 3 Interior Camera: 72037
   - Axon Fleet Hub: 72010
2. Axon Signal Unit Model: 70112
3. Axon Air System with Axon Evidence (Evidence.com) 5-Year License Model: 12332
4. Axon Signal Unit Model: 70112

Axon Product Packages

1. **Officer Safety Plan 10**: Includes a TASER 10 energy weapon, the TASER 10

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certification bundle, Axon body camera with Technology Assurance Plan (TAP),[1] Axon Evidence (Evidence.com), unlimited body camera and Axon Capture storage, Command Staff Pro license (1 per 100), Axon Signal Sidearm, Axon Standards, and Axon Respond.

2. **Officer Safety Plan 10 Plus**: Includes a TASER 10 energy weapon, the TASER 10 certification bundle, Axon body camera with Technology Assurance Plan (TAP),[1] Axon Evidence (Evidence.com), unlimited body camera and Axon Capture storage, Command Staff Pro license (1 per 100), Axon Signal Sidearm, Axon Standards, Axon Respond, Axon Respond+, Axon Performance, Axon Community Request, Axon Investigate, Redaction Assistant, auto-tagging with implementation, channel services (3), third-party video storage (100 GB), third-party video playback, and Axon Records.
3. **Officer Safety Plan 10 Premium**: Includes a TASER 10 energy weapon, the TASER 10 certification bundle, Axon body camera with Technology Assurance Plan (TAP),[1] Axon Evidence (Evidence.com), unlimited body camera and Axon Capture storage, Command Staff Pro license (1 per 100), Axon Signal Sidearm, Axon Standards, Axon Respond, Axon Respond+, Axon Performance, Axon Community Request, Axon Investigate, Redaction Assistant, auto-tagging with implementation, channel services (unlimited), third-party video storage (100 GB), third-party video playback, Axon Records, Axon VR training, Axon Auto-Transcribe, and My90 by Axon.
4.

SOLE AUTHORIZED DISTRIBUTOR FOR AXON BRAND CAMERAS AND TASER BRAND ENERGY WEAPON PRODUCTS	SOLE AUTHORIZED REPAIR FACILITY FOR AXON BRAND CAMERAS AND TASER BRAND ENERGY WEAPON PRODUCTS
Axon Enterprise, Inc. **17800 N. 85th Street, Scottsdale, AZ 85255** **Phone: 800-978-2737** **Fax: 480-991-0791**	**Axon Enterprise, Inc.** **17800 N. 85th Street, Scottsdale, AZ 85255** **Phone: 800-978-2737** **Fax: 480-991-0791**

Please contact your local Axon sales representative or call us at 1-800-978-2737 with any questions.

Sincerely,

Josh Isner
President
Axon Enterprise, Inc.

Non-Axon trademarks are property of their respective owners.

The Delta Logo, the Axon + Delta Logo, Axon, Axon Fleet, Axon Respond, Axon Citizen, Axon Evidence, Axon Flex, Axon

[1] Axon Body 3 or Axon Body 4 & Axon Dock (for cameras) hardware purchased separately. Includes two Axon camera upgrades and one camera dock upgrade, which apply to 5-year contracts only.

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Nine Features of Livonia Police Department's Axon Agreement

Your mission every day is to protect life. So is ours. We are Axon, a team committed to pushing the boundaries of technology to help you feel more confident in the field, at the station, and in the court.



AXON BODY 4

The next-generation body worn camera with streamlined operations, high-resolution evidence from any angle, and real-time support during livestreams.

Respond



TASER 10

Our safest, most effective and connected weapon ever, featuring 10 individually targeted probes and a maximum range of 45 feet. This also includes the TASER 10 Certification Plan with the Live Cartridge Duty Replacement Program, training cartridges, holsters, rechargeable batteries, instructor training, and end-user training.



AXON FLEET 3

Drive the future of in-car video with high-quality video, mobile ALPR, and real-time awareness.



AXON SIGNAL SIDEARM

Capture vital footage by adding a sensor to your holster, which alerts your camera to start recording when a firearm is unholstered.



AXON INTERVIEW

Access a simple, smart interview management system.



AXON RESPOND

All bundles come with Axon Respond. OSP+ and Premium bundles benefit from an Axon Respond+ license, which enables alerts, live maps and streaming.



AXON INVESTIGATE

Axon Investigate unlocks the power of video evidence by providing investigators a simple, fast and forensically-sound solution to video evidence challenges.



AXON STANDARDS

Simplify internal affairs investigations with streamlined use-of-force and internal affairs report writing.



AXON PERFORMANCE

Streamline supervisor reviews with Axon Performance. Measure your Axon body-worn camera, Fleet, and TASER weapon policy compliance in near real-time and identify areas for training and clearer policy.

We are transforming public safety with technology. □axon.com

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AXON EXECUTIVE SUMMARY

OFFICER SAFETY PLAN 10
PERFORMANCE
THIRD PARTY VIDEO SUPPORTA
UTO-TAGGING
FLEET 3 ADVANCED
AXON AIR
INTERVIEW ROOMS
STANDARDS

LIVONIA POLICE DEPARTMENT

Axon Enterprise, Inc.
17800 North 85th Street
Scottsdale, AZ 85255
Phone: 800.978.2737
February 2022

AXON 5-YEAR CONTRACT INTRODUCTION

Livonia Police Department.

15050 Farmington Road

Livonia, MI 48154

Livonia PD Team,

On behalf of Axon, we are pleased to present the following agreement for your BWC, CEW, In-Car Camera Systems, Interview Rooms, and Drone Program needs.

The agreement reflects a new 5-year contract to begin on 7/1/2024.

This agreement was structured to reflect the police department's growing needs by adding additional hardware and implementing our newest transparency technology for its community policing initiatives. These additions to the new service agreement now reflect the growth in department personnel by adding additional BWCs and CEWs, resulting in 138 BWC/CEW users and 45 in-car cameras.

The department also embraced our newest technology, aiding them in maintaining its world-class services, while increasing its transparency through technologies such as Axon Standards and Axon Performance. The police department is replacing end-of-life technology by updating its 5 interview rooms and expanding its drone program to 6 drone pilots and 2 drones.

This Axon program includes hardware, software, accessories, training programs, 24/7 customer support, equipment refreshes, and warranties all together to equip your officers with the solutions they need.

This agreement is offered and recommended based on the discussions, presentations, and demos the Police Department and Axon have had over the last few months.

We value Livonia PD's continued partnership with Axon and its role as a thought & technology leader in the state of Michigan. With that in mind, we are excited to review this agreement inclusive of our Officer Safety Plan 10.

AXON

5-YEAR CONTRACT DELIVERABLES

BWC COMPONENTS

- 138 Axon Body 4 cameras *NEW TO LPD*
- 18 Axon Body 3 (8-bay) docks
- TAP Program: BWC & Docks Refreshes at 30 months and 60 months
- Unlimited Axon Storage
- 148 Professional Licenses
- Axon View
- Axon Capture
- Redaction Studio
- Auto Tagging
- Signal Sidearm Activation Devices *NEW TO LPD*
- Performance *NEW TO LPD*
- Respond for Devices (GPS, Live Alerts) *NEW TO LPD*
- Respond for Devices + (Live Stream, Priority Offload) *NEW TO LPD*
- Third-Party Video Support *NEW TO LPD*
- Standards Reporting *NEW TO LPD*
- 1Day of Onsite PSO Support for BWCs

CEW COMPONENTS

- 138 TASER 10s *NEW TO LPD*
- 138 Holsters
- TASER 10 Signal Activation *NEW TO LPD*
- TASER 10 Cartridges & Batteries *NEW TO LPD*
- CEW Training Supplies (Halt Suit/Target) *NEW TO LPD*
- CEW Vouchers (Instructor and MIS School) *NEW TO LPD*
- CEW Rechargeable Batteries and Dock & Walk Bays *NEW TO LPD*
- 2 Days of Onsite PSO Support for CEWs

FLEET 3 COMPONENTS *NEW TO LPD*

- 45 Fleet 3 In-Car Systems
- Integration with the MDC
- Livestreaming
- Automated License Plate Readers
- White-glove installation
- TAP Program: Hardware Refresh at 60 months

AXON AIR COMPONENTS *NEW TO LPD*

- 6 Axon Air Pilot Licenses
- 2 Class I Drone Licenses
- Unlimited Axon Storage
- Wireless livestreaming to Axon Respond
- Seamless integration with Axon Evidence
- Comprehensive Program Management

IN CONCLUSION

Axon and Livonia Police Department have had a long-lasting partnership, and we look forward to continuing that relationship into the future. We thank you for your evaluation and engagement during this process and look forward to working together as the agency deploys these tools and solutions.

If you have any questions regarding our solutions or pricing, please contact:

KEY ACCOUNT LEADER

Julie Bosack

(312) 576-2829

jbosack@axon.com

CEW ACCOUNT EXECUTIVE

Mike Griffiths

(727)204-0791

mgriffiths@axon.com

BACK COVER

DEDICATION TO CUSTOMER SUCCESS

Once a solution is delivered, most agencies are left asking, what's next? Axon has you covered. We are committed to providing Livonia Police Dept. with post-sales and post-deployment support. Whether that be troubleshooting assistance, technical support, consulting advice, or help with exchanging and returning equipment, our dedicated team is here for you. Through regular communication, our knowledgeable staff can offer Livonia Police Dept. the support you should expect from a service provider. This support includes access to:

- **CUSTOMER SUCCESS MANAGERS** – Dedicated Axon personnel assigned per agency who communicate important operating system/firmware and hardware updates, identify day-to-day bugs, and address general issues, as well as fulfill hardware refreshes and deployment of new equipment, conduct quarterly business reviews with customers, and identify important customer feature requests
- **24/7 CUSTOMER SUPPORT** – Axon's full customer support division available via live phone support, 24 hours a day, seven days a week.
- **PROFESSIONAL SERVICES** – Experienced and skilled personnel who are involved in the implementation, development, deployment, management, and support of your Axon program
- **SALES ENGINEERS (SE)** – SEs own the technical aspects of the sales process and have the technical mindset which allows them to understand complex systems and solve intricate challenges involving hardware, software, and network issues
- **SUBJECT MATTER EXPERTS (SME)** – SMEs have vast experience in Axon products and an understanding of the complex issues that affect law enforcement around the world
- **ECOMMERCE** – Axon's online store available to clients for an expedited purchasing experience on smaller orders
- **CONSULTANTS** – Part-time expert consultants, made up of retired law enforcement leaders, who deliver service on smaller projects and serve as additional resources on large projects
- **AXON'S EXECUTIVE TEAM** – A leadership team with broad business and technology experience
- **AXON'S CEW TEAM** – A team of experienced CEW sales reps, engineers, and SMEs
- **AXON ACCELERATE** – Axon's user conference brings members of the law enforcement community, technology leaders, and prosecutors together to learn how agencies can make policing more effective and efficient with Axon products
- **ACCOUNT MANAGEMENT HELP** – Available assistance when issues arise with an agencies account
- **LUNCH AND LEARNS** – Short informational sessions to share knowledge across and within different disciplines at Axon
- **LEARNING AND DEVELOPMENT** – Ongoing training courses that cover and promote proper software and hardware use and compliance

AXON PRODUCT OVERVIEWS

TASER 10

Our continued dedication to the TASER CEW, successful endeavors into other areas of connected law enforcement technologies, and close partnerships with thousands of agencies have informed the development of TASER 10 – the most effective and intelligent TASER yet. TASER 10 is designed to give officers the confidence to de-escalate dangerous situations with new components, technology, and features that include:

- Increased distance of up to 45ft (more than double that of legacy TASER weapons)
- 10 Individually targeted Probes which creates 9 opportunities for NMI. Especially useful in stressful situations
- Any probe connect, which limits ineffective deployments that happen due to missing the bottom probe, loose or thick clothing, or limited probe spread
- Warning alert (no drive stun capability) which allows to gain compliance without deploying cartridges
- Low Voltage Weapon which makes it much less likely to ignite flammables
- Built in accelerometer to help track when the device is unholstered and pointed at subjects, helping with automated Response to Resistance reporting & successfully de-escalating situations without deploying probes

TASER 10 features wireless connectivity to Axon applications. This connectivity improves and automates workflows, so officers can focus on policing. The platform uses removable, rechargeable batteries and utilizes a “Dock and Walk” workflow, similar to that used by Axon body-worn cameras. The platform has improved armory and administrative functions with Evidence.com and Axon Device Manager through a connected mobile application, allowing agencies to more easily manage device assignments, plus better search functionality and device status reporting to assist with inventory management and tracking.

TASER 10 Certification Bundle

Axon is delivering TASER 10 to agencies with an increased focus on training. With new content, tools, and approaches to TASER training, Axon aims to help officers reduce risk, retain more information, and get more hands-on experience with the device before using it in the field. The TASER 10 Certification bundle provides all the following:

- TASER 10 Duty & Training Cartridges
- Instructor & Master Instructor Courses for Certification
- Hook and Loop Training (HALT) Suit

Axon Body 4
Axon Body 4 in more than just a body camera – it's your reliable partner in the field, maximizing safety and transparency with enhanced camera options, longer-lasting battery, and the ability to request support anywhere. With streamlined operation and faster charging, you'll spend less time on administrative tasks and more time on what really matters – keeping yourself and others safe. The improved security and storage options give you the confidence that your footage is secure and always within reach. Plus, the optional Flex POV module lets you capture every moment from any angle. Elevate your performance and safety with Axon Body 4.

Axon Auto Tagging
The OSP10 Premium package includes Axon Auto Tagging, which automatically tags Axon body-worn & Fleet camera videos with correlating metadata from your CAD or RMS system.

Axon Respond
Axon Respond leverages real-time situational capabilities of the Axon Body 4's LTE antenna to provide critical notifications such as map-based location tracking via Evidence.com so you can actively see where Officers are located in the field (when recording) and away from their vehicles.

Axon Respond+
Axon Respond leverages real-time situational capabilities of Respond plus the ability to live-stream into the BWC for better situational awareness. Axon Body 4 allows the Officer to request live-streaming access using the "Watch Me" feature for enhanced Office Safety. You can also offload critical incidents out in the field without needing to dock or plug in the camera.

Axon Signal Sidearm
A smart sensor that attaches to an officer's holster to trigger Axon body-worn cameras within 30' range to start recording automatically when an officer's weapon is drawn. This can be configured 1:1 or all Axon BWC in the vicinity.

Axon Performance
Axon Performance automates body-worn camera policy reviews and provides actionable, up to date compliance information, such as camera use during calls for service, with an intuitive metrics dashboard and shareable reporting capabilities. This service extracts patterns of behavior from your Evidence.com data to improve agency review processes, guide policy updates, and identify opportunities for officer training and development.

Axon Investigate & 3rd Party Playback

Axon's Investigate is a digital forensic software used for building demonstratives in court and helping prove the authenticity of video files, so they can be played back in its original file format. Axon's 3rd Party Playback helps agencies review propriety video files natively in evidence.com without having to download a separate media player. We can account for 95%+ of proprietary video file formats & continue to improve as new formats are discovered.

Axon Standards

Axon Standards is our use of force reporting software that leverages the connected devices from Axon (Body 4 Cameras & TASER 10) to pre-populate data that are used for creating internal affairs investigations. This also tracks TASER 10 effectiveness when gaining compliance without deploying the weapon using the built-in accelerometer. Axon Standards Licenses are included in all OSP10 packages. Additional Professional Services fees have been included to customize the software.

Fleet 3 In-car Camera System

Instead of two independent vehicle camera systems for siloed ALPR and evidence capture, why not centralize powerful capabilities into one in-car video system? Meet Fleet 3. It records the best-quality evidence from its Dual-View Camera. It also gives every vehicle automatic license plate reader capability, which means 8 times more coverage for the same spend as traditional systems. Plus, real-time situational awareness features including alerts, live maps and video/audio streaming help leaders and dispatchers maintain visibility into officers are facing in the field. It's a 3-in-1 that will change how you think about in-car solutions, all part of the Axon network.

Interview Rooms

Axon Interview allows agencies to capture video of witness and suspect interviews, tag it with descriptive metadata, and automatically transfer it to Axon Evidence. Featuring world-class security and large-agency support, it is a full interview room video solution that provides critical, defensible evidence for the prosecution.

Axon Air Drone Program

Axon Air features the only mobile application in the industry that allows you to pilot your drone, live-stream its video, and upload evidence right form your phone or tablet. And you can easily manage your drone program by housing all your agency's drone evidence, audit trails, and pilot certifications in Evidence.com.

BACK COVER

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

15. REQUEST TO RENEW SOFTWARE MAINTENANCE AGREEMENT WITH SOLE SOURCE PROVIDER: Department of Information Systems, re: with ESRI, Inc., for the City's Geographic Information System (GIS) for a period of one year, from budgeted funds.

    Casey O'Neil, Information Systems Director, presented the request to Council.

    Councilmember Jolly offered an approving motion for the Consent Agenda.

    DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

15.

Information Systems
April 30, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Casey O'Neil, Information Systems Director

AGENDA ITEM

REQUEST TO RENEW SOFTWARE MAINTENANCE AGREEMENT WITH SOLE SOURCE PROVIDER: Department of Information Systems, re: with ESRI, Inc., for the City's Geographic Information System (GIS) for a period of one year, from budgeted funds.

BACKGROUND DETAILS

This is an annual renewal for the ArcGIS software from ESRI, Inc. used by Livonia's Geographic Information Systems (GIS). GIS allows the management of geographic maps, applications, and spatially referenced data within the city. Included are online map services, database maintenance, mapping support for City departments, and integration with Cityworks, the asset management software used by DPW.

The total cost for annual software maintenance is $23,470.00, providing the city with the following:

(1) One copy of "ArcGIS Desktop Advanced" license.
(2) Three copies of "ArcGIS Desktop Standard" licenses for GIS editing.
(3) Eight copies of concurrent "ArcGIS Desktop Basic licenses for GIS production work.
(4) One copy each of "ArcGIS Server Enterprise Standard" and "ArcGIS Enterprise Workgroup Standard" to support ArcSDE
(5) Five named users of ArcGIS Online Creator.
(6) "ArcGIS Spatial Analyst for Desktop" to support spatial analysis.

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

Approve the purchase of software maintenance for the period from July 17, 2024 to July 16, 2025, in the amount of $23,470.00, from ESRI, Inc., 380 New York Street, Redlands, CA 92373.

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

The total annual maintenance cost is $23,470.00. This is a sole-source request, as this software can only be purchased through ESRI, Inc. No additional appropriation is necessary since funds are budgeted in the Computer Software Maintenance account number 101-228-851-020.

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

$23,470.00, 1 Year

DETAILED WORK BEING PERFORMED

N/A

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

$23,470.00 from budgeted funds in Account #101-228-851-020.

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): Sole Source

ATTACHMENTS

1. S052024 LTC ESRI agreement
2. Esri Renewal Quote # 26208568

APPROVED BY



Casey O'Neil, Information Systems Director — Date: April 30, 2024



Debra Peck Lichtenberg, CPA, Finance Director — Date: May 03, 2024



Maureen Miller Brosnan, Mayor — Date: May 13, 2024

Esri Inc
380 New York Street
Redlands CA 92373

Subject: Renewal Quotation

Date: 04/24/2024
To: Casey O'Neil
Organization: City of Livonia
Information Systems
Fax #: 734-466-2193 **Phone #:** 734-466-2279

From: Cameron Usher
Fax #: 909-307-3083 **Phone #:** + 19093695702 Ext. 5702
Email: cusher@esri.com

Number of pages transmitted (including this cover sheet): 5

Quotation #26208568
Document Date: 04/17/2024

Please find the attached quotation for your forthcoming term. Keeping your term current may entitle you to exclusive benefits, and if you choose to discontinue your coverage, you will become ineligible for these valuable benefits and services.

If your quote is regarding software maintenance renewal, visit the following website for details regarding the maintenance program benefits at your licensing level
http://www.esri.com/apps/products/maintenance/qualifying.cfm

All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your coverage at a later date.

Please note: Certain programs and license types may have varying benefits. Complimentary User Conference registrations, software support, and software and data updates are not included in all programs.

Customers who have multiple copies of certain Esri licenses may have the option of supporting some of their licenses with secondary maintenance.

For information about the terms of use for Esri products as well as purchase order terms and conditions, please visit
http://www.esri.com/legal/licensing/software-license.html

If you have any questions or need additional information, please contact Customer Service at 888-377-4575 option 5.

380 New York Street
Redlands, CA 92373
Phone: + 190936957025702
Fax #: 909-307-3083

Quotation

Date: 04/17/2024 **Quotation Number:** 26208568 **Contract Number:** 318946

Send Purchase Orders To:
Environmental Systems Research Institute, Inc.
380 New York Street
Redlands, CA 92373-8100
Attn: Cameron Usher

Please include the following remittance address on your Purchase Order:
Environmental Systems Research Institute, Inc.
P.O. Box 741076
Los Angeles, CA 90074-1076

City of Livonia
Information Systems
33000 Civic Center Dr
Livonia MI 48154-3060
Attn: Casey O'Neil
Email: coneil@livonia.gov
Phone: 734-466-2200
Customer Number: 100402

For questions regarding this document, please contact Customer Service at 888-377-4575.

Item	Qty	Material#	Unit Price	Extended Price
10	1	52384 ArcGIS Desktop Advanced Concurrent Use Primary Maintenance Start Date: 07/17/2024 End Date: 07/16/2025 Subscription ID: 1712956125	3,300.00	3,300.00
1010	1	86497 ArcGIS Desktop Standard Concurrent Use Primary Maintenance Start Date: 07/17/2024 End Date: 07/16/2025 Subscription ID: 1712956125	1,650.00	1,650.00
2010	2	86500 ArcGIS Desktop Standard Concurrent Use Secondary Maintenance Start Date: 07/17/2024 End Date: 07/16/2025 Subscription ID: 1712956125	1,320.00	2,640.00
3010	1	87194 ArcGIS Desktop Basic Concurrent Use Primary Maintenance	770.00	770.00

Please note Esri has introduced a price change and this quote reflects current pricing for your organization. It is important to us that we are able to continue to deliver value through enhancements to products, solutions, and capabilities.

Your renewal provides access to all the benefits you are familiar with, which you can review at https://go.esri.com/maintenance
For questions related to the price change, please reach out to your assigned Esri Account Manager.

Quotation is valid for 90 days from document date.

Any estimated sales and/or use tax has been calculated as of the date of this quotation and is merely provided as a convenience for your organization's budgetary purposes. Esri reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing. If your organization is tax exempt or pays state taxes directly, then prior to invoicing, your organization must provide Esri with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

To expedite your order, please reference your customer number and this quotation number on your purchase order.

380 New York Street
Redlands, CA 92373
Phone: + 190936957025702
Fax #: 909-307-3083

Quotation

Date: 04/17/2024 **Quotation Number:** 26208568 **Contract Number:** 318946

Item	Qty	Material#	Unit Price	Extended Price
		Start Date: 07/17/2024 End Date: 07/16/2025 Subscription ID: 1712956125		
4010	7	87195 ArcGIS Desktop Basic Concurrent Use Secondary Maintenance Start Date: 07/17/2024 End Date: 07/16/2025 Subscription ID: 1712956125	550.00	3,850.00
5010	1	87232 ArcGIS Spatial Analyst for Desktop Concurrent Use Primary Maintenance Start Date: 07/17/2024 End Date: 07/16/2025	550.00	550.00
6010	1	87192 ArcGIS Desktop Basic Single Use Primary Maintenance Start Date: 07/17/2024 End Date: 07/16/2025 Subscription ID: 1712956125	440.00	440.00
7010	5	153148 ArcGIS Online Creator Annual Subscription Start Date: 07/17/2024 End Date: 07/16/2025 Subscription ID: 1712956125	550.00	2,750.00
8010	1	161322 ArcGIS Enterprise Workgroup Standard Up to Two Cores Maintenance (Enterprise Standard Migration) Start Date: 07/17/2024 End Date: 07/16/2025	1,250.00	1,250.00
9010	1	161328 ArcGIS Enterprise Standard Up to Four Cores Maintenance Start Date: 07/17/2024 End Date: 07/16/2025	5,500.00	5,500.00
10010	2	165533 ArcGIS Online Mobile Worker Annual Subscription Start Date: 07/17/2024 End Date: 07/16/2025 Subscription ID: 1712956125	385.00	770.00

380 New York Street
Redlands, CA 92373
Phone: + 190936957025702
Fax #: 909-307-3083

Quotation

Date: 04/17/2024 **Quotation Number:** 26208568 **Contract Number:** 318946

Item	Qty	Material#	Unit Price	Extended Price

Item Subtotal		23,470.00
Estimated Tax		0.00
Total	**USD**	**23,470.00**

DUNS/CEC: 06-313-4175 CAGE: 0AMS3

380 New York Street
Redlands, CA 92373
Phone: + 190936957025702
Fax #: 909-307-3083

Quotation

Date: 04/17/2024 **Quotation No:** 26208568 **Customer No:** 100402 **Contract No:** 318946

Item	Qty	Material#	Unit Price	Extended Price

Renew online by using a credit card, purchase order, or by requesting an invoice at https://www.esri.com/en-us/quote-order/renew.

If there are any changes required to your quotation please respond to this email and indicate any changes in your invoice authorization.

If you choose to discontinue your support, you will become ineligible for support benefits and services. All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your support coverage at a later date.

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at http://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf , and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at http://assets.esri.com/content/dam/esrisites/media/legal/ma-full/ma-full.pdf apply to your purchase of that item. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at http://www.esri.com/en-us/legal/terms/state-supplemental apply to some state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin.

In order to expedite processing, please reference the quotation number and any/all applicable Esri contract number(s) (e.g. MPA, EA, GSA, BPA) on your ordering document.

USD_____ plus sales tax, if applicable.

Please check one of the following:

_____ I agree to pay any applicable sales tax.

_____ I am tax exempt. Please contact me if Esri does not have my current exempt information on file.

_____ _____
Signature of Authorized Representative Date

_____ _____
Name (Please Print) Title

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

16. AWARD OF BID: Livonia Housing Commission, re: for the replacement of fifty-four, thirty-gallon hot water heaters at Silver Village, from budgeted funds.

Jim Inglis, Interim Housing Director, presented the request to Council.

Steve King, 33950 Coventry, voiced his opposition to old technology, and feels we should use tankless water heaters to save money.

Councilmember Donovic said the bid includes a permit section and asked if we are charging ourselves a permit fee. He also asked if they are 80% or 90% efficiency.
Mr. Inglis said this is being paid for out of the Silver Village Fund, not by the city, so there are permit fees. He said they have size constraints due to the structure of the building.

Councilmember Budzinski asked if tankless water heaters were considered.
Mr. Inglis said it was actively investigated and it would cost about four times more and this fee would need to be passed on to the residents.

Councilmember Toy offered an approving motion for the Consent Agenda.

DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

16.

Housing
May 10, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Jim Inglis, Director of Housing

AGENDA ITEM

AWARD OF BID: Livonia Housing Commission, re: for the replacement of fifty-four, thirty-gallon hot water heaters at Silver Village, from budgeted funds.

BACKGROUND DETAILS

Budgeted funds from Silver Village capitol funds will be used for improvements to residents units. The proposed project is a replacement of 54, 30 gallon water heaters.

Specifications were prepared in cooperation with the Finance Department, and an advertisement for bids was placed on the MITN website. Eight bids were received and opened at 2 p.m. on April 16, 2024. The bid tabulation is attached for the Council's review.

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

Approve Good Neighbor Heating and Cooling for the replacement of 54 hot water heaters at Silver Village.

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

30 gallon Lochinvar water heaters.

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

Good Neighbor Heating and Cooling for $65,718.

DETAILED WORK BEING PERFORMED

Replacement of 54, 30 water heaters.

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

$65,718, 538-676-987-000

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

Good Neighbor Heating and Cooling

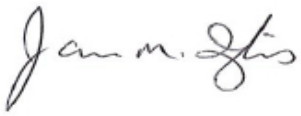
420 Eureka #172
Wyandotte, MI 48192

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

ATTACHMENTS

1. SV Water Tanks

APPROVED BY



Jim Inglis, Director of Housing — Date: May 10, 2024



Debra Peck Lichtenberg, CPA, Finance Director — Date: May 10, 2024



Carter Fisher, City Attorney — Date: May 10, 2024



Maureen Miller Brosnan, Mayor — Date: May 13, 2024

BID OPENING
Silver Village Hot Water Heaters

BID DUE DATE 4/16/2024

VENDOR NAME	Detroit Boiler Company	Good neighbor heating and air conditioning
CITY/STATE	2931 Beaufait, Detroit, MI 48207	19732 Telegraph, Brownstown, MI 48174
Cost for 54 Hot Water Heaters & Install	$82,382.00	$62,100.00
Permit Fees	$3,618	$3,618
TOTAL COST	$86,000.00	$65,718.00

VENDOR NAME	Heating and Cooling for Less	Lyon Mechanical
CITY/STATE	2010 Kingsbury, Dearborn, MI 48128	30100 South Hill Rd., New Hudson, MI 48165
Cost for 54 Hot Water Heaters & Install	$99,900.00	$100,405.00
Permit Fees	$3,618	$3,618
TOTAL COST	$103,518.00	$104,023.00

VENDOR NAME	M1 Construction Group	Michigan General Contractor
CITY/STATE	32563 Schoolcraft Rd., Livonia, MI 48150	755 W. Big Beaver, Suite 2020, Troy, MI 48084
Cost for 54 Hot Water Heaters & Install	$72,500.00	$84,236.00
Permit Fees	$3,618	$3,618
TOTAL COST	$76,178.00	$87,854.00

VENDOR NAME	Rooter MD Plumbing LLC	Sharon Heating & Cooling
CITY/STATE	31675 W. 8 Mile Rd., Livonia, MI 48152	31776 Cowan, Westland, MI 48185
Cost for 54 Hot Water Heaters & Install	$112,500.00	$69,000.00
Permit Fees	$3,618	$3,618
TOTAL COST	$116,118.00	$72,618.00

VENDOR NAME		
CITY/STATE		
Cost for 54 Hot Water Heaters & Install		
Permit Fees	$3,618	$3,618
TOTAL COST		

CITY REPRESENTATIVES: DORIS DEMARCO, OFFICE OF THE CITY CLERK

GUS KANDAH, PURCHASING MANAGER

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

17. AWARD OF BID: Livonia Housing Commission, re: for the replacement of four, ninety-gallon hot water heaters at McNamara Towers Building 1 and 2, from budgeted funds.

    Jim Inglis, Interim Housing Director, presented the request to Council.

    Steve King, 33950 Coventry, voiced his opposition to the purchase.

    Councilmember Donovic offered an approving motion for the Consent Agenda.

    DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

17.

Housing
May 10, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Jim Inglis, Director of Housing

AGENDA ITEM

AWARD OF BID: Livonia Housing Commission, re: for the replacement of four, ninety-gallon hot water heaters at McNamara Towers Building 1 and 2, from budgeted funds.

BACKGROUND DETAILS

Community Development Block Grant (CDBG) program income will be used to support public facility improvements. The proposed project is a replacement of 4 90 gallon hot water heaters at McNamara Towers.

Specifications were prepared in cooperation with the Finance Department, and an advertisement for bids was placed on the MITN website. Six bids were received and opened at 2 p.m. on April 23, 2024. The bid tabulation is attached for the Council's review.

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

Approve Detroit Boiler Company for the replacement of 4 hot water heaters on McNamara Towers.

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

90 gallon Lochinvar hot water heaters.

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

Detroit Boiler Company for $51,000.

DETAILED WORK BEING PERFORMED

Replacement of 4 90 gallon water heaters.

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

$51,000, 232-800-818-678

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

Detroit Boiler Company

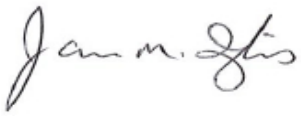
2931 Beaufait St
Detroit, MI 48207

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

ATTACHMENTS

1. MT Hot Water Heater Bids

APPROVED BY



Jim Inglis, Director of Housing — Date: May 10, 2024



Debra Peck Lichtenberg, CPA, Finance Director — Date: May 10, 2024



Carter Fisher, City Attorney — Date: May 10, 2024



Maureen Miller Brosnan, Mayor — Date: May 13, 2024

JAMES M. INGLIS
DIRECTOR

MEMBERS
DALE MOSER
BRIAN SCOTT
CONNIE KUMPULA
ELEANOR MALONE
KREUZA GJEZI

LIVONIA HOUSING COMMISSION

MAUREEN MILLER BROSNAN
MAYOR

PATRICK V. McNAMARA TOWERS
19300 PURLINGBROOK ROAD
LIVONIA, MICHIGAN 48152-1902
(248) 477-7086
(248) 477-0172 FAX

*Note: This form is to be used for quotes under $75,000 (Public Housing, HCV) and $30,000 Silver Village, Newburgh Village, CDBG, Transportation

Property: McNamara Towers H1 and H2

Item: Domestic Hot Water Heaters (4)

Specification: See Attached

Account No:

Company Name	Cost
Detroit Boiler Company	$1,000

Contract/Vendor Recommendations:

Reasons Why:

Prepared By: Date:

Approved By: Date:

EQUAL HOUSING OPPORTUNITY

BID OPENING
McNamara Towers Hot Water Heaters

BID DUE DATE 4/23/2024

VENDOR NAME	Allied Building Service Company of Detroit, Inc.	Detroit Boiler Company
CITY/STATE	1801 Howard St., Detroit, MI 48216	2931 Beaufait, Detroit, MI 48207
Cost for 4 Hot Water Heaters & Install	$55,250	$50,732
Permit Fees	$268	$268
TOTAL COST	$55,518 /alt bid added	$51,000 /alt bid added

VENDOR NAME	Heating and Cooling for less	Horton Plumbing & Remodeling
CITY/STATE	2010 Kingsbury Ave., Dearborn, MI 48128	1382 S. Main St., Plymouth, MI 48170
Cost for 4 Hot Water Heaters & Install	$73,000	$64,870
Permit Fees	$268	$268
TOTAL COST	$73,268	$65,138

VENDOR NAME	L. J. Rolls Refrigeration Co.	Rooter MD Plumbing LLC
CITY/STATE	1490 Torrey Rd., Fenton, MI 48430	31675 W. 8 Mile Rd., Livonia, MI 48152
Cost for 4 Hot Water Heaters & Install	No bid listed	$74,595
Permit Fees	$268	$268
TOTAL COST	No bid listed	$74,863

CITY REPRESENTATIVES: DORIS E. DEMARCO, DEPUTY CLERK

GUS KANDAH, PURCHASING MANAGER

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

18. AWARD OF BID: Livonia Housing Commission, re: for the replacement of eighty-one refrigerators at McNamara Towers, from budgeted funds.

    Jim Inglis, Interim Housing Director, presented the request to Council.

    Councilmember Toy offered an approving motion for the Consent Agenda.

    DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

18.

Housing
May 10, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Jim Inglis, Director of Housing

AGENDA ITEM

AWARD OF BID: Livonia Housing Commission, re: for the replacement of eighty-one refrigerators at McNamara Towers, from budgeted funds.

BACKGROUND DETAILS

Community Development Block Grant (CDBG) program income will be used to support public facility improvements. The proposed project is replacement of 81 refrigerators at McNamara Towers.

Specifications were prepared in cooperation with the Finance Department, and an advertisement for bids was placed on the MITN website. Seven bids were received and opened at 2 p.m. on April 16, 2024. The bid tabulation is attached for the Council's review.

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

Approve Great Lakes Supply for the replacement of 81 refrigerators at McNamara Towers.

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

Frigidaire 15 cubic foot, white.

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

Great Lakes Supply for $42,687.

DETAILED WORK BEING PERFORMED

Replacement of 81 refrigerators at McNamara Towers.

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

$42,687, 232-800-818-678

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

Great Lakes Supply
1275 Grand Oaks Dr

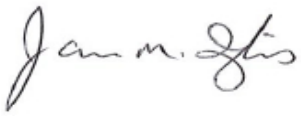
Howell, MI 48843

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

ATTACHMENTS

1. MT Fridge Bids

APPROVED BY



Jim Inglis, Director of Housing — Date: May 10, 2024



Debra Peck Lichtenberg, CPA, Finance Director — Date: May 10, 2024



Carter Fisher, City Attorney — Date: May 10, 2024



Maureen Miller Brosnan, Mayor — Date: May 13, 2024

BID OPENING
McNamara Towers Refrigerators

BID DUE DATE 4/16/2024

VENDOR NAME	APCO	Culinary Depot Inc.
CITY/STATE	5511 Enterprise Dr., Lansing, MI 48911	67 RT 59, Spring Valley, NY 10977
Cost for 81 units	$46,899.00	$42,678.90
Delivery FEE	$0.00	$1,600.00
TOTAL COST	$46,899.00	$44,278.90

VENDOR NAME	Great Lakes Supply	PKJ International LLC
CITY/STATE	1275 Grand Oaks Drive, Howell, MI 48843	12999 Murphy Rd. ste. N6, Stafford, TX 77477
Cost for 81 units	$42,687.00	$67,068.00
Delivery FEE	$0.00	Included
TOTAL COST	$42,687.00	$67,068.00

VENDOR NAME	Weststar Developments	Wisecom Technology
CITY/STATE	27204 Harper Ave., St. Clair Shores, MI 48081	4500 Forbes Blvd. 200-W14, Lanham, MD 20706
Cost for 81 units	$66,344.00	$52,650.00
Delivery FEE	Included	$3,500.00
TOTAL COST	$66,344.00	$56,150.00

VENDOR NAME		Holzberg Communication, Inc
CITY/STATE		
Cost for 81 units		$63,099.00
Delivery FEE		$600.00
TOTAL COST		$63,699.00

CITY REPRESENTATIVES: DORIS DEMARCO, OFFICE OF THE CITY CLERK

GUS KANDAH, PURCHASING MANAGER

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

19. AWARD OF BID: Livonia Housing Commission, re: for the replacement of carpet at McNamara Towers Building 2, from budgeted funds.

    Jim Inglis, Interim Housing Director, presented the request to Council.

    Councilmember Morgan offered an approving motion for the Consent Agenda.

    DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

19.

Housing
May 10, 2024

MEETING DATE	PRESENTED BY
S052024R060324	Jim Inglis, Director of Housing

AGENDA ITEM

AWARD OF BID: Livonia Housing Commission, re: for the replacement of carpet at McNamara Towers Building 2, from budgeted funds.

BACKGROUND DETAILS

Community Development Block Grant (CDBG) program income will be used to support public facility improvements. The proposed project is a carpet replacement.

Specifications were prepared in cooperation with the Finance Department, and an advertisement for bids was placed on the MITN website. Four bids were received and opened at 2 p.m. on April 30, 2024. The bid tabulation is attached for the Council's review.

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

Approve Solar Contract Carpet for carpet replacement at McNamara Towers.

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

McNamara Towers #2, 5 story building all public/common areas.

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

Solar Contact Carpet $102,946.80.

DETAILED WORK BEING PERFORMED

Replacement of carpet at McNamara Towers.

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

$102,946.80, 232-800-818-678

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

Solar Contract Carpet
12227 Beech Daly Rd

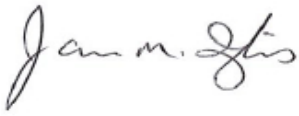
Redford, MI 48239

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

ATTACHMENTS

1. MT Carpet Bids

APPROVED BY



Jim Inglis, Director of Housing — Date: May 10, 2024



Debra Peck Lichtenberg, CPA, Finance Director — Date: May 10, 2024



Carter Fisher, City Attorney — Date: May 10, 2024



Maureen Miller Brosnan, Mayor — Date: May 13, 2024

BID OPENING
McNamara Towers Carpet
BID DUE DATE 4/30/2024

VENDOR NAME	Abbey Flooring and Design	Michigan Building Cleaning and Maintenance
CITY/STATE	17200 Farmington Rd., Livonia, MI 48152	2141 S. State Street, Ann Arbor, MI 48108
Removal/disposal of existing carpet cost	$ 4878.90	$ 11,295.00
Carpet Planks and other material costs	$ 82,909.73	$ 83,765.18
Installation Cost	$ 19,844.87	$ 22,590.00
TOTAL Cost	$ 107,633.50	$117,650.18

VENDOR NAME	S.C.I. Floorcovering	Solar Contract Carpet
CITY/STATE	30610 Ecorse Rd., Romulus, MI 48174	12227 Beech Daly Road, Redford, MI 48239
Removal/disposal of existing carpet cost	$ 3,350.00	$ 3,705.00
Carpet Planks and other material costs	$ 77,117.00	$ 83,026.40
Installation Cost	$ 23,284.00	$ 16,215.40
TOTAL Cost	$ 103,751.00 (secondary bid submitted)	$102,946.80

CITY REPRESENTATIVES: LESLIE ROHRAFF, OFFICE OF THE CITY CLERK, GUS KANDAH, PURCHASING MANAGER

AN ORDINANCE AMENDING SECTION 050 OF TITLE 13, CHAPTER 28 (INDUSTRIAL WASTE SURCHARGE) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

T□E CITY OF LI□ONIA ORDAINS:

Section 1. Section 050 of Title 13, Chapter 28 the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

13.28.050 Schedule of charges. Industrial waste pollutant strength surcharges are adopted herein, made effective with the first billing on and after July 1, 2034, for users of the wastewater system of the City of Livonia, and are to be computed as follows:

Computation of Industrial Waste Pollutant Strength Surcharge

The industrial waste pollutant strength surcharge shall be computed in accordance with the following formula:

SC = 0.0624 V [a (BOD-275) + b (TSS-350) + c (P-12) + d (FOG-100)]

Where:

SC	□	Pollutant strength surcharge fee in dollars for the billing period.
□	□	□olume of waste discharged in the billing period in Mcf (1,000 cubic feet).
BOD	□	Five-day biochemical oxygen demand of the waste expressed in milligrams per liter (ppm).
TSS	□	Total suspended solids in the waste expressed in milligrams per liter (ppm).
P	□	Phosphorus in the waste expressed in milligrams per liter (ppm).
FOG	□	Fats, oils, and grease in the waste expressed in milligrams per liter (ppm).

a, b, c, d	□	Surcharge rates in dollars/pound for treating BOD, TSS, P and FOG, respectively.
0.624	□	Factor which converts Mcf to MM lbs.
a	□	dollars/pound for treating BOD □ □ 0.3~~61~~92/pound greater than 275 mg/l.
b	□	dollars/pound for treating TSS □ □ 0.~~496~~525/pound greater than 350 mg/l.
c	□	dollars/pound for treating P □ □ ~~6.629~~7.571/pound greater than 12 mg/l.
d	□	dollars/pound for treating FOG □ □ 0.1~~15~~25/pound greater than 100 mg/l.

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.

_____

AN ORDINANCE AMENDING SECTION 040 OF TITLE 13, CHAPTER 08 (WATER SERVICE RATES AND REVENUES) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 040 of Title 13, Chapter 08 the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

13.08.040 Consumption rates. Effective with the first billing on and after July 1, 2023~~3~~4, water use will be charged at the following rates:

CHARGE DESCRIPTION	AMOUNT PER 100 CUBIC FEET
Base Charge	
GLWA per 100 cubic feet of water used	$ 2.~~35~~52
City of Livonia per 100 cubic feet of water used	$ ~~0.86~~1.05
Use Charge per 100 cubic feet of water used	$ 3.~~21~~57
Large User (meters sizes 1.5 inch or larger)	
Charge per 100 cubic feet of water used	$ 1.~~13~~24
Total Use Charge for Large Users per 100 cubic feet of water used	$ 4.~~34~~81

Rates presently established shall continue for bills issued before July 1, 2023~~3~~4.

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.

_____

NEW DATA RECEIVED FOR THE REGULAR MEETING OF JUNE 3, 2024, ITEM 15

Proposed Amendment to Section 120
Of Title 13, Chapter 20 of the
Livonia Code of Ordinances - p1

AN ORDINANCE AMENDING SECTION 120 OF TITLE 13, CHAPTER 20 (LIVONIA SEWAGE DISPOSAL SYSTEM) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 120 of Title 13, Chapter 20 the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

13.20.120 Disposal and maintenance rates (sewer). A. Effective with the first billing on and after July 1, 2023~~3~~4, the fixed quarterly charge for sewage system maintenance, determined by water meter size, shall be as follows:

METER SIZE	QUARTERLY CHARGE
5/8 Inch	$ ~~44.77~~46.44
3/4 Inch	$ ~~44.77~~46.44
1 Inch	$ ~~44.77~~46.44
1 1/2” Meter	$ ~~134.22~~139.22
2” Meter	$ ~~172.28~~178.70
3” Meter	$ ~~226.36~~234.80
4” Meter	$ ~~345.89~~358.79
6” Meter	$ ~~921.48~~955.84
8” Meter	$ ~~2,610.19~~2,707.53
10” Meter	$ ~~7,524.08~~7,804.67

B. 1. In addition to the fixed quarterly maintenance charge, effective with the first billing on and after July 1, 2023~~3~~4, there will be a charge for sewage system use, which shall be assessed at the following rates:

Base Charge	
Wayne County per 100 cubic feet of water used	$ ~~2.18~~2.30
City of Livonia per 100 cubic feet of water used	$ ~~0.86~~1.05
Base Charge per 100 cubic feet of water used	$ 3.~~04~~35
Large User (meters sizes 1.5 inch or larger)	
Charge per 100 cubic feet of water used	$ ~~2.02~~2.15
Total Charge for Large Users per 100 cubic feet of water used	$ 5.~~06~~50

2. For each dwelling unit with an unmetered water supply, there shall be a flat quarterly sewage system charge of: $ 1~~05.57~~13.44

3. Users other than single-family and two-family residential shall be subject to monthly Industrial Waste Control Meter Charges, determined by meter size, in the following amounts:

METER SIZE	MONTHLY INDUSTRIAL WASTE CONTROL CHARGE
5/8 Inch	$ ~~3.64~~3.72
3/4 Inch	$ ~~5.46~~5.58
1 Inch	$ ~~9.10~~9.30
1 1/2” Meter	$ ~~20.02~~20.46
2” Meter	$ ~~29.12~~29.76
3” Meter	$ ~~52.78~~53.94
4” Meter	$ ~~72.80~~74.40
6” Meter	$ ~~109.20~~111.60
8” Meter	$ ~~182.00~~186.00
10” Meter	$ ~~254.80~~260.40
12” Meter	$ ~~291.20~~297.60
14” Meter	$ ~~364.00~~372.00
16” Meter	$ ~~436.80~~446.40
18” Meter	$ ~~509.60~~520.80
20” Meter	$ ~~582.40~~595.20
24” Meter	$ ~~655.20~~669.60
30” Meter	$ ~~728.00~~744.00

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.

AN ORDINANCE AMENDING SECTION 050 OF TITLE 13, CHAPTER 08 (WATER SERVICE RATES AND REVENUES) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 050 of Title 13, Chapter 08 the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

13.08.050 Fixed rates. A. In addition to the charge for water usage, effective with the first billing on and after July 1, 2023~~3~~4, there will be a fixed quarterly charge, determined by meter size, as follows:

METER SIZE	QUARTERLY CHARGE
5/8 Inch	$ 2~~4.98~~6.81
3/4 Inch	$ 2~~4.98~~6.81
1 Inch	$ 2~~4.98~~6.81
1 1/2" Meter	$ ~~74.90~~80.36
2" Meter	$ ~~96.15~~103.14
3" Meter	$ ~~126.33~~135.53
4" Meter	$ ~~193.04~~207.09
6" Meter	$ ~~514.27~~551.70
8" Meter	$ ~~1,456.73~~1,562.74
10" Meter	$ ~~4,199.15~~4,504.72

B. Seasonal Flat rate Water, per quarter $ ~~89.18~~98.21.

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.

_____

Proposed Amendment to Section 130
Of Title 13, Chapter 20 of the
Livonia Code of Ordinances - p1

AN ORDINANCE AMENDING SECTION 130 OF TITLE 13, CHAPTER 20 (LIVONIA SEWAGE DISPOSAL SYSTEM) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 130 of Title 13, Chapter 20 the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

13.20.130 Special rates—For designated uses. A. Effective with the first billing on and after July 1, 2023~~3~~4, where sewage disposal service is furnished to users not situated within the city, the sewage disposal rate for such users shall be as follows:

1. For all unmetered houses or residential dwellings connected to and using the facilities of the sewage disposal system, such rate shall be a flat rate of one hundred ~~five~~ thirteen dollars and ~~fifty-seven~~ forty-four cents ($1~~05.57~~13.44) per quarter.

2. For all customers connected to and using the facilities of the sewage disposal system for which consumption data may be obtained, such rate shall be equal to the appropriate base rate established in 13.20.120(B)(1), plus the appropriate quarterly fixed charge as determined by meter size established in 13.20.120(A).

B. All seasonal users with kitchen or bathroom facilities shall pay 50% of the current per unit sewage charge, i.e.:

Base Charge	
Wayne County per 100 cubic feet	$ 1.~~08~~15
City of Livonia per 100 cubic feet	$ 0.~~37~~53
Base Charge per 100 cubic feet	$ 1.~~45~~68
Large User (meters sizes 1.5 inch or larger)	
Charge per 100 cubic feet	$ ~~0.96~~1.08
Total Base Charge for Large Users per 100 cubic feet of water used	$ 2.~~41~~76

C. The above rates do not include any rates imposed by the county for the treatment and disposal of sewage through its sewage treatment and disposal facilities. Any such rate shall be included and specified as a separate item in bills sent to users as hereinafter provided.

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.

_____

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

22. REQUEST TO ADJUST WATER AND SEWER CONSUMPTION RATES, INDUSTRIAL SURCHARGE RATE AND INDUSTRIAL WASTE CONTROL CHARGE: Public Works Division, re: to become effective on July 1, 2024.

    Councilmember Donovic offered a motion to refer this item to the Capital Outlay and Infrastructure Committee.

    DIRECTION APPROVING COMMITTEE OF WHOLE

LETTER TO THE LIVONIA CITY COUNCIL

22.

DPW
May 7, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Don Rohraff, Director of Public Works Debra Peck Lichtenberg, CPA, Finance Director

AGENDA ITEM

REQUEST TO ADJUST WATER AND SEWER CONSUMPTION RATES, INDUSTRIAL SURCHARGE RATE AND INDUSTRIAL WASTE CONTROL CHARGE: Public Works Division, re: to become effective on July 1, 2024.

BACKGROUND DETAILS

Livonia's Department of Public Works and Finance Department have worked together on the water and sewer rates proposed for implementation on July 1, 2024. In calculating the new rates, a review was made to determine how the fiscal year 2023 rates performed in conjunction with the budget, along with an analysis of the effects of the proposed new rates on our low-, average- and high-volume water users.

Incorporating the increase in wholesale charges from the Great Lakes Water Authority and an expected reduction in water sales charges, the recommended new rates will impact customers in the following manner:

1. The proposed water and sewer rate increase is 8.68 percent (8.68%) this year for the average residential user, which is an increase of $16.90 per quarter. Average use is based on consumption of 20 units (2,000 cubic feet) per quarter, which is 15,000 gallons of water.
2. The rate increase is mainly due to a pass-through of the changes to the water charges from our wholesale provider coupled with an anticipated decrease in water sales. Overall, GLWA increased its wholesale rate by 3.06%. The GLWA increase by component amounts to the per-unit rate increased by $.06 or 5.3 percent (5.3%) from $1.13 to $1.19, and an increased monthly fixed fee by $12,500 from $662,000 to $674,500 or 1.89 percent (1.89%).
3. A fixed fee increase of 5% is recommended for all meters.
4. City of Livonia users still pay less for water than users in most surrounding communities pay for an equal amount of water.
5. The new rates will be in effect from July 1, 2024, through June 30, 2025.

Additional detailed information is included in the attached letter to the Water and Sewer Board.

At a meeting of the Water and Sewer Board of the City of Livonia, the following resolution was adopted:

#WS 6551 05/24 RESOLVED, that the Water and Sewer Board will request City Council at their May 20, 2024, meeting to approve the new water rate effective July 1, 2024, of $6.92 per unit as well as increase the fixed quarterly fee by 5%. The Board recommends that Council proceed by approving amendments to the Water and Sewer Ordinance.

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

The Department of Public Works requests Council approve the PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCE, AS AMENDED: Department of Law, re: to Section 040 of Title 13, Chapter 08 (Water Services Rates and Revenues) to provide for changes in the water service consumption rates to become effective with the first billing on or after July 1, 2024.

	Old Rate 2023	**To New Rate 2024**
Water Billing per unit	$3.21	$3.57
Sewer Billing per unit	$3.04	$3.35
Total Per Unit	**$6.25**	**$6.92**

Individual Ordinance revisions are attached.

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

Water & Sewer services

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

n/a

DETAILED WORK BEING PERFORMED

n/a

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

n/a

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): Waive the formal bidding process in accordance with Section 3.04.140.E.3 of the Livonia Code of Ordinances, as amended since no advantage to the City would result from competitive bidding.

ATTACHMENTS

1. 2024 Water Rate Ordinance Revisions (1)
2. 2024 Water Rates Res #6551
3. Water Rates Powerpoint 05.03.2024
4. Letter to Water Board - Water Rates 2024 (002)

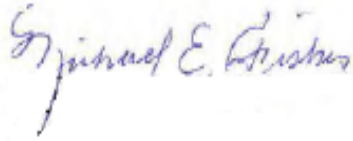
APPROVED BY



Don Rohraff, Director of Public Works — Date: May 09, 2024



Debra Peck Lichtenberg, CPA, Finance Director — Date: May 09, 2024



Mike Fisher, Chief Assistant City Attorney — Date: May 09, 2024



Maureen Miller Brosnan, Mayor — Date: May 13, 2024

13.08.40 WATER CONSUMPTION RATES

Effective with the first billing on and after July 1, 2024

Per Unit Charges	
GLWA per 100 cubic feet	2.52
City of Livonia per 100 cubic feet	1.05
Per Unit Charge per 100 cubic feet	3.57
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.24
TOTAL Large User Charge per 100 cubic Feet	**4.81**

13.08.50 FIXED RATES

Effective with the first billing on and after July 1, 2024

A) Quarterly Fixed Fee per Meter (water)

5/8	Inch Meter	26.81
3/4	Inch Meter	26.81
1	Inch Meter	26.81
1 ½	Inch Meter	80.36
2	Inch Meter	103.14
3	Inch Meter	135.53
4	Inch Meter	207.09
6	Inch Meter	551.70
8	Inch Meter	1,562.74
10	Inch Meter	4,504.72

B) Seasonal Flat rate Water, per quarter 98.21

13.20.120 DISPOSAL & MAINTENANCE RATES

Effective with the first billing on and after July 1, 2024

A) Quarterly Fixed Fee per Meter (sewer)

5/8	Inch Meter	46.44
3/4	Inch Meter	46.44
1	Inch Meter	46.44
1 ½	Inch Meter	139.22
2	Inch Meter	178.70
3	Inch Meter	234.80
4	Inch Meter	358.79
6	Inch Meter	955.84
8	Inch Meter	2,707.53
10	Inch Meter	7,804.67

B) Sewer Disposal Rates

Per Unit Charges

Wayne County per 100 cubic feet	2.30
City of Livonia per 100 cubic feet	1.05
Per Unit Charge per 100 cubic feet	3.35
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	2.15
TOTAL Large User Charge per 100 cubic Feet	**5.50**

B2) Flat Rate Sewer per Quarter 113.44

B3) Industrial Waste Control Monthly Meter Charges (GLWA)

5/8	Inch Meter	3.72
3/4	Inch Meter	5.58
1	Inch Meter	9.30
1 ½	Inch Meter	20.46
2	Inch Meter	29.76
3	Inch Meter	53.94
4	Inch Meter	74.40
6	Inch Meter	111.60
8	Inch Meter	186.00
10	Inch Meter	260.40
12	Inch Meter	297.60
14	Inch Meter	372.00
16	Inch Meter	446.40
18	Inch Meter	520.80
20	Inch Meter	595.20
24	Inch Meter	669.60
30	Inch Meter	744.00

13.20.130 - Special Rates - for Designated Users

Effective with the first billing on and after July 1, 2024

Seasonal user with Kitchen or Bathroom Facilities:	
50% of Current per unit Sewage Charge	
Per Unit Charges	
Wayne County per 100 cubic feet	1.15
City of Livonia per 100 cubic feet	0.53
Per Unit Charge per 100 cubic feet	1.68
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.08
TOTAL Base Charge for Large User	**2.76**

13.28.050 - Industrial Waste Pollutant Strength Surcharges

Effective with the first billing on and after July 1, 2024

Dollar/pound for treating BOD (Biochemical Oxygen Demand) in excess of 275 mg/l	0.392
Dollar/pound for treating TSS (Total Suspended Solids) in excess of 350 mg/l	0.525
Dollar/pound for treating P (Phosphorus) in excess of 12 mg/l	7.571
Dollar/pound for treating FOG (Fats, Oils & Grease) in excess of 100 mg/l	0.125

DEPARTMENT OF PUBLIC WORKS

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Water & Sewer Board

Brett Gierak – Chairman
Rich Skaggs
Greg Jones
Candy Little
Valerie Jackson

Meeting Minutes: May 6, 2024

1. Water Rates Effective July 1, 2024

   Finance Director, Debra Lichtenberg and Chief Accountant, Connie Kumpula presented this year's water rate increase request from $6.25/unit (750 gallons) to $6.92 per unit, an increase of $0.67unit; primarily due to the pass-through increases from our water and sewer vendor, the Great Lakes Water Authority (GLWA). There is also a request to increase to the current fixed quarterly fee by 5%

   Motioned by Rich Skaggs seconded by Candy Little

   #WS 6551 05/24 RESOLVED, that the Water and Sewer Board will request City Council at their May 20, 2024 meeting to approve the new water rate effective July 1, 2024 of $6.92 per unit as well as increase the fixed quarterly fee by 5%.

   AYES: Gierak, Skaggs, Jones, Jackson, Little

   The Chairman declared the motion carried.



Livonia

Water & Sewer Rate Setting

Rate Setting Process Overview

1. Begins around April 1 when we receive water rate adjustment from Great Lakes Water Authority (GLWA).
2. We use an estimate for sewer adjustment from Wayne County as they do not provide information until after May.
3. Rate changes from GLWA and Wayne County effective July 1.
4. Finance and DPW collaborate to project costs and propose rates for Livonia customers.
5. Recommendation sent to Council for approval by July 1.
6. All rates established by ordinance.

Livonia

Our Goal:

To set fair water & sewer rates for Livonia customers that cover the City's operating costs and maintains the infrastructure

Cash Requirements and Total Costs

Estimated Cash Requirements for 2024-2025				
	Fixed Costs	Variable Costs	Total Use of Cash	% of Total
Water Purchases from GLWA				
Per Unit Costs	-	$5,309,000	$5,309,000	10.8%
Fixed Costs	$8,094,000	-	$8,094,000	16.5%
Sewer Purchases from Wayne County				
Fixed Costs	$16,836,000	-	$16,836,000	34.4%
Total Pass-through Costs	**$24,920,000**	**$5,309,000**	**$30,229,000**	**61.8%**
City of Livonia Costs				
Livonia Maintenance Costs	-	$9,528,000	$9,528,000	19.5%
Livonia Water Billing Costs	-	$1,499,000	$1,499,000	3.1%
Capital Improvements	$4,591,000	$625,500	$5,216,500	10.7%
Debt Service Payments	$2,463,000	-	$2,463,000	5.0%
Total City of Livonia Costs	**$7,054,000**	**$11,652,500**	**$18,081,000**	**38.2%**
Total – excludes non-cash depreciation	**$31,984,000**	**$16,961,500**	**$48,945,500**	**100.0%**

Livonia

This proposal includes **~$7.7 million** for capital projects and bond payments. This is **proactive investment** in the City's underground infrastructure.

Revenues

Estimated Sources of Cash	
Customer Billings	
Small Meter - per-unit charges	29,029,000
Small Meter - fixed charges	11,042,300
Large Meter - per-unit charges	4,535,000
Large Meter - fixed charges	2,037,200
Total Billings	$46,643,500
Other Revenue	
Penalties	$1,600,000
Service Connections and Other	$202,000
Interest Income	$500,000
Total Revenue	**$48,945,500**

Matches the City's estimated cash needs!

Livonia

Factors Impacting Rate Charged from GLWA

1. Distance/elevation from GLWA treatment plant
2. Annual Volume Billed (Mcf = 1,000 cubic feet)
3. Max Day Usage (mgd = million gallons per day)
4. Peak Hour Usage (mgd = million gallons per day)

GLWA Contract Factors

Livonia Limits			
	Annual Volume *(in 1,000 cu. ft)*	Max Day (million gals.)	Peak Hour
Current Contract	525,000	23.0	33.0
Historical Usage			
2022-23	468,272	18.75	29.48
2021-22	452,543	17.78	37.07
2020-21	489,670	*28.12	*46.13
2019-20	480,014	20.57	32.35
2018-19	488,780	17.62	21.89
2017-18	495,748	22.08	32.84
2016-17	507,284	18.80	28.54
2015-16	521,484	20.89	29.23

Our goal is to set our contract limits with GLWA to the lowest level without going over. If actual amounts exceed limits, there are severe penalties.

The next contract reopens in 2026.

**high due to multiple water main breaks in 2020-21*

Livonia

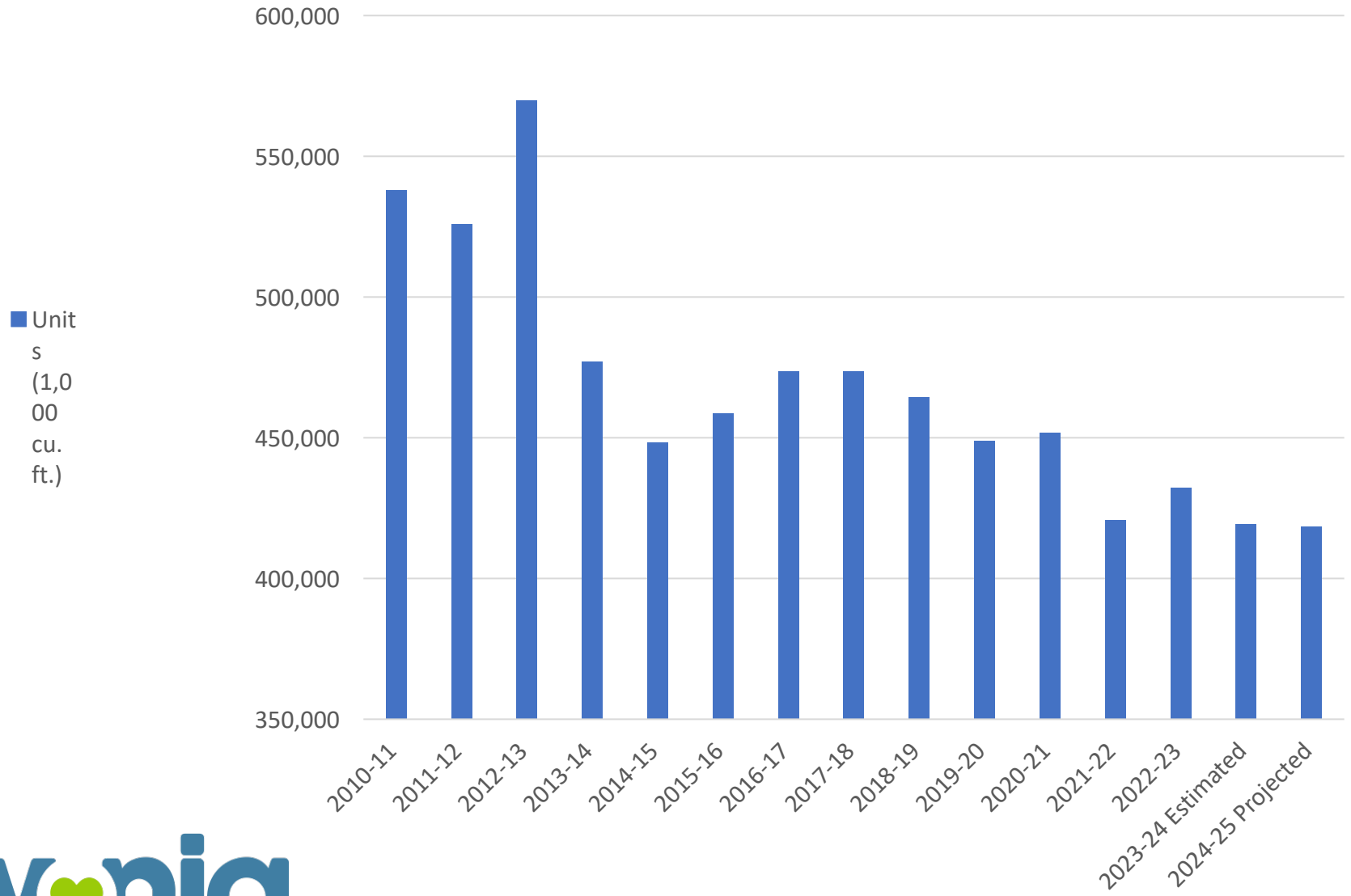
Major Assumptions

As we set expectations of our annual revenue requirement, we must factor in two major forecast assumptions:

1. **Water Sales** – *the amount of water that will be billed to customers.*

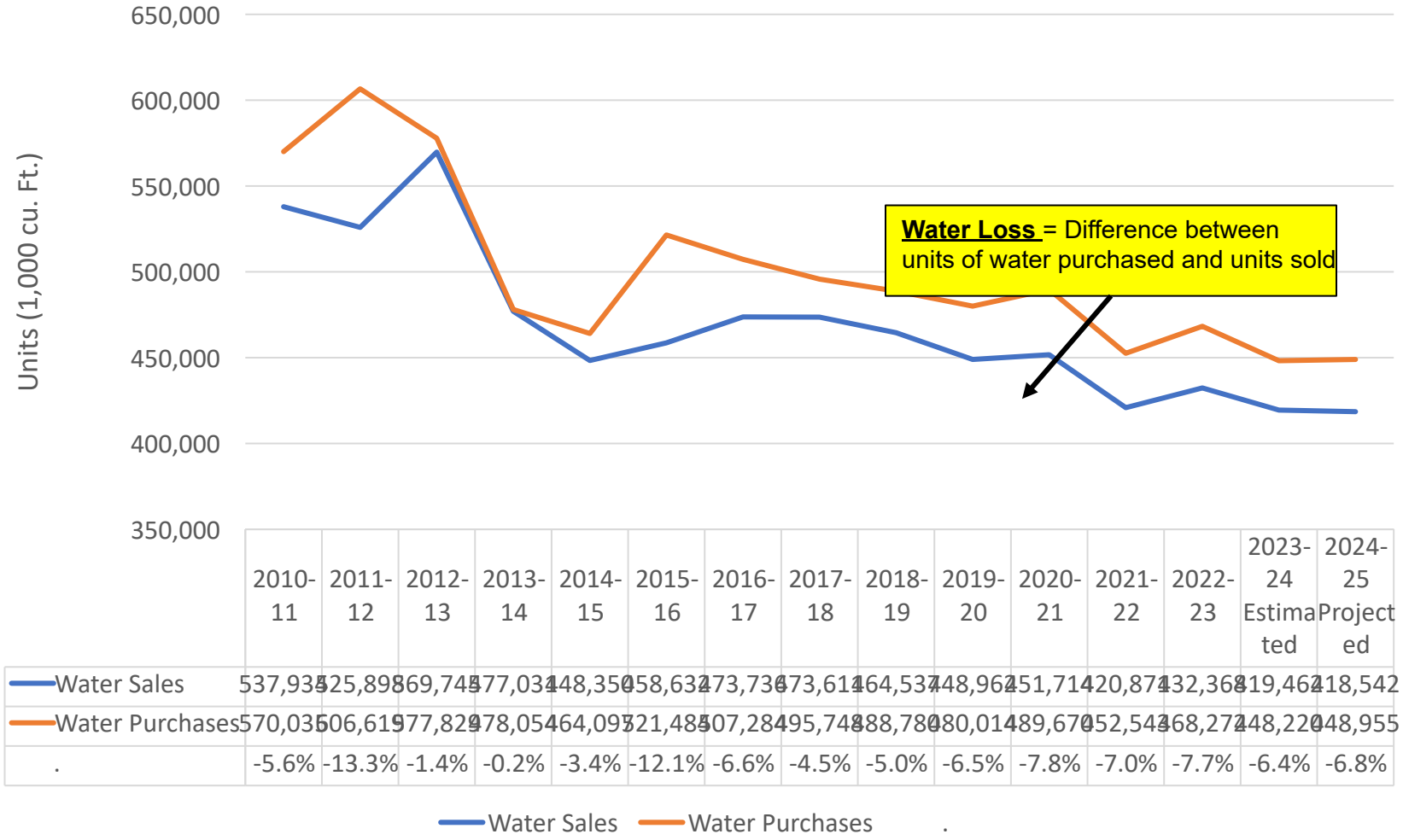
2. **Water Loss** – *the amount of water the City purchases that does NOT ultimately get billed to customers. Water loss can come from water main breaks, hydrant use and similar causes.*

Water Sales



- Water is billed in units. One unit equals 748 gallons or 100 cubic feet.
- Water usage is weather dependent: hot or dry summers result in more irrigation sales.
- Overall trend is towards lower sales due to more efficient appliances and machinery.

Water Sales, Purchases and Water Loss



	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24 Estimated	2024-25 Projected
Water Sales	537,935	525,898	869,745	477,031	448,350	458,632	473,736	473,611	464,537	448,962	451,714	420,871	432,368	419,462	418,542
Water Purchases	570,035	606,619	977,829	478,054	464,097	521,485	507,284	495,748	488,780	480,014	489,670	452,543	468,272	448,220	448,955
.	-5.6%	-13.3%	-1.4%	-0.2%	-3.4%	-12.1%	-6.6%	-4.5%	-5.0%	-6.5%	-7.8%	-7.0%	-7.7%	-6.4%	-6.8%

- Water is billed in units. One unit equals 748 gallons or 100 cubic feet.
- Water usage is weather dependent: hot or dry summers result in more irrigation sales.
- Overall trend is towards lower sales due to more efficient appliances and machinery.

Water Loss

- Water loss is the amount of water purchased from GLWA but not sold.
- Some reasons for water loss include hydrant use, slow running meters, water leaks and water main breaks.

City of Livonia Annual Water Loss	
2024-25 (projected – used for rate setting)	-7.1%
2023-24 (estimated)	-6.4%
2022-23	-7.7%
2021-22	-7.0%
2020-21	-7.8%
2019-20	-6.5%
2018-19	-5.0%
2017-18	-4.5%
2016-17	-6.6%
2015-16	-12.1%
2014-15	-3.4%
2013-14	-0.2%
2012-13	-1.4%
2011-12	-13.3%
2010-11	-5.6%

Livonia

Average Quarterly Costs of Residential Water Bill

Based on small meter size of 5/8 to 1 inch Larger meters (which are generally for commercial customers have a different fixed charge rate.	Per Unit Charge		LOW USAGE		MEDIUM USAGE		HIGH USAGE	
			10 UNITS		20 UNITS		30 UNITS	
			PER QUARTER		PER QUARTER		PER QUARTER	
	Current 7/1/2023	**Proposed 7/1/2024**	**Current 7/1/2023**	**Proposed 7/1/2024**	**Current 7/1/2023**	**Proposed 7/1/2024**	**Current 7/1/2023**	**Proposed 7/1/2024**
Water, per Billing Unit	$3.21	$3.57	$32.10	$35.70	$64.20	$71.40	$96.30	$107.10
Sewer, per Billing Unit	$3.04	$3.35	$30.40	$33.50	$60.80	$67.00	$91.20	$100.50
Fixed Charge	$69.75	$73.25	$69.75	$73.25	$69.75	$73.25	$69.75	$73.25
Total Quarterly Bill			**$132.25**	**$142.45**	**$194.75**	**$211.65**	**$257.25**	**$280.85**
		Per Quarter Increase		**$10.20**		**$16.90**		**$23.60**
		Per Month Increase		**$3.40**		**$5.63**		**$7.87**
		% Increase		7.71%		8.68%		9.17%

Water Rate History (for 20 units billed)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Proposed
Water, per unit	$1.69	$2.07	$2.17	$2.46	$2.72	$2.83	$2.58	$2.70	$2.73	$2.89	$3.21	**$3.57**
Sewer, per unit	$1.82	$1.56	$1.66	$1.97	$2.24	$2.32	$2.61	$2.68	$2.79	$2.90	$3.04	**$3.35**
Fixed Fee, per quarter	$59.85	$62.85	$68.85	$69.75	$69.75	$69.75	$69.75	$69.75	$69.75	$69.75	$69.75	**$73.25**
Average Bill for 20 units	**$130.05**	**$135.45**	**$145.45**	**$158.35**	**$168.95**	**$172.75**	**$173.55**	**$177.35**	**$180.15**	**$185.55**	**$194.75**	**$211.65**
Increase from prior year, per quarterly bill		$5.40	$10.00	$12.90	$10.60	$3.80	$0.80	$3.80	$2.80	$5.40	$9.20	**$16.90**
Annual increase		$21.60	$40.00	$51.60	$42.40	$15.20	$3.20	$15.20	$11.20	$21.60	$36.80	**$67.60**
Monthly increase		**$1.80**	**$3.33**	**$4.30**	**$3.53**	**$1.27**	**$0.27**	**$1.27**	**$0.93**	**$1.80**	**$3.07**	**$5.63**
% Increase from prior year		4.15%	7.38%	8.87%	6.69%	2.25%	*0.46%	*2.19%	*1.58%	3.00%	4.96%	**8.68%**

Based on quarterly usage of 20 units:
Over the past 11 years, the net average increase has been **5.72% per year.**

**Note: GLWA debt restructuring during this time resulted in below average pass-through increases and allowed the City to hold rate increases below the average.*

Fixed Fee Rate History (small meters)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Proposed
Fixed Fee, per quarter	$59.85	$62.85	$68.85	**$69.75**	**$69.75**	**$69.75**	**$69.75**	**$69.75**	**$69.75**	**$69.75**	**$69.75**	**$73.25**
Increase from prior year, per quarterly bill												**$3.50**
Annual increase												**$14.00**
Monthly increase												**$1.17**
% Increase from prior year												**5.0%**

Average Fixed Fee Rate increase from 2016 to 2024 = **0.6% per year**

Since the small meter fixed fee (for most residential customers) was last changed in 2016, **fixed costs have increased over 19%,** while the **fixed fee revenue remained flat** (increasing only 1% due to new meters added).
The remaining costs must be recovered through variable usage fees, shifting more risk to the City.

Livonia

Fixed Fee and Fixed Cost Recovery

	2024-25 Projection	% of Fixed Costs		2016-17 Actual	% of Fixed Costs
Total Fixed Costs	**$31,984,000**	**100.0%**		**$26,786,195**	**100.0%**
Fixed Fee Revenue:					
Small Meters – 2024-25 = $73.25/qtr x 37,687 meters; 2016-17 = $69.75/qtr x 37,198 meters	$11,042,300	34.5%		$10,378,242	38.8%
Large Meters – 1,591 meters (from 1.5"at $209.12/qtr. – 10" at $11,723.23/qtr.) +5% increase	$2,037,200	6.4%		$1,936,127	7.2%
Total Fixed Fee Revenue	**$13,079,500**	**40.9%**		**$12,314,369**	**46.0%**
Net Fixed Costs Exceeding Fixed Fee Revenue	**$18,904,500**	**59.1%**		**$14,471,826**	**54.0%**

For 2024-25:

Total Fixed Cost pass-throughs from GLWA and Wayne County = $24,920,000 *(slide 4)*

The ~$13.1M Fixed Fee revenue charged to customers recovers only 52.5% of those costs.

Livonia

Residential Water and Sewer Bill Comparisons

COMMUNITY	LOW USAGE - 10 UNITS	AVERAGE USAGE - 20 UNITS	HIGH USAGE - 30 UNITS
Canton - with Sump - 2023 Rate	$100.45	$179.90	$259.34
Farmington Hills - 2023 Rate	$163.23	$204.04	$306.06
Canton - without Sump - 2023 Rate	$131.23	$210.68	$290.12
Livonia – 2024 PROPOSED Rate	**$142.45**	**$211.65**	**$280.85**
Plymouth (City of) - 2023 Rate	$122.28	$233.00	$343.72
Westland - 2023 Rate	$154.89	$237.78	$320.67
Redford Township - 2023 Rate	$159.97	$266.67	$373.37
Northville (City of) - 2023 Rate	$172.12	$326.98	$481.84

Note: This table compares the Livonia 2024 proposed rate to other communities 2023 rates, as those are the most recent data available. We anticipate increases in other communities' rates for 2024, when adopted.

Livonia's Largest Water Customers - 2020

Rank	Name	Units Sold	Billed Amount
1	Kroger Utilities	123,695	$2,252,115
2	Ford Motor Co Plant 43	121,514	$1,121,078
3	Trinity Health	45,541	$434,314
4	Roush Enterprises	18,778	$174,769
5	11800 Sears	18,372	$75,280
6	Livonia Community Center	14,989	$143,267
7	Schoolcraft College	11,853	$143,363
8	Victor Pkwy Hotel	11,536	$110,635
9	Smith Watkins	11,192	$100,811
10	CL – OPCO, LLC	11,115	$102,351

Livonia

Livonia Water Billing – By the Numbers

39,011 – Total number of customers

165,499 – Annual water bills issued

5,983 – Water customers on autopay

1,765 – Customers electing payment via eBill

20 – Target number of lead service lines to be replaced annually

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MAINTENANCE SERVICES

- Roads
- Parks
- Water
- Sewer
- Building
- Animal Control
- Forestry
- Equipment
- Storm Drains
- Traffic Signs
- Solid Waste / Recycling

May 3, 2024

Water and Sewer Board
City of Livonia

Subject: Water and Sewer Fund Review, Water and Sewer Rates Adjustments. Industrial Surcharge Rate, Industrial Waste Control Charge (Effective July 1, 2024)

Dear Board Members:

This report provides a review of the performance of the Water and Sewer Fund for FY 2024, as well as a recommendation to adjust the water and sewer rates to Livonia customers, including charges to some of the commercial/industrial customers in Livonia. The following topics are discussed in this report:

- Increase in wholesale water and sewer cost
- A review of the Water and Sewer Fund performance for FY 2023
- Proposed Water and Sewer Fund rate adjustments for 2024
- Ordinance amendments reflecting recommended rate adjustments

Change in Wholesale Water and Sewer Cost

The Great Lakes Water Authority (GLWA) increased the wholesale cost of water to the City of Livonia by 3.06%. The cost to the City of Livonia per billing unit of 100 cubic feet (approximately 750 gallons) has increased by 7 cents, from $1.13 to $1.19. The GLWA fixed monthly charges have increased by $12,500 per month, from $662,000 to $674,500 per month.

Wayne County charges sewage disposal as a fixed monthly fee to the City of Livonia. The cost is estimated to increase 4% from $1,318,333 to $1,371,066. The increase in rates is the result of large Wayne County improvement projects planned and budgeted in previous fiscal years.

A Review of the Water and Sewer Fund Performance for Fiscal Year 2023

The Water and Sewer Fund experienced a net operating gain of $7,605,385 before contributions from developers, grant reimbursements, and special assessment revenue (please refer to the annual audited financial statements for more information). Every year, the goal of rate setting is to generate enough income to cover anticipated operating expenses, debt service payments, and capital improvements.

In addition to looking at the cash requirements, we also present you with a full accrual income statement, which is the reporting basis in the annual audit. This income statement includes certain non-cash transactions such as depreciation and retirement systems accruals, but excludes items that use cash such as principal payments on debt and capital outlay. These items are reflected on the balance sheet. Looking at the income statement for fiscal year 2023, operating expenses were down from projections by $3 million. The main reason for the overall decrease in operating expenses is an accounting application related to the VEBA evaluation. Accounting standards required a $3.37 million expense reduction due to an evaluation change associated with the prior year. This is an example of a non-cash transaction and does not impact the dollars applied to our system. As anticipated, our unit sales are down from FY22; however, the 23/24 rate calculation allowed for higher than projected revenue.

Projected Water and Sewer Fund Rate Adjustments for 2024

Wholesale Charges:
The Great Lakes Water Authority (GLWA) and Wayne County wholesale charges to the City of Livonia for 2024 are shown below in Table 1. Each unit is 100 cubic feet. Approximately 40.11% of Great Lakes Water Authority and Wayne County's total fixed costs are passed through to our customers in fixed format, with the remaining 59.89% being adjusted back into the per-unit charges for water and sewer.

TABLE 1

Description	2023	2024	$ / % Change
GLWA Per Unit (water)	$ 1.13	$1.19	$ 0.06 / 5.30%
GLWA Fixed Cost per month (water)	$662,000	$674,500	$12,500 / 1.89%
Wayne County Fixed Cost per month (sewer)	$1,318,333	$1,371,066	$52,733 / 4.00%

The GLWA is also adjusting the Industrial Surcharge Rates and the Industrial Waste Control Charges as shown in the Summary and Recommendations in the Water and

Sewer Ordinance revisions. All four of the Industrial Surcharge rates have increased. The Industrial Waste Control Charges, which are based on meter size, have been increased by 2.2% across the board. Both the Industrial Surcharge Rate and the Industrial Waste Control Charges affect *only* commercial and industrial customers. These charges continue to be a pass-through to the affected customer with no additional charge by the City of Livonia.

City of Livonia Charges:

A continuing effort is being made to provide services in the most efficient, cost-effective manner possible. Operating, maintenance and administration expenses are constantly monitored to keep costs within budget. All policies and procedures are regularly reviewed, and processes and procedures are implemented to contain cost while providing excellent service. Operations and maintenance will continue to monitor water main breaks, weather conditions and the state of our infrastructure to find ways of reducing expenses. Administration is also exploring ways to provide customer billing and collection services that reduce costs while providing improved service to the customer.

TABLE 2 below reflects the recommended rate adjustments for low-, medium- and high-volume users with small meters. There are 37,687 users with small meters.

CITY OF LIVONIA
WATER AND SEWER RATES PER BILLING UNIT (100 CF)
SMALL METERS (5/8 to 1 Inch)
As of July 1, 2024

		LOW USAGE			AVERAGE USAGE			HIGH USAGE		
		10 UNITS/QUARTER			20 UNITS/QUARTER			30 UNITS/QUARTER		
Per Unit Charge:		7/1/2023	7/1/2024	Chg (%)	7/1/2023	7/1/2024	Chg (%)	7/1/2023	7/1/2024	Chg (%)
2023 Water per Billing Unit	3.21	$ 32.10			$ 64.20			$ 96.30		
2024 Water per Billing Unit	3.57		$35.70			$ 71.40			$ 107.10	
2023 Sewer per Billing Unit	3.04	$ 30.40			$ 60.80			$ 91.20		
2024 Sewer per Billing Unit	3.35		$33.50			$ 67.00			$ 100.50	
2023 Fixed Charge	69.75	$ 69.75			$ 69.75			$ 69.75		
2024 Fixed Charge	73.25		$ 73.25			$ 73/25			$ 73.25	
Total Charge		$ 132.25	$ 142.45	7.71%	$ 194.75	$ 211.65	8.68%	$ 257.25	$ 280.85	9.17%

The table below reflects the recommended rate adjustments for large meter customers sizes 1½” to 10”.

TABLE 3

CITY OF LIVONIA – WATER AND SEWER RATES PER BILLING UNIT (100 CF)
"LARGE USERS" – METER SIZE OVER 1 INCH – As of July 1, 2024

PER UNIT RATES	#/Meters	2023/24	2024/25	Incr./Decr.	Incr.
Cost of Water per Billing Unit		3.21	3.57	0.36	11.21%
Cost of Sewer per Billing Unit		3.04	3.35	0.31	10.20%
Large User Charge		3.15	3.39	0.24	7.62%
QUARTERLY FIXED FEES PER METER					
1 1/2 " Meter	633	209.12	219.58	10.46	5.0%
2" Meter	699	268.42	281.84	13.42	5.0%
3" Meter	152	352.70	370.33	17.63	5.0%
4" Meter	82	538.93	565.87	26.95	5.0%
6” Meter	16	1,435.75	1,507.54	71.79	5.0%
8” Meter	8	4,066.92	4,270.27	203.35	5.0%
10" Meter	1	11,723.23	12,309.39	586.16	5.0%

Impact of Water and Sewer improvement projects

Planned water and sewer improvement projects have had some impact on the proposed Water and Sewer Fund rate adjustments for 2024.

The City plans to continue implementation of the 5-year capital improvement plan with replacement of old 6-inch, 8 inch and 12 inch water main pipe on Ann Arbor trail from Dover street to Ann Arbor road (sections 31, 32, 33 project area 13A), Lake Side condo estate subdivision (Sections 31,32,33 project area 13B), Inkster Road from Joy Road to Grantland, and Joy Road from Inkster road to Harrison. (Sections 25,36 project area 14A), Schanhites manor Subdivision (section 25,36 project area 14B). In Total approximately 7.5 miles of replacement and upsizing of water main will be replaced at an estimated cost of $8,000,000.

The City plans to continue with its implementation of SCADA (supervisory control and data acquisition) moving on to phase two at an estimated cost of $500,000.

The City continues to perform sewer cured-in-place-pipe (CIPP) lining in the east half of Section 1. This year’s plan includes CIPP lining of approximately 3 miles of sewer pipe ranging from 8-inch to 30-inch diameter at a cost of $1,000,000. Preparation for the CIPP lining work will start in June/July 2024 and CIPP lining is planned for August 2024.

Ordinance amendments reflecting recommended rate adjustments

The 2024/25 total per unit rate increase to the average residential user is 8.68% (reference Attachment I). For comparison, please find Attachment II that highlights the Water and Sewer cost of other communities. Even with this rate change, Livonia rates continue to remain much lower than most surrounding communities.

It is recommended and requested that the Water and Sewer Board proceed with the amendments to the Water and Sewer Ordinance as follows:

13.08.40 Water Consumption rates

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2024

Per Unit Charges	
GLWA per 100 cubic feet	2.52
City of Livonia per 100 cubic feet	1.05
Per Unit Charge per 100 cubic feet	3.57
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.24
TOTAL Large User Charge per 100 cubic Feet	**4.81**

13.08.050A Quarterly Fixed Fee per Meter (water)

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2024

5/8	Inch Meter	26.81
3/4	Inch Meter	26.81
1	Inch Meter	26.81
1 ½	Inch Meter	80.36
2	Inch Meter	103.14
3	Inch Meter	135.53
4	Inch Meter	207.09
6	Inch Meter	551.70
8	Inch Meter	1,562.74
10	Inch Meter	4,504.72

13.08.050B Seasonal Flat rate Water, per quarter **98.21**

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2024

13.20.120 Sewer Disposal Rates

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2024

Per Unit Charges	
Wayne County per 100 cubic feet	2.30
City of Livonia per 100 cubic feet	1.05
Per Unit Charge per 100 cubic feet	3.35

Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	2.15
TOTAL Large User Charge per 100 cubic Feet	**5.50**

Quarterly Fixed Fee per Meter (sewer)

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2024

5/8	Inch Meter	46.44
3/4	Inch Meter	46.44
1	Inch Meter	46.44
1 ½	Inch Meter	139.22
2	Inch Meter	178.70
3	Inch Meter	234.80
4	Inch Meter	358.79
6	Inch Meter	955.84
8	Inch Meter	2,707.53
10	Inch Meter	7,804.67

Industrial Waste Control Monthly Meter Charges (GLWA)

5/8	Inch Meter	3.72
3/4	Inch Meter	5.58
1	Inch Meter	9.30
1 ½	Inch Meter	20.46
2	Inch Meter	29.76
3	Inch Meter	53.94
4	Inch Meter	74.40
6	Inch Meter	111.60
8	Inch Meter	186.00
10	Inch Meter	260.40
12	Inch Meter	297.60
14	Inch Meter	372.00
16	Inch Meter	446.40
18	Inch Meter	520.80
20	Inch Meter	595.20
24	Inch Meter	669.60
30	Inch Meter	744.00

13.20.130 Flat Rate Sewer per Quarter — 113.44

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2024

13.20.130 Special Rates - for Designated Users

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2024

Seasonal user with Kitchen or Bathroom Facilities:

50% of Current per unit Sewage Charge

Per Unit Charges

Wayne County per 100 cubic feet	1.15
City of Livonia per 100 cubic feet	0.53
Per Unit Charge per 100 cubic feet	1.68
Large User Charge per 100 cubic feet: Meter sizes 1.5 inch or larger	1.08
TOTAL Base Charge for Large User	**2.76**

13.28.050 Industrial Waste Pollutant Strength Surcharges

EFFECTIVE WITH THE FIRST BILLING ON AND AFTER JULY 1, 2024

Dollar/pound for treating BOD (Biochemical Oxygen Demand) in excess of 275 mg/l	0.392
Dollar/pound for treating TSS (Total Suspended Solids) in excess of 350 mg/l	0.525
Dollar/pound for treating P (Phosphorus) in excess of 12 mg/l	7.571
Dollar/pound for treating FOG (Fats, Oils & Grease) in excess of 100 mg/l	0.125

Very Truly Yours,

_____ _____

Donald R. Rohraff
Director of Public Works

Connie Kumpula
Chief Accountant

DR/CC/jar

Attachment I: Effect of Rate Adjustment on Typical Residential Bill
Attachment II: Residential Water and Sewer Bill Comparison of Communities
Attachment III: Combined Statement of Revenue and Expenses

cc: Mayor, City Clerk, City Attorney, Finance Director, City Engineer, Chief Accountant

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

23. AWARD OF CONTRACT: Engineering Division, re: for the 2024 Water Main Replacement Project, Westfield Avenue and Harrison Road, from the Unexpended Fund Balance of the Water and Sewer Fund, to be reimbursed by the proceeds of the Drinking Water Revolving Fund Revenue Bonds.

    Todd Zilincik, City Engineer, presented the request to Council.

    Councilmember Jolly offered an approving motion for the Consent Agenda.

    DIRECTION APPROVING CONSENT

LETTER TO THE LIVONIA CITY COUNCIL

23.

Engineering
April 18, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Todd Zilincik, P.E., City Engineer

AGENDA ITEM

AWARD OF CONTRACT: Engineering Division, re: for the 2024 Water Main Replacement Project, Westfield Avenue and Harrison Road, from the Unexpended Fund Balance of the Water and Sewer Fund, to be reimbursed by the proceeds of the Drinking Water Revolving Fund Revenue Bonds.

BACKGROUND DETAILS

Dear Council Members:

In the continuing effort to improve the City of Livonia's Drinking Water system and to target the areas with water main break issues, Westfield Avenue from Merriman Road to Middlebelt Road and Harrison Road from Joy Road to Plymouth Road in Section 36 were selected for water main replacements.

Plans and specifications were prepared by the Engineering Division. A mandatory pre-bid meeting was held on April 2, 2024, and bids for the subject project were taken on April 16, 2024. In response to the advertisement on the Michigan Inter-Governmental Trade Network (MITN), four (4) bids were submitted. These bids may be summarized as follows:

NAME OF BIDDER	AMOUNT OF BID
Bidigare Contractors, Inc. Plymouth, MI	$3,286,245.00 (120 Inspector Days)
Pamar Enterprises, Inc. New Haven, MI	$3,324,648.00 (150 Inspector Days)
Bricco Excavating Company, L.L.C. Oak Park, MI	$3,590,997.50 (120 Inspector Days)
Lawrence M. Clark Belleville, MI	$3,798,612.00 (140 Inspector Days)

Note: The summarized bids do not include the inspector day costs. OHM Advisors, our construction engineering firm for this project will include this cost as part of their overall construction engineering (CE) costs to be approved by the City Council. The contractor was required to provide the number of days to complete the project.

This bid is good until August 14, 2024.

Bidigare Contractors, Inc. has completed a number of projects for the City, most recently the DWSRF #7453-01, Areas 4 and 5. The Engineering Division is recommending Bidigare Contractors, Inc. as the lowest qualified bidder.

Work is anticipated to start at the end of June, with an anticipated completion in early November 2024.

In order to proceed with this project, we recommend that the Council take the following actions:

- Award a contract in the amount of $3,286,245.00 to Bidigare Contractors, Inc., 939 S. Mill Street, Plymouth, Michigan 48170 for the 2024 Water Main Project - Westfield Avenue and Harrison Road. The award should be based on the bid unit prices, said amount to be adjusted based upon the quantities of work actually completed.

- Authorize an appropriation and expenditure not-to-exceed $3,286,245.00 from the Unexpended Fund Balance of the Water and Sewer Fund to be reimbursed by the proceeds of the Drinking Water Revolving Fund Revenue Bonds.

- Authorize the City Engineer to make minor adjustments to the work, as needed.

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

In order to proceed with this project, we recommend that the Council take the following actions:

- Award a contract in the amount of $3,286,245.00 to Bidigare Contractors, Inc., 939 S. Mill Street, Plymouth, Michigan 48170 for the 2024 Water Main Replacement Project - Westfield Avenue and Harrison Road. The award should be based on the bid unit prices, said amount to be adjusted based upon the quantities of work actually completed.

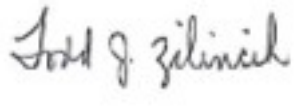
- Authorize an appropriation and expenditure not-to-exceed $3,286,245.00 from the Unexpended Fund Balance of the Water and Sewer Fund to be reimbursed by the proceeds of the Drinking Water Revolving Fund Revenue Bonds.

- Authorize the City Engineer to make minor adjustments to the work, as needed.

ATTACHMENTS

1. Bid Tab - Water Main Replacement Program - Westfield and Harrison 4.16.24

APPROVED BY



Date: April 18, 2024

Todd Zilincik, P.E., City Engineer



Date: April 24, 2024

Don Rohraff, Director of Public Works



Date: April 26, 2024

Debra Peck Lichtenberg, CPA, Finance Director



Date: April 26, 2024

Paul Bernier, City Attorney



Date: May 02, 2024

Maureen Miller Brosnan, Mayor

City of Livonia Engineering Division
Water Main Replacement Program - Westfield and Harrison
Bid Tabulation
April 16, 2024

ITEM	DESCRIPTION	EST. QTY		Bidigare Contractors, Inc. 939 S. Mill Street Plymouth, MI 48170 (248) 735-1113 Contact: John Bidigare		Pamar Enterprises, Inc. 31604 Pamar Court New Haven, MI 48048 (586) 749-8593 Contact: Rinaldo Accivatti		Bricco Excavating Co., LLC 21201 Meyers Road Oak Park, MI 48237 (248) 547-6963 Contact: Marco Banchero		Lawrence M. Clarke, Inc. 50850 Bemis Road Belleville, MI 48111 (734) 481-1565 Contact: Lynn Harmala	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
	DIVISION A: WESTFIELD AVENUE										
1	Mobilization (5% Max)	1	l.s.	$80,000.00	$80,000.00	$87,000.00	$87,000.00	$87,000.00	$87,000.00	$50,000.00	$50,000.00
2	Audio-Video Route Survey	1	l.s.	$2,000.00	$2,000.00	$1,310.00	$1,310.00	$5,500.00	$5,500.00	$15,000.00	$15,000.00
3	Traffic Control	1	l.s.	$6,000.00	$6,000.00	$15,000.00	$15,000.00	$24,000.00	$24,000.00	$15,000.00	$15,000.00
4	Irrigation System Repair Allowance	5000	dlr.	$1.00	$5,000.00	$1.00	$5,000.00	$5,000.00	$5,000.00	$1.00	$5,000.00
5	Tree Removal, 6" to 18" (including stump removal)	5	ea.	$200.00	$1,000.00	$450.00	$2,250.00	$450.00	$2,250.00	$500.00	$2,500.00
6	Tree Removal, 19" to 36" (including stump removal)	5	ea.	$400.00	$2,000.00	$2,800.00	$14,000.00	$2,200.00	$11,000.00	$750.00	$3,750.00
7	Tree Removal, Larger than 36" (including stump removal)	5	ea.	$800.00	$4,000.00	$4,000.00	$20,000.00	$3,000.00	$15,000.00	$1,500.00	$7,500.00
8	Water Main, 6", Rem	56	l.f.	$30.00	$1,674.00	$59.00	$3,292.20	$23.00	$1,283.40	$10.00	$558.00
9	Fire Hydrant, Rem	7	ea.	$700.00	$4,900.00	$900.00	$6,300.00	$440.00	$3,080.00	$500.00	$3,500.00
10	Gate Well, Rem	5	ea.	$1,100.00	$5,500.00	$900.00	$4,500.00	$385.00	$1,925.00	$1,000.00	$5,000.00
11	Water Main, 8"x6" CL 54 Ductile Iron Reducer	2	ea.	$400.00	$800.00	$490.00	$980.00	$100.00	$200.00	$200.00	$400.00
12	Water Main, CL 54, D.I., 8" (Class II Sand Backfill, C.I.P.)	14.3	l.f.	$315.00	$4,504.50	$197.00	$2,817.10	$222.00	$3,174.60	$250.00	$3,575.00
13	Water Main, HDPE, DR-11, 8" (Class II Sand Backfill, C.I.P.)	42	l.f.	$190.00	$7,885.00	$154.00	$6,391.00	$180.00	$7,470.00	$250.00	$10,375.00
14	Water Main, HDPE, DR-11, 8" Pipe-Bursting	5,068.5	l.f.	$132.00	$669,042.00	$163.00	$826,165.50	$104.00	$527,124.00	$150.00	$760,275.00
15	Gate Valve and Well, 8"	9	ea.	$11,000.00	$99,000.00	$11,950.00	$107,550.00	$10,200.00	$91,800.00	$8,000.00	$72,000.00
16	Fire Hydrant Assembly	15	ea.	$9,500.00	$142,500.00	$11,250.00	$168,750.00	$11,000.00	$165,000.00	$8,000.00	$120,000.00
17	Water Main, HDPE, DR-11, 8" "Cross"	1	ea.	$1,000.00	$1,000.00	$1,000.00	$1,000.00	$100.00	$100.00	$1,000.00	$1,000.00
18	Connect to Exist Water Main	4	ea.	$4,000.00	$16,000.00	$2,500.00	$10,000.00	$15,000.00	$60,000.00	$6,000.00	$24,000.00
19	Water Service, Type K Copper, 1", Long	85	ea.	$3,150.00	$267,750.00	$2,200.00	$187,000.00	$3,600.00	$306,000.00	$3,500.00	$297,500.00
20	Water Service, Type K Copper, 1", Short	82	ea.	$1,800.00	$147,600.00	$1,100.00	$90,200.00	$2,500.00	$205,000.00	$1,200.00	$98,400.00
21	Water Service, Curb Stop and Box	167	ea.	$500.00	$83,500.00	$200.00	$33,400.00	$660.00	$110,220.00	$400.00	$66,800.00
22	Remove and Replace 9" Non-Reinforced Concrete Roadway with Integral Curb and Gutter (Includes 8" 21AA Base, C.I.P.)	500	s.f.	$15.00	$7,500.00	$22.00	$11,000.00	$21.00	$10,500.00	$60.00	$30,000.00
23	Remove and Replace 8" Non-Reinforced Concrete Approach (Includes 8" 21AA Base, C.I.P.)	400	s.f.	$14.00	$5,600.00	$21.00	$8,400.00	$19.00	$7,600.00	$55.00	$22,000.00
24	Remove and Replace 6" Non-Reinforced Concrete Sidewalk Ramp (Includes 6" 21AA Base and Detectable Warning Surface)	550	s.f.	$21.00	$11,550.00	$18.00	$9,900.00	$29.00	$15,950.00	$60.00	$33,000.00
25	Remove and Replace 6" Non-Reinforced Concrete Sidewalk or Approach (Includes 6" 21AA Base, C.I.P.)	700	s.f.	$12.00	$8,400.00	$14.00	$9,800.00	$18.00	$12,600.00	$50.00	$35,000.00

City of Livonia Engineering Division
Water Main Replacement Program - Westfield and Harrison
Bid Tabulation
April 16, 2024

ITEM	DESCRIPTION	EST. QTY		Bidigare Contractors, Inc. 939 S. Mill Street Plymouth, MI 48170 (248) 735-1113 Contact: John Bidigare		Pamar Enterprises, Inc. 31604 Pamar Court New Haven, MI 48048 (586) 749-8593 Contact: Rinaldo Accivatti		Bricco Excavating Co., LLC 21201 Meyers Road Oak Park, MI 48237 (248) 547-6963 Contact: Marco Banchero		Lawrence M. Clarke, Inc. 50850 Bemis Road Belleville, MI 48111 (734) 481-1565 Contact: Lynn Harmala	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
26	Remove and Replace 4" Non-Reinforced Concrete Sidewalk (Includes 6" 21AA Base, C.I.P.)	1,700	s.f.	$9.00	$15,300.00	$12.00	$20,400.00	$13.00	$22,100.00	$35.00	$59,500.00
27	Sewer Cleaning	500	l.f.	$4.00	$2,000.00	$3.80	$1,900.00	$10.00	$5,000.00	$10.00	$5,000.00
28	Lateral Inspection and Lead Location	85	ea.	$195.00	$16,575.00	$195.00	$16,575.00	$360.00	$30,600.00	$200.00	$17,000.00
29	Lead House Service Full Replacement	5	ea.	$7,250.00	$36,250.00	$7,800.00	$39,000.00	$2,772.00	$13,860.00	$5,000.00	$25,000.00
30	Lead House Service Full Replacement, Additional Footage	50	l.f.	$50.00	$2,500.00	$55.00	$2,750.00	$21.00	$1,050.00	$100.00	$5,000.00
31	Maintenance Gravel	200	ton	$20.00	$4,000.00	$20.00	$4,000.00	$45.00	$9,000.00	$20.00	$4,000.00
32	Erosion Control, Inlet Protection, Fabric Drop	26	ea.	$100.00	$2,600.00	$65.00	$1,690.00	$250.00	$6,500.00	$100.00	$2,600.00
33	Erosion Control, Silt Fence	200	l.f.	$2.00	$400.00	$3.00	$600.00	$3.00	$600.00	$10.00	$2,000.00
34	Restoration (Includes 3" Topsoil, Seed, Mulch and Fertilizer)	1,000	s.y.	$20.00	$20,000.00	$24.20	$24,200.00	$17.00	$17,000.00	$10.00	$10,000.00
35	Permit and Inspection Fee Allowance	5,000	dlr.	$1.00	$5,000.00	$1.00	$5,000.00	$1.00	$5,000.00	$1.00	$5,000.00
36	Inspector Days (based on 8 hrs/day) (minimum 60 days)	60 Min.	days	$680.00	$40,800.00	$680.00	$51,000.00	$680.00	$40,800.00	$680.00	$47,600.00
				60 Inspector days		75 Inspector Days		60 Inspector Days		70 Inspector Days	
	TOTAL DIVISION A:				**$1,730,130.50**		**$1,799,120.80**		**$1,830,287.00**		**$1,864,833.00**
	DIVISION B: HARRISON ROAD										
37	Mobilization (5% Max)	1	l.s.	$80,000.00	$80,000.00	$72,000.00	$72,000.00	$87,000.00	$87,000.00	$50,000.00	$50,000.00
38	Audio-Video Route Survey	1	l.s.	$2,000.00	$2,000.00	$1,310.00	$1,310.00	$5,500.00	$5,500.00	$10,000.00	$10,000.00
39	Traffic Control	1	l.s.	$7,000.00	$7,000.00	$15,000.00	$15,000.00	$24,000.00	$24,000.00	$10,000.00	$10,000.00
40	Irrigation System Repair Allowance	5000	Dlr.	$1.00	$5,000.00	$1.00	$5,000.00	$1.00	$5,000.00	$1.00	$5,000.00
41	Tree Removal, 6" to 18" (including stump removal)	5	ea.	$450.00	$2,250.00	$450.00	$2,250.00	$450.00	$2,250.00	$500.00	$2,500.00
42	Tree Removal, 19" to 36" (including stump removal)	5	ea.	$2,800.00	$14,000.00	$2,800.00	$14,000.00	$2,200.00	$11,000.00	$750.00	$3,750.00
43	Tree Removal, Larger than 36" (including stump removal)	5	ea.	$4,000.00	$20,000.00	$4,000.00	$20,000.00	$3,000.00	$15,000.00	$1,500.00	$7,500.00
44	Water Main, 8", Rem	32.2	l.f.	$30.00	$966.00	$62.00	$1,996.40	$23.00	$740.60	$20.00	$644.00
45	Fire Hydrant, Rem	8	ea.	$700.00	$5,600.00	$900.00	$7,200.00	$440.00	$3,520.00	$500.00	$4,000.00
46	Gate Well, Rem	11	ea.	$1,100.00	$12,100.00	$900.00	$9,900.00	$385.00	$4,235.00	$1,000.00	$11,000.00
47	Water Main, CL 54, D.I., 8" (Class II Sand Backfill, C.I.P.)	60.7	l.f.	$315.00	$19,120.50	$192.00	$11,654.40	$222.00	$13,475.40	$250.00	$15,175.00

City of Livonia Engineering Division
Water Main Replacement Program - Westfield and Harrison
Bid Tabulation
April 16, 2024

ITEM	DESCRIPTION	EST. QTY		Bidigare Contractors, Inc. 939 S. Mill Street Plymouth, MI 48170 (248) 735-1113 Contact: John Bidigare		Pamar Enterprises, Inc. 31604 Pamar Court New Haven, MI 48048 (586) 749-8593 Contact: Rinaldo Accivatti		Bricco Excavating Co., LLC 21201 Meyers Road Oak Park, MI 48237 (248) 547-6963 Contact: Marco Banchero		Lawrence M. Clarke, Inc. 50850 Bemis Road Belleville, MI 48111 (734) 481-1565 Contact: Lynn Harmala	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
48	Water Main, HDPE, DR-11, 8" (Class II Sand Backfill, C.I.P.)	56.5	l.f.	$190.00	$10,735.00	$149.00	$8,418.50	$180.00	$10,170.00	$250.00	$14,125.00
49	Water Main, HDPE, DR-11, 8", HDD	5,303.9	l.f.	$120.00	$636,468.00	$141.00	$747,849.90	$105.00	$556,909.50	$150.00	$795,585.00
50	Water Main, HDPE, DR-11, 8"x8" Tee	12	ea.	$800.00	$9,600.00	$710.00	$8,520.00	$600.00	$7,200.00	$200.00	$2,400.00
51	Water Main, HDPE, DR-11, 8"x4" Tee	1	ea.	$650.00	$650.00	$560.00	$560.00	$600.00	$600.00	$200.00	$200.00
52	Water Main, HDPE, DR-11, 8"x3" Tee	1	ea.	$650.00	$650.00	$555.00	$555.00	$600.00	$600.00	$200.00	$200.00
53	Water Main, HDPE, DR-11, 8", 45° Bend	6	ea.	$450.00	$2,700.00	$471.00	$2,826.00	$530.00	$3,180.00	$200.00	$1,200.00
54	Water Main, HDPE, DR-11, 8", 22.5° Bend	2	ea.	$450.00	$900.00	$471.00	$942.00	$660.00	$1,320.00	$200.00	$400.00
55	Gate Valve and Well, 8"	9	ea.	$11,000.00	$99,000.00	$11,950.00	$107,550.00	$10,200.00	$91,800.00	$8,000.00	$72,000.00
56	Fire Hydrant Assembly	8	ea.	$9,500.00	$76,000.00	$11,250.00	$90,000.00	$11,000.00	$88,000.00	$8,000.00	$64,000.00
57	Connect to Exist Water Main	18	ea.	$5,000.00	$90,000.00	$2,500.00	$45,000.00	$15,000.00	$270,000.00	$6,000.00	$108,000.00
58	Water Service, Type K Copper, 1", Long	58	ea.	$3,150.00	$182,700.00	$2,200.00	$127,600.00	$3,700.00	$214,600.00	$3,500.00	$203,000.00
59	Water Service, Type K Copper, 1", Short	32	ea.	$1,800.00	$57,600.00	$1,100.00	$35,200.00	$2,800.00	$89,600.00	$1,200.00	$38,400.00
60	Water Service, Curb Stop and Box	90	ea.	$500.00	$45,000.00	$200.00	$18,000.00	$660.00	$59,400.00	$400.00	$36,000.00
61	Abandon Water Main w/ Flowable Fill, 8" Dia.	5,300	l.f.	$6.00	$31,800.00	$1.00	$5,300.00	$4.00	$21,200.00	$15.00	$79,500.00
62	Remove and Replace 9" Non-Reinforced Concrete Roadway with Integral Curb and Gutter (Includes 8" 21AA Base, C.I.P.)	3,000	s.f.	$15.00	$45,000.00	$22.00	$66,000.00	$21.00	$63,000.00	$60.00	$180,000.00
63	Remove and Replace 8" Non-Reinforced Concrete Approach with or without Integral Curb and Gutter (Includes 8" 21AA Base, C.I.P.)	500	s.f.	$14.00	$7,000.00	$21.00	$10,500.00	$19.00	$9,500.00	$55.00	$27,500.00
64	Remove and Replace 6" Non-Reinforced Concrete Sidewalk Ramp (Includes 6" 21AA Base and Detectable Warning Surface)	1,100	s.f.	$21.00	$23,100.00	$18.00	$19,800.00	$29.00	$31,900.00	$60.00	$66,000.00
65	Remove and Replace 6" Non-Reinforced Concrete Sidewalk or Approach (Includes 6" 21AA Base, C.I.P.)	750	s.f.	$12.00	$9,000.00	$14.00	$10,500.00	$18.00	$13,500.00	$50.00	$37,500.00
66	Remove and Replace 4" Non-Reinforced Concrete Sidewalk (Includes 6" 21AA Base, C.I.P.)	1,200	s.f.	$9.00	$10,800.00	$12.00	$14,400.00	$13.00	$15,600.00	$35.00	$42,000.00
67	Sewer Cleaning	500	l.f.	$4.00	$2,000.00	$3.80	$1,900.00	$10.00	$5,000.00	$10.00	$5,000.00
68	Lateral Inspection and Lead Location	35	ea.	$195.00	$6,825.00	$195.00	$6,825.00	$360.00	$12,600.00	$200.00	$7,000.00
69	Lead House Service Full Replacement	5	ea.	$7,250.00	$36,250.00	$7,800.00	$39,000.00	$2,772.00	$13,860.00	$5,000.00	$25,000.00
70	Lead House Service Full Replacement, Additional Footage	50	l.f.	$50.00	$2,500.00	$55.00	$2,750.00	$21.00	$1,050.00	$100.00	$5,000.00
71	Maintenance Gravel	200	ton	$20.00	$4,000.00	$20.00	$4,000.00	$45.00	$9,000.00	$100.00	$20,000.00
72	Erosion Control, Inlet Protection, Fabric Drop	28	ea.	$100.00	$2,800.00	$65.00	$1,820.00	$250.00	$7,000.00	$100.00	$2,800.00
73	Erosion Control, Silt Fence	400	l.f.	$2.00	$800.00	$3.00	$1,200.00	$3.00	$1,200.00	$10.00	$4,000.00

City of Livonia Engineering Division
Water Main Replacement Program - Westfield and Harrison
Bid Tabulation
April 16, 2024

ITEM	DESCRIPTION	EST. QTY		**Bidigare Contractors, Inc.** **939 S. Mill Street** **Plymouth, MI 48170** **(248) 735-1113** **Contact: John Bidigare** UNIT PRICE	TOTAL PRICE	**Pamar Enterprises, Inc.** **31604 Pamar Court** **New Haven, MI 48048** **(586) 749-8593** **Contact: Rinaldo Accivatti** UNIT PRICE	TOTAL PRICE	**Bricco Excavating Co., LLC** **21201 Meyers Road** **Oak Park, MI 48237** **(248) 547-6963** **Contact: Marco Banchero** UNIT PRICE	TOTAL PRICE	**Lawrence M. Clarke, Inc.** **50850 Bemis Road** **Belleville, MI 48111** **(734) 481-1565** **Contact: Lynn Harmala** UNIT PRICE	TOTAL PRICE
74	Restoration (Includes 3" Topsoil, Seed, Mulch and Fertilizer)	1,000	s.y.	$20.00	$20,000.00	$24.20	$24,200.00	$17.00	$17,000.00	$10.00	$10,000.00
75	Permit and Inspection Fee Allowance	5,000	dlr.	$1.00	$5,000.00	$1.00	$5,000.00	$1.00	$5,000.00	$1.00	$5,000.00
76	Inspector Days (based on 8 hrs/day) (minimum 60 days)	60 Min.	days	$680.00	$40,800.00	$680.00	$51,000.00	$680.00	$40,800.00	$680.00	$47,600.00
77	Permit Fee Reimbursements	10,000	dlr.	$1.00	$10,000.00 60 Inspector days	$1.00	$10,000.00 75 Inspector Days	$10,000.00	$10,000.00 60 Inspector Days	$1.00	$10,000.00 70 Inspector Days
	TOTAL DIVISION B:				**$1,637,714.50**		**$1,627,527.20**		**$1,842,310.50**		**$2,028,979.00**
	Total Inspector Days				**120**		**150**		**120**		**140**
	TOTAL PROJECT (A + B)				**$3,367,845.00**		**$3,426,648.00**		**$3,672,597.50**		**$3,893,812.00**

Bids Advertised:
MITN, March 25, 2024
Bid Opening Date: April 16, 2024

CAPITAL OUTLAY AND INFRASTRUCTURE COMMITTEE MEETING
WEDNESDAY, MAY 15, 2024
7:00PM

A Capital Outlay and Infrastructure Committee meeting was held on Wednesday, May 15, 2024, at Livonia City Hall in the City Council Chambers on the 2nd floor.

Committee Members Present:	Rob Gjonaj-Donovic, Chair Jim Jolly, Vice Chair Carrie Budzinksi, Member
Committee Members Absent:	None
City Council Members Present:	Brandon McCullough, Council President Martha Ptashnik, Council Vice President Scott Morgan, Councilmember
City Officials and Others Present:	Maureen Miller Brosnan, Mayor Bob Jennison, Fire Chief Carter Fisher, City Attorney Debra Lichtenberg, Finance Director Mark Taormina, Planning and Economic Dev. Director Robb Drzewicki, Governmental Affairs Director Mike Magee, Miller Canfield Paul Theriault, Plante Moran Real Point
Additional Attendees:	See attached list

1. **CR 02-23** Subject matter of the 2022 Facility Condition Assessment and Space Needs Assessment.

The meeting convened at 7:00pm, led by Committee Chair, Rob Gjonaj-Donovic.

The Mayor and Finance Director, Debra Lichtenberg, started the meeting off introducing Mike Magee and Miller Canfield and what they do for the City of Livonia.

Mike Magee gave a presentation to City Council on the history of municipal bonds and that Livonia has favorable bond ratings.

It was explained that the city could enter into a bond for the construction of City Hall and that Miller Canfield would be our representative on this and verify compliance. Magee explained that we'd utilize our financial advisor for the specific financial portion of the bond.

Magee gave an in-depth explanation of the bond process, the legal requirements, City Councils role and a rough timeline for bonding.

Council members asked various questions to Magee.

A PowerPoint presentation was included in the packet and has been made available for all members of the public on the City's website.

Carter Fisher, City Attorney, presented a presentation to City Council, Road Map and Project Milestones explaining what the process moving forward would be.

This presentation went into the various options the city has with construction representation and what project delivery methods there are.

The presentation explained that Council has approval for the award of contracts and various project delivery methods for Contract of Owners Representative, Bond Notice of Intent, Bond Ordinance to Initiate the Sale of Bonds, Final Site Plan Approval, and Change Orders that Significantly alter Contract Price or Scope.

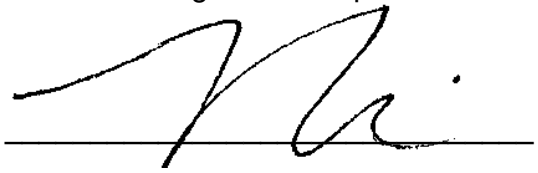
The Mayor expressed a willingness in continuing a good working group through Council committee meetings on this process.

This was the 4th meeting on this topic in the last month and a half. The Mayor asked that we continue this process with future committee meetings to keep Council up to date. All meetings are open to the public and information is available on the city's website.

The next Committee meeting will be in July to give City Council further updates.

Note: This item will remain in Committee.

These meetings will be reported at the Regular Meeting of June 3, 2024.



Rob Gjonaj Donovic, Chair

CAPITAL OUTLAY AND INFRASTRUCTURE
WEDNESDAY, MAY 15, 2024, 7:00PM

NAME	DEPT OR CONTACT INFO FOR NOTIFICATIONS* *PERTAINING TO THE SUBJECT MATTER OF THIS MEETING
Steve Mercado	Mercado

NEW DATA RECEIVED AT THE CAPITAL OUTLAY
AND INFRASTRUCTURE MEETING OF MAY 15, 2024

ROAD MAP &
PROJECT MILESTONES

Council Approval Authority

Charter gives the City Council authority to approve and let contracts

Code of Ordinances further stipulates that any contract for more than $20,000 or any contract amendment of more than $30,000 or 5% of the initial contract value must be approved by City Council

PROJECT DELIVERY METHODS

Design-Bid-Build

- Traditional project delivery method in which a designer is selected first to draft construction drawings and specs
- The construction work for the project is bid out based on the drafted designs to determine what contractor provides the best value
- The selected GC completes the construction of the project

- Major Decision points:
  - *Approval of contract with Designer*
  - *Approval of contract with General Contractor*

Design-Build

- One entity is responsible for the design and construction of the entire project from start to finish
- The selected construction firm coordinates the design process which results in a proposed GMP

- Major Decision points:
  - *Approval of Contract with Construction Firm*
  - *Approval of contract amendment containing negotiated GMP*

- A designer is hired to perform initial design work, and eventually to design the entirety of the project
- Once the initial design has been completed, a Construction Manager is hired to collaborate on the remaining design work and manage the actual construction
- As the design work nears final completion, the Construction Manager presents a GMP for the project's overall cost
- If the GMP is accepted, the Construction Manager performs as the GC for construction and carries the risk of project cost overruns

Major Decision Points:

- *Approval of contract with Designer*
- *Approval of initial Contract with Construction Manager*
- *Approval of Construction Manager's GMP*

Construction Manager at Risk

Construction Management Multi-Prime

- Owner hires the designer and bids out multiple discrete scopes of work for general and trade contractors to contract for
- Owner acts as the construction manager throughout the project, coordinating contractors and managing the project budget

-Major Decision points:

- *Approval of contract with designer*
- *Approval of contracts for each trade or batch of trades*

Items requiring Council Approval regardless of Project Delivery Method

- Contract with Owner’s Representative
- Bond Notice of Intent
- Bond Ordinance to initiate sale of bonds
- Final Site Plan Approval
- Change orders that significantly alter contract price or scope

NEW DATA RECEIVED AT THE CAPITAL OUTLAY
AND INFRASTRUCTURE MEETING OF MAY 15, 2024

Livonia City Council

Capital Outlay and Infrastructure Committee

Financing Tools for Town Center: Bonding

May 15, 2024

MILLER CANFIELD

Context:

State Sovereignty v. The Limits of City Power
A Scriptural Perspective



"Welcome to Pittsburgh!!!"

What's a "bond?"

A Promise To Pay ...



NUMBER R-A

NUMBER R-A

UNITED STATES OF AMERICA
STATE OF MICHIGAN

MACKINAC BRIDGE AUTHORITY

BRIDGE REVENUE BOND, SERIES A
(MACKINAC STRAITS BRIDGE)

DUE JANUARY 1, 1994

MACKINAC BRIDGE AUTHORITY (HEREIN SOMETIMES CALLED THE "AUTHORITY"), A BODY CORPORATE AND AN AGENCY AND INSTRUMENTALITY OF THE STATE OF MICHIGAN, DULY CREATED BY ACT NO. 21 OF THE PUBLIC ACTS OF THE EXTRA SESSION OF 1950, FOR VALUE RECEIVED, HEREBY PROMISES TO PAY, SOLELY FROM THE SPECIAL FUND PROVIDED THEREFOR AS HEREINAFTER SET FORTH, TO

OR REGISTERED ASSIGNS OR LEGAL REPRESENTATIVE, ON THE 1ST DAY OF JANUARY, 1994 (OR EARLIER AS HEREINAFTER REFERRED TO), UPON THE PRESENTATION AND SURRENDER HEREOF AT THE PRINCIPAL OFFICE OF THE TRUSTEE (HEREINAFTER MENTIONED), THE PRINCIPAL SUM OF

DOLLARS

IN ANY COIN OR CURRENCY OF THE UNITED STATES OF AMERICA WHICH, AT THE DATE OF PAYMENT THEREOF, IS LEGAL TENDER FOR THE PAYMENT OF PUBLIC AND PRIVATE DEBTS, AND TO PAY, SOLELY FROM SAID SPECIAL FUND, TO THE REGISTERED OWNER HEREOF BY CHECK OR DRAFT MAILED TO THE REGISTERED OWNER AT HIS ADDRESS AS IT APPEARS ON THE BOND REGISTRATION BOOKS OF THE AUTHORITY, INTEREST ON SUCH PRINCIPAL SUM FROM THE DATE HEREOF AT THE RATE OF

FOUR PER CENTUM (4%)

PER ANNUM UNTIL PAYMENT OF SUCH PRINCIPAL SUM, SUCH INTEREST TO THE MATURITY HEREOF BEING PAYABLE SEMIANNUALLY ON THE 1ST DAYS OF JANUARY AND JULY IN EACH YEAR IN LIKE COIN OR CURRENCY.

NEITHER THIS BOND NOR THE INTEREST HEREON CONSTITUTE AN INDEBTEDNESS OF THE STATE OF MICHIGAN WITHIN THE MEANING OF ANY CONSTITUTIONAL LIMITATIONS OR PROHIBITIONS, AND NEITHER THE AUTHORITY NOR THE STATE IS AUTHORIZED TO PAY THIS BOND OR THE INTEREST HEREON EXCEPT FROM THE REVENUES PLEDGED THERETO UNDER THE PROVISIONS OF THE ACT HEREINAFTER MENTIONED.

THE AUTHORITY HAS DULY AUTHORIZED THE ISSUANCE OF REVENUE BONDS OF THE AUTHORITY IN THE AGGREGATE PRINCIPAL AMOUNT OF NINETY-NINE MILLION EIGHT HUNDRED THOUSAND DOLLARS ($99,800,000), CONSISTING OF $79,800,000 BONDS DESIGNATED "BRIDGE REVENUE BONDS, SERIES A (MACKINAC STRAITS BRIDGE)," AND OF $20,000,000 BONDS DESIGNATED "BRIDGE REVENUE BONDS, SERIES B (MACKINAC STRAITS BRIDGE)," PURSUANT TO THE FOREGOING ACT OF THE LEGISLATURE OF THE STATE OF MICHIGAN (SUCH BONDS, INCLUDING ALL RECOVERY AND IMPROVEMENTS FORMING ANY PART HEREOF OR CONNECTED WITH OR USED OR USEFUL IN THE OPERATION THEREOF BEING HEREIN COLLECTIVELY CALLED "THE BRIDGE"). THE PROCEEDS OF WHICH BONDS WERE THUS COMMANDED TO BE SUFFICIENT TO PAY SUCH COSTS. THIS BOND IS ONE OF THE BONDS OF THE SERIES DESIGNATED "BRIDGE REVENUE BONDS, SERIES A (MACKINAC STRAITS BRIDGE)," THE INDENTURE HEREINAFTER MENTIONED PROVIDES THAT IF AND TO THE EXTENT NECESSARY TO PROVIDE ADDITIONAL FUNDS FOR COMPLETING PAYMENT OF THE COST OF THE BRIDGE, ADDITIONAL BONDS OF EITHER OR BOTH SERIES MAY BE ISSUED UNDER THE INDENTURE FOR SUCH PURPOSE.

ALL OF THE BONDS ARE ISSUED OR ARE TO BE ISSUED UNDER AND PURSUANT TO A TRUST INDENTURE DULY APPROVED BY THE STATE ADMINISTRATIVE BOARD OF THE STATE OF MICHIGAN (SAID TRUST INDENTURE, TOGETHER WITH ALL INDENTURES SUPPLEMENTAL OR AMENDATORY THERETO, BEING HEREIN SOMETIMES CALLED THE "INDENTURE") DATED AS OF JULY 15, 1953, BETWEEN THE AUTHORITY AND DETROIT TRUST COMPANY, A CORPORATION OF DETROIT, MICHIGAN, AS TRUSTEE (SAID TRUST COMPANY AND ANY BANK OR TRUST COMPANY APPOINTED AS SUCCESSOR TRUSTEE UNDER THE INDENTURE BEING HEREIN CALLED THE "TRUSTEE"), AN EXECUTED COUNTERPART OF WHICH INDENTURE IS ON FILE AT THE PRINCIPAL OFFICE OF THE TRUSTEE, REFERENCE HEREBY BEING MADE TO THE INDENTURE FOR THE PROVISIONS, AMONG OTHERS, WITH RESPECT TO THE CUSTODY AND APPLICATION OF THE PROCEEDS OF BONDS ISSUED UNDER THE INDENTURE, THE COLLECTION AND DISPOSITION OF REVENUES, THE FUND CHARGED WITH AND PLEDGED TO THE PAYMENT OF THE INTEREST ON AND PRINCIPAL OF THE BONDS, THE NATURE AND EXTENT OF THE SECURITY FOR THE BONDS, THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE OR MAY BE ISSUED, THE RIGHTS, DUTIES, AND OBLIGATIONS OF THE AUTHORITY AND OF THE TRUSTEE, AND THE RIGHTS OF THE HOLDERS OF THE BONDS, AND BY THE ACCEPTANCE OF THIS BOND, THE HOLDER HEREOF ASSENTS TO ALL OF THE PROVISIONS OF THE INDENTURE.

THIS BOND IS ISSUED AND THE INDENTURE WAS MADE AND ENTERED INTO UNDER AND PURSUANT TO THE CONSTITUTION AND LAWS OF THE STATE OF MICHIGAN, PARTICULARLY ACT NO. 214 OF THE PUBLIC ACTS OF THE REGULAR SESSION OF 1952, AS AMENDED BY ACT NO. 141 OF THE PUBLIC ACTS OF THE REGULAR SESSION OF 1953, AND UNDER AND PURSUANT TO RESOLUTIONS DULY ADOPTED BY THE AUTHORITY AND APPROVED BY THE STATE ADMINISTRATIVE BOARD OF THE STATE OF MICHIGAN. THE INDENTURE, IN ACCORDANCE WITH AND AS REQUIRED BY SAID ACT NO. 214, AS AMENDED BY SAID ACT NO. 141, PROVIDES FOR FIXING, REVISING, IMPOSING AND COLLECTING TOLLS, FEES, RENTALS AND CHARGES FOR THE USE OF THE BRIDGE AND ITS SERVICES AND FACILITIES SO AS TO PRODUCE REVENUES DERIVED FROM THE OPERATION OF THE BRIDGE SUFFICIENT AT ALL TIMES TO PAY ALL EXPENSES OF OPERATING, MAINTAINING AND REPAIRING THE BRIDGE, EXCEPT TO THE EXTENT THAT SUCH EXPENSES MAY BE IN WHOLE OR IN PART CARED FOR BY THE STATE HIGHWAY DEPARTMENT AS PROVIDED IN SAID ACT NO. 141, TO PAY THE PRINCIPAL OF AND THE INTEREST ON ALL BONDS ISSUED UNDER THE INDENTURE AS THE SAME BECOME DUE AND PAYABLE, AND TO CREATE RESERVES FOR SUCH PURPOSES. THE INDENTURE ALSO PROVIDES FOR THE DEPOSIT OF ALL SUCH REVENUES, EXCEPT SUCH AMOUNT THEREOF, IF ANY, AS MAY BE REQUIRED FOR OPERATING, MAINTAINING AND REPAIRING THE BRIDGE, TO THE CREDIT OF A SPECIAL FUND, DESIGNATED "MACKINAC BRIDGE REVENUE SINKING FUND," WHICH FUND IS PLEDGED TO AND CHARGED WITH THE PAYMENT OF THE INTEREST ON AND PRINCIPAL OF THE BONDS AS THE SAME BECOME DUE UNDER THE INDENTURE TO THE EXTENT AND WITH THE PRIORITIES PROVIDED IN THE INDENTURE.

THE BONDS OF EACH SERIES ARE ISSUABLE AS COUPON BONDS, REGISTRABLE AS TO PRINCIPAL, IN THE DENOMINATION OF $1,000 EACH, AND AS REGISTERED BONDS WITHOUT COUPONS IN DENOMINATIONS OF $1,000 OR ANY MULTIPLE THEREOF. AT THE PRINCIPAL OFFICE OF THE TRUSTEE, IN THE MANNER, SUBJECT TO THE LIMITATIONS, AND UPON PAYMENT OF THE CHARGES PROVIDED IN THE INDENTURE. REGISTERED BONDS WITHOUT COUPONS MAY BE EXCHANGED FOR A LIKE AGGREGATE PRINCIPAL AMOUNT OF COUPON BONDS OF THE SAME SERIES AND MATURITY, BEARING INTEREST AT THE SAME RATE AND HAVING ATTACHED THERETO COUPONS REPRESENTING ALL UNPAID INTEREST DUE OR TO BECOME DUE THEREON, OR OF REGISTERED BONDS WITHOUT COUPONS OF THE SAME SERIES AND MATURITY AND BEARING INTEREST AT THE SAME RATE AND AUTHORIZED DENOMINATIONS.

THE BONDS OF EACH SERIES ARE SUBJECT TO REDEMPTION AT THE TIMES, AT THE PRICES AND UPON THE TERMS AND CONDITIONS PROVIDED IN THE INDENTURE.

IN WITNESS WHEREOF, MACKINAC BRIDGE AUTHORITY HAS CAUSED THIS BOND TO BEAR THE FACSIMILE SIGNATURE OF ITS CHAIRMAN AND TO BE SIGNED BY ITS SECRETARY, AND A FACSIMILE OF ITS OFFICIAL SEAL TO BE IMPRINTED HEREON, ALL AS OF THE _____ DAY OF _____, 19____.

CERTIFICATE OF AUTHENTICATION

THIS BOND IS ONE OF THE BONDS OF THE SERIES DESIGNATED THEREIN AND ISSUED UNDER THE PROVISIONS OF THE WITHIN MENTIONED INDENTURE.

DETROIT TRUST COMPANY,
TRUSTEE

BY

SPECIMEN
AUTHORIZED OFFICER

Prentiss M. Brown
CHAIRMAN OF THE MACKINAC BRIDGE AUTHORITY

SPECIMEN
SECRETARY OF THE MACKINAC BRIDGE AUTHORITY

MACKINAC BRIDGE AUTHORITY
STATE OF MICHIGAN

SECURITY BANKNOTE COMPANY


U.S. ENGINEER DEPARTMENT
STERLING

Bond Issue Steps

- **Define the capital project**
  - **Physical scope v estimated cost**
  - **Source of funding (taxes, revenues, special assessments, grants, budget capacity)**
  - **Timelines**
- **Choose the legal structure**
- **State and federal law require reasonable clarity about how *much*, for *what*, and for *how long*.**

The Team, The Team, The Team



Who Does What?

- ***What's the capital project?*** **Architect/ Engineer**
- ***Can we afford it? + disclosure*** **Financial Advisor**
- ***Is it legal?*** **Bond attorney**
- ***Who oversees?*** **Finance Director, City attorney**

Legal Structure Options

- Which tool is right for the job?
  - A finance/policy question, as much as a legal question
- General Obligation Bonds
  - Voted: "Unlimited Tax"
  - Not voted, or voted millage: "Limited Tax"
- Revenue Bonds
- How will we pay debt service each year?
  - User Charges
  - Tax Collections
  - Special Assessments
  - Who pays?
- Interest rates



Repayment Structures

- **Repayment Term**
  - **Typically 20 to 30 years**
  - **Relate to useful life**
- **Semi-annual Payments**
- **Calculating Bond Millages or Rate Impacts**
- **Tax Levy For Voted Bonds? (Ballot language)**
- **Tax Levy for Non-voted Bonds?**

Bondholder Security

- Probability Of Repayment vs. Interest Rate
- Types of Security
  - Unlimited tax pledge
  - Limited tax pledge
- General Funds (Pledged by Issuer)
- Credit Enhancement
  - Letter of Credit
  - Bond Insurance (if available)

Process Overview

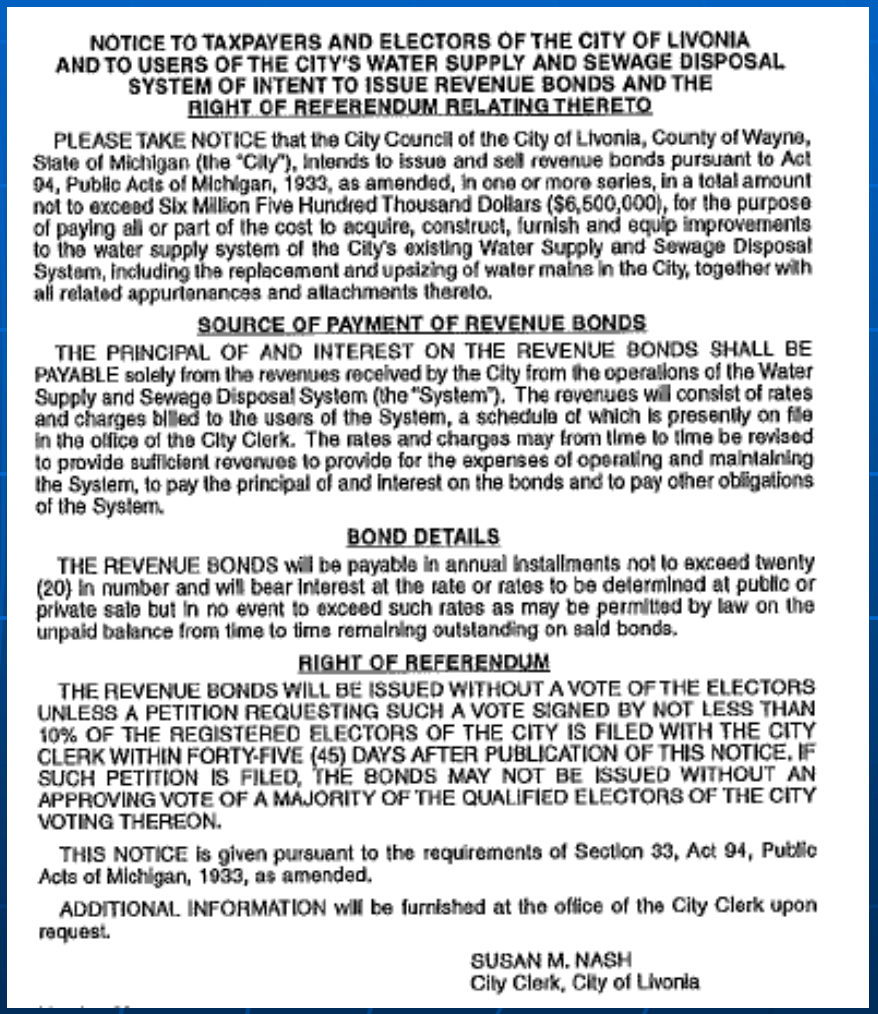
- **Players:**
  - **Council/Administration**
  - **Public**
  - **Michigan Dept of Treasury**
  - **Wall Street**
  - **Internal Revenue Service**
  - **U.S. Securities & Exchange Commission**

PA 34 Capital Improvement Bond Steps

- **Council**
  - **Approves structure**
  - **Notice of Intent resolution**
  - **Bond Authorizing Resolution**
  - **TEFRA hearing (if necessary*)**
  - *(Not required for Phase 1: Ballot language approval, election proceedings)*

The Public

- **Notice of Intent – Right of Petition**
  - **45 days to call referendum**
  - **Notice form dictated by state law *(Kratchman v Detroit,* 400 Mich 158 (1977))**
  - **Maximum amount, maximum term, rate**
- **Ballot approval (see MCL 211.24f *(Phase 2)***



NOTICE TO TAXPAYERS AND ELECTORS OF THE CITY OF LIVONIA AND TO USERS OF THE CITY'S WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM OF INTENT TO ISSUE REVENUE BONDS AND THE RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the City Council of the City of Livonia, County of Wayne, State of Michigan (the "City"), intends to issue and sell revenue bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in one or more series, in a total amount not to exceed Six Million Five Hundred Thousand Dollars ($6,500,000), for the purpose of paying all or part of the cost to acquire, construct, furnish and equip improvements to the water supply system of the City's existing Water Supply and Sewage Disposal System, including the replacement and upsizing of water mains in the City, together with all related appurtenances and attachments thereto.

SOURCE OF PAYMENT OF REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON THE REVENUE BONDS SHALL BE PAYABLE solely from the revenues received by the City from the operations of the Water Supply and Sewage Disposal System (the "System"). The revenues will consist of rates and charges billed to the users of the System, a schedule of which is presently on file in the office of the City Clerk. The rates and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the System, to pay the principal of and interest on the bonds and to pay other obligations of the System.

BOND DETAILS

THE REVENUE BONDS will be payable in annual installments not to exceed twenty (20) in number and will bear interest at the rate or rates to be determined at public or private sale but in no event to exceed such rates as may be permitted by law on the unpaid balance from time to time remaining outstanding on said bonds.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 33, Act 94, Public Acts of Michigan, 1933, as amended.

ADDITIONAL INFORMATION will be furnished at the office of the City Clerk upon request.

SUSAN M. NASH
City Clerk, City of Livonia

Michigan Department Of Treasury

- Annual filing requirement under PA 34
  - Generally done by auditor, but not always
  - Required for all local units, bonds or not
- Qualified Status
- If not, "full approval"
- Post-closing filings

Wall Street – Credit Ratings

- **State requirement - bond issues of $5,000,000 or more must be rated**
- **Rating definition - opinion of one's ability to repay – letter grade**
- **Rating categories**
  - **Investment grade - "BBB" or higher**
  - **Non-investment grade - "junk bonds" - "BB" or lower**
  - **State is AA-, most local units in A range**
- **Effect on interest cost**
- ***(Lower than BBB triggers State EM statute)***

Internal Revenue Service

- Congress' conditions
- The IRS "Six Deadly Sins"
- Major concern: Arbitrage
  - What is arbitrage?
  - Arbitrage rebate
  - Two-year exception
  - Small-issuer exception

IRS

How it begins: A "friendly letter" to the City from the IRS Tax Exempt Bond division:

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, DC 20224

TEGE

Date: 2/28/2011
Contact Person: Cathy A. Webster
Employee ID Number: 1000875810
Contact Telephone Number:
(501) 396-5967
Contact Address:
Internal Revenue Service
TE/GE:TEB:7225
700 West Capitol MS:4900
Little Rock, AR 72201
Employer Identification Number
38-6004605

Re: Examination of $72,895,000 General Obligation Sewer Bonds, Series 2005

Dear Sir or Madam:

We have selected the debt issuance named above for examination. The Internal Revenue Service (IRS) routinely examines municipal debt issuances to determine compliance with Federal tax requirements.

Your debt issuance was selected for examination as part of a project initiative involving governmental bond issues. The primary purpose of this examination will be to ascertain the compliance of your debt issuance with the Federal tax requirements applicable to arbitrage rebate under section 148 of the Internal Revenue Code. At this time, we have no reason to believe that your debt issuance fails to comply with any of the applicable tax requirements. As always, we reserve the right to expand this examination to any aspect of your debt issuance.

Please review the enclosed Form 4564, *Information Document Request* and mail all requested documents to the address noted above by the date indicated on the Form 4564. Other items may be requested as the examination proceeds. If necessary, we will request information by submitting additional information document requests.

If you desire to appoint a representative to act on your behalf, a power of attorney must be filed with the IRS in order for the IRS to discuss or provide your representative with confidential information. A Form 2848, *Power of Attorney and Declaration of Representative,* or any other properly written power of attorney or authorization may be used for this purpose. Copies of Form 2848 may be obtained from any IRS office or downloaded at

During this examination the IRS may need to contact third parties. Third party contacts may include, but are not limited to bond counsel, special tax counsels, employees and

During this examination the IRS may need to contact third parties. Third party contacts may include, but are not limited to bond counsel, special tax counsels, employees and trustees, GIC providers and underwriters. We are providing this notification in accordance with section 7602(c)(1) of the Internal Revenue Code, which became effective for third party contacts made after January 18, 1999.

Thank you for your cooperation in this matter. Please feel free to call or write if you have any questions or concerns about this matter or are unable to promptly respond to the Form 4564.

Sincerely,

Cathy A. Webster
Internal Revenue Agent
Tax Exempt Bonds

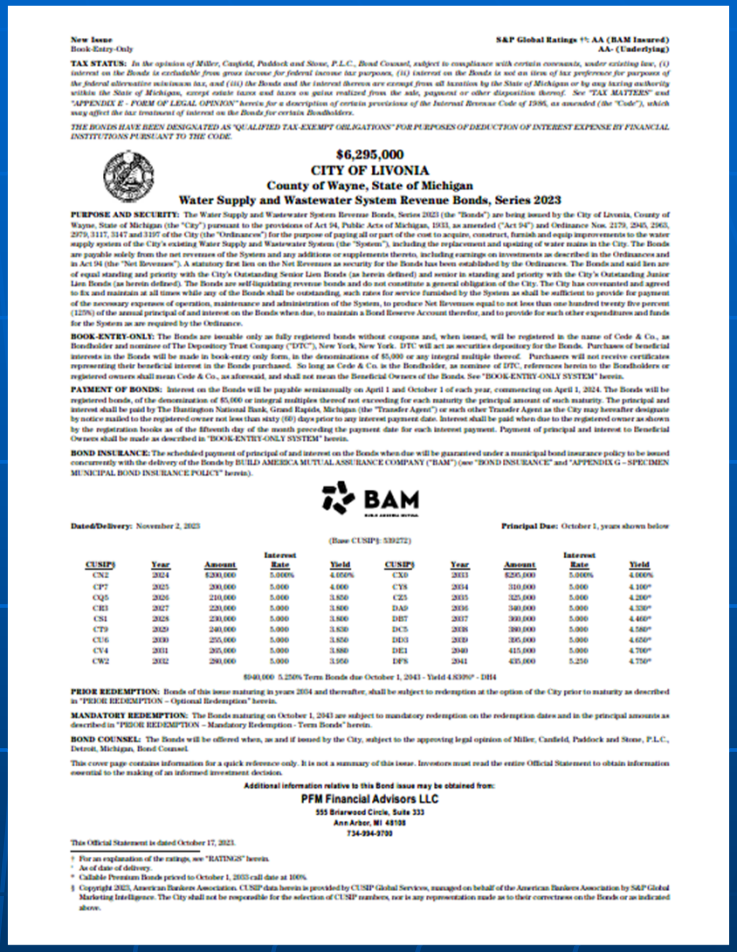
Enclosures:
Publication 1
Form 4564

Securites & Exchange Commission

- **Federal Securities Laws – Securities Act of 1933, Securities Exchange Act of 1934**
- **Municipalities largely exempt until WPPSS!**
- **Official Statement**
  - ***SEC Charges [Bank] for Violating Municipal Bond Disclosure (July 18, 2023)***
  - ***SEC Charges City of Rochester, NY, with Misleading Investors (June 14, 2022)***

SEC - The Official Statement

- **Nature and purpose**
  - **Factual information**
  - **Securities Act disclosure requirements + annual updates**
- **Contents**
  - **Nature and terms of offering**
  - **Security provisions**
  - **Financial history of the issuer**
    - **Financial statistics, audits**
  - **Litigation disclosure**
- **The City Attorney will be asked to review and may be asked to give an opinion**
- **SEC is moving municipal disclosure toward the public-company rubric**



New Issue
Book-Entry-Only

S&P Global Ratings: AA (BAM Insured)
AA- (Underlying)

TAX STATUS: *In the opinion of Miller, Canfield, Paddock and Stone, P.L.C., Bond Counsel, subject to compliance with certain covenants, under existing law, (i) interest on the Bonds is excludable from gross income for federal income tax purposes, (ii) interest on the Bonds is not an item of tax preference for purposes of the federal alternative minimum tax, and (iii) the Bonds and the interest thereon are exempt from all taxation by the State of Michigan or by any taxing authority within the State of Michigan, except estate taxes and taxes on gains realized from the sale, payment or other disposition thereof. See "TAX MATTERS" and "APPENDIX E - FORM OF LEGAL OPINION" herein for a description of certain provisions of the Internal Revenue Code of 1986, as amended (the "Code"), which may affect the tax treatment of interest on the Bonds for certain Bondholders.*

THE BONDS HAVE BEEN DESIGNATED AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" FOR PURPOSES OF DEDUCTION OF INTEREST EXPENSE BY FINANCIAL INSTITUTIONS PURSUANT TO THE CODE.

$6,295,000
CITY OF LIVONIA
County of Wayne, State of Michigan
Water Supply and Wastewater System Revenue Bonds, Series 2023

PURPOSE AND SECURITY: The Water Supply and Wastewater System Revenue Bonds, Series 2023 (the "Bonds") are being issued by the City of Livonia, County of Wayne, State of Michigan (the "City") pursuant to the provisions of Act 94, Public Acts of Michigan, 1933, as amended ("Act 94") and Ordinance Nos. 2179, 2845, 2903, 2979, 3117, 3147 and 3197 of the City (the "Ordinances") for the purpose of paying all or part of the cost to acquire, construct, furnish and equip improvements to the water supply system of the City's existing Water Supply and Wastewater System (the "System"), including the replacement and upsizing of water mains in the City. The Bonds are payable solely from the net revenues of the System and any additions or supplements thereto, including earnings on investments as described in the Ordinances and in Act 94 (the "Net Revenues"). A statutory first lien on the Net Revenues as security for the Bonds has been established by the Ordinances. The Bonds and said lien are of equal standing and priority with the City's Outstanding Senior Lien Bonds (as herein defined) and senior in standing and priority with the City's Outstanding Junior Lien Bonds (as herein defined). The Bonds are self-liquidating revenue bonds and do not constitute a general obligation of the City. The City has covenanted and agreed to fix and maintain at all times while any of the Bonds shall be outstanding, such rates for service furnished by the System as shall be sufficient to provide for payment of the necessary expenses of operation, maintenance and administration of the System, to produce Net Revenues equal to not less than one hundred twenty five percent (125%) of the annual principal of and interest on the Bonds when due, to maintain a Bond Reserve Account therefor, and to provide for such other expenditures and funds for the System as are required by the Ordinance.

BOOK-ENTRY-ONLY: The Bonds are issuable only as fully registered bonds without coupons and, when issued, will be registered in the name of Cede & Co., as Bondholder and nominee of The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the Bonds. Purchases of beneficial interests in the Bonds will be made in book-entry only form, in the denominations of $5,000 or any integral multiple thereof. Purchasers will not receive certificates representing their beneficial interest in the Bonds purchased. So long as Cede & Co. is the Bondholder, as nominee of DTC, references herein to the Bondholders or registered owners shall mean Cede & Co., as aforesaid, and shall not mean the Beneficial Owners of the Bonds. See "BOOK-ENTRY-ONLY SYSTEM" herein.

PAYMENT OF BONDS: Interest on the Bonds will be payable semiannually on April 1 and October 1 of each year, commencing on April 1, 2024. The Bonds will be registered bonds, of the denomination of $5,000 or integral multiples thereof not exceeding for each maturity the principal amount of such maturity. The principal and interest shall be paid by The Huntington National Bank, Grand Rapids, Michigan (the "Transfer Agent") or such other Transfer Agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date. Interest shall be paid when due to the registered owner as shown by the registration books as of the fifteenth day of the month preceding the payment date for each interest payment. Payment of principal and interest to Beneficial Owners shall be made as described in "BOOK-ENTRY-ONLY SYSTEM" herein.

BOND INSURANCE: The scheduled payment of principal of and interest on the Bonds when due will be guaranteed under a municipal bond insurance policy to be issued concurrently with the delivery of the Bonds by BUILD AMERICA MUTUAL ASSURANCE COMPANY ("BAM") (see "BOND INSURANCE" and "APPENDIX G - SPECIMEN MUNICIPAL BOND INSURANCE POLICY" herein).

BAM

Dated/Delivery: November 2, 2023

Principal Due: October 1, years shown below

(Base CUSIP): 539272

CUSIP§	Year	Amount	Interest Rate	Yield	CUSIP§	Year	Amount	Interest Rate	Yield
CN2	2024	$200,000	5.000%	4.050%	CX0	2033	$295,000	5.000%	4.000%
CP7	2025	200,000	5.000	4.000	CY8	2034	310,000	5.000	4.100*
CQ5	2026	210,000	5.000	3.850	CZ5	2035	325,000	5.000	4.200*
CR3	2027	220,000	5.000	3.800	DA9	2036	340,000	5.000	4.330*
CS1	2028	230,000	5.000	3.800	DB7	2037	360,000	5.000	4.460*
CT9	2029	240,000	5.000	3.820	DC5	2038	380,000	5.000	4.580*
CU6	2030	255,000	5.000	3.850	DE3	2039	395,000	5.000	4.650*
CV4	2031	265,000	5.000	3.880	DE1	2040	415,000	5.000	4.700*
CW2	2032	280,000	5.000	3.950	DF8	2041	435,000	5.250	4.750*

$840,000 5.250% Term Bonds due October 1, 2043 - Yield 4.830%† - DH4

PRIOR REDEMPTION: Bonds of this issue maturing in years 2034 and thereafter, shall be subject to redemption at the option of the City prior to maturity as described in "PRIOR REDEMPTION – Optional Redemption" herein.

MANDATORY REDEMPTION: The Bonds maturing on October 1, 2043 are subject to mandatory redemption on the redemption dates and in the principal amounts as described in "PRIOR REDEMPTION – Mandatory Redemption - Term Bonds" herein.

BOND COUNSEL: The Bonds will be offered when, as and if issued by the City, subject to the approving legal opinion of Miller, Canfield, Paddock and Stone, P.L.C., Detroit, Michigan, Bond Counsel.

This cover page contains information for a quick reference only. It is not a summary of this issue. Investors must read the entire Official Statement to obtain information essential to the making of an informed investment decision.

Additional information relative to this Bond issue may be obtained from:

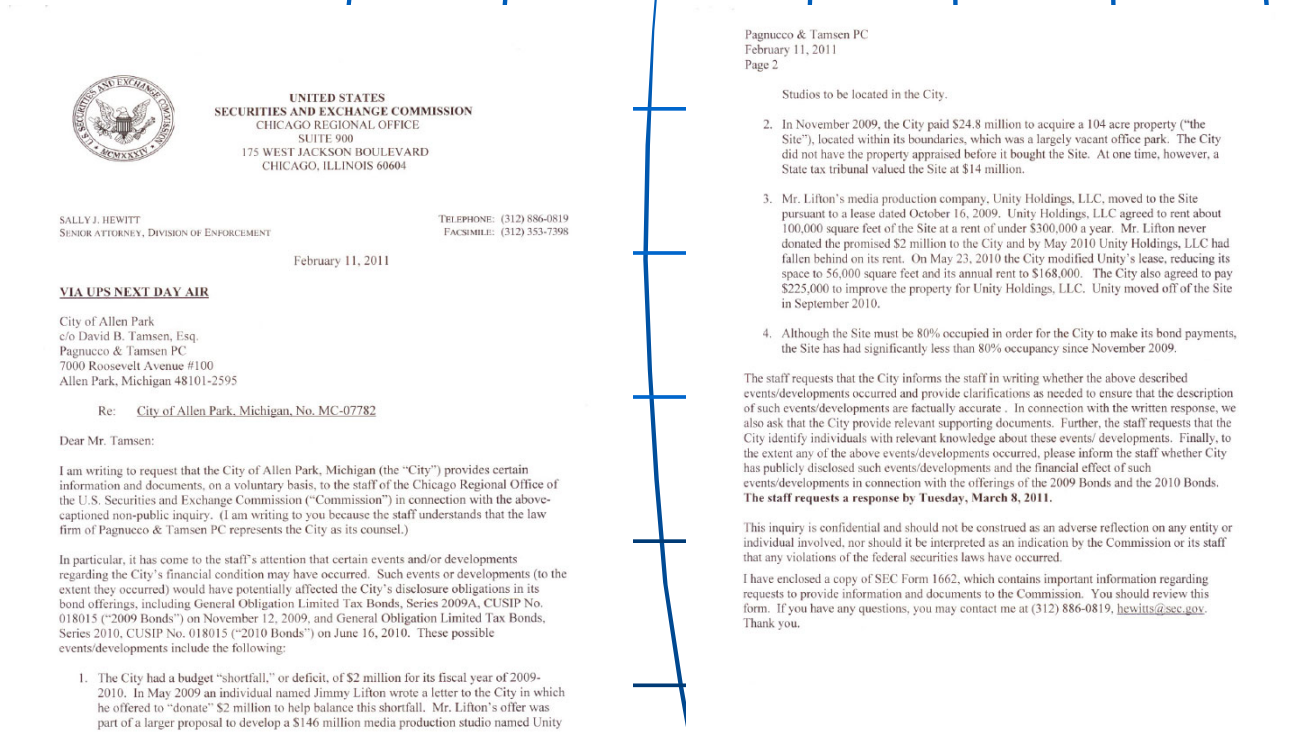
PFM Financial Advisors LLC
555 Briarwood Circle, Suite 333
Ann Arbor, MI 48108
734-994-9700

This Official Statement is dated October 17, 2023.

† For an explanation of the ratings, see "RATINGS" herein.
* As of date of delivery.
+ Callable Premium Bonds priced to October 1, 2033 call date at 100%.
§ Copyright 2023, American Bankers Association. CUSIP data herein is provided by CUSIP Global Services, managed on behalf of the American Bankers Association by S&P Global Marketing Intelligence. The City shall not be responsible for the selection of CUSIP numbers, nor is any representation made as to their correctness on the Bonds or as indicated above.

SEC

How it begins: A "friendly letter" to the City Attorney from the SEC Division of Enforcement:



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
CHICAGO REGIONAL OFFICE
SUITE 900
175 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604

SALLY J. HEWITT
SENIOR ATTORNEY, DIVISION OF ENFORCEMENT

TELEPHONE: (312) 886-0819
FACSIMILE: (312) 353-7398

February 11, 2011

VIA UPS NEXT DAY AIR

City of Allen Park
c/o David B. Tamsen, Esq.
Pagnucco & Tamsen PC
7000 Roosevelt Avenue #100
Allen Park, Michigan 48101-2595

Re: City of Allen Park, Michigan, No. MC-07782

Dear Mr. Tamsen:

I am writing to request that the City of Allen Park, Michigan (the "City") provides certain information and documents, on a voluntary basis, to the staff of the Chicago Regional Office of the U.S. Securities and Exchange Commission ("Commission") in connection with the above-captioned non-public inquiry. (I am writing to you because the staff understands that the law firm of Pagnucco & Tamsen PC represents the City as its counsel.)

In particular, it has come to the staff's attention that certain events and/or developments regarding the City's financial condition may have occurred. Such events or developments (to the extent they occurred) would have potentially affected the City's disclosure obligations in its bond offerings, including General Obligation Limited Tax Bonds, Series 2009A, CUSIP No. 018015 ("2009 Bonds") on November 12, 2009, and General Obligation Limited Tax Bonds, Series 2010, CUSIP No. 018015 ("2010 Bonds") on June 16, 2010. These possible events/developments include the following:

1. The City had a budget "shortfall," or deficit, of $2 million for its fiscal year of 2009-2010. In May 2009 an individual named Jimmy Lifton wrote a letter to the City in which he offered to "donate" $2 million to help balance this shortfall. Mr. Lifton's offer was part of a larger proposal to develop a $146 million media production studio named Unity

Studios to be located in the City.

2. In November 2009, the City paid $24.8 million to acquire a 104 acre property ("the Site"), located within its boundaries, which was a largely vacant office park. The City did not have the property appraised before it bought the Site. At one time, however, a State tax tribunal valued the Site at $14 million.

3. Mr. Lifton's media production company, Unity Holdings, LLC, moved to the Site pursuant to a lease dated October 16, 2009. Unity Holdings, LLC agreed to rent about 100,000 square feet of the Site at a rent of under $300,000 a year. Mr. Lifton never donated the promised $2 million to the City and by May 2010 Unity Holdings, LLC had fallen behind on its rent. On May 23, 2010 the City modified Unity's lease, reducing its space to 56,000 square feet and its annual rent to $168,000. The City also agreed to pay $225,000 to improve the property for Unity Holdings, LLC. Unity moved off of the Site in September 2010.

4. Although the Site must be 80% occupied in order for the City to make its bond payments, the Site has had significantly less than 80% occupancy since November 2009.

The staff requests that the City informs the staff in writing whether the above described events/developments occurred and provide clarifications as needed to ensure that the description of such events/developments are factually accurate . In connection with the written response, we also ask that the City provide relevant supporting documents. Further, the staff requests that the City identify individuals with relevant knowledge about these events/ developments. Finally, to the extent any of the above events/developments occurred, please inform the staff whether City has publicly disclosed such events/developments and the financial effect of such events/developments in connection with the offerings of the 2009 Bonds and the 2010 Bonds. **The staff requests a response by Tuesday, March 8, 2011.**

This inquiry is confidential and should not be construed as an adverse reflection on any entity or individual involved, nor should it be interpreted as an indication by the Commission or its staff that any violations of the federal securities laws have occurred.

I have enclosed a copy of SEC Form 1662, which contains important information regarding requests to provide information and documents to the Commission. You should review this form. If you have any questions, you may contact me at (312) 886-0819, hewitts@sec.gov. Thank you.

The Bond Sale

- **Competitive bond sale**
  - **Legal notice of sale published ("offer")**
  - **Official Statement mailed**
  - **Bids received, bonds awarded**
- **Negotiated sale**
  - **Direct negotiation of interest rates vs. bid interest rates**
  - **Official Statement delivered**
  - **Under PA 34 any deal may be negotiated as determined by legislative body**

After the Bond Sale

- Bonds delivered, proceeds received
- Post-closing filings with MI Department of Treasury
- Project costs paid
- Continuing tax requirements (non-arbitrage)
- Continuing disclosure requirements

Moral: Recordkeeping is essential

Time for Questions



MILLER CANFIELD

PLEASE NOTE:

NEW INFORMATION REGARDING THIS SUBJECT MATTER HAS NOT BEEN PROVIDED BY THE ADMINISTRATION FOR THIS MEETING

Financing the Vision

Redesigning the Civic Building Campus

Highest & Best Use – Option 2

Move & Construct New City Hall

Move & Construct New Police Station;

Renovate Fire Station No. 1

Move & Construct New City Hall

GOAL – Develop community confidence in the project by financing this portion using EXISTING funds.

How do we accomplish this?

- Strategic decision-making: Implementation of Medicare Advantage program for post-65 retirees has provided significant cost savings that can be shifted to fund the debt service to bond for City Hall.

  Excerpt from the Mayor's 2023-24 Budget letter, sent to Council Sept. 25, 2023:

  "It should be noted that the current ADC does not yet fully reflect the anticipated reduced costs from the transition to Medicare Advantage plans that occurred towards the end of 2022. The cost savings from this change should have a favorable impact on the ADC in future years."

- Conservative long-range financial strategy: By carefully managing the City's funding from ARPA and budgeting within our means, the City has accumulated ~$9M in the Building Improvement fund.

Medicare Advantage Program

Post-65 Retiree Healthcare Insurance

In 2022, the City made a strategic business decision to move all eligible post-65 retirees out of the City's self-insured healthcare pool and into the fully insured Medicare Advantage Program.

Why?

- Cost Savings - The Medicare Advantage program is heavily subsidized by the federal government, resulting in premiums that are less than the City's expected costs for self-insuring.

- Reducing Legacy Costs – Predictable, low-cost premiums reduce our future actuarial liabilities for retiree healthcare. This, in turn, reduces our required annual contributions into the VEBA plan and increases our overall funded %.

- Beneficial to our Retirees – By moving to a Medicare Advantage program, our retirees enjoy the benefits of:
  - Equal or improved benefits – MedAdv plans are selected to mirror, or improve, existing benefits – No concessions or compromised plans
  - Ease of use – MedAdv subscribers carry and present one card to providers. Coordination of benefits is automatic and does not require any extra effort on the part of the retiree.
  - Concierge Service – MedAdv subscribers have access to more responsive customer care representatives than traditional Medicare subscribers.

Savings from Implementing Medicare Advantage for post-65 retirees:

(Excerpt from the Nyhart actuarial valuation report dated April 4, 2024)

Actuarially Determined Contributions

City of Livonia GASB 74/75 Valuation For Fiscal Year Ending November 30, 2023

		FY 2023/24		FY 2024/25
Discount rate (Funding)		7.10%		7.00%
Payroll growth factor used for amortization		3.00%		3.00%
Actuarial cost method		Entry Age Normal Level % of Salary		Entry Age Normal Level % of Salary
Amortization type		Level % of Salary		Level Dollar
Amortization period (years)		25		24
Actuarial Accrued Liability (AAL) - beginning of year	$	218,392,030	$	132,112,710
Actuarial Value of Assets (AVA) - beginning of year		(131,191,254)		(135,183,513)
Unfunded AAL - beginning of year	$	87,200,776	$	(3,070,803
Normal Cost	$	999,891	$	721,038
Amortization of Unfunded AAL		5,357,195		(250,225)
Total normal cost plus amortization	$	6,357,086	$	470,813
Interest to end of year		451,353		32,957
Actuarially Determined Contribution - Preliminary	$	6,808,439	$	503,770
Expected Benefit Payments		7,821,180		9,528,478
Actuarially Determined Contribution - Final	$	**6,808,439**	$	**1,235,823**

FY 23/24 ADC	$6,808,439
Budgeted at Reduced level due to limited funds	X 60%
Total FY 23/24 Contribution (consistent with prior years)	$4,085,063
FY 24/25 ADC = New norm with MedAdv	$1,235,823
Total Savings	$2,849,240
General Fund Savings	**$2,365,901**
Other Funds Savings	$483,339
Total Savings	$2,849,240

Actuarially Determined Contribution (ADC) is the target or recommended contribution to a defined benefit OPEB plan, which if paid on an ongoing basis, will provide sufficient resources to fund future costs for services to be earned and liabilities attributed to past services. This is typically higher than the pay-as-you-go cost because it includes recognition of employer costs expected to be paid in future accounting periods.

How much does $2.4 Million of annual funding allow us to finance?

City of Livonia
Limited Tax GO Bonds
Projected Bond Issuance Based on Annual Debt Service

$ 2,400,000	**Annual Debt Service (1)**

Annual Debt Service	Bond Term	Interest Rate (2)	Estimated Total Interest	Bond Amount
$ 2,400,000	20 Years	4.75%	$ 17,344,625	**$ 30,600,000**
$ 2,400,000	25 Years	5.00%	$ 26,134,188	**$ 33,805,000**
$ 2,400,000	30 Years	5.25%	$ 36,150,778	**$ 35,755,000**

(1) - Input Variable
(2) - Estimated Rates - Actual rates determined at time of sale.

Preliminary Cost Estimate range from PMR – New City Hall (hard and soft costs):

Reduced Program	$31,500,000
Full Program	$42,000,000
Mid-Range	$36,000,000

Note:
Additional funds available in Building Improvement Fund at 11/30/2023: ~$9,000,000

Moving Forward with new City Hall

- Engage Plante Moran Realpoint in Phase III
  - Phase III: Owner's Representative Work and Development Advisory Services
  - First Steps:
    - Development of civic campus site master plan
    - Oversee design and construction of new City Hall

- Begin process for issuing bonds to finance City Hall construction
  - Commitment of Medicare Advantage savings toward the debt service of these bonds
  - Issuing capital improvement bonds typically takes between 90-120 days from start to finish

Questions??

NEW DATA RECEIVED FOR THE CAPITAL OUTLAY AND INFRASTRUCTURE MEETING OF APRIL 10. 2024 DRAFT

plante moran
REALPOINT



April 10, 2024

City of Livonia Engagement Update & Summary of Findings and Recommendations

City of Livonia

Development Principles

LIVONIA V21



1 Provide a mix of civic, residential and commercial uses with activity on the site throughout the day.



2 Establish an identifiable and defined City Center for the residents of the City of Livonia.



3 Include a critical mass of full-time residents on the property to enhance safety and civic activity.



4 Promote the re-development of adjacent properties with uses that are synergistic with the new city center development.



5 Create outdoor space for community activities including, festivities, galas, entertainment and a variety of other city gatherings. Entertainment and a variety of other City gatherings. Community activities including; concerts, festivities, galas, entertainment and a variety of other City gatherings.



6 Establish opportunities for private investment on the campus site and surrounding properties.

These principles should inform how the form and character of future development may occur within the special planning area, or for any zoning code updates that are made. They are intended to be a guide and general in nature.

Path Forward: Realizing City Center Development Principles

COMMIT TO CAMPUS PLAN AND COMMENCE PLANNING

CATALYZE REDEVELOPMENT

ENGAGE WITH DEVELOPMENT COMMUNITY

These phases overlap / are interrelated

Increasing Site Attractiveness, Visitation, Property Values, Rents, Sustainability, and Tax Base
Reducing the Reliance on Subsidy and Incentives

Meeting Expectations

Capital Outlay and Infrastructure Committee Meetings

Meeting 1
Wednesday, April 10 @7pm

Facility Condition Assessment and Site/Space Program Findings and Recommendations

Meeting 2
Wednesday, April 17 @7pm

Highest and Best Use Report Findings and Recommendations

Meeting 3A
Wednesday, April 24 @7pm

Financing Tools for Town Center Phase 1

Meeting 3B
TBD

Financing Tools for Town Center Phase 2

PMR Engagement Overview

Phase 1 – Original Assignment - Completed and Presented in March 2023

Facility Condition Assessment (FCA) and Space Needs Assessment (SNA) for the following facilities:

- City Hall
- Police Department
- Fire Department No. 1
- Civic Center Library
- Senior Center + Community Transit Office
- Jack E. Kirksey Livonia Community Recreation Center
- Housing Commission
- Carl Sandburg Branch Library
- Alfred Noble Building

Note: These facilities were selected due to their potential impact on the Livonia Vision 21 Master Plan

PMR Engagement Overview

Phase 2- Completed and Presented in April 2024

Facility Condition Assessment (FCA) and Space Needs Assessment (SNA) for the following facilities:

- Fire Station No. 3, 4, 5 and 6

Site/Space Program, Conceptual Budget and Milestone schedule for the following facilities:

- City Hall
- Police Department
- Fire Station No. 1

Highest and Best Use Analysis

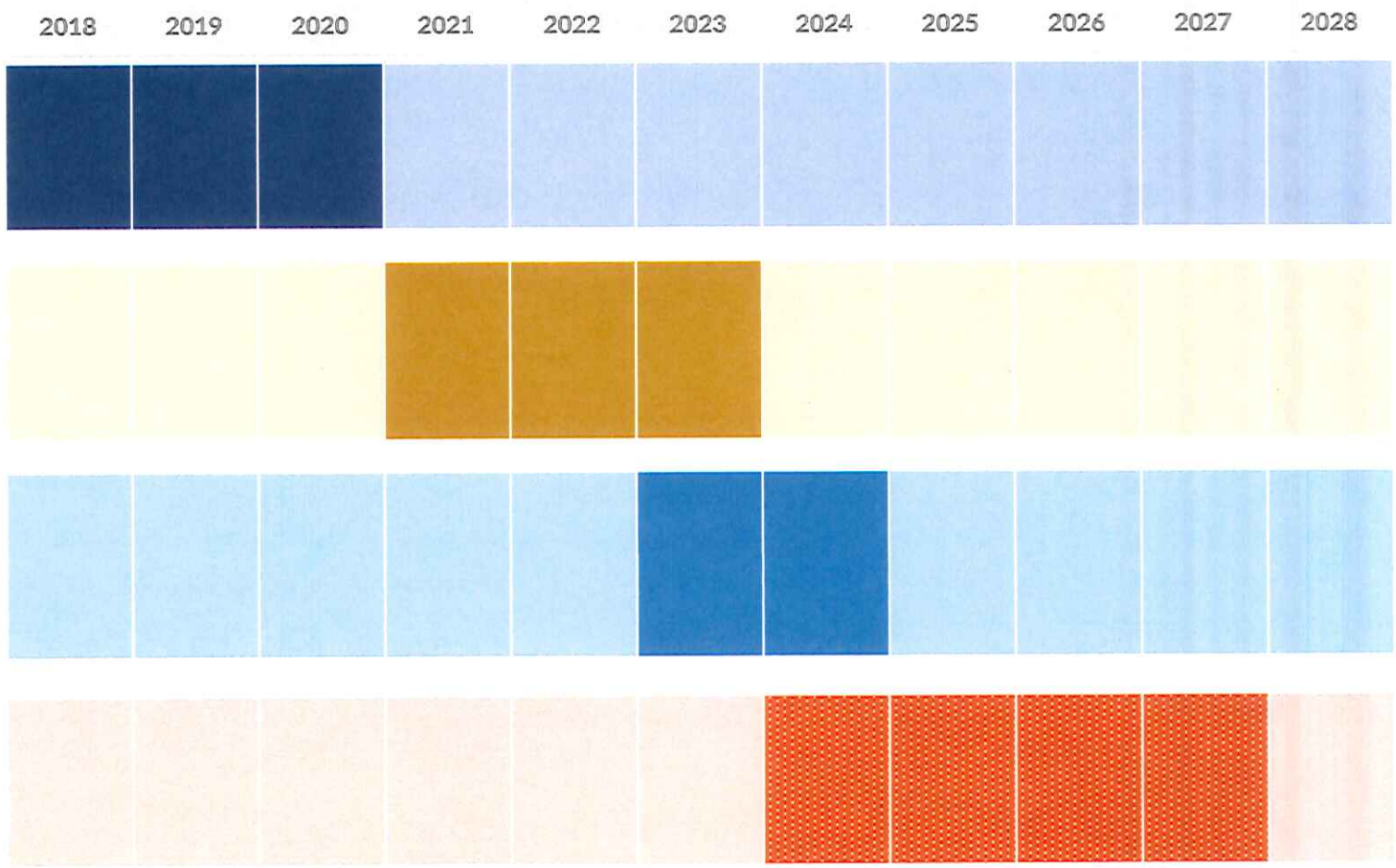
- Area Assessment
- Due Diligence
- Market Analysis

Preliminary Development Strategy

- Financial Analysis
- Development Approach

Timeline

Vision 21 Master Plan + PMR Engagements



Livonia Vision21
Completed in September 2018
Commitment to new Master Plan in 2020

PMR Phase I
Engaged in 2022
Presented Findings on March 1, 2023

PMR Phase II
Engaged in 2023
Presented Findings on April 10, 2024

PMR Phase III
Owner's Representative Work and Development Advisory (Proposed)

PMR Engagement Overview

Facility Condition Purpose

- Evaluate the age and condition of each facilities' building systems
- Determine the investment required to maintain these facilities over a ten-year period.
- Prioritize needs based on
  - Critical need (1 – 3 years)
  - Deferrable maintenance (4 – 6 years)
  - Future need (7 – 10 years)
- Provide the City of Livonia with a capital planning template

PMR Engagement Overview

Space Needs Assessment Purpose

- Quantify the City of Livonia's current space and future needs at a high-level
- Evaluate the City of Livonia's real estate to determine current level of utilization
- Identify opportunities for implementing an Alternate Work Schedule and/or Free-Addressing/Hoteling
- Compare the City of Livonia's current workspace with modern workplace standards to identify opportunities for improved space utilization and efficiencies

PMR Engagement Overview

Site + Space Programming Purpose

- Build upon data collected in Space Needs Assessment
  - Space programming survey
  - Interview + facility tour
- Develop detailed space program to define all room type, size, and quantity requirements
- Develop site program to define acreage required to accommodate building and site requirements

Facility Condition Assessment Cost Summary (as presented on March 1, 2023)

Completed in PMR's Phase I Engagement

Building	Critical Need (1 - 3 Yrs.)	Deferrable Maintenance (4 - 6 Yrs.)	Future Need (7 - 10)	Complete Cost with Escalation
City Hall	$12,397,784	$7,595,335	$8,392,853	$28,385,972
Police Department	$8,467,808	$3,381,330	$1,875,608	$13,724,746
Fire Department #1	$1,335,601	$897,792	$766,557	$2,999,950
Civic Center Library	$6,348,772	$4,936,406	$1,240,231	$12,525,410
Senior Center/Community Transit	$5,811,271	$659,776	$1,029,377	$7,500,424
Livonia Community Recreation Center	$2,699,860	$10,977,139	$10,236,580	$23,913,579
Housing Commission	$856,369	$169,270	$310,537	$1,336,176
Carl Sandburg Library	$1,737,877	$821,019	$410,894	$2,969,791
Alfred Noble Building [1]	$346,062	$0	$0	$346,062
City Wide - Technology	$1,928,999	$626,925	$713,730	$3,269,654
Total [2]	**$41,930,405**	**$30,064,991**	**$24,976,366**	**$96,971,763**

Notes:
1. Alfred Noble Building costs are for building demolition only. Costs associated with abatement and site prep are not included.
2. Costs are based on 2022 market conditions

Facility Condition Assessment Cost Summary (as presented on April 10, 2024)

Updated in PMR's Phase II Engagement

Building	Critical Need (1 to 3 Years)	Critical Need (4 to 6 Years)	Critical Need (7 to 10 Years)	Complete Cost w/ Escalation
City Hall	$13,017,673	$7,975,102	$8,812,496	$29,805,271
Police Station	$8,891,198	$3,550,397	$1,969,388	$14,410,983
Fire Station No. 1	$1,402,381	$942,682	$804,885	$3,149,948
Civic Center Library	$6,666,211	$5,183,226	$1,302,243	$13,151,681
Senior Center	$6,101,835	$692,765	$1,080,846	$7,875,445
Rec Center	$2,834,853	$11,525,996	$10,748,409	$25,109,258
Housing Commission	$899,187	$177,734	$326,064	$1,402,985
Carl Sandburg Library	$1,824,771	$862,070	$431,439	$3,118,281
Alfred Noble Building [1]	$363,365	$0	$0	$363,365
City Wide Technology	$2,177,358	$855,773	$974,241	$4,007,351
Subtotal [2]	$44,178,832	$31,765,745	$26,450,011	$102,394,588
Fire Station No. 3	$78,111	$950,011	$94,839	$1,122,961
Fire Station No. 4	$551,822	$540,889	$125,817	$1,218,528
Fire Station No. 5	$577,150	$311,900	$135,675	$1,024,725
Fire Station No. 6	$267,055	$925,259	$135,675	$1,327,989
Total [2]	$45,652,970	$34,493,804	$26,942,017	$107,088,771

Additional facilities added in Phase II

Notes:

1. Alfred Noble Building costs are for building demolition only. Costs associated with abatement and site prep are not included.
2. **Costs are revised to reflect 2024 market conditions**

City Hall Space Program Notes

Completed in PMR's Phase II Engagement

1. Projected Full program (66,200 GSF)
   - Added phone rooms, huddle rooms, open collaboration space, wellness room, storage, shared Café, shared Training and Conference Rooms
   - Removed underground parking, Auditorium, vacant space in Annex
   - Reduced size of Lobby

2. Projected Reduced program (49,500 GSF)
   - Projected full program with reduced square footage for phone rooms, huddle rooms, open collaboration space, storage, studio and conference space.

Notes:

- The full program reflects all "wants" and "needs" requested by each department to accommodate their current and future space needs, as well as right-sizing each department.
- The Reduced program reflects some "wants" and all "needs" requested by each department to accommodate their current and future needs, as well as right-size each department. Final program size will be determined upon validation of project funding.

Police Station Space Program Notes

Completed in PMR's Phase II Engagement

1. Projected Full program (76,800 GSF)
   - Added offices, gun range, digital evidence lab, conference room, community room, Café, wellness room
   - Increased size of locker rooms, virtra simulation room, training room, Emergency Operations Center, garage space, and weight room
   - Reduced size of Lobby

2. Projected Reduced program (63,800 GSF)
   - Projected full program with reduced square footage for training room, Emergency Operations Center, garage space, virtra simulation room, weight room, C.S.U. garage, digital evidence lab, community room, Café and gun range.

Notes:

- The full program reflects all "wants" and "needs" requested by each department to accommodate their current and future space needs, as well as right-sizing each department.
- The Reduced program reflects some "wants" and all "needs" requested by each department to accommodate their current and future needs, as well as right-size each department. Final program size will be determined upon validation of project funding.

Fire Station No. 1 Space Program Notes

Completed in PMR's Phase II Engagement

1. Projected Full program (24,900 GSF)
   - Added offices, training room storage, two apparatus bays, EMS storage, turnout gear/workroom, clean gear storage, mezzanine storage, unisex showers and locker rooms.
   - Increased size of conference and training room space

2. Projected Reduced program (16,900 GSF)
   - Projected full program with reduced square footage for training room, training room storage, additional apparatus bays, storage, mezzanine storage, unisex locker rooms.

Notes:

- The full program reflects all "wants" and "needs" requested by each department to accommodate their current and future space needs, as well as right-sizing each department.
- The Reduced program reflects some "wants" and all "needs" requested by each department to accommodate their current and future needs, as well as right-size each department. Final program size will be determined upon validation of project funding.

Space Program Summary

Completed in PMR's Phase II Engagement

Building	Gross Square Footage (Existing)	Gross New Square Footage (Projected Full Program)	Gross New Square Footage (Projected Reduced Program)
City Hall + Annex	90,605		
Old Court House (Storage)	1,900 +/-		
Civic Center Storage Facility	1,500 +/-		
Total	94,005	66,200	49,500
Police Department	62,410	76,800	63,800
Fire Station No. 1	14,150	24,900	16,900
Total	**170,565**	**167,900**	**130,200**

Notes:

- The full program reflects all "wants" and "needs" requested by each department to accommodate their current and future space needs, as well as right-sizing each department.
- The Reduced program reflects some "wants" and all "needs" requested by each department to accommodate their current and future needs, as well as right-size each department. Final program size will be determined upon validation of project funding.

Budget Summary

Completed in PMR's Phase II Engagement

Results from the Site/ Space Program

Building	Facility Condition Assessment (Complete Cost w/ Escalation)	New Construction Project Cost (Full Program)	New Construction Project Cost (Reduced Program)
City Hall	$29,805,271	$42,000,000	$31,500,000
Police Station	$14,410,983	$53,000,000	$44,000,000
Fire Station No. 1	$3,149,948	$20,000,000	$14,000,000
Subtotal	$47,366,202	$115,000,000	$89,500,000

Additional Building Renovations	Facility Condition Assessment (Complete Cost w/ Escalation)	Full Program Renovation Cost	Reduced Program Renovation Cost
Civic Center Library	$13,151,681	$13,151,681	$13,151,681
Senior Center	$7,875,445		
Rec Center	$25,109,258		
Housing Commission	$1,402,985		
Carl Sandburg Library	$3,118,281	$3,118,281	
Alfred Noble Building [2]	$363,365		
City Wide Technology	$4,007,351	$4,007,351	$4,007,351
Fire Station No. 3	$1,122,961	$1,122,961	$1,122,961
Fire Station No. 4	$1,218,528	$1,218,528	$1,218,528
Fire Station No. 5	$1,024,725	$1,024,725	$1,024,725
Fire Station No. 6	$1,327,989	$1,327,989	$1,327,989
Subtotal	$59,722,569	$24,971,516	$21,853,235

	Capital Improvements Only (Renovation)	Full Program New Construction and Renovations	Reduced Program New Construction and Renovations
Total	**$107,088,771**	**$139,971,516**	**$111,353,235**

Notes:

1. CIP costs are projected over a ten-year period. New construction costs reflect a fifty-year facility life span.
2. Demolition costs ONLY

Budget Summary (Continued)

City Hall (New Construction)

Total Project Cost = $42M ($634/SF)

- Hard Costs = $29M ($440/SF)
- Soft Costs = $13M ($194/SF)

Police Station (New Construction)

Total Project Cost = $53M ($691/SF)

- Hard Costs = $38M ($495/SF)
- Soft Costs = $13M ($196/SF)

Fire Station No. 1 (New Construction)

Total Project Cost = $20 M ($813/SF)

- Hard Costs = $14M ($584/SF)
- Soft Costs = $6M ($229/SF)

Notes:

1. Costs reflect new construction of the full program.
2. Soft costs include regulatory, professional service; furniture, fixtures, and equipment, etc.
3. Hard costs include construction materials and labor.
4. These costs reflect a 2026 construction start.

PV Analysis explanation

Completed in Phase II of PMR's Engagement

The present value analysis estimates the amount of money that, if invested today, would be adequate to fund a project for a specific time in the future.

For example, this approach could be used to estimate the amount of money needed to fund the following scenarios:

1) Renovation and funding ongoing maintenance of the Police Station for a 10-year period.
2) Building a new police station and funding ongoing maintenance for a 10-year period.

These estimates make it easier to understand cost differences between projects.

City Hall - Present Value Analysis and Considerations

Completed in Phase II of PMR's Engagement

Existing City Hall Renovation	New Construction City Hall
10- year Operating and Maintenance Costs **$8,000,000**	10- year Operating and Maintenance Costs **$2,600,000**
Capital Improvements Cost **$24,000,000**	New Construction Cost **$36,400,000**
Total **$32,000,000**	**Total** **$39,400,000**

The following assumptions were used:

- Costs above include Construction Hard/ Soft Costs plus 10 years of Operations and Maintenance Costs
- Operating costs of $10/sf for existing and $5/SF for new
- Presumes 57,850 SF new building (for this analysis we used a mid-point of square footage)
- Assumes 90,000 SF existing building

Police - Present Value Analysis and Considerations

Completed in Phase II of PMR's Engagement

Existing City Hall Renovation	New Construction City Hall
10- year Operating and Maintenance Costs **$6,000,000**	10- year Operating and Maintenance Costs **$3,000,000**
Capital Improvements Cost **$12,000,000**	New Construction Cost **$41,200,000**
Total **$18,000,000**	**Total** **$44,200,000**

The following assumptions were used:

- Costs above include Construction Hard/ Soft Costs plus 10 years of Operations and Maintenance Costs
- Operating costs of $10/sf for existing and $5/SF for new
- Presumes 65,000 SF new building
- Assumes 62,410 SF existing building

Fire Station No. 1 - Present Value Analysis and Considerations

Completed in Phase II of PMR's Engagement

Existing City Hall Renovation	New Construction City Hall
10- year Operating and Maintenance Costs **$1,300,000**	10- year Operating and Maintenance Costs **$900,000**
Capital Improvements Cost **$2,500,000**	New Construction Cost **$13,300,000**
Total **$3,800,000**	**Total** **$14,200,000**

The following assumptions were used:

- Costs above include Construction Hard/ Soft Costs plus 10 years of Operations and Maintenance Costs
- Operating costs of $10/sf for existing and $5/SF for new
- Presumes 20,900 SF new building
- Assumes 14,150 SF existing building

Preliminary Findings and Recommendations – City Hall

Preliminary Findings – City Hall

1. Current facility is approximately 45 years old
2. Existing building is not ADA- Compliant
3. Many of the existing building systems have reached the end of their useful life
4. Total capital improvement costs = $29M
5. Existing floor plates create operational inefficiencies, poor acoustics and poor temperature stability.
6. Existing building envelope promotes insect infiltration
7. Existing facility is larger than space program requirements
8. Higher operations and maintenance costs than a new facility
9. Existing facility/workplace environment presents employee attraction and retention challenges
10. Current building location does not align with the Vision21 Master Plan

Recommendations – City Hall

1. Construct a new City Hall building

Note: *PMR's recommendations are based on the preliminary findings of the Facility Condition Assessments, Space Needs Assessments, Space Programs, and Vision 21 master plan.*

Preliminary Findings and Recommendations – Police Station

Preliminary Findings – Police Station

1. Current facility is approximately 65 years old
2. Existing building is not ADA- Compliant
3. Many of the existing building systems have reached the end of their useful life
4. Total capital improvement costs = $14M
5. Existing floor plate creates operational inefficiencies
6. Lack of natural daylight results in poor working environment
7. Lack of essential program spaces for a modern PD (gun range, virtra simulation room)
8. The distance between the police station and courthouse requires detainees to be transported, creating logistical and safety issues for staff, detainees, and the public.
9. Existing facility/workplace environment presents employee attraction and retention challenges
10. Current building location does not align with the Vision21 Master Plan

Recommendations – Police Station

1. Construct a new Police Station building

Note: *PMR's recommendations are based on the preliminary findings of the Facility Condition Assessments, Space Needs Assessments, Space Programs, and Vision 21 master plan.*

Preliminary Findings and Recommendations – Fire Station No. 1

Preliminary Findings – Fire Station No. 1

1. Current facility is approximately 55 years old
2. Many of the existing building systems have reached the end of their useful life
3. Total capital improvement costs = $3M
4. Current building location is ideal for quick access to Farmington Road and optimizes redevelopment opportunities for remaining campus
5. The City had recently invested in upgrades to Fire Station No. 1

Recommendations – Fire Station No. 1

1. Renovate the existing Fire Station No. 1

Note: *PMR's recommendations are based on the preliminary findings of the Facility Condition Assessments, Space Needs Assessments, Space Programs, and Vision 21 master plan.*

Conceptual Imagery







** Images are conceptual.*

Q&A

Thank You!

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plante moran
REALPOINT

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February 17, 2024

Space/Site Program, Opinion of Probable Cost, and Milestone Schedule for City Hall, Police Station, and Fire Station No. 1

City of Livonia



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Assumptions and Clarifications

- Existing square footage was calculated from owner furnished drawings (PDF) and are approximate. PMR did not verify dimensions in field.

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Process

- PMR reviewed owner furnished floor plans to define and document department boundaries
- PMR distributed a space programming survey to key stakeholders to gather information about current staffing/space and projected staffing/space.
- PMR conducted follow up interviews with stakeholders to review and validate survey responses
- PMR toured existing facilities to observe current space types, sizes, adjacencies, and utilization.
- PMR documented existing space deficiencies
- PMR assisted the COL with developing workplace standards, consolidation of centralized operations, and general workplace strategies.
- PMR developed, and reviewed with the owner, a draft Space/Site programs, Opinion of Probable Costs, and Milestone Schedules.
- PMR refined the draft report per owner comments.

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Executive Summary

Building	Gross Square Footage (Existing)	Gross Square Footage (Projected Full Program)	Gross Square Footage (Projected Reduced Program)	Capital Improvement Costs per 2022 Facility Condition Assessment	New Construction Costs (Full Program)	New Construction Costs (Reduced Program)
City Hall + Annex	90,605					
Old Court House (Storage)	1,900 +/-					
Civic Center Storage Facility	1,500 +/-					
Total	94,005	66,200	49,500	$28.3 M	$42 M	$32 M
Police Department	62,410	76,800	63,800	$13.7 M	$53M	$44 M
Fire Station No. 1	14,150	24,900	16,900	$3.0 M	$20 M	$14 M
Total	**170,565**	**167,900**	**130,200**	**$45 M**	**$115 M**	**$90 M**

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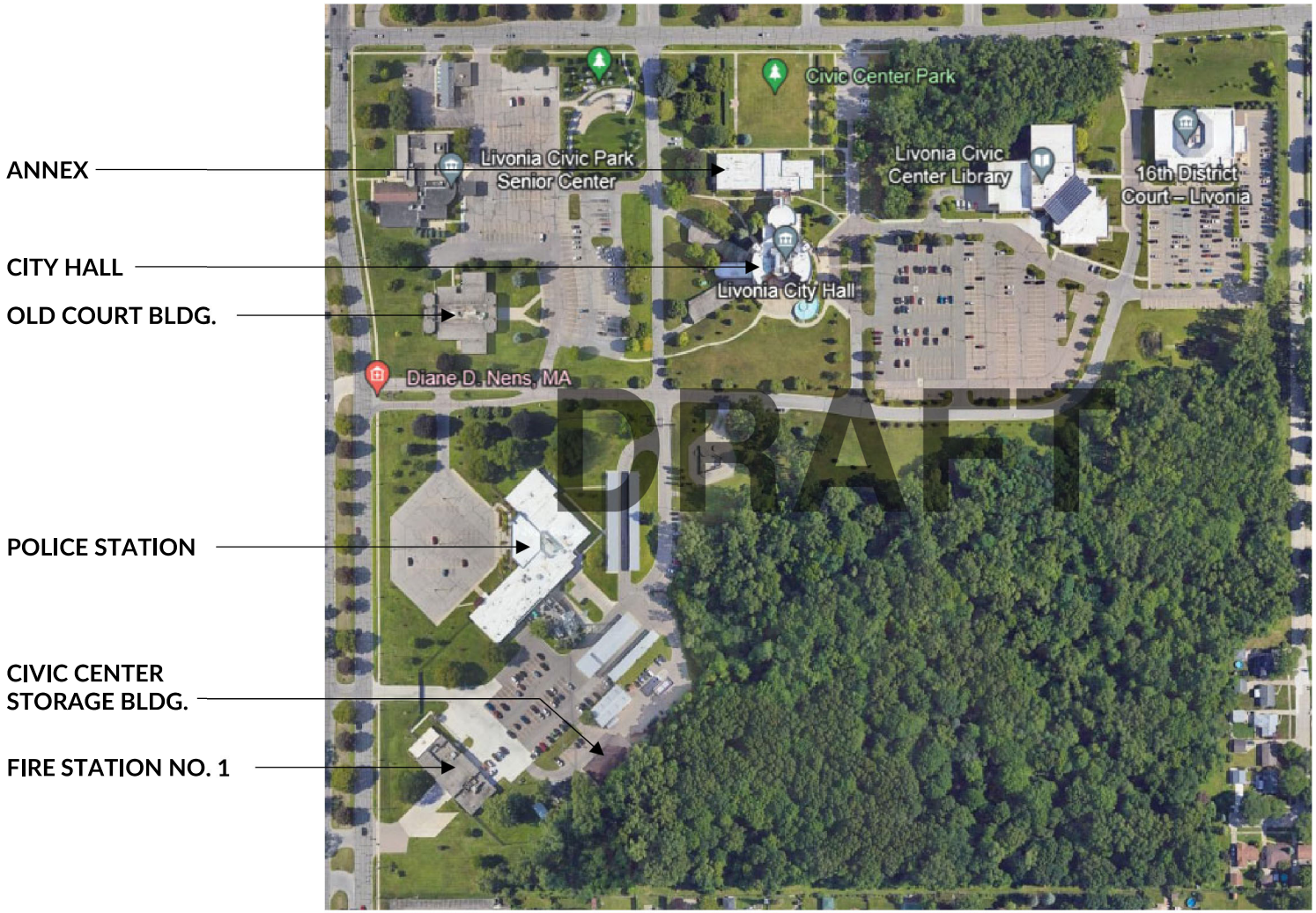
Campus Map


ANNEX
CITY HALL
OLD COURT BLDG.
POLICE STATION
CIVIC CENTER
STORAGE BLDG.
FIRE STATION NO. 1
Civic Center Park
Livonia Civic Park
Senior Center
Livonia Civic
Center Library
16th District
Court – Livonia
Livonia City Hall
Diane D. Nens, MA
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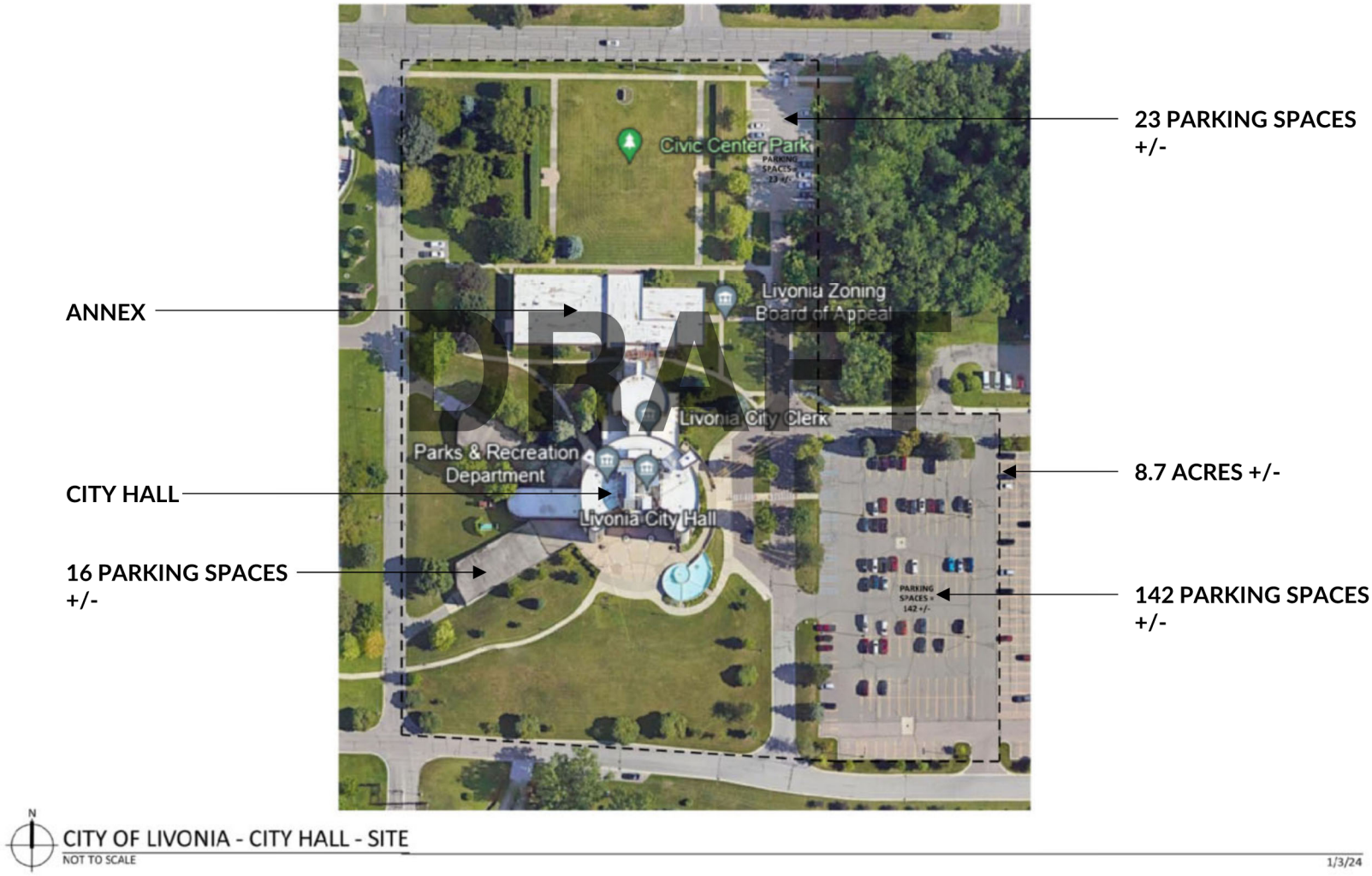
City Hall

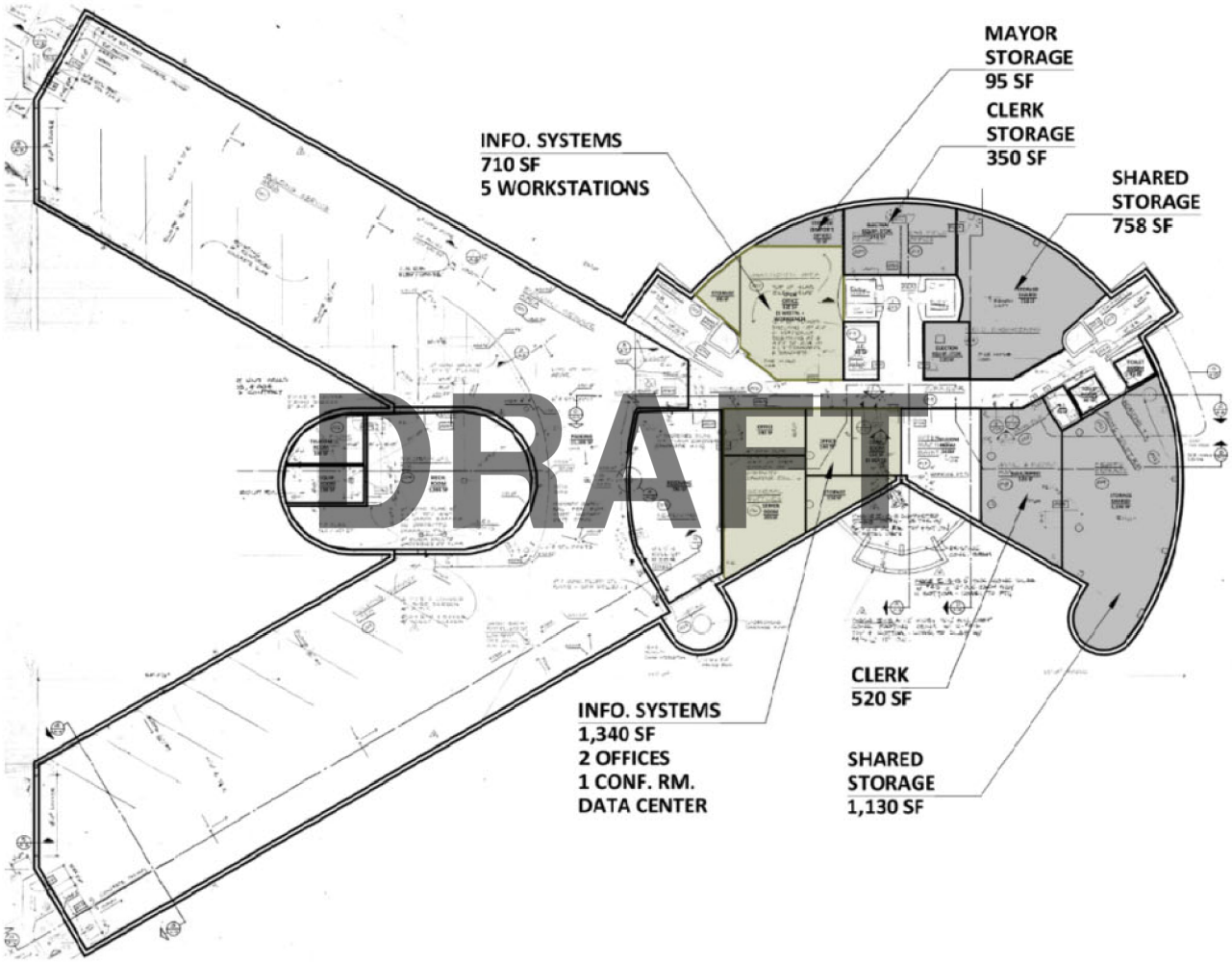


Year Built: 1977 (47 Years Old)

City Hall - Site



City Hall – Lower Level Floor Plan

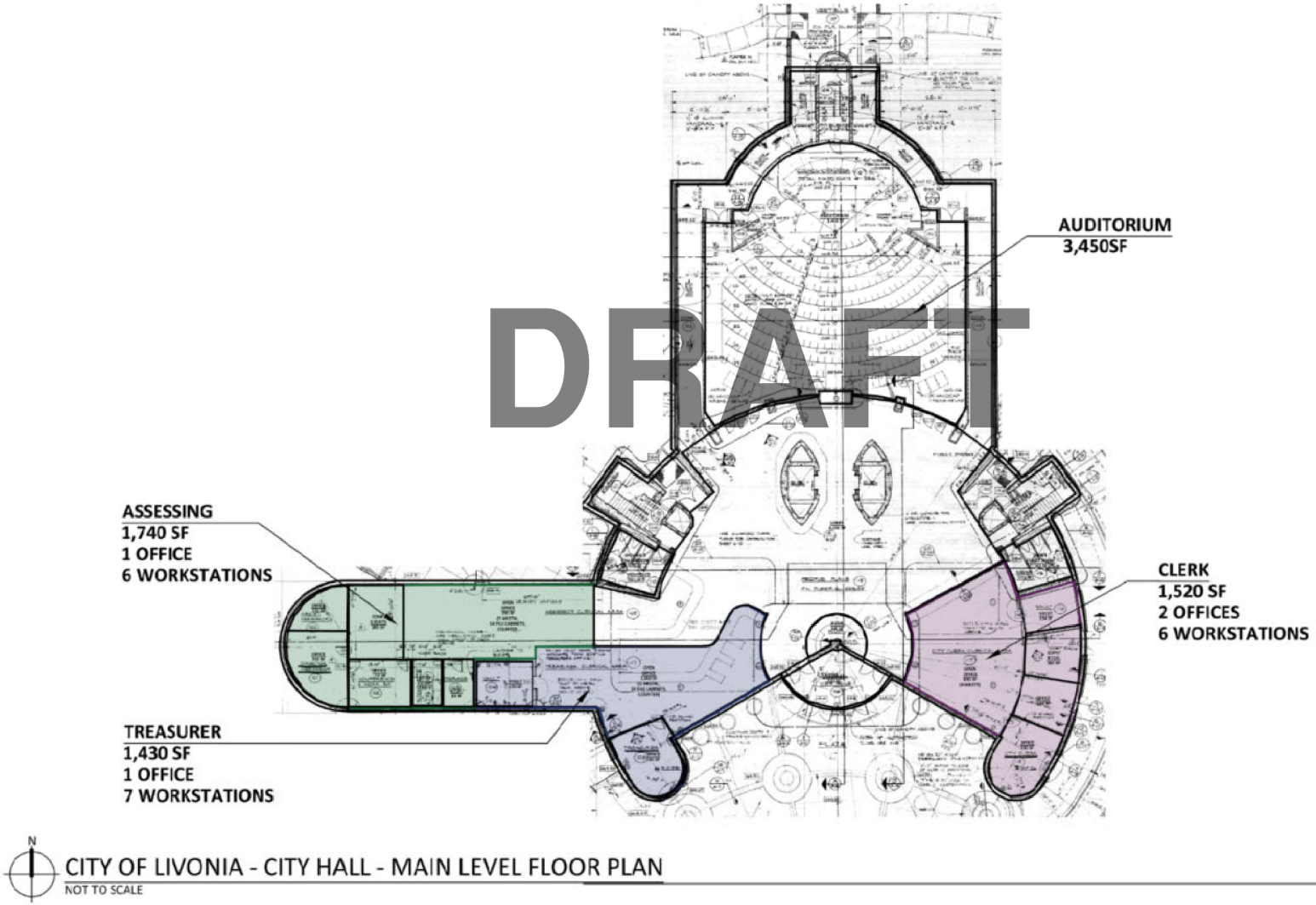


CITY OF LIVONIA - CITY HALL - LOWER LEVEL FLOOR PLAN

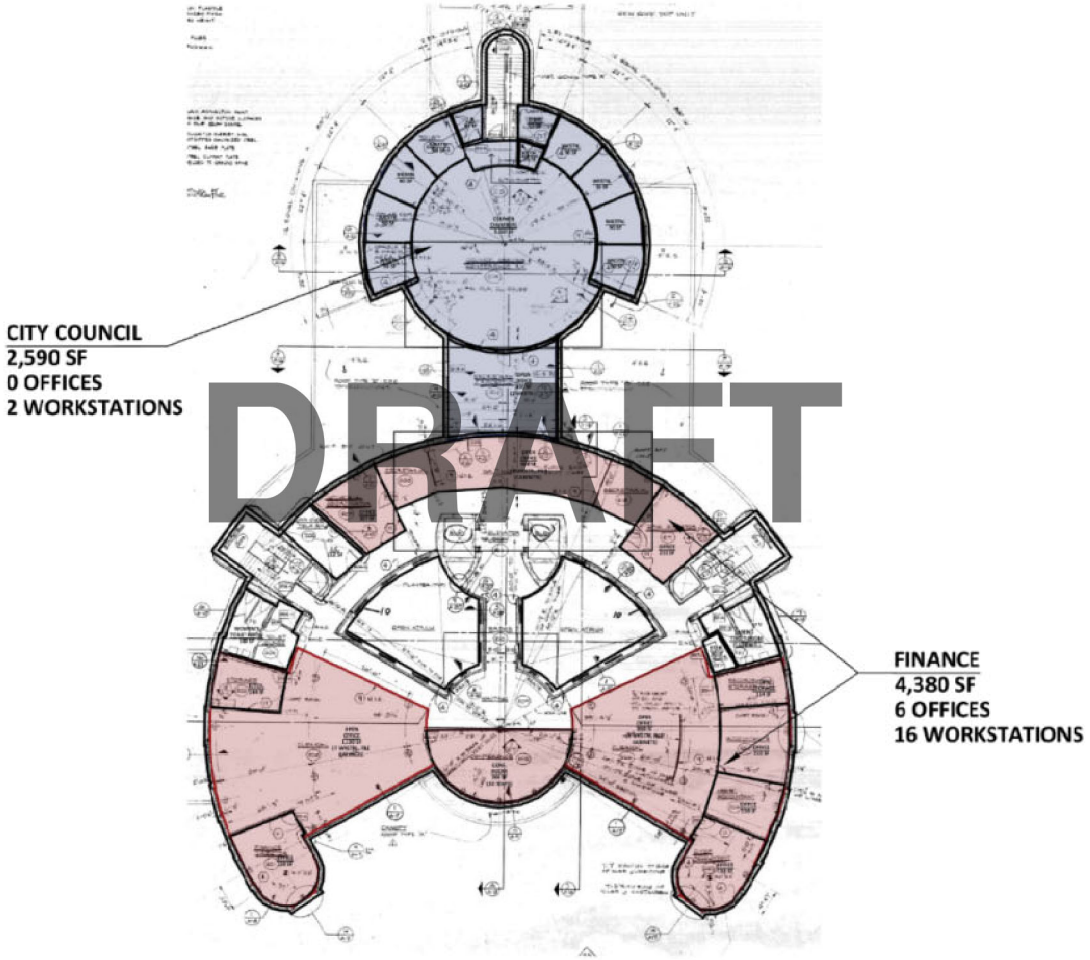
NOT TO SCALE

21,353 GSF +/-

City Hall – Main Level Floor Plan



City Hall – Second Level Floor Plan

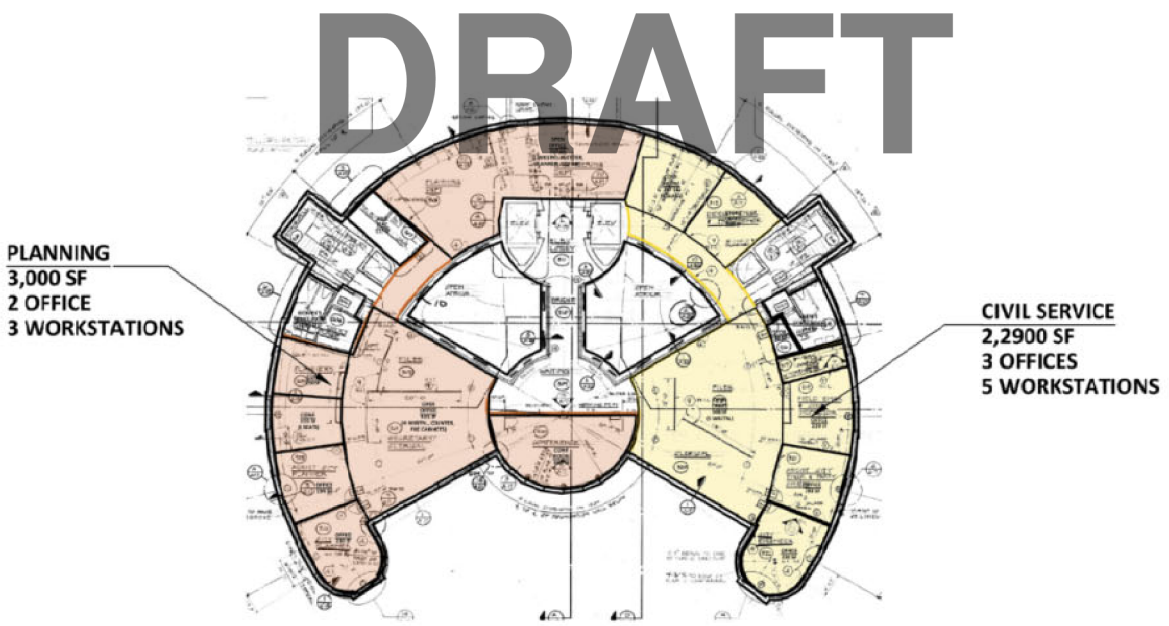


CITY OF LIVONIA - CITY HALL - SECOND LEVEL FLOOR PLAN

NOT TO SCALE

11,617 GSF +/-

City Hall – Third Level Floor Plan

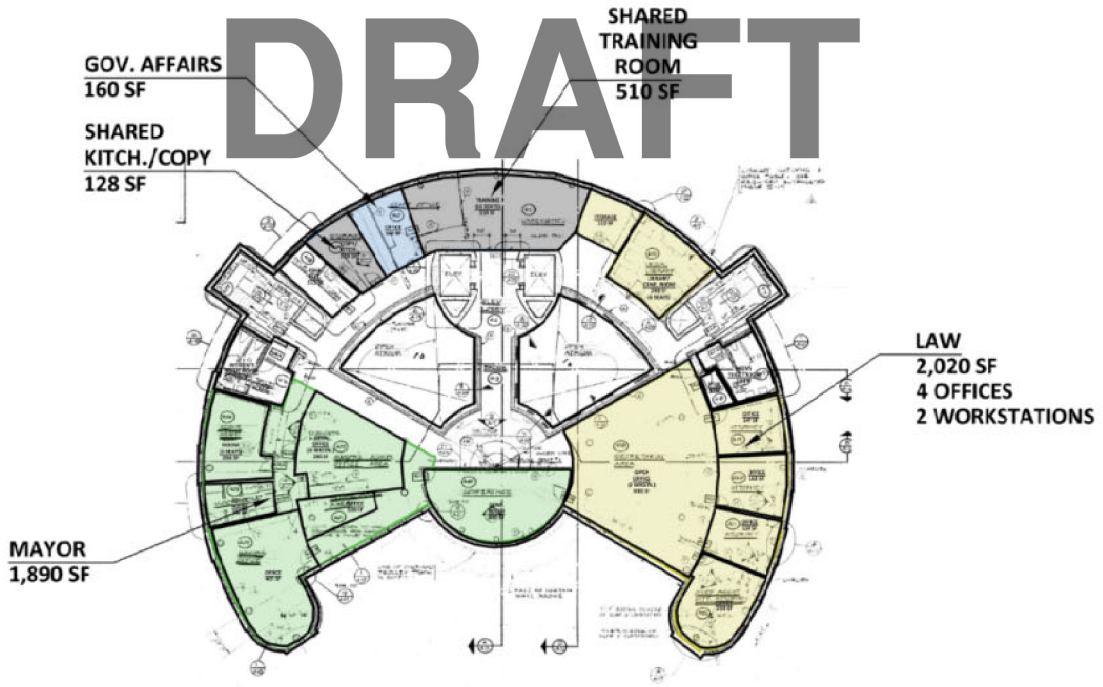


CITY OF LIVONIA - CITY HALL - THIRD LEVEL FLOOR PLAN

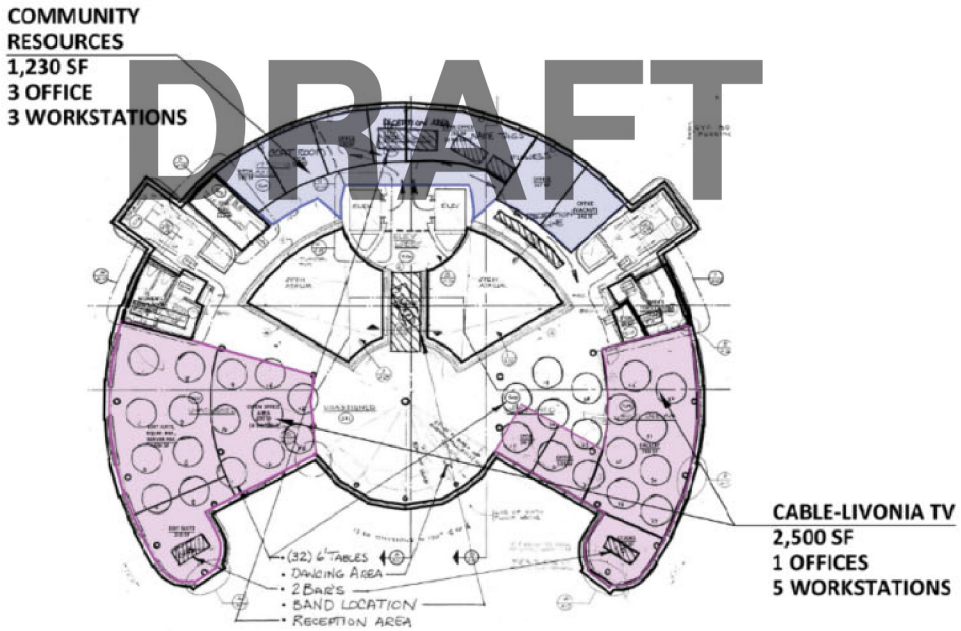
NOT TO SCALE

8,665 GSF +/-

City Hall – Forth Level Floor Plan



City Hall – Fifth Level Floor Plan

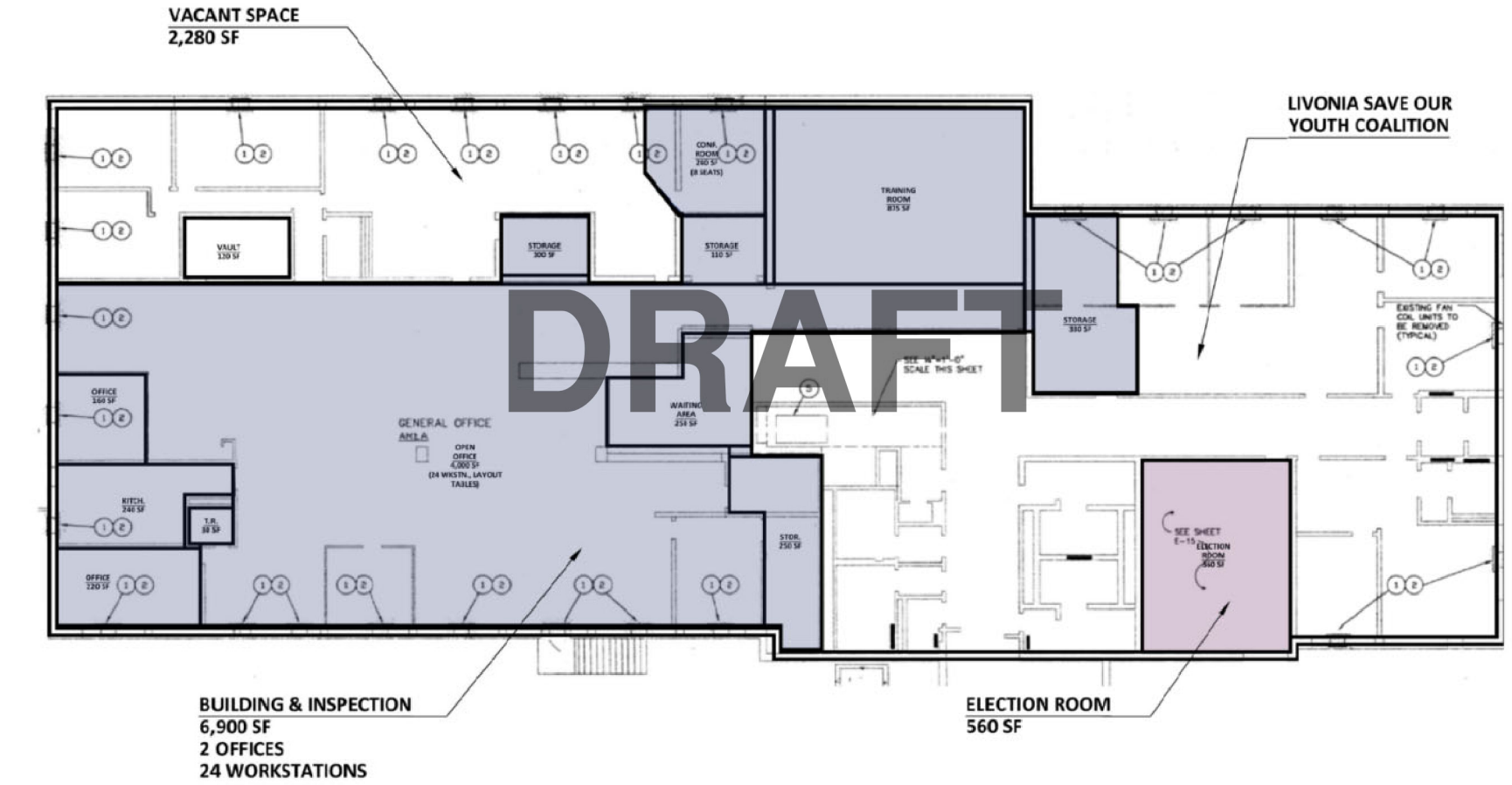


CITY OF LIVONIA - CITY HALL - FIFTH LEVEL FLOOR PLAN

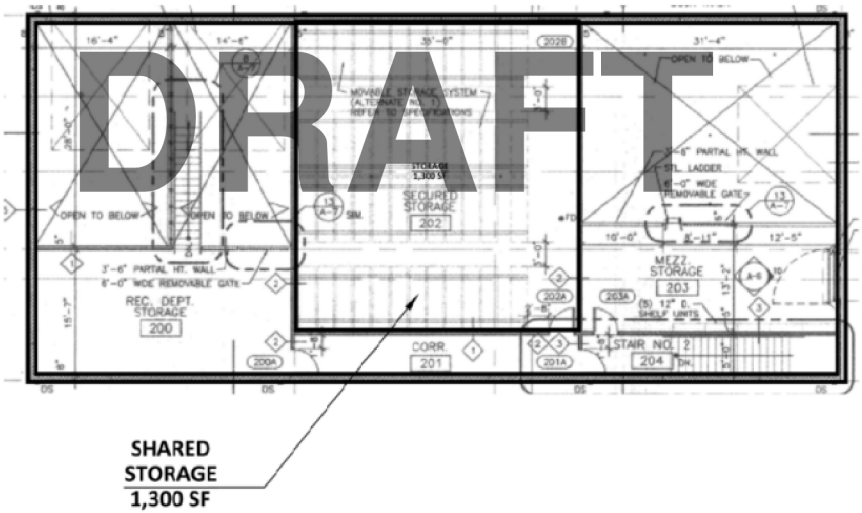
NOT TO SCALE

8,865 GSF +/-

Annex – Main Level Floor Plan



Civic Center Storage Building – Upper Level Floor Plan



CITY OF LIVONIA - CIVIC CENTER STORAGE BUIDING - SECOND LEVEL FLOOR PLAN

NOT TO SCALE

4,570 GSF +/-

City Hall – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
Assessment Department (Jacob Liberati)											
Office 1	1	1		1	0	230	168	230	168		
Office 2	1	1		1	0	173	168	173	168		
Office 3	1	1		1	0	116	168	116	168		
Workstations	5	6		0	6	64	64	320	384		
Open Office Storage			1			100	100	100	100		
Conference Room (6 seats)			1			245	-	245	-		
Conference Room (12 seats)			1			-	264	-	264		
Copy Room			1			40	-	40	-	included in Support/Common space	
Storage Room			1			82	-	82	-		
Storage Room			1			100	200	100	200	long term storage, needs to remain on-site	
Kitchenette			1			40		40	-	Pantry/Café will be added as Support/Common area	
Subtotal								1,446	1,452		
Secondary Circulation								294	610		
Total	8	9		3	6			**1,740**	**2,062**	current space is 1,740 SF	
Cable-Livonia TV (Mike DiFazio)											
Office/Edit Suite 1	1	1		1		124	220	124	220	current Office	
Office/Edit Suite 2	1	1		1		250	220	250	220	current Edit Suite	
Office/Edit Suite 3	0	1		1			220	-	220		
Office/Edit Suite 4	0	1		1			220	-	220		
Workstation 1	1	1			1	64	64	64	64		
Workstation 2	1	0				64	64	64	-		
Workstation 3	1	0				64	64	64	-		
Open Office Storage/Work Space			1			100	100	100	100		
Edit Suite/Equipment Room/Server Room			1			690	-	690	-		
Equipment Room			1			-	200	-	200		
Equipment Storage			-			-		-	-	approx. 600 sf currently in civic center storage building, exact SF to be confirmed. Can remain off site.	
Server Room			1			-	-	-	-	included in Support/Common space	
Sound Booth			1			24	100	24	100	currently in Auditorium	
Studio			1			150	300	150	300	currently part of Gallery	300
Gallery			1			700	-	700	-	to be included as Support/Common space	
Storage Room			1			94	120	94	120		
Subtotal								2,324	1,764		
Secondary Circulation								176	529		
Total	5	5		4	1			**2,500**	**2,293**	current space is 2,500 SF (5th floor only)	

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City Hall – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
City Clerk (Lori Miller, Doris DeMarco)											
Office 1	1	1		1		230	230	230	230		62
Office 2	1	1		1		156	168	156	168		
Office 3		1		1			120	-	120		
Workstation 1	1	1			1	64	64	64	64		
Workstation 2	1	1			1	64	64	64	64		
Workstation 3	1	1			1	64	64	64	64		
Workstation 4	1	1			1	64	64	64	64		
Workstation 5	1	1			1	64	64	64	64		
Workstation 6	1	1			1	64	64	64	64		
Workstation 7		1			1		64	-	64		
Open Office Storage			1			100	225	100	225		
Kitchenette/Copy			1			160		160	-	Pantry/Café will be added as Support/Common area	
Mail/Reprographics Room			1			520	520	520	520	currently in basement	
Vault			1			134	134	134	134		
Counter Space			1			64	64	64	64	Three windows, one is used by Water Dept.	
Conference Room (12 seats)			1				264	-	264		264
Election Equip. Storage			1			470	3,500	470	3,500	currently in basement	1,500
Storage			1			200	200	200	200	currently in basement	200
Storage			1			100	100	100	100	100 SF +/- currently at Greenmead	100
Storage			1			560	1,200	560	1,200	currently in Annex	1,200
Storage			1			1,500	3,000	1,500	3,000	1,500 SF +/- currently in old Courthouse	3,000
Storage			1			200	200	200	200	200 SF +/-currently in civic center storage building	200
Subtotal								4,778	10,373		
Secondary Circulation								292	652		
Total	8	10		3	7			**5,070**	**11,025**	current space on first floor = 1,520 SF; storage space in basement, annex, old courthouse, and civic center storage building = approximately 3,550 SF.	

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City Hall – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
Civil Service/Human Resources (Elizabeth Hallack, Jeannine Laible)											
Office 1	1	1		1		230	168	230	168		
Office 2	1	1		1		220	168	220	168		
Office 3	1	1		1		190	120	190	120		
Office 4 (currently vacant)		1		1		200	120	200	120		
Workstation 1	1	1			1	64	64	64	64		
Workstation 2	1	1			1	64	64	64	64		
Workstation 3	1	1			1	64	64	64	64		
Workstation 4	1	1			1	64	64	64	64		
Workstation 5	1	1			1	64	64	64	64		
Workstation 6		1			1	64	64	-	64		
Open Office Storage			1			200	200	200	200		
Conference Room (4 seats)			1			247	170	247	170		
Copy/Work Room			1				-	-	-	included in Support/Common space	
Storage Room			1			200	200	200	200	currently in basement	
Storage Room			1			-		-	-	approximately 200 SF currently in civic center storage building, can remain off-site	
Kitchenette/Copy			1			70		70	-	Pantry/Café will be added as Support/Common area	
Subtotal								1,877	1,530		
Secondary Circulation								613	643		
Total	8	10		4	6			**2,490**	**2,173**	current space on first floor = 2,290 SF; storage space in basement = approximately 200 SF.	

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City Hall – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
Community Resources and Communications (Kristin Houchins, Chris Jackett)											
Office 1	1	1		1		120	120	120	120		
Office 2	1	1		1		167	120	167	120		
Office 3	0	0		0		142	-	142	-	vacant	
Workstation 1	1	1			1	64	64	64	64		
Workstation 2	1	1			1	64	64	64	64		
Workstation 3						64		64	-	vacant	
Workstation 4						64		64	-	vacant	
Open Office Storage			1			100	100	100	100		
Kitchenette/Storage			1			100		100	-	Pantry/Café will be added as Support/Common area	
Storage			1			120	100	120	100		
Copy/Storage			1			80	-	80	-	included in Support/Common space	
Subtotal								1,085	568		
Secondary Circulation								145	239		
Total	4	4		2	2			**1,230**	**807**	current space is 1,230 SF	
City Council (Sara Kasprowicz, Brandon McCullough)											
Workstation 1	1	1			1	90	49	90	49	in area separate from Council Chambers	
Workstation 2	1	1			1	90	49	90	49	in area separate from Council Chambers	
Workstation 3	1	1			1	90	49	90	49	in area separate from Council Chambers	
Workstation 4	1	1			1	90	49	90	49	in area separate from Council Chambers	
Workstation 5	1	1			1	90	49	90	49	in area separate from Council Chambers	
Workstation 6	1	1			1	90	49	90	49	in area separate from Council Chambers	
Workstation 7	1	1			1	90	49	90	49	in area separate from Council Chambers	
Workstation 8	1	1			1	64	64	64	64	Secretary	
Workstation 9	1	1			1	64	64	64	64	Reception	
Conference Room (20 seats)			1				420	-	420		420
Council Chambers			1			1,250	2,500	1,250	2,500	primary function is to accommodate council and other commission meetings; and replace the meeting function of the existing auditorium	
Pre-function Space/Lobby			1			-	625	-	625	-	
Toilet Room			1			36	100	36	100		
Storage			1			52	-	52	-		
Coffee/Work Area			1			20	100	20	100		
Subtotal								2,116	4,216		
Secondary Circulation								474	1,771		
Total	9	9		0	9			**2,590**	**5,987**	existing space is 2,590 SF	

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City Hall – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
Economic Development (Mark Taormina)											
Office 1	1	1		1		230	168	230	168		
Office 2	1	1		1		194	120	194	120		
Office 3		1		1			120	-	120		
Workstation 1	1	1			1	64	64	64	64		
Workstation 2	1	1			1	64	64	64	64		
Workstation 3	1					64	64	64	-		
Workstation 4						178	64	-	-		
Open Office Storage			1			400	200	500	200		
Storage			1			-		-	-	approximately 100 SF currently in civic center storage building, can remain off-site	
Conference Room (6 seats)			1			155	155	155	155		155
Conference Room (12 seats)			1			360		360	-	included in Support/Common space	
Copy Room			1			150		150	-	included in Support/Common space	
Plotter/Scanner/Copier Area			1			240	240	240	240		
Subtotal								2,021	1,131		
Secondary Circulation								979	475		
Total	5	5		3	2			**3,000**	**1,606**	current space is 3,000 SF	

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City Hall – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
Finance (Connie Kumpula)											
Office 1	1	1		1		230	168	230	168		
Office 2	1	1		1		150	120	150	120		
Office 3	1	1		1		210	120	210	120		
Office 4	1	1		1		210	120	210	120		
Office 5	1	1		1		187	120	187	120		
Office 6	1	1		1		230	168	230	168		
Office 7		1		1		120	120	-	120		
Workstation 1	1	1			1	64	64	64	64		
Workstation 2	1	1			1	64	64	64	64		
Workstation 3	1	1			1	64	64	64	64		
Workstation 4	1	1			1	64	64	64	64		
Workstation 5	1	1			1	64	64	64	64		
Workstation 6	1	1			1	64	64	64	64		
Workstation 7	1	1			1	64	64	64	64		
Workstation 8	1	1			1	64	64	64	64		
Workstation 9	1	1			1	64	64	64	64		
Workstation 10	1	1			1	64	64	64	64		
Workstation 11	1	1			1	64	64	64	64		
Workstation 12	1	1			1	64	64	64	64		
Workstation 13	1					64	64	64	-		
Open Office Storage			1			300	300	300	300		100
Copy/Storage			1			114		114	-	included in Support/Common space	
Storage			1			200	200	200	200	currently in basement, exact SF to be confirmed	
Storage			-			-	-	-	-	approximately 200 SF of storage at civic center storage building, can remain off-site	
Kitchenette			1			144		144	-	Pantry/Café will be added as Support/Common area	
Conference Room (10 seats)			1			360		360	-	included in Support/Common space	
Subtotal								3,167	2,204		
Secondary Circulation								1,213	926		
Total	19	19		7	12			**4,380**	**3,130**	current space is 4,380 SF (2nd floor only)	

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City Hall – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
Housing (Jim Inglis)											
Office 1 (Director)	1	1		1		120	120	120	120	currently located at McNamara Tower	
Office 2 (Deputy Director)	1	1		1		120	120	120	120	currently located at McNamara Tower	
Office 3 (Finance Director)	1	1		1		120	120	120	120	currently located at McNamara Tower	
Subtotal								360	360		
Secondary Circulation								162	151		
Total	3	3		3	0			**522**	**511**		
Information Systems											
Office 1	1	1		1		144	120	144	120		
Office 2	1	1		1		180	120	180	120		
Workstation 1	1	1			1	64	64	64	64		
Workstation 2	1	1			1	64	64	64	64		
Workstation 3	1	1			1	64	64	64	64		
Workstation 4	1	1			1	64	64	64	64		
Workstation 5					1	64	64	-	64	for vendor's	64
Workstation 6		1			1	64	64	-	64	future staff	
Open Office Storage/Lab Area			1			100	100	100	100		
Conference Room (6 seats)			1			152		152	-	included in Support/Common space	
Storage			1			150	150	150	150		
Storage			1			86	86	86	86		
Server Room			1			395		395	-	included in Support/Common space	
Subtotal								1,463	960		
Secondary Circulation								237	403		
Total	6	7		2	6			**1,700**	**1,363**	current space is 1,700 sf	

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City Hall – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
Inspections (Jerome Hanna)											
Office 1	1	1		1		220	168	220	168		
Office 2	1	1		1		160	168	160	168		
Office 3		1		1			120	-	120		
Office 4		1		1			120	-	120		
Workstation 1	1	1			1	100	100	100	100	plan review	
Workstation 2	1	1			1	100	100	100	100	plan review	
Workstation 3	1	1			1	64	64	64	64		
Workstation 4	1	1			1	64	64	64	64		
Workstation 5	1	1			1	64	64	64	64		
Workstation 6	1	1			1	64	64	64	64		
Workstation 7	1	1			1	64	64	64	64		
Workstation 8	1	1			1	64	64	64	64		
Workstation 9 -26	18	18			18	20	20	360	360	benching	
Open Office Storage			1			400	400	400	400		100
Waiting Room/Lobby			1			250	250	250	250		
Storage (drawing)			1			330	330	330	330	drawing storage	330
Vault (office supplies)			1			120	120	120	120	does not need to be secured storage	
Kitchenette			1			240		240	-	Pantry/Café will be added as Support/Common area	
Storage			1			110	110	110	110		
Storage			1			100	-	100	-		
Storage			1			250	250	250	250		
Conference Room (8 seats)			1			240		240	-		
Training Room (30 seats)			1			875	-	875	-	included in Support/Common space	
Subtotal								4,239	2,980		
Secondary Circulation								2,661	1,252		
Total	28	30		4	26			**6,900**	**4,232**	current space is 6,900 SF	

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City Hall – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
Law (Mike Fisher)											
Office 1	1	1		1		230	168	230	168		
Office 2	1	1		1		150	168	150	168		
Office 3	1	1		1		163	168	163	168		
Office 4	1	1		1		147	168	147	168		
Workstation 1	1	1			1	64	64	64	64		
Workstation 2	1	1			1	64	64	64	64		
Workstation 3						64		-	-		
Open Office Storage			1			200	200	200	200		
Library/Conference Room (6 seats)			1			240	240	240	240		
Storage			1			110	110	110	110		
Subtotal								1,368	1,350		
Secondary Circulation								632	567		
Total	6	6		4	2			**2,000**	**1,917**	current space is 2,000 SF	
Mayor's Office (Dave Varga)											
Office 1	1	1		1	0	405	400	405	400	room for desk and casual seating area	
Office 2	1	1		1	0	100	120	100	120	room for desk and (2) guest chairs	
Workstation 1	1	1		0	1	64	64	64	64		
Workstation 2	1	1		0	1	64	64	64	64		
Workstation 3/Office	1	1		1	0	160	120	160	120	Government Affairs	
Conference Room (6 seats)			1			206	206	206	206		
Conference Room (12 seats)			1			360		360	-	included in common/shared space	
Toilet Room (Mayor's)			1			106	100	106	100		
Copy Room			1			100	100	100	100		
Storage Room			1			100	-	100	-	currently located in basement	
Kitchenette			1			50	50	50	50		
Reception/Waiting Area			1			-	200	-	200		
Subtotal								1,715	1,424		
Secondary Circulation								175	598		
Total	5	5		3	2			**1,890**	**2,022**	current space is 1,890 SF (4th floor only)	

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City Hall – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
Treasurer's Office (Susan Nash)											
Office 1	1	1		1		230	168	230	168		
Office 2		1		1		64	120	-	120		
Workstation 1	1	1			1	64	64	64	64		
Workstation 2	1	1			1	64	64	64	64		
Workstation 3	1	1			1	64	64	64	64		
Workstation 4	1	1			1	64	64	64	64		
Workstation 5	1	1			1	64	64	64	64		
Workstation 6	1	1			1	64	64	64	64		
Workstation 7	1					64	-	64	-		
Open Office Storage			1			200	200	200	200	consider adding a drive-thru window	200
Vault			1			150	150	150	150		
Storage			1			-	-	-	-	approximately 200 SF in civic center storage building, can remain off-site	
Storage			1			200	200	200	200	currently in city hall basement	
Walk-up payment area			1			100	150	100	150		
Subtotal								1,328	1,372		
Secondary Circulation								102	576		
Total	8	8		2	6			**1,430**	**1,948**	current space is 1,430 SF (1st floor only)	
Total - Office Area	**122**	**130**		**44**	**87**			**35,442**	**41,075**		

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City Hall – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Support/Common Area											
Phone Room			4			64		-	256		256
Huddle Room			4			120		-	480		480
Open Collaboration Area			6			100		-	600		600
Wellness Room			2			120		-	240		
Pantry			2			200		-	400		400
Café			1			500		-	500	centrally located	
Gallery/Training (50 seats)			1			1,400		-	1,400	requested by City Clerk, can be divided into (2) 700 SF Conference Rooms (accommodates current Gallery function)	
Conference Room (16 seats)			1			364		-	364		
Conference Room (12 seats)			2			264		-	528		264
Copy/Work Room			4			200		-	800		
Server Room			1			200		-	200		
Telecom Room			1			340		340	-	currently on lower level, combine w/ Server Room	
Telecom Room			1			140		140	-	currently on lower level	
Equipment Room			1			138	138	138	138	currently on lower level	
Mechanical Room			1			1,086	1,000	1,086	1,000	currently on lower level	
Receiving			1			706	600	706	600	currently on lower level	
Parking			1			11,100	-	11,100	-	currently on lower level	
J.C.			1			90	90	90	90	currently on lower level	
J.C.			1			45	-	45	-	currently on lower level	
Toilet Room			1			40	-	40	-	currently on lower level	
Toilet Room			1			42	-	42	-	currently on lower level	
Auditorium and Control Room			1			3,450	-	3,450	-	currently on first floor, not included in future program	
Control Room			1			450	-	450	-	currently on first floor	
Kiosk			1			105	105	105	105	currently on first floor	
Lobby/Counter Space			1			4,000	2,000	4,000	2,000	currently on first floor	
Men's Toilet Room			1			162	162	162	162	currently on first floor	
Women's Toilet Room			1			162	162	162	162	currently on first floor	
Vacant Space			1			2,280	-	2,280	-	currently in Annex	
Livonia Save our Youth Coalition/Common/Support Space			1			4,360	-	4,360	-	currently in Annex, confirm if this space is required	

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City Hall – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Support/Common Area											
Men's Toilet Room			1			134	134	134	134	currently on second floor	
Women's Toilet Room			1			180	180	180	180	currently on second floor	
Storage			1			30	-	30	-	currently on second floor	
J.C.			1			112	100	112	100	currently on second floor	
Men's Toilet Room			1			134	134	134	134	currently on third floor	
Women's Toilet Room			1			180	180	180	180	currently on third floor	
Storage			1			30	-	30	-	currently on third floor	
Tele./Elec.			1			112	112	112	112	currently on third floor	
Men's Toilet Room			1			134	134	134	134	currently on fourth floor	
Women's Toilet Room			1			180	180	180	180	currently on fourth floor	
Training Room			1			510		510	-	currently on fourth floor	
Copy/Kitchenette			1			128	-	128	-	currently on fourth floor	
Storage			1			30	-	30	-	currently on fourth floor	
Tele./Elec.			1			112	112	112	112	currently on fourth floor	
Men's Toilet Room			1			134	134	134	134	currently on fifth floor	
Women's Toilet Room			1			180	180	180	180	currently on fifth floor	
Storage			1			30	-	30	-	currently on fifth floor	
Tele./Elec.			1			112	-	112	-	currently on fifth floor	
Subtotal								31,158	11,605		10,195
Secondary Circulation								12,190	4,874		4,282
Total - Support/Common Area								**43,348**	**16,479**		**14,477**
Grand Total	**122**	**130**		**44**	**87**			**80,790**	**57,554**		
Gross-Up Factor	15%							**12,119**	**8,633**		**2,172**
Grand Total - All Areas								**92,909**	**66,187**		**16,648**

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City Hall – Space Program

Current GSF		
Existing Square Footage (City Hall)	**NSF**	**GSF**
Lower Level	20,370	21,353
First Floor	15,480	16,220
Second Floor	10,075	11,617
Third Floor	7,328	8,665
Forth Floor	7,328	8,665
Fifth Floor	7,525	8,865
Total	**68,106**	**75,385**

Existing Square Footage (Annex)	**NSF**	**GSF**	
Annex	14,100	15,220	includes 560 SF of basement
Total	**14,100**	**15,220**	

Existing Square Footage (City Hall + Annex)	**82,206**	**90,605**

Projected Reduced Program GSF for New City Hall	**49,539**

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City Hall – Site Program

Site Areas			Square Feet	
Building Footprint				
	City Hall		66,187	
			-	
	Total		**66,187**	
Building Support Areas				
Parking	Qty.	Area		
	Staff	130	350	45,500
	Visitor	50	350	17,500
	Subtotal	180	700	**63,000**
	Current	181	approximately	
Docks		-	-	
Fenced Outdoor Storage		-	-	
Generator		1	200	
	Subtotal			**200**
	Total			129,387
Retention Area				20,000
				149,387
Circulation, Setbacks, Greenbelts, etc.				59,755
	Total			**209,142**
		rounded		5.0 Acres

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City Hall – Opinion of Probable Cost

Professional Services				**$ 3,829,707**
Regulatory		0.03%		**$ 7,283**
Construction				**$ 29,130,862**
Furniture + Fixtures		$ 55.00		**$ 1,820,143**
Owner Equipment		allowance		**$ 15,000**
Technology		$ 30.00		**$ 1,985,611**
Subtotal				**$ 36,788,606**
Contingency		10%		**$ 2,913,086**
Escalation		8%		**$ 2,330,469**

Total Project Cost			**$ 42,032,161**
	Hard Costs	69.31%	$ 29,130,862
	Soft Costs	30.69%	$ 12,901,299
Total Project Cost (Potential Reductions)			**$ 31,459,551**

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Assumptions/Clarifications:

1. Excludes computers, monitors, keyboards, printers, etc.
2. Assumes abatement is not required
3. Excludes kitchen equipment
4. Excludes exercise equipment
5. Assumes site utilities are in place and have adequate capacity
6. Assumes building will be constructed of durable and readially available materials, as used in construction of similar facilities.
7. Furniture budget includes offices, workstations, café, open collaboration, and conference rooms.
8. Assumes EGLE permitting, wetland boundary survey, and traffic study are not required.
9. Construction budget includes site work; demo of existing city hall building; and construction of new city hall building.

City Hall – Milestone Schedule

Professional Services Procurement =	4	Months
Design Phase =	9	Months
Construction Phase =	18	Months
Close Out =	3	Months
Schedule Contingency =	2	Months
Total Project Duration =	36	Months

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Asumptions:

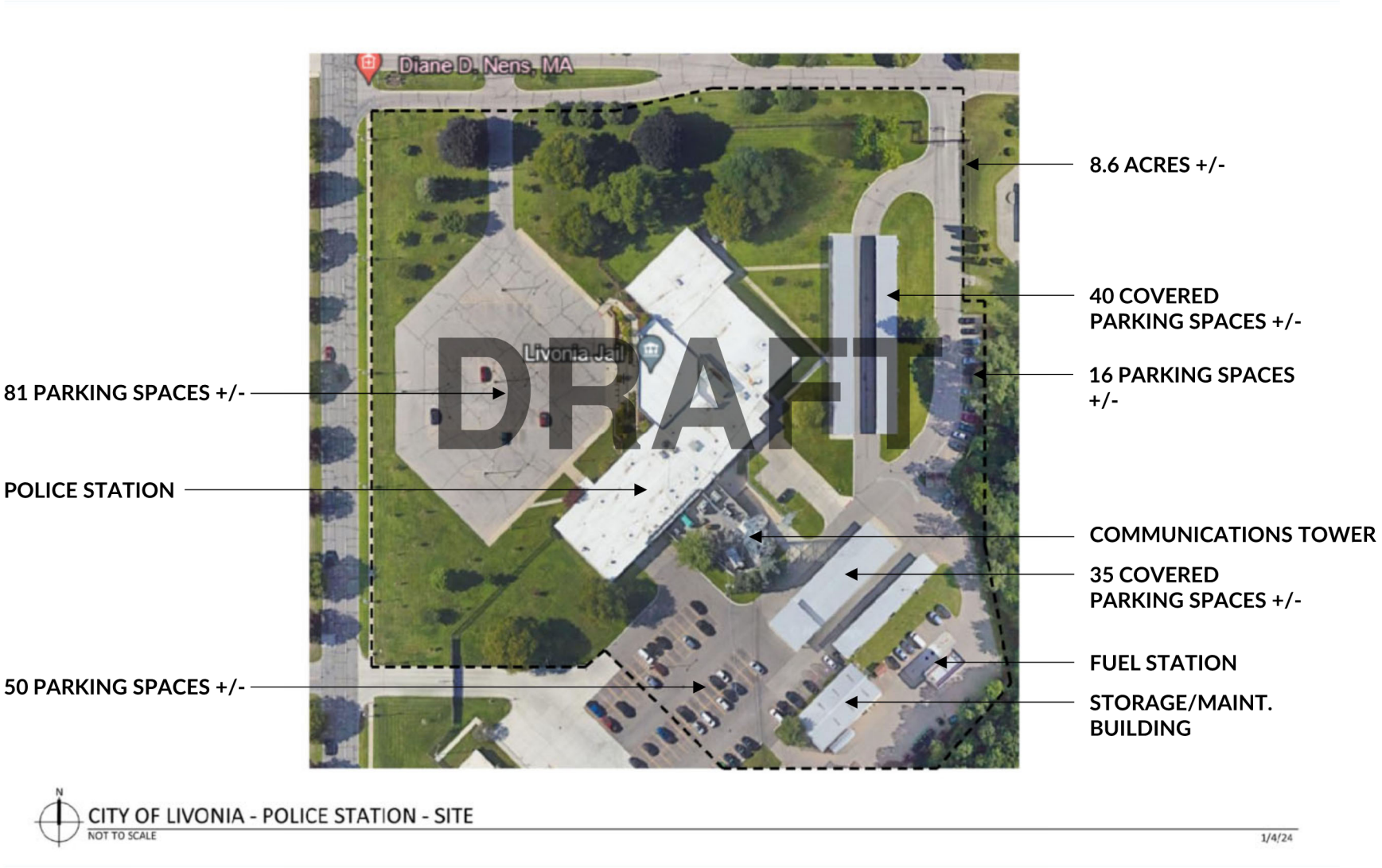
1. The City of Livonia will make timely decisions and provide timely approvals in order to maintain the project schedule.

Police Department

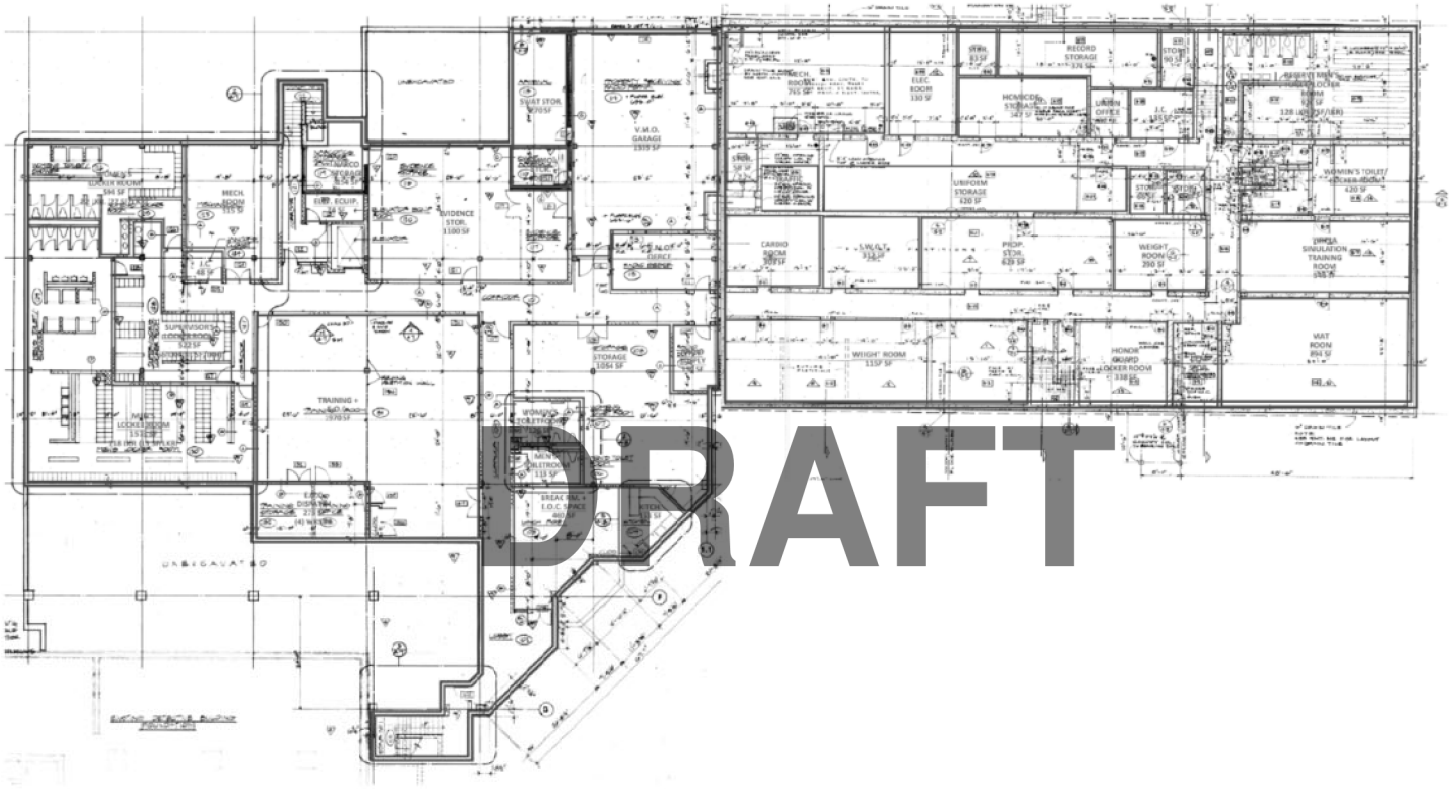


Year Built: Original building = 1961 (62 Years Old), Addition = 1986 (37 Years Old)

Police Department – Site



Police Department – Lower Level Floor Plan

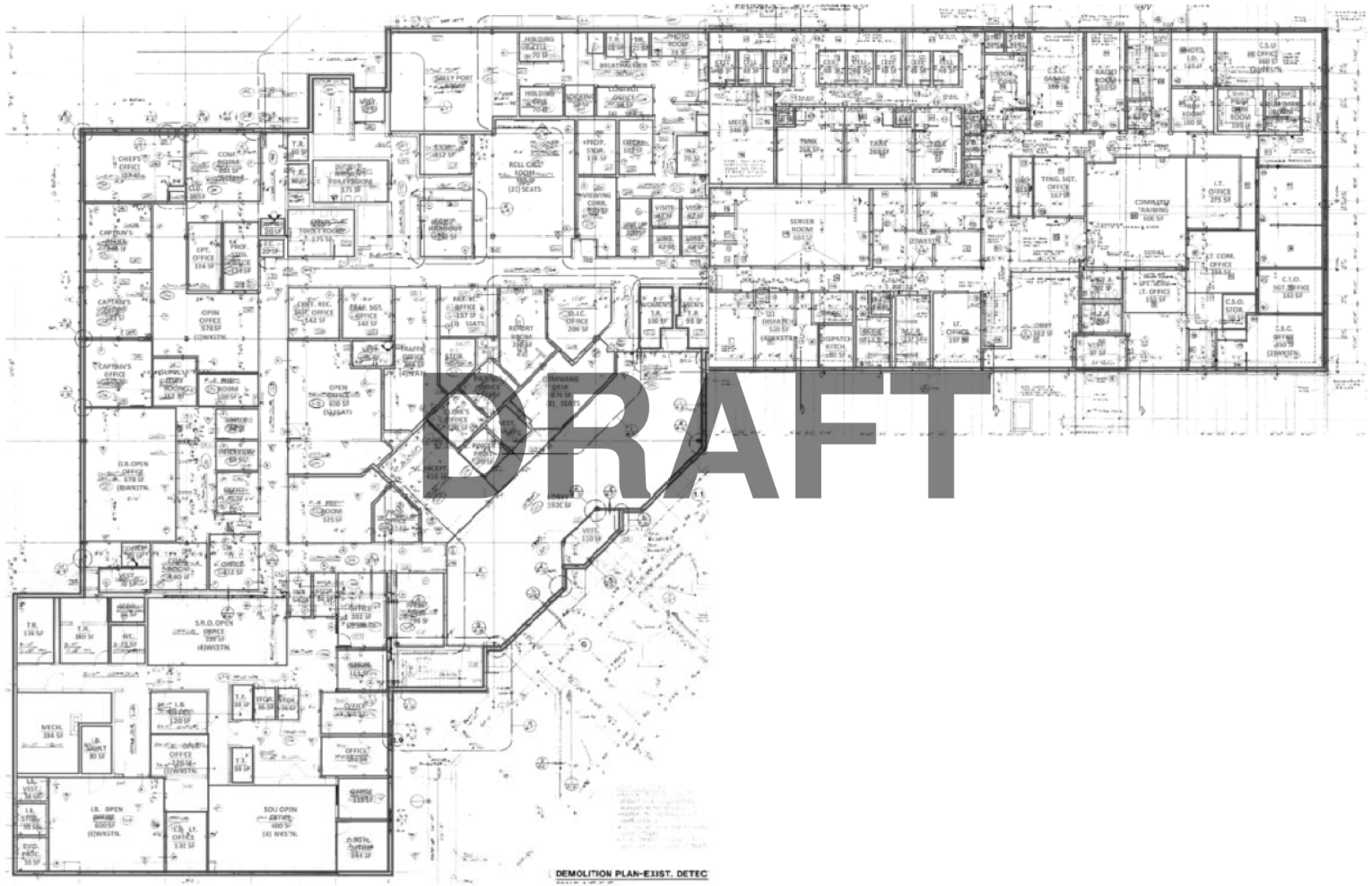


CITY OF LIVONIA - POLICE STATION - LOWER-LEVEL FLOOR PLAN

NOT TO SCALE

26,376 GSF +/-

Police Department – Mail Level Floor Plan



CITY OF LIVONIA - POLICE STATION - FIRST FLOOR PLAN
NOT TO SCALE

36,034 GSF +/-

Police Department – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
Lower Level											
E.O.C. Dispatch (shared office)	4	4			4	275	330	275	330	includes open office storage and circulation	
Union Office	1	1		1		82	100	82	100		
V.M.O. Office	1	1			1	268	268	268	268		
Upper Level (West Side)											
Captain's Office	1	1		1		246	250	246	250		
Captain's Office	1	1		1		124	250	124	250		
Captain's Office	1	1		1		243	250	243	250		
Captain's Office	1	1		1		250	250	250	250		
Central Records Supervisor's Office	1	1		1		142	120	142	120		
Chief's Office	1	1		1		357	430	357	430	includes private toilet room and closet	
Clerk's Office	1	1		1		100	100	100	100		
Command Desk	3	3			3	276	276	276	276	includes open office storage and circulation	
Control Office	4	4			4	90	130	90	130	includes circulation	
Detective Bureau Open Office	8	10			10	678	900	678	900	includes open office storage and circulation	
Intelligence Bureau Office	1	1		1		120	168	120	168		
Intelligence Bureau LT. Office	1	1		1		132	168	132	168		
Intelligence Bureau Open Office	3	3			3	220	250	220	250	includes open office storage and circulation	
Intelligence Bureau Open Office	8	6			6	600	400	600	400	includes open office storage and circulation	
Investigative Desk	2	2			2	196	196	196	196		
Lieutenant Office	1	1		1		152	168	152	168		
O.I.C. Office	1	1		1		200	168	200	168		
Office	1	1				68		68	-		
Office	1	1		1		95	120	95	120		
Office	2	2			2	202	250	202	250	includes open office storage and circulation	
Office	1	1		1		111	120	111	120		
Office	1	1		1		156	120	156	120		
Office	1	1		1		146	120	146	120		
Office	1	1		1		113	120	113	120		
Office	1	1		1		144	120	144	120		
Open Office	5	5			5	650	600	650	600	includes open office storage and circulation	
Prof. Stds. Lieutenant Office	1	1		1		124	120	124	120		
Patrol Lieutenant Office	3	3		1		157	-	157	-		
Patrol Lieutenant Office		1		1			100	-	100		
Patrol Lieutenant Office		1		1			100	-	100		

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Police Department – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
Patrol Lieutenant Office		1		1			100	-	100		
Patrol Sergeant Office	1	1		1		102	168	102	168		
Prop. Office	2	2		2		112	120	112	120		
Reception	2	2			2	410	410	410	410	includes file and copy area	
S.R.O. Office	4	4			4	520	450	520	450	includes open office storage and circulation	
SOU Open Office	4	6			6	600	400	600	400	includes open office storage and circulation	
Traffic Office	4	4			4	364	364	364	364	includes open office storage and circulation	
Traffic Sergeant Office	1	1		1		142	120	142	120		
Upper Level (East Side)											
C.S.O. Office	2	2			2	350	400	350	400	includes open office storage and circulation	
C.S.O. Sergeant Office	1	1		1		160	120	160	120		
C.S.U.Office	3	3			3	860	860	860	860	includes open office storage and circulation	
Dispatch	4	4			4	520	520	520	520	includes open office storage and circulation	
Information Technology	2	2			2	465	450	465	450	includes open office storage and circulation	
IT Training Office	2	2			2	275	275	275	275	includes open office storage and circulation	
E.P.D. Office	1	1		1		234	168	234	168		
Lieutenant Office	1	1		1		197	120	197	120		
Support Serv. LT. Office	1	1		1		150	168	150	168		
Training Sergeant Office	1	1		1		167	120	167	120		
Subtotal								12,345	12,395		
Secondary Circulation								972	1,662		
Total	99	104		32	69			**13,317**	**14,057**		
Total - Office Area	**99**	**104**	**-**	**32**	**69**	**-**	**-**	**13,317**	**14,057**	**740**	

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Police Department – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Support/Common Area											
Lower Level (West Side)											
Break Room and E.O.C. Space			1			460		460	-	Café/Pantry will be added	
E.O.C.			1			-	1,000	-	1,000	30 seats, round table layout, equip. stor.	1,000
Elevator Equipment Room			1			74	74	74	74		
Evidence Storage			1			1,100	1,100	1,100	1,100		
Janitor's Closet			1			48	48	48	48		
Kitchen			1			153	-	153	-	Café/Pantry will be added	
Mechanical Room			1			515	515	515	515		
Men's Toilet Room			1			113	113	113	113		
Men's Toilet/Locker Room			1			1,573	2,600	1,573	2,600		
Narcotics Storage			1			154	-	154	-	Included in Evidence Storage	
Radio Supply			1			130	130	130	130		
S.W.O.T. Storage			1			270	270	270	270		
Storage (Ammo)			1			100	100	100	100		
Storage (Supplies)			1			1,054	1,054	1,054	1,054		
Supervisor's Locker Room (Male)			1			522	800	522	800		
Supervisor's Locker Room (Female)			1			-	200	-	200		
Training			1			-	2,500	-	2,500	100 seats, classroom layout; adjacent to EOC w/ operable partition	1,000
Training and E.O.C.			1			1,970	-	1,970	-		
V.M.O. Garage			1			1,335	1,600	1,335	1,600		265
Women's Toilet Room			1			126	126	126	126		
Women's Toilet/Locker Room			1			594	500	594	500		
Lower Level (East Side)											
Cardio Room			1			303	-	303	-	combine with Weight Room	
Electrical Room			1			330	330	330	330		
Homicide Storage			1			347	347	347	347		
Honor Guard Locker Room			1			338	338	338	338		
Janitor's Closet			1			135	100	135	100		
Janitor's Closet			1			26		26	-		
Mat Room			1			894	894	894	894		
Storage			1			172	250	172	250		
Mechanical Room			1			765	765	765	765		

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Police Department – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Support/Common Area											
Property Storage			1			620	740	620	740		
Record Storage			1			374	-	374	-		
Reserve Men's Toilet/Locker Room			1			920	640	920	640		
S.W.O.T. Locker Room			1			312	500	312	500		
Storage (Traffic)			1			118	118	118	118		
Storage			1			83	-	83	-		
Storage			1			58	-	58	-		
Storage			1			66	-	66	-		
Storage			1			77	150	77	150		
Storge			1			90	-	90	-		
Reserve Women's Toilet/Locker Room			1			420	260	420	260		
Uniform Storage			1			620	620	620	620		
Virtra Simulation Training Room			1			546	1,500	546	1,500	can this be combined with other Training/EOC?	500
Weight Room			1			290	-	290	-		
Weight Room			1			1,157	2,500	1,157	2,500		500
Upper Level (West Side)											
Booking			1			50	50	50	50		
Breathalyzer			1			20	20	20	20		
Closet			1			10	10	10	10		
Coffee			1			20		20	-	Café/Pantry will be added	
Coffee			1			30		30	-	Café/Pantry will be added	
Conference Room (O.I.C.)			1			-	170	-	170	8 seats required	
Conference Room			1			140	170	140	170	8 seats required	
Conference Room			1			288	288	288	288	12 seats required	
Equipment Handout			1			160	400	160	400		
Evidence Processing			1			55	55	55	55		
File Room			1			108	110	108	110		
File Room			1			325	250	325	250		
Fingerprinting			1			70	70	70	70		
Holding Cell			2			70	70	140	140		
Intelligence Bureau Storage			1			52	52	52	52		
Intelligence Bureau Vault			1			80	80	80	80		
Intelligence Bureau Vestibule			1			38	38	38	38	excluded from circulation factor	

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Police Department – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Support/Common Area											
Interview Room			1			68	80	68	80		
Interview Room			1			73	80	73	80		
Interview Room			1			54	80	54	80		
Interview Room			1			70	-	70	-		
Janitor's Closet			1			20	20	20	20		
Kitchenette			1			102	120	102	120		
Line Up			1			100	100	100	100		
Lobby			1			1,920	500	1,920	500	excluded from circulation factor	
Mechanical			1			334	334	334	334		
Photo Room			1			78	78	78	78		
Report Writing Room			1			230	330	230	330		
Roll Call Room (21 seats)			1			750	950	750	950	36 seats required	
Sally Port			1			680	780	680	780	needs to be 26' deep min.	
Storage			1			46	46	46	46		
Storage			1			54	54	54	54		
Storage			2			36	36	72	72		
Storage			1			112		112	-		
Storage (Property)			1			118	118	118	118		
Storage (Traffic)			1			90	150	90	150		
Supply Room			1			112	120	112	120		
Toilet Room			1			30	30	30	30		
Toilet Room			1			30	30	30	30		
Toilet Room			1			134	134	134	134		
Toilet Room			1			180	180	180	180		
Toilet Room			2			38	38	76	76		
Toilet Room			2			25	25	50	50		
Toilet Room (Men's)			1			175	175	175	175		
Toilet Room (Men's)			1			93	93	93	93		
Toilet Room (Women's)			1			175	175	175	175		
Toilet Room (Women's)			1			100	100	100	100		
Vestibule			1			50	50	50	50	excluded from circulation factor	
Vestibule			1			70	70	70	70	excluded from circulation factor	
Vestibule			1			58	58	58	58	excluded from circulation factor	
Vestibule			1			56	56	56	56	excluded from circulation factor	
Vestibule			1			110	110	110	110	excluded from circulation factor	

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Police Department – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Support/Common Area											
Viewing Corridor			1			150	150	150	150	excluded from circulation factor	
Visit			4			42	42	168	168		
Upper Level (East Side)											
ARS			1			24	24	24	24		
C.S.O. Storage			1			50	50	50	50		
C.S.U. Garage			1			300	600	300	600	additional bay requested	300
C.S.U. Prop Room			1			100	100	100	100		
Cell			10			384	480	384	480	(7) male, (3) female	
Computer Training			1			600	600	600	600	20 seats required (classroom layout)	
Dispatch Kitchenette			1			80	100	80	100		
Film Dark Room			1			80	-	80	-		
Interview			1			17	-	17	-		
Janitor's Closet			1			23	-	23	-		
Janitor's Closet			1			37	-	37	-		
Lobby			1			382	-	382	-		
Mechanical			1			346	346	346	346		
Photo I.D.			1			128	128	128	128		
Print Dark Room			1			105	-	105	-		
Radio Room			1			210	210	210	210		
Server Room			1			684	300	684	300		
Shower			2			16	16	32	32		
Storage			2			24	-	48	-		
Storage			1			150	-	150	-		
Storage			1			70	-	70	-		
Tank			1			268	268	268	268		
Tank			1			268	268	268	268		
Tank			1			200	-	200	-		
Toilet Room (Men's)			1			137	137	137	137		
Toilet Room (Men's)			1			62	62	62	62		
Toilet Room (Women's)			1			113	113	113	113		
Toilet Room (Women's)			1			62	62	62	62		
Vestibule			1			97		97	-		
Visit			1			20	20	20	20		
Digital Evidence Lab			1				450	-	450		450

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Police Department – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Support/Common Area											
Conference Room (6 seats)			1				170	-	170		
Community Room			1				1,000	-	1,000	for press conf., meetings, etc.; off main lobby; 30 seats	1,000
Café/Pantry			1				1,500	-	1,500		500
Gun Range			1				3,150	-	3,150		3,150
Wellness Room			2				120	-	240		
Subtotal								32,803	40,812		8,665
Secondary Circulation								8,125	11,934		2,600
Total - Support/Common Area								**40,928**	**52,746**		**11,265**
Grand Total	**99**	**104**		**32**	**69**			**54,245**	**66,803**		
Gross-Up Factor	15%							**8,137**	**10,020**		**1,690**
Grand Total - All Areas								**62,382**	**76,823**	**14,442**	**12,954**
Current GSF								**62,410**			
Reduce GSF									**63,869**		

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Police Department – Space Program

Site Areas			Square Feet	
Building Footprint				
Police Station			76,823	
			-	
Total			**76,823**	
Building Support Areas				
Parking	Qty.	Area		
Staff Parking	154	350	53,900	
Visitor Parking	88	350	30,800	
Parking Expansion	-	-	-	
Total	242	700	**84,700**	
Communications Tower	1	5,500		
Fuel Station	1	1,500		
Generator	1	200		
Storage/Maintenance Building (existing)	1	3,600		
Subtotal			**10,800**	
Total			172,323	
Retention Area			20,000	
			192,323	
Circulation, Setbacks, Greenbelts, etc.			76,929	
Total			**269,253**	
		rounded	7.0	Acres

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Note: A secured, climate controlled structure was requested for 140 patrol and special response vehicles, which is not reflected in the space program or conceptual budget.

Police Department – Opinion of Probable Cost

Professional Services				**$ 4,873,399**
Regulatory		0.03%		**$ 9,514**
Construction				**$ 38,057,153**
Furniture + Fixtures		$ 55.00		**$ 1,056,322**
Owner Equipment		allowance		**$ 25,000**
Technology		$ 30.00		**$ 2,304,704**
Subtotal				**$ 46,326,091**
Contingency		10%		**$ 3,805,715**
Escalation		8%		**$ 3,044,572**

Total Project Cost			**$ 53,176,379**
	Hard Costs	71.57%	$ 38,057,153
	Soft Costs	28.43%	$ 15,119,226
Total Project Cost (Potential Reductions)			**$ 44,209,636**

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Assumptions/Clarifications:

1. Excludes computers, monitors, keyboards, printers, etc.
2. Assumes abatement is not required
3. Excludes kitchen equipment
4. Excludes exercise equipment
5. Assumes site utilities are in place and have adequate capacity
6. Assumes building will be constructed of durable and readily available materials, as used in construction of similar facilities.
7. Furniture budget includes offices, workstations, café, open collaboration, and conference rooms.
8. Assumes EGLE permitting, wetland boundary survey, and traffic study are not required.
9. Construction budget includes site work; demo of existing police station, fuel station and maintenance/storage building; new police station, fuel station, and maintenance/storage building.

Police Department – Milestone Schedule

Professional Services Procurement =	4	Months
Design Phase =	9	Months
Construction Phase =	18	Months
Close Out =	3	Months
Schedule Contingency =	2	Months
Total Project Duration =	36	Months

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Asumptions:

1. The City of Livonia will make timely decisions and provide timely approvals in order to maintain the project schedule.

Fire Station No. 1



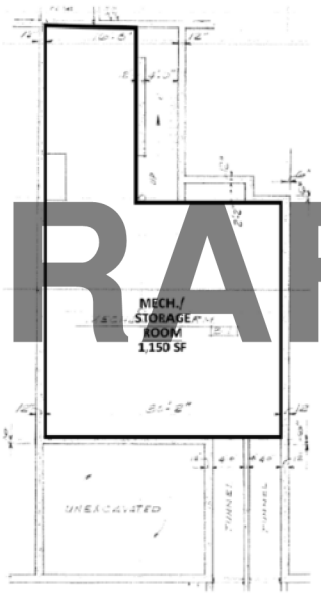
Year Built: Original = 1967 (55 Years Old), Addition = 2018 (4 Years Old)

Fire Station No. 1 - Site



CITY OF LIVONIA - FIRE STATION NO. 1 - SITE PLAN
NOT TO SCALE
12/27/2023

Fire Station No. 1 – Lower Level Floor Plan



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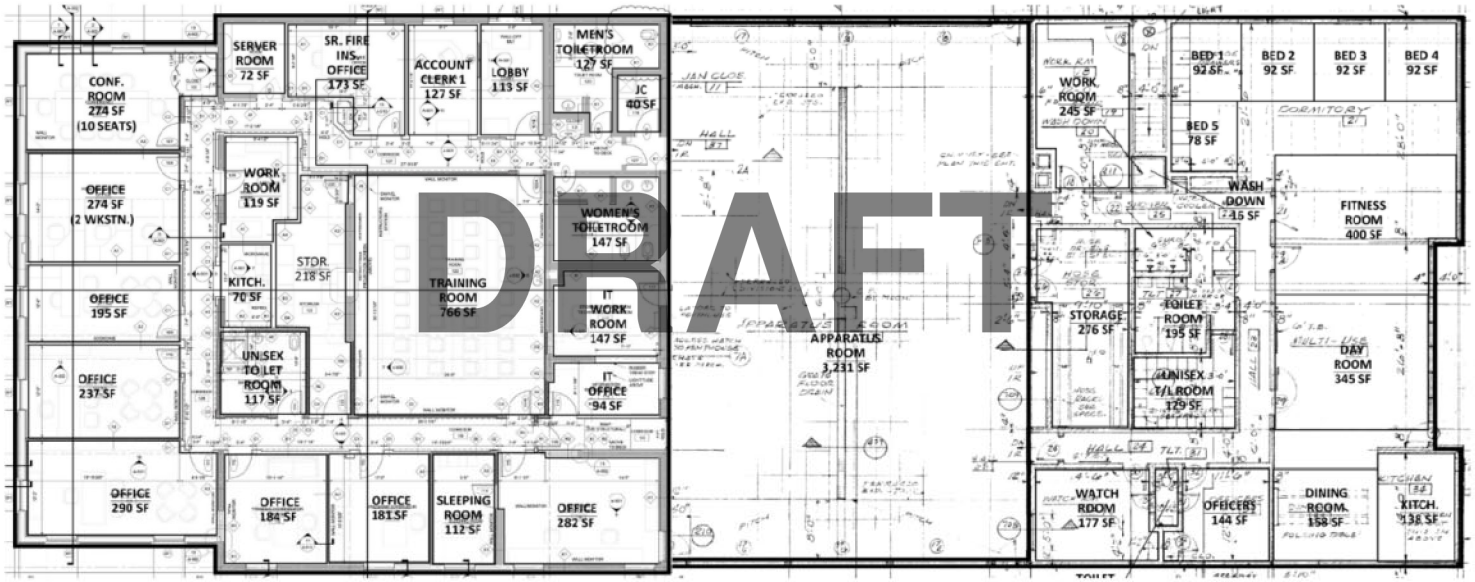
CITY OF LIVONIA - FIRE STATION NO. 1 - LOWER LEVEL FLOOR PLAN

NOT TO SCALE

1,150 GSF +/-

Fire Station No. 1 – Main Level Floor Plan



CITY OF LIVONIA - FIRE STATION NO. 1 - MAIN LEVEL FLOOR PLAN

NOT TO SCALE

13,000 GSF +/-

Fire Station No. 1 – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Office Area											
Fire Investigators Office	2	2		0	2	274	274	274	274		
Fire Marshal Office	1	1		1	0	195	195	195	195		
Deputy Chief Office	1	1		1	0	237	237	237	237		
Fire Chief Office	1	1		1	0	290	290	290	290		
Training Coordinator Office	1	1		1	0	184	180	184	180		
Program Supervisor	1	1		1	0	181	180	181	180		
Battalion Chief Office	1	1		1	0	282	282	282	282	two seats	
IT Office	1	1		1	0	94	100	94	100		
Account Clerk 1 Office	1	1		1	0	127	127	127	127		
Senior Fire Inspector	1	1		1	0	173	180	173	180		
Fire Investigators Office (future)	0	1		1	0	-	180	-	180		
EMS Coordinator Office (future)	0	1		1	0	-	180	-	180		
Admin Chief	0	1		1	0	-	180	-	180		180
Subtotal								2,037	2,585		
Secondary Circulation								367	465		
Total	11	14		12	2			**2,404**	**3,050**		
Total - Office Area	**11**	**14**		**12**	**2**			**2,404**	**3,050**		

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Fire Station No. 1 – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Support /Common Area											
Conference Room (10 seats) + Closet			1			274	392	274	392	need seating for 20	
Lobby			1			113	200	113	200		
Work Room			1			119	200	119	200		
Storage			1			218	400	218	400		
Training Room			1			766	1,200	766	1,200	need seating for 50+ seats	734
Training Room Storage			1			-	200	-	200		200
IT Office/Work Room			1			147	300	147	300		
Apparatus Room (three bays currently)			1			3,231	6,500	3,231	6,500	five total bays requested	3,269
Work Room			1			245	300	245	300	need separate space for refilling system and a dirty room, space for ice machine	
Wash Down			1			16	16	16	16		
Bed 1			1			92	100	92	100		
Bed 2			1			92	100	92	100		
Bed 3			1			92	100	92	100		
Bed 4			1			92	100	92	100		
Bed 5			1			78	100	78	100		
Bed 6			1				100	-	100		
Bed 7			1				100	-	100		
Storage			1			276	-	276	-		
EMS Storage			1				140	-	140		
Station Supplies Storage			1				100	-	100		
Day Room			1			400	400	400	400		
Watch Room			1			177	177	177	177		
Officers Room			1			144	144	144	144	includes bed	
Dining Room			1			158	185	158	185		
Sleeping Room			1			112	120	112	120		
Mechanical/Storage			1			1,150		1,150	-	currently in basement/mechanical only	
Mechanical			1			-	500	-	500		
Storage			1			-	500	-	500		250
Server Room			1			72	100	72	100		
Men's Toilet Room			1			127	127	127	127		
Women's Toilet Room			1			147	147	147	147		
Janitor's Closet			1			40	40	40	40		
Unisex Toilet Room w/ shower			1			117		117	-		
Kitchenette/Breakroom			1			70	200	70	200		

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Fire Station No. 1 – Space Program

FUNCTION	FTE 2023	FTE 2028	SPT	PO	WS	UNIT SF 2023	UNIT SF 2028	SF 2023	SF 2028	NOTES	POTENTIAL REDUCTIONS
Support /Common Area											
Kitchen			1			138	280	138	280		
Toilet Room			1			195	195	195	195		
Unisex Toilet/Locker Room			1			129		129	-		
Toilet Room			1			20	-	20	-		
Fitness Room			1			345	600	345	600		
Turnout Gear/Work Room			1				200	-	200		
Clean Gear Storage			1				100	-	100		
Mezzanine Storage			1				1,400	-	1,400	will this accommodate the items in the old courthouse?	1,400
Training Tower			1				-	-	-		
Unisex Shower/Toilet Room (Admin)			1				100	-	100	one shower	100
Locker Room (Admin)			1				125	-	125	locker area for M + W (12 full height)	125
Unisex Shower/Toilet Room (Fire)			1				400	-	400	four showers	
Locker Room (Fire)			1				300	-	300	locker area for M + W (30 full height)	
Subtotal								9,392	16,988		6,258
Secondary Circulation								1,225	3,058		1,126
Total - Support/Common Area								**10,617**	**20,046**		**7,384**
Grand Total	**11**	**14**		**12**	**2**			**13,021**	**23,096**		
Gross-Up Factor	8%							**1,042**	**1,848**		591
	15%										
Grand Total - All Areas								**14,062**	**24,944**		**7,975**
Current GSF								**14,150**			
Reduced GSF									**16,969**		

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Fire Station No. 1 – Site Program

Site Areas			Square Feet	
Building Footprint				
Fire Station No. 1			24,944	
			-	
Total			**24,944**	
Building Support Areas				
Parking	Qty.	Area		
Staff	8	350	2,800	
Visitor	26	350	9,100	
Parking Expansion	-	-	-	
Total	34	700	**11,900**	
Current	34	approximately		
Docks	-	-		
Fenced Outdoor Storage	-	-		
Generator	1	200		
Subtotal			**200**	
Total			37,044	
Retention Area			10,000	
			47,044	
Circulation, Setbacks, Greenbelts, etc.			18,818	
Total			**65,861**	
		rounded	2.0	Acres

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Fire Station No. 1 – Opinion of Probable Cost

Professional Services				**$ 1,982,648**
Regulatory		0.03%		**$ 3,640**
Construction				**$ 14,560,607**
Furniture + Fixtures		$ 55.00		**$ 342,978**
Owner Equipment		allowance		**$ 25,000**
Technology		$ 30.00		**$ 748,315**
Subtotal				**$ 17,663,187**
Contingency		10%		**$ 1,456,061**
Escalation		8%		**$ 1,164,849**

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Total Project Cost			**$ 20,284,097**
	Hard Costs	71.78%	$ 14,560,607
	Soft Costs	28.22%	$ 5,723,490
Total Project Cost (Potential Reductions)			**$ 13,798,741**

Assumptions/Clarifications:

1. Excludes computers, monitors, keyboards, printers, etc.
2. Assumes abatement is not required
3. Excludes kitchen equipment
4. Excludes exercise equipment
5. Assumes site utilities are in place and have adequate capacity
6. Assumes building will be constructed of durable and readially available materials, as used in construction of similar facilities.
7. Furniture budget includes offices, workstations, café, open collaboration, and conference rooms.
8. Assumes EGLE permitting, wetland boundary survey, and traffic study are not required.
9. Construction budget includes site work, demo of existing fire station and construction of new fire station.

Fire Station No. 1 – Milestone Schedule

Professional Services Procurement =	4	Months
Design Phase =	8	Months
Construction Phase =	16	Months
Close Out =	3	Months
Schedule Contingency =	2	Months
Total Project Duration =	33	Months

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Asumptions:

1. The City of Livonia will make timely decisions and provide timely approvals in order to maintain the project schedule.

LETTER TO THE LIVONIA CITY COUNCIL

1.

Council Office
May 12, 2023

MEETING DATE	PREPARED BY
COI062823/R071023	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

CR 02-23 Subject matter of the 2022 Facility Condition Assessment and Space Needs Assessment.

BACKGROUND DETAILS

#002-23 RESOLVED, that upon the motion by Councilmember Brandon McCullough, seconded by Councilmember Rob Donovic, at the Regular Meeting held January 18, 2023, the Council does hereby refer the "2022 Facility Condition Assessment and Space Needs Assessment" to the Capital Outlay and Infrastructure Committee for further discussion.

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

To discuss updated information as presented.

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

COI030123/R031323

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. City of Livonia PMC - First Amendment FINAL
2. COI030123 Space Needs Assessment Documents Item 1- New Data
3. COI030123 LTC Space Needs and Cap Plan Svcs Report

4. R011823 Subject matter of Space Needs Assessment to COI CR 02-23
5. S013122 Space Needs Assessment Documents
6. R021622 Approval of engineering svcs for Space Needs Assess and Cap Planning CR 51-22
7. 20221119_COL_FCA and SNA_Preliminary Findings-FINAL
8. 20221119_COL_Facility Condition Assessment-FINAL
9. 20221119_COL_Space Needs Assessment-FINAL

APPROVED BY

First Amendment to the Agreement for Space Needs and Capital Planning Between CITY OF LIVONIA and PLANTE & MORAN CRESA, LLC

This First Amendment (this **"First Amendment"**) to the Agreement for Space Needs and Capital Planning Services is effective as of May 11, 2023 (the **"Effective Date"**), between CITY OF LIVONIA (**"COL"**) and PLANTE & MORAN CRESA, LLC (**"PMC"**). This First Amendment modifies that certain agreement for Space Needs and Capital Planning Services between such parties, dated as of January 18, 2022 (the **"Agreement"**). As used herein and where context dictates, reference to the Agreement may mean the Agreement, as modified by this First Amendment. Where any provision of the Agreement is modified herein, the provisions of this First Amendment shall control; otherwise the terms and provisions of the Agreement shall remain unmodified. All defined terms in this First Amendment shall have the same meanings as set forth in the Agreement, unless the context clearly requires otherwise.

WHEREAS, COL and PMC are parties to the Agreement for PMC to provide Real Estate Consulting Services for the City of Livonia Civic Center and fire facilities (the **"Project"**);

WHEREAS, COL has requested addition services related to the Project; and

WHEREAS, the parties mutually desire to update and modify the Agreement so as to better support and align with the Project's updated parameters.

NOW THEREFORE, for good and valuable consideration the sufficiency of which is acknowledged, COL and PMC agree as follows:

1. **Recitals.** The above recitals are true and correct and are hereby made part of this Amendment.

2. **Changes to the Agreement.** The Agreement is amended as follows:

    a. Services. PMC's Services are modified as follows:
        i. Phase 1 Extension – Space Needs Assessment & Capital Planning Services – Scope of Work as outlined in Exhibit A
        ii. Phase 2 – Part 1 – Real Estate Consulting Services – Space and Site Programming Services - Scope of Work as outlined in Exhibit A
        iii. Phase 2 – Part 2 – Real Estate Consulting Services – Highest and Best Use Analysis – Scope of Work as outlined in Exhibit A

    b. Compensation. Compensation is modified as follows:
        i. Phase 1 Extension – Space Needs Assessment & Capital Planning Services

Fixed Fee- COL shall pay PMC a fixed fee of Forty Thousand Dollars and zero cents ($40,000.00), payable in equal monthly installments of Eight Thousand Dollars and zero cents ($8,000.00);

ii. Phase 2 – Part 1 – Real Estate Consulting Services – Space Programming– Fixed Fee- COL shall pay PMC a fixed fee of Thirty Thousand Dollars and zero cents ($30,000.00), payable in equal monthly installments of Six Thousand Dollars and zero cents ($6,000.00);

iii. Phase 2 – Part 2 Real Estate Consulting Services – Highest and Best Use Analysis – Fixed Fee- COL shall pay PMC a fixed fee of Fifty-Five Thousand Dollars and zero cents ($55,000.00), payable in equal monthly installments of Eleven Thousand Dollars and zero cents ($11,000.00);

c. Term. The Agreement's term is modified to conclude five (5) months after execution of this Agreement.

d. Other. Revised Exhibit B, Terms & Conditions to the original Agreement

3. **Incorporation Into the Agreement.** When signed by the parties, this First Amendment shall be deemed part of the Agreement and, except as otherwise provided herein shall be subject to all of the terms and conditions of the agreement.

4. **Amendment Controls**. In the event of inconsistency between the terms and conditions of this First Amendment and the Agreement, the terms of this First Amendment shall control.

5. **Agreement Remains in Force.** Except as expressly modified by this First Amendment, the Agreement remains in full force and effect and the parties acknowledge and agree to be bound by the terms and provisions thereof.

6. **Partial Invalidity.** If any term, covenant, condition or provision of this First Amendment or the Agreement is found by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall remain in full force and effect, and shall in no way be affected, impaired or invalidated.

7. **Counterparts.** To facilitate execution of this First Amendment, the parties may execute this First Amendment in counterparts and exchange signatures by facsimile transmission or by

electronic delivery of a PDF copy of the executed First Amendment, which facsimile or PDF copy shall be deemed valid and binding.

[SIGNATURES ON FOLLOWING PAGE]

First Amendment to the Agreement for Space Needs and Capital Planning
Between CITY OF LIVONIA and
PLANTE & MORAN CRESA, LLC

IN WITNESS WHEREOF, the parties have indicated their acceptance of the terms of this First Amendment by their signatures below on the dates indicated:

CITY OF LIVONIA

/

By: Mayor Maureen Miller Brosnan Date
Its: Mayor City of Livonia

/

By: Ms. Susan M. Nash Date
Its: City Clerk

/

By: Paul Bernier Date
Its: Legal Counsel

/

By: Mr. Michael Slater Date
Its: Finance Department Head

PLANTE MORAN CRESA

By: Greg VanKirk, CPA
Its: Partner

By: Andy Fountain
Its: Senior Vice President

Exhibit A

Scope of Work

Upon execution of PMC's proposal dated May 12, 2023, this Exhibit A shall be incorporated into the Agreement between Plante & Moran Cresa, L.L.C. (**"PMC"**) and City of Livonia (**"COL"**). PMC shall provide to COL, in accordance with the terms and conditions set forth in Exhibit B, its Services comprised of the following:

Phase 1 Extension – Space Needs Assessment & Capital Planning Services

Project Related Assumptions:

- The Project's anticipated duration is five (5) months
- The Services will include Space Needs & Capital Planning Services of the following locations:
    - Livonia City Fire Department Station 3 – 35000 Seven Mile Rd. Livonia MI 48152
    - Livonia City Fire Department Station 4 – 12300 Middlebelt Rd. Livonia MI 48150
    - Livonia City Fire Department Station 5 – 18910 Middlebelt Rd. Livonia MI 48152
    - Livonia City Fire Department Station 6 & Garage – 37876 Plymouth Rd. Livonia MI 48150
- Any alternations, building additions, or new facilities shall be constructed of normal, durable, and readily available materials, as used in the construction of similar facilities
- COL will provide PMC with all available building and site drawings, previous reports, assessments, equipment/building repair, replacement information and any other pertinent information
- COL designates Jacob Rushlow as COL's Designated Representative for the purposes of this engagement
- PMC's review, recommendations, analysis, and conclusions are, in whole or in part, derived from and dependent on information provided by COL, the Project team, and other third parties neither contracted by nor controlled by PMC. PMC's services do not include a review as to the accuracy of such information. Therefore, PMC provides no opinion on, or assurance of, the reliability of such information. Misstatements may exist that impact PMC's Services and deliverables.
- The funding source for the Services will be determined by COL which will be communicated to PMC in writing along with any associated funding related requirements.

Space Needs Assessment Services:

1. **Review of Previous Reports:** Reviewing previous reports provided by COL relative to COL's facilities. PMC will meet with COL staff to identify all reliable sources of existing data such as facility inventory lists, plans, maps, studies, etc. If available, existing studies, reports, and plans will be provided to PMC for use in completing the scope of work.

2. **Determine Space Needs:** The activities constituting PMC's Space Needs services may be comprised of the following:

    a. Conduct tours of COL's facilities and associated sites;
    b. Assistance developing and distributing user/occupant surveys;
    c. Conducting clarification interviews;
    d. Assisting in the development of workplace standards;
    e. Assisting in defining expansion and contraction requirements;
    f. Assisting in identifying preferred adjacency requirements;
    g. Assisting in defining parking and site requirements;
    h. Assisting in defining preferred amenities,
    i. Assisting in determining centralized and decentralized (multiple locations) operation requirements;
    j. Assisting in incorporating current workplace trends; and
    k. Assisting and advising COL in the review and refinement of space needs and workplace strategy.

3. **Utilization and Capacity Analysis:** Based on the findings from COL's site tour and space needs activities, create a utilization and capacity analysis with corresponding floor plans for COL's facilities illustrating current usage and capacities for COL's consideration.

4. **Preliminary Findings:** Presenting preliminary findings of PMC's Space Needs and Building Utilization and Capacity Analysis at two (2) meeting with COL administration to review department and operational goals and objectives in comparison to current utilization and capacity information, review and prioritize improvement opportunities identified, and finalize preliminary budget findings.

5. **Final Report:** Based on input from COL's administration relative to the preliminary findings and in review of department and operational goals and objectives, provide a final presentation and report to the COL administration, and to City Council at three (3) meetings.

Capital Planning Services:

1. **Capital Assessment:** PMC shall perform a cursory capital assessment through one or more site visits to the Project identified in PMC's proposal as well as review previous reports provided by the COL, and capital needs relative to demolition, renovation, and replacement of like-kind.

2. **Due Diligence:** Assisting COL in reviewing the existing due diligence information including:
    a. Environmental Phase I and Phase II
    b. Baseline environmental assessment
    c. Asbestos/Lead surveys or reports
    d. Survey (ALTA or similar)
    e. Geotechnical reports
    f. Other due diligence reasonably necessary for potential redevelopment or sale

    If due diligence documentation is not available, PMC will assist COL in hiring and coordinating the services of professionals to obtain this information.

3. **Benchmarking:** Conduct benchmarking of current and projected capital projects in relation to market conditions in the greater context of local, regional, and national trends with relation to repurpose, sale, or demolition of the facility/site.

4. **Review of Purchase (or Lease) Agreement:** Assisting COL and its legal counsel with reviewingthe purchase (or lease) agreement, and advise on the terms and conditions regarding:
    a. Facility sale
    b. Purchase agreements
    c. Option agreements
    d. Development agreements

5. **Capital Planning Improvement Plan:** Meeting with COL's project committee, administration, andCity council to discuss facility and technology system improvement needs and generate an implementation strategy based on COL's goals and budget. PMC will assist COL in developing a Capital Planning Improvement Plan that will categorize the areas of need/goals by critical,deferred maintenance, and enhancement in alignment with funding opportunities. PMC will assist COL to review asset management programs to be utilized as a repository of findings for the Capital Planning Improvement Plan.

6. **Preliminary Findings:** Presenting preliminary findings of PMC's assessment and analysis at two (2) COL administration meetings to review goals and objectives in comparison to current and projected capital and operations and review and prioritize improvement opportunities identified in relation to preliminary budget findings.

7. **Final Report:** Based on input from COL administration relative to the preliminary findings and in review of goals and objectives, provide a final presentation and report to the COL administration,and if requested, at three (3) COL City council meetings.

Phase 2 Part 1 - Real Estate Consulting – Building and Site Programming Services

The following key assumptions have been made by PMC In preparing this scope of work, which have been relied upon by PMC in determining the Services, PMC's compensation, and the terms of this Agreement.

Project Related Assumptions:

- The Project's anticipated duration is five (5) months
- The Services will include Real Estate Consulting Services of the following locations:
    - Livonia City Hall – 33000 Civic Center Dr. Livonia MI 48154
    - Livonia Police Department – 15050 Farmington Rd. Livonia MI 48154
    - Livonia City Fire Department Station 1/Headquarters - 14910 Farmington Rd. Livonia MI 48154
- Any alternations, building additions, or new facilities shall be constructed of normal, durable, and readily available materials, as used in the construction of similar facilities
- COL will provide PMC with all available building and site drawings, previous reports, assessments, equipment/building repair, replacement information and any other pertinent information
- COL designates Jacob Rushlow as COL's Designated Representative for the purposes of this engagement
- PMC's review, recommendations, analysis, and conclusions are, in whole or in part, derived from and dependent on information provided by COL, the Project team, and other third parties neither contracted by nor controlled by PMC. PMC's services do not include a review as to the accuracy of such information. Therefore, PMC provides no opinion on, or assurance of, the reliability of such information. Misstatements may exist that impact PMC's Services and deliverables.
- The funding source for the Services will be determined by COL which will be communicated to PMC in writing along with any associated funding related requirements.

Scope of Work: PMC shall provide Real Estate and Consulting – Building and Site Programming Services to COL upon execution of the initial engagement. PMC's Real Estate Consulting Services may be comprised of the following:

1. **Review of Relevant Information.** PMC will review all relevant documentation related to the COL facilities and real estate. Unless otherwise specifically indicated by COL in writing, PMC may rely on the relevant information provided by COL. The activities constituting PMC's Review of relevant Information may be comprised from the following:
    a. Reviewing previous surveys
    b. Review of current agreements with surrounding landowners
    c. Review of Project Development Agreement (PDA)
    d. Review current design documents for the COL

e. Review previously completed environmental due diligence such as BEA's, Due Care Plans, Phase I Environmental Site Assessments, and Phase II Environmental Site Assessments
f. Other information provided by COL

2. **Space Programming Services.** PMC will assist COL in the development of its Space Programming needs. The activities constituting PMC's Space Programming Services may be comprised of the following:

a. Assistance developing and distributing user/occupant surveys;
b. Assistance to conduct clarification interviews;
c. Assisting in the development of workplace standards;
d. Assisting in the development of high-level space needs;
e. Assisting in defining expansion, contraction and consolidation requirements;
f. Assisting in identifying preferred adjacency requirements;
g. Assisting in defining parking and site requirements;
h. Assisting in defining preferred amenities,
i. Assisting in determining centralized and decentralized (multiple locations) operation requirements;
j. Assisting in incorporating current workplace trends; and
k. Assisting in the review and refinement of space needs and workplace strategy.

3. **Milestone Schedule.** PMC will research and summarize milestone schedule information for the COL facilities and real estate. The milestone schedule information is intended to serve as a planning tool and will include proposed Project phasing and delivery method implications. The milestone schedule information may include key tasks and milestones such as:
    a. Procurement
    b. Facility Design
    c. Preconstruction
    d. Regulatory Review (EGLE, Wayne County, Authority Having Jurisdiction, etc.)
    e. Construction
    f. Occupancy and Activation
    g. Close-out Activities

4. **Conceptual Budget.** PMC will research and summarize conceptual budget information for the Project. The conceptual budget information is intended to capture the Project's anticipated costs. The conceptual budget information will be developed based on the project components related to the COL facilities and Real Estate. The information will be provided in the following format, hard construction (building and site costs), soft costs (professional services, specialty consultants, contingencies), and ancillary costs; The

conceptual budget will include technology infrastructure, furniture, fixtures and equipment allowances.

5. **Summary Report.** After completion of our review, PMC will communicate its findings to COL in a written format (the "Summary Report"), which may include supporting information and data related to the components listed above. Upon request by, PMC will provide up to three (3) in-person or remote presentation of the findings outlined in the Summary Report.

Phase 2 Part 2 - Real Estate Consulting Services – Highest and Best Use Analysis

Phase 2 Services shall be performed by PMREIA as a sub-consultant to PMC. The following key assumptions have been made by PMREIA In preparing this scope of work, which have been relied upon by PMREIA in determining the Services, PMREIA's compensation, and the terms of this Agreement

Project Related Assumptions:

- The Project's anticipated duration is five (5) months
- PMREIA's services will generally involve an analysis of the highest and best uses for the COL Owned Civic Center
- COL will create a steering committee with whom PMREIA will work pursuant to the Scope of Services
- COL will provide key relevant information to PMRIEA including:
    - Title work
    - Survey
    - Topographic survey
    - Environmental Reports
    - Soils reports
    - Utility plans, incl. availability and capacity
    - Programming requirements for public spaces
    - Relevant planning studies for each site

Scope of Work: PMC shall provide Real Estate and Consulting Services – Highest and Best Use Analysis to COL upon execution of the initial engagement. PMC's Real Estate Consulting Services may be comprised of the following:

Deliverables/Meetings: At the completion of this assignment, PMREIA will provide COL a final report to summarize findings, the analysis, and recommendations. During the completion of the below scope of work, PMREIA will meet a total of three (3) times with the

City selected steering committee to provide them with updates and to obtain guidance. Additionally, PMREIA will attend up to three (3) meetings with the City Council to discuss the report and its findings.

Highest & Best Use Analysis – PMREIA will perform a real estate analysis utilizing both previously collected and current data to assess the property:

i. Area Assessment - Conduct a thorough walk-through of the subject properties/land and surrounding area(s) to understand their physical characteristics and current market uses that will influence redevelopment.

ii. Due Diligence – Review of property due diligence reports to understand zoning, master planning, visibility/access, title /survey issues, utility capacity, wetlands/woodlands, traffic counts, eligibility for incentives and environmental (as reports are available). To supplement the aforementioned, interviews with City engineering, planning, and zoning personnel will be conducted as warranted.

iii. Market Analysis – Assess current market conditions, trends, and market development pipeline to aid in key analysis assumptions such as property values, lease/rental rates, vacancy rates, absorption rates and construction costs. Analysis includes assessing the competitive market set/supply for all asset classes based on in-depth market knowledge, coupled with database sources and key market data. Market data will also be gathered through networking with brokerage, real estate investor/owners and the development community within the market area.

Development Strategy – PMREIA will test various uses to determine feasibility and suggest approaches for redevelopment:

i. Financial Analysis: Consolidate the financial and market data assumptions from the highest and best use into a high-level financial pro-forma to determine the financial viability of the proposed program. The financial proforma will include sources/uses, cash flow schedules, financing scenarios and key return metrics. The analysis may identify potential economic "gaps" in the sources of capital projected.

ii. Development Approach: Assess/analyze possible development approach scenarios, dependent on programming and market analysis, including joint ventures or ground leases under a public/private partnership structure. The approaches will suggest tools or alternate development options that mitigate any economic gaps forecasted in the Financial Analysis. In anticipation of an RFP/RFQ, an RFI (request for information) may be formally or informally conducted to validate conceptual approaches and or enhance those identified in the analysis.

End of Exhibit A

Exhibit B
Terms and Conditions

Upon execution of PMC's proposal dated May 12, 2023, this revised Exhibit B shall be incorporated into the Agreement between Plante & Moran Cresa, L.L.C. (**"PMC"**) and City of Livonia (**"COL"**).

1. PMC's SERVICES:

1.1. PMC's services (the **"Services"**) include the consulting services designated on Exhibit A to the Agreement and additional services, if any, performed by PMC in connection with its engagement under the Agreement. PMC shall perform the Services in accordance with the Terms and Conditions in this Exhibit B.

1.2. PMC's Services are inherently advisory in nature. PMC has no responsibility for, nor do its Services include, any management decisions or management functions of COL in connection with this engagement to provide the Services outlined herein. PMC and COL acknowledge that PMC shall have no authority, express or implied, to enter into written or oral agreements on behalf of COL, to take any other actions with respect to COL's projects, transactions, or other business affairs of COL, or to commit or otherwise obligate COL in any manner whatsoever. Further, COL acknowledges that COL is responsible for all such management decisions and management functions; for the evaluation of the adequacy and results of PMC's Services and for making decisions and the results of those decisions with regard to the assistance, advice, recommendations, and reporting provided by PMC in connection with its Services; and for establishing and maintaining internal controls, including monitoring ongoing activities, in connection with this Agreement.

2. COL RESPONSIBILITIES:

2.1. COL represents that its Designated Representative identified in assumptions to PMC's proposal has the necessary skill, knowledge, experience, and authority to act on COL's behalf to be the contact person for purposes of the communications between COL and PMC and to provide direction to PMC regarding the Project and PMC's Services.

2.2. COL shall provide full information to PMC regarding COL's requirements as necessary for the performance of PMC's Services.

2.3. COL shall provide information, review documents provided by PMC, and render decisions relating to PMC's Services on a timely basis so as not to delay the performance of PMC's Services.

2.4. COL shall engage third parties to provide services, including by way of example, surveyors, testing consultants, architects, engineers, attorneys and risk management consultants, as reasonably required for the performance of PMC's Services.

2.5. COL shall obtain all permits required for its use and operation of the project, facilities, and systems which are the subject of this engagement, including, by way of example, air and water discharge permits for operation of manufacturing process equipment.

2.6. COL represents that it has, or will obtain, adequate financing for the Project which is the subject of this engagement and that the required funds will be available on a timely basis. COL acknowledges that COL 's failure to timely provide necessary funds as required may adversely affect the Project's cost and schedule.

2.7. COL shall pay PMC for Services in accordance with the payment terms in the Agreement and these Terms and Conditions. For Services rendered, these rights and obligations shall survive the Agreement's termination or expiration.

2.8. COL agrees to report promptly in writing to PMC any default or defect in PMC's services or non-conformance with any provision of this agreement.

2.9. COL agrees during the term of this Agreement and for the period of one year after its completion or termination not to solicit for employment, on behalf of COL or any other entity, any PMC staff member or members working on the engagement under this Agreement, including former PMC staff members. COL acknowledges that PMC will incur substantial loss and damage if any of PMC's personnel terminate their employment with PMC to accept employment with COL or another entity engaged by COL, including without limitation the expense to train such personnel and loss of anticipated revenues. Accordingly, any provisions of this Agreement precluding claims for special, incidental and consequential damages, or otherwise limiting damages, shall not apply to actions by PMC to enforce this section.

3. PMC'S RESPONSIBILITIES:

3.1. PMC shall perform the Services in accordance with the standard of professional skill and care exercised by other consultants performing similar services under similar circumstances.

3.2. PMC does not warrant or guarantee the outcome of project pro formas, budgets or other financial projections, or any other analysis (collectively "Analysis") developed by PMC for use in

connection with its Services. Analysis prepared by PMC represents PMC's professional judgment as a consultant. It is recognized, however, that neither PMC nor COL has control over the cost of labor, materials or equipment, market conditions, contractors' methods of determining bid prices or other competitive bidding or negotiating conditions. PMC cannot and does not warrant or represent that the outcome of bids or negotiated prices will not vary from any project budget proposed, established or approved by COL, or from any Analysis prepared by PMC.

3.3. PMC shall not be responsible for the failure of engineers, architects, general contractors, subcontractors, vendors, attorneys, or other consultants to carry out their respective duties and obligations to COL. PMC is not responsible for the performance of any party not employed directly by PMC, and PMC is not responsible for the performance of consultants engaged by PMC in connection with PMC's Services under this Agreement.

3.4. PMC's Services do not include professional architectural or engineering services. PMC shall not be responsible for the design of any project, for any errors, omissions or other deficiencies in the construction drawings and specifications for a project, for any other error or omissions of architects or other design professionals, if any, in connection with a project, or for the failure of the construction drawings and specifications for a project to comply with the requirements of COL or COL's landlord or subtenants, or with applicable codes or legal requirements. It shall be the responsibility of COL's architects and engineers, not PMC, to identify building code and other legal requirements pertaining to the design of a project for COL. PMC's Services do not include with respect to any existing or planned building or property the identification or resolution of any life safety issues or the non-compliance with any building code or legal requirements.

3.5. PMC shall not be responsible for construction means, methods, techniques, sequences and procedures, and safety programs and measures employed by contractors or others in the performance of their contracts, and shall not be responsible for the failure of any contractor or supplier to carry out work in accordance with the construction drawings and specifications or any other contract or legal requirements.

3.6. Any acts of PMC in providing consultation, advice and/or recommendations to COL regarding the performance or the default of COL's architect, contractor(s), vendors or other consultant(s), shall not be deemed to be the assumption by PMC of management or control of the architect, contractor(s), vendors or consultants or of COL's project.

3.7. PMC is not an attorney at law, and the Services provided by PMC exclude professional legal services. If the scope of PMC's Services includes assistance with the negotiations of agreements

on behalf of COL, such agreements shall be subject to COL's approval. COL shall provide for the review of such agreements by COL's attorneys and insurance consultants as deemed to be appropriate by COL.

3.8. PMC shall not be considered in breach of this Agreement, nor be liable, for any delay or failures in performance resulting from circumstances beyond its reasonable control including, without limitation, acts of God, acts of war or terrorism, shortage or disruption of materials or labor, accidents, epidemic, pandemic, quarantine, natural catastrophe or weather, or government acts or omission. Notwithstanding the foregoing, PMC and COL shall make a good faith effort to mitigate any impacts of such circumstances to PMC's Services.

4. COMPENSATION:

4.1. For the performance of Services, COL shall compensate PMC as provided in the Agreement. Unless provided otherwise in the Agreement, PMC shall submit monthly invoices for Services rendered by PMC to COL. All invoices shall be prepared in accordance with the compensation terms in the Agreement and COL agrees to pay invoices within thirty (30) days after receipt thereof; provided, however, that in the event COL disputes the accuracy for any invoice prepared and presented, payment for the portion which is disputed by COL may be withheld until such dispute is resolved. Time is of the essence with respect to COL's payment obligations hereunder. All billings not in dispute are payable within thirty (30) days of receipt of invoice.

4.2. PMC shall be entitled to additional compensation if any of the following occur: increase in the Scope of Services designated on Exhibit A or other changes in the scope of PMC's Services; change in any of the key assumptions of this engagement listed in the Agreement; change in the time period for performance of PMC's Services; change in the nature of the Services required to be performed, including changes that require more effort or resources of PMC; default of COL's architect, engineers, contractor(s), or other consultants or vendors; delay or interruption in the transaction or project; failure of COL to follow the advice and recommendations of PMC; or failure to provide adequate financing for the Project on a timely basis.

4.3. Should PMC be required to provide evidence, prepare for hearings, evaluate claims, assist in the review or preparation of claims or defenses, or otherwise participate or assist in the resolution of legal disputes either: (i) on behalf of COL or (ii) resulting from PMC's role providing its Services to COL (unless caused by PMC's gross negligence or intentional misconduct), PMC will be reimbursed on a "Time and Materials" basis, which is defined to mean the numbers of hours of Services performed by PMC's personnel multiplied by PMC's then current standard hourly

rates ("Standard Hourly Rates") plus the direct cost incurred by PMC in performance of such services.

4.4. Any taxes or fees, enacted by local, state or federal government subsequent to the date of this agreement, and based on gross receipts or revenues will be added to the amounts due under this agreement, in accordance with any such fees or taxes.

4.5. The rights and obligations of this Article 4 shall survive the Agreement's termination or expiration.

5. LIMITATION ON LIABILITY:

5.1. In no event shall COL or PMC be liable to the other for special, incidental or consequential damages, including without limitation, loss of anticipated profits, revenue or use of capital, loss of use of leased spaces, and penalties imposed under the leases, whether based on contract, tort, negligence, strict liability or otherwise; provided, however, that the foregoing shall not limit or preclude a claim of PMC with respect to compensation due to PMC under this Agreement.

5.2. Except for amounts due PMC under this Agreement, either party's liability under this Agreement shall not in any event exceed the amounts of compensation for Services paid to PMC under this Agreement.

5.3. Except for actions to enforce payment to PMC, any claim or cause of action arising under or otherwise relating to this engagement must be filed within one (1) year of the events giving rise to the claim or cause of action.

5.4. The rights and obligations of this Article 5 shall survive the Agreement's termination or expiration.

6. ENVIRONMENTAL CONDITION OF SITE:

6.1. PMC's Services shall not include any services or responsibility (including for the detection, identification, prevention, collection of samples, testing of samples, abatement, or disposal) related to known or unknown Constituents of Concern. Constituents of Concern shall include: (i) asbestos, (ii) petroleum, (iii) radioactive material, (iv) polychlorinated biphenyls (PCBs), (v) hazardous waste, (vi) lead, (vii) any viral, bacterial, or any other organism capable of inducing physical distress, harm, illness, or disease (including but not limited to any fungus, mold, mildew, mycotoxins, spores, or scents) or any byproduct thereof, or (viii) any other substance,

product, waste, or other material listed under any other federal, state, or local (meaning any applicable jurisdiction) statute, law, rule, regulation, ordinance, resolution, code, order, or decree regulating, relating to, or imposing liability or standards concerning, any hazardous, toxic, or dangerous waste, substance, or material. The parties further acknowledge that PMC is not, and shall not be considered or required to be, an "owner," "arranger," "operator," "generator," or "transporter" of any Constituents of Concern.

7. MISCELLANEOUS:

7.1. Nothing contained in this Agreement shall create a contractual relationship or a cause of action in favor of a third party against either COL or PMC. The Services performed by PMC under this Agreement are for the sole benefit of COL, and shall not be relied upon by other parties.

7.2. PMC and COL may not assign their rights under this Agreement without the prior written consent of the other.

7.3. PMC shall be entitled to use COL's name, photographs, renderings, narrative descriptions and similar materials relating to PMC's Services in connection with publications, awards, press releases, and marketing materials.

7.4. Provided that COL has paid all amounts due to PMC under this Agreement, COL shall be entitled to use all studies, reports, summaries, cost estimates, budgets, and other documents prepared by PMC in the performance of its Services; provided, however that COL shall not disclose or permit other parties to use such information and documents. PMC shall be entitled to retain copies of such documents for PMC's files. Notwithstanding the foregoing, PMC shall retain all ownership and intellectual property rights in, and COL shall not use or permit the use by others of, all standard contract provisions and modifications, financial analysis programs and similar tools developed by PMC for PMC's use generally and not developed solely for purposes of this engagement.

7.5. Any disputes between COL and PMC relating to PMC's Services or this Agreement shall be governed by the laws of the State of Michigan without giving effect to any choice of law or conflict of law rules or provisions (whether of the State of Michigan or any other jurisdiction) that would cause the application of the laws of any jurisdiction other than the State of Michigan. Any controversy, dispute, or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled by binding confidential arbitration in accordance with the applicable arbitration rules of the American Arbitration Association. Such confidential arbitration shall be

held in Oakland County Michigan, and the judgment upon the award rendered by the arbitrator or arbitrators may be entered in any court having jurisdiction. In the event of any dispute between the parties arising out of or in connection with this Agreement or these Terms and Conditions, the prevailing party shall be entitled to recover its costs incurred in connection therewith, including reasonable attorney fees.

7.6. PMC and COL shall each maintain insurance coverage as deemed by each to be necessary for its own protection; provided, however, that COL shall include PMC as an additional insured under COL's general liability insurance policy with respect to claims and losses related to this engagement only. In addition, if PMC provides Services under this Agreement in connection with the construction of a project for COL, the following shall apply: (i) COL's general contractor's/construction manager's general liability insurance for such project shall include PMC as an additional insured; and (ii) PMC and COL shall each waive all rights against each other and the contractors, consultants, agents and employees of the other for any loss or damage, for which property insurance is maintained by the injured party, and PMC and COL each shall require appropriate similar waivers from their contractors, consultants and agents.

7.7. No failure by COL or PMC to insist upon strict performance of any covenant, agreement, term or condition of this Agreement or to exercise any right, term or remedy for a breach of this Agreement, shall constitute a waiver of any such breach or of such covenant, agreement, term or condition.

7.8. The rights and obligations of this Article 7 shall survive the Agreement's termination or expiration.

8. TERMINATION

8.1. This Agreement may be terminated by COL upon thirty (30) days prior written notice if PMC is in default under this Agreement and fails to cure such default within such thirty day period. In addition, provided that COL is acting in good faith, COL shall be entitled to terminate this Agreement without cause upon thirty (30) days prior written notice to PMC.

8.2. PMC may terminate this Agreement or suspend its Services upon thirty (30) days prior written notice in the event of any of the following defaults by COL and failure of COL to cure such default within such thirty (30) day period: COL fails to make payment of amounts due to PMC under this Agreement; COL fails to follow the advice or recommendations of PMC; or COL otherwise is in default under this Agreement.

8.3. If PMC's Services are suspended for more than thirty (30) consecutive days, PMC may terminate this Agreement upon thirty (30) days prior written notice to COL.

8.4. In the event this Agreement is terminated for any reason, PMC shall be compensated on an equitable basis for services performed as of the effective date of termination in accordance with this Agreement. Upon any such termination and payment of amounts due to PMC, the parties hereto shall be released of any and all further liability hereunder.

8.5. This Agreement shall commence upon execution of the Agreement between PMC and COL and shall continue in effect for the term described in the Agreement, as may be extended by agreement of the parties, unless terminated sooner under the terms of this Section.

9. THIS AGREEMENT:

9.1. COL and PMC accept the obligations of good faith and fair dealing towards each other with respect to this engagement.

9.2. This Agreement includes the proposal executed by PMC and COL, Exhibit A Scope of PMC's Services, Exhibit B Terms and Conditions, and other documents, if any, listed in the Agreement. This Agreement sets forth the entire, integrated agreement between PMC and COL, supersedes all prior proposals, negotiations, representations and agreements, whether written or oral, between PMC and COL, and shall govern the relationship between PMC and COL with respect to all Services provided by PMC to COL in connection with the engagement described in the Agreement. This Agreement may be amended only by written instrument signed by both PMC and COL.

9.3. Neither this Agreement nor PMC's performance of Services shall be deemed to create a partnership or joint venture between COL and PMC.

9.4. The parties to this Agreement have jointly participated in the negotiation and drafting of this Agreement. In the event an ambiguity or question of intent or interpretation arises, this Agreement is to be construed as jointly drafted by the parties hereto and no presumption of burden of proof is to arise favoring or disfavoring any party by virtue of the authorship of any provision of this Agreement.

End of Exhibit B

LETTER TO THE LIVONIA CITY COUNCIL

1.

Council Office
January 23, 2023

MEETING DATE	PREPARED BY
COI030123/R031323	Sara Kasprowicz, Council Office Manager,

AGENDA ITEM

CR 02-23 Subject matter of the 2022 Facility Condition Assessment and Space Needs Assessment.

BACKGROUND

#002-23 RESOLVED, that upon the motion by Councilmember Brandon McCullough, seconded by Councilmember Rob Donovic, at the Regular Meeting held January 18, 2023, the Council does hereby refer the “2022 Facility Condition Assessment and Space Needs Assessment” to the Capital Outlay and Infrastructure Committee for further discussion.

RECOMMENDATION

To discuss item as presented.

FISCAL CONSIDERATION

ATTACHMENTS

1. COI022223 LTC Space Needs and Cap Plan Svcs Report
2. R011823 Subject matter of Space Needs Assessment to COI CR 02-23
3. S013122 Space Needs Assessment Documents
4. R021622 Approval of engineering svcs for Space Needs Assess and Cap Planning CR 51-22
5. 20221119_COL_FCA and SNA_Preliminary Findings-FINAL
6. 20221119_COL_Facility Condition Assessment-FINAL
7. 20221119_COL_Space Needs Assessment-FINAL

APPROVED BY

On a motion by Councilmember McCullough, supported by Councilmember Donovic and unanimously adopted, it was:

#002-23 RESOLVED, that upon the motion by Councilmember Brandon McCullough, seconded by Councilmember Rob Donovic, at the Regular Meeting held January 18, 2023, the Council does hereby refer the “2022 Facility Condition Assessment and Space Needs Assessment” to the Capital Outlay and Infrastructure Committee for further discussion.

ITEM REQUESTED BY COUNCIL (Regular Meeting of January 18, 2023)

Motion: **McCullough**
Second: **Donovic**
Ayes: **□ahr, Donovic, Morgan, McCullough, McIntyre, □olly**
Nays: **None**
Absent: **Toy**

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

12. AWARD OF CONTRACT: Department of Public Works; re: with Plante Moran Cresa, LLC, to provide professional engineering services for Space Needs Assessments and Capital Planning; from budgeted funds.

Dave Varga, Chief of Staff, presented the request to Council. He explained that this assessment was something that Council and the Community have asked for and was identified in the Livonia 21 Master Plan. They have met with officials from Livonia Public Schools, sharing key role that Plante Moran Cresa (PMC) played in developing their facilities. Brandon McCullough asked if this was procured or if PMC is on a rotating list of companies that offer professional services. Jacob Rushlow, Assistant Director of Public Works, responded that PMC is not currently and will be addressed later in the presentation. Rob Donovic noted the list of different capital planning services, asking if the buildings were in chronological order. Jacob stated the buildings are listed to identify all of the buildings. They are not in chronological order; they will be done at the same time.

Scott Bahr noted this was discussed at length during the budget process last year. He referred to the buildings previously spoken about, noting that each Department Heads at each building will have a handle on what the needs of the buildings are. He asked to differentiate what is being done here from the normal activity. Jacob stated PMC would perform a needs assessment for space in each building, assess how Department Heads and key staff work within their facility and assess the condition of each building. This will create a life cycle analysis of the needs for each building. Jacob stated that recommendations to prioritize improvements will be provided in the report for each building along with budget considerations. Jacob introduced PMC to the podium.

Andrew Fountain, 5938 Oakland Valley Drive, Oakland Township, provided background information on working with the school district, along with neighboring communities. Brandon McCullough referred to the Capital Improvement Plan, asking if it was part of Phase 1 or Phase 2. Andrew responded that the Space Needs Assessment and the Capital Improvement Plan are both in Phase 1. Brandon asked if what was under the due diligence were not included. Andrew stated that after reviewing historical information, if there were services that require any of those items, they would make recommendations to enter a contract to procure those services. Brandon asked if they would be making recommendations on new construction. Andrew responded that recommendations would be provided for each facility. Brandon asked upon approval, they are looking at three months. Andrew

clarified with a duration of four months.

Rob Donovic referred to Phase 2 services not having fees and questioned if this was the normal process. Andrew responded that the results from Phase 1 analysis will drive the scope of Phase 2. If the City wanted to activate Phase 2 services, they would create a fee and scope that matches Phase 1. Scott Bahr offered an approve resolution for the Consent agenda. Brandon McCullough asked about the procurement of this project, as he referred to earlier on this item. Jacob Rushlow responded that PMC services are a unique combination of services that they won't be able to find under roof, it would be a combination of different companies. Brandon stated that he is on the fence about not procuring the services and would like this item to be on the Regular agenda.

Jim Jolly stated that PMC provided work for the building of the new courthouse approximately ten (10) years ago and would like to hear about our experience in working with them. He noted that Mike Slater, Finance Director was there and could give detail on that project. Mike Slater agreed that PMC was the advisor on the new district court. He stated they provided excellent service on the project; they were on time and within budget. His experience was very favorable. He spoke that in the Finance ordinance, one of the exceptions for waiving sealed bids is the procurement of professional services. This is an existing exemption that Council has the opportunity to use for the procurement of this type of service.

DIRECTION: APPROVING REGULAR

LETTER TO THE LIVONIA CITY COUNCIL

17.

DPW
February 1, 2022

MEETING DATE	PREPARED BY
Study Meeting of January 31, 2022	Lori Miller, Deputy City Clerk,

AGENDA ITEM

AWARD OF CONTRACT: Department of Public Works; re: with Plante Moran Cresa, LLC, to provide professional engineering services for Space Needs Assessments and Capital Planning; from budgeted funds.

BACKGROUND

Over the past few months, the DPW, Planning & Economic Development, Parks & Recreation, Inspection, Finance, and the Mayor's Office have been collaborating with the goal of continued progress toward priorities set by the community in the Livonia Vision 21 master plan. With a focus on the Civic Center campus, the team realized the first step towards responsible capital planning for facility improvements begins with knowing what you have and how it's being used. A space needs assessment is proposed to be conducted for multiple building facilities including city hall, police and fire, library, senior center, rec center, housing, and community transit. This assessment will analyze available building space, utilization, capacity, departmental operations, and future objectives. Recommendations to prioritize improvement opportunities will be provided for each along with associated budget considerations. With the assessment complete, a capital improvement plan will be developed that will categorize the areas of need by critical, deferred maintenance, and enhancement in alignment with funding availability.

In order to assist the City with this endeavor, we have conferred with team members from Plante Moran Cresa (PMC). We believe that PMC can offer a unique combination of services not found by any other single planning firm in Southeast Michigan. Their approach to real estate consulting and program management services will truly guide the City with strategic, financial, and mission-driven decisions during capital project planning. They come with vast experience in relevant public/governmental sectors, including providing ongoing services as program manager for the Livonia Public Schools since 2012.

The detailed proposal and scope of services from PMC is attached.

RECOMMENDATION

It is respectfully requested that City council authorize the Mayor and City Clerk to execute an agreement for professional services with Plante Moran Cresa, LLC, 3000 Town Center, Suite 100, Southfield, MI 48075 for Space Needs and Capital Planning for an amount not to exceed $120,000.00 from budgeted funds.

FISCAL CONSIDERATION

Budgeted funds in the amount of $120,000.00 are available in account no. 418-000-813-000, Building Improvement Fund – Professional Services.

ATTACHMENTS

1. Plante Moran - Capital Planning and Space Needs Assessment EL 011822
2. Plante Moran - Cover letter

APPROVED BY



Date: January 21, 2022

Jacob Rushlow, P.E., Assistant Director of Public Works



Date: January 21, 2022

Donald Rohraff, Director of Public Works



Date: January 21, 2022

Michael Slater, Finance Director



Date: January 21, 2022

Maureen Miller Brosnan, Mayor

plante moran cresa
Real Estate Consultants

Plante Moran Cresa, LLC
3000 Town Center, Suite 100
Southfield, MI 48075
Tel: 248.223.3500 | Fax: 248.223.3150
pmcresa.com

January 18, 2022

VIA EMAIL TO: jrushlow@livonia.gov

Mr. Jacob Rushlow, P.E.
Assistant Director or Public Works
City of Livonia
12973 Farmington Rd.
Livonia, MI 48150

RE: Proposal for Space Needs and Capital Planning Services For City of Livonia

Dear Mr. Rushlow:

Thank you for the opportunity to allow Plante & Moran Cresa, L.L.C. (**"PMC"**) to present this proposal to provide the Space Needs and Capital Planning Services outlined in this letter (the **"Services"**) to City of Livonia (**"COL"**). PMC agrees on behalf of itself and each of its employees that no such person or entity shall represent the products or services of any related architect, engineer, property owner, landlord, contractor, or vendor.

ENGAGEMENT

It is our understanding that the engagement generally will involve providing Phase 1 - Space Needs and Capital Planning services for the City of Livonia Civic Center (the **"Project"**). Following the completion of Phase 1 Services, this engagement may be amended, at COL's discretion, for PMC to provide Phase 2 Services set forth herein.

Phase 1 - Space Needs and Capital Planning Services to be provided by PMC for this engagement are more particularly described in the Scope of Services attached as Exhibit A (the **"Services"**) and will be performed subject to the Terms and Conditions attached as Exhibit B.

In preparing this proposal, PMC has made the following key assumptions regarding this engagement. These key assumptions have been relied upon by PMC in determining the required Scope of Services designated on Exhibit A, PMC's compensation for its Services, and the terms of this engagement:

Project Related Assumptions:

- The Project's anticipated duration is four (4) months
- The Services will include Capital Planning Services of the following locations:
    - Livonia City Hall – 33000 Civic Center Dr. Livonia MI 48154
    - Livonia Police Department – 15050 Farmington Rd. Livonia MI 48154
    - Livonia City Fire Department - 14910 Farmington Rd. Livonia MI 48154
    - Livonia Civic Center Library – 32777 Five Mile Rd. Livonia MI 48154
    - Livonia Civic Center Park Senior Center – 15218 Farmington Rd. MI 48154

  - Jack E. Kirksey Livonia Community Recreation Center – 15100 Hubbard St. Livonia MI 48154
  - Livonia Housing Commission – 10800 Farmington Rd. Livonia MI 48150
  - Livonia Community Transit – 15218 Farmington Rd. Livonia MI 48154
  - Carl Sandburg Library – 30100 W. Seven Mile Rd. Livonia MI 48152
  - Alfred Noble Branch Library – 32901 Plymouth Rd. Livonia MI 48150
- Any alternations, building additions, or new facilities shall be constructed of normal, durable, and readily available materials, as used in the construction of similar facilities
- COL will provide PMC with all available building and site drawings, previous reports, assessments, equipment/building repair, replacement information and any other pertinent information
- COL will provide a single point of contact that is authorized to make timely decisions on behalf of COL for the services
- The funding source for the Services will be determined by COL which will be communicated to PMC in writing along with any associated funding related requirements.
- Plante Moran Real Estate Investment Advisors, L.L.C (**"PMREIA"**) will provide Phase 2 services, upon authorization by COL, as a sub-consultant to PMC.
- The current and potential future impacts of COVID-19 to PMC's Services are unknown and difficult for PMC or COL to anticipate and plan for. If COVID-19, or other circumstances beyond PMC's control, impact PMC's ability to travel, conduct in-person or onsite activities, or otherwise deliver its Services, PMC and COL shall work together in good faith to mitigate the impacts to PMC's services and PMC shall not be deemed in breach of the agreement.

COMPENSATION

PMC will be compensated by COL for its Services in accordance with the payment terms in Exhibit B as follows:

> **Phase 1 Services - Fixed Fee -** COL shall pay PMC a fixed fee of One Hundred Twenty Thousand and Dollars and zero cents ($120,00000), payable in equal monthly installments of Thirty Thousand Dollars and zero cents ($30,000.00);
>
> **Phase 2 Services -** COL and PMC may amend this agreement for PMC to perform Phase 2 Services, upon authorization by COL. COL and PMC will work together to establish a mutually agreeable fee and duration for Phase 2 services.

ACCEPTANCE & TERM

To accept this proposal including the terms of this letter and Exhibits A and B attached hereto, please sign below and return it to me. Upon execution, this proposal (including Exhibits A and B) will become a binding agreement (the **"Agreement"**) between COL and PMC.

This Agreement is effective, and PMC's Services will commence as of the Agreement's execution. The term of the Agreement shall continue for four (4) months from the effective date of the Agreement. Should you have any questions please contact me at 248-603-5088.

Sincerely,
PLANTE & MORAN CRESA, L.L.C.

Greg VanKirk
Partner

Andy Fountain
Vice President

We accept this proposal, including Exhibits A and B attached hereto, which sets forth the entire Agreement between COL and PMC for the Services specified herein. We acknowledge that such acceptance creates a binding agreement between COL and PMC.

Accepted and Agreed:
CITY OF LIVONIA

_____ /_____
By: Mayor Maureen Miller Brosnan Date
Its: Mayor City of Livonia

_____ /_____
By: Ms. Susan M. Nash Date
Its: City Clerk

_____ /_____
By: Paul Bernier Date
Its: Legal Counsel

_____ /_____
By: Mr. Michael Slater Date
Its: Finance Department Head

Exhibit A
Scope of Services

Upon execution of PMC's proposal dated January 18, 2022, this Exhibit A shall be incorporated into the Agreement between Plante & Moran Cresa, L.L.C. (**"PMC"**) and City of Livonia (**"COL"**). PMC shall provide to COL, in accordance with the terms and conditions set forth in Exhibit B, its Services comprised of the following:

Phase 1: PMC shall provide Space Needs Assessment and Capital Planning Services to COL upon execution of the initial engagement. PMC's Space Needs Assessment and Capital Planning Services may be comprised of the following:

Space Needs Assessment Services:

1. **Review of Previous Reports:** Reviewing previous reports provided by COL relative to COL's facilities. PMC will meet with COL staff to identify all reliable sources of existing data such as facility inventory lists, plans, maps, studies, etc. If available, existing studies, reports, and plans will be provided to PMC for use in completing the scope of work.

2. **Determine Space Needs:** The activities constituting PMC's Space Needs services may be comprised of the following:

    I. Conduct tours of COL's facilities and associated sites;
    II. Assistance developing and distributing user/occupant surveys;
    III. Conducting clarification interviews;
    IV. Assisting in the development of workplace standards;
    V. Assisting in defining expansion and contraction requirements;
    VI. Assisting in identifying preferred adjacency requirements;
    VII. Assisting in defining parking and site requirements;
    VIII. Assisting in defining preferred amenities,
    IX. Assisting in determining centralized and decentralized (multiple locations) operation requirements;
    X. Assisting in incorporating current workplace trends; and
    XI. Assisting and advising COL in the review and refinement of space needs and workplace strategy.

3. **Utilization and Capacity Analysis:** Based on the findings from COL's site tour and space needs activities, create a utilization and capacity analysis with corresponding floor plans for COL's facilities illustrating current usage and capacities for COL's consideration.

4. **Preliminary Findings:** Presenting preliminary findings of PMC's Space Needs and Building Utilization and Capacity Analysis at two (2) meeting with COL administration to review department and operational goals and objectives in comparison to current utilization and capacity information, review and prioritize improvement opportunities identified, and finalize preliminary budget findings.

5. **Final Report:** Based on input from COL's administration relative to the preliminary findings and in review of department and operational goals and objectives, provide a final presentation and report to the COL administration, and to City Council at three (3) meetings.

Capital Planning Services:

1. **Capital Assessment:** PMC shall perform a cursory capital assessment through one or more site visits to the Project identified in PMC's proposal as well as review previous reports provided by the COL, and capital needs relative to demolition, renovation, and replacement of like-kind.
2. **Due Diligence:** Assisting COL in reviewing the existing due diligence information including:
    a. Environmental Phase I and Phase II
    b. Baseline environmental assessment
    c. Asbestos/Lead surveys or reports
    d. Survey (ALTA or similar)
    e. Geotechnical reports
    f. Other due diligence reasonably necessary for potential redevelopment or sale

    If due diligence documentation is not available, PMC will assist COL in hiring and coordinating the services of professionals to obtain this information.
3. **Benchmarking:** Conduct benchmarking of current and projected capital projects in relation to market conditions in the greater context of local, regional, and national trends with relation to repurpose, sale, or demolition of the facility/site.
4. **Review of Purchase (or Lease) Agreement:** Assisting COL and its legal counsel with reviewing the purchase (or lease) agreement, and advise on the terms and conditions regarding:
    a. Facility sale
    b. Purchase agreements
    c. Option agreements
    d. Development agreements
5. **Capital Planning Improvement Plan:** Meeting with COL's project committee, administration, andCity council to discuss facility and technology system improvement needs and generate an implementation strategy based on COL's goals and budget. PMC will assist COL in developing a Capital Planning Improvement Plan that will categorize the areas of need/goals by critical,deferred maintenance, and enhancement in alignment with funding opportunities. PMC will assist COL to review asset management programs to be utilized as a repository of findings for the Capital Planning Improvement Plan.
6. **Preliminary Findings:** Presenting preliminary findings of PMC's assessment and analysis at two (2) COL administration meetings to review goals and objectives in comparison to current and projected capital and operations and review and prioritize improvement opportunities identified in relation to preliminary budget findings.
7. **Final Report:** Based on input from COL administration relative to the preliminary findings and in review of goals and objectives, provide a final presentation and report to the COL administration,and if requested, at three (3) COL City council meetings.

Phase 2: COL and PMC may amend the Agreement for PMC to provide Phase 2 services. PMC shall have no obligation to provide Phase 2 Services unless and until the Agreement is amended accordingly. Phase

2 Services shall be performed by PMREIA as a sub-consultant to PMC. PMREIA's Phase 2 Services may be comprised of the following:

The following key assumptions have been made by PMREIA In preparing this scope of work, which have been relied upon by PMREIA in determining the Services, PMREIA's compensation, and the terms of this Agreement.

- COL will create a steering committee with whom PMREIA will work pursuant to the Scope of Services
- COL will provide key relevant information to PMRIEA including:
  - Title work
  - Survey
  - Topographic survey
  - Environmental Reports
  - Soils reports
  - Utility plans, incl. availability and capacity
  - Programming requirements for public spaces
  - Relevant planning studies for each site

Deliverables/Meetings: At the completion of this assignment, PMREIA will provide COL a final report to summarize findings, the analysis, and recommendations. During the completion of the below scope of work, PMREIA will meet a total of three (3) times with the City selected steering committee to provide them with updates and to obtain guidance. Additionally, PMREIA will attend a meeting with the City Council to discuss the report and its findings.

Highest & Best Use Analysis – PMREIA will perform a real estate analysis utilizing both previously collected and current data to assess the property:

i. Area Assessment - Conduct a thorough walk-through of the subject properties/land and surrounding area(s) to understand their physical characteristics and current market uses that will influence redevelopment.

ii. Due Diligence – Review of property due diligence reports to understand zoning, master planning, visibility/access, title /survey issues, utility capacity, wetlands/woodlands, traffic counts, eligibility for incentives and environmental (as reports are available). To supplement the aforementioned, interviews with City engineering, planning, and zoning personnel will be conducted as warranted.

iii. Market Analysis – Assess current market conditions, trends, and market development pipeline to aid in key analysis assumptions such as property values, lease/rental rates, vacancy rates, absorption rates and construction costs. Analysis includes assessing the competitive market set/supply for all asset classes based on in-depth market knowledge, coupled with database

sources and key market data. Market data will also be gathered through networking with brokerage, real estate investor/owners and the development community within the market area.

Development Strategy – PMREIA will test various uses to determine feasibility and suggest approaches for redevelopment:

i. Financial Analysis: Consolidate the financial and market data assumptions from the highest and best use into a high-level financial pro-forma to determine the financial viability of the proposed program. The financial proforma will include sources/uses, cash flow schedules, financing scenarios and key return metrics. The analysis may identify potential economic "gaps" in the sources of capital projected.

ii. Development Approach: Assess/analyze possible development approach scenarios, dependent on programming and market analysis, including joint ventures or ground leases under a public/private partnership structure. The approaches will suggest tools or alternate development options that mitigate any economic gaps forecasted in the Financial Analysis. In anticipation of an RFP/RFQ, an RFI (request for information) may be formally or informally conducted to validate conceptual approaches and or enhance those identified in the analysis.

End of Exhibit A

Exhibit B
Terms & Conditions

Upon execution of PMC's proposal dated January 18, 2022, this Exhibit B shall be incorporated into the Agreement between Plante & Moran Cresa, L.L.C. (**"PMC"**) and City of Livonia (**"COL"**).

1. PMC's SERVICES:

1.1. PMC's services (the **"Services"**) include the consulting services designated on Exhibit A to the Agreement and additional services, if any, performed by PMC in connection with its engagement under the Agreement. PMC shall perform the Services in accordance with the Terms and Conditions in this Exhibit B.

1.2. PMC and COL acknowledge that PMC shall have no authority, express or implied, to enter into written or oral agreements on behalf of COL, to take any other actions with respect to COL's project or the business affairs of COL, or to commit or otherwise obligate COL in any manner whatsoever, without the prior written approval of COL. The Services provided by PMC are inherently advisory in nature. PMC shall have no responsibility for management decisions or management functions.

2. COL RESPONSIBILITIES:

2.1. COL shall designate Jacob Rushlow, Assistant Director of Public Works and Mark Taormina, Planning and Economic Development Director as qualified representatives with industry knowledge and authority to act on COL's behalf to be the contact person for purposes of the communications between COL and PMC regarding PMC's Services. These individuals will oversee the performance of the services identified in Exhibit B, including evaluating the adequacy of and accepting responsibility for the results of the services.

2.2. COL shall provide full information to PMC regarding COL's requirements as necessary for the performance of PMC's Services.

2.3. COL shall provide information, review documents provided by PMC, and render decisions relating to PMC's Services on a timely basis so as not to delay the performance of PMC's Services.

2.4. COL shall engage third parties to provide services, including by way of example, surveyors, testing consultants, architects, engineers, attorneys, and risk management consultants, as reasonably required for the performance of PMC's Services.

2.5. COL shall obtain all permits required for its use and operation of the project, facilities, and systems which are the subject of this engagement, including, by way of example, air and water discharge permits for operation of manufacturing process equipment.

2.6. COL represents that it has, or will obtain, adequate financing for the Project which is the subject of this engagement and that the required funds will be available on a timely basis. COL acknowledges that COL 's failure to timely provide necessary funds as required may adversely affect the Project's cost and schedule.

2.7. COL shall pay PMC for Services in accordance with the payment terms in the Agreement and these Terms and Conditions. For Services rendered, these rights and obligations shall survive the Agreement's termination or expiration.

2.8. COL agrees to report promptly in writing to PMC any default or defect in PMC's services or non-conformance with any provision of this agreement.

2.9. COL agrees during the term of this Agreement and for the period of one year after its completion or termination not to solicit for employment, on behalf of COL or any other entity, any PMC staff member or members working on the engagement under this Agreement, including former PMC staff members. COL acknowledges that PMC will incur substantial loss and damage if any of PMC's personnel terminate their employment with PMC to accept employment with COL or another entity engaged by COL, including without limitation the expense to train such personnel and loss of anticipated revenues. Accordingly, any provisions of this Agreement precluding claims for special, incidental, and consequential damages, or otherwise limiting damages, shall not apply to actions by PMC to enforce this section.

3. PMC'S RESPONSIBILITIES:

3.1. PMC shall perform the Services in accordance with the standard of professional skill and care exercised by other consultants performing similar services under similar circumstances.

3.2. PMC does not warrant or guarantee the outcome of project pro formas, budgets or other financial projections, or any other analysis (collectively "Analysis") developed by PMC for use in connection with its Services. Analysis prepared by PMC represents PMC's professional judgment as a consultant. It is recognized, however, that neither PMC nor COL has control over the cost of labor, materials or equipment, market conditions, contractors' methods of determining bid prices or other competitive bidding or negotiating conditions. PMC cannot and does not warrant or represent that the outcome of bids or negotiated prices will not vary from any project budget proposed, established, or approved by COL, or from any Analysis prepared by PMC.

3.3. PMC shall not be responsible for the failure of engineers, architects, general contractors, subcontractors, vendors, attorneys, or other consultants to carry out their respective duties and obligations to COL. PMC is not responsible for the performance of any party not employed directly by PMC, and PMC is not responsible for the performance of consultants engaged by PMC in connection with PMC's Services under this Agreement.

3.4. PMC's Services do not include professional architectural or engineering services. PMC shall not be responsible for the design of any project, for any errors, omissions or other deficiencies in the construction drawings and specifications for a project, for any other error or omissions of architects or other design professionals, if any, in connection with a project, or for the failure of the construction drawings and specifications for a project to comply with the requirements of COL or COL's landlord or subtenants, or with applicable codes or legal requirements. It shall be the responsibility of COL's architects and engineers, not PMC, to identify building code and other legal requirements pertaining to the design of a project for COL. PMC's Services do not include with respect to any existing or planned building or property the identification or resolution of any life safety issues or the non-compliance with any building code or legal requirements.

3.5. PMC shall not be responsible for construction means, methods, techniques, sequences and procedures, and safety programs and measures employed by contractors or others in the performance of their contracts, and shall not be responsible for the failure of any contractor or supplier to carry out work in accordance with the construction drawings and specifications or any other contract or legal requirements.

3.6. Any acts of PMC in providing consultation, advice and/or recommendations to COL regarding the performance or the default of COL's architect, contractor(s), vendors or other consultant(s), shall not be deemed to be the assumption by PMC of management or control of the architect, contractor(s), vendors or consultants or of COL's project.

3.7. PMC is not an attorney at law, and the Services provided by PMC exclude professional legal services. If the scope of PMC's Services includes assistance with the negotiations of agreements on behalf of COL, such agreements shall be subject to COL's approval. COL shall provide for the review of such agreements by COL's attorneys and insurance consultants as deemed to be appropriate by COL.

3.8. PMC shall not be considered in breach of this Agreement, nor be liable, for any delay or failures in performance resulting from circumstances beyond its reasonable control including, without limitation, acts of God, acts of war or terrorism, shortage or disruption of materials or labor, accidents, epidemic, pandemic, quarantine, natural catastrophe or weather, or government acts or omission. Notwithstanding the foregoing, PMC and COL shall make a good faith effort to mitigate any impacts of such circumstances to PMC's Services.

4. COMPENSATION:

4.1. For the performance of Services, COL shall compensate PMC as provided in the Agreement. Unless provided otherwise in the Agreement, PMC shall submit monthly invoices for Services rendered by PMC to COL. All invoices shall be prepared in accordance with the compensation terms in the Agreement and COL agrees to pay invoices within thirty (30) days after receipt thereof; provided, however, that in the event COL disputes the accuracy for any invoice prepared and presented, payment for the portion which is disputed by COL may be withheld until such dispute is resolved. Time is of the essence with respect to COL's payment obligations hereunder. All billings not in dispute are payable within thirty (30) days of receipt of invoice.

4.2. PMC shall be entitled to additional compensation if any of the following occur: increase in the Scope of Services designated on Exhibit A or other changes in the scope of PMC's Services with prior written approval of COL; change in any of the key assumptions of this engagement listed in the Agreement; change in the time period for performance of PMC's Services; change in the nature of the Services required to be performed, including changes that require more effort or resources of PMC; default of COL's architect, engineers, contractor(s), or other consultants or vendors; delay or interruption in the transaction or project; failure of COL to follow the advice and recommendations of PMC; or failure to provide adequate financing for the Project on a timely basis.

4.3. Should PMC be required to provide evidence, prepare for hearings, evaluate claims, assist in the review or preparation of claims or defenses, or otherwise participate or assist in the resolution of legal disputes either: (i) on behalf of COL or (ii) resulting from PMC's role providing its Services to

COL (unless caused by PMC's gross negligence or intentional misconduct), PMC will be reimbursed on a "Time and Materials" basis, which is defined to mean the numbers of hours of Services performed by PMC's personnel multiplied by PMC's then current standard hourly rates ("Standard Hourly Rates") plus the direct cost incurred by PMC in performance of such services.

4.4. Any taxes or fees, enacted by local, state, or federal government subsequent to the date of this agreement, and based on gross receipts or revenues will be added to the amounts due under this agreement, in accordance with any such fees or taxes.

4.5. The rights and obligations of this Article 4 shall survive the Agreement's termination or expiration.

5. LIMITATION ON LIABILITY:

5.1. In no event shall COL or PMC be liable to the other for special, incidental, or consequential damages, including without limitation, loss of anticipated profits, revenue or use of capital, loss of use of leased spaces, and penalties imposed under the leases, whether based on contract, tort, negligence, strict liability or otherwise; provided, however, that the foregoing shall not limit or preclude a claim of PMC with respect to compensation due to PMC under this Agreement.

5.2. Except for amounts due PMC under this Agreement, either party's liability under this Agreement shall not in any event exceed the amounts of compensation for Services paid to PMC under this Agreement.

5.3. Except for actions to enforce payment to PMC, any claim or cause of action arising under or otherwise relating to this engagement must be filed within one (1) year of the events giving rise to the claim or cause of action.

5.4. The rights and obligations of this Article 5 shall survive the Agreement's termination or expiration.

6. ENVIRONMENTAL CONDITION OF SITE:

6.1. PMC's Services shall not include any services or responsibility (including for the detection, identification, prevention, collection of samples, testing of samples, abatement, or disposal) related to known or unknown Constituents of Concern. Constituents of Concern shall include: (i) asbestos, (ii) petroleum, (iii) radioactive material, (iv) polychlorinated biphenyls (PCBs), (v) hazardous waste, (vi) lead, (vii) any viral, bacterial, or any other organism capable of inducing physical distress, harm, illness, or disease (including but not limited to any fungus, mold, mildew, mycotoxins, spores, or scents) or any byproduct thereof, or (viii) any other substance, product, waste, or other material listed under any other federal, state, or local (meaning any applicable jurisdiction) statute, law, rule, regulation, ordinance, resolution, code, order, or decree regulating, relating to, or imposing liability or standards concerning, any hazardous, toxic, or dangerous waste, substance, or material. The parties further acknowledge that PMC is not, and shall not be considered or required to be, an "owner," "arranger," "operator," "generator," or "transporter" of any Constituents of Concern.

7. MISCELLANEOUS:

7.1. Nothing contained in this Agreement shall create a contractual relationship or a cause of action in favor of a third party against either COL or PMC. The Services performed by PMC under this Agreement are for the sole benefit of COL, and shall not be relied upon by other parties.

7.2. PMC and COL may not assign their rights under this Agreement without the prior written consent of the other.

7.3. PMC shall be entitled to use COL's name, photographs, renderings, narrative descriptions and similar materials relating to PMC's Services in connection with publications, awards, press releases, and marketing materials.

7.4. Provided that COL has paid all amounts due to PMC under this Agreement, COL shall be entitled to use all studies, reports, summaries, cost estimates, budgets, and other documents prepared by PMC in the performance of its Services; provided, however that COL shall not disclose or permit other parties to use such information and documents. PMC shall be entitled to retain copies of such documents for PMC's files. Notwithstanding the foregoing, PMC shall retain all ownership and intellectual property rights in, and COL shall not use or permit the use by others of, all standard contract provisions and modifications, financial analysis programs and similar tools developed by PMC for PMC's use generally and not developed solely for purposes of this engagement.

7.5. Any disputes between COL and PMC relating to PMC's Services or this Agreement shall be governed by the laws of the State of Michigan without giving effect to any choice of law or conflict of law rules or provisions (whether of the State of Michigan or any other jurisdiction) that would cause the application of the laws of any jurisdiction other than the State of Michigan. Any controversy, dispute, or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled by binding confidential arbitration in accordance with the applicable arbitration rules of the American Arbitration Association. Such confidential arbitration shall be held in Oakland County Michigan, and the judgment upon the award rendered by the arbitrator or arbitrators may be entered in any court having jurisdiction. In the event of any dispute between the parties arising out of or in connection with this Agreement or these Terms and Conditions, the prevailing party shall be entitled to recover its costs incurred in connection therewith, including reasonable attorney fees.

7.6. PMC and COL shall each maintain insurance coverage as deemed by each to be necessary for its own protection; provided, however, that COL shall include PMC as an additional insured under COL's general liability insurance policy with respect to claims and losses related to this engagement only. In addition, if PMC provides Services under this Agreement in connection with the construction of a project for COL, the following shall apply: (i) COL's general contractor's/construction manager's general liability insurance for such project shall include PMC as an additional insured; and (ii) PMC and COL shall each waive all rights against each other and the contractors, consultants, agents and employees of the other for any loss or damage, for which property insurance is maintained by the injured party, and PMC and COL each shall require appropriate similar waivers from their contractors, consultants and agents.

7.7. No failure by COL or PMC to insist upon strict performance of any covenant, agreement, term, or condition of this Agreement or to exercise any right, term, or remedy for a breach of this Agreement, shall constitute a waiver of any such breach or of such covenant, agreement, term, or condition.

7.8. The rights and obligations of this Article 7 shall survive the Agreement's termination or expiration.

TERMINATION

7.9. This Agreement may be terminated by COL upon thirty (30) days prior written notice if PMC is in default under this Agreement and fails to cure such default within such thirty day period. In addition, provided that COL is acting in good faith, COL shall be entitled to terminate this Agreement without cause upon thirty (30) days prior written notice to PMC.

7.10. PMC may terminate this Agreement or suspend its Services upon thirty (30) days prior written notice in the event of any of the following defaults by COL and failure of COL to cure such default within such thirty (30) day period: COL fails to make payment of amounts due to PMC under this Agreement; COL fails to follow the advice or recommendations of PMC; or COL otherwise is in default under this Agreement.

7.11. If PMC's Services are suspended for more than thirty (30) consecutive days, PMC may terminate this Agreement upon thirty (30) days prior written notice to COL.

7.12. In the event this Agreement is terminated for any reason, PMC shall be compensated on an equitable basis for services performed as of the effective date of termination in accordance with this Agreement. Upon any such termination and payment of amounts due to PMC, the parties hereto shall be released of any and all further liability hereunder.

7.13. This Agreement shall commence upon execution of the Agreement between PMC and COL and shall continue in effect for the term described in the Agreement, as may be extended by agreement of the parties, unless terminated sooner under the terms of this Section.

8. THIS AGREEMENT:

8.1. COL and PMC accept the obligations of good faith and fair dealing towards each other with respect to this engagement.

8.2. This Agreement includes the proposal executed by PMC and COL, Exhibit A Scope of PMC's Services, Exhibit B Terms and Conditions, and other documents, if any, listed in the Agreement. This Agreement sets forth the entire, integrated agreement between PMC and COL, supersedes all prior proposals, negotiations, representations, and agreements, whether written or oral, between PMC and COL, and shall govern the relationship between PMC and COL with respect to all Services provided by PMC to COL in connection with the engagement described in the Agreement. This Agreement may be amended only by written instrument signed by both PMC and COL.

8.3. Neither this Agreement nor PMC's performance of Services shall be deemed to create a partnership or joint venture between COL and PMC.

8.4. The parties to this Agreement have jointly participated in the negotiation and drafting of this Agreement. In the event an ambiguity or question of intent or interpretation arises, this Agreement is to be construed as jointly drafted by the parties hereto and no presumption of burden of proof is to arise favoring or disfavoring any party by virtue of the authorship of any provision of this Agreement.

End of Exhibit B

plante moran cresa
Real Estate Consultants

Plante Moran Cresa, LLC
3000 Town Center, Suite 100
Southfield, MI 48075
Tel: 248.223.3500 | Fax: 248.223.3150
pmcresa.com

January 20, 2022

Mr. Jacob Rushlow, P.E.
Assistant Director of Public Works
City of Livonia
12973 Farmington Rd.
Livonia, MI 48150

Via Email To: jrushlow@livonia.gov

RE: Proposal for Space Needs and Capital Planning Services for City of Livonia

Dear Mr. Rushlow:

Thank you for allowing Plante Moran Cresa (PMC) the opportunity to submit our proposal for Space Needs and Capital Planning Services for the City of Livonia (COL). Our goal is to provide space needs and capital planning services that will work in harmony with the City, and to be your trusted advisor on this important engagement. We believe PMC's comprehensive approach and unique ability to perform these services will help guide the evaluation of the of City's real estate needs. As a trusted advisor, we bring dedicated resources, proven processes, and deep experience to guide our clients in making the right strategic, financial, and mission-driven decisions during their projects.

Teaming with our firm offers the following benefits to COL:

Relevant Public Sector Experience: In the past five years, PMC has completed more than $2.5 billion worth of capital projects for the public and municipal sectors (i.e., police stations, courthouses, K-12 school buildings, libraries, fire stations, city halls, etc.). This includes the renovation and expansion of more than 450 facilities, with costs ranging in value from $1 million to over $195 million. PMC has also served as program manager for Livonia Public Schools since 2012, planning and implementing over $400 million worth of capital improvements.

We understand municipalities: We specialize in working with mission-driven, consensus decision-making bodies. Our experience working on more than a billion dollars in public projects means we understand the challenges and opportunities these types of projects present.

We are local: We have 12 offices in Michigan with our headquarters located in Southfield, just 15 miles away from COL's municipal offices.

Independence: We will solely represent and advocate on behalf of your municipality, which allows us to provide unbiased recommendations throughout the project as your independent advocate.

Custom Solutions: PMC offers one-stop shopping for a full suite of Real Estate Consulting and Program Management services, providing best-in-class services to both our private and public sector clients, that we believe are unmatched in Southeast Michigan. We believe our approach will be truly unique by bringing our proven processes and deep experience in to guide COL's strategic goals.

We look forward to the opportunity to work with COL to ensure the goals and objectives of the Space Needs and Capital Planning Services process are met. Again, thank you for the opportunity to present this proposal. We look forward to discussing it in more detail with you.

Sincerely,

Greg VanKirk
Plante Moran Cresa

Andy Fountain
Plante Moran Cresa

On a motion by McCullough, seconded by Donovic, and unanimously adopted, it was:

#51-22 RESOL□ED, that having considered the report and recommendation of the Assistant Director of Public Works, dated □anuary 21, 2022, which bears the signatures of the Director of Public Works and the Director of Finance, and is approved for submission by the Mayor, to which is attached a proposed agreement between the City of Livonia and Plante Moran Cresa, LLC, 3000 Town Center, Suite 100, Southfield, MI 48075 to provide professional Space Needs Assessments and Capital Planning services, the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the attached agreement between the City of Livonia and Plante Moran Cresa, LLC, 3000 Town Center, Suite 100, Southfield, MI 48075, subject to approval as to form and substance by the Department of Law, to provide professional Space Needs Assessments and Capital Planning services in an amount not to exceed □120,000.00□ FURT□ER, the Council does hereby authorize an expenditure in an amount not to exceed □120,000.00 from funds budgeted in Account No. 418-000-813-000 (Building Improvement Fund–Professional Services) for this purpose.

UNFINISHED BUSINESS ITEM 17 (Regular Meeting of February 16,2022)

Motion by:	**McCullough**
Seconded by:	**Donovic**
RO□□ CA□□:	
Ayes:	**Morgan, McCullough, McIntyre, Toy□, □ahr, Donovic, □olly**
Nays:	**None**
Absent:	**None**

FINANCE AND BUDGET COMMITTEE MEETING
WEDNESDAY, MAY 22, 2024

A Finance and Budget Committee meeting was held on Wednesday, May 22, 2024, in the City Hall Council Chambers.

Committee Members Present:	Martha Ptashnik, Committee Vice Chair Rob Donovic, Committee Member
Committee Members Absent:	Jim Jolly, Committee Chair
City Officials and Others Present:	Carrie Budzinski, Councilmember Eric Goldstein, Assistant City Attorney Debra Lichtenberg, Finance Director Connie Kumpula, Chief Accountant Stacey Reeves, Plante Moran, PLLC Stephanie Atkinson, Plante Moran, PLLC Keith Szymanski, Plante Moran, PLLC
Additional Attendees:	See attached.

1. CR 367-02 Topic of Annual Audit Reports. (City of Livonia Audit Reports for the period December 1, 2022, to November 30, 2023).

The meeting convened at 7:00 PM and was led by Committee □ice Chair, Martha Ptashnik.

Plante Moran gave an overview of their annual audit of city finances.

A few key points:

- The General Fund revenue is down 5□ from the previous year, this was recognized as AARPA money that was transferred out.
- 54□ of the General Fund is from property taxes
- Total pension liability is healthy, goal is 100□, 60□ is considered fully funded, Livonia is at 84.64□
- 2022, Livonia switched to Medicare Advantage, resulting in a slight overfunding, as of 2023 we are now fully funded, and this has reduced the city's required contributions going forward.
- The report did include an "emphasis of matter" paragraph, that is required to be disclosed. In the report Note 18 to the financial statements, the December 1, 2022, net position of the governmental activities, business-type activities, and enterprise funds has been restated to correct a misstatement due to a change in actuaries. This issue is not expected to reoccur, and the city worked in partnership with Plante Moran to correct the report.
- The opinion from Plante Moran is that all numbers are now reliable and correct. Their opinion is not modified with respect to this matter.
- One area that the city may need to examine for budgeting is surcharges by the Court. Surcharges go to debt services of the building and are no longer sufficient to cover these costs resulting in a need to transfer money from the General Fund.

The Committee recommends:
To receive and file the 2023 audit report as submitted.

Note: This item will remain in Committee.

The meeting adjourned at 8:01 PM

This item is to be placed on the **Regular Meeting Agenda of □une 3, 2024**Respectfully submitted,

Martha Ptashnik, □ice Chair

FINANCE AND BUDGET COMMITTEE MEETING
WEDNESDAY, MAY 22, 2024, 7:00PM

NAME	DEPT OR CONTACT INFO FOR NOTIFICATIONS* *PERTAINING TO THE SUBJECT MATTER OF THIS MEETING
Steve Hawks	

From: Keith Szymanski
To: McCullough, Brandon; Donovic, Rob; Jolly, Jim; Ptashnik, Martha; Toy, Laura; Morgan, Scott; Budzinski, Carrie
Cc: Mayor Maureen Miller Brosnan; Lichtenberg, Debra; Kasprowicz, Sara; Stacey Reeves; Stephanie Atkinson
Subject: Audit Report
Date: Thursday, May 23, 2024 8:11:56 AM
Attachments: image002.png
image003.png
image004.png

Members of City Council,

Any time our independent auditor's report includes an "emphasis of matter" paragraph, we are required to communicate it to those charged with governance prior to issuing our report. In order to satisfy that requirement, we'd like to inform
you that this year's audit report will include the following emphasis of matter paragraph related to a correction identified during the audit:

> As discussed in Note 18 to the financial statements, the December 1, 2022 net position of the governmental activities, business-type activities, and enterprise funds has been restated to correct a misstatement. Our opinion is not modified with respect to this matter.

Here is the additional description from Note 18:

Note 18 - Prior Period Adjustment

During the year ended November 30, 2023, the City identified an error in the previous OPEB actuarial measurement. The net OPEB liability as of November 30, 2022 was overstated due to incorrect premium rates being used. To correct the error, the City adjusted beginning net position as follows:

	Governmental Activities	Water and Sewer	Housing	Golf Course	Total Business-type Activities
Net position - November 30, 2022, as previously reported	$ 181,273,765	$ 105,791,947	$ 7,406,199	$ 5,244,743	$ 118,442,889
To correct the net OPEB liability	94,111,195	2,856,676	403,426	325,252	3,585,354
Net position - November 30, 2022, as restated	$ 275,384,960	$ 108,648,623	$ 7,809,625	$ 5,569,995	$ 122,028,243

Finally, below are excerpts from the single audit report, where the matter is more fully described:

> **Context** - The reduction to the net OPEB liability as a result of the change in benefits in 2022 was approximately $107 million. Only $9 million of this reduction was reflected on the 2022 valuation, and thus the fiscal year 2022 financial statements overstated the net OPEB liability by approximately $98 million. To correct the error in fiscal year 2023, the City properly restated beginning net position of the governmental activities, business-type activities, and enterprise funds to reflect the full reduction to the net OPEB liability as a result of the change in benefits.

Views of Responsible Officials and Planned Corrective Actions - This was a unique and isolated situation as the beginning of the plan benefit year (April 1, 2022), conversion to the fully-insured Medicare Advantage plan (August 1, 2022), and the measurement date of the actuarial valuation (November 30, 2022) all occurred at different times. The information provided to the actuaries has historically come from the illustrative rates that take effect at the beginning of the plan year. While the Medicare Advantage conversion was clearly communicated to the actuaries, as witnessed by disclosures in the November 30, 2022, valuation report, the premium costs utilized were from the annual benefit plan renewal that occurred on April 1, 2022, rather than the new Medicare Advantage premiums that went into effect on August 1, 2022. Had these changes gone into effect on the normal renewal date, the City's normal process would indeed have been sufficient to ensure the full impact of changes in benefits were reflected in the proper valuation period. Although this type of mid-year rate change otherwise would not have occurred and is considered an isolated event, to avoid any chance of this issue in the future, we will add a step to our internal processes to verify no premium changes occurred after the April 1st renewal date. As all balances are now properly stated as of November 30, 2022, and 2023, no additional corrective action is required.

We have already discussed the matter with the Finance Committee and Administration. To put it into more basic terms, the City is projected to save more than $100 million in future retiree healthcare expenses as a result of the 2022 switch to a Medicare Advantage plan (great news!). The information above is necessary because the savings were not fully recognized in the 2022 actuarial valuation; however, the full impact is now recognized as of November 30, 2023. It was merely a matter of timing.

If you have any questions, please do not hesitate to ask.

Keith

Keith Szymanski | Principal | Government
Plante Moran, 3000 Town Center, Suite 100, Southfield, MI 48075
Direct Dial: 248.223.3591
Plante Moran | Twitter | Facebook | LinkedIn | Learn from Leaders | Manage Your Email Subscriptions

We made it to 100

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City of Livonia, Michigan

Financial Report
with Supplementary Information
November 30, 2023

City of Livonia, Michigan

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Independent Auditor's Report

To the City Council
City of Livonia, Michigan

Report on the Audit of the Financial Statements

Opinions

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Livonia, Michigan (the "City") as of and for the year ended November 30, 2023 and the related notes to the financial statements, which collectively comprise the City's basic financial statements, as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City as of November 30, 2023 and the respective changes in its financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are required to be independent of the City and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Emphasis of Matter

As discussed in Note 18 to the financial statements, the December 1, 2022 net position of the governmental activities, business-type activities, and enterprise funds has been restated to correct a misstatement. Our opinion is not modified with respect to this matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for 12 months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and, therefore, is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and other required supplementary information, as identified in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, which considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The other supplementary information, as identified in the table of contents, is presented for the purpose of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the other supplementary information is fairly stated in all material respects in relation to the basic financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated May 24, 2024 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

May 24, 2024

Overview of the Financial Statements

The City of Livonia, Michigan's (the "City") 2023 annual report consists of four parts: (1) management's discussion and analysis, (2) basic financial statements, (3) required supplementary information, and (4) other supplementary information that presents combining statements for nonmajor governmental funds, proprietary funds, and fiduciary funds. The basic financial statements include two kinds of statements that present different views of the City. The first two statements are government-wide financial statements that are intended to provide longer-term information about the City's overall financial status. The remaining statements are fund financial statements that focus on individual parts of the City's government, reporting the City's operations in more detail than the government-wide financial statements.

Government-wide Statements

The government-wide financial statements report information about the City as a whole using accounting methods similar to those used by private sector companies. The statement of net position includes all of the City's assets, liabilities, deferred inflows, and deferred outflows. All of the current year's revenue and expenses are accounted for in the statement of activities regardless of when cash is received or paid.

The two government-wide statements report the City's net position and how it has changed. Net position, the difference between the City's assets/deferred outflows and liabilities/deferred inflows, is one way to measure the City's financial health or position.

The government-wide financial statements of the City are divided into three categories:

- Governmental activities - Most of the City's basic services are included here, such as the police, fire, public works, parks departments, and general administration. Property taxes, state-shared revenue, and charges for services provide most of the funding for these activities.
- Business-type activities - The City charges fees to customers to cover the costs of certain services it provides. The City's water and sewer system, golf course operations, and nonfederal senior housing are treated as business-type activities.
- Component units - The City includes three other entities in its report, the Plymouth Road Development Authority, the Economic Development Corporation, and the Livonia Brownfield Redevelopment Authority. Although legally separate, these component units are important because the City is financially accountable for them, including debt, which is issued on behalf of the authorities by the City.

Fund Financial Statements

The fund financial statements provide more detailed information about the City's most significant funds, not the City as a whole. Funds are accounting tools that the City uses to keep track of specific sources of funding and spending for particular purposes. Some funds are required by state law and bond covenants. Other funds are established to control and manage money for particular purposes.

The City has three kinds of funds:

- Governmental funds - Most of the City's basic services are included in governmental funds, which focus on how cash and other financial assets that can be converted to cash flow in and out and the balance left at year end that is available for spending. The governmental fund statements provide a detailed short-term view that helps you determine if there are more or fewer financial resources available to spend in the near future to finance the City's programs.
- Proprietary funds - Services that are intended to be entirely self-supporting by customer fees are generally reported in proprietary funds. Proprietary fund statements, like government-wide statements, provide both short- and long-term financial information.
- Fiduciary funds - The City is responsible for ensuring that the assets in these funds are used for their intended purposes. We exclude these activities from the government-wide financial statements because the City cannot use these assets to finance its operations.

Government-wide Overall Financial Analysis

In a condensed format, the table below shows a comparison of the net position as of November 30, 2023 to the prior year:

The City's Net Position

	Governmental Activities		Business-type Activities		Total	
	2023	2022	2023	2022	2023	2022
Assets						
Current and other assets	$ 114,454,570	$ 109,900,333	$ 47,501,086	$ 36,968,244	$ 161,955,656	$ 146,868,577
Capital assets	239,624,886	230,222,161	115,397,831	112,537,124	355,022,717	342,759,285
Total assets	354,079,456	340,122,494	162,898,917	149,505,368	516,978,373	489,627,862
Deferred Outflows of Resources	25,509,510	28,561,759	855,245	1,130,193	26,364,755	29,691,952
Liabilities	81,106,115	165,806,585	32,616,849	30,121,728	113,722,964	195,928,313
Deferred Inflows of Resources	10,409,319	21,603,903	1,387,664	2,070,944	11,796,983	23,674,847
Net Position						
Net investment in capital assets	220,586,842	210,034,197	93,932,996	91,449,572	314,519,838	301,483,769
Restricted	53,248,162	50,413,059	2,207,021	1,697,053	55,455,183	52,110,112
Unrestricted	14,238,528	(79,173,491)	33,609,632	25,296,264	47,848,160	(53,877,227)
Total net position	**$ 288,073,532**	**$ 181,273,765**	**$ 129,749,649**	**$ 118,442,889**	**$ 417,823,181**	**$ 299,716,654**

City of Livonia, Michigan - Net Position

The City's assets/deferred outflows exceed its liabilities/deferred inflows at the end of the fiscal year by $417.8 million (net position). However, a major portion (75.3 percent) of the City's net position represents its investments in capital assets (i.e., land, roads, infrastructure, buildings, and equipment) less any related debt used to acquire or construct these assets. The City uses these physical assets to provide services to its citizens. These assets are illiquid and not available for future spending.

Unrestricted net position of the City's governmental activities increased from $(79.2) million at November 30, 2022 to $14.2 million at the end of this year. The amount represents the part of net position that can be used to finance day-to-day operations without constraints established by debt covenants, enabling legislation, or other legal requirements.

The following table shows the changes in net position during the current year and compared to the prior year:

The City's Changes in Net Position

	Governmental Activities		Business-type Activities		Total	
	2023	2022	2023	2022	2023	2022
Revenue						
Program revenue:						
Charges for services	$ 18,996,370	$ 16,941,280	$ 47,924,885	$ 45,672,687	$ 66,921,255	$ 62,613,967
Operating grants and contributions	15,175,444	23,548,810	-	-	15,175,444	23,548,810
Capital grants and contributions	1,356,294	1,469,901	1,417,663	1,735,150	2,773,957	3,205,051
General revenue:						
Property taxes	62,643,043	60,121,844	-	-	62,643,043	60,121,844
State-shared revenue	17,547,315	16,963,156	-	-	17,547,315	16,963,156
Investment income (loss)	5,310,885	(176,220)	1,105,184	10,390	6,416,069	(165,830)
Other revenue	3,889,725	5,129,805	223,578	3,725	4,113,303	5,133,530
Total revenue	124,919,076	123,998,576	50,671,310	47,421,952	175,590,386	171,420,528
Expenses						
General government	15,631,301	11,582,730	-	-	15,631,301	11,582,730
Public safety	50,273,716	38,751,208	-	-	50,273,716	38,751,208
Public works	29,475,220	26,783,219	-	-	29,475,220	26,783,219
Community and economic development	1,456,333	1,758,585	-	-	1,456,333	1,758,585
Recreation and culture	14,804,712	14,107,040	-	-	14,804,712	14,107,040
Interest on long-term debt	589,222	621,306	-	-	589,222	621,306
Water and Sewer	-	-	39,698,953	39,548,642	39,698,953	39,548,642
Golf Course	-	-	2,193,409	1,999,052	2,193,409	1,999,052
Housing	-	-	1,057,542	775,342	1,057,542	775,342
Total expenses	112,230,504	93,604,088	42,949,904	42,323,036	155,180,408	135,927,124
Transfers	-	340,000	-	(340,000)	-	-
Change in Net Position	12,688,572	30,734,488	7,721,406	4,758,916	20,409,978	35,493,404
Net Position - Beginning of year, as restated (Note 18)	275,384,958	150,539,277	122,028,243	113,683,973	397,413,201	264,223,250
Net Position - End of year	**$ 288,073,530**	**$ 181,273,765**	**$ 129,749,649**	**$ 118,442,889**	**$ 417,823,179**	**$ 299,716,654**

Governmental Activities

In reviewing governmental activities in the above table, it can be noted that revenue increased by $0.9 million and expenses increased by $18.6 million. The most significant factors impacting revenue were the one-time grant revenue related to the receipt of $8.9 million of American Rescue Plan Act funds and increases to miscellaneous revenue related to opioid lawsuit settlements that occurred in 2022. Both of these revenue categories returned to normal recurring levels in 2023. In addition, changes in the investment market resulted in significantly improved investment income in the current year. The most significant factor impacting expenses was increases in pension and OPEB liabilities.

Business-type Activities

The City has three business-type activities. These include the water and sewer system; the operating fund for the Fox Creek, Idyl Wyld, and Whispering Willows golf courses; and nonfederal senior housing at Silver Village and Newburgh Village.

The following table shows the operating income before contributions, transfers, and interest for each of these activities in the current and prior year:

	Water and Sewer		Golf Course		Housing	
	2023	2022	2023	2022	2023	2022
Operating revenue	$ 44,059,450	$ 41,992,649	$ 2,320,984	$ 2,103,880	$ 1,470,189	$ 1,462,299
Operating expenses	(39,157,475)	(39,102,151)	(2,193,409)	(1,999,052)	(1,056,810)	(774,672)
Operating income	**$ 4,901,975**	**$ 2,890,498**	**$ 127,575**	**$ 104,828**	**$ 413,379**	**$ 687,627**

The operating income of the Water and Sewer Fund increased between 2022 and 2023 primarily due to increased water rates that resulted in higher revenue.

Financial Analysis of Individual Funds

The fund financial statements begin on page 13 and provide detailed information on the most significant governmental funds, not the City as a whole. Funds are created to help manage money for special purposes, as well as to show accountability for certain activities, such as special property tax millages. The City's major governmental funds for 2023 include the General Fund, Refuse Disposal System Fund, and Roads and Sidewalks Fund.

The City's governmental funds reported a combined fund balance of $84.7 million. This is an increase of approximately $4.7 million for the year. The primary contributors to the increase were contributions to the Building Improvement and Senior Center Construction funds and overall spending constraints in the General Fund and key special revenue funds.

General Fund Budgetary Highlights

Over the course of the year, the City's administration and City Council monitor and amend the budget, primarily to prevent expenditures in excess of budget, as required by the State of Michigan Budget Act. The final amended budget included increases to state-shared revenue that exceeded the original budget and decreases to fines and forfeitures revenue. Numerous departments had lapsed appropriations, which were reallocated to employee benefits, insurance, and other. The budget amendment allowed for these extra funds to be contributed to the VEBA as additional funding for postemployment medical benefits and the Building Improvement capital projects fund for future building needs.

Actual General Fund revenue was approximately $1,059,000 above the final budget.

Actual General Fund expenditures were approximately $52,000 above the final budget. The Information Systems department actual expenditures exceeded the final budget by approximately $656,800 due to the one-time adoption of GASB 87 related to the dark fiber project. The impact of this accounting entry was not fully known at the time the final budget amendment was approved. All other departments held expenditures below the final budget.

Capital Assets and Debt Administration

At the end of fiscal year 2023, the City has $661.6 million, before depreciation, invested in a wide range of capital assets, including land, buildings, infrastructure, public safety equipment, computer equipment, and water and sewer lines. Detailed information of the City's capital assets can be found in Note 5.

Debt of $19.3 million related to the construction of the above-mentioned capital assets is reported as a liability in the governmental activities in the statement of net position.

Debt related to the water and sewer system totaling $26.8 million is recorded as a liability in the business-type activities in the statement of net position. This debt represents construction of and improvements to existing water and sewer lines. Detailed information on the City's long-term debt can be found in Note 7.

Significant additions to capital assets during fiscal year 2023 include $14.7 million invested in the construction of infrastructure and improvements to roads, $6.6 million invested in equipment and vehicles, $0.8 million invested in buildings. building improvements, and land improvements, and $2.9 million invested in water and sewer system infrastructure. Significant disposals of capital assets during fiscal year 2023 included the disposal of vehicles and equipment with a total cost of $4.0 million and building and improvements totaling $0.4 million.

Economic Factors and Next Year's Budgets and Rates

The City continues to maintain positive fund balances in each of its funds. However, concerns arise when considering the revenue and expenses that the City is facing in upcoming years.

The majority of the City's revenue base is constrained by factors outside the City's control. Property taxes, state-shared revenue, interest income, and other revenue make up 71.6 percent of the City's total governmental activities revenue. Revenue has been slowly increasing after many years of reductions. Property assessments are projected to increase in fiscal year 2024.

The City is focused on advancing Livonia Vision 21, which includes the long-term strategy to reimagine the Civic Center campus. Over $4 million has been set aside in the Senior Center Construction Fund to partially fund the relocation of the senior center off the Civic Center campus and construct a new senior center as an addition to the City's recreation center. Several grants have been received to help fund this project.

Requests for Further Information

The financial report is designed to provide our citizens, taxpayers, customers, investors, and creditors with a general overview of the City's finances and to show the City's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the director of finance at the City of Livonia, 33000 Civic Center Drive, Livonia, MI 48154.

Statement of Net Position

November 30, 2023

	Primary Government			Component Units
	Governmental Activities	Business-type Activities	Total	
Assets				
Cash and cash equivalents	$ 92,895,886	$ 23,718,697	$ 116,614,583	$ 2,881,872
Accounts receivable:				
Property taxes	53,309	-	53,309	68,921
Special assessments	229,909	98,774	328,683	-
Customers	-	13,821,596	13,821,596	-
Workers' compensation	125,652	-	125,652	-
Due from other governmental units	8,659,667	-	8,659,667	-
Other	6,311,918	305,618	6,617,536	-
Lease receivable	4,070,222	1,155,034	5,225,256	-
Inventory, prepaid expenses, and deposits	2,108,007	817,369	2,925,376	-
Restricted assets (Note 8)	-	7,583,998	7,583,998	-
Capital assets: (Note 5)				
Assets not subject to depreciation	35,608,168	12,020,694	47,628,862	474,048
Assets subject to depreciation - Net	204,016,718	103,377,137	307,393,855	160,888
Total assets	354,079,456	162,898,917	516,978,373	3,585,729
Deferred Outflows of Resources				
Deferred charges on bond refunding	280,062	-	280,062	-
Deferred pension costs (Note 11)	12,251,514	360,824	12,612,338	-
Deferred OPEB costs (Note 13)	12,977,934	494,421	13,472,355	-
Total deferred outflows of resources	25,509,510	855,245	26,364,755	-
Liabilities				
Accounts payable	5,655,770	1,223,234	6,879,004	737,721
Due to other governmental units	-	2,071,382	2,071,382	32,512
Accrued and other liabilities	2,840,778	225,417	3,066,195	-
Unearned revenue	896,057	88,105	984,162	-
Due to fiduciary funds	798,874	25,754	824,628	-
Bonds and deposits	2,062,243	364,091	2,426,334	-
Noncurrent liabilities: (Note 7)				
Due within one year:				
Compensated absences	3,569,914	300,211	3,870,125	-
Current portion of long-term debt	2,421,652	1,437,155	3,858,807	-
Due in more than one year:				
Compensated absences and insurance claims	9,750,708	326,931	10,077,639	-
Landfill closure and postclosure	720,722	-	720,722	-
Net pension liability (Note 11)	33,306,622	1,066,619	34,373,241	-
Net OPEB liability (Note 13)	2,186,321	83,293	2,269,614	-
Long-term debt - Net of current portion	16,896,454	25,404,657	42,301,111	-
Total liabilities	81,106,115	32,616,849	113,722,964	770,233

Statement of Net Position (Continued)

November 30, 2023

	Primary Government			
	Governmental Activities	Business-type Activities	Total	Component Units
Deferred Inflows of Resource				
Deferred OPEB cost reductions (Note 13)	$ 6,482,275	$ 246,958	$ 6,729,233	$ -
Leases	3,927,044	1,140,706	5,067,750	-
Total deferred inflows of resource	10,409,319	1,387,664	11,796,983	-
Net Position				
Net investment in capital assets	220,586,842	93,932,996	314,519,838	634,936
Restricted:				
Community recreation	4,946,079	-	4,946,079	-
Municipal refuse	11,307,156	-	11,307,156	-
Streets, roads, and sidewalks	6,688,931	-	6,688,931	-
Library	6,610,666	-	6,610,666	-
Public safety communication	4,787,820	-	4,787,820	-
Grants	340,420	-	340,420	-
Ordinance requirements	-	2,207,021	2,207,021	-
Street lighting	837,179	-	837,179	-
Adjudicated forfeitures	2,927,276	-	2,927,276	-
Community transit	1,313,063	-	1,313,063	-
Capital improvements	11,100,388	-	11,100,388	-
Designated purpose	416,766	-	416,766	-
Health care	1,972,418	-	1,972,418	-
Unrestricted	14,238,528	33,609,632	47,848,160	2,180,560
Total net position	**$ 288,073,532**	**$ 129,749,649**	**$ 417,823,181**	**$ 2,815,496**

See notes to financial statements.

Functions/Programs	Expenses	Program Revenue: Charges for Services	Program Revenue: Operating Grants and Contributions	Program Revenue: Capital Grants and Contributions
Primary government:				
Governmental activities:				
General government	$ 15,631,301	$ 2,872,542	$ -	$ -
Public safety	50,273,716	9,190,555	281,525	-
Public works	29,475,220	1,882,980	13,950,775	1,244,767
Community and economic development	1,456,333	439,605	873,639	-
Recreation and culture	14,804,712	4,610,688	69,505	111,527
Interest on long-term debt	589,222	-	-	-
Total governmental activities	112,230,504	18,996,370	15,175,444	1,356,294
Business-type activities:				
Water and Sewer	39,698,953	44,059,450	-	1,417,663
Housing	1,057,542	1,470,189	-	-
Golf Course	2,193,409	2,395,246	-	-
Total business-type activities	42,949,904	47,924,885	-	1,417,663
Total primary government	**$ 155,180,408**	**$ 66,921,255**	**$ 15,175,444**	**$ 2,773,957**
Component units:				
Economic Development Corporation	$ -	$ -	$ -	$ -
Plymouth Road Development Authority	519,738	-	-	-
Brownfield Redevelopment Authority	959,372	-	-	-
Total component units	**$ 1,479,110**	**$ -**	**$ -**	**$ -**
General revenue:				
Property taxes				
State-shared revenue				
Investment income				
Cable franchise fees				
Gain on sale of fixed assets				
Other miscellaneous income				
Total general revenue				
Change in Net Position				
Net Position - Beginning of year, as restated (Note 18)				
Net Position - End of year				

See notes to financial statements.

Statement of Activities

Year Ended November 30, 2023

Net (Expense) Revenue and Changes in Net Position			
Primary Government			
Governmental Activities	Business-type Activities	Total	Component Units
$ (12,758,759)	$ -	$ (12,758,759)	$ -
(40,801,636)	-	(40,801,636)	-
(12,396,698)	-	(12,396,698)	-
(143,089)	-	(143,089)	-
(10,012,992)	-	(10,012,992)	-
(589,222)	-	(589,222)	-
(76,702,396)	-	(76,702,396)	-
-	5,778,160	5,778,160	-
-	412,647	412,647	-
-	201,837	201,837	-
-	6,392,644	6,392,644	-
(76,702,396)	6,392,644	(70,309,752)	-
-	-	-	-
-	-	-	(519,738)
-	-	-	(959,372)
-	-	-	(1,479,110)
62,643,043	-	62,643,043	1,863,894
17,547,315	-	17,547,315	-
5,310,885	1,105,184	6,416,069	22,530
1,743,751	-	1,743,751	-
-	223,578	223,578	-
2,145,974	-	2,145,974	4,347
89,390,968	1,328,762	90,719,730	1,890,771
12,688,572	7,721,406	20,409,978	411,661
275,384,960	122,028,243	397,413,203	2,403,835
$ 288,073,532	**$ 129,749,649**	**$ 417,823,181**	**$ 2,815,496**

Governmental Funds Balance Sheet

November 30, 2023

	General Fund	Major Special Revenue Funds: Refuse Disposal System	Major Special Revenue Funds: Roads and Sidewalks	Nonmajor Funds	Total Governmental Funds
Assets					
Cash and investments	$ 20,127,440	$ 12,386,811	$ 3,147,110	$ 53,506,795	$ 89,168,156
Accounts receivable:					
Property taxes	31,486	10,121	3,488	8,214	53,309
Special assessments	-	-	-	229,909	229,909
Workers' compensation	125,652	-	-	-	125,652
Due from other governmental units	4,899,425	581,824	253,474	2,924,944	8,659,667
Other	3,851,874	37,102	-	2,002,337	5,891,313
Lease receivable	3,867,575	-	-	202,647	4,070,222
Inventory, prepaid expenses, and deposits	330,432	-	-	-	330,432
Total assets	**$ 33,233,884**	**$ 13,015,858**	**$ 3,404,072**	**$ 58,874,846**	**$ 108,528,660**
Liabilities					
Accounts payable	$ 2,368,807	$ 953,513	$ 1,215,652	$ 1,117,798	$ 5,655,770
Accrued and other liabilities	2,272,949	34,467	-	472,305	2,779,721
Unearned revenue	28,541	-	-	867,516	896,057
Due to fiduciary funds	773,508	-	-	25,366	798,874
Bonds and deposits	2,062,243	-	-	-	2,062,243
Total liabilities	7,506,048	987,980	1,215,652	2,482,985	12,192,665
Deferred Inflows of Resources					
Unavailable revenue	4,047,413	591,611	256,847	2,782,534	7,678,405
Leases	3,749,239	-	-	177,805	3,927,044
Total deferred inflows of resources	7,796,652	591,611	256,847	2,960,339	11,605,449
Fund Balances					
Nonspendable - Inventory and prepaid assets	330,432	-	-	-	330,432
Restricted:					
Streets, roads, and sidewalks	-	-	1,931,573	4,500,511	6,432,084
Adjudicated forfeitures	-	-	-	2,927,276	2,927,276
Grants	-	-	-	203,953	203,953
Capital improvements	-	-	-	10,905,128	10,905,128
Community recreation	-	-	-	4,627,887	4,627,887
Municipal refuse	-	11,436,267	-	-	11,436,267
Street lighting	-	-	-	837,179	837,179
Library	-	-	-	6,412,618	6,412,618
Public safety communication	-	-	-	4,570,882	4,570,882
Community transit	-	-	-	1,190,652	1,190,652
Designated purpose	-	-	-	416,766	416,766
Health care	-	-	-	377,200	377,200
Committed:					
Cable access television	-	-	-	457,722	457,722
Arts Commission	-	-	-	81,191	81,191
Historical Commission	-	-	-	362,649	362,649
Assigned:					
Golf course capital improvements	-	-	-	449,641	449,641
Building improvements	-	-	-	10,956,795	10,956,795
Court building improvements	-	-	-	42,223	42,223
Senior center construction	-	-	-	4,111,249	4,111,249
Unassigned	17,600,752	-	-	-	17,600,752
Total fund balances	17,931,184	11,436,267	1,931,573	53,431,522	84,730,546
Total liabilities, deferred inflows of resources, and fund balances	**$ 33,233,884**	**$ 13,015,858**	**$ 3,404,072**	**$ 58,874,846**	**$ 108,528,660**

See notes to financial statements.

Governmental Funds
Reconciliation of the Balance Sheet to the Statement of Net Position

November 30, 2023

Fund Balances Reported in Governmental Funds	$	84,730,546
Amounts reported for governmental activities in the statement of net position are different because:		
Capital assets used in governmental activities are not financial resources and are not reported in the funds		239,624,886
Certain receivables are expected to be collected over several years and are not reported in the funds		420,605
Receivables that are not collected soon after year end are not available to pay for current period expenditures and therefore are reported as unavailable revenue in the funds.		7,678,405
Landfill closure and postclosure liability is not due and payable in the current period and is not reported in the funds		(720,722)
Long-term liabilities are not due and payable in the current period and are not reported in the funds		(19,318,106)
Deferred charges on bond refunding are reported as deferred outflows of resources in the statement of net position but are not reported in the funds		280,062
Accrued interest is not due and payable in the current period and is not reported in the funds		(61,057)
Some employee fringe benefits are payable over a long period of years and do not represent a claim on current financial resources; therefore, they are not reported as fund liabilities:		
Employee compensated absences		(10,711,412)
Pension benefits		(21,055,108)
Retiree health care benefits		4,309,338
The Internal Service Fund (self-insurance) is included as part of governmental activities		2,896,095
Net Position of Governmental Activities	**$**	**288,073,532**

Governmental Funds
Statement of Revenue, Expenditures, and Changes in Fund Balances

Year Ended November 30, 2023

	General Fund	Major Special Revenue Funds: Refuse Disposal System	Major Special Revenue Funds: Roads and Sidewalks	Nonmajor Funds	Total Governmental Funds
Revenue					
Property taxes	$ 37,477,674	$ 11,237,551	$ 4,140,042	$ 9,749,436	$ 62,604,703
Special assessments	-	-	-	1,244,767	1,244,767
Intergovernmental:					
Federal revenue	52,589	-	-	1,088,361	1,140,950
State and local revenue	14,083,265	1,523,100	810,493	15,432,373	31,849,231
Charges for services	5,666,748	110,045	-	4,858,086	10,634,879
Fines and forfeitures	3,239,074	-	-	628,104	3,867,178
Licenses and permits	2,874,511	-	-	-	2,874,511
Investment income	1,840,024	680,483	329,998	2,297,115	5,147,620
Other revenue:					
Miscellaneous revenue	2,747,432	4,134	43	962,057	3,713,666
Lease revenue	576,923	-	-	128,102	705,025
Total revenue	68,558,240	13,555,313	5,280,576	36,388,401	123,782,530
Expenditures					
Current services:					
General government	11,059,761	-	-	-	11,059,761
Employee benefits, insurance, and other	3,918,626	-	-	-	3,918,626
Public safety	43,566,427	-	-	605,853	44,172,280
Public works	3,831,533	12,526,045	14,323,959	6,241,791	36,923,328
Community and economic development	641,862	-	-	814,471	1,456,333
Recreation and culture	1,839,409	-	-	11,886,010	13,725,419
Capital outlay	-	-	-	6,319,079	6,319,079
Debt service:					
Principal retirement	-	-	-	1,985,000	1,985,000
Interest and other	-	-	-	738,720	738,720
Total expenditures	64,857,618	12,526,045	14,323,959	28,590,924	120,298,546
Excess of Revenue Over (Under) Expenditures	3,700,622	1,029,268	(9,043,383)	7,797,477	3,483,984
Other Financing Sources (Uses)					
Transfers in (Note 6)	-	-	7,150,000	12,880,837	20,030,837
Transfers out (Note 6)	(3,457,117)	-	-	(16,573,720)	(20,030,837)
New debt issued	93,247	-	-	459,334	552,581
Leases entered into	672,502	-	-	-	672,502
Total other financing (uses) sources	(2,691,368)	-	7,150,000	(3,233,549)	1,225,083
Net Change in Fund Balances	1,009,254	1,029,268	(1,893,383)	4,563,928	4,709,067
Fund Balances - Beginning of year	16,921,930	10,406,999	3,824,956	48,867,594	80,021,479
Fund Balances - End of year	**$ 17,931,184**	**$ 11,436,267**	**$ 1,931,573**	**$ 53,431,522**	**$ 84,730,546**

See notes to financial statements.

Governmental Funds
Reconciliation of the Statement of Revenue, Expenditures, and Changes in Fund Balances to the Statement of Activities

Year Ended November 30, 2023

Net Change in Fund Balances Reported in Governmental Funds	$	4,709,067
Amounts reported for governmental activities in the statement of activities are different because:		
Governmental funds report capital outlays as expenditures; however, in the statement of activities, these costs are allocated over their estimated useful lives as depreciation:		
Capital outlay		20,965,434
Depreciation expense		(11,108,240)
Net book value of assets disposed of		(454,469)
Revenue in the statement of activities that does not provide current financial resources is not reported as revenue in the funds until it is available		981,802
Payments on installment purchases and leases are expenditure in the governmental funds but not in the statement of activities (where they reduce the long-term liabilities)		217,134
Issuing debt and entering into leases provide current financial resources to governmental funds, but increase long-term liabilities in the statement of net position		(1,225,083)
Repayment of bond principal is an expenditure in the governmental funds but not in the statement of activities (where it reduces long-term debt)		1,985,000
Interest expense is recognized in the government-wide statements as it accrues		176,068
Change in net pension liability and related deferred inflows and outflows reported in the statement of activities do not require the use of current resources and, therefore, are not reported in the fund statements until they come due for payment		(3,939,857)
Change in net OPEB liability and related deferred inflows and outflows reported in the statement of activities do not require the use of current resources and, therefore, are not reported in the fund statements until they come due for payment		3,041,303
Net change in accumulated employee sick and vacation pay is recorded when incurred in the statement of activities		(1,398,081)
Increase in landfill liability is recorded when incurred in the statement of activities		(8,527)
Internal service funds are included as part of governmental activities		(1,252,979)
Change in Net Position of Governmental Activities	**$**	**12,688,572**

Proprietary Funds
Statement of Net Position

November 30, 2023

	Major Enterprise Fund	Nonmajor Enterprise Funds			Governmental Activities
	Water and Sewer	Housing	Golf Course	Total Enterprise Funds	Internal Service Fund
Assets					
Current assets:					
Cash and investments	$ 18,305,746	$ 3,536,487	$ 1,876,464	$ 23,718,697	$ 3,727,730
Accounts receivable:					
Customers	13,821,596	-	-	13,821,596	-
Other	301,431	-	4,187	305,618	-
Lease receivable	-	-	1,155,034	1,155,034	-
Inventory, prepaid expenses, and deposits	817,369	-	-	817,369	1,777,575
Total current assets	33,246,142	3,536,487	3,035,685	39,818,314	5,505,305
Noncurrent assets:					
Restricted assets (Note 8)	7,583,998	-	-	7,583,998	-
Special assessment receivables	98,774	-	-	98,774	-
Capital assets: (Note 5)					
Assets not subject to depreciation	5,844,918	2,593,288	3,582,488	12,020,694	-
Assets subject to depreciation - Net	100,003,513	2,872,055	501,569	103,377,137	-
Total noncurrent assets	113,531,203	5,465,343	4,084,057	123,080,603	-
Total assets	146,777,345	9,001,830	7,119,742	162,898,917	5,505,305
Deferred Outflows of Resources					
Deferred pension costs (Note 11)	348,603	-	12,221	360,824	-
Deferred OPEB costs (Note 13)	393,936	55,633	44,852	494,421	-
Total deferred outflows of resources	742,539	55,633	57,073	855,245	-

Proprietary Funds
Statement of Net Position (Continued)

November 30, 2023

	Major Enterprise Fund	Nonmajor Enterprise Funds			Governmental Activities
	Water and Sewer	Housing	Golf Course	Total Enterprise Funds	Internal Service Fund
Liabilities					
Current liabilities:					
Accounts payable	$ 809,962	$ 342,743	$ 70,529	$ 1,223,234	$ -
Due to other governmental units	2,071,382	-	-	2,071,382	-
Accrued and other liabilities	206,344	13,905	5,168	225,417	-
Unearned revenue	88,105	-	-	88,105	-
Due to fiduciary funds	25,754	-	-	25,754	-
Bonds and deposits	179,173	184,918	-	364,091	-
Compensated absences (Note 7)	263,716	27,915	8,580	300,211	-
Current portion of long-term debt (Note 7)	1,429,999	7,156	-	1,437,155	-
Total current liabilities	5,074,435	576,637	84,277	5,735,349	-
Noncurrent liabilities:					
Compensated absences and insurance claims (Note 7)	240,129	55,647	31,155	326,931	-
Net pension liability (Note 11)	1,030,492	-	36,127	1,066,619	-
Net OPEB liability (Note 13)	66,366	9,372	7,555	83,293	-
Long-term debt - Net of current portion (Note 7)	25,404,657	-	-	25,404,657	2,609,210
Total noncurrent liabilities	26,741,644	65,019	74,837	26,881,500	2,609,210
Total liabilities	31,816,079	641,656	159,114	32,616,849	2,609,210
Deferred Inflows of Resources					
Deferred OPEB cost reductions (Note 13)	196,765	27,789	22,404	246,958	-
Leases	-	-	1,140,706	1,140,706	-
Total deferred inflows of resources	196,765	27,789	1,163,110	1,387,664	-
Net Position					
Net investment in capital assets	84,390,752	5,458,187	4,084,057	93,932,996	-
Restricted - Ordinance requirements	2,207,021	-	-	2,207,021	-
Unrestricted	28,909,267	2,929,831	1,770,534	33,609,632	2,896,095
Total net position	**$ 115,507,040**	**$ 8,388,018**	**$ 5,854,591**	**$ 129,749,649**	**$ 2,896,095**

See notes to financial statements.

Proprietary Funds
Statement of Revenue, Expenses, and Changes in Net Position

Year Ended November 30, 2023

	Enterprise Funds	Nonmajor Enterprise Funds			Governmental Activities
	Water and Sewer	Housing	Golf Course	Total Enterprise Funds	Internal Service Fund
Operating Revenue					
Customer billings	$ 41,982,388	$ -	$ -	$ 41,982,388	$ -
Fines and forfeitures	1,780,136	-	-	1,780,136	-
Service connections	84,050	-	-	84,050	-
Greens fees	-	-	2,067,816	2,067,816	-
Golf cart fees	-	-	118,000	118,000	-
City contributions	-	-	-	-	13,473,882
Rental income	-	1,470,039	-	1,470,039	-
Other revenue	212,876	150	135,168	348,194	-
Total operating revenue	44,059,450	1,470,189	2,320,984	47,850,623	13,473,882
Operating Expenses					
Cost of water	12,592,296	-	-	12,592,296	-
Cost of sewage disposal	16,046,433	-	-	16,046,433	-
System maintenance and operation	5,076,235	-	-	5,076,235	-
General and administration	1,306,051	1,160	-	1,307,211	-
Reinsurance charges and claims	-	-	-	-	14,890,126
Salaries and wages	-	338,186	175,295	513,481	-
Supplies	-	16,073	276,468	292,541	-
Other services and charges	-	512,341	1,709,879	2,222,220	-
Depreciation	4,136,460	189,050	31,767	4,357,277	-
Total operating expenses	39,157,475	1,056,810	2,193,409	42,407,694	14,890,126
Operating Income (Loss)	4,901,975	413,379	127,575	5,442,929	(1,416,244)
Nonoperating Revenue (Expense)					
Investment income	856,704	165,746	82,734	1,105,184	163,265
Interest expense	(541,478)	(732)	-	(542,210)	-
Gain on sale of assets	223,553	-	25	223,578	-
Lease revenue	-	-	74,262	74,262	-
Total nonoperating revenue	538,779	165,014	157,021	860,814	163,265
Income (Loss) - Before contributions and transfers	5,440,754	578,393	284,596	6,303,743	(1,252,979)
Capital Contributions - Lines donated by developers	1,417,663	-	-	1,417,663	-
Change in Net Position	6,858,417	578,393	284,596	7,721,406	(1,252,979)
Net Position - Beginning of year, as restated (Note 18)	108,648,623	7,809,625	5,569,995	122,028,243	4,149,074
Net Position - End of year	**$ 115,507,040**	**$ 8,388,018**	**$ 5,854,591**	**$ 129,749,649**	**$ 2,896,095**

See notes to financial statements.

Proprietary Funds
Statement of Cash Flows

Year Ended November 30, 2023

	Major Enterprise Fund	Nonmajor Enterprise Funds			Governmental Activities
	Water and Sewer	Housing	Golf Course	Total Enterprise Funds	Internal Service Fund
Cash Flows from Operating Activities					
Receipts from customers	$ 42,727,632	$ 1,629,878	$ 2,321,187	$ 46,678,697	$ 13,473,882
Payments to suppliers	(30,863,560)	(213,478)	(1,932,991)	(33,010,029)	(11,732,883)
Payments to employees	(4,365,214)	(667,842)	(169,084)	(5,202,140)	-
Net cash and cash equivalents provided by operating activities	7,498,858	748,558	219,112	8,466,528	1,740,999
Cash Flows from Capital and Related Financing Activities					
Issuance of bonds and capital leases	6,976,013	-	-	6,976,013	-
Special assessment collections	22,533	-	-	22,533	-
Proceeds from sale of capital assets	252,618	-	25	252,643	-
Net purchases of capital assets	(4,692,451)	(1,136,936)	-	(5,829,387)	-
Principal and interest paid on long-term debt	(1,763,966)	(7,584)	-	(1,771,550)	-
Lease receipts	-	-	67,009	67,009	-
Net cash and cash equivalents provided by (used in) capital and related financing activities	794,747	(1,144,520)	67,034	(282,739)	-
Cash Flows from Investing Activities					
Purchases of investment securities	(3,463,715)	-	(101,706)	(3,565,421)	(788,867)
Proceeds from sale and maturities of investment securities	-	264,697	-	264,697	-
Net cash and cash equivalents (used in) provided by investing activities	(3,463,715)	264,697	(101,706)	(3,300,724)	(788,867)
Net Increase (Decrease) in Cash and Cash Equivalents	4,829,890	(131,265)	184,440	4,883,065	952,132
Cash and Cash Equivalents - Beginning of year	9,218,493	1,883,352	753,792	11,855,637	911,733
Cash and Cash Equivalents - End of year	**$ 14,048,383**	**$ 1,752,087**	**$ 938,232**	**$ 16,738,702**	**$ 1,863,865**
Classification of Cash and Cash Equivalents					
Cash and investments	$ 18,305,746	$ 3,536,487	$ 1,876,464	$ 23,718,697	$ 3,727,730
Restricted cash (Note 8)	7,583,998	-	-	7,583,998	-
Less investments	(11,841,361)	(1,784,400)	(938,232)	(14,563,993)	(1,863,865)
Total cash and cash equivalents	**$ 14,048,383**	**$ 1,752,087**	**$ 938,232**	**$ 16,738,702**	**$ 1,863,865**

See notes to financial statements.

Proprietary Funds
Statement of Cash Flows (Continued)

Year Ended November 30, 2023

	Major Enterprise Fund	Nonmajor Enterprise Funds			Governmental Activities
	Water and Sewer	Housing	Golf Course	Total Enterprise Funds	Internal Service Fund
Reconciliation of Operating Income (Loss) to Net Cash and Cash Equivalents from Operating Activities					
Operating income (loss)	$ 4,901,975	$ 413,379	$ 127,575	$ 5,442,929	$ (1,416,244)
Adjustments to reconcile operating income (loss) to net cash and cash equivalents from operating activities:					
Depreciation	4,136,460	189,050	31,767	4,357,277	-
Changes in assets and liabilities:					
Receivables	(1,331,818)	-	203	(1,331,615)	-
Inventories	(211,649)	-	-	(211,649)	-
Prepaid and other assets	(104,492)	-	-	(104,492)	2,592,708
Net pension and OPEB liabilities	(635,803)	(184,691)	4,318	(816,176)	-
Accounts payable	528,247	316,096	53,356	897,699	-
Estimated claims liability	-	-	-	-	564,535
Accrued and other liabilities	215,938	14,724	1,893	232,555	-
Total adjustments	2,596,883	335,179	91,537	3,023,599	3,157,243
Net cash and cash equivalents provided by operating activities	**$ 7,498,858**	**$ 748,558**	**$ 219,112**	**$ 8,466,528**	**$ 1,740,999**

Noncash Transactions - During the year ended November 30, 2023, the City received $1,417,663 of donated lines reported as capital assets in the Water and Sewer Fund.

See notes to financial statements.

Fiduciary Funds
Statement of Fiduciary Net Position

November 30, 2023

	Pension and Other Employee Benefits	Custodial Funds	Total Fiduciary Funds
Assets			
Cash and cash equivalents (Note 3)	$ 1,625,870	$ 7,629,333	$ 9,255,203
Investments: (Note 3)			
U.S. government securities	19,620,461	-	19,620,461
Collateralized mortgage obligations	3,779,949	-	3,779,949
Common stocks	158,662,406	-	158,662,406
Corporate bonds	9,733,757	-	9,733,757
Real estate investment trust	2,882,340	-	2,882,340
Foreign bonds	443,580	-	443,580
Mutual funds	139,629,534	-	139,629,534
Accounts receivable	627,146	-	627,146
Due from primary government	824,628	-	824,628
Total assets	337,829,671	7,629,333	345,459,004
Liabilities			
Accounts payable	724,985	29,288	754,273
Due to other governmental units	40,869	6,665,624	6,706,493
Bonds and other deposits	-	244,435	244,435
Total liabilities	765,854	6,939,347	7,705,201
Net Position			
Restricted:			
Pension	207,911,158	-	207,911,158
Postemployment benefits other than pension	129,152,659	-	129,152,659
Individuals, organizations, and other governments	-	689,986	689,986
Total net position	**$ 337,063,817**	**$ 689,986**	**$ 337,753,803**

See notes to financial statements.

Fiduciary Funds
Statement of Changes in Fiduciary Net Position

Year Ended November 30, 2023

	Pension and Other Employee Benefits	Custodial Funds	Total Fiduciary Funds
Additions			
Investment income:			
Interest and dividends	$ 9,152,226	$ 193,986	$ 9,346,212
Net increase in fair value of investments	18,131,838	-	18,131,838
Investment costs	(952,121)	-	(952,121)
Net investment income	26,331,943	193,986	26,525,929
Contributions:			
Employer	8,243,617	-	8,243,617
Employee	1,430,241	-	1,430,241
Total contributions	9,673,858	-	9,673,858
Collections for other governments	-	169,156,008	169,156,008
Fines and fees	-	1,270,576	1,270,576
Bond receipts	-	855,900	855,900
Restitutions, judgments, and other	-	95,395	95,395
Total additions	36,005,801	171,571,865	207,577,666
Deductions			
Pension benefit payments	20,165,676	-	20,165,676
Medical benefit payments	7,630,414	-	7,630,414
Disability benefit payments	190,765	-	190,765
Refunds of contributions	588,729	-	588,729
Administrative expenses	341,803	-	341,803
Disbursements to other governments	-	170,349,558	170,349,558
Bond disbursements	-	855,900	855,900
Restitutions, judgments, and other refunds	-	109,433	109,433
Volunteer work program and civil drug fund	-	300,064	300,064
Total deductions	28,917,387	171,614,955	200,532,342
Net Increase (Decrease) in Net Position	7,088,414	(43,090)	7,045,324
Net Position - Beginning of year	329,975,403	733,076	330,708,479
Net Position - End of year	**$ 337,063,817**	**$ 689,986**	**$ 337,753,803**

See notes to financial statements.

Component Units
Statement of Net Position

November 30, 2023

	Economic Development Corporation	Plymouth Road Development Authority	Brownfield Redevelopment Authority	Total
Assets				
Cash and cash equivalents	$ 26,034	$ 1,682,619	$ 1,173,219	$ 2,881,872
Accounts receivable	-	68,921	-	68,921
Capital assets: (Note 5)				
Assets not subject to depreciation	-	474,048	-	474,048
Assets subject to depreciation - Net	-	160,888	-	160,888
Total assets	26,034	2,386,476	1,173,219	3,585,729
Liabilities				
Accounts payable	-	103,945	633,776	737,721
Due to other governmental units	-	-	32,512	32,512
Total liabilities	-	103,945	666,288	770,233
Net Position				
Net investment in capital assets	-	634,936	-	634,936
Unrestricted	26,034	1,647,595	506,931	2,180,560
Total net position	**$ 26,034**	**$ 2,282,531**	**$ 506,931**	**$ 2,815,496**

See notes to financial statements.

Functions/Programs	Expenses	Program Revenue: Charges for Services	Program Revenue: Operating Grants and Contributions	Program Revenue: Capital Grants and Contributions
Economic Development Corporation	$ -	$ -	$ -	$ -
Plymouth Road Development Authority	519,738	-	-	-
Brownfield Redevelopment Authority	959,372	-	-	-
Total component units	**$ 1,479,110**	**$ -**	**$ -**	**$ -**
General revenue:				
Property taxes				
Investment income				
Other miscellaneous income				
Total general revenue				
Change in Net Position				
Net Position - Beginning of year				
Net Position - End of year				

See notes to financial statements.

Component Units
Statement of Activities

Year Ended November 30, 2023

Net (Expense) Revenue and Changes in Net Position			
Economic Development Corporation	Plymouth Road Development Authority	Brownfield Redevelopment Authority	Total
$ -	$ -	$ -	$ -
-	(519,738)	-	(519,738)
-	-	(959,372)	(959,372)
-	(519,738)	(959,372)	(1,479,110)
-	796,388	1,067,506	1,863,894
1,084	3,896	17,550	22,530
-	4,347	-	4,347
1,084	804,631	1,085,056	1,890,771
1,084	284,893	125,684	411,661
24,950	1,997,638	381,247	2,403,835
$ 26,034	**$ 2,282,531**	**$ 506,931**	**$ 2,815,496**

Note 1 - Significant Accounting Policies

The following is a summary of the significant accounting policies used by the City of Livonia, Michigan:

Reporting Entity

The City of Livonia, Michigan (the "City") is governed by an elected seven-member council. The City's administration operates under the overall direction of an elected mayor. The accompanying financial statements present the City and its component units, entities for which the City is considered to be financially accountable. Blended component units are, in substance, part of the City's operations, even though they are separate legal entities. Thus, blended component units are appropriately presented as funds of the City. Each discretely presented component unit is reported in a separate column in the government-wide financial statements to emphasize that it is legally separate from the City.

Blended Component Units

The Municipal Building Authority of Livonia is governed by a board that is appointed by the City's mayor. Although it is legally separate from the City, it is reported as if it were part of the primary government because its primary purpose is to finance and construct the City's public buildings. The operations of the Municipal Building Authority are reported as a nonmajor debt service fund.

Fiduciary Component Units

The District Court Funds of District No. 16 (the "District Court") are reported within the custodial funds. Although it is legally separate from the City, it is reported as if it were part of the primary government because of the fiduciary relationship it has with the City.

The City of Livonia Employees' Retirement System, the City of Livonia Police and Fire Revised Retirement Plan, and the City of Livonia Retiree Health and Disability Benefits Plan are governed by a five-member pension board that includes three individuals chosen by the City Council and/or mayor. Although legally separate from the City, the systems are reported as if they were part of the primary government because of the fiduciary responsibility that the City retains relative to the operations of each system. The operations of the Employees' Retirement System, the Police and Fire Revised Retirement Plan, and the Retiree Health and Disability Benefits Plan are reported as pension and other employee benefits fiduciary funds.

Discretely Presented Component Units

The Economic Development Corporation (the "EDC") was created to provide means and methods for the encouragement and assistance of industrial and commercial enterprises in relocating, purchasing, constructing, improving, or expanding within the City so as to provide needed services and facilities of such enterprises to the residents of the City. The EDC's governing body, which consists of eight individuals, is selected by the mayor and approved by the City Council. Internally prepared financial statements for the EDC can be obtained from the City of Livonia Finance Department at 33000 Civic Center Drive, Livonia, MI 48154.

The Plymouth Road Development Authority was created to encourage additional economic activity and growth in the Plymouth Road business district. The Plymouth Road Development Authority's governing body, which consists of 12 individuals, is selected by the mayor and approved by the City Council. Internally prepared financial statements for the Plymouth Road Development Authority can be obtained from the City of Livonia Finance Department at 33000 Civic Center Drive, Livonia, MI 48154.

The Brownfield Redevelopment Authority was created, pursuant to Public Act (PA) 381 of 1996, to promote revitalization of environmentally distressed areas within the 36-square-mile boundary of the City. The Brownfield Redevelopment Authority is funded primarily by property tax revenue captures. The Brownfield Redevelopment Authority is governed by a nine-member board that is designated by the mayor and appointed by the City Council.

Note 1 - Significant Accounting Policies (Continued)

The City has excluded the Housing Commission from this report. Even though the City appoints the Housing Commission's directors, it does not have the ability to impose its will.

Accounting and Reporting Principles

The City follows accounting principles generally accepted in the United States of America (GAAP), as applicable to governmental units. Accounting and financial reporting pronouncements are promulgated by the Governmental Accounting Standards Board (GASB).

Report Presentation

Governmental accounting principles require that financial reports include two different perspectives - the government-wide perspective and the fund-based perspective. The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the nonfiduciary activities of the primary government and its component units. The government-wide financial statements are presented on the economic resources measurement focus and the full accrual basis of accounting. Property taxes are recognized as revenue in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met. The statements also present a schedule reconciling these amounts to the modified accrual-based presentation found in the fund-based statements.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenue. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenue includes: (1) charges to customers or applicants for goods, services, or privileges provided; (2) operating grants and contributions; and (3) capital grants and contributions, including special assessments. Taxes, unrestricted intergovernmental receipts, and other items not properly included among program revenue are reported instead as general revenue.

As a general rule, the effect of interfund activity has been removed from the government-wide financial statements. Exceptions to this general rule occur when there are charges between the City's water and sewer function and various other functions. Eliminations of these charges would distort the direct costs and program revenue reported for the various functions concerned.

Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds and major individual enterprise funds, if any, are reported as separate columns in the fund financial statements.

Fund Accounting

The City accounts for its various activities in several different funds in order to demonstrate accountability for how it spends certain resources; separate funds allow the City to show the particular expenditures for which specific revenue is used. The various funds are aggregated into three broad fund types:

Governmental Funds

Governmental funds include all activities that provide general governmental services that are not business-type activities. Governmental funds can include the General Fund, special revenue funds, debt service funds, capital project funds, and permanent funds. The City reports the following funds as major governmental funds:

- The General Fund is the primary operating fund because it accounts for all financial resources used to provide government services other than those specifically assigned to another fund.
- The Refuse Disposal System Fund accounts for the operations of the refuse disposal activities of the City. Funding is provided primarily through a local dedicated property tax levy.

Note 1 - Significant Accounting Policies (Continued)

- The Roads and Sidewalks Fund accounts for the funding of road and sidewalk repairs and improvements. Funding is primarily through a local dedicated property tax levy.

Proprietary Funds

Proprietary funds include enterprise funds (which provide goods or services to users in exchange for charges or fees) and internal service funds (which provide goods or services to other funds of the City). The City reports the following fund as a major enterprise fund:

- The Water and Sewer Fund accounts for the activities of the water and sewer distribution system and sewage collection system. Funding is provided primarily through user charges.

The City's Internal Service Fund is used to fund general, workers' compensation, and employee health care liability claims to purchase insurance that provides excess general liability coverage for city employees and property. The fund is financed primarily by charges to the various departments of the City.

Fiduciary Funds

Fiduciary funds include amounts held in a fiduciary capacity for others. These amounts are not used to operate the City's programs. Activities that are reported as fiduciary include the following:

- The Pension and Other Employee Benefits Trust Funds account for the activities of employee benefit plans that accumulate resources for pension and other postemployment benefit (OPEB) payments to qualified employees.
- Custodial funds account for assets held by the City in a trustee capacity.

Interfund Activity

During the course of operations, the City has activity between funds for various purposes. Any residual balances outstanding at year end are reported as due from/to other funds and advances to/from other funds. While these balances are reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Balances between the funds included in governmental activities (i.e., the governmental and internal service funds) are eliminated so that only the net amount is included as internal balances in the governmental activities column. Similarly, balances between the funds included in business-type activities (i.e., the enterprise funds) are eliminated so that only the net amount is included as internal balances in the business-type activities column.

Furthermore, certain activity occurs during the year involving transfers of resources between funds. In fund financial statements, these amounts are reported at gross amounts as transfers in/out. While reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Transfers between the funds included in governmental activities are eliminated so that only the net amount is included as transfers in the governmental activities column. Similarly, balances between the funds included in business-type activities are eliminated so that only the net amount is included as transfers in the business-type activities column.

Basis of Accounting

The governmental funds use the current financial resources measurement focus and the modified accrual basis of accounting. This basis of accounting is intended to better demonstrate accountability for how the City has spent its resources.

Note 1 - Significant Accounting Policies (Continued)

Expenditures are reported when the goods are received or the services are rendered. Capital outlays are reported as expenditures (rather than as capital assets) because they reduce the ability to spend resources in the future; conversely, employee benefit costs that will be funded in the future (such as pension and retiree health care-related costs or sick and vacation pay) are not counted until they come due for payment. In addition, debt service expenditures, claims, and judgments are recorded only when payment is due.

Revenue is not recognized until it is collected or collected soon enough after the end of the year that it is available to pay for obligations outstanding at the end of the year. For this purpose, the City considers amounts collected within 60 days of year end to be available for recognition. The following major revenue sources meet the availability criterion: state-shared revenue, state gas and weight tax revenue, district court fines, and interest associated with the current fiscal period. Conversely, delinquent personal property taxes, certain state-shared revenue payments, 911 surcharges, special assessments, and other miscellaneous revenue will be collected after the period of availability; receivables have been recorded for these, along with a deferred inflow.

Proprietary funds and fiduciary funds use the economic resources measurement focus and the full accrual basis of accounting. Revenue is recorded when earned, and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Specific Balances and Transactions

Cash and Investments

Cash and cash equivalents include cash on hand, demand deposits, and short-term investments with a maturity of three months or less when acquired. Investments are stated at fair value. Pooled investment income is generally allocated to each fund using a weighted-average balance for the principal held for each fund on a daily basis.

Receivables and Payables

In general, outstanding balances between funds are reported as due to/from other funds. Any residual balances outstanding between the governmental activities and the business-type activities are reported in the government-wide statements as internal balances. All trade and property tax receivables are shown as net of allowance for uncollectible amounts.

Inventories and Prepaid Items

Inventories are valued at cost, on a first-in, first-out basis. Inventories of governmental funds are recorded as expenditures when consumed rather than when purchased. Certain payments to vendors reflect costs applicable to future fiscal years and are recorded as prepaid items in both government-wide and fund financial statements.

Restricted Assets

The revenue bonds of the enterprise funds require amounts to be set aside for bond reserve. Additionally, the unspent bond proceeds are required to be set aside for capital expenses. These amounts have been classified as restricted assets in the Water and Sewer Fund.

Capital Assets

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the applicable governmental activities column in the government-wide financial statements. Capital assets are defined by the City as assets with an initial individual cost of more than $5,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated acquisition value at the date of donation.

Note 1 - Significant Accounting Policies (Continued)

Infrastructure, buildings, equipment, and vehicles are depreciated using the straight-line method over the following useful lives:

	Depreciable Life - Years
Infrastructure	33 to 40
Road rights	33
Buildings and improvements	25 to 50
Machinery, equipment, and vehicles	2 to 20
Water and sewer distribution systems	50

Long-term Obligations

In the government-wide financial statements and the proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund-type statement of net position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are expensed at the time they are incurred. In the fund financial statements, governmental fund types recognize bond issuances and premiums as other financing sources and bond discounts as other financing uses. The General Fund and debt service funds are generally used to liquidate governmental long-term debt.

Unearned Revenue

Unearned revenue represents money received that does not yet meet the criteria for revenue recognition. Unearned amounts are reported as liabilities.

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of net position and/or balance sheet will sometimes report a separate section for deferred outflows of resources. This separate financial statement element represents a consumption of net assets that applies to future periods and will not be recognized as an outflow of resources (expense/expenditure) until then. The City reports deferred outflows related to bond refunding charges and the pension and OPEB plans, as detailed in Notes 11 and 13, respectively.

In addition to liabilities, the statement of net position and/or balance sheet will sometimes report a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition of net assets that applies to future periods and will not be recognized as an inflow of resources (revenue) until that time. The City reports deferred inflows related to three items. Unavailable revenue is reported only in the governmental funds balance sheet. The governmental funds report unavailable revenue from various sources shown in Note 16. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available. The City also reports deferred inflows of resources related to lease revenue and the OPEB plan, as detailed in Note 13.

Net Position Flow Assumption

The City will sometimes fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted net position and unrestricted net position in the government-wide and proprietary fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the City's policy to consider restricted net position to have been depleted before unrestricted net position is applied, except as noted below.

Note 1 - Significant Accounting Policies (Continued)

Fund Balance Flow Assumptions

The City will sometimes fund outlays for a particular purpose from both restricted and unrestricted resources (the total of committed, assigned, and unassigned fund balance). In order to calculate the amounts to report as restricted, committed, assigned, and unassigned fund balance in the governmental fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the City's policy to consider restricted fund balance to have been depleted before using any of the components of unrestricted fund balance. The exceptions to this are the Community Recreation Fund and Capital Improvement Fund, which apply unrestricted fund balance first. Furthermore, when the components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last. This is true for all funds except the Community Recreation Fund and Capital Improvement Fund. As noted above, the policy for these funds is to use unrestricted funds first; therefore, the order of spending is unassigned, restricted, committed, and assigned.

Fund Balance Policies

Fund balance of governmental funds is reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. The City itself can establish limitations on the use of resources through either a commitment (committed fund balance) or an assignment (assigned fund balance).

The committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the City's highest level of decision-making authority. The City Council is the highest level of decision-making authority for the City that can, by adoption of an ordinance prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the ordinance remains in place until a similar action is taken (the adoption of another ordinance) to remove or revise the limitation.

Amounts in the assigned fund balance classification are intended to be used by the City for specific purposes but do not meet the criteria to be classified as committed. The City Council has, by resolution, authorized the finance director to assign fund balance. The City Council may also assign fund balance as it does when appropriating fund balance to cover a gap between estimated revenue and appropriations in the subsequent year's appropriated budget. Unlike commitments, assignments generally only exist temporarily. In other words, an additional action does not normally have to be taken for the removal of an assignment. Conversely, as discussed above, an additional action is essential to either remove or revise a commitment.

Property Tax Revenue

Property taxes are levied on each July 1 and December 1 and become an enforceable lien at that time; the tax is based on the taxable valuation of property as of the preceding December 31. These taxes are due on September 14 and February 14, respectively. Taxes are considered delinquent on March 1 of the following year, at which time penalties and interest are assessed.

The City's 2022 property tax revenue was levied and collectible on December 1, 2022 and is recognized as revenue in the year ended November 30, 2023 when the proceeds of the levy are budgeted and available for the financing of operations.

Note 1 - Significant Accounting Policies (Continued)

The 2022 taxable valuation of the City totaled $4.81 billion. Properties in the Plymouth Road Development Authority (PRDA) are assessed a millage of 2.0000 on July 1. The 2023 taxable valuation of PRDA totaled $397 million. The millages levied by the City and the resulting revenue are as follows:

Purpose	Millage Rate	Approximate Revenue (in 000s)
Operating purposes	3.9709	$ 18,876
Police and fire	0.7939	3,774
Police and fire and snow	1.1911	5,662
Library	0.7939	3,765
Refuse and recycling	2.3690	11,238
Industrial development	0.0105	50
Roads, sidewalks, and trees	0.8729	4,140
Recreation	0.7710	3,657
Public safety	1.6689	7,933
Culture and senior services	0.2452	1,166
Transit and capital improvement	0.4907	2,327
Plymouth Road Development Authority	2.0000	796
Total		$ 63,384

These amounts are recognized in the respective General, special revenue, debt service, and Plymouth Road Development Authority funds financial statements as tax revenue.

The delinquent real property taxes of the City are purchased by Wayne County, Michigan (the "County"). The County sells tax notes, the proceeds of which are used to pay the City for these property taxes. Wayne County, Michigan remitted its purchased delinquent real property taxes in June 2023. Wayne County, Michigan's delinquent real property taxes have been recorded as revenue in the current year.

Pension

The City offers two defined benefit pension plans to certain employees. The City records a net pension liability for the difference between the total pension liabilities calculated by the actuary and the pension plans' fiduciary net position. For the purpose of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the City of Livonia Employees' Retirement System and the City of Livonia Police and Fire Revised Retirement Plan and additions to/deductions from the pension plans' fiduciary net position have been determined on the same basis as they are reported by the pension plans. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Other Postemployment Benefit Costs

The City offers retiree health care benefits to certain retirees. The City records a net OPEB liability for the difference between the total OPEB liability calculated by the actuary and the OPEB plan’s fiduciary net position. For the purpose of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the City of Livonia Retiree Health and Disability Benefits Plan and additions to/deductions from the OPEB plan’s fiduciary net position have been determined on the same basis as they are reported by the OPEB plan. For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Note 1 - Significant Accounting Policies (Continued)

Compensated Absences (Vacation and Sick Leave)

It is the City's policy to permit employees to accumulate earned but unused sick and vacation pay benefits, as well as comp time. Under the City's policy, employees earn benefits based on time of service with the City. All vacation and sick pay, as well as comp time, is accrued when incurred in the government-wide and proprietary fund financial statements. A liability for these amounts is reported in governmental funds only for employee terminations as of year end. All other accrued compensated absences are reported in the government-wide financial statements; generally, the funds that report each employee's compensation (the General Fund and Water and Sewer Fund, primarily) are used to liquidate obligation.

Proprietary Funds Operating Classification

Proprietary funds distinguish operating revenue and expenses from nonoperating items. Operating revenue and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenue of the Water and Sewer Fund, Housing Fund, Golf Course Fund, and Internal Service Fund is charges to customers for sales or services. The Water and Sewer Fund also recognizes as operating revenue the portion of tap fees intended to recover the cost of connecting new customers to the system. Operating expenses for these funds include the cost of sales or services, administrative expenses, and depreciation on capital assets. All revenue and expenses not meeting this definition are reported as nonoperating revenue and expenses.

Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the period. Actual results could differ from those estimates.

Leases

The City is a lessee for a noncancellable lease of fiber-optic cable and infrastructure. The City recognizes a lease liability and an intangible right-to-use lease asset (lease asset) in the governmental activities column in the government-wide financial statements. The City recognizes lease assets and liabilities with an initial value of $25,000 or more for single lease contracts and $50,000 or more when the lease involves multiple similar underlying assets.

At the commencement of a lease, the City initially measures the lease liability at the present value of payments expected to be made during the lease term. Subsequently, the lease liability is reduced by the principal portion of lease payments made. The lease asset is initially measured as the initial amount of the lease liability, adjusted for lease payments made at or before the lease commencement date, plus certain initial direct costs. Subsequently, the lease asset is amortized on a straight-line basis over its useful life.

Key estimates and judgments related to leases include how the City determines (1) the discount rate it uses to discount the expected lease payments to present value, (2) lease term, and (3) lease payments.

- The City uses the interest rate charged by the lessor as the discount rate. When the interest rate charged by the lessor is not provided, the City generally uses its estimated incremental borrowing rate as the discount rate for leases.
- The lease term includes the noncancellable period of the lease. Lease payments included in the measurement of the lease liability are composed of fixed payments and purchase option price that the City is reasonably certain to exercise.

Note 1 - Significant Accounting Policies (Continued)

The City monitors changes in circumstances that would require a remeasurement of its lease and will remeasure the lease asset and liability if certain changes occur that are expected to significantly affect the amount of the lease liability.

Lease assets are reported with other capital assets and lease liabilities are reported with long-term debt on the statement of net position.

The City is a lessor for noncancelable leases of cell towers and buildings. The City recognizes a lease receivable and a deferred inflow of resources in the government-wide and fund financial statements.

At the commencement of a lease, the City initially measures the lease receivable at the present value of payments expected to be received during the lease term. Subsequently, the lease receivable is reduced by the principal portion of lease payments received. The deferred inflow of resources is initially measured as the initial amount of the lease receivable, adjusted for lease payments received at or before the lease commencement date. Subsequently, the deferred inflow of resources is recognized as revenue over the life of the lease term.

Key estimates and judgments include how the City determines the discount rate it uses to discount the expected lease receipts to present value, lease term, and lease receipts.

- The City uses the actual rate charged to lessees as the discount rate for leases.
- The lease term includes the noncancelable period of the lease. Lease receipts included in the measurement of the lease receivable are composed of fixed payments from the lessee.

The City monitors changes in circumstances that would require a remeasurement of its leases and will remeasure the lease receivable and deferred inflows of resources if certain changes occur that are expected to significantly affect the amount of the lease receivable.

Upcoming Accounting Pronouncements

In June 2022, the Governmental Accounting Standards Board issued GASB Statement No. 101, *Compensated Absences*, which updates the recognition and measurement guidance for compensated absences under a unified model. This statement requires that liabilities for compensated absences be recognized for leave that has not been used and leave that has been used but not yet paid in cash or settled through noncash means and establishes guidance for measuring a liability for leave that has not been used. It also updates disclosure requirements for compensated absences. The provisions of this statement are effective for the City's financial statements for the year ending November 30, 2025.

In December 2023, the Government Accounting Standards Board issued Statement No. 102, *Certain Risk Disclosures*, which requires governments to assess whether a concentration or constraint makes the government vulnerable to the risk of a substantial impact. It also requires governments to assess whether an event or events associated with a concentration or constraint that could cause the substantial impact have occurred, have begun to occur, or are more likely than not to begin to occur within 12 months of the date of the financial statements are issued. If certain criteria are met for a concentration or constraint, disclosures are required in the notes to the financial statements. The provisions of this statement are effective for the City's financial statements for the year ending November 30, 2025.

Note 2 - Stewardship, Compliance, and Accountability

Construction Code Fees

The City oversees building construction in accordance with the State's Construction Code Act, including inspection of building construction and renovation, to ensure compliance with the building codes. The City charges fees for these services. The law requires that collection of these fees be used only for construction code costs, including an allocation of estimated overhead costs. A summary of the current year activity and the cumulative surplus or shortfall generated since January 1, 2000 is as follows:

Cumulative shortfall at December 1, 2022		$ (3,348,109)
Current year building permit revenue		2,637,581
Related expenses:		
Direct costs	$ 2,717,712	
Estimated indirect costs	668,713	3,386,425
Current year net revenue		(748,844)
Cumulative shortfall at November 30, 2023		$ (4,096,953)

Note 3 - Deposits and Investments

Michigan Compiled Laws Section 129.91 (Public Act 20 of 1943, as amended) authorizes local governmental units to make deposits and invest in the accounts of federally insured banks, credit unions, and savings and loan associations that have offices in Michigan. The law also allows investments outside the state of Michigan when fully insured. The local unit is allowed to invest in bonds, securities, and other direct obligations of the United States or any agency or instrumentality of the United States; repurchase agreements; bankers' acceptances of United States banks; commercial paper rated within the two highest classifications that matures no more than 270 days after the date of purchase; obligations of the State of Michigan or its political subdivisions that are rated as investment grade; and mutual funds composed of investment vehicles that are legal for direct investment by local units of government in Michigan.

The pension trust funds and retiree health care fund are also authorized by Michigan Public Act 314 of 1965, as amended, to invest in certain reverse repurchase agreements, stocks, diversified investment companies, annuity investment contracts, real estate leased to public entities, mortgages, real estate (if the trust fund's assets exceed $250 million), debt or equity of certain small businesses, certain state and local government obligations, and certain other specified investment vehicles.

The City has designated seven banks for the deposit of its funds. The investment policy adopted by the City Council in accordance with Public Act 196 of 1997 has authorized investment in bonds and securities of the United States government and bank accounts and CDs. The City's deposits and investments are in accordance with statutory authority.

Custodial Credit Risk of Bank Deposits

Custodial credit risk is the risk that, in the event of a bank failure, the City's deposits may not be returned to it. The City does not have a deposit policy for custodial credit risk. At year end, the City had bank deposits of $68,539,367 (certificates of deposit and checking and savings accounts) that were uninsured and uncollateralized. In addition, the District Court, a component unit, had bank deposits of $512,427 (checking and savings accounts) that were uninsured and uncollateralized. The City believes that, due to the dollar amounts of cash deposits and the limits of FDIC insurance, it is impractical to insure all deposits.

Note 3 - Deposits and Investments (Continued)

Interest Rate Risk

Interest rate risk is the risk that the value of investments will decrease as a result of a rise in interest rates. The City's investment policy does not restrict investment maturities other than commercial paper, which can only be purchased with a 270-day maturity.

At year end, the City had the following investments and maturities:

Primary Government	Fair Value	0-5 Years	6-10 Years	More Than 10 Years
U.S. agency securities	$ 18,421,758	$ 18,421,758	$ -	$ -
Municipal bonds	1,024,845	1,024,845	-	-
U.S. Treasury securities	11,522,624	11,522,624	-	-
Bank investment pools	17,016,769	17,016,769	-	-
Total	$ 47,985,996	$ 47,985,996	$ -	$ -

City of Livonia Employees' Retirement System	Fair Value	0-5 Years	6-10 Years	More Than 10 Years
Corporate bonds	$ 5,650,974	$ 3,169,622	$ 1,531,653	$ 949,699
Foreign bonds	205,573	140,955	55,585	9,033
U.S. agency securities	2,859,170	32,224	122,954	2,703,992
U.S. Treasury securities	6,160,804	2,598,032	1,072,465	2,490,307
Collateralized mortgage obligations	1,597,339	-	58,795	1,538,544
Total	$ 16,473,860	$ 5,940,833	$ 2,841,452	$ 7,691,575

City of Livonia Retiree Health and Disability Benefits Plan	Fair Value	0-5 Years	6-10 Years	More Than 10 Years
Corporate bonds	$ 4,082,783	$ 2,066,061	$ 1,309,566	$ 707,156
Foreign bonds	238,007	170,379	55,585	12,043
U.S. agency securities	3,353,618	141	33,015	3,320,462
U.S. Treasury securities	7,246,869	3,681,145	1,086,183	2,479,541
Collateralized mortgage obligations	2,182,610	331,935	98,513	1,752,162
Total	$ 17,103,887	$ 6,249,661	$ 2,582,862	$ 8,271,364

Credit Risk

State law limits investments in commercial paper to the top two ratings issued by nationally recognized statistical rating organizations. The City has no investment policy that would further limit its investment choices. As of November 30, 2023, the credit quality ratings of debt securities (other than the U.S. government) are as follows:

Investment	Fair Value	Rating	Rating Organization
Primary Government			
Bank investment pools	$ 17,016,769	A2/P1	Moody's
Bank investment pools	2,207,021	Baa2/P2	Moody's
Municipal bonds	1,024,845	AA	S&P
U.S. Treasury securities	11,522,624	AA+	S&P
U.S. agency securities	18,421,758	AA+	S&P
Total	$ 50,193,017		

Note 3 - Deposits and Investments (Continued)

Investment	Fair Value	Rating	Rating Organization
Fiduciary Funds			
Corporate bond	$ 544,339	Aaa	Moody's
Corporate bond	9,786	Aa1	Moody's
Corporate bond	5,045	Aa2	Moody's
Corporate bond	49,685	Aa3	Moody's
Corporate bond	920,801	A1	Moody's
Corporate bond	810,738	A2	Moody's
Corporate bond	623,005	A3	Moody's
Corporate bond	5,093,523	Baa1 and below	Moody's
Corporate bond	1,676,835	NR	N/A
Foreign bonds	140,146	A1	Moody's
Foreign bonds	147,186	A2	Moody's
Foreign bonds	131,884	Baa1 and below	Moody's
Foreign bonds	24,364	NR	N/A
U.S. agency securities	6,212,788	Aaa	Moody's
U.S. Treasury securities	13,407,673	Aaa	Moody's
Collateralized mortgage obligations	1,696,014	Aaa	Moody's
Collateralized mortgage obligations	2,083,935	NR	N/A
Total	$ 33,577,747		

There are no limitations or restrictions on participant withdrawals for the $17,016,769 of bank investment pool investments that are recorded at amortized cost.

Note 4 - Fair Value Measurements

The City categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the assets. Level 1 inputs are quoted prices in active markets for identical assets, Level 2 inputs are significant other observable inputs, and Level 3 inputs are significant unobservable inputs. Investments that are measured at fair value using net asset value (NAV) per share (or its equivalent) as a practical expedient are not classified in the fair value hierarchy below.

In instances where inputs used to measure fair value fall into different levels in the fair value hierarchy, fair value measurements in their entirety are categorized based on the lowest level input that is significant to the valuation. The City's assessment of the significance of particular inputs to these fair value measurements requires judgment and considers factors specific to each asset.

Note 4 - Fair Value Measurements (Continued)

The City has the following recurring fair value measurements as of November 30, 2023:

	Assets Measured at Fair Value on a Recurring Basis at November 30, 2023			
	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)	Balance at November 30, 2023
Investments by Fair Value Level				
Debt securities:				
U.S. Treasury securities	$ 24,930,297	$ -	$ -	$ 24,930,297
Collateralized mortgage obligations	-	3,779,949	-	3,779,949
Corporate bonds	-	9,733,757	-	9,733,757
Foreign bonds and notes	-	443,580	-	443,580
Government agencies	-	24,634,546	-	24,634,546
Municipal bonds	-	1,024,845	-	1,024,845
Total debt securities	24,930,297	39,616,677	-	64,546,974
Equity securities:				
Common stock	122,672,101	-	-	122,672,101
Foreign stock	4,479,596	-	-	4,479,596
Mutual funds	103,147,455	-	-	103,147,455
ADR	6,733,150	-	-	6,733,150
REIT	2,882,340	-	-	2,882,340
Short-term investments	-	6,461,695	-	6,461,695
Total equity securities	239,914,642	6,461,695	-	246,376,337
Total investments by fair value level	$ 264,844,939	$ 46,078,372	$ -	310,923,311
Investments measured at NAV:				
Real estate funds				18,315,864
CIF - Fixed income				26,127,867
CIF - Equity				10,354,211
Total investments measured at NAV				54,797,942
Total investments				$ 365,721,253

Debt and equity securities classified in Level 1 are valued using prices quoted in active markets for those securities.

The fair value of collateralized mortgage obligations, corporate bonds, foreign bonds and notes, government agency securities, municipal bonds, and short-term investments at November 30, 2023 was determined primarily based on Level 2 inputs. The City estimates the fair value of these investments using other inputs, such as interest rates and yield curves, that are observable at commonly quoted intervals.

Note 4 - Fair Value Measurements (Continued)

The valuation method for investments measured at net asset value per share (or its equivalent) is presented in the following table.

Investments in Entities that Calculate Net Asset Value per Share

The City holds shares or interests in investment companies where the fair value of the investments is measured on a recurring basis using net asset value per share (or its equivalent) of the investment companies as a practical expedient.

As of November 30, 2023, the fair value, unfunded commitments, and redemption rules of those investments are as follows:

	Fair Value	Unfunded Commitments	Redemption Frequency, if Eligible	Redemption Notice Period
Real estate funds	$ 18,315,864	$ -	Unlimited	12 months
CIF - Fixed income	26,127,867	-	Unlimited	15 business days
CIF - Equity	10,354,211	-	Unlimited	None
Total investments measured at NAV	$ 54,797,942	$ -		

The real estate funds class includes the Alidade Capital Fund and the Valstone Opportunity Fund that invest primarily in U.S. commercial real estate. The fair values of the investments in this class have been estimated using net asset value of the City's ownership interest in partners' capital. Net income earned and amounts received from payoffs of investments will be distributed to the participants as cash is available until all funds are distributed.

The CIF - fixed income class includes the Loomis Sayles Senior Loan Fund, which invests primarily in bank loans. The fair values of the investments in this class have been estimated using net asset value of the City's ownership interest in the market value of the total fund.

The CIF - equity class includes the Harris Associates Oakmark International Fund, which invests primarily in foreign stock. The fair values of the investments in this class have been estimated using net asset value of the City's ownership interest in the market value of the total fund.

Note 5 - Capital Assets

Capital asset activity of the City's governmental and business-type activities was as follows:

Governmental Activities

	Balance December 1, 2022	Reclassifications	Additions	Disposals and Adjustments	Balance November 30, 2023
Capital assets not being depreciated:					
Land	$ 34,862,968	$ -	$ -	$ -	$ 34,862,968
Construction in progress	188,688	(262,226)	818,738	-	745,200
Subtotal	35,051,656	(262,226)	818,738	-	35,608,168
Capital assets being depreciated:					
Infrastructure	194,744,096	-	14,650,758	-	209,394,854
Road rights	21,609,183	-	87,484	-	21,696,667
Buildings and improvements	119,329,440	(487,774)	683,578	(443,543)	119,081,701
Equipment and vehicles	48,168,497	750,000	4,052,374	(2,974,007)	49,996,864
Lease assets - Equipment and vehicles	-	-	672,502	-	672,502
Subtotal	383,851,216	262,226	20,146,696	(3,417,550)	400,842,588
Accumulated depreciation:					
Infrastructure	80,376,734	-	4,909,668	-	85,286,402
Road rights	13,826,404	-	613,105	-	14,439,509
Buildings and improvements	62,621,950	-	2,446,953	(156,647)	64,912,256
Equipment and vehicles	31,855,623	-	3,099,285	(2,806,434)	32,148,474
Lease assets - Equipment and vehicles	-	-	39,229	-	39,229
Subtotal	188,680,711	-	11,108,240	(2,963,081)	196,825,870
Net capital assets being depreciated	195,170,505	262,226	9,038,456	(454,469)	204,016,718
Net governmental activities capital assets	$ 230,222,161	$ -	$ 9,857,194	$ (454,469)	$ 239,624,886

Note 5 - Capital Assets (Continued)

Business-type Activities

	Balance December 1, 2022	Reclassifications	Additions	Disposals and Adjustments	Balance November 30, 2023
Capital assets not being depreciated:					
Land	$ 5,164,436	$ -	$ -	$ -	$ 5,164,436
Construction in progress	4,229,904	(2,405,380)	5,045,652	(13,918)	6,856,258
Subtotal	9,394,340	(2,405,380)	5,045,652	(13,918)	12,020,694
Capital assets being depreciated:					
Water and sewer distribution	179,706,633	1,847,013	1,074,760	-	182,628,406
Buildings and building improvements	20,121,944	558,367	297	-	20,680,608
Machinery and equipment	2,537,318	-	601,204	(418,535)	2,719,987
Vehicles	4,227,700	-	480,029	(645,700)	4,062,029
Land improvements	3,039,595	-	29,960	-	3,069,555
Subtotal	209,633,190	2,405,380	2,186,250	(1,064,235)	213,160,585
Accumulated depreciation:					
Water and sewer distribution	91,654,825	-	3,445,751	-	95,100,576
Buildings and building improvements	6,842,459	-	413,108	-	7,255,567
Machinery and equipment	2,244,922	-	59,008	(418,535)	1,885,395
Vehicles	2,830,298	-	426,796	(645,700)	2,611,394
Land improvements	2,917,902	-	12,614	-	2,930,516
Subtotal	106,490,406	-	4,357,277	(1,064,235)	109,783,448
Net capital assets being depreciated	103,142,784	2,405,380	(2,171,027)	-	103,377,137
Net business-type activity capital assets	$ 112,537,124	$ -	$ 2,874,625	$ (13,918)	$ 115,397,831

Capital asset activity for the City's component unit for the year ended November 30, 2023 was as follows:

Component Unit - Plymouth Road Development Authority

	Balance December 1, 2022	Reclassifications	Additions	Disposals and Adjustments	Balance November 30, 2023
Capital assets not being depreciated - Land	$ 474,048	$ -	$ -	$ -	$ 474,048
Capital assets being depreciated - Land improvements	12,195,788	-	-	-	12,195,788
Accumulated depreciation - Land improvements	11,950,171	-	84,729	-	12,034,900
Net capital assets being depreciated	245,617	-	(84,729)	-	160,888
Net capital assets	$ 719,665	$ -	$ (84,729)	$ -	$ 634,936

Note 5 - Capital Assets (Continued)

Depreciation expense was charged to programs of the primary government as follows:

Governmental activities:	
General government	$ 564,119
Public safety	1,478,735
Public works	6,753,196
Recreation and culture	2,312,190
Total governmental activities	$ 11,108,240
Business-type activities:	
Water and Sewer	$ 4,136,460
Golf Course	31,767
Newburgh and Silver Village	189,050
Total business-type activities	$ 4,357,277

Construction Commitments

The City has active construction projects at year end. At year end, the City's commitments with contractors are as follows:

	Spent to Date	Remaining Commitment
Street and sidewalk projects	$ 26,877,426	$ 488,773
Water, drain, and sewer projects	7,589,870	4,944,492
Senior housing improvements	1,503,128	290,800
Fire station improvements	-	681,853
Park improvements	148,351	500,000
Energy improvements	562,235	419,427
Total	$ 36,681,010	$ 7,325,345

Note 6 - Interfund Receivables, Payables, and Transfers

The composition of interfund balances is as follows:

Receivable Fund	Payable Fund	Amount
Employees' Retirement System	General Fund	$ 141,391
	Nonmajor governmental funds	7,445
	Water and Sewer Fund	7,833
	Total Employees' Retirement System	156,669
VEBA	General Fund	354,147
	Nonmajor governmental funds	17,921
	Water and Sewer Fund	17,921
	Total VEBA	389,989
Police and Fire Revised Retirement Plan	General Fund	277,970
	Total	$ 824,628

These balances result from the time lag between the dates that goods and services are provided or reimbursable expenditures occur, transactions are recorded in the accounting system, and payments between funds are made.

Note 6 - Interfund Receivables, Payables, and Transfers (Continued)

Interfund transfers reported in the fund financial statements are composed of the following:

Paying Fund (Transfer Out)	Receiving Fund (Transfer In)	Amount
General Fund	Nonmajor governmental funds	$ 3,457,117
Nonmajor governmental funds	Nonmajor governmental funds	9,423,720
	Roads and Sidewalks Fund	7,150,000
	Total nonmajor governmental funds	16,573,720
	Total	$ 20,030,837

The transfer from the General Fund to the nonmajor governmental funds is unrestricted resources to finance capital projects and general obligation debt service in accordance with budgetary authorizations.

The majority of transfers between the nonmajor governmental funds are for gas and weight tax revenue from the Major Streets Fund to the Local Streets Fund in accordance with Act 51. Most of the remaining transfers relate to debt service and capital projects.

The transfer from the nonmajor governmental funds to the Roads and Sidewalks Fund is for gas and weight tax revenue that has been passed through the Local Streets Fund from the Major Streets Fund in accordance with Act 51.

Note 7 - Long-term Debt

The City issues bonds to provide for the acquisition and construction of major capital facilities. General obligation bonds are direct obligations and pledge the full faith and credit of the City. County contractual agreements are also general obligations of the City. Special assessment bonds provide for capital improvements that benefit specific properties and will be repaid from amounts levied against those properties benefited from the construction. In the event that a deficiency exists because of unpaid or delinquent special assessments at the time a debt service payment is due, the City is obligated to provide resources to cover the deficiency until other resources (such as tax sale proceeds or a reassessment of the City) are received. Revenue bonds involve a pledge of specific income derived from the acquired or constructed assets to pay debt service.

Note 7 - Long-term Debt (Continued)

Long-term debt activity for the year ended November 30, 2023 can be summarized as follows:

Governmental Activities

	Interest Rate Ranges	Principal Maturity Ranges	Beginning Balance	Additions	Reductions	Ending Balance	Due within One Year
Bonds and contracts payable:							
Other debt - Building Authority Bonds:							
2015 MBA Refunding Bonds:							
Amount of issue - $2,050,000 Maturing through 2025	2.47%	$160,000 - $300,000	$ 520,000	$ -	$ (170,000)	$ 350,000	$ 175,000
2016 MBA Refunding Bonds:							
Amount of issue - $6,180,000 Maturing through 2033	4.00%	$305,000 - $540,000	4,875,000	-	(360,000)	4,515,000	375,000
2017 MBA Refunding Bonds:							
Amount of issue - $19,980,000 Maturing through 2030	3.00% - 5.00%	$1,250,000 - $1,945,000	13,330,000	-	(1,455,000)	11,875,000	1,500,000
Installment purchases			31,619	552,581	(142,326)	441,874	111,176
Unamortized bond premiums			1,738,850	-	(200,312)	1,538,538	200,312
Total bonds and contracts payable			20,495,469	552,581	(2,327,638)	18,720,412	2,361,488
Leases			-	672,502	(74,808)	597,694	60,164
General liability claims, workers' compensation, and health insurance claims (Note 9)			2,044,675	564,535	-	2,609,210	-
Net pension liability (Note 11)			29,212,199	4,094,423	-	33,306,622	-
Net OPEB Liability (Note 13)			91,695,154	-	(89,508,833)	2,186,321	-
Compensated absences			9,313,331	4,502,015	(3,103,934)	10,711,412	3,569,914
Landfill closure and postclosure			712,195	8,527	-	720,722	-
Total governmental activities long-term debt			$153,473,023	$ 10,394,583	$(95,015,213)	$ 68,852,393	$ 5,991,566

Compensated absences attributable to the governmental activities will be liquidated primarily by the General Fund. The claims liability will generally be liquidated through the City's self-insurance Internal Service Fund. That fund will finance the payment of those claims by charging the other funds based on management's assessment of the relative insurance risk that should be assumed by individual funds. The net pension and OPEB liabilities will be liquidated from the funds from which an individual employee's salary is paid, primarily the General Fund.

Note 7 - Long-term Debt (Continued)

Business-type Activities

	Interest Rate Ranges	Principal Maturity Ranges	Beginning Balance	Additions	Reductions	Ending Balance	Due within One Year
Bonds and contracts payable:							
Direct borrowings and direct placements:							
2013 State of Michigan Clean Water Program State Revolving Loan: Amount of issue - $3,620,000 Maturing through 2034	2.00%	$125,000 - $220,000	$ 2,205,730	$ -	$ (165,000)	$ 2,040,730	$ 170,000
2014 State of Michigan Drinking Water Program Revolving Loan: Amount of issue - $3,552,013 Maturing through 2036	2.00%	$145,000 - $235,000	2,332,013	-	(170,000)	2,162,013	175,000
2015 State of Michigan Drinking Water Program Revolving Loan: Amount of issue - $7,104,415 Maturing through 2040	2.50%	$274,415 - $570,000	4,417,894	-	(265,000)	4,152,894	275,000
2020 State of Michigan Drinking Water Program Revolving Loan: Amount of issue - $9,160,000 Maturing through 2040	2.00%	$375,000 - $550,000	7,705,593	196,537	(390,000)	7,512,130	400,000
2021 State of Michigan Drinking Water Program Revolving Loan: Amount of issue - $5,337,668 Maturing through 2041	1.875%	$222,668 - $315,000	4,412,414	194,524	(225,000)	4,381,938	210,000
2023 Water Supply and Wastewater System Revenue Bonds: Amount of issue - $6,295,000 Maturing through 2043	5.00% - 5.25%	$200,000 - $480,000	-	6,295,000	-	6,295,000	200,000
Installment purchases			13,908	-	(6,753)	7,155	7,155
Unamortized bond premiums			-	289,952	-	289,952	-
Total direct borrowings and direct placements principal outstanding			21,087,552	6,976,013	(1,221,753)	26,841,812	1,437,155
Net pension liability (Note 11)			926,726	139,893	-	1,066,619	-
Net OPEB liability (Note 13)			4,323,325	-	(4,240,032)	83,293	-
Compensated absences			556,414	360,213	(289,485)	627,142	300,211
Total business-type activities long-term debt			$ 26,894,017	$ 7,476,119	$ (5,751,270)	$ 28,618,866	$ 1,737,366

Revenue Bonds

The City has pledged substantially all of the Water and Sewer Fund, net of operating expenses, to repay the water and sewer revenue bonds listed below. Proceeds from the bonds provided financing for improvements to the water and sewer system. The bonds are payable solely from the net revenue of the water and sewer system. The remaining principal and interest to be paid on the bonds total approximately $33.8 million. During the current year, net revenue of the system was $6.8 million, compared to annual debt requirements of approximately $2.2 million.

Note 7 - Long-term Debt (Continued)

Other Long-term Liabilities

The City has issued Industrial Development Revenue Bonds and Economic Development Corporation Bonds under state law, which authorizes municipalities under certain circumstances to acquire and lease industrial sites, buildings, and equipment and lease them to third parties. The revenue bonds issued are payable solely from the net revenue derived from the respective leases and are not a general obligation of the City. After these bonds are issued, all financial activity is taken over by the paying agent. The bonds and related lease contracts are not reflected in the City's financial statements. Information regarding the status of each bond issue, including possible default, must be obtained from the paying agent or other knowledgeable source. The aggregate original issue amount was $83,667,000.

Debt Service Requirements to Maturity

Annual debt service requirements to maturity for the above bonds and note obligations are as follows:

	Governmental Activities			Business-type Activities		
	Other Debt			Direct Borrowings and Direct Placements		
Years Ending November 30	Principal	Interest	Total	Principal	Interest	Total
2024	$ 2,161,176	$ 701,766	$ 2,862,942	$ 1,437,155	$ 715,073	$ 2,152,228
2025	2,213,564	629,520	2,843,084	1,450,000	705,334	2,155,334
2026	2,115,089	549,759	2,664,848	1,490,000	668,059	2,158,059
2027	2,212,045	452,432	2,664,477	1,520,000	629,740	2,149,740
2028	2,200,000	341,950	2,541,950	1,560,000	590,422	2,150,422
2029-2033	6,280,000	448,625	6,728,625	8,410,000	2,321,120	10,731,120
2034-2038	-	-	-	7,055,638	1,242,847	8,298,485
2039-2043	-	-	-	3,629,067	397,604	4,026,671
Total	$ 17,181,874	$ 3,124,052	$ 20,305,926	$ 26,551,860	$ 7,270,199	$ 33,822,059

Bond Refunding

In previous years, the City defeased certain bonds by completing an advance refunding. As of November 30, 2023, there is still $11,290,000 of bonds outstanding that are considered defeased.

Note 8 - Restricted Assets

Business-type Activities

In accordance with the provisions of the Water Supply and Wastewater System Revenue Bonds, the City is required to set aside moneys in a bond reserve account. At November 30, 2023, the City set aside $2,207,021 of cash and cash equivalents to comply with these requirements. Additionally, the Water and Sewer Fund held $5,376,977 of unspent bond proceeds as of November 30, 2023 that have also been classified as restricted assets.

Note 9 - Risk Management

The City is exposed to various risks of loss related to property loss, torts, errors and omissions, and employee injuries (workers' compensation), as well as medical benefits provided to employees. The City has purchased commercial insurance for medical benefits and workers' compensation and participates in the Michigan Municipal Risk Management Authority (the "Authority").

Note 9 - Risk Management (Continued)

The Michigan Municipal Risk Management Authority risk pool program operates as a claims servicing pool for amounts up to member retention limits and operates as a common risk-sharing management program for losses in excess of member retention amounts. Although premiums are paid annually to the Authority, which it uses to pay claims up to the retention limits, the ultimate liability for those claims remains with the City.

The City estimates the liability for general liability, workers' compensation, and medical claims that have been incurred through the end of the fiscal year, including claims that have been reported and those that have not yet been reported. These estimates are recorded in the Self-insurance Internal Service Fund. The estimated liability for property loss, general liability, workers' compensation, and medical claims is recorded within the governmental activities column in the statement of net position. Changes in the estimated liability for the past two fiscal years were as follows:

	General Liability		Workers' Compensation		Medical Claims	
	2023	2022	2023	2022	2023	2022
Estimated liability - Beginning of year	$ 1,182,634	$ 808,285	$ 325,429	$ 207,828	$ 536,612	$ 865,288
Estimated claims incurred, including changes in estimates	1,349,562	1,406,645	1,424,474	754,364	11,853,090	12,308,469
Claim payments	(1,405,868)	(1,032,296)	(905,711)	(636,763)	(11,751,012)	(12,637,145)
Estimated liability - End of year	$ 1,126,328	$ 1,182,634	$ 844,192	$ 325,429	$ 638,690	$ 536,612

The City is subject to various legal proceedings and claims that arise in the ordinary course of its business. The City believes that the amount, if any, of ultimate liability with respect to legal actions will be insignificant or will be covered by insurance.

Note 10 - Defined Contribution Pension Plan

The City of Livonia Employees' Retirement System Defined Contribution Plan is administered by the City of Livonia Employees' Retirement System and the City of Livonia, Michigan. The plan was established under Section 401(a) of the Internal Revenue Code for the following employees:

- General employee members - All members hired on or after March 17, 1997
- Police lieutenant and sergeant members - All members hired on or after December 8, 1997 who have elected not to participate in the City of Livonia Police and Fire Revised Retirement Plan
- Police officer members - All members hired on or after November 24, 1998 who have elected not to participate in the City of Livonia Police and Fire Revised Retirement Plan
- Firefighter members - All members hired on or after July 1, 1998 who have elected not to participate in the City of Livonia Police and Fire Revised Retirement Plan

In addition, the plan covers all employees electing to transfer from the City's defined benefit pension plan (see Note 11).

Note 10 - Defined Contribution Pension Plan (Continued)

In a defined contribution plan, benefits depend solely on amounts contributed to the plan plus investment earnings. As established by the City through collective bargaining agreements, the City contributes a percentage of employees' earnings as follows:

	Employees Transferring from the Defined Benefit Pension Plan		New Employees Hired after the Effective Dates Noted Above	
	Employer Contribution	Employee Contribution	Employer Contribution	Employee Contribution
General*	14.00 %	4.50 %	11.00 %	4.50 %
Police lieutenants and sergeants	14.00	5.21	14.00	5.21
Police	14.00	5.00	14.00	5.00
Fire	14.00	4.50	14.00	4.50

*For general employees, the employee contribution can range from 4.00 to 4.50 percent for employees transferring from the defined benefit pension plan and 4.00 to 4.50 percent for new employees hired after March 17, 1997.

The employee contribution percentages noted above represent the minimum required contribution. Employees are permitted to contribute additional amounts up to the maximum allowed by law.

The City's contributions for each employee are fully vested after four years of service.

In accordance with the above requirements, the City contributed $3,221,923 during the current year, and employees contributed $1,210,946.

Note 11 - Pension Plans

Plan Description

City of Livonia Employees' Retirement System

The City of Livonia Employees' Retirement System administers the City of Livonia Employees' Retirement System (the "System"), a single-employer defined benefit pension plan that provides retirement, disability, and death benefits to the following employees of the City unless they elected to transfer to the City's 401(a) defined contribution pension plan (see Note 10):

- General employee members - All members hired prior to March 17, 1997 and their beneficiaries
- Police lieutenant and sergeant members - All members hired prior to December 8, 1997 and their beneficiaries
- Police officer members - All members hired prior to November 24, 1998 and their beneficiaries
- Firefighter members - All members hired prior to July 1, 1998 and their beneficiaries

The financial statements of the pension system are included in these financial statements as a pension and other employee benefits trust fund (a fiduciary fund).

Management of the plan is vested in the System's board of trustees, which consists of five members: the mayor or mayor's designated administrative representative, a member of the City Council to be selected by the Council, a member of the Civil Service Commission, a police or fire member to be elected by the police and fire members, and a member of any retirement plan established by city ordinance who is not a police or fire member to be elected by the members of any retirement plan established by city ordinance other than police and fire members.

Note 11 - Pension Plans (Continued)

City of Livonia Police and Fire Revised Retirement Plan

The City of Livonia Police and Fire Revised Retirement Plan administers the City of Livonia Police and Fire Revised Retirement Plan (PFRRP), a single-employer defined benefit pension plan established in 2021 that provides retirement, disability, and death benefits to all police and fire employees of the City that are not eligible for the City of Livonia Employees' Retirement System and elected to participate in the PFRRP instead of the City's 401(a) defined contribution pension plan (see Note 10). Members converting to the PFRRP from the defined contribution plan had a one-time option to purchase between one and three years of service credit in the PFRRP.

The financial statements of the pension system are included in these financial statements as a pension and other employee benefits trust fund (a fiduciary fund).

Management of the plan is vested in the same board of trustees as the System.

Benefits Provided

City of Livonia Employees' Retirement System

The System provides retirement, disability, and death benefits as follows:

General Members - Eligible after 30 years of service regardless of age or age 55 with 10 years of service. Permanent part-time general members need only 10 calendar years of membership instead of 10 years of credited service. Pension amount is 2.5 percent of the member's average final compensation (AFC) times years of credited service (maximum is 75 percent of AFC).

Police Officers, Sergeants, and Lieutenants - Eligible after 25 years of service regardless of age or age 52 with 10 years of service (age 50 with 10 years but less than 25 years of service - early retirement with reduced benefit of 0.5 percent per month below age 52). Pension amount is 2.8 percent of the member's average final compensation times the first 24 years of credited service, plus 7.8 percent of AFC for the 25th year of credited service (maximum is 75 percent of AFC).

Police Command - Eligible after 25 years of service regardless of age or age 50 with 10 years of service (age 48 with 10 years but less than 25 years of service - early retirement with reduced benefit of 0.5 percent per month below age 50). Pension amount is 2.8 percent of the member's average final compensation times the years of credited service (maximum is 75 percent of AFC).

Fire Members - Eligible after 25 years of service regardless of age or age 52 with 10 years of service (age 50 with 10 years but less than 25 years of service - early retirement with reduced benefit of 0.5 percent per month below age 52). Pension amount is 2.8 percent of the member's average final compensation times the years of credited service (maximum is 75 percent of AFC).

Average final compensation is the average of the highest annual compensation received during any 3 years of service contained within the 10 years of service immediately preceding retirement, including base salary, longevity, shift differential, paid time off, holiday pay, and payment of accumulated vacation time up to the limits established by the respective bargaining agreements. In addition, merit pay is included for police members, and paramedic/EMT or ALS bonuses are included for firefighters.

Benefit terms provide for annual cost of living adjustments to each member's retirement allowance subsequent to the member's retirement date. The monthly adjustments vary between $20 and $375 depending on year of retirement and amount of years past retirement.

Plan members are eligible for disability retirement upon termination of city employment by reason of total and permanent disability after completing at least 10 full years of credited service, except that in the event of a duty disability, the 10-year service requirement is waived. Special age and service requirements apply in the calculation of the disability benefit provided.

Note 11 - Pension Plans (Continued)

City of Livonia Police and Fire Revised Retirement Plan

The System provides retirement, disability, and death benefits as follows for all eligible participants: Eligible after 25 years of service regardless of age or age 52 with 15 years of service. Pension amount is 2.5 percent of the member's average final compensation times the years of credited service (maximum is 75 percent of AFC).

Average final compensation is the average of the highest annual compensation received during any 3 years of service contained within the 10 years of service immediately preceding retirement, including base salary or wages, worker's compensation wage loss benefits with supplemental pay not to exceed regular base wages, and any other financial compensation from which pension contributions are withheld.

Plan members are eligible for disability retirement upon termination of city employment by reason of total and permanent disability after completing at least 10 full years of credited service, except that in the event of a duty disability, the 10-year service requirement is waived. Special age and service requirements apply in the calculation of the disability benefit provided.

Employees Covered by Benefit Terms

The following members were covered by the benefit terms:

	City of Livonia Employees' Retirement System	City of Livonia Police and Fire Revised Retirement Plan
Date of member count	November 30, 2023	November 30, 2023
Inactive plan members or beneficiaries currently receiving benefits	555	1
Inactive plan members entitled to but not yet receiving benefits	3	20
Active plan members	13	163
Total employees covered by the plan	571	184

Contributions

Article 9, Section 24 of the State of Michigan constitution requires that financial benefits arising on account of employee service rendered in each year be funded during that year. Accordingly, the System's board of trustees retains an independent actuary to determine the annual contribution. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by plan members during the year, with an additional amount to finance any unfunded accrued liability. Contribution requirements of plan members are established and may be amended by the board of trustees in accordance with the city charter, union contracts, and plan provisions. For the year ended November 30, 2023, the average active member contribution rate ranged from 2.55 to 7.30 percent of annual pay for the Employees' Retirement System and 8.00 percent for the Police and Fire Revised Retirement Plan. The funding policy provides for periodic employer contributions at actuarially determined rates.

Note 11 - Pension Plans (Continued)

Net Pension Liability

The City chooses a date for each pension plan to measure its net pension liability. This is based on the measurement date of each pension plan, which may be based on a comprehensive valuation as of that date or based on an earlier valuation that has used procedures to roll the information forward to the measurement date.

	City of Livonia Employees' Retirement System	City of Livonia Police and Fire Revised Retirement Plan
Measurement date used for the City NPL	November 30, 2023	November 30, 2023
Based on a comprehensive actuarial valuation as of	November 30, 2023	November 30, 2023

Changes in the net pension liability during the measurement year were as follows:

City of Livonia Employees' Retirement System

	Increase (Decrease)		
Changes in Net Pension Liability	Total Pension Liability	Plan Net Position	Net Pension Liability
Balance at November 30, 2022	$ 233,522,651	$ 203,908,420	$ 29,614,231
Changes for the year:			
Service cost	399,577	-	399,577
Interest	15,873,611	-	15,873,611
Differences between expected and actual experience	2,026,080	-	2,026,080
Changes in assumptions	2,060,266	-	2,060,266
Contributions - Employer	-	1,786,885	(1,786,885)
Contributions - Employee	-	98,073	(98,073)
Net investment income	-	14,852,492	(14,852,492)
Benefit payments, including refunds	(20,700,472)	(20,700,472)	-
Administrative expenses	-	(245,479)	245,479
Net changes	(340,938)	(4,208,501)	3,867,563
Balance at November 30, 2023	$ 233,181,713	$ 199,699,919	$ 33,481,794

The plan's fiduciary net position represents 85.6 percent of the total pension liability.

Note 11 - Pension Plans (Continued)

City of Livonia Police and Fire Revised Retirement Plan

Changes in Net Pension Liability	Increase (Decrease) Total Pension Liability	Plan Net Position	Net Pension Liability
Balance at November 30, 2022	$ 4,817,234	$ 4,292,540	$ 524,694
Changes for the year:			
Service cost	3,011,099	-	3,011,099
Interest	546,096	-	546,096
Differences between expected and actual experience	782,190	-	782,190
Contributions - Employer	-	2,585,480	(2,585,480)
Contributions - Employee	-	1,019,243	(1,019,243)
Net investment income	-	420,908	(420,908)
Benefit payments, including refunds	(53,933)	(53,933)	-
Administrative expenses	-	(52,999)	52,999
Net changes	4,285,452	3,918,699	366,753
Balance at November 30, 2023	$ 9,102,686	$ 8,211,239	$ 891,447

The plan's fiduciary net position represents 90.2 percent of the total pension liability.

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended November 30, 2023, the City recognized pension expense of $6,100,211 for the System and pension expense of $2,359,473 for the Police and Fire Revised Retirement Plan.

At November 30, 2023, the City reported deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference between expected and actual experience	$ 948,197	$ -
Net difference between projected and actual earnings on pension plan investments	11,664,141	-
Total	$ 12,612,338	$ -

Amounts reported as deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Years Ending November 30	Amount
2024	$ 1,715,051
2025	3,046,524
2026	7,349,550
2027	(130,917)
2028	79,016
Thereafter	553,114
Total	$ 12,612,338

Note 11 - Pension Plans (Continued)

Actuarial Assumptions

The total pension liability in each actuarial valuation was determined using the following actuarial assumptions applied to all periods included in the measurement:

	City of Livonia Employees' Retirement System	City of Livonia Police and Fire Revised Retirement Plan
Inflation	2.50 percent	2.50 percent
Salary increases (including inflation)	4.00 percent	6.00 percent
Investment rate of return (net of investment expenses)	7.00 percent	7.00 percent
Mortality rates	Pub-2010 Mortality Table with MP-2021 Generational Improvement	Pub-2010 Mortality Table with MP-2021 Generational Improvement

The actuarial assumptions used in the November 30, 2023 valuations were based on the results of an actuarial experience study performed in 2021.

Discount Rate

As shown below, the discount rate used to measure the total pension liability was determined after considering a projection of the cash flows to determine whether the future contributions (made at the current contribution rates) will be sufficient to allow the pension plans' fiduciary net position to make all projected future benefit payments of current active and inactive employees.

	City of Livonia Employees' Retirement System	City of Livonia Police and Fire Revised Retirement Plan
Assumed investment rate of return	7.00 percent	7.00 percent
Are contributions expected to be sufficient to allow fiduciary net position to pay future benefits?	Yes	Yes
Discount rate used to measure TPL	7.00 percent	7.00 percent

Investment Rate of Return

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The expected rates of return for both plans are as follows:

Asset Class	Long-term Expected Real Rate of Return
Domestic large-cap value stocks	5.80 %
Domestic large-cap growth stocks	5.70
Domestic small-cap value/core stocks	6.00
International stocks	4.70
U.S. core fixed income	1.30
Global fixed income	1.10
High-yield fixed income	2.90
Bank loans	2.90
Real estate (direct)	4.90
Real estate investment trusts	3.90

Note 11 - Pension Plans (Continued)

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

The following presents the net pension liabilities of the City, calculated using the current discount rates, as well as what the City's net pension liabilities (assets) would be if they were calculated using discount rates that are 1 percentage point lower (6.00 percent for both the Employees' Retirement System and the Police and Fire Revised Retirement Plan) or 1 percentage point higher (8.00 percent for both the Employees' Retirement System and the Police and Fire Revised Retirement Plan) than the current rate:

	1 Percentage Point Decrease	Current Discount Rate	1 Percentage Point Increase
Net pension liability of the City of Livonia Employees' Retirement System	$ 56,114,523	$ 33,481,794	$ 14,310,096
Net pension liability (asset) of the City of Livonia Police and Fire Revised Retirement Plan	2,560,236	891,447	(446,645)

Assumption Changes

City of Livonia Employees' Retirement System

In 2023, the discount rate was decreased from 7.10 to 7.00 percent.

Investment Policy

The systems' policies in regard to the allocation of invested assets are established and may be amended by the systems' board of trustees by a majority vote of its members. It is the policy of the systems' board of trustees to pursue an investment strategy that manages risk through the prudent diversification of the portfolio across a broad selection of distinct asset classes. The systems' investment policy discourages the use of cash equivalents, except for liquidity purposes, and aims to refrain from dramatically shifting asset class allocations over short time spans.

The following was the adopted asset allocation policy of both pension plans as of November 30, 2023:

Asset Class	Target Allocation
Cash	2.00 %
Domestic large-cap value stocks	15.00
Domestic large-cap growth stocks	15.00
Domestic small-cap value/core stocks	10.00
International stocks	15.00
U.S. core fixed income	20.00
Global fixed income	5.00
High-yield fixed income	5.00
Bank loans	5.00
Real estate (direct)	4.00
Real estate investment trusts	4.00

Rate of Return

For the year ended November 30, 2023, the annual money-weighted rate of return on pension plan investments, net of pension plan investment expense, was 10.02 percent for the Employees' Retirement System and 7.67 percent for the Police and Fire Revised Retirement Plan. The money-weighted rate of return expresses investment performance, net of investment expense, adjusted for the changing amounts actually invested.

Note 12 - Pension Plan Reserves

In accordance with plan documents, the following reserves are required to be set aside within the pension plans:

The pension reserve fund (retiree reserve) is to be computed annually by the actuary as the present value of estimated benefit payments for all current retirees. The amounts reserved may be used solely to pay monthly retiree benefit payments.

The pension savings fund (employee reserve) is credited as employee contributions are received throughout the year; the System maintains a record of the amount contributed by each employee and credits interest annually at a rate of 4 percent. For any employee who terminates before vesting in the pension plan, the employee's balance is returned to the employee; for those who stay until retirement, the balance is transferred into the retiree reserve.

The pension accumulation fund (employer reserve) account is used to account for the residual net position balance in the pension plan after funding the above two reserves.

The balances of the reserve accounts at November 30, 2023 are as follows:

	Required Reserve - Employees' Retirement System	Amount Funded - Employees' Retirement System	Required Reserve - Police and Fire Revised Retirement Plan	Amount Funded - Police and Fire Revised Retirement Plan
Pension reserve fund	$ 211,566,278	$ 197,995,609	$ -	$ -
Pension savings fund	1,704,310	1,704,310	2,478,440	2,478,440
Pension accumulation fund	-	-	-	5,732,799

Note 13 - Other Postemployment Benefit Plan

Plan Description

The board of trustees of the City of Livonia Employees' Retirement System administers the City of Livonia Retiree Health and Disability Benefits Plan (the "VEBA"), a multiemployer, cost-sharing defined benefit OPEB plan that is used to provide medical and health care benefits, including hospitalization and disability benefits, for the welfare of eligible retirees and their spouses and eligible dependents of the City of Livonia, Michigan and the Livonia Housing Commission. Most retirees of the defined benefit pension plan and the defined contribution pension plan and their beneficiaries and future retirees who complete 10 years or more of credited service are eligible. Effective December 1, 2009, certain newly hired employees receive a health reimbursement account instead of being eligible for the VEBA. As of November 30, 2012, the plan began to provide Health Reimbursement Savings Accounts (HRSA) to all new hires in lieu of the VEBA medical benefits.

The financial statements of the OPEB plan are included in these financial statements as a pension and other employee benefits trust fund (a fiduciary fund).

Management of the VEBA is vested with the board of trustees of the City of Livonia Employees' Retirement System, which consists of five members: the mayor or mayor's designated administrative representative, a member of the City Council to be selected by the City Council, a member of the Civil Service Commission, a police or fire member to be elected by the police and fire members, and a member of any retirement plan established by city ordinance who is not a police or fire member to be elected by the members of any retirement plan established by city ordinance other than police and fire members.

Note 13 - Other Postemployment Benefit Plan (Continued)

Benefits Provided

The VEBA provides medical and health care benefits, including hospitalization and disability benefits, to eligible retirees and their spouses and eligible dependents. Benefits are provided through a combination of third-party insurers and the City's self-insurance program. Of the total cost of benefits, 100 percent is covered by the VEBA for defined benefit pension plan members, and between 100 and 50 percent of the total cost of the benefits is covered by the VEBA for defined contribution pension plan members, depending on age and service requirements.

Employees Covered by Benefit Terms

The following members were covered by the benefit terms:

Date of member count	November 30, 2023
Inactive plan members or beneficiaries currently receiving benefits	696
Inactive plan members entitled to but not yet receiving benefits	31
Active plan members	459
Total plan members	1,186

Contributions

The obligation to contribute to and maintain the VEBA was established by negotiation with certain bargaining units, including general and administrative employees. The funding policy provides for periodic employer contributions at actuarially determined rates per a funding valuation. For the year ended November 30, 2023, the City's average contribution rate was 11.5 percent of covered-employee payroll. Plan members were required to make a contribution of 2 percent beginning on December 1, 2006.

Net OPEB Liability

The City has chosen to use the November 30 measurement date as its measurement date for the net OPEB liability. The November 30, 2023 fiscal year end reported net OPEB liability was determined using a measure of the total OPEB liability and the OPEB net position as of the November 30, 2023 measurement date. The November 30, 2023 measurement date total OPEB liability was determined by an actuarial valuation performed as of that date.

Note 13 - Other Postemployment Benefit Plan (Continued)

Changes in the net OPEB liability during the measurement year were as follows:

Changes in Net OPEB Liability	Increase (Decrease) Total OPEB Liability	Plan Net Position	Net OPEB Liability (Asset)
Balance at November 30, 2022, as restated (Note 18)	$ 120,244,827	$ 121,774,443	$ (1,529,616)
Changes for the year:			
Service cost	1,347,853	-	1,347,853
Interest	8,307,580	-	8,307,580
Differences between expected and actual experience	7,274,098	-	7,274,098
Changes in assumptions	2,079,564	-	2,079,564
Contributions - Employer	-	3,871,252	(3,871,252)
Contributions - Employee	-	312,925	(312,925)
Net investment income	-	11,058,543	(11,058,543)
Benefit payments, including refunds	(7,821,179)	(7,821,179)	-
Administrative expenses	-	(43,325)	43,325
Net changes	11,187,916	7,378,216	3,809,700
Balance at November 30, 2023	$ 131,432,743	$ 129,152,659	$ 2,280,084

The plan's fiduciary net position represents 98.3 percent of the total OPEB liability.

At November 30, 2023, the City reported a liability of $2,269,614 for its proportionate share of the net OPEB liability.

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

For the year ended November 30, 2023, the City recognized an OPEB cost recovery of $302,911.

At November 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference between expected and actual experience	$ 5,455,574	$ 2,419,803
Changes in assumptions	1,559,673	4,340,467
Net difference between projected and actual earnings on OPEB plan investments	6,519,253	-
Total	$ 13,534,500	$ 6,760,270

Note 13 - Other Postemployment Benefit Plan (Continued)

Amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

Years Ending November 30	Amount
2024	$ 381,621
2025	847,127
2026	6,053,675
2027	(508,193)
Total	$ 6,774,230

Actuarial Assumptions

The total OPEB liability in the November 30, 2023 actuarial valuation was determined using an inflation assumption of 3.00 percent; an investment rate of return (net of investment expenses) of 7.00 percent; a health care cost trend rates of 8.00 percent for 2023, decreasing to an ultimate rate of 4.50 percent; and the Pub-2010 General and Public Safety Public Retirement Plan Mortality Table with MP-2021 Generational Improvement. These assumptions were applied to all periods included in the measurement.

Discount Rate

The discount rate used to measure the total OPEB liability at November 30, 2023 was 7.00 percent. This was a change from the discount rate of 7.10 percent used to measure the total OPEB liability at November 30, 2022. The projection of cash flows used to determine the discount rate assumed that city contributions will be made at rates equal to the actuarially determined contribution rates.

Based on those assumptions, the VEBA's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on OPEB plan investments was applied to periods of projected benefit payments to determine the total pension liability.

Investment Rate of Return

The long-term expected rate of return on OPEB plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of OPEB plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and adding expected inflation.

Asset Class	Long-term Expected Real Rate of Return
Domestic large-cap value stocks	5.80 %
Domestic large-cap growth stocks	5.70
Domestic small-cap value/core	6.00
International stocks	4.70
U.S. core fixed income	1.30
Global fixed income	1.10
High-yield fixed income	2.90
Real estate (direct)	5.10
Real estate investment trusts	5.10

Note 13 - Other Postemployment Benefit Plan (Continued)

Sensitivity of the Net OPEB Liability to Changes in the Discount Rate

The following presents the net OPEB liability of the plan, calculated using the discount rate of 7.00 percent, as well as what the plan's net OPEB liability would be if it were calculated using a discount rate that is 1 percentage point lower or 1 percentage point higher than the current rate:

	1 Percentage Point Decrease (6.00%)	Current Discount Rate (7.00%)	1 Percentage Point Increase (8.00%)
Net OPEB liability (asset)	$ 16,623,856	$ 2,280,084	$ (9,727,252)

Sensitivity of the Net OPEB Liability to Changes in the Health Care Cost Trend Rate

The following presents the net OPEB liability of the plan, calculated using the health care cost trend rate of 8.0 percent, decreasing to 4.5 percent, as well as what the plan's net OPEB liability would be if it were calculated using a health care cost trend rate that is 1 percentage point lower or 1 percentage point higher than the current rate:

	1 Percentage Point Decrease (7.0%, Decreasing to 3.5%)	Current Health Care Cost Trend Rate (8.0%, Decreasing to 4.5%)	1 Percentage Point Increase (9.0%, Decreasing to 5.5%)
Net OPEB liability (asset)	$ (10,165,015)	$ 2,280,084	$ 17,083,321

Assumption Changes

The discount rate was decreased from 7.10 to 7.00 percent. The health care cost trend rates were changes to start at 8.00 percent.

Investment Policy

The VEBA's policy in regard to the allocation of invested assets is established and may be amended by the board of trustees of the City of Livonia Employees' Retirement System by a majority vote of its members. It is the policy of the board to pursue an investment strategy that reduces risk through the prudent diversification of the portfolio across a broad selection of distinct asset classes. The VEBA's investment policy discourages the use of cash equivalents, except for liquidity purposes, and aims to refrain from dramatically shifting asset class allocations over short time spans. The following was the VEBA's adopted asset allocation policy as of November 30, 2023:

City of Livonia Retiree Health and Disability Benefits Plan

Asset Class	Target Allocation
Domestic large-cap value stocks	20.00 %
Domestic large-cap growth stocks	15.00
Domestic small-cap value/core stocks	10.00
International stocks	5.00
U.S. core fixed income	30.00
Global fixed income	5.00
High-yield fixed income	5.00
Real estate (direct)	5.00
Real estate investment trusts	5.00

Note 13 - Other Postemployment Benefit Plan (Continued)

Rate of Return

For the year ended November 30, 2023, the annual money-weighted rate of return on OPEB plan investments, net of OPEB plan investment expense, was 9.89 percent. The money-weighted rate of return expresses investment performance, net of investment expense, adjusted for the changing amounts actually invested.

Note 14 - Pension and Other Employee Benefits Trust Funds

The following are condensed financial statements for the City's defined benefit pension plans (see Note 11) and the postemployment health care plan (see Note 13). The plans do not issue separate financial statements.

	Employees' Retirement System	Police and Fire Revised Retirement Plan	VEBA
Statement of Net Position			
Cash and investments	$ 199,663,376	$ 7,898,209	$ 128,816,312
Other assets	253,833	319,964	877,977
Liabilities	217,290	6,934	541,630
Net position	$ 199,699,919	$ 8,211,239	$ 129,152,659
Statement of Changes in Net Position			
Investment income	$ 14,852,492	$ 420,908	$ 11,058,543
Contributions	1,884,958	3,604,723	4,184,177
Benefit payments	(20,700,472)	(53,933)	(7,821,179)
Other decreases	(245,479)	(52,999)	(43,325)
Net change in net position	$ (4,208,501)	$ 3,918,699	$ 7,378,216

Note 15 - Tax Abatements

The City uses the industrial facilities tax exemption (PA 198 of 1974) to enter into agreements with local businesses to construct new industrial facilities or rehabilitate historical facilities. Under the program, the City grants reductions of 50 percent of the property tax bill for new property (or it can freeze taxable values for rehabilitation properties) for up to 12 years. For the fiscal year ended November 30, 2023, the City abated $553,881 of taxes under this program. There are no provisions to recapture taxes; however, the abatement may be eliminated if taxes are not paid timely.

The City uses the Commercial Rehabilitation Act exemption (PA 210 of 2005) to provide tax incentives for the rehabilitation of commercial property for the primary purpose and use of a commercial business or multifamily residential facility. The property must be located within an established commercial rehabilitation district. Exemptions are approved for a term of 1 to 10 years, as determined by the City. The property taxes are based upon the previous year's (prior to rehabilitation) taxable value. The taxable value is frozen for the duration of the certificate. For the fiscal year ended November 30, 2023, the City abated $87,032 of taxes under this program. There are no provisions to recapture taxes.

The City also uses the personal property tax relief in distressed communities exemption (PA 328 of 1998) to abate personal property taxes on new investments made by eligible businesses. Under this program, the City grants reductions of 100 percent of the personal property tax bill. For the fiscal year ended November 30, 2023, the City abated $2,977 of taxes under the program. There are no provisions to recapture taxes.

Note 15 - Tax Abatements (Continued)

Additionally, the Brownfield Redevelopment Authority, a discretely presented component unit, uses brownfield redevelopment agreements under PA 381 of 1996 to reimburse taxpayers that remediate environmental contamination on their properties. As a result of these agreements, the brownfield's tax revenue is reduced. For the fiscal year ended November 30, 2023, the Brownfield Redevelopment Authority abated $282,049 of taxes under this program. There are no provisions to recapture taxes.

There are no significant abatements made by other governments that reduce the City's tax revenue.

Note 16 - Deferred Inflows of Resources

At the end of the current fiscal year, the various components of the governmental funds' deferred inflows of resources are as follows:

Property taxes, special assessments, and other receivables - Unavailable	$ 3,030,151
State sources - Unavailable	937,547
911 surcharge revenue - Unavailable	216,938
Local Community Stabilization Authority - Unavailable	3,192,356
Grant revenue - Unavailable	301,413
Leases	3,927,044
Total deferred inflows	$ 11,605,449

Note 17 - Leases

The City leases fiber-optic cable and infrastructure from a third party and is required to make fixed annual payments.

Lease asset activity of the City is included in Note 5.

Future principal and interest payment requirements related to the City's lease liability at November 30, 2023 are as follows:

Years Ending	Principal	Interest	Total
2024	$ 60,164	$ 14,643	$ 74,807
2025	61,640	13,169	74,809
2026	63,149	11,659	74,808
2027	64,696	10,112	74,808
2028	66,281	8,527	74,808
2029-2032	281,764	17,468	299,232
Total	$ 597,694	$ 75,578	$ 673,272

The City leases certain assets to various third parties. The assets leased include cell towers and buildings. Payments are generally fixed monthly.

During the year ended November 30, 2023, the City recognized the following related to its lessor agreements:

Lease revenue	$ 623,017
Interest income related to its leases	85,184

Note 18 - Prior Period Adjustment

During the year ended November 30, 2023, the City identified an error in the previous OPEB actuarial measurement. The net OPEB liability as of November 30, 2022 was overstated due to incorrect premium rates being used. To correct the error, the City adjusted beginning net position as follows:

	Governmental Activities	Water and Sewer	Housing	Golf Course	Total Business-type Activities
Net position - November 30, 2022, as previously reported	$ 181,273,765	$ 105,791,947	$ 7,406,199	$ 5,244,743	$ 118,442,889
To correct the net OPEB liability	94,111,195	2,856,676	403,426	325,252	3,585,354
Net position - November 30, 2022, as restated	$ 275,384,960	$ 108,648,623	$ 7,809,625	$ 5,569,995	$ 122,028,243

Required Supplementary Information

City of Livonia, Michigan

Required Supplemental Information
Budgetary Comparison Schedule – General Fund

Year Ended November 30, 2023

	Original Budget	Final Budget	Actual	Variance with Final Budget
Revenue				
Property Taxes	$ 37,468,590	$ 37,468,590	$ 37,477,674	$ 9,084
Licenses and Permits				
Business	166,700	166,700	170,700	4,000
Nonbusiness	2,952,000	2,952,000	2,703,811	(248,189)
Total licenses and permits	3,118,700	3,118,700	2,874,511	(244,189)
Intergovernmental Revenue				
State and local	13,363,348	13,609,348	13,980,498	371,150
Grants	62,500	62,500	155,356	92,856
Total intergovernmental revenue	13,425,848	13,671,848	14,135,854	464,006
Charges for Services	4,902,750	4,902,750	5,666,748	763,998
Interest and Rents	2,796,969	3,696,969	4,235,663	538,694
Fines and Forfeitures	3,138,026	3,138,026	3,239,074	101,048
Miscellaneous Revenue				
Sale of fixed assets	150,000	150,000	147,850	(2,150)
Other miscellaneous	2,117,661	2,265,521	1,694,475	(571,046)
Total miscellaneous revenue	2,267,661	2,415,521	1,842,325	(573,196)
Total revenue	**$ 67,118,544**	**$ 68,412,404**	**$ 69,471,849**	**$ 1,059,445**
Expenditures				
General Government				
Legislative:				
City Council	$ 312,021	$ 312,021	$ 269,496	$ 42,525
City Clerk	631,484	577,984	566,686	11,298
Elections	376,094	372,394	372,329	65
Total legislative	1,319,599	1,262,399	1,208,511	53,888
Judicial	3,104,346	3,104,346	3,048,480	55,866
Executive - Mayor's office	515,464	527,464	526,960	504
Human resources:				
Labor relations	96,500	45,500	45,463	37
Civil service	833,562	741,062	740,769	293
Total human resources	930,062	786,562	786,232	330

Required Supplemental Information
Budgetary Comparison Schedule – General Fund (Continued)

Year Ended November 30, 2023

	Original Budget	Final Budget	Actual	Variance with Final Budget
Expenditures (Continued)				
General Government (Continued)				
Financial administration:				
Accounting	$ 227,442	$ 254,942	$ 254,876	$ 66
Assessing	652,605	652,605	642,412	10,193
Finance	428,000	439,500	439,440	60
Independent audit	42,859	57,359	57,253	106
Board of review	3,545	3,545	3,100	445
Treasurer	604,347	604,347	602,106	2,241
Information systems	1,362,324	1,362,324	2,019,107	(656,783)
Total financial administration	3,321,122	3,374,622	4,018,294	(643,672)
Other activities:				
Legal	860,645	882,145	881,872	273
Communications	400,731	387,731	313,181	74,550
Government affairs	184,371	16,371	16,332	39
Utilities and supplies	551,593	450,593	450,558	35
Dues and subscriptions	58,000	45,000	44,839	161
Total other activities	2,055,340	1,781,840	1,706,782	75,058
Total general government	11,245,933	10,837,233	11,295,259	(458,026)
Public Safety				
Police:				
Traffic bureau	1,118,415	1,127,334	1,126,922	412
Administration	3,443,056	3,004,069	3,003,613	456
Data processing	1,088,388	1,002,638	1,001,557	1,081
Detective bureau	3,575,834	3,254,102	3,252,249	1,853
Automotive service	586,150	680,900	680,197	703
Communications/Records bureau	1,014,163	898,413	897,234	1,179
Crossing guards	118,089	73,089	73,028	61
School liaison	547,427	571,507	571,492	15
Office of emergency preparedness	175,493	160,243	159,412	831
Reserve police	418,687	434,687	434,203	484
Patrol bureau	13,867,507	13,428,827	13,427,342	1,485
Intelligence bureau	2,470,179	2,157,579	2,156,886	693
Total police	28,423,388	26,793,388	26,784,135	9,253
Fire:				
Administration	1,305,323	1,472,051	1,471,683	368
Firefighting	14,679,677	14,511,440	14,373,769	137,671
Fire prevention	884,992	886,501	885,592	909
Total fire	16,869,992	16,869,992	16,731,044	138,948

Required Supplemental Information
Budgetary Comparison Schedule – General Fund (Continued)

Year Ended November 30, 2023

	Original Budget	Final Budget	Actual	Variance with Final Budget
Expenditures (Continued)				
Public Safety (Continued)				
Protective inspection:				
Building Code Board of Appeals	$ 1,861	$ 1,861	$ 20	$ 1,841
Inspection	1,832,980	1,832,980	1,721,342	111,638
Total protective inspection	1,834,841	1,834,841	1,721,362	113,479
Other protective - Traffic commission	2,353	2,353	1,852	501
Total public safety	47,130,574	45,500,574	45,238,393	262,181
Public Works				
Public services - Highways, streets, and maintenance:				
Engineering	795	11,795	11,320	475
Parks maintenance	1,407,503	1,413,503	1,413,293	210
Administration	21,971	36,971	558	36,413
Equipment maintenance	128,377	76,877	72,086	4,791
Building maintenance	1,817,657	1,513,657	1,498,465	15,192
Street lighting	242,321	290,321	289,885	436
Maintenance - Streets	271,255	546,755	545,926	829
Total public works	3,889,879	3,889,879	3,831,533	58,346
Parks and Recreation and Cultural				
Parks and recreation:				
Administration	138,003	140,703	140,659	44
Recreation facilities	292,056	263,719	259,945	3,774
Recreation athletics	112,294	137,931	137,875	56
Total parks and recreation	542,353	542,353	538,479	3,874
Cultural:				
Senior services	610,732	611,232	611,177	55
Greenmead and cultural	1,015,269	1,162,629	1,137,266	25,363
Total cultural	1,626,001	1,773,861	1,748,443	25,418
Total parks and recreation and cultural	2,168,354	2,316,214	2,286,922	29,292
Community and Economic Development				
City Planning Commission	695,738	635,738	632,173	3,565
Zoning Board of Appeals	58,973	58,973	9,689	49,284
Total community and economic development	754,711	694,711	641,862	52,849
Employee Benefits, Insurance, and Other	1,927,621	5,172,321	5,168,626	3,695
Total expenditures	**$ 67,117,072**	**$ 68,410,932**	**$ 68,462,595**	**$ (51,663)**

Required Supplementary Information
Budgetary Comparison Schedules - Major Special Revenue Funds
Refuse Disposal System

Year Ended November 30, 2023

	Original Budget	Amended Budget	Actual	Variance with Amended Budget
Revenue				
Property taxes	$ 11,235,122	$ 11,235,122	$ 11,237,551	$ 2,429
State and local revenue	1,361,596	1,361,596	1,523,100	161,504
Charges for services	125,000	125,000	110,045	(14,955)
Investment income	100,000	100,000	680,483	580,483
Other revenue	25,000	25,000	4,134	(20,866)
Total revenue	12,846,718	12,846,718	13,555,313	708,595
Expenditures - Current services - Public works	13,601,198	13,807,611	12,526,045	1,281,566
Excess of Revenue (Under) Over Expenditures	(754,480)	(960,893)	1,029,268	1,990,161
Net Change in Fund Balances	(754,480)	(960,893)	1,029,268	1,990,161
Fund Balances - Beginning of year	10,406,999	10,406,999	10,406,999	-
Fund Balances - End of year	**$ 9,652,519**	**$ 9,446,106**	**$ 11,436,267**	**$ 1,990,161**

See notes to required supplementary information.

Required Supplementary Information
Budgetary Comparison Schedules - Major Special Revenue Funds (Continued)
Roads and Sidewalks

Year Ended November 30, 2023

	Original Budget	Amended Budget	Actual	Variance with Amended Budget
Revenue				
Property taxes	$ 4,139,517	$ 4,139,517	$ 4,140,042	$ 525
State and local revenue	500,600	819,600	810,493	(9,107)
Investment income	20,000	20,000	329,998	309,998
Other revenue:				
Transfers in	7,150,000	7,150,000	7,150,000	-
Miscellaneous revenue	-	-	43	43
Total revenue	11,810,117	12,129,117	12,430,576	301,459
Expenditures - Current services - Public works	12,762,912	15,359,231	14,323,959	1,035,272
Excess of Revenue (Under) Over Expenditures	(952,795)	(3,230,114)	(1,893,383)	1,336,731
Net Change in Fund Balances	(952,795)	(3,230,114)	(1,893,383)	1,336,731
Fund Balances - Beginning of year	3,824,956	3,824,956	3,824,956	-
Fund Balances - End of year	**$ 2,872,161**	**$ 594,842**	**$ 1,931,573**	**$ 1,336,731**

See notes to required supplementary information.

Required Supplementary Information
Schedule of Pension Investment Returns
Employees' Retirement System

Last Ten Fiscal Years
Years Ended November 30

	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014
Annual money-weighted rate of return - Net of investment expense	10.02 %	(9.16)%	17.81 %	10.27 %	12.45 %	(1.66)%	17.45 %	6.50 %	1.40 %	9.60 %

See notes to required supplementary information.

	2023	2022	2021	2020	2019
Total Pension Liability					
Service cost	$ 399,577	$ 588,570	$ 997,853	$ 908,315	$ 1,645,242
Interest	15,873,611	16,119,192	16,347,439	16,419,283	16,950,423
Changes in benefit terms	-	-	-	-	-
Differences between expected and actual experience	2,026,080	1,511,595	1,562,337	2,210,334	(11,621,805)
Changes in assumptions	2,060,266	2,070,007	1,371,992	2,035,532	8,335,763
Benefit payments, including refunds	(20,700,472)	(20,111,628)	(19,748,739)	(19,466,578)	(19,570,956)
Net Change in Total Pension Liability	(340,938)	177,736	530,882	2,106,886	(4,261,333)
Total Pension Liability - Beginning of year	233,522,651	233,344,915	232,814,033	230,707,147	234,968,480
Total Pension Liability - End of year	**$ 233,181,713**	**$ 233,522,651**	**$ 233,344,915**	**$ 232,814,033**	**$ 230,707,147**
Plan Fiduciary Net Position					
Contributions - Employer	$ 1,786,885	$ 2,393,141	$ 1,948,485	$ 1,019,900	$ 432,885
Contributions - Member	98,073	142,482	175,358	212,251	273,901
Net investment (loss) income	14,852,492	(20,072,738)	37,112,851	22,172,808	25,843,649
Administrative expenses	(245,479)	(282,819)	(255,672)	(232,019)	(247,666)
Benefit payments, including refunds	(20,700,472)	(20,111,628)	(19,748,739)	(19,466,578)	(19,570,956)
Net Change in Plan Fiduciary Net Position	(4,208,501)	(37,931,562)	19,232,283	3,706,362	6,731,813
Plan Fiduciary Net Position - Beginning of year	203,908,420	241,839,982	222,607,699	218,901,337	212,169,524
Plan Fiduciary Net Position - End of year	**$ 199,699,919**	**$ 203,908,420**	**$ 241,839,982**	**$ 222,607,699**	**$ 218,901,337**
City's Net Pension Liability (Asset) - Ending	**$ 33,481,794**	**$ 29,614,231**	**$ (8,495,067)**	**$ 10,206,334**	**$ 11,805,810**
Plan Fiduciary Net Position as a Percentage of Total Pension Liability (Asset)	85.64 %	87.32 %	103.64 %	95.62 %	94.88 %
Covered Payroll	$ 1,222,710	$ 2,522,850	$ 3,303,324	$ 3,997,860	$ 4,579,558
City's Net Pension Liability (Asset) as a Percentage of Covered Payroll	2,738.33 %	1,173.84 %	(257.17)%	255.29 %	257.79 %

See notes to required supplementary information.

Required Supplementary Information
Schedule of Changes in the Net Pension Liability (Asset) and Related Ratios
Employees' Retirement System

Last Ten Fiscal Years

2018	2017	2016	2015	2014
$ 1,655,509	$ 1,721,106	$ 1,644,915	$ 1,530,027	$ 1,647,392
15,849,006	16,209,241	15,949,081	15,607,024	15,516,271
110,794	-	526,875	-	-
990,792	(235,377)	3,014,188	(673,125)	401,554
14,813,206	9,009,758	-	4,763,196	-
(17,886,317)	(18,048,385)	(17,793,928)	(16,223,788)	(16,520,444)
15,532,990	8,656,343	3,341,131	5,003,334	1,044,773
219,435,490	210,779,147	207,438,016	202,434,682	201,389,909
$ 234,968,480	**$ 219,435,490**	**$ 210,779,147**	**$ 207,438,016**	**$ 202,434,682**
$ 558,568	$ 336,320	$ 815,291	$ 2,158,913	$ 3,634,058
308,076	345,164	380,988	386,983	400,503
(1,636,195)	34,908,239	14,021,405	4,353,881	20,367,342
(230,600)	(210,695)	(216,924)	(212,335)	(194,367)
(17,886,317)	(18,048,385)	(17,793,928)	(16,223,788)	(16,520,444)
(18,886,468)	17,330,643	(2,793,168)	(9,536,346)	7,687,092
231,055,992	213,725,349	216,518,517	226,054,863	218,367,771
$ 212,169,524	**$ 231,055,992**	**$ 213,725,349**	**$ 216,518,517**	**$ 226,054,863**
$ 22,798,956	**$ (11,620,502)**	**$ (2,946,202)**	**$ (9,080,501)**	**$ (23,620,181)**
90.30 %	105.30 %	101.40 %	104.38 %	111.67 %
$ 6,446,503	$ 6,682,629	$ 7,625,911	$ 9,070,569	$ 9,312,278
353.66 %	(173.89)%	(38.63)%	(100.11)%	(253.65)%

Required Supplementary Information
Schedule of Pension Contributions
Employees' Retirement System

Last Ten Fiscal Years
Years Ended November 30

	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014
Actuarially determined contribution	$ 1,786,885	$ 2,393,141	$ 1,948,485	$ 1,019,901	$ 432,885	$ -	$ 336,320	$ 815,291	$ 2,158,913	$ 3,634,058
Contributions in relation to the actuarially determined contribution	1,786,885	2,393,141	1,948,485	1,019,901	432,885	558,568	336,320	815,291	2,158,913	3,634,058
Contribution Excess	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 558,568**	**$ -**	**$ -**	**$ -**	**$ -**
Covered Payroll	$ 1,222,710	$ 2,522,850	$ 3,303,324	$ 3,997,860	$ 4,579,558	$ 6,446,503	$ 6,682,629	$ 7,625,911	$ 9,070,569	$ 9,312,278
Contributions as a Percentage of Covered Payroll	146.14 %	94.86 %	58.99 %	25.51 %	9.45 %	8.66 %	5.03 %	10.69 %	23.80 %	39.02 %

Notes to Schedule of Pension Contributions

Actuarial valuation information relative to the determination of contributions:

Valuation date	Actuarially determined contribution rates are calculated as of November 30, two years prior to the end of the fiscal year in which the contributions are reported. Covered-employee payroll is as of November 30 of the current fiscal year.

Methods and assumptions used to determine contribution rates:

Actuarial cost method	Aggregate
Amortization method	Level dollar
Remaining amortization period	13 years
Asset valuation method	5-year smoothed market
Inflation	2.5 percent
Salary increase	4.0 percent, including inflation
Investment rate of return	7.20 percent
Mortality	Pub-2010 Employee mortality tables with generational improvements using Scale MP-2020

See notes to required supplementary information.

Required Supplementary Information
Schedule of Pension Investment Returns
Police and Fire Revised Retirement Plan

Last Three Fiscal Years
Years Ended November 30

	2023	2022	2021
Annual money-weighted rate of return - Net of investment expense	7.67 %	(10.23)%	- %

*Schedule is built prospectively upon the creation of the plan. For the year ended November 30, 2021, there was no annual money-weighed rate of return as the plan was funded just days before the end of the fiscal year.

Required Supplementary Information
Schedule of Changes in the Net Pension Liability (Asset) and Related Ratios

Last Three Fiscal Years

	2023	2022	2021
Total Pension Liability			
Service cost	$ 3,011,099	$ 2,565,868	$ 1,698,114
Interest	546,096	298,171	-
Differences between expected and actual experience	782,190	263,871	-
Benefit payments, including refunds	(53,933)	(8,790)	-
Net Change in Total Pension Liability	4,285,452	3,119,120	1,698,114
Total Pension Liability - Beginning of year	4,817,234	1,698,114	-
Total Pension Liability - End of year	**$ 9,102,686**	**$ 4,817,234**	**$ 1,698,114**
Plan Fiduciary Net Position			
Contributions - Employer	$ 2,585,480	$ 1,756,383	$ 1,037,028
Contributions - Member	1,019,243	935,795	936,427
Net investment income	420,908	(329,449)	-
Administrative expenses	(53,933)	(27,554)	(7,300)
Benefit payments, including refunds	(52,999)	(8,790)	-
Net Change in Plan Fiduciary Net Position	3,918,699	2,326,385	1,966,155
Plan Fiduciary Net Position - Beginning of year	4,292,540	1,966,155	-
Plan Fiduciary Net Position - End of year	**$ 8,211,239**	**$ 4,292,540**	**$ 1,966,155**
City's Net Pension Liability - Ending	**$ 891,447**	**$ 524,694**	**$ (268,041)**
Plan Fiduciary Net Position as a Percentage of Total Pension Liability	90.21 %	89.11 %	115.78 %
Covered Payroll	$ 12,988,303	$ 12,593,492	$ 6,715,276
City's Net Pension Liability as a Percentage of Covered Payroll	6.86 %	4.17 %	(3.99)%

*Schedule is built prospectively upon creation of the plan

Required Supplementary Information
Schedule of Pension Contributions
Police and Fire Revised Retirement Plan

Last Three Fiscal Years
Years Ended November 30

	2023	2022	2021
Actuarially determined contribution	$ 2,585,480	$ 1,756,383	$ 1,037,028
Contributions in relation to the actuarially determined contribution	2,585,480	1,756,383	1,037,028
Contribution excess	**$ -**	**$ -**	**$ -**
Covered payroll	$ 12,988,303	$ 12,593,492	$ 6,715,276
Contributions as a percentage of covered payroll	19.91 %	13.95 %	15.44 %

Notes to Schedule of Pension Contributions

Actuarial valuation information relative to the determination of contributions:

Valuation date	Actuarially determined contribution rates were calculated as of November 30, two years prior to the end of the fiscal year in which the contributions are reported. Covered-employee payroll is as of November 30 of the current fiscal year.

Methods and assumptions used to determine contribution rates:

Actuarial cost method	Entry age normal
Amortization method	Level percentage of payroll
Remaining amortization period	18 years
Asset valuation method	5-year smoothed market
Inflation	2.50 percent
Salary increase	6.00 percent
Investment rate of return	7.00 percent
Mortality	Pub-2010 Employee mortality tables with generational improvements using Scale MP-2020

Required Supplementary Information
Schedule of OPEB Investment Returns

Last Seven Fiscal Years
Years Ended November 30

	2023	2022	2021	2020	2019	2018	2017
Annual money-weighted rate of return - Net of investment expense	9.89 %	(7.92)%	15.32 %	8.64 %	11.76 %	(2.29)%	16.21 %

*Schedule built prospectively upon implementation of GASB 74/75

Required Supplementary Information
Schedule of Changes in the Net OPEB Liability and Related Ratios

Last Seven Fiscal Years

	2023	2022	2021	2020	2019	2018	2017
Total OPEB Liability							
Service cost	$ 1,347,853	$ 2,003,858	$ 1,638,292	$ 2,753,080	$ 5,782,551	$ 5,181,469	$ 4,381,818
Interest	8,307,580	14,545,843	14,973,640	15,505,638	14,135,767	12,715,690	12,061,649
Changes in benefit terms	-	(106,680,323)	5,428,511	-	-	-	-
Differences between expected and actual experience	7,274,098	14,818,580	(6,049,507)	(13,380,004)	(14,440,265)	(14,191,268)	9,974,080
Changes in assumptions	2,079,564	71,910	(10,851,167)	538,411	(74,592,646)	51,279,390	24,668,349
Benefit payments, including refunds	(7,821,179)	(8,918,552)	(8,286,693)	(9,135,489)	(8,075,351)	(7,708,963)	(7,037,118)
Net Change in Total OPEB Liability	11,187,916	(84,158,684)	(3,146,924)	(3,718,364)	(77,189,944)	47,276,318	44,048,778
Total OPEB Liability - Beginning of year	120,244,827	204,403,511	207,550,435	211,268,799	288,458,743	241,182,425	197,133,647
Total OPEB Liability - End of year	**$ 131,432,743**	**$ 120,244,827**	**$ 204,403,511**	**$ 207,550,435**	**$ 211,268,799**	**$ 288,458,743**	**$ 241,182,425**
Plan Fiduciary Net Position							
Contributions - Employer	$ 3,871,252	$ 3,413,483	$ 5,529,951	$ 5,331,203	$ 4,924,890	$ 4,499,324	$ 5,087,462
Contributions - Active and inactive plan members not yet receiving benefits	312,925	347,962	375,139	389,287	426,231	473,346	484,737
Net investment income (loss)	11,058,543	(11,342,121)	18,004,346	10,638,551	12,365,868	(1,556,473)	15,195,332
Administrative expenses	(43,325)	(51,099)	(53,730)	(49,673)	(48,875)	(58,229)	(35,971)
Benefit payments, including refunds	(7,821,179)	(8,918,552)	(8,286,693)	(9,135,489)	(8,075,351)	(7,708,963)	(7,037,118)
Net Change in Plan Fiduciary Net Position	7,378,216	(16,550,327)	15,569,013	7,173,879	9,592,763	(4,350,995)	13,694,442
Plan Fiduciary Net Position - Beginning of year	121,774,443	138,324,770	122,755,757	115,581,878	105,989,115	110,340,110	96,645,668
Plan Fiduciary Net Position - End of year	**$ 129,152,659**	**$ 121,774,443**	**$ 138,324,770**	**$ 122,755,757**	**$ 115,581,878**	**$ 105,989,115**	**$ 110,340,110**
Net OPEB Liability - Ending	**$ 2,280,084**	**$ (1,529,616)**	**$ 66,078,741**	**$ 84,794,678**	**$ 95,686,921**	**$ 182,469,628**	**$ 130,842,315**
Plan Fiduciary Net Position as a Percentage of Total OPEB Liability	98.27 %	101.27 %	67.67 %	59.15 %	54.71 %	36.74 %	45.75 %
Covered Payroll	$ 33,760,648	$ 34,261,025	$ 38,631,666	$ 36,744,168	$ 35,774,188	$ 36,890,435	$ 34,729,209
Net OPEB Liability as a Percentage of Covered Payroll	6.75 %	(4.46)%	171.05 %	230.77 %	267.47 %	494.63 %	376.75 %

*Schedule is built prospectively upon implementation of GASB 74/75. The beginning of year total OPEB liability for 2023 was restated to correct an error in the 2022 valuation.

See notes to required supplementary information.

Required Supplementary Information
Schedule of OPEB Contributions

Last Ten Fiscal Years
Years Ended November 30

	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014
Actuarially determined contribution	$ 5,956,424	$ 3,018,366	$ 4,031,442	$ 3,251,858	$ 4,054,515	$ 4,018,307	$ 4,517,014	$ 5,108,040	$ 5,907,902	$ 7,066,283
Contributions in relation to the actuarially determined contribution	3,871,252	3,413,483	5,529,951	5,331,203	4,924,890	4,499,324	5,087,462	4,665,664	5,361,926	6,388,086
Contribution Excess (Deficiency)	**$ (2,085,172)**	**$ 395,117**	**$ 1,498,509**	**$ 2,079,345**	**$ 870,375**	**$ 481,017**	**$ 570,448**	**$ (442,376)**	**$ (545,976)**	**$ (678,197)**
Covered Payroll	$ 33,760,648	$ 34,261,025	$ 38,631,666	$ 36,744,168	$ 35,774,188	$ 36,890,435	$ 34,729,209	$ 31,408,000	$ 30,560,000	$ 30,964,000
Contributions as a Percentage of Covered Payroll	11.47 %	9.96 %	14.31 %	14.51 %	13.77 %	12.20 %	14.65 %	14.86 %	17.55 %	20.63 %

Notes to Schedule of Contributions

Actuarial valuation information relative to the determination of contributions:

Valuation date	Actuarially determined contribution rates are calculated as of November 30 for the fiscal year in which the contributions are reported

Methods and assumptions used to determine contribution rates:

Actuarial cost method	Entry age
Amortization method	Level Dollar
Remaining amortization period	24 years
Asset valuation method	Market value
Inflation	3.0 percent
Health care cost trend rates	8.0 percent, decreasing to 4.5 percent
Salary increase	3.0 percent
Investment rate of return	7.0 percent
Mortality	Pub-2010 Employee mortality tables with generational improvements using Scale MP-2021

See notes to required supplementary information.

Budgetary Information

Annual budgets are adopted on a basis consistent with generally accepted accounting principles for the General Fund and all special revenue funds, except that operating transfers and debt proceeds have been included in the "revenue" and "expenditures" categories, rather than as "other financing sources (uses)". All annual appropriations lapse at fiscal year end; encumbrances are not included as expenditures. During the year, the budget was amended in a legally permissible manner.

The City follows these procedures in establishing the budgetary data reflected in the financial statements:

1. On or before September 15, the mayor submits to the City Council a proposed operating budget for the fiscal year commencing the following December 1. The operating budget includes proposed expenditures and the means of financing them.
2. Public hearings are conducted to obtain citizen comments.
3. As provided for by the City Charter, no later than November 1, the City Council shall adopt the budget through the passage of a budget resolution and transmit the budget to the mayor. No later than November 15, the mayor shall either approve or disapprove the adopted budget, in whole or in part.
4. The legislative budget is adopted at a functional level for the General Fund and at the fund level for other governmental and proprietary funds. The budget document presents information by fund, function, department, and line items. Management may amend the budget at a detail level within the legislative summary constraints. Appropriations that exceed the summary budget constraints require City Council approval.

Reconciliation of Budgeted Amounts to Basic Financial Statements

The budgetary comparison schedules for the General Fund and major special revenue funds are presented on the same basis of accounting used in preparing the adopted budget. The following is a reconciliation of the General Fund budgetary comparison schedule to the governmental funds statement of revenue, expenditures, and changes in fund balances:

	Total Revenue	Total Expenditures
Amounts per operating statement	$ 68,558,240	$ 64,857,618
Operating transfers budgeted as expenditures	-	3,457,117
Reimbursing transfer budgeted as revenue	147,860	147,860
Other financing sources budgeted as revenue	765,749	-
Amounts per budget statement	$ 69,471,849	$ 68,462,595

The following is a reconciliation of the Roads and Sidewalks Fund budgetary comparison schedule to the governmental funds statement of revenue, expenditures, and changes in fund balance:

	Total Revenue	Total Expenditures
Amounts per operating statement	$ 5,280,576	$ 14,323,959
Operating transfers budgeted as revenue	7,150,000	-
Amounts per budget statement	$ 12,430,576	$ 14,323,959

Excess of expenditures over appropriations in budgeted funds - During the year, the General Fund's general government function incurred expenditures that were in excess of the amounts budgeted due to a new lease entered into. The final budget for the general government function was $10,837,233 and actual expenditures were $11,295,259.

Pension Information

Changes in Assumptions

In 2023, the discount rate was changed from 7.10 to 7.00 percent.

In 2022, the discount rate was changed from 7.20 to 7.10 percent.

In 2021, the discount rate was changed from 7.30 to 7.20 percent, and salary increases were lowered from a range of 4.0 through 11.9 percent to a flat 4.0 percent. The mortality table was updated from the Pub-2010 General and Public Safety Public Retirement Plan Mortality Table with MP-2018 Generational Improvement to the Pub-2010 General and Public Safety Public Retirement Plan Mortality Table with MP-2021 Generational Improvement.

In 2020, the discount rate was changed from 7.40 to 7.30 percent, and assumed inflation was changed from 4.0 to 2.5 percent.

In 2019, the discount rate was changed from 7.38 to 7.40 percent. The mortality table was updated from the RP-2014 Healthy Annuitant Mortality Table with MP-2017 to the Pub-2010 General and Public Safety Public Retirement Plan Mortality Table with MP-2018 Generational Improvement.

In 2018, the discount rate was changed from 7.50 to 7.38 percent. The mortality table was updated from the RP-2000 Combined Healthy Mortality Table projected to 2014 (Scale AA) to the RP-2014 Healthy Annuitant Mortality Table with MP-2017.

In 2017, the discount rate was changed from 8.00 to 7.50 percent.

In 2015, the mortality table was change from the 1983 Group Annuity Mortality Table to the RP-2000 Combined Healthy Annuitant Mortality Table projected to 2014. The rates of retirement for all participants and the rates of withdrawal for police were changed based on an experience study.

OPEB Information

Changes in Assumptions

In 2023, the discount rate was changed from 7.10 to 7.00 percent. The beginning health care cost trend rate was increased from 7.50 percent to 8.00 percent.

In 2022, the discount rate was changed from 7.20 to 7.10 percent. The beginning health care cost trend rate was increased from 5.80 percent to 7.50 percent for non-Medicare, and the Medicare health care cost trend rate was included with a beginning rate of 6.50 percent. The incremental decreasing percentage per year was increased from 0.10 percent to 0.5 percent for non-Medicare and 0.25 percent for Medicare, and the ultimate ending rate was decreased from 5.00 percent to 4.50 percent. The inflation assumption was increased from 2.50 percent to 3.00 percent.

In 2021, the discount rate was changed from 7.30 to 7.20 percent, and the beginning health care cost trend rate was changed from 5.9 to 5.8 percent. The mortality table was updated from the Pub-2010 General and Public Safety Public Retirement Plan Mortality Table with MP-2018 Generational Improvement to the Pub-2010 General and Public Safety Public Retirement Plan Mortality Table with MP-2020 Generational Improvement.

In 2020, the discount rate was changed from 7.40 to 7.30 percent, assumed inflation was changed from 4.0 to 2.5 percent, and the beginning health care cost trend rate was changed from 6.0 to 5.9 percent.

In 2019, the discount rate was changed from 4.92 to 7.40 percent. The mortality table was updated from the RP-2014 Table with MP-2017 to the Pub-2010 General and Public Safety Public Retirement Plan Mortality Table with MP-2018 Generational Improvement.

In 2018, the discount rate was changed from 5.3 to 4.92 percent. The mortality table was updated from the RP-2000 Combined Healthy Mortality Table projected to 2014 (Scale AA) to the RP-2014 Table with MP-2017.

In 2017, the discount rate was changed from 6.16 to 5.3 percent.

Other Supplementary Information

	Special Revenue Funds										
	Major Streets	Local Streets	Community Recreation	Grants	SAD Street Lighting	Cable Television	Library	Public Safety Communication	Adjudicated Forfeitures	Community Transit	Designated Purpose
Assets											
Cash and investments	$ 1,810,348	$ 746,151	$ 5,515,779	$ 244,581	$ 837,179	$ 478,113	$ 6,680,835	$ 4,594,286	$ 2,943,260	$ 1,256,821	$ 598,986
Accounts receivable:											
Property taxes	-	-	3,081	-	-	-	3,172	-	-	1,961	-
Special assessments	-	-	-	-	-	-	-	-	-	-	-
Due from other governmental units	1,468,026	558,967	335,733	246,722	-	-	194,981	-	-	120,515	-
Other	6,994	-	15,125	153,617	-	-	-	216,938	8,925	5,519	-
Lease receivable	-	-	202,647	-	-	-	-	-	-	-	-
Total assets	**$ 3,285,368**	**$ 1,305,118**	**$ 6,072,365**	**$ 644,920**	**$ 837,179**	**$ 478,113**	**$ 6,878,988**	**$ 4,811,224**	**$ 2,952,185**	**$ 1,384,816**	**$ 598,986**
Liabilities											
Accounts payable	$ 89,975	$ -	$ 240,848	$ 60,425	$ -	$ 7,627	$ 122,773	$ 6,191	$ 24,909	$ 53,362	$ 3,680
Accrued and other liabilities	-	-	69,084	20,339	-	12,764	120,183	17,213	-	18,391	178,540
Unearned revenue	-	-	638,549	223,736	-	-	-	-	-	-	-
Due to fiduciary funds	-	-	-	-	-	-	25,366	-	-	-	-
Total liabilities	89,975	-	948,481	304,500	-	20,391	268,322	23,404	24,909	71,753	182,220
Deferred Inflows of Resources											
Unavailable revenue	-	-	318,192	136,467	-	-	198,048	216,938	-	122,411	-
Leases	-	-	177,805	-	-	-	-	-	-	-	-
Total deferred inflows of resources	-	-	495,997	136,467	-	-	198,048	216,938	-	122,411	-
Total liabilities and deferred inflows of resources	89,975	-	1,444,478	440,967	-	20,391	466,370	240,342	24,909	194,164	182,220
Fund Balances											
Restricted:											
Streets, roads, and sidewalks	3,195,393	1,305,118	-	-	-	-	-	-	-	-	-
Adjudicated forfeitures	-	-	-	-	-	-	-	-	2,927,276	-	-
Grants	-	-	-	203,953	-	-	-	-	-	-	-
Capital improvements	-	-	-	-	-	-	-	-	-	-	-
Community recreation	-	-	4,627,887	-	-	-	-	-	-	-	-
Street lighting	-	-	-	-	837,179	-	-	-	-	-	-
Library	-	-	-	-	-	-	6,412,618	-	-	-	-
Public safety communication	-	-	-	-	-	-	-	4,570,882	-	-	-
Community transit	-	-	-	-	-	-	-	-	-	1,190,652	-
Designated purpose	-	-	-	-	-	-	-	-	-	-	416,766
Health care	-	-	-	-	-	-	-	-	-	-	-
Committed:											
Cable access television	-	-	-	-	-	457,722	-	-	-	-	-
Arts Commission	-	-	-	-	-	-	-	-	-	-	-
Historical Commission	-	-	-	-	-	-	-	-	-	-	-
Assigned:											
Golf course capital improvements	-	-	-	-	-	-	-	-	-	-	-
Building improvements	-	-	-	-	-	-	-	-	-	-	-
Court building improvements	-	-	-	-	-	-	-	-	-	-	-
Senior center construction	-	-	-	-	-	-	-	-	-	-	-
Total fund balances	3,195,393	1,305,118	4,627,887	203,953	837,179	457,722	6,412,618	4,570,882	2,927,276	1,190,652	416,766
Total liabilities, deferred inflows of resources, and fund balances	**$ 3,285,368**	**$ 1,305,118**	**$ 6,072,365**	**$ 644,920**	**$ 837,179**	**$ 478,113**	**$ 6,878,988**	**$ 4,811,224**	**$ 2,952,185**	**$ 1,384,816**	**$ 598,986**

Other Supplementary Information
Combining Balance Sheet
Nonmajor Governmental Funds

November 30, 2023

Special Revenue Funds			Debt Service Funds			Capital Projects Funds						
Historical Commission	Arts Commission Fund	Opioid Settlement Fund	2015 MBA Refunding	2016 MBA Refunding	2017 MBA Refunding	Golf Course Capital Improvement	Capital Improvement	Special Assessments	Court Building Improvements	Building Improvement	Senior Center Construction	Total Nonmajor Governmental Funds
$ 398,602	$ 82,632	$ 377,199	$ -	$ -	$ -	$ 518,314	$10,111,795	$ 1,141,289	$ 42,223	$ 11,006,795	$ 4,121,607	$ 53,506,795
-	-	-	-	-	-	-	-	-	-	-	-	8,214
-	-	-	-	-	-	-	-	229,909	-	-	-	229,909
-	-	-	-	-	-	-	-	-	-	-	-	2,924,944
-	-	1,595,219	-	-	-	-	-	-	-	-	-	2,002,337
-	-	-	-	-	-	-	-	-	-	-	-	202,647
$ 398,602	**$ 82,632**	**$ 1,972,418**	**$ -**	**$ -**	**$ -**	**$ 518,314**	**$10,111,795**	**$ 1,371,198**	**$ 42,223**	**$ 11,006,795**	**$ 4,121,607**	**$ 58,874,846**
$ 162	$ 1,441	$ -	$ -	$ -	$ -	$ 68,673	$ 377,374	$ -	$ -	$ 50,000	$ 10,358	$ 1,117,798
35,791	-	-	-	-	-	-	-	-	-	-	-	472,305
-	-	-	-	-	-	-	5,231	-	-	-	-	867,516
-	-	-	-	-	-	-	-	-	-	-	-	25,366
35,953	1,441	-	-	-	-	68,673	382,605	-	-	50,000	10,358	2,482,985
-	-	1,595,218	-	-	-	-	-	195,260	-	-	-	2,782,534
-	-	-	-	-	-	-	-	-	-	-	-	177,805
-	-	1,595,218	-	-	-	-	-	195,260	-	-	-	2,960,339
35,953	1,441	1,595,218	-	-	-	68,673	382,605	195,260	-	50,000	10,358	5,443,324
-	-	-	-	-	-	-	-	-	-	-	-	4,500,511
-	-	-	-	-	-	-	-	-	-	-	-	2,927,276
-	-	-	-	-	-	-	-	-	-	-	-	203,953
-	-	-	-	-	-	-	9,729,190	1,175,938	-	-	-	10,905,128
-	-	-	-	-	-	-	-	-	-	-	-	4,627,887
-	-	-	-	-	-	-	-	-	-	-	-	837,179
-	-	-	-	-	-	-	-	-	-	-	-	6,412,618
-	-	-	-	-	-	-	-	-	-	-	-	4,570,882
-	-	-	-	-	-	-	-	-	-	-	-	1,190,652
-	-	-	-	-	-	-	-	-	-	-	-	416,766
-	-	377,200	-	-	-	-	-	-	-	-	-	377,200
-	-	-	-	-	-	-	-	-	-	-	-	457,722
-	81,191	-	-	-	-	-	-	-	-	-	-	81,191
362,649	-	-	-	-	-	-	-	-	-	-	-	362,649
-	-	-	-	-	-	449,641	-	-	-	-	-	449,641
-	-	-	-	-	-	-	-	-	-	10,956,795	-	10,956,795
-	-	-	-	-	-	-	-	-	42,223	-	-	42,223
-	-	-	-	-	-	-	-	-	-	-	4,111,249	4,111,249
362,649	81,191	377,200	-	-	-	449,641	9,729,190	1,175,938	42,223	10,956,795	4,111,249	53,431,522
$ 398,602	**$ 82,632**	**$ 1,972,418**	**$ -**	**$ -**	**$ -**	**$ 518,314**	**$10,111,795**	**$ 1,371,198**	**$ 42,223**	**$ 11,006,795**	**$ 4,121,607**	**$ 58,874,846**

	Special Revenue Funds										
	Major Streets	Local Streets	Community Recreation	Grants	SAD Street Lighting	Cable Television	Library	Public Safety Communication	Adjudicated Forfeitures	Community Transit	Designated Purpose
Revenue											
Property taxes	$ -	$ -	$ 3,656,781	$ -	$ -	$ -	$ 3,765,346	$ -	$ -	$ 218,359	$ -
Special assessments	-	-	-	-	1,155,067	-	-	-	-	-	-
Intergovernmental:											
Federal revenue	-	-	-	1,000,625	-	-	-	-	55,045	32,691	-
State and local revenue	9,256,827	3,513,995	375,850	263,322	-	-	665,801	-	-	426,625	-
Charges for services	-	-	4,133,074	-	-	-	15,254	499,865	-	30,197	-
Fines and forfeitures	-	-	-	-	-	-	21,402	-	198,571	-	-
Investment income	95,468	43,006	282,100	-	38,270	27,419	322,650	183,640	113,813	65,327	-
Other revenue	-	-	221,312	-	-	347,967	111,921	-	8,925	51,675	145,573
Total revenue	9,352,295	3,557,001	8,669,117	1,263,947	1,193,337	375,386	4,902,374	683,505	376,354	824,874	145,573
Expenditures											
Current services:											
Public safety	-	-	-	383,818	-	-	-	146,135	75,900	-	-
Public works	2,120,563	3,092,054	-	-	1,029,174	-	-	-	-	-	-
Community and economic development	-	-	-	814,471	-	-	-	-	-	-	-
Recreation and culture	-	-	5,917,034	-	-	648,382	4,039,841	-	-	981,393	113,009
Capital outlay	-	-	-	-	-	-	-	-	-	-	-
Debt service:											
Principal retirement	-	-	-	-	-	-	-	-	-	-	-
Interest and other	-	-	-	-	-	-	-	-	-	-	-
Total expenditures	2,120,563	3,092,054	5,917,034	1,198,289	1,029,174	648,382	4,039,841	146,135	75,900	981,393	113,009
Excess of Revenue Over (Under) Expenditures	7,231,732	464,947	2,752,083	65,658	164,163	(272,996)	862,533	537,370	300,454	(156,519)	32,564
Other Financing Sources (Uses)											
Transfers in	-	6,700,000	-	17,728	-	-	-	-	-	-	-
Transfers out	(6,700,000)	(7,150,000)	(2,175,420)	-	-	-	-	-	-	-	-
New debt issued	-	-	-	-	-	-	-	-	-	-	-
Total other financing (uses) sources	(6,700,000)	(450,000)	(2,175,420)	17,728	-	-	-	-	-	-	-
Net Change in Fund Balances	531,732	14,947	576,663	83,386	164,163	(272,996)	862,533	537,370	300,454	(156,519)	32,564
Fund Balances - Beginning of year	2,663,661	1,290,171	4,051,224	120,567	673,016	730,718	5,550,085	4,033,512	2,626,822	1,347,171	384,202
Fund Balances - End of year	**$ 3,195,393**	**$ 1,305,118**	**$ 4,627,887**	**$ 203,953**	**$ 837,179**	**$ 457,722**	**$ 6,412,618**	**$ 4,570,882**	**$ 2,927,276**	**$ 1,190,652**	**$ 416,766**

Other Supplementary Information
Combining Statement of Revenue, Expenditures, and Changes in Fund Balances (Continued)

Year Ended November 30, 2023

Special Revenue Funds			Debt Service Funds			Capital Projects Funds						Total Nonmajor Governmental Funds
Historical Commission	Arts Commission Fund	Opioid Settlement Fund	2015 MBA Refunding	2016 MBA Refunding	2017 MBA Refunding	Golf Course Capital Improvement	Capital Improvement	Special Assessments	Court Building Improvements	Building Improvement	Senior Center Construction	
$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,108,950	$ -	$ -	$ -	$ -	$ 9,749,436
-	-	-	-	-	-	-	-	89,700	-	-	-	1,244,767
-	-	-	-	-	-	-	-	-	-	-	-	1,088,361
-	-	-	-	-	-	-	929,953	-	-	-	-	15,432,373
48,936	-	-	-	-	-	130,760	-	-	-	-	-	4,858,086
-	-	-	-	-	-	-	-	-	408,131	-	-	628,104
16,183	3,705	11,315	-	-	-	20,449	419,331	68,445	2,362	410,876	172,756	2,297,115
102,152	2,667	97,967	-	-	-	-	-	-	-	-	-	1,090,159
167,271	6,372	109,282	-	-	-	151,209	3,458,234	158,145	410,493	410,876	172,756	36,388,401
-	-	-	-	-	-	-	-	-	-	-	-	605,853
-	-	-	-	-	-	-	-	-	-	-	-	6,241,791
-	-	-	-	-	-	-	-	-	-	-	-	814,471
174,270	12,081	-	-	-	-	-	-	-	-	-	-	11,886,010
-	-	-	-	-	-	622,204	5,327,973	197,711	-	103,850	67,341	6,319,079
-	-	-	170,000	360,000	1,455,000	-	-	-	-	-	-	1,985,000
-	-	-	11,245	188,300	539,175	-	-	-	-	-	-	738,720
174,270	12,081	-	181,245	548,300	1,994,175	622,204	5,327,973	197,711	-	103,850	67,341	28,590,924
(6,999)	(5,709)	109,282	(181,245)	(548,300)	(1,994,175)	(470,995)	(1,869,739)	(39,566)	410,493	307,026	105,415	7,797,477
-	-	-	181,245	548,300	1,994,175	-	2,089,389	-	100,000	1,250,000	-	12,880,837
-	-	-	-	-	-	-	-	-	(548,300)	-	-	(16,573,720)
-	-	-	-	-	-	459,334	-	-	-	-	-	459,334
-	-	-	181,245	548,300	1,994,175	459,334	2,089,389	-	(448,300)	1,250,000	-	(3,233,549)
(6,999)	(5,709)	109,282	-	-	-	(11,661)	219,650	(39,566)	(37,807)	1,557,026	105,415	4,563,928
369,648	86,900	267,918	-	-	-	461,302	9,509,540	1,215,504	80,030	9,399,769	4,005,834	48,867,594
$ 362,649	**$ 81,191**	**$ 377,200**	**$ -**	**$ -**	**$ -**	**$ 449,641**	**$ 9,729,190**	**$ 1,175,938**	**$ 42,223**	**$ 10,956,795**	**$ 4,111,249**	**$ 53,431,522**

Other Supplementary Information
Combining Statement of Fiduciary Net Position
Fiduciary Funds

November 30, 2023

	Pension and Other Employee Benefit Trust Funds				Custodial Funds					
	Employees' Retirement System	Police and Fire Revised Retirement Plan	VEBA	Total	Special Trust Fund	Undistributed Tax Fund	Special Operation Team	Western Wayne Mobile Field Force Team	District Court Fund	Total
Assets										
Cash and cash equivalents	$ 1,073,765	$ 8,455	$ 543,650	$ 1,625,870	$ 128,311	$ 6,553,301	$ 59,516	$ 51,811	$ 836,394	$ 7,629,333
Investments:										
U.S. government securities	9,019,974	-	10,600,487	19,620,461	-	-	-	-	-	-
Collateralized mortgage obligations	1,597,339	-	2,182,610	3,779,949	-	-	-	-	-	-
Common stocks	101,561,849	1,015,428	56,085,129	158,662,406	-	-	-	-	-	-
Corporate bonds	5,650,974	-	4,082,783	9,733,757	-	-	-	-	-	-
Real estate investment trust	1,909,050	-	973,290	2,882,340	-	-	-	-	-	-
Foreign bonds	205,573	-	238,007	443,580	-	-	-	-	-	-
Mutual funds	78,644,852	6,874,326	54,110,356	139,629,534	-	-	-	-	-	-
Accounts receivable	97,164	41,994	487,988	627,146	-	-	-	-	-	-
Due from primary government	156,669	277,970	389,989	824,628	-	-	-	-	-	-
Total assets	199,917,209	8,218,173	129,694,289	337,829,671	128,311	6,553,301	59,516	51,811	836,394	7,629,333
Liabilities										
Accounts payable	176,421	6,934	541,630	724,985	2,309	-	-	-	26,979	29,288
Due to other governmental units	40,869	-	-	40,869	-	6,553,301	14,201	-	98,122	6,665,624
Bonds and other deposits	-	-	-	-	126,002	-	-	-	118,433	244,435
Total liabilities	217,290	6,934	541,630	765,854	128,311	6,553,301	14,201	-	243,534	6,939,347
Net Position										
Restricted:										
Pension	199,699,919	8,211,239	-	207,911,158	-	-	-	-	-	-
Postemployment benefits other than pension	-	-	129,152,659	129,152,659	-	-	-	-	-	-
Individuals, organizations, and other governments	-	-	-	-	-	-	45,315	51,811	592,860	689,986
Total net position	**$ 199,699,919**	**$ 8,211,239**	**$ 129,152,659**	**$ 337,063,817**	**$ -**	**$ -**	**$ 45,315**	**$ 51,811**	**$ 592,860**	**$ 689,986**

Other Supplementary Information
Combining Statement of Changes in Fiduciary Net Position
Fiduciary Funds

Year Ended November 30, 2023

	Pension and Other Employee Benefit Trust Funds				Custodial Funds					
	Employees' Retirement System	Police and Fire Revised Retirement Plan	VEBA	Total	Special Trust Fund	Undistributed Tax Fund	Special Operation Team	Western Wayne Mobile Field Force Team	District Court Fund	Total
Additions										
Investment income:										
Interest and dividends	$ 4,538,081	$ 296,815	$ 4,317,330	$ 9,152,226	$ -	$ 171,920	$ 3,753	$ 2,070	$ 16,243	$ 193,986
Net increase in fair value of investments	10,891,840	140,460	7,099,538	18,131,838	-	-	-	-	-	-
Investment costs	(577,429)	(16,367)	(358,325)	(952,121)	-	-	-	-	-	-
Net investment income	14,852,492	420,908	11,058,543	26,331,943	-	171,920	3,753	2,070	16,243	193,986
Contributions:										
Employer	1,786,885	2,585,480	3,871,252	8,243,617	-	-	-	-	-	-
Employee	98,073	1,019,243	312,925	1,430,241	-	-	-	-	-	-
Total contributions	1,884,958	3,604,723	4,184,177	9,673,858	-	-	-	-	-	-
Collections for other governments	-	-	-	-	181,160	168,839,600	106,748	28,500	-	169,156,008
Fines and fees	-	-	-	-	-	-	-	-	1,270,576	1,270,576
Bond receipts	-	-	-	-	-	-	-	-	855,900	855,900
Restitutions, judgments, and other	-	-	-	-	-	-	-	-	95,395	95,395
Total additions	16,737,450	4,025,631	15,242,720	36,005,801	181,160	169,011,520	110,501	30,570	2,238,114	171,571,865
Deductions										
Pension benefit payments	20,145,909	19,767	-	20,165,676	-	-	-	-	-	-
Medical benefit payments	-	-	7,630,414	7,630,414	-	-	-	-	-	-
Disability benefit payments	-	-	190,765	190,765	-	-	-	-	-	-
Refunds of contributions	554,563	34,166	-	588,729	-	-	-	-	-	-
Administrative expenses	245,479	52,999	43,325	341,803	-	-	-	-	-	-
Disbursements to other governments	-	-	-	-	181,160	169,011,520	117,745	7,703	1,031,430	170,349,558
Bond disbursements	-	-	-	-	-	-	-	-	855,900	855,900
Restitutions, judgments, and other refunds	-	-	-	-	-	-	-	-	109,433	109,433
Volunteer work program and civil drug fund	-	-	-	-	-	-	-	-	300,064	300,064
Total deductions	20,945,951	106,932	7,864,504	28,917,387	181,160	169,011,520	117,745	7,703	2,296,827	171,614,955
Net (Decrease) Increase in Fiduciary Net Position	(4,208,501)	3,918,699	7,378,216	7,088,414	-	-	(7,244)	22,867	(58,713)	(43,090)
Net Position - Beginning of year	203,908,420	4,292,540	121,774,443	329,975,403	-	-	52,559	28,944	651,573	733,076
Net Position - End of year	**$ 199,699,919**	**$ 8,211,239**	**$ 129,152,659**	**$ 337,063,817**	**$ -**	**$ -**	**$ 45,315**	**$ 51,811**	**$ 592,860**	**$ 689,986**

May 24, 2024

To the Honorable Mayor,
Members of the City Council,
and Management
City of Livonia, Michigan

We have audited the financial statements of the City of Livonia, Michigan (the "City") as of and for the year ended November 30, 2023 and have issued our report thereon dated May 24, 2024. Professional standards require that we provide you with the following information related to our audit, which is divided into the following sections:

Section I - Required Communications with Those Charged with Governance

Section II - Other Recommendations and Related Information

Section III - Legislative and Informational Items

Section I includes information that current auditing standards require independent auditors to communicate to those individuals charged with governance. We will report this information annually to the mayor, members of the City Council, and management of the City.

Section II presents recommendations related to internal control procedures, and other matters noted during our current year audit. These comments are offered in the interest of helping the City in its efforts toward continuous improvement, not just in the areas of internal control and accounting procedures, but also in operational or administrative efficiency and effectiveness.

Section III contains updated legislative and informational items that we believe will be of interest to you.

We would like to take this opportunity to thank the City's staff for the cooperation and courtesy extended to us during our audit. Their assistance and professionalism are invaluable.

This report is intended solely for the use of the mayor, members of the City Council, and management of the City and is not intended to be and should not be used by anyone other than these specified parties.

We welcome any questions you may have regarding the following communications, and we would be willing to discuss these and any other questions that you might have at your convenience.

Very truly yours,

Plante & Moran, PLLC

Stacey L. Reeves

Keith Szymanski

Section I - Required Communications with Those Charged with Governance

Our Responsibility Under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter dated January 3, 2024, our responsibility, as described by professional standards, is to express an opinion about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities. Our responsibility is to plan and perform the audit to obtain reasonable, but not absolute, assurance that the financial statements are free of material misstatement.

As part of our audit, we considered the internal control of the City. Such considerations were solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures specifically to identify such matters.

Our audit of the City's financial statements has also been conducted in accordance with *Government Auditing Standards*, issued by the Comptroller General of the United States. Under *Government Auditing Standards*, we are obligated to communicate certain matters that come to our attention related to our audit to those responsible for the governance of the City, including compliance with certain provisions of laws, regulations, contracts, and grant agreements; certain instances of error or fraud; illegal acts applicable to government agencies; and significant deficiencies in internal control that we identify during our audit. Toward this end, we issued a separate letter dated May 24, 2024 regarding our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements.

Planned Scope and Timing of the Audit

We performed the audit according to the planned scope and timing previously communicated to you in our meeting about planning matters on February 21, 2024.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by the City are described in Note 1 to the financial statements.

No new accounting policies were adopted, and the application of existing policies was not changed during 2023.

We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus.

There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were the value of the

alternative investments held by the City's retirement system and VEBA and the net pension and OPEB liabilities.

Management has reported the alternative investments at amounts provided by the various funds. For a sample of alternative investments, we obtained audited financial statements for the investment funds as of December 31, 2022 and performed various procedures to evaluate the calculations and assumptions used by fund management for the unaudited quarterly reports and member equity statements received since the date of the audits. We also performed limited analytical procedures on the revenue and expenses reported by funds from January 1, 2023 to November 30, 2023. We performed these procedures on the data used by management to develop the estimate to determine that it is reasonable in relation to the financial statements taken as a whole.

The net OPEB liability recorded is based on an actuarial valuation that includes significant assumptions related to health care costs, projected salary increases, the length of time over which participants will receive benefits, and future rates of return on investments. The net pension liabilities are based on actuarial valuations performed that include significant assumptions related to life expectancies, projected salary increases, and future rates of return on investments. Based on our review of the actuarial studies performed in connection with these liabilities, we noted that the methods and assumptions used in the actuarial studies are reasonable in relation to the financial statements taken as a whole.

The disclosures in the financial statements are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in performing and completing our audit.

Disagreements with Management

For the purpose of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. During the audit, we identified a prior period adjustment to properly reflect the impact of the 2022 changes in OPEB benefits.

Management considers the fact that capital expenditures below the capitalization threshold are not capitalized, even when related items are above the threshold in total, to be immaterial, both individually and in the aggregate, to the financial statements taken as a whole. However, uncorrected misstatements or matters underlying those uncorrected misstatements could potentially cause future period financial statements to be materially misstated.

Significant Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, business conditions affecting the City, and business plans and strategies that may affect the risks of material misstatement, with management each year prior to our retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship, and our responses were not a condition of our retention.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated May 24, 2024.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a second opinion on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Section II - Other Recommendations and Related Information

As part of our audit, we offer the following comments in the interest of helping the City in its efforts toward continuous improvement, not just in the areas of internal control and accounting procedures, but also in operational or administrative efficiency and effectiveness:

General Fund

For the year ended November 30, 2023, General Fund revenue exceeded General Fund expenditures by just over $1 million. Actual spending in the General Fund was approximately $51,000 more than the amended budget, while actual revenue in the General Fund was approximately $1,059,000 greater than the amended budget. Interest income and revenue from rescue runs were significantly greater than budgeted amounts. We commend the City for continuing to maintain a sound financial position while keeping an eye toward legacy costs and future capital needs.

Court Building Improvements Fund

As we pointed out previously, fines and forfeiture revenue from the District Court remains significantly below its pre-pandemic levels. The reduced activity at the District Court impacts not just the General Fund, but the Court Building Improvements capital project fund as well. This fund receives a surcharge added to each infraction to fund the debt service related to the new court building. In the last four years, the fund balance in the fund has decreased from $943,000 to $42,000 including a $100,000 transfer in from the General Fund in 2023. Annual debt service is approximately $550,000. The City will need to consider increasing the surcharge in order for this revenue stream to continue to fully fund the debt service and/or provide additional subsidies from the General Fund.

Legacy Costs - Pension

Legacy costs and the funded status of plans continue to be an area of focus for local governments. The City's defined benefit pension system is 86 percent funded as of November 30, 2023 based on the GASB Statement No. 68 actuarial valuation. The funded status is dependent on a number of assumptions (how long participants live, investment performance, etc.).

For many years, employer contributions to the pension system were not actuarially required. In fiscal years 2012 through 2023, the City was required to make contributions to the defined benefit pension plan after having gone without any required contributions since 2003. Total contributions between 2012 and 2022 were approximately $18.0 million. During fiscal year 2023, the City contributed the actuarially determined amount of approximately $1.8 million.

In addition to the existing pension system, the Police and Fire Revised Retirement Plan was reported for the first time in 2021. As of November 20, 2023, there were 184 participants in the plan and nearly $8.2 million in the trust. Required contributions for 2023 were $2.6 million.

As noted above, because there are a variety of factors that impact the calculation and estimates made by the City's actuary, future contributions by the City should be considered for budget and long-term financial planning purposes.

Legacy Costs - Retiree Health Care

The City has been actuarially funding the liability associated with postemployment health care for many years, ahead of the recent accounting standards and, as a result, has been able to accumulate approximately $129.2 million in net position for these costs as of November 30, 2023. In 2022, the City implemented changes to retiree benefits – enrolling post-65 retirees in a fully-insured Medicare Advantage plan and utilizing a self-insured plan for pre-65 retirees and prescription costs. These changes reduced the total OPEB liability, as measured by the actuary, by more than $100 million. The plan is 98% funded as of November 30, 2023.

During fiscal year 2023, the actuarily determined contribution for the VEBA was approximately $6.0 million, and the City contributed $3.9 million. Once the benefit changes are incorporated into future funding valuations, it is expected the actuarially determined contributions will decrease significantly.

Police Comp Time

In preparation for new auditing standards effective in 2024 and GASB 101 (see Section III), we took a closer look at the various compensated absences offered to employees. While most compensated absence banks of time off are centrally tracked and recorded by the finance department, we noted the police department tracks the comp time for its employees and the value of the banked time as of fiscal year end is not included in the liability recorded by the City. We recommend the City implement a process for ensuring all compensated absences are included in its liability analysis in order to comply with upcoming reporting requirements.

Section III - Legislative and Informational Items

Monitoring Lease, SBITA, and PPP Activity

GASB Statements No. 87, *Leases*; No. 96, *Subscription-Based Information Technology Arrangements* (SBITAs); and No. 94, *Public-Private and Public-Public Partnerships (PPP) and Availability Payment Arrangements*, were effective in fiscal years 2022 and 2023. Although significant analyses were performed to determine the applicability of the new standards and record any necessary adjustments, we want to stress the importance of implementing ongoing monitoring procedures over lease, SBITA, and PPP activity. When the City enters into new leases, SBITAs, or PPPs; existing agreements are modified; or other facts and circumstances change, consideration must be given to the impact those changes will have on lease, SBITA, and PPP accounting. In order to do so, the City must ensure there is a process in place to identify and appropriately account for new leases, SBITAs, or PPPs or changes to existing agreements on an ongoing basis or at least at the end of each year.

Cybersecurity and Information Technology Controls

Cyberattacks are on the rise across the globe, and the cost of these attacks is ever increasing. Because of these attacks, municipalities stand to lose their reputation, the ability to operate efficiently, and proprietary information or assets. Communities potentially can also be subject to financial and legal liabilities. Managing this issue is especially challenging because even a municipality with a highly mature cybersecurity risk management program still has a residual risk that a material cybersecurity breach could occur and not be detected in a timely manner. We understand that the technology department continues to monitor and evaluate this risk, which are critical best practices. Additionally, periodic assessment of the system in order to verify that the control environment is working as intended is a key part of measuring associated business risk. We encourage administration and those charged with governance to work with the technology team on this very important topic. If we can be of assistance in the process, we would be happy to do so.

Revenue Sharing

The State's fiscal year 2024 budget includes $1.65 billion for revenue sharing. Further details of the breakdown of this amount are available at https://www.michigan.gov/treasury/0,,7-121-1751_2197---,00.html.

The fiscal year 2024 City, Village, and Township Revenue Sharing (CVTRS) program includes the following types of payments:

- CVTRS-Standard payment equal to 104 percent of the local unit's eligible fiscal year 2023 ongoing CVTRS payment amount
- CVTRS-CLFRF payment equal to 1 percent of the local unit's eligible fiscal year 2023 ongoing CVTRS payment amount
- CVTRS-PS payment equal to 2 percent of the local unit's eligible fiscal year 2023 ongoing CVTRS payment amount

As provided in the September 2023 Department of Treasury letter on City, Village, and Township Revenue Sharing (CVTRS) Fiscal Year 2024 Detailed Guidance, the citizens guide and performance dashboard are no longer required for 2024 CVTRS. Qualified local units will need to complete the following required documents to qualify for CVTRS-Standard, CVTRS-CLFRF, and CVTRS-PS payments:

- Form 4886 certification
- Debt service report
- Two-year budget projection

The due date for these CVTRS required documents was December 7, 2023.

The CVTRS-Standard and CVTRS-PS payments will be paid in one-sixth increments. Local units received a one-sixth payment on the last business day of October 2023, and the remaining payments are as follows:

- If the required documents were submitted on or before December 7, 2023, payments in one-sixth increments have been and will be made on the last business day of December 2023 and February, April, June, and August 2024.

- If the required documents were submitted after December 7, 2023, the December CVTRS-Standard and CVTRS-PS payments were forfeited; the remaining payments will be forfeited unless the required documents are received by the first day of a payment month (February, April, June, and August 2024), at which time one-sixth of the CVTRS-Standard and CVTRS-PS payments will be made on the last business day of each payment month thereafter.

The CVTRS-CLFRF payment will be received on the last business day of June 2024.

Additional program requirements for CVTRS-CLFRF and CVTRS-PS payments are as follows:

- CVTRS-CLFRF - Eligible local units must certify to the Treasury that the local unit has "fully obligated" or expended by December 31, 2023, or declined, the total amount of 2021 American Rescue Plan Act funds allocated to the local unit. The Treasury defines "fully obligated," the definition of which applies only to the CVTRS program, as an order placed for property services; entering into contracts, subawards, and similar transactions that require payments; or appropriating the funds for specific purposes. This certification is due on March 30, 2024.

- CVTRS-PS - Local units must use the CVTRS-PS payment for local public safety initiatives only.

Inflation Rate Multiplier for 2024

In October 2023, the Michigan State Tax Commission issued Bulletin 16 of 2023 regarding the inflation rate multiplier for use in the 2024 capped value formula and the Headlee millage reduction fraction formula. The inflation rate for property taxes, as defined in Michigan Compiled Law (MCL) 211.34d, has increased beyond the historical 5 percent cap to 5.1 percent for 2024. As a result, the inflation rate multiplier of 1.051 must be used in the calculation of the 2024 Headlee millage reduction fraction required by Michigan Compiled Law (MCL) 211.34d. As the inflation rate multiplier of 1.051 is higher than 1.05, the inflation rate multiplier to be used in the 2024 capped value formula is 1.05.

OMB Proposed Revisions to the Uniform Guidance

In October 2023, the Office of Management and Budget (OMB) posted proposed revisions for the Uniform Guidance for federal grants and agreements. The proposed guidance clarifies the applicability of requirements and terminology and includes some relaxation and clarification of certain requirements that required prior approval from federal regulators. A few key proposed changes include the following:

- Increase the audit threshold to $1 million from $750,000

- Increase the *de minimis* indirect cost rate from 10 percent to 15 percent

- Require the schedule of expenditures of federal awards (SEFA) to identify recipient of federal award for audits that cover multiple recipients

The proposed changes are included in more detail within the federal register at https://www.federalregister.gov/documents/2023/10/05/2023-21078/guidance-for-grants-and-agreements.

We will continue to monitor any changes to the Uniform Guidance, and we encourage the City to monitor developments in this area.

Upcoming Accounting Standards Requiring Preparation

We actively monitor new Governmental Accounting Standards Board (GASB) standards and due process documents and provide periodic updates to help you understand how the latest financial reporting developments will impact the City. In addition to the summaries below and to stay up to date, we issue a biannual GASB accounting standard update. The most recent update and a link to previous fall and spring updates are available here.

GASB Statement No. 101 - Compensated Absences

This new accounting pronouncement will be effective for the City's fiscal year ending November 30, 2025. The statement requires all compensated absences be reported under a new unified model that provides recognition and measurement guidance for all compensated absences that meet certain criteria. This is a major shift from the prior standards that provided different recognition and measurement guidance for vacation leave versus sick leave. Under the new standard, all compensated absences (with some exceptions like parental leave and military leave) that meet three criteria are to be recognized (accrued). The three criteria are (1) the absence accumulates, (2) the absence is attributed to services already performed, and (3) the absence is more likely than not to be either paid or settled through other means.

A few of the more significant changes from prior guidance include the elimination of specific recognition criteria for sick leave (GASB 16's termination payment method and vesting method) in lieu of standard recognition criteria for all types of compensated absences that meet the criteria. In addition, the prior standards used the "probable criteria" as a measurement stick for recognition; GASB 101 lowers that threshold to more likely than not. More likely than not means a likelihood of more than 50 percent. Because GASB 101 does not prescribe the manner in which these leave liabilities are estimated once the criteria are met, organizations will have significant latitude in how these estimates are determined. Because of this, there may be additional reporting and additional disaggregation of historical employee leave usage information that may be required in order to come up with an accurate estimate of these liabilities. We strongly suggest organizations start thinking about these changes now, brainstorm estimation methodologies, and begin gathering the necessary information in order to successfully adopt this new standard.

GASB Statement No. 102 - Certain Risk Disclosures

This new accounting pronouncement will be effective for the City's fiscal year ending November 30, 2025. This statement requires a government to assess whether a concentration or constraint makes the primary government or other reporting units that report a liability for revenue debt vulnerable to the risk of a substantial impact. It also requires a government to assess whether an event or events associated with a concentration or constraint that could cause the substantial impact have occurred, have begun to occur, or are more likely than not to begin to occur within 12 months of the date of the financial statements are issued. If certain criteria are met for a concentration or constraint, disclosures are required in the notes to the financial statements.

Significant GASB Proposals Worth Watching

The GASB is working on two comprehensive projects that result in changes to financial reporting for state and local governments.

The Financial Reporting Model exposure draft was issued in June 2020, and the final statement is expected to be released in mid-2024. This standard proposes changes to many aspects of the City's financial statements, including the management's discussion and analysis (MD&A), proprietary fund financial statements, and budgetary comparisons. In August 2023, the GASB removed issues related to reporting of governmental funds from the scope of this project.

The Revenue and Expense Recognition project aims to develop a comprehensive accounting and financial reporting model for transactions that result in revenue and expenses. The GASB has issued a preliminary views document that proposes a new categorization framework that replaces the exchange/nonexchange transaction notion with a four-step categorization process for classifying a transaction. In addition to this new framework, the proposal also addresses recognition and measurement of revenue and expense transactions. The exposure draft for this project is expected sometime in 2025.

We have spent significant time digesting these new proposed standards and recently testified to the GASB about our feedback. We strongly encourage the City to monitor developments with these standards, as the potential impacts are quite broad.

City of Livonia, Michigan

Federal Awards Supplemental Information
November 30, 2023

Draft

City of Livonia, Michigan

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Draft

Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance

Independent Auditor's Report

To the City Council
City of Livonia, Michigan

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of City of Livonia, Michigan (the "City") as of and for the year ended November 30, 2023, and the related notes to the financial statements, which collectively comprise the City's basic financial statements. We issued our report thereon dated May 22, 2024, which contained unmodified opinions on the financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. We have not performed any procedures with respect to the audited financial statements subsequent to May 22, 2024.

The accompanying schedule of expenditures of federal awards and the reconciliation of financial statements federal revenue with schedule of expenditures of federal awards are presented for the purpose of additional analysis as required by the Uniform Guidance and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

May 22, 2024

Draft

Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

Draft

Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

Independent Auditor's Report

To Management and the City Council
City of Livonia, Michigan

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Livonia, Michigan (the "City") as of and for the year ended November 30, 2023 and the related notes to the financial statements, which collectively comprise the City's financial statements, and have issued our report thereon dated May 22, 2024.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies, and, therefore, material weaknesses or significant deficiencies may exist that were not identified. We identified a certain deficiency in internal control, described in the accompanying schedule of findings and questioned costs as Findings 2023-001 that we consider to be a material weakness.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

The City's Response to the Findings

Government Auditing Standards requires the auditor to perform limited procedures on the City's response to the findings identified in our audit and described in the accompanying schedule of findings and questioned costs. The City's response was not subjected to the other auditing procedures applied in the audit of the financial statements, and, accordingly, we express no opinion on the response.

To Management and the City Council
City of Livonia, Michigan

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

May 22, 2024

Draft

Report on Compliance for Each Major Federal Program and Report on Internal Control Over Compliance Required by the Uniform Guidance

Draft

Report on Compliance for Each Major Federal Program and Report on Internal Control Over Compliance Required by the Uniform Guidance

Independent Auditor's Report

To the City Council
City of Livonia, Michigan

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited City of Livonia, Michigan's (the "City") compliance with the types of compliance requirements identified as subject to audit in the U.S. Office of Management and Budget (OMB) *Compliance Supplement* that could have a direct and material effect on the City's major federal program for the year ended November 30, 2023. The City's major federal program is identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, the City complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on the major federal program for the year ended November 30, 2023.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (the "Uniform Guidance"). Our responsibilities under those standards and the Uniform Guidance are further described in the *Auditor's Responsibilities for the Audit of Compliance* section of our report.

We are required to be independent of the City and to meet our other ethical responsibilities in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of the City's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the City's federal program.

Draft

To the City Council
City of Livonia, Michigan

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the City's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and, therefore, is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the City's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the City's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control Over Compliance

Our consideration of internal control over compliance was for the limited purpose described in the *Auditor's Responsibilities for the Audit of Compliance* section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance and therefore, material weaknesses or significant deficiencies may exist that have not been identified. However, as discussed below, we did identify a certain deficiency in internal control over compliance that we consider to be a material weakness.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. We consider the deficiency in internal control over compliance described in the accompanying schedule of findings and questioned costs as Finding 2023-002 to be a material weakness.

A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention of those charged with governance.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

Draft

To the City Council
City of Livonia, Michigan

Government Auditing Standards requires the auditor to perform limited procedures on the City's response to the internal control over compliance findings identified in our audit and described in the accompanying schedule of findings and questioned costs. The City's response was not subjected to the other auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

May 22, 2024

Draft

Schedule of Expenditures of Federal Awards

Year Ended November 30, 2023

Federal Agency/Pass-through Agency/Program Title	Assistance Listing Number	Pass-through Entity Identifying Number	Total Amount Provided to Subrecipients	Federal Expenditures
U.S. Department of Agriculture: Food Distribution Cluster - Passed through the Wayne Metropolitan Community Services Agency - Emergency Food Assistance Program (Food Commodities)	10.569	N/A	$ -	$ 44,712
U.S. Department of Transportation:				
Federal Transit Cluster - Passed through Southeast Michigan Council of Governments - Federal Transit Formula Grants	20.507	CPG23	-	32,691
Highway Safety Cluster - Passed through the Michigan Office of Highway Safety - State and Community Highway Safety - Belt Enforement	20.600	PT-19-7	-	14,485
Total U.S. Department of Transportation			-	47,176
U.S. Department of Housing and Urban Development:				
Entitlement Grants Cluster - Community Development Block Grant:				
Program year 2022	14.218		30,148	329,457
Program year 2023	14.218		400	279,280
COVID-19 - CDBG Entitlement Grant	14.218		-	173,832
Total CDBG Entitlement Grants			30,548	782,569
Passed through Wayne County, Michigan - HOME Investment Partnership Program - Program year 2023	14.239	N/A	-	31,903
Total U.S. Department of Housing and Urban Development			30,548	814,472
U.S. Department of Justice:				
Federal Equitable Sharing Program	16.922		-	960
U.S. Marshals - Detroit Fugitive Apprehension Task Force	16.unknown		-	13,204
Federal Bureau of Investigation - Detroit Major Crimes Task Force	16.unknown		-	18,392
Passed through Wayne County, Michigan:				
2021 Edward Byrne Memorial Justice Assistance Grant	16.738	N/A	-	9,618
2022 Edward Byrne Memorial Justice Assistance Grant	16.738	N/A	-	12,191
Total passed through Wayne County, Michigan			-	21,809
Total U.S. Department of Justice			-	54,365
U.S. Department of Homeland Security:				
Passed through the Michigan Department of State Police:				
Disaster Grants - Public Assistance (Presidentially Declared Disasters)	97.036		-	52,590
2020 Emergency Management Performance Grant	97.042	N/A	-	34,878
Total U.S. Department of Homeland Security			-	87,468
Total federal expenditures			**$ 30,548**	**$ 1,048,193**

See notes to schedule of expenditures of federal awards.

Reconciliation of Basic Financial Statements Federal Revenue with Schedule of Expenditures of Federal Awards

Year Ended November 30, 2023

Revenue from federal sources - As reported on financial statements (includes all funds)	$	1,140,950
Program income in excess of expenditures		(59,166)
Add value of noncash assistance		44,712
Federal revenue in excess of current year expenditures		(54,085)
Deferred revenue not reported for year ended November 30, 2022		136,467
Deferred revenue not reported for year ended November 30, 2023		(160,685)
Federal expenditures per the schedule of expenditures of federal awards	**$**	**1,048,193**

Draft

Notes to Schedule of Expenditures of Federal Awards

Year Ended November 30, 2023

Note 1 - Basis of Presentation

The accompanying schedule of expenditures of federal awards (the "Schedule") includes the federal grant activity of City of Livonia, Michigan (the "City") under programs of the federal government for the year ended November 30, 2023. The information in the Schedule is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (the "Uniform Guidance"). Because the Schedule presents only a selected portion of the operations of the City, it is not intended to and does not present the financial position, changes in net position, or cash flows of the City.

Note 2 - Summary of Significant Accounting Policies

Expenditures reported in the Schedule are reported on the same basis of accounting as the financial statements. Such expenditures are recognized following the cost principles contained in Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, wherein certain types of expenditures are not allowable or are limited as to reimbursement. The pass-through entity identifying numbers are presented where available.

The City has elected not to use the 10 percent de minimis indirect cost rate to recover indirect costs as allowed under the Uniform Guidance.

Note 3 - Noncash Assistance

The value of the noncash assistance received was determined in accordance with the provisions of the Uniform Guidance.

The grantee received the following noncash assistance during the year ended November 30, 2023 that is included in the schedule of expenditures of federal awards:

Federal Program	CFDA Number	Description	Amount
U.S. Department of Agriculture - Passed through Wayne Metropolitan Community Services Agency	10.569	USDA Food Distribution	$ 44,712

Draft

Section I - Summary of Auditor's Results

Financial Statements

Type of auditor's report issued:	Unmodified			
Internal control over financial reporting:				
• Material weakness(es) identified?	X	Yes		No
• Significant deficiency(ies) identified that are not considered to be material weaknesses?		Yes	X	None reported
Noncompliance material to financial statements noted?		Yes	X	None reported

Federal Awards

Internal control over major programs:				
• Material weakness(es) identified?	X	Yes		No
• Significant deficiency(ies) identified that are not considered to be material weaknesses?		Yes	X	None reported
Any audit findings disclosed that are required to be reported in accordance with Section 2 CFR 200.516(a)?	X	Yes		No

Identification of major programs:

Assistance Listing Number	Name of Federal Program or Cluster	Opinion
14.218	CDBG - Entitlement Grants Cluster	Unmodified

Dollar threshold used to distinguish between type A and type B programs:	$750,000			
Auditee qualified as low-risk auditee?		Yes	X	No

Draft

Section II - Financial Statement Audit Findings

Reference Number	Finding
2023-001	**Finding Type** Material weakness **Criteria** - The processes the City has in place for transmitting information for actuarial valauations and reviewing the valuations once completed should be designed to ensure the information provided and used is accurate and consistent with the current provisions of the City's plans. **Condition** - The 2022 valuation for the other postemployment benefits (OPEB) plan did not incorporate the full impact of the changes in benefits that were approved and effective during 2022, specifically, implementing a fully-insured Medicare Advantage plan for post-65 retirees and a self-insured plan for pre-65 retirees and prescriptions. **Context** - The reduction to the net OPEB liability as a result of the change in benefits in 2022 was approximately $107 million. Only $9 million of this reduction was reflected on the 2022 valuation, and thus the fiscal year 2022 financial statements overstated the net OPEB liability by approximately $98 million. To correct the error in fiscal year 2023, the City properly restated beginning net position of the governmental activities, business-type activities, and enterprise funds to reflect the full reduction to the net OPEB liability as a result of the change in benefits. **Cause** - The CIty's processes for providing updated information to the actuary and reviewing the completed valuation were not sufficient for ensuring the full impact of changes in benefits were reflected in the proper valuation period. **Effect** - The net OPEB liability was overstated by approximately $98 million as of November 30, 2022. **Recommendation** - We recommend the City review the process for accumulating and reviewing information conveyed to the actuaries to ensure it is complete and accurate and properly reflected in the resulting valuations. **Views of Responsible Officials and Planned Corrective Actions** - This was a unique and isolated situation as the beginning of the plan benefit year (April 1, 2022), conversion to the fully-insured Medicare Advantage plan (August 1, 2022), and the measurement date of the actuarial valuation (November 30, 2022) all occurred at different times. The information provided to the actuaries has historically come from the illustrative rates that take effect at the beginning of the plan year. While the Medicare Advantage conversion was clearly communicated to the actuaries, as witnessed by disclosures in the November 30, 2022, valuation report, the premium costs utilized were from the annual benefit plan renewal that occurred on April 1, 2022, rather than the new Medicare Advantage premiums that went into effect on August 1, 2022. Had these changes gone into effect on the normal renewal date, the City’s normal process would indeed have been sufficient to ensure the full impact of changes in benefits were reflected in the proper valuation period. Although this type of mid-year rate change otherwise would not have occurred and is considered an isolated event, to avoid any chance of this issue in the future, we will add a step to our internal processes to verify no premium changes occurred after the April 1st renewal date. As all balances are now properly stated as of November 30, 2022, and 2023, no additional corrective action is required.

Draft

Section III - Federal Program Audit Findings

Reference Number	Finding
2023-002	**Assistance Listing, Federal Agency, and Program Name** - 14.218, Department of Housing and Urban Development, CDBG Entitlement Grants Cluster - Community Development Block Grant/Entitlement Grants (CDBG) **Federal Award Identification Number and Year** - B-22-MC-26-0008 **Pass-through Entity** - N/A **Finding Type** - Material weakness **Repeat Finding** - No **Criteria** - 24 CFR Part 58 requires enivronmental review procedures for entities assuming HUD environmental responsibilities. **Condition** - Tiered environmental reviews were not completed for the City's emergency and minor home rehabilitation activities. The environmental review for major rehabilitation activities was incomplete and was not submitted in the HEROS system. **Questioned Costs** - None **Identification of How Questioned Costs Were Computed** - N/A **Context** - During a monitoring visit by HUD in March 2023, it was noted that certain environmental reviews were incomplete or not completed. These findings related to program year 2022. The environmental reviews were subsequently completed and the finding was closed out by HUD in March 2024. **Cause and Effect** - Certain activities did not have environmental reviews conducted pr the revies were incomplete. Federal funds were spent prior to ensuring that the activity did not cause an adverse effect on the environment. **Recommendation** - Internal controls should be implemented to ensure environmental reviews are completed for all applicable activities. **Views of Responsible Officials and Corrective Action Plan** - OPEN

Draft

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

5. REQUEST TO WAIVE THE DRIVEWAY ORDINANCE REQUIREMENT: Matthew Rowe, re their home on 36804 Sunnydale Street, to exceed the 25' ordinance and to allow the widening of their driveway to 30'.

   Todd Zilincik, City Engineer, presented the request to Council.

   Councilmember Donovic asked Mr. Zilincik if the approach would need to be six inches thick and if the city requires the resident remove the existing portion of the approach or if they can add to it.

   Mr. Zilincik said they would need a permit to widen the approach.

   Councilmember Jolly asked Mr. Zilincik if the city will be replacing all the aprons since they are redoing the road.

   Mr. Zilincik indicated they will be replacing the aprons. The homeowner could get a permit and work out an agreement with the contractor to widen it if Council approves.

   Councilmember Jolly asked why they are requesting 30 feet and if there are homes with a 30-foot driveway on that street.

   The homeowner said the new apron would be wider at the street and narrower at the top. Hardrock Concrete told him it would normally be 25 feet at the street and 21 feet at the sidewalk. He is asking for 34 feet at the road. There are quite a few homes in his neighborhood that have wider approaches. He has a 5-bedroom home and a large family. He indicated his plan would still allow a 3-foot distance between him and the neighbor’s driveway. He wants the approach widened so he doesn’t have to drive over the grass to get to the wider area on his own property.

   Mr. Zilincik said they had a meeting with the residents and explained the process of the road program. He said the project will start on 5/21/2024.

   Councilmember Budzinski asked if he spoke to his neighbor.

   Mr. Rowe said he had, and they just wanted space in between.

   Mr. Zilincik indicated widening the driveway does take away a parking space for the neighbor.

   Councilmember Morgan asked Mr. Zilincik if the apron has to be pitched or if it could be squared off.

Mr. Zilincik said it could be either way, but it must be 25 feet at the curb and sidewalk.

Councilmember Jolly offered an approving motion for the Regular Agenda. He changed his approval to the Consent Agenda and indicated he will ask Administration for a Non-Veto after the June 3rd meeting so it can be done during the road reconstruction.

Councilmember Toy asked that this item be put on the Regular Agenda.

DIRECTION APPROVING REGULAR

From: Kasprowicz, Sara
To: MROWE1@mi.rr.com
Subject: RE: Sidewalk ordinance waiver, S052024 Item #5
Date: Tuesday, May 14, 2024 3:45:00 PM

Hi Matthew,
The Clerk's Office has entered your request for Council review, along will all corresponding documents.
I have also added your email to the documents to assist in additional clarification.
Council may still have questions, but hopefully they can all be answered on the 20th!
Have a nice night and see you next Monday,
Sara

From: MROWE1@mi.rr.com <MROWE1@mi.rr.com>
Sent: Monday, May 13, 2024 10:15 PM
To: Kasprowicz, Sara <skasprowicz@livonia.gov>
Subject: RE: Sidewalk ordinance waiver, S052024 Item #5

Sara,

I would like clarification on the ordinance. I want to make sure that it is understood we want a variance to 30 ft at the SIDEWALK . As shown in the documents I sent with the original email request.

(I think the ordinance is at the ROADSIDE of the approach at 25 ft including the angles ? I was told the angles are 2 feet on each side leaving only 21 feet at the sidewalk end of the driveways? If this is how the ordinance is writen we will need a veriance of more than 5 feet.)

Our current driveway is 20 feet wide at the SIDEWALK and we would like it to be 30 feet therefore 10 feet wider. Do we need to word our request to the amount needed at the SIDEWALK versus the ROAD or at the road?

Sorry for the confusion.

Can you please call me if more clarification is needed. Matthew Rowe (248) 866-9898. I just want to make sure we are presenting the correct amount for the variance.

Thank You

Matthew Rowe
(248) 866-9898

From: "Kasprowicz, Sara"
To: "MROWE1@mi.rr.com"
Cc:
Sent: Monday May 13 2024 9:20:01AM
Subject: RE: Sidewalk ordinance waiver, S052024 Item #5

Good Morning!
I heard your voicemail. Your request is on the May 20th Study agenda, Item 5. The agenda is still waiting on final approval, but I have attached the draft for your reference. Please be sure to have someone attend this meeting to answer any questions you may have regarding the request.
See you then!
Sara

Sara Kasprowicz
Program Supervisor
City of Livonia | City Council Office
(734) 466-2250
skasprowicz@livonia.gov
www.livonia.gov

From: Kasprowicz, Sara <skasprowicz@livonia.gov>
Sent: Thursday, April 25, 2024 2:11 PM
To: MROWE1@mi.rr.com
Subject: RE: Sidewalk ordinance waiver

Hi Mr. Rowe,
I have forwarded your request to the Clerk's Office, they will first be handling your request before it goes to me for City Council.
Thank you for submitting!!
Sara

Sara Kasprowicz
Program Supervisor
City of Livonia | City Council Office
(734) 466-2250
skasprowicz@livonia.gov
www.livonia.gov

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From: MROWE1@mi.rr.com <MROWE1@mi.rr.com>
Sent: Monday, April 22, 2024 10:39 PM
To: Kasprowicz, Sara <skasprowicz@livonia.gov>
Subject: RE: Sidewalk ordinance waiver

Sara,

We would like to request an extension of 10 ft to our current driveway approach at the sidewalk dimension. We were told at the road repair meeting at the City Hall that Sunnydale street is being replaced and that the maximum driveway approach at the sideway is only allowed to be 21 feet. We were planning to replace and expand our current driveway and at the meeting were told we would need to request a variance to the 21 feet rule to make our driveway wider. We would like to widen the driveway at the sidewalk 1.5 feet to the East and 8.5 feet to the West. Our driveway is currently 20 feet at the sidewalk and we would like the variance to a total of 30 feet. I included in this email an attachment with neighboring properties that have driveways with sidewalk dimensions over the 21 foot rule. I was not sure how much addtional information I need to provide. From what I can see from the miss dig flags placed on our property I do not see anything that would be affected by the expansion. Please let me know if you need more information. See attached word document of the proposed expansion and the comparable neighboring driveways.

Thanks

Matthew Rowe
36804 Sunnydale Street
Cell 248-866-9898
email: mrowe1@mi.rr.com

From: "Kasprowicz, Sara"
To: "MROWE1@mi.rr.com"
Cc:
Sent: Monday April 22 2024 12:20:26PM
Subject: RE: Sidewalk ordinance waiver

Hi Mary,
The deadline for the May 20th Study meeting is May 10th but we will also need to have Engineering take a look at the situation as well, since they will also need to verify any necessary access points. Best to submit your information as soon as you can!
Thank you!!
Sara

Sara Kasprowicz
Program Supervisor
City of Livonia | City Council Office
(734) 466-2250
skasprowicz@livonia.gov
www.livonia.gov

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From: MROWE1@mi.rr.com <MROWE1@mi.rr.com>
Sent: Monday, April 22, 2024 11:52 AM
To: Kasprowicz, Sara <skasprowicz@livonia.gov>
Subject: RE: Sidewalk ordinance waiver

Hi Sara,
Please let me know when we need to get the details for our driveway expansion in by to go to the May 20th meeting.
Thanks,
Mary

From: "Kasprowicz, Sara"
To: "mrowe1@mi.rr.com"
Cc:
Sent: Thursday April 11 2024 9:23:30AM
Subject: Sidewalk ordinance waiver

Hi Mary,
Please let me know the details of what you are anticipating with your driveway and we will go from there, focusing on the Study meeting of May 20th.
Thank you,
Sara

Sara Kasprowicz
Program Supervisor
City of Livonia | City Council Office
(734) 466-2250
skasprowicz@livonia.gov
www.livonia.gov

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LETTER TO THE LIVONIA CITY COUNCIL

4.

Clerk
April 29, 2024

MEETING DATE	PRESENTED BY
S052024	

AGENDA ITEM

REQUEST TO WAIVE THE DRIVEWAY ORDINANCE REQUIREMENT: Matthew Rowe, re their home on 36804 Sunnydale Street, to exceed the 25' ordinance and to allow the widening of their driveway to 30'.

BACKGROUND DETAILS

We would like to request an extension of 10 ft to our current driveway approach at the sidewalk dimension. We were told at the road repair meeting at the City Hall that Sunnydale street is being replaced and that the maximum driveway approach at the sideway is only allowed to be 21 feet. We were planning to replace and expand our current driveway and at the meeting were told we would need to request a variance to the 21 feet rule to make our driveway wider. We would like to widen the driveway at the sidewalk 1.5 feet to the East and 8.5 feet to the West. Our driveway is currently 20 feet at the sidewalk and we would like the variance to a total of 30 feet. I included in this email an attachment with neighboring properties that have driveways with sidewalk dimensions over the 21 foot rule. I was not sure how much addtional information I need to provide. From what I can see from the miss dig flags placed on our property I do not see anything that would be affected by the expansion. Please let me know if you need more information. See attached word document of the proposed expansion and the comparable neighboring driveways.

Thanks

Matthew Rowe
36804 Sunnydale Street
Cell 248-866-9898
email: mrowe1@mi.rr.com

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

Approve as submitted.

ATTACHMENTS

1. 36804 Sunnydale Driveway 2024 with comparables
2. Driveway Waiver, Matthew Rowe, 36804 Sunnydale Street

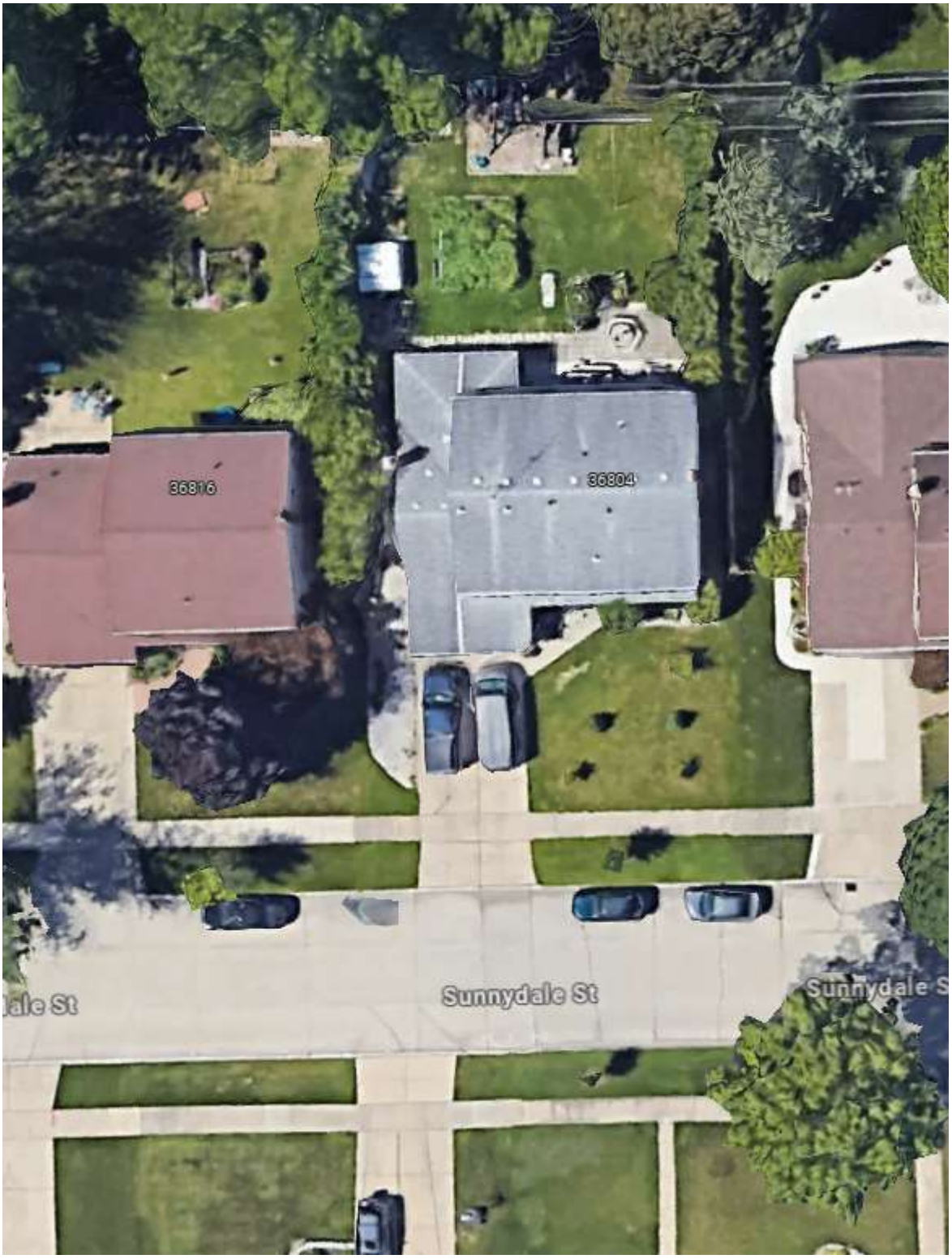
APPROVED BY

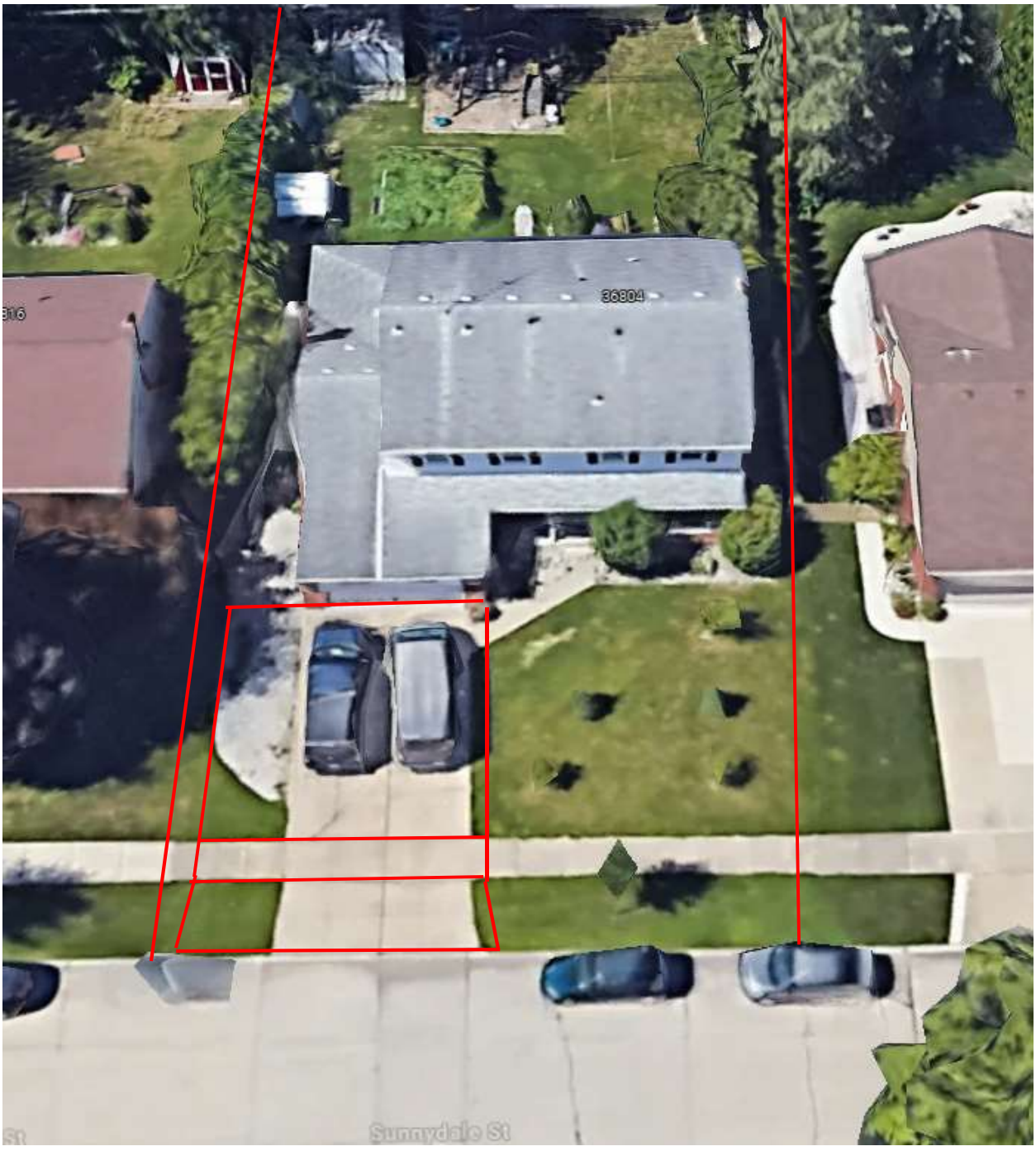
Date: April 29, 2024

_____

Doris DeMarco, Deputy Clerk


McCann Park
Baseball Field #2
Newburgh Swim Club
Newburgh Rd
Hoover
Elementary School
Newburgh Rd
Sheesh
Five Mile Rd
Google
Five Mile Rd


36816
36804
Sunnydale St
Sunnydale S

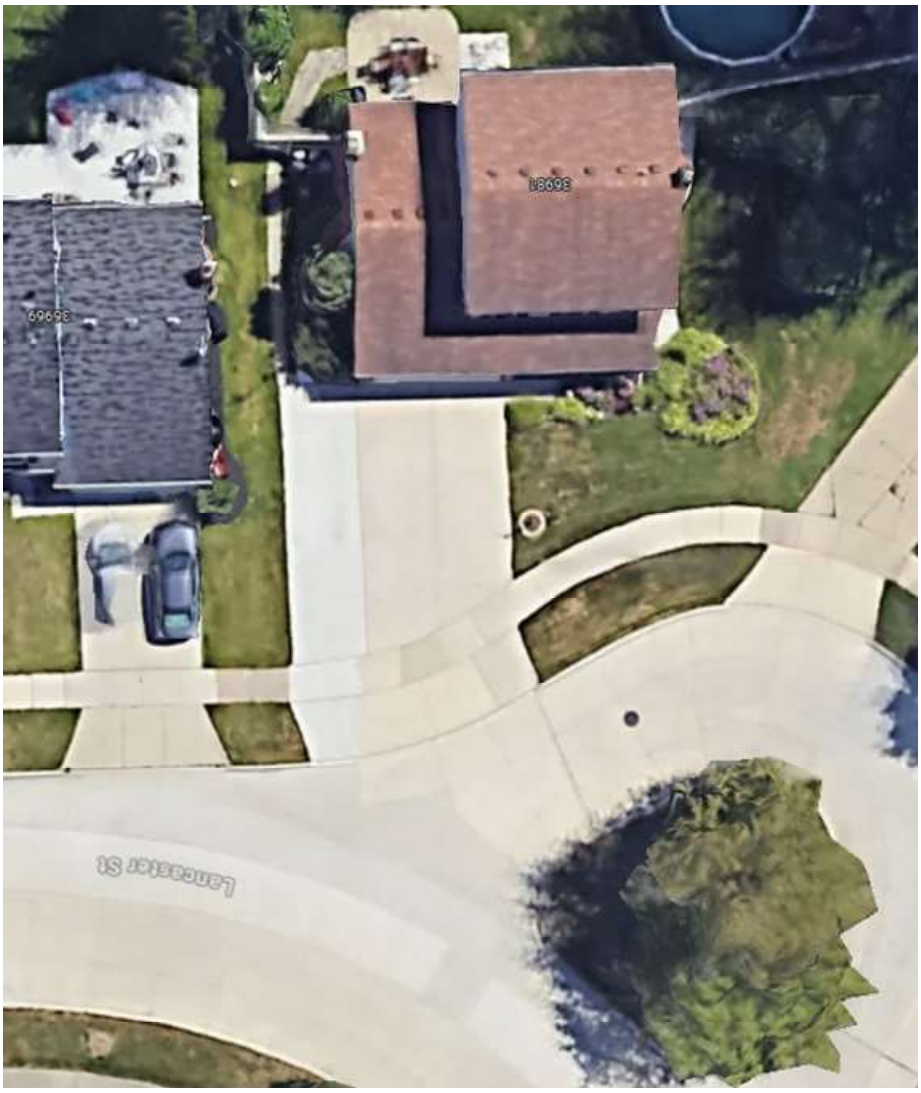


West

36804 Sunnydale

Requesting **1.5 ft** to the East and **8.5 ft** to the West for a total of **30 ft** at the sidewalk currently **20 ft**.

East



36981 Lancaster

33 Ft at the sidewalk



15621 Fitzgerald

28.5 Ft at the sidewalk



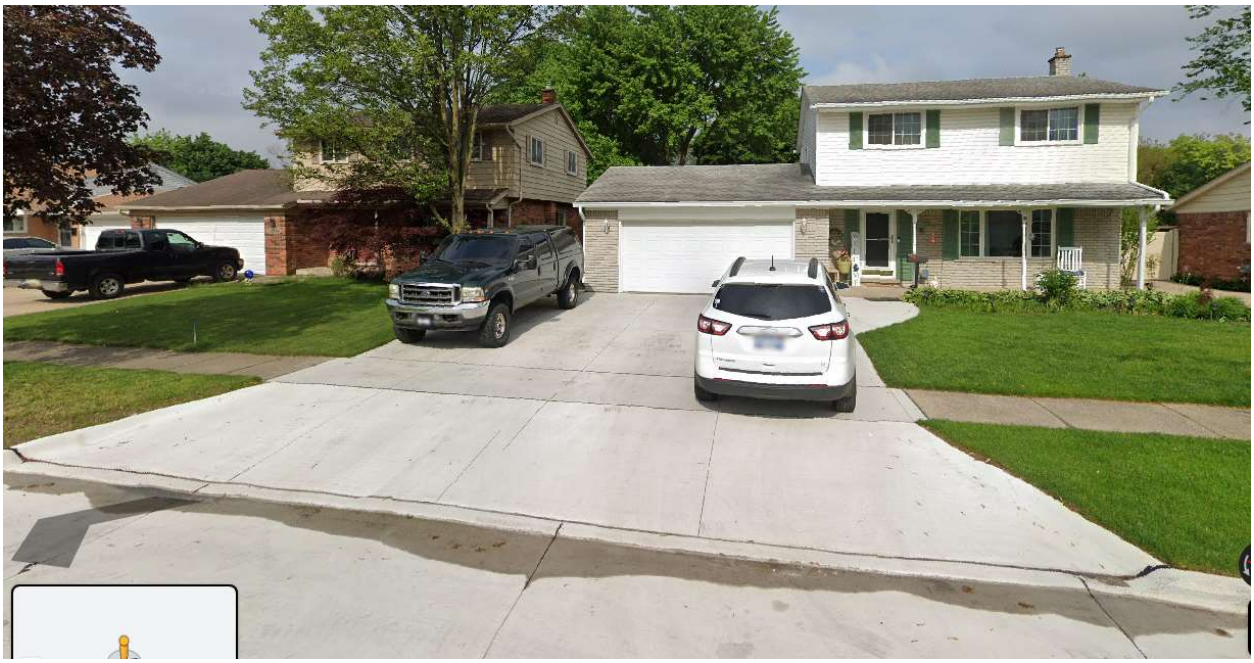
37080 Sunnydale

30 Ft at the sidewalk



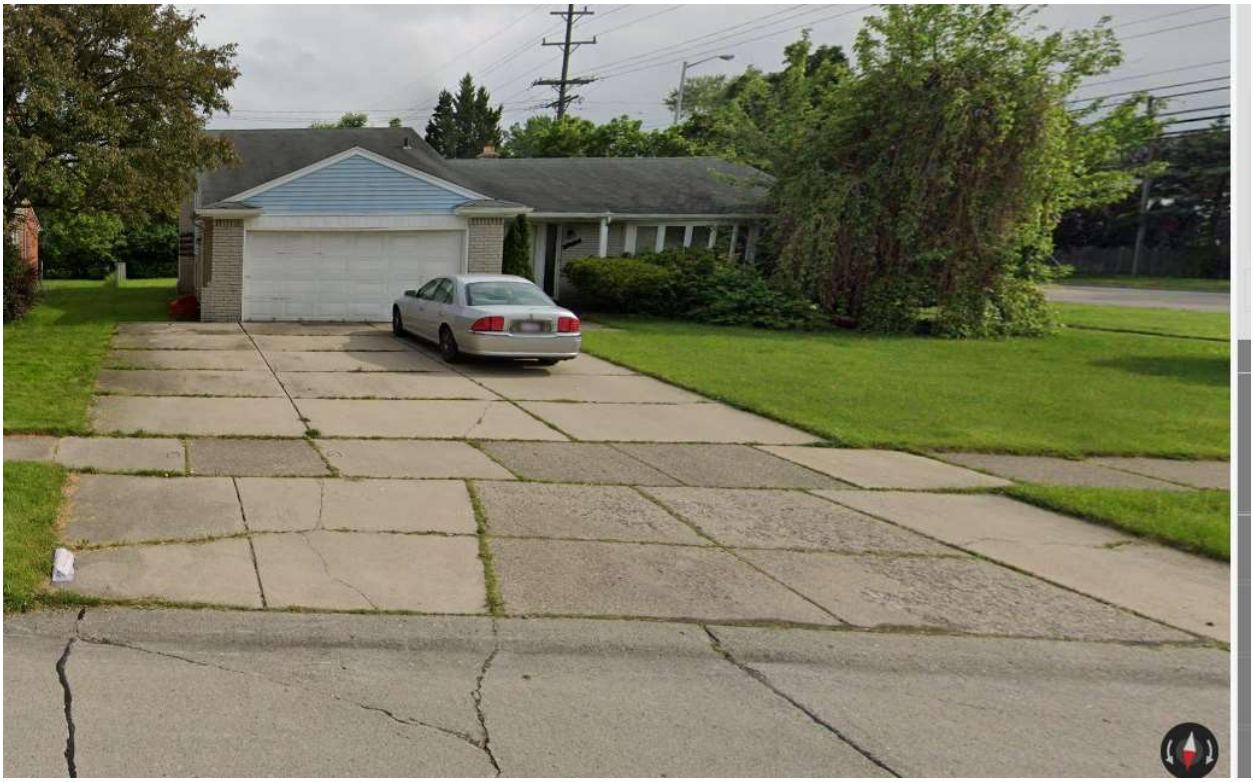
15928 Newburgh (Corner of Myrna and Newburgh)

28.5 Ft at the sidewalk



15568 Fitzgerald

29 Ft at the sidewalk



37398 Myrna

28 Ft at the sidewalk

From: MROWE1@mi.rr.com <MROWE1@mi.rr.com>
Sent: Monday, April 22, 2024 10:39 PM
To: Kasprowicz, Sara <skasprowicz@livonia.gov>
Subject: RE: Sidewalk ordinance waiver

Sara,

We would like to request an extension of 10 ft to our current driveway approach at the sidewalk dimension. We were told at the road repair meeting at the City Hall that Sunnydale street is being replaced and that the maximum driveway approach at the sideway is only allowed to be 21 feet. We were planning to replace and expand our current driveway and at the meeting were told we would need to request a variance to the 21 feet rule to make our driveway wider. We would like to widen the driveway at the sidewalk 1.5 feet to the East and 8.5 feet to the West. Our driveway is currently 20 feet at the sidewalk and we would like the variance to a total of 30 feet. I included in this email an attachment with neighboring properties that have driveways with sidewalk dimensions over the 21 foot rule. I was not sure how much addtional information I need to provide. From what I can see from the miss dig flags placed on our property I do not see anything that would be affected by the expansion. Please let me know if you need more information. See attached word document of the proposed expansion and the comparable neighboring driveways.

Thanks

Matthew Rowe
36804 Sunnydale Street
Cell 248-866-9898
email: mrowe1@mi.rr.com

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

6. REQUEST TO WAIVE THE SIDEWALK REQUIREMENT: Brittany and Nicholas Onifer, re: for the newly constructed home at 15940 Ingram.

   Brittany Onifer, 15940 Ingram, presented the request to Council.

   Councilmember Donovic confirmed that there are no sidewalks on either side of the street.

   Mr. Zilincik said his recommendation is to not put a sidewalk in.

   Councilmember Donovic offered an approving motion for the Regular Agenda.

   DIRECTION APPROVING REGULAR

LETTER TO THE LIVONIA CITY COUNCIL

5.

Engineering
April 29, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Todd Zilincik, P.E., City Engineer

AGENDA ITEM

REQUEST TO WAIVE THE SIDEWALK REQUIREMENT: Brittany and Nicholas Onifer, re: for the newly constructed home at 15940 Ingram.

BACKGROUND DETAILS

In response to the sidewalk waiver request from Brittany and Nicholas Onifer, dated April 8, 2024; we have reviewed the surrounding neighborhood regarding the presence of sidewalks (see attached aerial). Due to the road ditches and the absence of sidewalk in the area, we would recommend waiving the sidewalk requirement at this time.

The City has no plans to construct sidewalks in this area in the near future.

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

Due to the road ditches and the absence of sidewalk in the area, we would recommend waiving the sidewalk requirement at this time.

ATTACHMENTS

1. Sidewalk Waiver, 15940 Ingram 48154 Brittany and Nick Onifer

APPROVED BY

Todd J. Zilincik

Todd Zilincik, P.E., City Engineer — Date: April 29, 2024

Maureen Miller Brosnan

Maureen Miller Brosnan, Mayor — Date: May 02, 2024

4/8/2024
Letter to City Council
Re: Sidewalk Waiver
Property: 15940 Ingram St. Livonia, MI 48154

City Council,

We (Brittany and Nicholas Onifer) are writing to council to inform you that we have built a new home at the address above and are not putting in a sidewalk. Please accept this as our letter of confirmation that no sidewalk will be installed at this address. If you have any questions or concerns, please contact us at our home address, or 248-921-8771, or 586-709-8512.

Thank you,

Brittany Onifer

Nicholas Onifer

RECEIVED
OFFICE OF THE CITY CLERK
2024 APR 24 AM 10:17

Brittanyonifer@gmail.com
Nick.onifer@gmail.com

NICHOLAS MICHAEL ONIFER
15940 INGRAM ST.
LIVONIA, MI 481543164

2-1/710

183

DATE 4/24/24

PAY TO THE ORDER OF City of Livonia $ 250.00

two hundred and fifty dollars 00/100 DOLLARS

Security Features Included. Details on Back.

CHASE
JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO 15940 Ingram St. sidewalk waiver

⑆071000013⑆ 947643177⑈0183

CITY of LIVONIA
OFFICE OF THE CITY CLERK
33000 CIVIC CENTER DRIVE, LIVONIA, MICHIGAN 48154
TELEPHONE (734) 466-2230

Received From: Nicholas Michael Onifer
Address
City Zip Date 4/24/24

CERTIFICATES

Dollar Amount

BIRTHS [ ] LF# CC PARCHMENT

DEATHS [ ] LF# CC

GENERAL

[ ] Maps, Books
[ ] F.O.I.A. Copies
[ ] Signs
[ ] Grading Bond
[ ] Petition, Waiver
[ ] Election Fees
[ ] Other 15940 Ingram sidewalk waiver

CASH [ ] CK# 183 Total Amt. > 250.00

No. 072045

BY. MF

EXTRA COPY

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

21. REQUEST FOR CONSIDERATION OF PROPOSED ORDINANCE AMENDMENT: Department of Parks and Recreation, re: to amend Chapter 8.24.050 (Keeping wild animals, birds and bees) in order to allow for introducing bee hives on park property for educational purposes.

Ted Davis, Superintendent of Parks and Recreation, presented the request to Council.

Councilmember Jolly offered an approving motion for the Consent Agenda.

DIRECTION FIRST READ REGULAR

LETTER TO THE LIVONIA CITY COUNCIL

21.

Parks and Recreation
April 30, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Ted Davis, CPRP, Superintendent of Parks and Recreation

AGENDA ITEM

REQUEST FOR CONSIDERATION OF PROPOSED ORDINANCE AMENDMENT: Department of Parks and Recreation, re: to amend Chapter 8.24.050 (Keeping wild animals, birds and bees) in order to allow for introducing bee hives on park property for educational purposes.

BACKGROUND DETAILS

The Parks and Recreation Department requests a revision to ordinance 8.24.050. Keeping wild animals, birds, and bees prohibited. Specifically, the requested change would allow for introducing bee hives on park property for educational purposes.

With your approval, we would like to introduce honey bee hives to the farm complex at Greenmead Historical Park. This will continue our efforts to create a unique educational experience and bring the farm to life.

Your consideration of this request is greatly appreciated.

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

Revise ordinance 8.24.05 as follows: It is unlawful to keep, harbor, possess, or keep in confinement on any premises within the City of Livonia, any wild animals, snakes, birds, bees, or creatures the nature of which, inherently when not confined, constitutes a danger, hazard, or nuisance to public health, safety, and comfort. The prohibition on possession of bees shall not include possession of bees in specified areas of park property under the control and management of the Parks and Recreation Commission and designated and approved for educational and other park purposes. (Prior code §3-105)

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.

ATTACHMENTS

1. S052024 LTC Prop Amend (bee hives)
2. 2024 Ordinance 8.24.050 amendment

APPROVED BY



Date: May 01, 2024

Ted Davis, CPRP, Superintendent of Parks and Recreation



Date: May 01, 2024

Carter Fisher, City Attorney



Date: May 02, 2024

Maureen Miller Brosnan, Mayor

Proposed Amendment to Section 8.24.050
of the Livonia Code of Ordinances, as amended

AN ORDINANCE AMENDING SECTION 050 OF TITLE 8, CHAPTER 24 (KEEPING WILD ANIMALS, BIRDS AND BEES PROHIBITED) OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED.

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 050 of Title 8, Chapter 24 of the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

8.24.050 Keeping wild animals, birds and bees prohibited

It is unlawful to keep, harbor, ~~have in possession~~possess, or keep in confinement on any premises within the City of Livonia, any wild animals, snakes, birds, bees, or creatures the nature of which, inherently when not confined, ~~do~~constitutes a danger, hazard, or nuisance to ~~the~~public health, safety, and comfort. The prohibition on possession of bees shall not include possession of bees in specified areas of park property under the control and management of the Parks and Recreation Commission and designated and approved for educational and other park purposes. (Prior code §3-105)

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.

Proposed Amendment to Section 8.24.050
of the Livonia Code of Ordinances, as amended

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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 MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

24. PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Department of Law, re: to Title 2, Chapter 23 (Department of Information Systems), in order to remove the role of the Director of Finance in the responsibility for management of the Director of Information Systems.

    Councilmember Jolly offered an approving motion for the Consent Agenda.

    DIRECTION FIRST READ REGULAR

LETTER TO THE LIVONIA CITY COUNCIL

24.

Law
April 22, 2024

MEETING DATE	PRESENTED BY
S052024/R060324/R061724	Paul Bernier, City Attorney Carter Fisher, City Attorney

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA CODE OF ORDINANCES, AS AMENDED: Department of Law, re: to Title 2, Chapter 23 (Department of Information Systems), in order to remove the role of the Director of Finance in the responsibility for management of the Director of Information Systems.

BACKGROUND DETAILS

When the Department of Information Systems (IS) was created, the ordinance identified that the Director of the department was to be recommended by and responsible to the Director of Finance. The ordinance also identified that the IS Director was to be appointed by and serve at the pleasure of the Mayor.

As the responsibilities and demands of the IS Department have grown significantly, the Director of IS has effectively reported directly to the Mayor for many years, rather than reporting to the Director of Finance.

The proposed ordinance amendment codifies this arrangement and removes the role of the Director of Finance in the responsibility for management of IS and in the organizational chart.

We respectfully request the approval of the Council for this amendment.

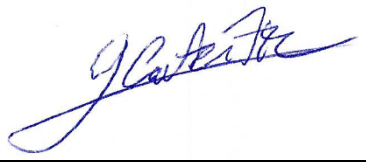
PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

First Read

ATTACHMENTS

1. S052024 LTC Remove IS Director from Fin Director
2. Ordinance Amending 2.23

APPROVED BY



Carter Fisher, City Attorney

Date: April 23, 2024



Maureen Miller Brosnan, Mayor

Date: May 02, 2024

AN ORDINANCE AMENDING CHAPTER 23 (DEPARTMENT OF ~~MANAGEMENT~~ INFORMATION SYSTEMS) OF TITLE 2 OF THE LIVONIA CODE OF ORDINANCES, AS AMENDED

THE CITY OF LIVONIA ORDAINS:

Section 1. Chapter 23 of Title 2 of the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

CHAPTER 2.23

DEPARTMENT OF INFORMATION SYSTEMS

Sections:

2.23.010 Title for Citation.
2.23.020 Creation -- Organization -- Director.
2.23.030 Purpose -- Information systems duties.

2.23.010 Title for citation. The ordinance codified in this chapter may be known and cited as the "Information Systems Ordinance."

2.23.020 Creation -- Organization -- Director.

There is created and established in the city a department known as the department of information systems. A director shall be appointed by the Mayor in accordance with the Charter provisions pertaining to directors of departments. ~~which shall be under the management and control of the information systems director who shall be the appointing authority for such department. The information systems director shall be responsible to the director of finance.~~ The city council shall~~, as deemed necessary~~ make the necessary appropriations annually to provide suitable quarters, facilities, equipment and personnel to carry on the work of the department. The director ~~shall be recommended by the director of finance and appointed by and serve at the pleasure of the mayor in accordance with the Charter provisions pertaining to directors of departments, and~~ shall receive such compensation as from time to time may be fixed by the council. All other personnel of such department shall be subject to civil service and be part of the classified service.

2.23.030 Purpose -- Information systems duties.

Under the direction of the Mayor, ~~T~~the purpose of the department of information systems is to perform necessary tasks associated with the overall development and direction of the city's computing systems and computer operational activities. The department shall be responsible for providing direction and leadership in the development and implementation of both short and long-range management information service planning, shall provide advice to all city departments regarding computer techniques and purchases, and shall apply information processing technology to improve city services and operations. The department of information systems shall have the following powers and duties:

A. To be responsible for total system analysis, study, design and implementation of user applications and all related information systems functions.

B. To provide guidance and counsel to department heads in the examination and definition of objectives for existing or proposed systems and in the design of improved systems, utilizing computing equipment.

C. To review purchase requests from departments and their divisions for any computer equipment or related product and to make recommendations regarding desirability of the proposed purchase.

D. To maintain professional contacts with other organizations, equipment manufacturers, etc. regarding computer applications and equipment.

E. To keep abreast of technological changes and innovations in the information systems field.

F. To oversee networking and the transfer of data or files between computer systems as appropriate.

G. To be responsible for the oversight and administration of the City's WAN and LAN.

H. To apply information processing technology to improve services in City functions and operations.

I. To develop long-range and short-range plans for the purchase and installation of computer equipment.

J. To provide budget estimates for future personnel/equipment necessary for the data processing division.

K. To recommend the type, size, location and equipment for computer installation(s), including applicable software.

L. To plan and schedule all training required for personnel involved in or affected by information systems and equipment.

M. To make presentations on data processing and information management issues to upper management and city council.

N. To perform such other duties and functions as are required by the ~~director of finance or the~~ mayor.

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.

_____

LETTER TO THE LIVONIA CITY COUNCIL

23.

Law
May 21, 2024

MEETING DATE	PRESENTED BY
PH042224/R050624	Carter Fisher, City Attorney

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA ZONING ORDINANCE, AS AMENDED, Department of Law, re: Petition 2024-01-01-01 submitted by SR&D Development, requesting to rezone the property at 18340 Middlebelt Road, located on the east side of Middlebelt Road between Six Mile Road and Pickford Avenue in the Northwest ¼ of Section 12, from RUF (Rural Urban Farm) to C1 (Local Business).

BACKGROUND DETAILS

At your regular City Council meeting held on May 20, 2024, you responded to Petition 2024-01-01-01, submitted by SR&D Development, requesting to rezone the property at 18340 Middlebelt Road, located on the east side of Middlebelt Road between Six Mile Road and Pickford Avenue in the Northwest ¼ of Section 12, from RUF (Rural Urban Farm) to C1 (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)

First Read

ATTACHMENTS

1. R052024 Petition 2024-01-01-01, SR&D Dev - New Data Recd 5-14-24
2. R052024 Petition 2024-01-01-01, SR&D Dev - New Data Recd 4-26-24
3. PH042224 Petition 2024-01-01-01(SR&D Dev) Minutes
4. PH042224 LTC Petition 2024-01-01-01 SR&D
5. 2024-01-01-01_SR&D_E-COUNCIL Pkt
6. Proposed Ordinance - Pet. 2024-01-01-01 - SR&D
7. 2024-01-01-01_1st

APPROVED BY

Date: May 21, 2024

Carter Fisher, City Attorney



Date: May 22, 2024

Maureen Miller Brosnan, Mayor

LETTER TO THE LIVONIA CITY COUNCIL

23.

Law
May 21, 2024

MEETING DATE	PRESENTED BY
PH042224/R050624	Carter Fisher, City Attorney

AGENDA ITEM

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5. 2024-01-01-01_SR&D_E-COUNCIL Pkt
6. Proposed Ordinance - Pet. 2024-01-01-01 - SR&D
7. 2024-01-01-01_1st

APPROVED BY

Date: May 21, 2024

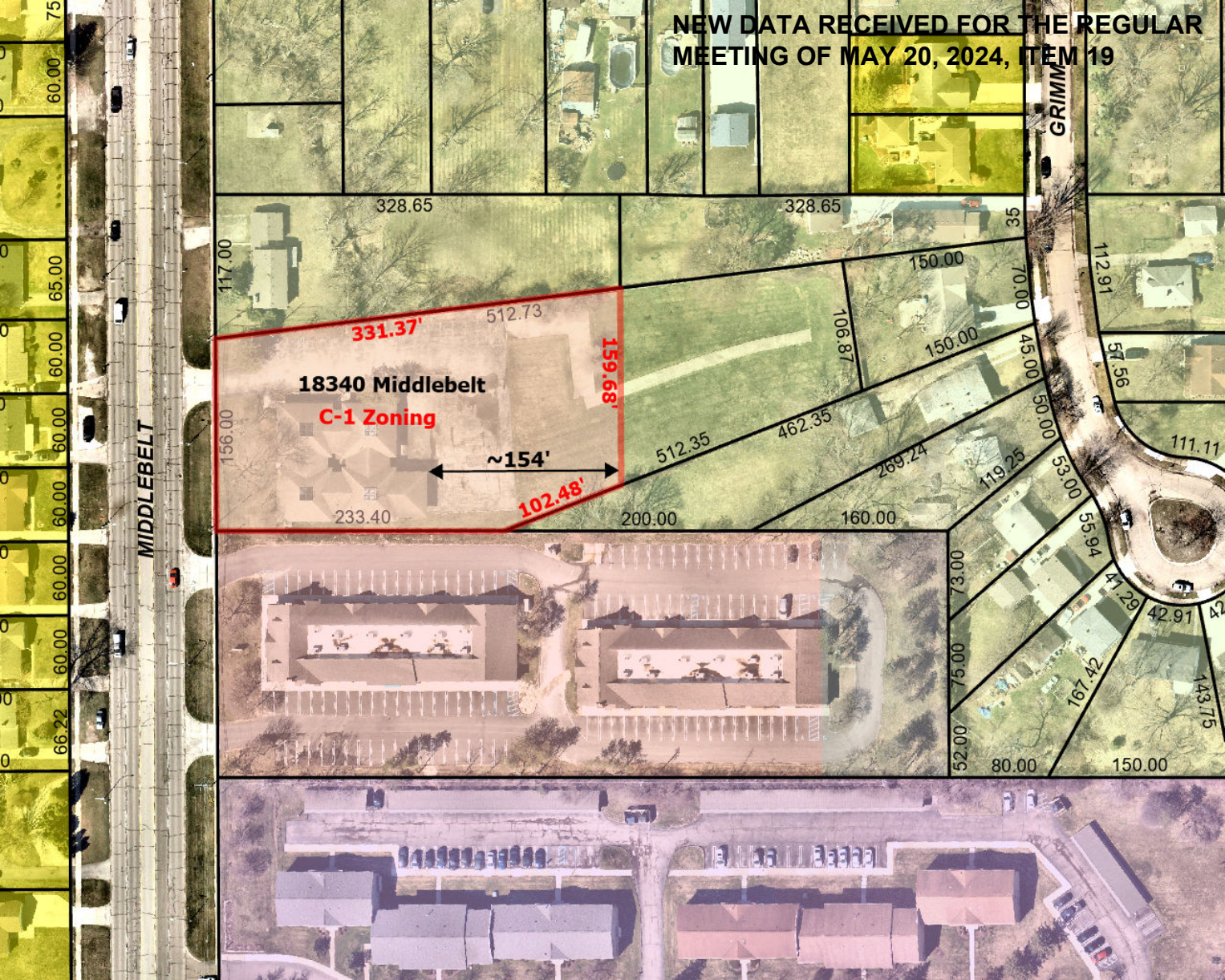
Carter Fisher, City Attorney



Date: May 22, 2024

Maureen Miller Brosnan, Mayor

NEW DATA RECEIVED FOR THE REGULAR MEETING OF MAY 20, 2024, ITEM 19



18340 Middlebelt Road Rezoning Legal Description
Sidwell #046 01 0002 001

Parts of lots 2 and 3 of Thomas F. O'Connor's Middlebelt Sub., T. 1 S., R. 9 E., Livonia Township (now City of Livonia) as recorded in Liber 68, Page 96, Wayne County Records,
More particularly described as Beginning at the southwest corner of said lot 3 and proceeding N 00°10'30" W, 156.00 feet; thence N 83°02'09" E, 331.37 feet; thence S 00°10'30" E, 159.68 feet; thence S 68°47'00" W, 102.48 feet; thence N 89°51'20" W, 233.40 feet to the Point of Beginning. Containing 1.292 acres, more or less.

NEW DATA RECEIVED REGARDING
PETITION 2024-01-01-01, SR&D DEV.

From: noreply@civicplus.com
To: CityCouncil
Subject: Online Form Submittal: City Council Inquiries
Date: Wednesday, April 24, 2024 10:51:42 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	Carmen
Last Name	Kelley
Address	18359 Grimm St.
Email Address	Carmen_Kelley3@outlook.com
Phone Number	3132932312
Topic	City Council Meetings
Date of Issue	4/22/2024
Attachment (Optional)	*Field not completed.*
Comments	During the City Council meeting on April 22, 2024, the contentious issue of rezoning the property situated at 18340 Middlebelt was fervently debated by myself and fellow neighbors. Please let this email serve as written correspondence staunchly reiterating my opposition to the proposal to rezone the property in question from Residential Urban Farming (RUF) to Commercial (C1). It is imperative to underscore the adverse effects this rezoning would inflict upon the adjacent neighbors and the established residential atmosphere. Such a shift in zoning could potentially disrupt the tranquility and character of the neighborhood, leading to increased light/noise pollution and a decrease in residential property values. It remains paramount to prioritize the preservation of the residential integrity and the well-being of the community amidst urban development initiatives.

Email not displaying correctly? View it in your browser.

CITY OF □I□ONIA
PU□□IC □EARING

Minutes of Meeting □eld on Monday, April 22, 2024

A Public □earing of the Council of the City of Livonia was held at the Livonia City □all Auditorium on April 22, 2024.

MEMBERS PRESENT: Brandon McCullough, President
Martha Ptashnik, □ice President
Carrie Budzinski
Rob Donovic
□im □olly
Scott Morgan

MEMBERS ABSENT: Laura M. Toy

OT□ERS PRESENT: Mike Fisher, Assistant City Attorney
Mark Taormina, Planning and Economic Development Director
Sara Kasprowicz, Recording Secretary

1. The Public □earing was called to order at 7:00 p.m. with Council President Brandon McCullough presiding. This item is regarding Petition 2024-01-01-01 submitted by SR□D Development under Sections 13.13 and 13.15 of the City of Livonia □oning Ordinance, as amended, requesting to rezone the property at 18340 Middlebelt Road, located on the east side of Middlebelt Road between Six Mile Road and Pickford Avenue in the Northwest □ of Section 12, from RUF (Rural Urban Farm) to C1 (Local Business).

This item will be moved to the Regular Meeting of **May 20, 2024**.

The Public □earing is now open. There were approximately 7 persons in the audience.

McCullough Mr. Taormina.

Taormina Thank you. This rezoning petition involves a single parcel 20340 Middlebelt Road, as you indicated, it's on the east side of Middlebelt between Six and Seven Mile Roads. This site is 1.87 acres in area it has 156 feet of frontage on Middlebelt, and the depth is roughly 512 feet, the properties abutting the site to the north to the west, and to the east are all zoned Single Family and then to the south is an office complex zoned C-1 local business. Despite the RUF zoning of this property, it does have a long history of commercial uses from 1959 to 1992. The site was occupied by a landscape business and a retail nursery. In 1993, the □oning Board of Appeals granted a variance that allowed for the construction of a physical therapy rehabilitation clinic and that operated up until about two years ago. The current owner and applicant SR□D Development purchased a property late last year and is currently renovating the building

for reuse as a wellness health center. The building on the site is about 10,000 square feet in size. It's located near the front of the property it has parking available at the rear and along the north side. The developed portions of the site, including the building and parking areas, are mainly on the west half of the property. The east half extending for a distance of about 285 feet is undeveloped and maintained mainly as grass. There is a protective wall that runs along the property's north side. The remaining section along the north property line and the east and the south sides contain wooden fences.

The □oning Board of Appeals in 1983 did grant a waiver to the protective wall in these other areas along the portion of the north and south sides. Then in 2005, the previous property owner, Theramatrix, entered into a five-year separation agreement with the adjoining properties. Those have since expired. So, one of the issues that has to be resolved with this property still is either continuing that separation agreement with the property owners to allow the wooden fences to remain or the construction of the wall. Changing the zoning would eliminate the non-conformity with respect to the commercial use of the property. In addition, it would facilitate the owners' desire to someday expand the use, realizing that any proposal to either construct a new building or in the large, the existing building will require site plan approval. The Planning Commission reviewed this item at a meeting I believe in February and is recommending approval of the rezoning of the property. Thank you.

McCullough Thank you Mr. Taormina. I'm gonna open it up to the Council and then I'm gonna open it up to the audience. Council□ Councilmember Donovic.

Donovic Thanks, Mr. President. Mr. Taormina help me understand. Are we voting on, since we're talking about rezoning this. We are not currently talking about the site plan exterior facades or are we doing it all at the same time□ □ow are we handling this□

Taormina We are not. The work that is being undertaken right now to the interior of the building is all being done under permit. So, there's no review with respect to the use of the property or any exterior improvements. It only affects the zoning. And I will add this. Mr. Fisher and I dealt with the buyer as Miss Durant had been negotiating the purchase of this property for several months and was inquiring about the use and what would be required. It was determined that the change of use was consistent with the long-standing use of the property. And we asked her, what we would like is for her to seek the rezoning of the property in order to eliminate the nonconformity. So, to a large extent, this petition is really one that was suggested by the city in order to correct the non-conformity. One issue I think the Council may want to delve into is whether the entire property should be rezone to the C-1 or whether a portion of it should be rezoned. Miss Durant does have some future plans to expand the building, but at

this point, it would not involve using an entire property for that purpose. So that is something that I think is worthy of a discussion.

Dominic Because I was just thinking about that and I love the plans in the right areas. My girlfriend spent the weekend looking at your social media, and reviewing the renderings. And it's really, I hope it happens, because it's very impressive. But to Mr. Taormina, I'm just thinking about from a Council's perspective, since we're not looking at a site plan, where things like the dumpster enclosure are taken into consideration. Talks about adding additional building there, look at that red area, and then when we typically oversee renderings, I like that, but we're not going to have any, any input on that. So, I'm just trying to understand it.

Taormina Well, no, this is actually a visualization of what she would like to do in the future, for the back of the property for the area immediately behind the building. And that's something that we're considering tonight. I think what she wants to do is just illustrate what her long-term plans are for the property. This is certainly something that would have to come back before you.

Donovic Okay. Thanks Mr. Taormina, thanks Mr. President.

McCullough Councilman olly.

olly So, Mark, this picture. That would be a second, completely new building

Taormina Yeah, so one of the concepts, let me just describe the site. So, this may be a little hard to read. But this is the property. And you can kind of match that up with the aerial photograph and the other information we provided to you. This is the main building, this is Middlebelt Road on the left-hand side. This is the main building. This is the parking area, the shaded area currently, this area of this square area behind it is where she would like to someday expand the use of the property. The complication here is a sanitary sewer easement that runs directly behind the existing building. So, it puts a constraint on the ability to expand the building anywhere along the rear at this time. So, one of the concepts, one of the thoughts, and I'll let the petitioner describe this, would be to potentially build a second building on the property directly behind. So, in looking at this plan, the question I raised is, do you want to see this whole area back here, zoned commercial, I don't think it's necessary. It's probably somewhere along this back portion where we could have a split zone parcel, there is some opportunity, I think, in the future for some of this surplus land in the back to either be combined with some of the adjacent residential property. So that's, that's something we can look at in terms of long-term future uses.

olly And I know we're not at this point yet, but in terms of the secondary building, would that be for a similar purpose as the intended use of the

first building now Or would it be some kind of new additional service or use of the property

Taormina That has not been really brought forward to the city, but I'll let the petitioner address it.

olly I'd like to hear what the plan is, not just yet, but and then Mark, what's the sidewalk that looks like runs in the middle of the grass area

Taormina That was more than likely an access path. So, when the site was used as a nursery, I believe there were either temporary structures on the property or plant material that people could then gain access, so that allows for service vehicles and probably patrons of the nursery to go back there and look at the nursery stock.

olly Thank you, sir.

McCullough Ms. Ptashnik.

Ptashnik This is for Mr. Taormina as well. So, if we were to not rezone the entire property C-1, but only part of it that have been advantage of that leaving the back half for lack of a better description, RUF, the purpose being so it can be sold off to adjacent residential or become I mean, what would be the reason that we would want to split the zoning versus just going to C-1

Taormina It would mostly be to maintain some consistency with the surrounding zoning. So, if you look at how the property is configured, that extends quite a distance into what is developed RUF land. So, I think what it does more than anything is that it limits the commercial activities to the rear portion of that property, which could present a nuisance to those homes.

Ptashnik So, would we be looking at like a 2/3, 1/3, kind of

Taormina I actually drew it up today, just to give some idea, respecting the petitioners desire to maybe do something in the future. These are all pictures of what she provided for how she wants to develop the interior of the space. This kind of gives an illustration of what we might want to consider and that those boundaries are fixed by any means. It's just something that the Planning Department prepared as a suggestion.

Donovic Not to belabor it, but we already know what the petitioners eventual desire is to build on that portion of land back there. So, does it make sense to just get it over with now so that when the petitioner does come back in the future, they can come back for a site plan, as opposed to going through rezoning and everything in the future What will be the logic

Taormina I will only, again, the petitioner is going to have to, I think respond to some of these questions. But the one thing, and I don't know what her situation is right now with the property, but oftentimes, when they go to get a permanent mortgage on the property, the issue of the zoning becomes a barrier or a factor. So, it might make sense, I think, to at least rezone a portion of it immediately, because it's kind of confirming the long-standing use of this property. Then in the future, if there's a need to extend that boundary one way or the other, beyond the line, if that is what the Council desires, then we can address it at that time. You can leave that issue open, while she develops her plans for the future. I think she's probably got her plate full over just getting existing building renovated and up and running. So, I think she'll give you a better sense of her timing for doing anything beyond just the current project.

Donovic Thank you.

McCullough I do have one question for Mr. Taormina. Did we have any neighbors or around the area have an issue with this any complaints□

Taormina Written□I don't believe we received any written correspondence. I believe there's one or two neighbors here this evening that might want to speak on this issue. And I can't remember if they were at the Planning Commission, the minutes would reflect if anyone spoke at that meeting. I can't remember.

McCullough Well, if the Council is good, I'm gonna go to the audience first, and then we can go to the petitioner. If you wouldn't mind, name and address for the record and you've got two minutes. Okay.

Kelley Good evening. My name is Carmen Kelley, my address is 18359 Grimm Street. My property is the entire southern border of the property in question. So, the wooden fence line is my entire thing. At the previous meeting, I expressed my concern for what a nuisance it would be because on the other side of the property line, there's an office complex, I deal with trash, I deal with light pollution. I currently have a complaint with the City Ordinance Office because of a light pollution coming from that property. At the previous meeting, you know, I expressed that the back end of that property is 30 feet from my back door. None of us want a business being built 30 feet from our back door. So, that's what my concern is. I know we talked about future plans. That's not what's on the books right now. But you know, all of us think about our futures. That's how we plan, and I've lived in Livonia for five years, I purchased my house five years ago, and it's been great. I have no complaints. This has been my only thing. And the previous meeting was really disappointing because I even passed out photos of the current issues that I'm dealing with the other property, and it was okay. Okay, okay and then it was business first. Not Livonia family first. And with this, with the future in mind, you know, and the subject of splitting the property where the back half is still zoned as RUF, I don't

really have a problem with that. I have a problem with that extending all the way to my back door. □ow does that affect my utilities when they're in the process of construction, when you don't have water right now, you don't have lights right now, you don't have all of these things. The motto of Livonia on every sign when we go into the community is Family First. I have a family. And the neighbors that surround me, we are a community, we look out for each other. And so, we would expect the businesses in our community to do the same. I work for a company in the community, literally at the end of my street, so I am about this community. But you know, it just seemed in the last meeting, it was businesses first. And really, this is about people.

McCullough Thank you so much. One thing, and I'll open it up to some of my colleagues. But the one thing I if you could, there are cards right up at the podium. Can you send the ordinance complaints that you guys have currently with those two businesses□ Can you send us some correspondence□And then obviously, thank you for coming up and giving your opinion on the lot split. So, I appreciate it. Anybody else from the audience□ □ow are you sir□

Sielicki I'm doing well. Thank you. My name is Nicholas Sielicki, I reside at 18347 Grimm Street. I would like to echo all of the sentiments that my neighbor Carmen, Miss Kelley has just shared, I myself am also dealing with light pollution that is currently affecting both of our homes. When I purchased the home, I was fully aware that there was a commercial residence to the left. □owever, I am not comfortable with a commercial residence now surrounding both areas of my backyard. Should this move forward, it would render my backyard essentially useless because we would be sharing essentially, a parking lot, or the back end of a business building would be in the middle of my backyard as well. I will also say that I have never attended one of these meetings before. This is my first time speaking like this, but please know that that this is just the level of disagreement that I have for the rezoning of this property to put a business at our backdoors. I also don't know if this is the appropriate forum to ask. But, if possible, I would like to have some sort of market data research that indicates that this business would actually be successful in our community. My fear, as well as that of our neighbors, is that the business fails, and then now we have a vacant, abandoned building in our backyards, which only brings further safety concerns for blight, pillaging, whatever the case may be. And so, I fear what it may do to our property values as well.

McCullough Thank you for coming up and thanks for hanging out with us for the first meeting. So, I will tell you this. As for market data, I mean this it's more for the businesses and real estate and that I would assume that the business has done their due diligence to want to open up the business. So unfortunately, in the packet, if you got a chance to review the packet,

that's going to give you pretty much every information that's public. I appreciate you coming out and letting us know your feelings.

Sielicki Thank you for your time.

McCullough Good evening, sir.

Clinton Good evening. My name is Douglas Clinton. I live at 18339 Grimm and I'm here to voice my opposition to the committee's results. You need go no further than onto Middlebelt Road. Go up by Seven Mile. Boston Market empty for months or around the corner the old FW hall on Seven Mile between Middlebelt and Maple. It's been vacant for well over a decade. The Up North Bar down by Gildan, abandoned and deteriorating. You go down to Antigo and Ressler on the north side of Seven Mile, empty storefronts. Back out to Middlebelt, between assar and St. Martin's, the old Livonia Pavilion, it's vacant and vandalized. ust up the road from that at Norfolk, the old Ram's orn Restaurant, a large piece of commercial property just sitting empty. Sears. That probably speaks for itself. This is just a small snippet within a mile of this property. I know a city needs businesses to be vibrant, to be a good city. But I just feel it's much better if businesses could use the existing commercial property that we already have and renovate those and use that and not rezone other commercial properties, when I don't feel it's needed. I think that would be much better to have residential development on this property. The light pollution, the noise pollution, the traffic congestion would be so much less. And it would increase the property values of all the surrounding homeowners if there were more new residential homes in there. And if they did in the lot on Seven Mile, they built new houses on arrison, those were all sold. They're all full. On the north side of Seven Mile, they put in that condo development. ust north of Gilman, I believe. They're all full and vibrant. So, I just feel that it's just not a good idea to add more commercial property to the maximum we already have a gaunt of commercial property.

McCullough I appreciate it, sir. That's the two minutes. Okay. But thank you so much for coming out and voicing your opinion.

Clinton ust in closing, where business comes first is not the city model. It's where families come first. Thank you.

McCullough Mr. King.

King Steve King. 33950 Coventry. Yeah, just wanted to echo the sentiments. It's always great when a petitioner comes forward and wants to renovate an existing property. And that's fantastic. And everybody's hoping that they do more of that. But it is very clear that area around there has a lot of vacant property. We desperately need housing, more housing in the city area, across the whole country, we know that. So, if it's a change of residential. It doesn't make sense here. If a house is good, it could be built

on that. That would be fantastic. Of course, you gotta find somebody who wants to do it. So, I just wanted to add my voice to the rest of it thanks.

McCullough Thank you, Mr. King. Anything else from the audience Seeing none, I'm going to ask the petitioner if you wouldn't mind, make your way to the podium. And if Council has any questions for the petitioner, now it's time.

Durant ello.

McCullough Would you mind maybe just give it a little brief history when you're looking to do with property

Durant Yes. So, right now, what we're looking to do is offer a fitness and wellness center. So, this will be an all-encompassing center, it will have a fitness area, a spa area, child friendly areas as well. And our main focus behind this is actually to provide something for the community. So, all the families that live there actually don't have access anything like this, you actually won't find anything like this and all of Michigan, there, it's almost like putting a resort for people to come and enjoy without even having the need to travel. And the reason why I specifically picked the city like the Livonia, I could have easily put it in West Bloomfield, but I feel like a lot of times more of the luxury wellness businesses go out to these areas, and then no one has access to them. No one's gonna drive 30-40 minutes. To answer their questions.

McCullough Really fast. What's your name and address I forgot to mention that in the beginning.

Durant It's Sahar Durant and the address is 200 North St. Clair, Toledo, Ohio. I know, Miss Kelly, last time did mention that the light pollution bothers her house. I did say this last time. So, even right now if you look at the current renderings, the light starts from the bottom. I personally hate it when businesses light up the whole streets in people's eyes. So, our lights actually come from the bottom, we're not going to be distracting any of the neighbors. And for any future addition we do, and probably follow the same model. And I know there was a discussion with how much you guys would let us use. And I know many people are against that. But in terms of the value that we're offering, we are investing millions into just this property alone. And we plan to invest even more to do any addition. So, along this property, when we purchased, it was going for 85 a square foot and then he got raised for 350 a square foot so we drastically increase the value for even other businesses. So, if anyone here even wants to open a business, their property value is automatically going to go up. And in regards to data. We have been in business for 10 years and we do have a big market rate. I would not invest millions if I didn't believe in the vision and didn't think that there is a need for it. And since we have finally that are unveiling, we actually have 1000s of people on the waitlist to register with us. And these are all people specifically looking for

community space that can offer them the amenities we're offering. A lot of them work in Livonia, Farmington □ills, Dearborn, Bloomfield, I mean, people are driving to us. And we have a whole list of that.

I know there's a lot of vacant businesses in Livonia. And that wasn't even a concern for us when we decided to purchase the property. But because I do believe that sometimes all it takes is one business to go in there and they flourish and other businesses will want to come. And we've already had people even reach out to us if we can rent them space inside that want to be in a space like this. So, I feel like sometimes even if we don't offer that rental space to people, if we are next to them, they're gonna want to rent the property next to us make it look nice, because now there's a lineup of nicer buildings, and they're willing to invest in improve, which I feel like will overall improve the value for homes as well. I feel like I covered most of what they said I missed anything.

McCullough Thank you. I'm gonna hand it over to Councilmember □olly.

□olly Can you, I've seen some of the pictures here in this photo packet. Can you give us a layout of what the business model is, you've said community, does that mean like a monthly membership□ And also, if you could expand upon that, what's the range of services that you will be offering here□ I look at the pictures and it looks like, I can guess what these pictures are presuming to tell us but I'd rather hear from you.

Durant So basically, we have like a cafe lounge area. And that one, even if you're not a member, you're more than welcome to come in there. You want to be on your laptop, have a coffee, grab a healthy snack. So that's going to be our cafe area here. And then we have also a spa area that's also open, whether you're a member or not, you want to get a massage or facial. What you see here is a salt room, which helps with like breathing. So, there's like a machine that goes in the back and breaks on the salt particles. This is the sauna room. And so, these are basically member amenities, what you're looking at. So, this is the stuff we would be offering for people who are members of the facility. This is just kind of the layout that we renovated the basement area. And then what you see over there is that Blue Room, it’s basically called an ice room. So, basically what we're offering there, it's like these beds, its dry ice, lay in it, and engulfs you, this one is actually very, very cool. So, all these are basically what the member amenities would be. And then there's the fitness area, we're offering classes, we're offering open gyms, the fitness area here. And we are limiting our capacity. So, if you guys are worried about traffic, we are not overcrowding the place, we're actually taking, we can fit more people into the like membership area, but we're actually taking less people to ensure that it's not overcrowded in there. And we're also not overcrowding the street. These are just some of the spa rooms, massage rooms as well.

□olly Do the current plans anticipate a certain usage of parking spots□

Durant Yes.

□olly Will those need to increase from the current footprint of parking spots□

Durant If we expand, we do plan on increasing them, we would need to increase them. But what we have right now is sufficient enough for the occupancy that we were given.

Budzinski Thank you. So, all of the things you just described would fit in the 10,000 square foot footprint that already exist in this space□ Is that correct□ Are you needing to build up or…

Durant So the reason why we need to build up our existing business offers personal training. And in order for us to move our members there too, we do need to at least start with that small Phase 2 addition that Mark showcased. So that way, we don't have two businesses, it doesn't make sense for our members to go to Dearborn □eight to do their training and then do their membership stuff here. And that's why we really wanted to do the Phase 2 addition in order to just make it easier for people. We're primarily known for offering personal training. But there's some people that can't afford that and that's the main reason why we're offering the community center. But we still have our existing community that still wants to continue to do training and I just felt like making them drive to two different places wouldn't it makes sense.

Budzinski □ow long have you been in Dearborn □eights□

Durant Seven years.

Budzinski In terms of our conversation here about the lot split to RUF, what is your timeline for the secondary building that you're thinking about doing□

Durant For the smaller one, the second one, if you guys give us approval, I plan on working on plans and hopefully, you know, starting to get some numbers together and all of that we have to budget at all. And that's the main reason why I wanted to know if we can rezone the whole thing, because we do have to plan years ahead to budget an expansion like this. So even this expansion, you know, I planned it for the last five years, it wasn't something that I was just able to do. So, we have to scale this business properly in order to go back to the bank and say, hey, we're doing good, we want to do an expansion. So, if we don't know if we can result in or not, I can't start financially planning appropriately, not knowing how much land I got to use or not. And then also, as Mark noted, some banks do have a problem with the RUF even as we were going through funding, that was a big issue until you know, the city explained to them

that we can go ahead because the second they see RUF, they say you can't do C-1 over there.

Budzinski Do you feel comfortable going forward with your business plan, if only half or two thirds of the current land is approved for commercial, but the remaining portion remains RUF□

Durant To be completely honest, I said comfortable only because I feel like I would be losing out on some value. Like I don't mind, obviously giving the neighbors enough space where they don't feel uncomfortable, I don't want to make anyone feel uncomfortable in their home. But I do feel like it can be like a fair split, because it's kind of like telling them they can't use their backyard. Because we did purchase, you know, the building and the land. And when we purchased it, part of the cost of the building, the seller took into account that half an acre, so it's a big parcel, it's actually almost as big as what the existing building is on. So, to just have that, because right now it's going to waste it's not being used, and I don't mind putting a high fence, you know, whatever makes the neighbors feel more comfortable with us being there. I just feel like whatever it is, I guess, fair to both sides.

Budzinski And I guess my final question would be, would you be willing to invest in landscaping that created a kind of barrier along the perimeter that is trees or something that created a more visually appealing, perhaps, dim some of the light pollution□

Durant 100□. That's actually something we already plan on doing. Because even if we're not going to build out that expansion right now, part of my goals is to actually redo all of the landscaping on that land just to make it look nicer, because right now it's you see how it looks, so we want to take into account you know, putting some trees or a fence, we'll have to kind of work with the city on what they allow us to do. But that's definitely in the plans.

Donovic Thanks, Mr. President. A couple of questions for Mr. Taormina and also the petitioner and a few comments. Mark, Mr. Taormina, we have to talk about future land use of this unique parcel because this parcel is unique. All the parcels that surround this virtual square essentially rectangle, are all unique in nature. What are the lot widths, for example, that back portion that abuts directly to that house back there with a small backyard has a lot of width is that maybe 60 feet wide□

Taormina You can see right here on the plan. This block for example is 70 feet, adjacent to it is only 45 feet, at least the street frontage. These are a little bit pie shaped, so it widens out at the building line. This next one is 50 feet, this one's only 35 feet. So, it's varied.

Donovic So, a couple a couple of comments to the residents. Definitely sympathetic to not wanting something more commercial in your backyard.

I mean, naturally, I understand that. At the same time, it's a commercial property, even though it's been zoned RUF. It's operating the commercial property. And I agree, I would love to see residential here. But when we talk about the lot widths, there isn't room, you could do a few houses, maybe. But you're talking about multiple neighbors all selling their backyards, which is very difficult to do if they own it free and clear. If they have a mortgage on it, it's virtually impossible, short of your bank allowing you to split off a piece of your property and paying the bank. So, my point is that no residential developer can come here so long as this commercial building is standing, and buy everyone's backyards, and make it financially feasible. So, I just don't think that's realistic. And that's just my opinion, as one Councilmember, I could be completely wrong. I just don't see commercial owners selling their property for what they want. And then all these other homeowners selling portions of their land for what they would want and making a big residential development here, again, my opinion I just don't see that happening. And then talking about some of the vacant buildings we have, it's super frustrating. We shouldn't have vacant properties, but we as Council in the city, we can't determine what will happen with vacant properties, we can only determine what a petitioner is bringing before us because they're the private property owner, we can't tell the vacant owner down the street to go and develop their property, because it's their property. But I do wish that all the vacant properties in our community were good owners and that's what I see here tonight is a good owner that's coming to a vacant property that is ugly and dilapidated and needs to be really addressed. And I see an opportunity here. At the same time, I understand the residents that, you know, that they they're used to having grass, a large grass area back there, mine is not theirs, you pay property taxes on it, the residents don't pay property tax, if you bought this piece of property, intending to use it and you paid a significant amount of money, I'm assuming for that area back there. And that's what Council needs to do is determine if you can use it or not. And then I guess we'll see what happens. But just a few comments there. To Petitioner this existing building that you have right now, do you plan on making exterior renovations to that building When do you plan on doing that

Durant We are actually doing exterior renovations. Right now, we're actually 50 completion with our interior renovations and that looks like we could see the exterior outside. So, we're redoing all the removing all that wood, we're putting porcelain tile, we're adding steel framing, we already replaced the roof, we're replacing all the glass, we're closing that skylight area, I mean, we're putting in a skylight, it's open in the middle, which causes water issues in the building, where we are redoing all the landscaping. It is basically directing the water wron0g, we're going to fix all that. We're going to repave the lot, so we're doing a lot to the exterior.

Donovic I asked that question because I'm not comfortable with rezoning the property if you're not going to do exterior modifications. And that is my thought as one Councilmember, if you're asking us to redevelop because

you're promising us, you're going to do this really beautiful plan, which I love the plan. I think our community does need a type of luxury fitness. I mean, this would be the kind of project I'd see, so often we hear about projects at □aggerty Road and Eight Mile, Seven Mile, Six Mile, very rarely do we see these beautiful plans over on east side of town. So, I see this opportunity that you want to really do a nice high-end development over here. But my problem is, are you actually going to do it□ Do you actually plan on doing the exterior modifications to this building□

Durant So, we are definitely doing it and Mr. Mark knows. This is, you know, we had to go through funding. So, everything that we proposed to the city that we're going to do we have to do, because that was our proposal we made, so we can't not do it. Even if we changed our mind, it's gonna get done regardless.

Donovic Good, good. And my last question, the renderings that you provided to us. Those renderings are the existing building right now. It's not the second building you're talking about.

Durant Yes, correct.

Donovic Okay, so what do you think the timeline is going to be between, you know, this body making a decision within a few weeks or months and the time that you're moving forward with the entire renovation outside and inside for the existing building□

Durant We already started construction on that one. Are you asking how much more time we have left□ Like right now, based on what my contractor's timeline is, we're looking at about fall to be open and done.

Donovic Thank you. Thank you, Mr. President.

Ptashnik Thank you, Mr. Chair. Quick question, I'm not sure if this goes to Mr. Taormina or Mr. Fisher. First, I know that the wall agreement has expired. So, would be at a wall now at this point, as well□

Taormina That is something the Inspection Department is going to have to resolve. As I said, the separation agreements have expired and so they're either going to have to renew that or the petitioner is going to have to come back with a requirement for a wall. That's my understanding. But we I really haven't looked at all the scenarios with the Inspection Department on what has to be done.

Ptashnik I guess I'm just wondering if that would help with some of the separation from the residents and the business if the wall has to go up, but I'm not sure if you thought about that in your plan as well.

Durant Are they talking about the existing wall that is already there□

Taormina So let me just go back to the show.

Ptashnik There was an agreement for a fence instead of a wall that has now expired.

Taormina There is a partial wall along the north side and there's no requirement for a wall here. The question remains, how much of a wall was required here again, it's not a commercial zoned property at this point, but if we were to rezone it, if you were to rezone it, then that would definitely trigger the need for the wall to be constructed and at least along those areas where it's zoned commercial.

Ptashnik So if we split it, however we split it, RUF to C-1, the wall would come into play under C-1□

Taormina Correct.

McCullough Councilman □olly then Councilman Morgan.

□olly Yeah, the only question I would have is, it's just I'm critiquing some of the stuff you just said. You said, the second building. And there's currently the first building, you've kind of given us some plans for a second building. Are there plans for a potential third building at some point, because I kind of, the way you said, something kind of made me think that the second building was maybe not the end building.

Durant So, that second building is only going to take up a small piece of what's already next to the existing building, but you're still going to have that whole area of grass is not going to be touched. And that's where we need to find that, financially, if we know if it is going to be resolved, we do plan on possibly having an addition there. Right now, with that building size that we have, it's really not enough to take on more people in the community and more people want to be members, like I said, we already have like a long waitlist. So, in order for us to stay in the same area, it would make sense to use the land and just have our extension over there.

□olly So, we're talking about potentially a third building.

Durant Correct.

□olly All right, okay. Well, having all the information is helpful for us in regards to you know, Mr. Taormina has laid out potential splitting of the zoning, you're advocating to have the full zoning, just in terms of understanding where we potentially could be headed here, gives us a clearer idea of the decision we're making and what that means.

Durant I mean, yeah, even for me, I did think of possibly putting myself a house in that area if it were turning residential, but even my contractor told me to be very difficult. Then to have a home right next to a commercial building, even if we were to build some homes there. What are the odds of someone buying it literally in the parking lot of a commercial building So that's why for us, it didn't make sense to entertain the residential route. We didn't think, okay, how can we best use the land But I feel like it would be best used if we were to have it as an extension to the business as we grow in scale.

olly Yeah, I think, just to give you my quick thoughts here, I understand what you're saying in regards to a splitting of usages does not necessarily make sense. Right Like, you're not going to build a house back there. No, I mean, nobody in their right mind would want to live, you know, go enter through a commercial property and then live behind it, right. But you're also in a very odd circumstance in terms of the shape of the lot, the surrounding usages of the lot. So, there's just a lot for us to navigate in terms of, it's not just what you want to do, it's if we rezone the whole thing for the commercial purpose, what are the other requirements And so if you potentially want to put a third building there, then that kind of frames our mindset in regards to how close will that be, potentially, theoretically, to some of these other houses and stuff like that It's just the broader picture of things. It allows us to get to a more clearer answer.

Durant I mean, honestly, for me, I'm willing to work with the city, even with this building, whatever they advise us with, we took. In the coming years, we decided to expand whatever the recommendations are, is what we will follow. Like I said, I don't want to make it where is the neighbors and the residents mad at you So, I don't know exactly yet because this is like a future plan thing. And we still have to get the engineers out, figure out the whole water sewer situation. So, for all we know, maybe engineers do say we have to stop way further. And then we think that's all going to depend, as we looked into it before in the future.

olly I appreciate that. Mark, can I ask you a follow up So that rear property line, I feel funny saying rear because it's kind of an angle in this position. But the rear property line there, if she were to build a potential third building, how close could the rear wall of that building needs to the property line, if this were to be rezoned I know that's a loaded question.

Taormina No, it's I believe it's the setback requirement. The minimum is 20 feet in the C-1 zoning district.

olly So, we're talking 20 feet from that rear property line.

Taormina Yeah, conceivably.

□olly Okay. And if she wanted to come back and do the second building, they would have to go through site plan approval.

Taormina Correct.

□olly And if she wants to come back with a third time, we'd have to revisit that again through a new site approval.

Taormina That is correct.

□olly Okay, so we really don't have to do too much worrying about that right now.

Taormina I would agree.

□olly Thank you.

McCullough Mr. Morgan.

Morgan That pretty much covered what I had, what my questions were. So really, all's we're doing is we would be just changing this to a C-1, if we were to approve that and any other building that goes on this property before that takes place, it will have to come to this governing body, is that correct□

Taormina Correct.

Morgan Okay.

Donovic Mr. President.

McCullough Councilman Donovic.

Donovic To my colleague's question. If we do rezone the entire thing, then it would give the petitioner the legal right to develop a commercially operated building on those properties, short of us having site plan concerns with the facades and whatnot. And they then legally have a right though. And we could just deny it because the residents don't want it, you have a right to those factors, so to speak.

Taormina Well, I'm going to refer this your question to Council because the question of constructing a permitted use that otherwise complies with all the ordinance requirements, would suggest that you're in a position that you might have to act favorably on that. And so that's part of the reason why we're suggesting to scale back the rezoning as part of this first phase.

Donovic Can you help clarify, I'm a little confused on the number of buildings, because the plan we have just shows an existing building. It doesn't show

a second building. I see a proposed building for the building that the petitioner is talking about, where is the second building□

Taormina Again, I'll describe this again. So, this is the second building. So, if you look at, look at this plan, this is the existing building. This is what she would propose as part of, this is called the second phase. This probably illustrates that the best, this is the existing building. So, picture this, I know, it's difficult, and it's probably not, it's just a rendering, you see the palm trees. But this would be Middlebelt Road on the far left. So, this is the existing building. This is that second building kind of tucked behind the existing buildings. So, this is the existing, this would be the second building.

Donovic If we were to sort of split this in half, or whatever the size is, would that second building be in that first portion closest to Middlebelt□

Taormina Back to this plan that I showed. That building, that second building, would sit roughly here.

Donovic And would that second building meet the setback requirements, and what have you□ I guess what I'm thinking is, do we have to adjust that line accordingly to make sure that the petitioner meets all the proper criteria to build a second building□

Taormina That's a that's a very good question. So, this line, again, was just for kind of illustrative purposes. □ust to give you a sense, this is 275 feet from this point to this point, it may or may not encompass everything that's needed for that second building. So, whether this line moves a little bit east, or west, for that matter, depending on how she would accomplish that phase. We don't have all the information to be able to make that determination right now. So, if the Council wanted to act on this, I would suggest that there would be some additional information provided by the petitioner that shows us more specifically, what would be required. If your thought is that you could rezone enough of this property to facilitate that second building, then we should make sure that this line is far enough east in order to facilitate the….

Donovic If we rezone a portion of this property, depending on what Council wants to do, rezone a portion of it, then you're like, oh, I can't build that building, because I'm two feet within the rezoning line we create.

Taormina I would say, based on this plan and with judging from the improvements that are shown, that probably going to at least this line right here, which is 330 feet, that'd be more than enough to accommodate that.

Donovic Thank you.

McCullough Councilwoman Budzinski.

Budzinski I don't know exactly where the question goes. But if we just approve a partial or commercial to allow for the current space and the potential for a second, are we able to put in any requirements for trees in the RUF or would we have to wait for a site plan with what comes up for us and just do it along the perimeter for the new commercial zone□

Taormina So there is a way to conditionally rezone the property. □owever, that would have to be by means of the petitioner voluntarily offering those improvements and conditions. So, this body has the authority to enter into a conditional zoning agreement, only where the applicant submits to you, and you approve those conditions, the statement of conditions that would outline these improvements. We cannot dictate to the applicant what those conditions can be. If she wants to voluntarily offer those and provide those in the form of a plan or a statement of conditions, as I said, that's something that you can accept. And we have done that on numerous occasions, as Mr. Fisher will testify.

Fisher Certainly, we've done it on many occasions.

Budzinski And just for my own knowledge, for the 20 feet from the neighbors, would it be all three neighbors that are abutting up or just the one on the far east□

Taormina Let me verify the information on the setbacks. Okay. Because it varies, depending on circumstances. I think it might get 20 around, but let me check out the site and the rear yard requirements, give me a second so if you have other questions.

McCullough Thank you. And then just to kind of get back on. I mean, right now, this is a public hearing, mostly for the zoning change. And I know, we're looking a lot under the plan and I appreciate you bringing that forward, and let's just keep it on topic in theory. Council, I don't think we have a motion, do we□

□olly At this time, Mr. President, I will offer an approving, a denying and committee of the whole to give us some time to think about what we're going to do before the next meeting.

Donovic Mr. Chair, Mr. President. Are we, at this point, going to specifically say whether it's just for a portion of the property, the entire parcel itself□

□olly I'll offer an approving for partial, I'll offer an approving for the whole and I'll offer a denying for the Committee of the Whole. Mark tries to give us some very, very good direction. You heard some of the things that Council is interested in, in regards to, considering the full scope of what you're asking for. I think some of the Members might appreciate if you took some of those things into account before that meeting.

Durant I personally would like to add trees, because if I can block the residential areas, I think it's even better for us moving forward. So, if we were to ever use the land, you know, you don't see residential houses or anything like that, because right now, there's a house next to us and if the person there tells us we can put a wall, we would like to. It's also for our privacy and their privacy. I feel like it's best for both parties.

Donovic So I got a question for that point. And I don't want to put you on the spot, so you don't have to do this right now, the southern property, the wall that separates right now because it's a wooden fence, and then the one to the northern two properties, there's no fence on there, it's kind of sporadically open on that portion□

Durant There is like halfway then a break point, and then there is a little while, so when it stops and then there's nothing.

Donovic I guess my question is, it'd be a significant ask for us to ask you to install a masonry wall, if we're not going to rezone the entire thing. And I don't want to make you do something that is not financially feasible, at the same time, I want to offer some buffer to the residents. So, it'd be nice if you would conditionally, or you voluntarily would add some vegetation, some trees to buffer the northern portion and the southern portion. With that, I guess that's a difficult decision. Do we ask you to remove that wooden fence and put a masonry wall back there□ Is that kind of overburdensome□ Or do we just ask if you would you be okay with putting pine trees or some sort of trees back there□ It's kind of hard to make a decision right now.

Durant The thing is like, if it comes to that phase, and we are building, that is something that, these are the things I need to know. So financially, we've been taken into account, that's something that's going to make everyone happy. Where, you know, I think vegetation will look nice and appealing for both sides. And you're saying that's if we were to use the rest of the land, right□ That's something we can do.

Donovic Because I have my gut instinct. And I can only speak for myself. As you know, I wouldn't be shocked if Council only approved the one portion of this to be rezoned, and the other portion set for another day when you're ready, because I don't know if you do this often, but a lot of times petitioners will come before us and they're going to rezone a piece of property, speculatively are going to rezone it. And we will approve the zoning contingent upon the site plan being approved. So, what I could see theory here, that Council approves the one, the fronting portion along Middlebelt be rezoned, that 330 feet or whatever it may be, and then you're really successful in this first portion, and you come back, I'm bursting at the seams, I need to build that third building back there. You would come back before Council. The only caveat to that is you got to spend that money to do this really nice plan and go through all these hoops and maybe you still don't get approved, but that is just the cost of

doing business, I guess. So, do we make you do that masonry wall or buffer at that point, or do you voluntarily do the buffer trees right now□

Durant To do the buffer of trees right now, and we're not using the land, that's like half an acre of land that would cost a significant amount. So, if we're not using that land, it wouldn't make sense to do so. But in the case that you tell me, hey, when you're ready to build, that is something we would like you to volunteer, I feel like that's a fair exchange.

McCullough □ice President.

Ptashnik Thank you, Mr. President. I guess my question is, I'm trying to clarify what Mr. Donovic was actually saying, if we were to approve a portion, but that would be C-1, then the petitioner would have to build the wall unless they get the wall agreement signed.

Donovic I guess what I was saying is that I don't think it'd be fair for Council to require the petitioner to buffer all that half acre back there, the RUF part, if we don't rezone that portion. From my perspective, if we're not going to rezone the entire portion, then we shouldn't have the right to force you to go back there and do a bunch of enhancements on a piece of property that we're not allowing you to rezone currently. But if we do rezone this, this portion along Middlebelt, then I don't know what kind of conditions we could place in terms of buffering to that, just that 330 feet or whatever, to the north.

Durant Yeah, I understand it now. I mean, either way, we're doing landscaping in our portion, whether it was going to get rezoned or not. And I guess it's very hard to decide this, no one knows what we're gonna do with that. I also take into account if I do put in all those trees now, their maintenance yearly, and all that, and it's not being used.

McCullough All right. Is that it for Council□ Alright, so, right now we have I think six motions, correct□

□olly I think it's four.

McCullough So yeah, committee of the whole in general…

□olly Then half approval for the rezone, a full approval and a or denial.

Fisher So, what meaning is this for□

McCullough Sara, are we targeting May 6th□

Kasprowicz So targeting May 6th.

Taormina Can I make a suggestion that we push this to the 20th Allow me time to work with the conditions I think it'd be a time well spent.

McCullough So May 20th this will be on the City Council agenda. Anything further from the audience Seeing none, I'm going to close this item and move on to item number two.

As there were no further questions or comments, the Public earing was declared closed at 7:59 p.m.

LETTER TO THE LIVONIA CITY COUNCIL

Planning
March 7, 2024

MEETING DATE	PREPARED BY
	Stephanie Reece, Program Supervisor,

AGENDA ITEM

Petition 2024-01-01-01 submitted by SR&D Development under Sections 13.13 and 13.15 of the City of Livonia Zoning Ordinance, as amended, requesting to rezone the property at 18340 Middlebelt Road, located on the east side of Middlebelt Road between Six Mile Road and Pickford Avenue in the Northwest ¼ of Section 12, from RUF (Rural Urban Farm) to C1 (Local Business).

BACKGROUND DETAILS

March 7, 2024

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2024-01-01-01 - SR & D Development

Dear Council Members:

At the 1,210th Public Hearings and Regular Meeting held by the City Planning Commission on March 5, 2024, the following resolution was adopted:

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

#03-07-2024 RESOLVED, That the City Planning Commission does hereby recommend to the City Council that Petition 2024-01-01-01 submitted by SR&D Development under Sections 13.13 and 13.15 of the City of Livonia Zoning Ordinance, as amended, requesting to rezone the property at 18340 Middlebelt Road, located on the east side of Middlebelt Road between Six Mile Road and Pickford Avenue in the Northwest ¼ of Section 12, from RUF (Rural Urban Farm) to C1 (Local Business), be approved for the following reasons:

1. A zoning change to C-1 would be compatible and in harmony with the area's surrounding land uses and zoning.

2. The proposed C-1 zoning is consistent with the longstanding commercial use of the property.

3. C-1 zoning will eliminate the nonconformity and the need for future use variances.

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 Livonia Zoning Ordinance, as amended.

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

PH042224/R050624

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. 2024-01-01-01_SR&D_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development Director — Date: March 07, 2024



Maureen Miller Brosnan, Mayor — Date: March 15, 2024

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: 1/25/24 Petition 2024-01-01-01

Site Address: 18340 Middlebelt Rd Sidwell _____

Requesting To Rezone Property From RUF To C1

For the Following Reason (s) Rezone existing building to better match our use. Rezone land parcel as well for future addition.

Applicant: Sahar Durant Business/Company: SR&D development

Applicant's Address: 200 n st clair City: Toledo State: OH Zip Code: 43604

Applicant's Phone # (313) 286-5070 Applicant's Email Stormfitnessllc@gmail.com

For fee computation, see attached Fee Schedule **Please provide the following information:**

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.

RECEIVED JAN 30 2024 CITY OF LIVONIA PLANNING COMMISSION

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: SR&D development

Owner's Address: 200 n St clair st City: Toledo State: OH Zip Code: 43604

Owner's Phone # (313) 286-5070 Owner's Email Stormfitnessllc@gmail.com

Signature of Owner: _____ Print Name: Sahar Durant

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

on this 25th day of January 20 24.

Signature of Notary Stephanie K Reece My commission expires September 28, 2027

Received 1/26/24

APPROVED AS FORM
Department of Law

By: Michael E. Fisher

Date: 1/29/2024

STEPHANIE K. REECE
Notary Public, State of Michigan
County of Wayne
My Commission Expires Sep. 28, 2027
Acting in the County of Wayne

UNAPPROVED MINUTES

MINUTES OF THE 1,210th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, March 5, 2024, the City Planning Commission of the City of Livonia held its 1,210th 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, Glen Long, Peter Ventura, Ian Wilshaw

Members absent: Sam Caramagno

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 #1 PETITION 2024-01-01-01 SR & D Development

Mr. Bongero, Acting Secretary, announced the first item on the agenda, Petition 2024-01-01-01 submitted by SR&D Development under Sections 13.13 and 13.15 of the City of Livonia Zoning Ordinance, as amended, requesting to rezone the property at 18340 Middlebelt Road, located on the east side of Middlebelt Road between Six Mile Road and Pickford Avenue in the Northwest ¼ of Section 12, from RUF (Rural Urban Farm) to C1 (Local Business).

Mr. Taormina: Thank you, Mr. Chairman. This is a request to rezone a single parcel from RUF (Rural Urban Farm) to C-1 (Local Business). This property is on the east side of Middlebelt Road, approximately midway between Six Mile and Seven Mile Roads. The address is 18340 Middlebelt Road. The property is approximately 1.87 acres in size, with 156 feet of road frontage and a depth of about 512 feet. Properties abutting the site to the north, east, and west are all single-family residential. To the south is an office complex zoned C-1. Despite the current RUF zoning, this property has a long history of commercial uses. From 1959 until about 1992, the site was occupied by a landscaping business and retail nursery. In 1993, the Zoning Board of Appeal granted a variance that allowed for the development of a physical therapy rehabilitation clinic, which operated until about two or three years ago. The current owner and applicant, SR&D Development, purchased the property late last year and is renovating the building for reuse as a Wellness Health Center. The building is about 10,000 square feet and is located near the front of the property, with parking available at the rear and along the north side. The developed portion of the site is the west half, including the parking areas. The east half, extending for about 285 feet, is undeveloped and maintained primarily with grass. There is a protective wall that runs along a portion of the north side of the property. The remaining section of the north property line, as well as the east and south sides, contain wooden fences. In 1983 the Zoning Board of Appeals temporarily waived the requirement to build a protective wall in these areas. Over the next 20 years, the Zoning Board of Appeals granted temporary extensions of the wall waiver. Then, in 2005, the adjoining residential property owners signed five-year Separation Agreements with the previous owner, Thera-Matrix Inc., which avoided the need to return to the Zoning Board of Appeals. However, these Separation Agreements have since expired. A change of the zoning of the property would eliminate the nonconformity concerning the commercial use of the land. In addition, it may help facilitate the owner's desire to expand the use in the future, realizing that any proposal to either construct a new building or enlarge the existing building will require site plan approval. The Livonia Vision 21 Master Plan designates the subject property as Medium Density Residential. 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 February 8, 2024, 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 #18340 Middlebelt Road. Should additional addresses be needed, the Owner will need to contact this Department once permitting has been completed. 2. There legal description submitted with the drawings appears to be correct, and should be used for the property if the rezoning petition is approved. 3. The existing parcel is currently serviced by public sanitary sewer and water main, and storm sewer. The submitted drawings does not include any proposed utility information or calculations, so we cannot comment on any proposed impacts to the existing systems at this time. Should the proposed improvements move forward, we will review utility improvements and impacts during the permitting process.4. Although the drawings do not indicate any future utility information, it should be noted the any proposed development will be required to provide storm water improvements and detention per the Wayne County Stormwater Ordinance. Stormwater calculations will be reviewed during the permitting process. 5. Any disturbances with the Middlebelt Road right-of-way will require permits through the Wayne County Department of Public Service, including drive approach and sidewalk removals and placements."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Finance Department, dated February 12, 2024, 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. We have an email correspondence coming from the City Treasurer, Susan Nash, indicating that taxes on the property are current. The last letter is from the Assessor Department, dated February 14, 2024, which reads as follows: "*A request has been made by SR&D Development to rezone the property at 18340 Middlebelt Road, parcel No: 046-01-0002-001 from RUF to C1. Based on the plans submitted it appears they want to construct an additional building on the site. The parcel would need to be split to accommodate another building, it is unclear how they would access the rear of the property. 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: Thank you. Mr. Taormina. Is there any questions forour planning staff? Mr. Ventura.

Mr. Ventura: Mr. Taormina, since I wasn't here for the study on this. Do I understand that any action we would take tonight is strictly a rezoning action and would not have any implications with regard to future development on the site?

Mr. Taormina: That is correct. Yes.

Mr. Ventura: Thank you. Thank you, Mr. Chairman.

Mr. Wilshaw: Thank you, Mr. Ventura. Any other questions for our planning staff? Okay, I don't see any other questions. Our petitioner is here tonight. Feel free to come to our podium, either one and introduce yourself. Good evening.

Sahar Durant, 200 North Street, Toledo, OH 43604. Hi. I was so nervous about this.

Mr. Wilshaw: Oh, you're fine. You're fine.

Mr. Wilshaw: Thank you, Ms. Durant. What would you like to tell us about your rezoning request?

Ms. Durant: So, as Mr. Toarmina spoke, right now, there's already an existing building and there's about half an acre of land that's still left over and as he said, it's something that we plan to do in the near future is to hopefully, expand out into that area. Primarily right now, the main thing we want to do is rezone, and as we finish construction and see how our turnout is…if we have a lot of turnout, we want to have the ability to expand right next door to where we are in order to take on more clientele. The current space we have right now is very limited so we're only going to be able to accept limited memberships and clients and so I'm kind of thinking in the long run to have a plan ahead.

Mr. Wilshaw: Okay, thank you and as we normally mention, when we have rezoning requests, the petition itself is just a rezoning request. We're not looking to approve anything other than a change of zoning on this property at this time, but this would give you the potential of coming back in the future for site plan changes if you wish to expand the building or do things like that. So, our

focus tonight in our discussion is primarily going to be your own zoning, but we may have some discussion about what your future plans are. So just so everyone understands, that's the goal of the meeting here tonight, so thank you for your comments. Is there any questions of our petitioner in regard to this rezoning request? Mr. Ventura.

Mr. Ventura: Oh, good evening, and thank you for coming here tonight. Can you tell us exactly what a Wellness Health Center does?

Ms. Durant: Yes. So, my background is in sports psychology. So, a lot of the focus on fitness is just the physical aspect. A fitness and wellness center will also merge in the mental aspect. So, with our space right now that we're building out, it's divided into a physical area, and also an area that would address working on the internal things, such as things like brain training, light therapy, more of the holistic modalities. So that's why it's like fitness and wellness. So, we're trying to bring in that you should also be really fixing the inside before fixing the outside. That's where the true healing and recovery starts.

Mr. Ventura: Are you doing this in Toledo?

Ms. Durant: No. So, originally, my business started in Michigan and right now, my studio is in Dearborn Heights, Michigan, and it's a smaller space. So, this is the expansion that would allow us to provide a lot more of the services I had been wanting to provide. We actually just purchased a house in Michigan. So, we're going to be in Michigan soon. Originally, I'm from here, and my business is here. But I commute to Ohio because of my husband's job.

Mr. Ventura: Well, we're always happy to bring business to Michigan from Ohio. I note that there's a portion of the building that houses what appears to be a new overhead door. Is that a new garage door or did I misread that?

Ms. Durant: The existing building in the back? No those doors are already…they've been there.

Mr. Ventura: They've been there. and so does that fit into your use in some way, or…

Ms. Durant: We're gonna take out the garage doors and replace them with like regular doors. We're not going to keep that garage door, but

it's not going to be used for entrance, we're going to use the main entrance to enter.

Mr. Ventura: And I guess my final question or observation would be it appears that you're doing quite a bit of work to the building. You're going to put new siding on it or paint it, or…

Ms. Durant: So, we actually just finished changing the roof. We're gonna put all new porcelain slabs on the outside and then we're going to do some new steel framing. I believe I sent some of the pictures to the City of Livonia. So, all the outside is going to be redone. New landscaping, we're going to repave the lot. So we're investing over a million dollars in the reconstruction process.

Mr. Ventura: Okay, well, thank you for your answers. And I wish you good luck.

Mr. Wilshaw: Thank you. Thank you, Mr. Ventura. And Mr. Taormina showed some of those conceptual renderings on the screen for people to see. So, it gives at least an idea of conceptually what you're looking at doing for this property, correct?

Ms. Durant: Yes.

Mr. Wilshaw: Okay. Is there anything more about the building that you would like to talk about before we continue on with questions since it's on the screen? Is there any aspects of it that you're wanted to point out or?

Ms. Durant: No, I mean, I just hope everyone likes it.

Mr. Wilshaw: Okay. Good. Good. We appreciate you providing those. Okay. Any other questions for our petitioner? No questions from any of the commission. We'll have you take a seat for just one moment, Ms. Durant, we'll see if there's anyone else in the audience wishing to speak for or against this petition? Is there anyone wishing to speak on this item? If so, please come forward to one of our podiums here. Again, we'll ask for your name and address so we can attribute your comments.

Carmen Kelly, 18359 Grimm Street, Livonia, MI 48152 Thank you. Can you hear me?

Mr. Wilshaw: We hear you good. Thank you, Miss Kelly, and what would you like to tell us

Ms. Kelly: So I have a couple of things to hand out, and if you can just pass these down, I think we've got seven of them. So, the smaller picture, if you have the word Google at the bottom represents the south side of the property in question. Well, the north side of the property is on the top part of the picture and to the south of me is the other office park that has been zoned C-1. So, my property could potentially be straddled by two C-1 properties. The larger picture, the larger 8 x 10 picture is just an example of some of the lighting that we're getting from a C-1 zoned property, and this is currently going on right now. If you look at the pictures of the lighting, you can see…all the pictures are the same, they were just, you know, more so for the members to be able to hold on to them. But right now, I'm dealing with what can only be described as lighting that seems to have been taken by the big house at U of M. It's lit up like July at noon. This…I'll just it hold up. This is a picture of my bathroom window at 10 o'clock at night. Like it's lit up, and this is from C-1 zoning. So, as a separate issue, you know, I've been talking to the Ordinance Department, but my concern is that these lights are coming from the end of my property, which are near where the building the property in question are. And I can…it's extending 500 feet to my house, and they're not pointed at my house. So, in thinking about the building in question, as it stands right now, I'm thinking about lighting, and then with expansion that really puts…the back of that property is about 30 feet from my house. So, you know, and I support the work that you're doing. I'm very familiar with it. I'm just afraid that I would have to be there all the time for wellness, just because like my daughter was in her room last night. She's like, it's so bright in here, you know, and so those are some of the things that I'm dealing with. And you know, as we think about future development, you know, it's a gorgeous building that's being proposed. I would want to take care of it. I would want it well lit. I just don't want it 30 feet from my back door.

Mr. Wilshaw: We appreciate your comments. Miss Kelly, thank you. And thank you for the visual aids as always. All right, is there someone else wishing to speak? Good evening, sir.

Douglas Clinton 18339 Grimm, Livonia, Michigan 48152. I'm here to voice my opposition to the rezoning of this property. You need go no further than around the corner on Seven Mile Road and between Maplewood and Middle Belt, it's the empty VFW hall. Down the street between Gilman and Floral, the empty Up North Bar. Between Antigo and Rensellor on the north side of Seven Mile, empty storefronts. Back on Middle Belt Road between

Vassar and St. Martin, the Livonia pavilion, vacant and vandalized. The old Ram's Horn restaurant. Sears. Huge commercial properties that are sitting empty. Rather than rezoning this to a commercial property, I feel it would be better for it to be residential. If new housing was built in the area, it would increase the property values of the nearby residents and new businesses. I have nothing against new businesses starting up in Livonia. But I feel they should utilize some of the property that's already zoned commercial. So, thank you.

Mr. Wilshaw: Thank you for your comments. Anyone else wishing to speak on this item? Going once, going twice, no one else wishing to speak on this item. Ms. Durant, we always like to give the petitioner an opportunity to have the last word. Is there anything that you would like to say before we make our decision? Yes, certainly, you can come up to the podium.

Ms. Durant: So, I tried to kind of take some quick notes in regard to the concerns that Miss Cameron Kelly noted out. I'm not really familiar with the building you're talking about, but when I go to the building next time, I'll keep an eye out. In regard to us in general right now for the building, I am not a big proponent of big bright lights. So, our lights are actually going to all…for the outside of the building going to come from the bottom and go up. I just think it's easier on the eyes and also it's not so loud. So that's one of your concerns that some, at least for the existing building right now. For any future expansion, that's not something we're doing right now. We have to finish building this one, which is going to take us a good year and the future expansion is something that we're looking at in the next two years or so. So that's not something we're doing right now. And if we do, we have to go through all planning and everything, but in general, you're probably never going to see any building that I have a hands on doing any design for it having any bright lights. All the lights will start from the bottom going up just because it is better for the eyes in general. And then, in regard to the gentleman that mentioned all the empty businesses, I'm actually aware of that. That was one of the concerns we had deciding to purchase something in Livonia. But where I'm at right now that area was actually empty and there was no businesses there. With our client base, we're dealing with a lot of the upper middle class. So, when I moved into that plaza, it was completely empty. Right now, it's fully leased out. Across the street got bought out. The place next to it got renovated. So, a lot of times all it takes is one business to kind of open up an entire area for more businesses to believe in and kind of go back in there. And

that's actually one of the reasons we want to continue investing in Livonia because we do see a lot of vacant areas, and we feel like it's a good city. I don't know what happened with some of these businesses and why they left, but that was a concern for us even purchasing the building. But it really depends on how you look at it and the potential you can bring to a city.

Mr. Wilshaw: Well, thank you, Ms. Durant, for your comments. And is there any other questions from any of the commissioners for Ms. Durant before…Ms. Dinaro.

Ms. Dinaro: So, if you can't build the second building in the back, does the development stop?

Ms. Durant: No, the development is not going to stop. But right now we're extremely limited on space. So, one of my biggest things to bring more of the luxury wellness is to make it more accessible to people around here. But if I can only take on a certain number of people, I'm very limited and I have a whole half acre that would allow me to take on another 300 to 400 memberships in the future as we expand and grow, which I'm hoping…is the goal. So, the goal is to continue growing. So instead of opening another location in a different city, I would rather just stay where I'm at and take on more space.

Mr. Wilshaw: Thank you, Ms. Dinaro. Any other questions? One question for you, Ms. Durant. what would the hours of your business be?

Ms. Durant: Right now? Possibly, we would be open around 5:30am- 6am and then closing around 9pm or 10pm.

Mr. Wilshaw: Okay, so you will have some evening clients come in to your business, okay.

Ms. Durant: Yes, it is private membership only. So, the way it's going to be is all entry like, unless you are a private member, there is no access. So, all the traffic is going to be very controlled with us.

Mr. Wilshaw: Okay, and those members pay a membership fee to use your services. Is that how it works?

Ms. Durant: Yes, correct. And the way we're also gonna try to really keep any of, you know…as you see a lot of gym parking lots are overcrowded and all that? So, we're actually even requiring an application process for applicants. We want to make sure that, you know, you are looking for a lifestyle change to become a

member and that you're not just coming in here to waste time or, you know, just go in the cafe and all that. So, we want to control traffic as much as possible. Yeah.

Mr. Wilshaw: All right. Good. I just wanted to understand your business a little bit there. Thank you. If there's no other questions for petitioner, I think we are done with the public hearing section. Sir, yes, feel free to come forward to the podium.

Mr. Wilshaw: Good evening, sir.

Gary Reister, 18329 Grimm, Livonia, MI. You had mentioned before when you were talking about your services that you were doing holistic processes to help people. Does this include dispensing foods and that kind of medications?

Ms. Durant: What do you mean?

Mr. Reister: Well, a lot of holistic places, they have specific diets that you have to have, and specific foods that are that are provided by the people that are running the places.

Ms. Durant: Like, nutritional consulting, is that what you're referring to?

Mr. Reister: Yeah, will you be dispensing foodstuffs and selling that kind of stuff?

Ms. Durant: Not necessarily like food food, but we will have a cafe that has like healthier drink options, if that's what you're referring to, but it's not going to be like a restaurant style food, but we do offer nutritional consulting, meaning if you were to come and you need help with your food we would create for you like, basically a meal plan and a food log and all of that. And, like let's say you become a member, you would have access to our app and with our app, you put your goals in there, and it will generate for you a meal plan automatically with your recipes, pictures and everything.

Mr. Reister: Okay, so you're not intending to sell foodstuffs at your location?

Ms. Durant: Not like restaurant food. No, because we don't have like an open fire kitchen or anything like that. It’s gonna be more like a cafe. So like, smoothies, drinks on the go, stuff like that. We're gonna have like prepackaged healthy snacks on the go as well, but nothing that we're cooking inside.

Mr. Reister: Okay. Not even prepackaged stuff?

Ms. Durant: Yes, they wouldn't be prepackaged and like to go freezer.

Mr. Reister: Okay, would any of this have marijuana or those products in it?

Mr. Wilshaw: Sir, your questions should be directed toward us. But I do appreciate the dialogue that's happened here in terms of getting those questions answered quickly. Thank you, Mr. Reister, but is there any other comments you'd like to direct toward us in terms of…

Mr. Reister: No. I was just concerned if they're going to have membership only if there will be marijuana distributed since it's a membership issue.

Mr. Wilshaw: Right. That's that would not be permitted.

Mr. Reister: Okay, thank you.

Mr. Wilshaw: You're welcome, sir. Any other comments from any of the commissioners before we close the public hearing? If not, I think the public hearing can be closed, and a motion is in order.

On a motion by Ventura, seconded by Bongero, and unanimously adopted, it was

#03-07-2024 ***RESOLVED***, That the City Planning Commission does hereby recommend to the City Council that Petition 2024-01-01-01 submitted by SR&D Development under Sections 13.13 and 13.15 of the City of Livonia Zoning Ordinance, as amended, requesting to rezone the property at 18340 Middlebelt Road, located on the east side of Middlebelt Road between Six Mile Road and Pickford Avenue in the Northwest ¼ of Section 12, from RUF (Rural Urban Farm) to C1 (Local Business), be approved for the following reasons:

1. A zoning change to C-1 would be compatible and in harmony with the area's surrounding land uses and zoning.

2. The proposed C-1 zoning is consistent with the longstanding commercial use of the property.

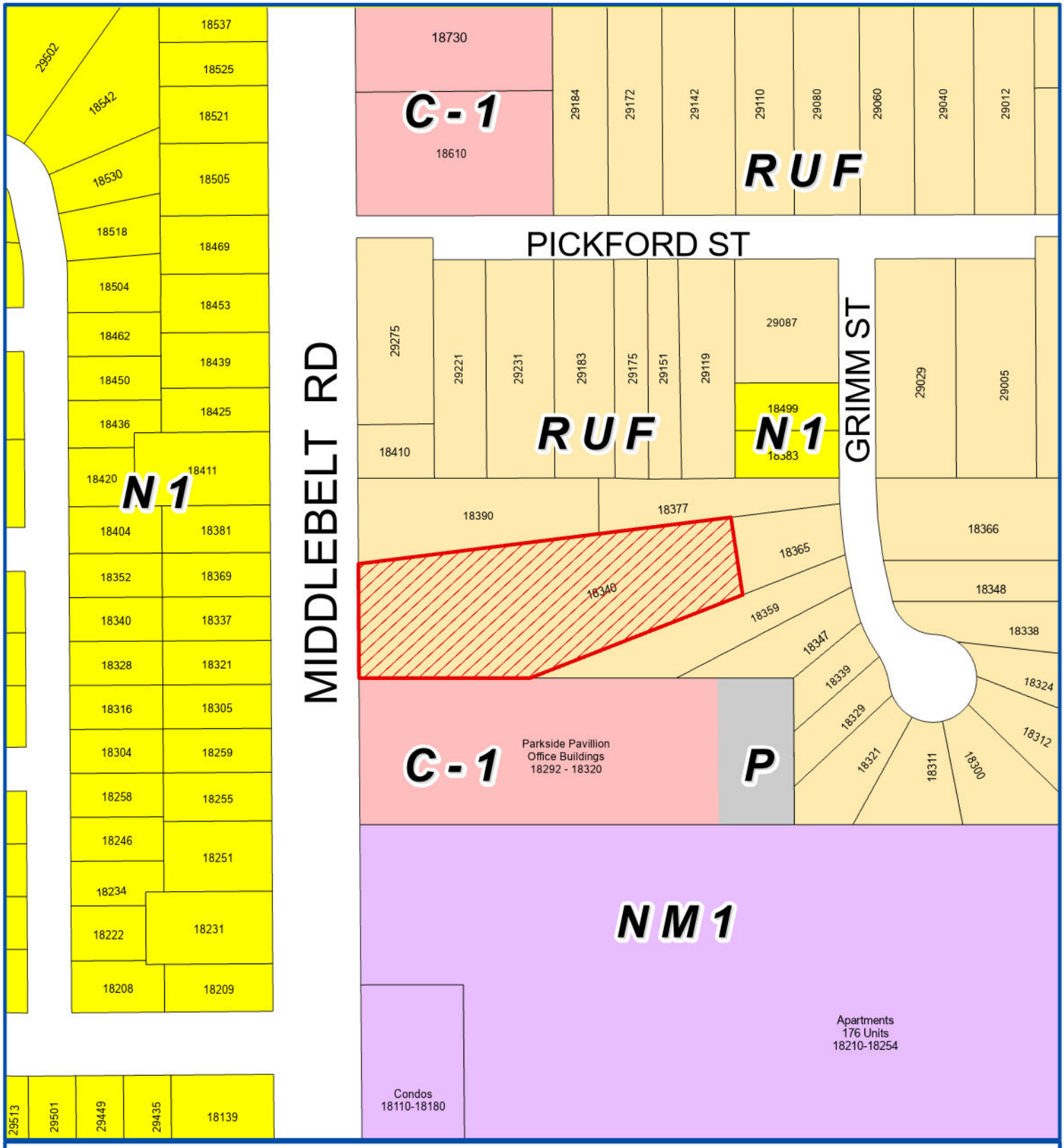
3. C-1 zoning will eliminate the nonconformity and the need for future use variances.

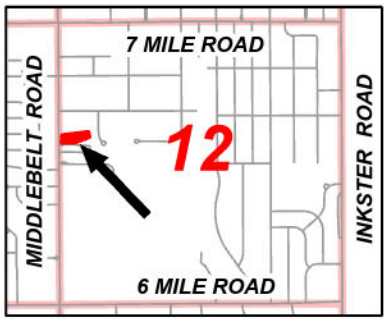
4. The proposed zoning change represents a reasonable and logical plan for the subject property that adheres to sound land use planning principles.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 and 13.15 of 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.





Address & Zoning Map

Petitions 2024-01-01-01
SR&D Development
18340 Middlebelt Road
RUF to C-1

N

Not to Scale

City of Livonia
Planning Department





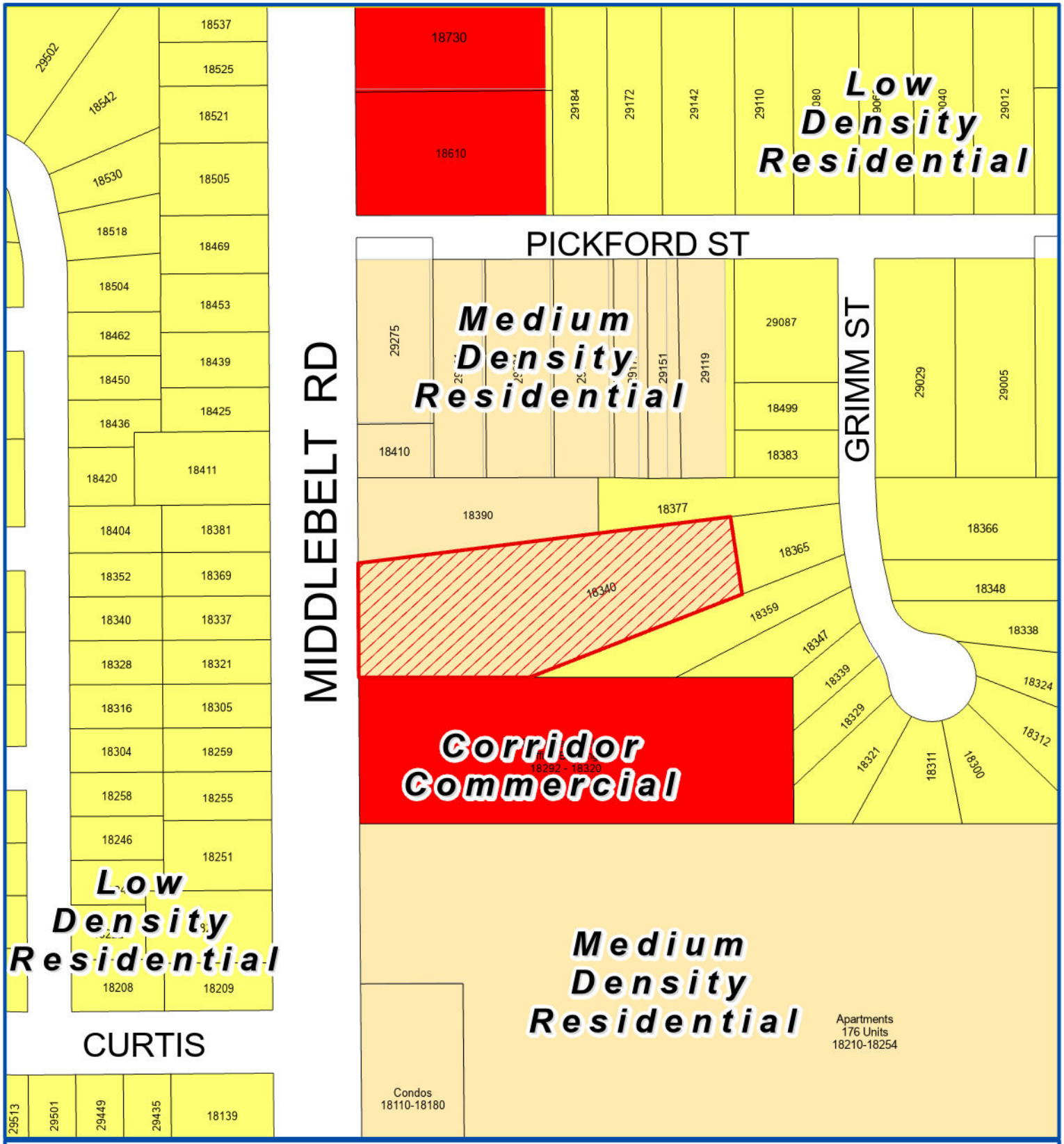
Aerial Map

Petitions 2024-01-01-01
SR&D Development
18340 Middlebelt Road
RUF to C-1

N

Not to Scale

City of Livonia
Planning Department



Address & Zoning Map

Petitions 2024-01-01-01
SR&D Development
18340 Middlebelt Road
RUF to C-1

City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PREHEARING ITEMS

ITEM 1

Petition 2024-01-01-01 submitted by SR&D Development under Sections 13.13 and 13.15 of the City of Livonia Zoning Ordinance, as amended, requesting to rezone the property at 18340 Middlebelt Road, located on the east side of Middlebelt Road between Six Mile Road and Pickford Avenue in the Northwest ¼ of Section 12, from RUF (Rural Urban Farm) to C1 (Local Business).

February 20, 2024, Study Meeting:

This petition seeks to rezone a single parcel located on the east side of Middlebelt Road, approximately midway between Six Mile and Seven Mile Roads, from RUF (Rural Urban Farm) to C-1 (Local Business). The parcel affected by the rezoning is at 18340 Middlebelt Road. It contains a commercial building and comprises approximately 1.87 acres of land area, with 156 feet along Middlebelt Road and a depth of roughly 512 feet. To the west, across Middlebelt Road, are single-family houses zoned N-1 (Neighborhood District). Properties to the north and behind the site to the east are zoned RUF with single-family housing. Bordering the site to the south are two multi-tenant office buildings zoned C-1 (Local Business).

Despite the current RUF zoning, this property has a long history of commercial uses. Records show that from 1959 to 1992, the site was owned by Skandia, Inc., which operated a landscaping business and retail nursery with temporary greenhouse structures at the rear of the property. In 1993, the Zoning Board of Appeals granted a use variance to Whitton-Boutros Associates to operate a physical therapy rehabilitation clinic. For the next 15+ years, the site was occupied by Whitton & Boutros Associates, which later became Thera-Matrix. The property was sold in December 2023 to the current owner, SR&D Development, LLC. Before acquiring the property, the owner of SR&D, Sahar Durant, worked with the City to verify that her business plan to operate a wellness center called Storm Fitness would be allowed under the 1993 variance. In considering Ms. Durant's request, the City agreed that the change of tenancy was consistent with 1993 approval but asked that an attempt be made to rezone the property to bring the use into conformity. SR&D is currently in the process of renovating the existing 9,936-square-foot building.

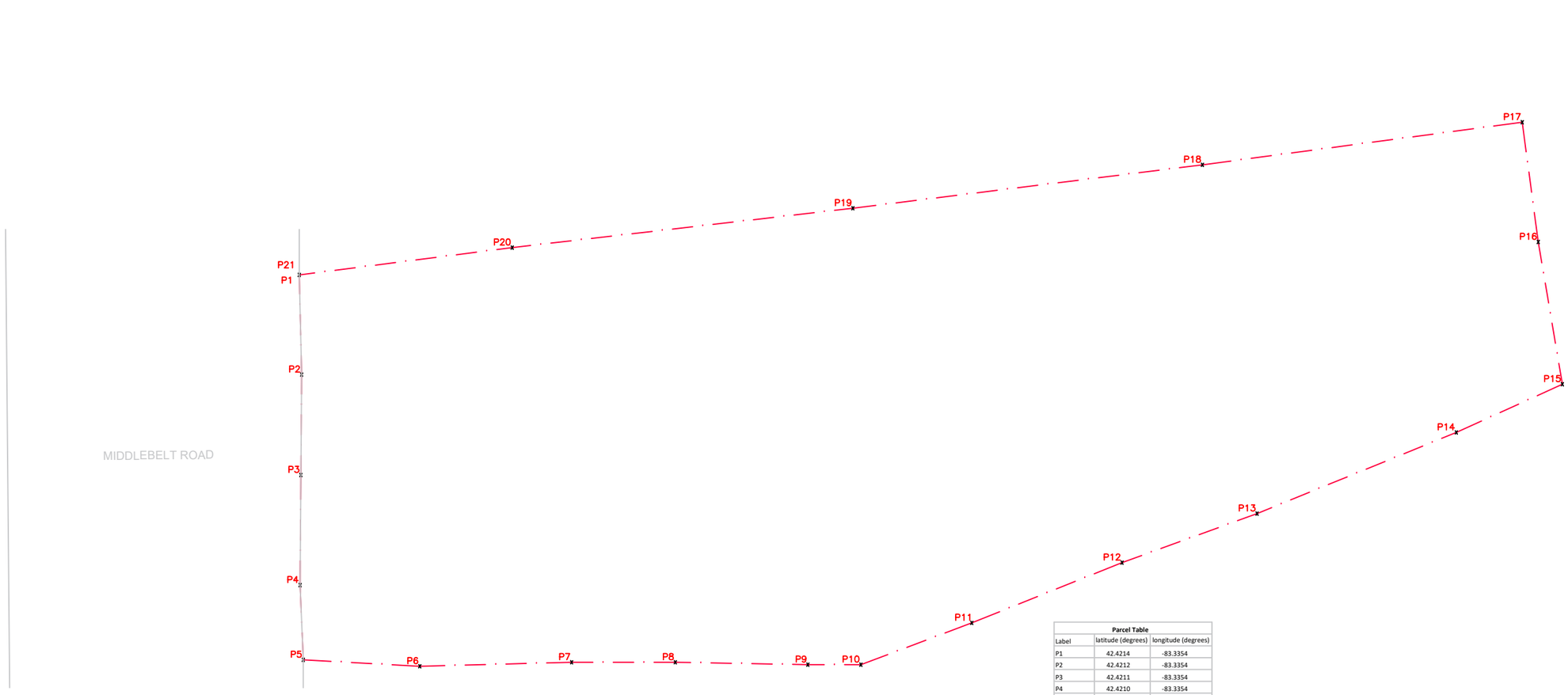
The building is located near the front of the property, with parking available at the rear and along the north side. The developed portions of the site, including the building and parking areas, are mainly limited to the west half of the property. The east half, extending for approximately 285 feet, is undeveloped and maintained with grass, except for a concrete driveway that runs from the northeast corner of the parking lot through the center of the rear of the property. It is believed that this driveway provided access to the nursery stock and greenhouses when the site was operated as a landscaping business. A protective wall runs along a portion of the property's north side. The remaining section of the north side of the property, along with the east and south sides, all lie adjacent to residential and contain wooden fences. In 1983, the Zoning Board of Appeals temporarily waived the requirement for Skandia Landscaping to install a protective wall in these areas. Over approximately 20 years, the ZBA granted temporary extensions of the wall waiver. Then, in 2005, the adjoining residential property owners signed 5-year Separation Agreements with Thera-Matrix, Inc.,

which circumvented the need to go back to the ZBA or obtain site plan approval. It does not appear that the agreements or the wall waiver by the ZBA are currently in effect.

In addition to eliminating the nonconformity affecting the use of the property, SR&D desires to someday develop the east half of the property with a second commercial building. A conceptual site plan shows the structure, measuring approximately 10,000 square feet, located behind the main building with parking on the north and east sides. Currently, the site has thirty-nine (39) parking spots, with forty-eight (48) spaces shown being added, bringing the total to eighty-seven (87). Access to the site would remain unchanged off Middlebelt Road, with a twenty-four-foot (24') drive extending to the second building and additional parking.

In evaluating this request, the Planning Commission can adjust the amount and limits of the C-1 District as it affects the overall property. For example, suppose the Commission determines that the Petitioner's long-term plan of constructing a 10,000-square-foot building is excessive based on the anticipated impact on the neighborhood. In that case, the area of C-1 can be reduced by maintaining a portion of the rear of the property under the current classification, RUF. Alternatively, the Commission could recommend rezoning a portion of the property to the P, Parking classification.

The Livonia Vision 21 Future Land Use map designates the subject property as *Medium Density Residential*. Areas identified as *Medium Density Residential* consist of areas with potential for infill into traditional single-family neighborhoods near planned mixed development centers or needing investment and stabilization.



Parcel Table		
Label	latitude (degrees)	longitude (degrees)
P1	42.4214	-83.3354
P2	42.4212	-83.3354
P3	42.4211	-83.3354
P4	42.4210	-83.3354
P5	42.4209	-83.3354
P6	42.4209	-83.3352
P7	42.4209	-83.3349
P8	42.4209	-83.3348
P9	42.4209	-83.3346
P10	42.4209	-83.3345
P11	42.4210	-83.3343
P12	42.4211	-83.3341
P13	42.4211	-83.3339
P14	42.4212	-83.3336
P15	42.4213	-83.3335
P16	42.4214	-83.3335
P17	42.4216	-83.3335
P18	42.4215	-83.3340
P19	42.4214	-83.3345
P20	42.4214	-83.3351
P21	42.4214	-83.3354

LEGEND

— · — · —	PROPERTY BOUNDARY
P1	POINT LABELS

PROPERTY ADDRESS

18340 Middlebelt Rd, Livonia,
MI 48152

DESIGNED FOR:

DESIGNED BY:

SAFE Engineering Solutions

REV	DESCRIPTION	DATE

NOTES:

1. ALL DIMENSIONS & LEVELS ARE IN FEET AND INCHES UNLESS SPECIFIED OTHERWISE.

PROJECT:

STORM FITNESS CENTER

DRAWING TITLE:

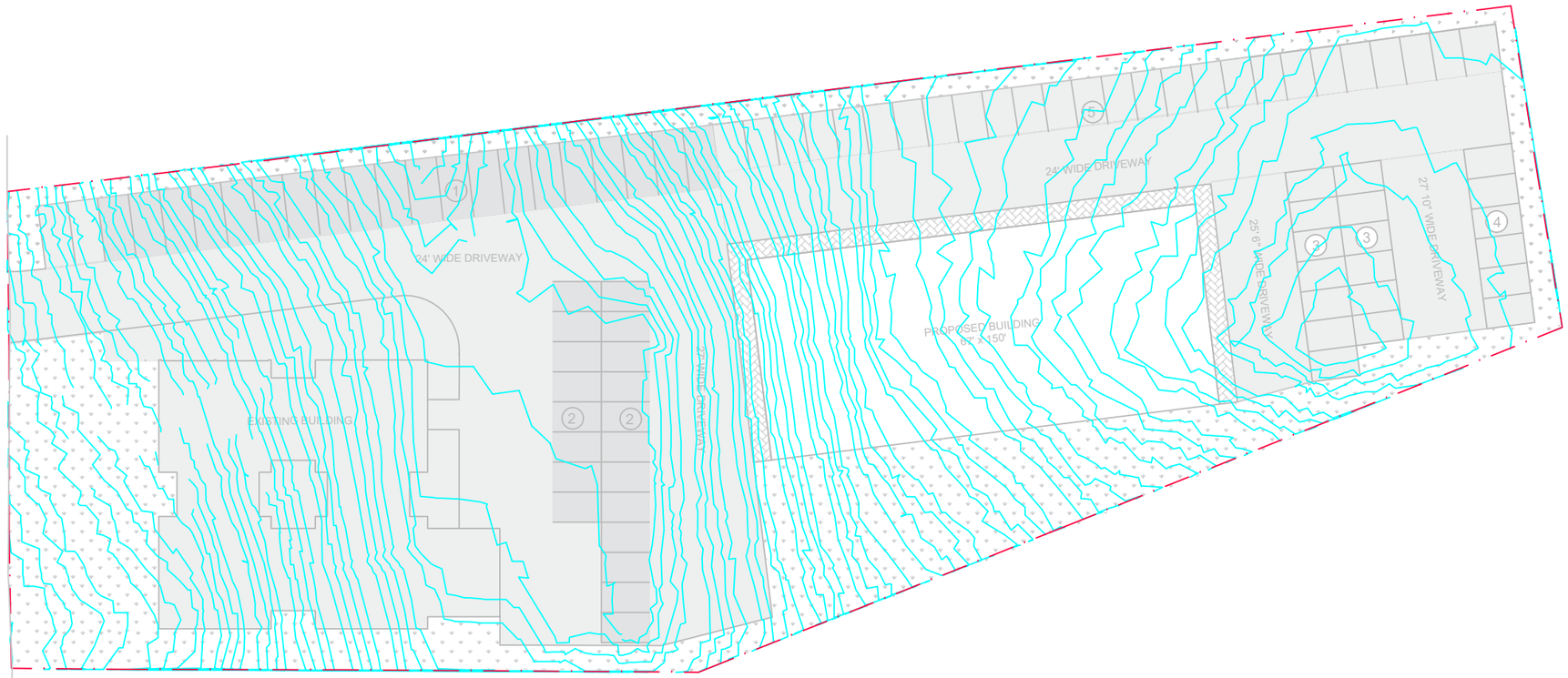
CIVIL PLANS

BOUNDARY SURVEY

DRAWN BY	MUHAMMAD AALIYAN ASHRAF	SCALE: AS SHOWN
DESIGNED BY	AHMAD MAAZ	A3 SIZE PAPER
CHECKED BY	SYED SAIF UL HAQ	DATE: AUG, 2023
APPROVED BY		

DRAWING NUMBER: A-1 | SES CODE: P-065 | STATUS: FA | REV: 00

FR = FOR REVIEW , FA = FOR APPROVAL , FC = FOR CONSTRUCTION , AB = AS BUILT



N

LEGEND

- EXISTING CONTOURS
- PROPERTY BOUNDARY
- EXISTING BUILDING
- PROPOSED BUILDING
- GREEN AREA
- PAVED AREA
- EXISTING PARKING
- PROPOSED PARKING
- (1) PARKING COUNT

PROPERTY ADDRESS

18340 Middlebelt Rd, Livonia,
MI 48152

DESIGNED FOR:

DESIGNED BY:

SAFE Engineering Solutions

REV	DESCRIPTION	DATE

NOTES:

1. ALL DIMENSIONS & LEVELS ARE IN FEET AND INCHES UNLESS SPECIFIED OTHERWISE.

PROJECT:

STORM FITNESS CENTER

DRAWING TITLE:

CIVIL PLANS

CONTOUR PLAN

DRAWN BY	MUHAMMAD AALIYAN ASHARF	SCALE: AS SHOWN	
DESIGNED BY	AHMAD MAAZ	A3 SIZE PAPER	
CHECKED BY	SYED SAIF UL HAQ	DATE: AUG, 2023	
APPROVED BY			
DRAWING NUMBER: A-2	SES CODE P-065	STATUS FA	REV 00

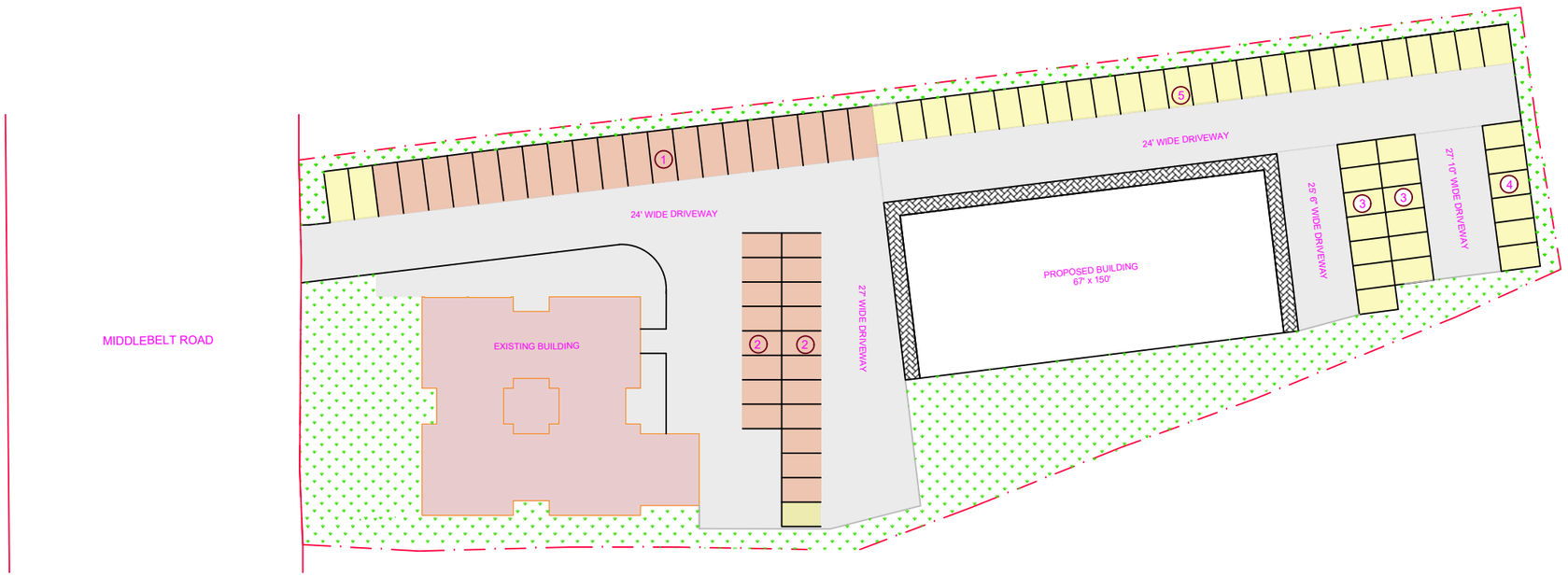
FR = FOR REVIEW , FA = FOR APPROVAL , FC = FOR CONSTRUCTION , AB = AS BUILT

SITE LAYOUT NOTES

1. ALL EDGES OF PAVEMENT ARE TO BE STRAIGHT (OR OF CONSISTENT RADIUS IN THE CASE OF CURVES).
2. TO MAINTAIN THE INTEGRITY OF HORIZONTAL AND VERTICAL CONTROL FOR THE SITE, THE SURVEYOR OR PROFESSIONAL ENGINEER EMPLOYED BY THE CONTRACTOR TO PERFORM CONSTRUCTION LAYOUT STAKING, SHALL SET AND PROTECT ADDITIONAL TRAVERSE POINTS OUTSIDE THE AREAS OF CONSTRUCTION ACTIVITY.
3. CONTRACTOR SHALL REFER TO BUILDING ARCHITECTURAL PLANS FOR EXACT LOCATIONS OF ROOF LEADERS, CONCRETE SLABS, UTILITY LOCATIONS, ETC...
4. PROPOSED PAVEMENTS SHALL MEET THE LINE AND GRADE OF EXISTING ADJACENT PAVING SURFACES AND SHALL BE TREATED WITH TACK COAT AT POINT OF CONNECTION.
5. ALL PROPOSED SITE FEATURES SHALL BE LAID OUT AND STAKED FOR REVIEW AND APPROVAL BY THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. ANY REQUIRED ADJUSTMENTS TO THE LAYOUT SHALL BE UNDERTAKEN AS DIRECTED AT NO ADDITIONAL COST TO THE OWNER.

IMPERVIOUS AREA RATIO

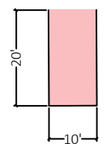
TOTAL LOT AREA = 81269.23 sq. ft
IMPERVIOUS AREA = 62057.18 sq. ft
IMPERVIOUS AREA RATIO = 76.36%



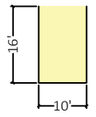
LEGEND

- PROPERTY BOUNDARY
- PROPOSED BUILDING
- WALKWAY
- EXISTING BUILDING
- GREEN AREA
- PAVED AREA
- EXISTING PARKING
- PROPOSED PARKING
- 1 PARKING COUNT

EXISTING PARKING SLOTS



PROPOSED PARKING SLOTS



PROPERTY ADDRESS

18340 Middlebelt Rd, Livonia,
MI 48152

DESIGNED FOR:

DESIGNED BY:

SAFE Engineering Solutions

REV	DESCRIPTION	DATE

NOTES:

1. ALL DIMENSIONS & LEVELS ARE IN FEET AND INCHES UNLESS SPECIFIED OTHERWISE.

PROJECT:

STORM FITNESS CENTER

DRAWING TITLE:

CIVIL PLANS

SITE LAYOUT PLAN

DRAWN BY	MUHAMMAD AALIYAN AHSRAF	SCALE: AS SHOWN	
DESIGNED BY	AHMAD MAAZ	A3 SIZE PAPER	
CHECKED BY	SYED SAIF UL HAQ	DATE: AUG, 2023	
APPROVED BY			
DRAWING NUMBER:	SES CODE P-065	STATUS	REV
A-3		FA	00

FR = FOR REVIEW , FA = FOR APPROVAL , FC = FOR CONSTRUCTION , AB = AS BUILT



LEGEND

	PROPERTY BOUNDARY
	PROPOSED BUILDING
	WALKWAY
	EXISTING BUILDING
	GREEN AREA
1	PARKING COUNT
	REDBUD TREE
	BUTTON BUSH
	FETTERBUSH

PROPERTY ADDRESS

18340 Middlebelt Rd, Livonia,
MI 48152

DESIGNED FOR:

DESIGNED BY:

SAFE
Engineering Solutions

REV	DESCRIPTION	DATE

NOTES:

1. ALL DIMENSIONS & LEVELS ARE IN FEET AND INCHES UNLESS SPECIFIED OTHERWISE.

PROJECT:

STORM FITNESS CENTER

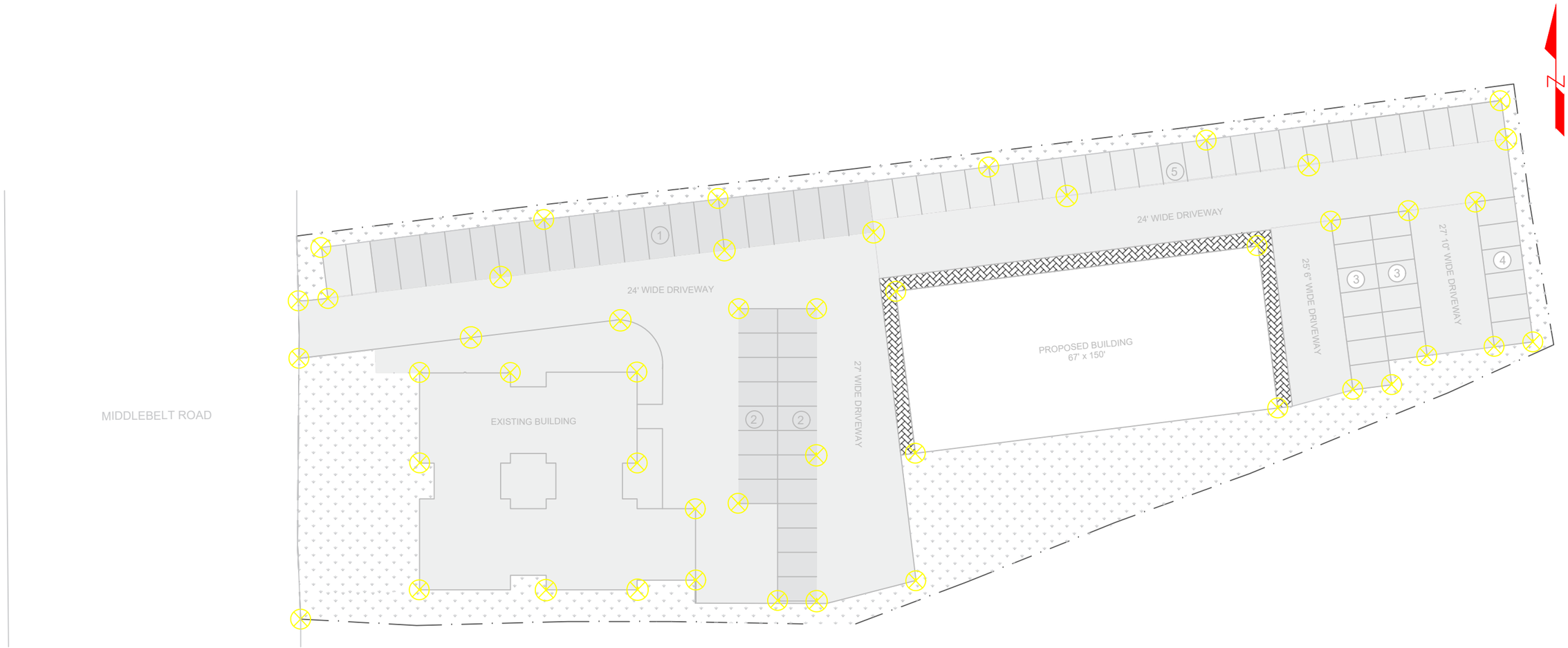
DRAWING TITLE:

CIVIL PLANS

LANDSCAPING PLAN

DRAWN BY	MUHAMMAD AALIYAN ASHRAF	SCALE: AS SHOWN	
DESIGNED BY	AHMAD MAAZ	A3 SIZE PAPER	
CHECKED BY	SYED SAIF UL HAQ	DATE: AUG, 2023	
APPROVED BY			
DRAWING NUMBER: A-4	SES CODE P-065	STATUS FA	REV 00

FR = FOR REVIEW , FA = FOR APPROVAL , FC = FOR CONSTRUCTION , AB = AS BUILT



LEGEND

- PROPERTY BOUNDARY
- PROPOSED BUILDING
- WALKWAY
- EXISTING BUILDING
- GREEN AREA
- 1 PARKING COUNT
- OUTDOOR LIGHTS

PROPERTY ADDRESS

18340 Middlebelt Rd, Livonia,
MI 48152

DESIGNED FOR:

DESIGNED BY:

SAFE Engineering Solutions

REV	DESCRIPTION	DATE

NOTES:

1. ALL DIMENSIONS & LEVELS ARE IN FEET AND INCHES UNLESS SPECIFIED OTHERWISE.

PROJECT:

STORM FITNESS CENTER

DRAWING TITLE:

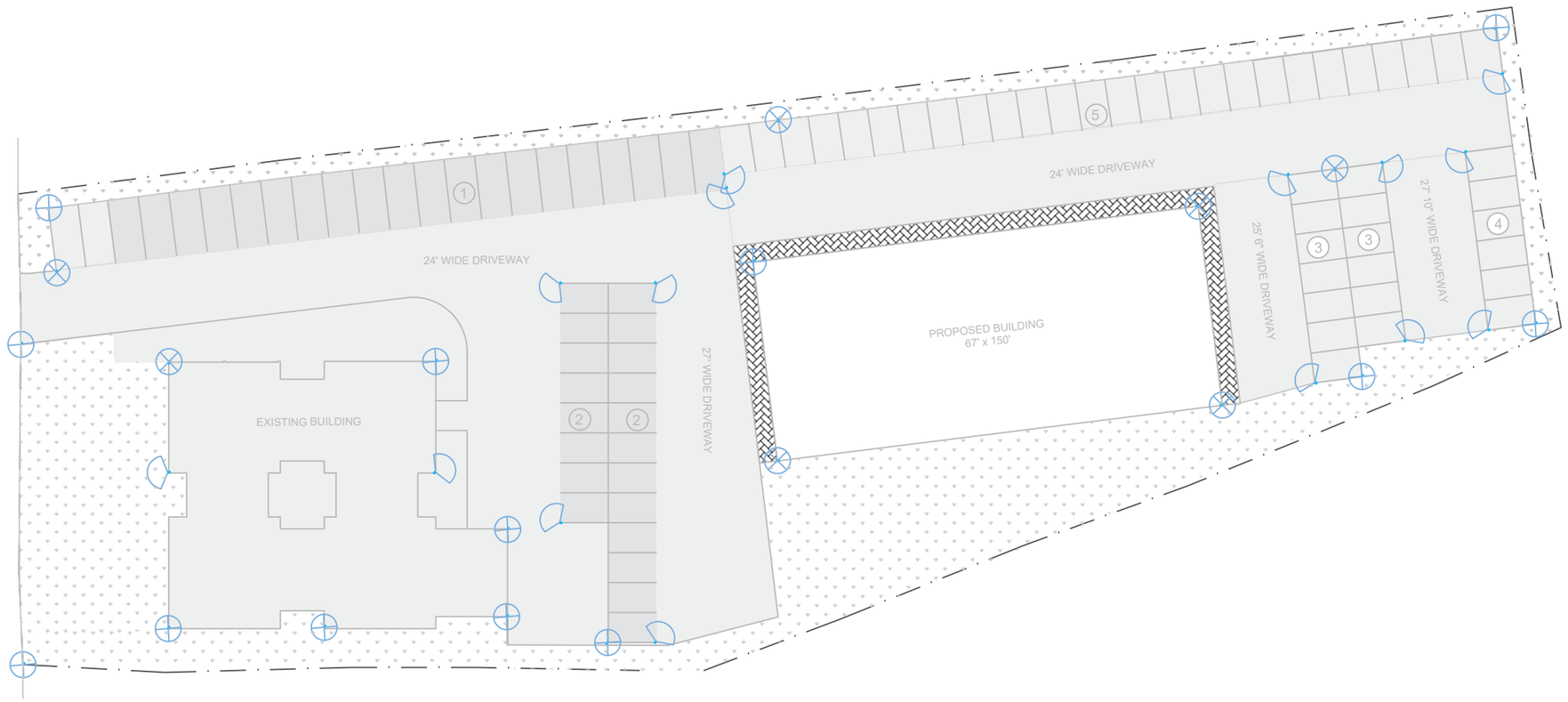
CIVIL PLANS

LIGHTING PLAN

DRAWN BY	MUHAMMAD AALIYAN ASHRAF	SCALE: AS SHOWN
DESIGNED BY	AHMAD MAAZ	A3 SIZE PAPER
CHECKED BY	SYED SAIF UL HAQ	DATE: AUG, 2023
APPROVED BY		

DRAWING NUMBER: A-5 | SES CODE P-065 | STATUS FA | REV 00

FR = FOR REVIEW , FA = FOR APPROVAL , FC = FOR CONSTRUCTION , AB = AS BUILT



LEGEND

- PROPERTY BOUNDARY
- PROPOSED BUILDING
- WALKWAY
- EXISTING BUILDING
- GREEN AREA
- 1 — PARKING COUNT
- 360° MOVEMENT CAMERA
- 165° MOVEMENT CAMERA

PROPERTY ADDRESS

18340 Middlebelt Rd, Livonia,
MI 48152

DESIGNED FOR:

DESIGNED BY:

SAFE Engineering Solutions

REV	DESCRIPTION	DATE

NOTES:

1. ALL DIMENSIONS & LEVELS ARE IN FEET AND INCHES UNLESS SPECIFIED OTHERWISE.

PROJECT:

STORM FITNESS CENTER

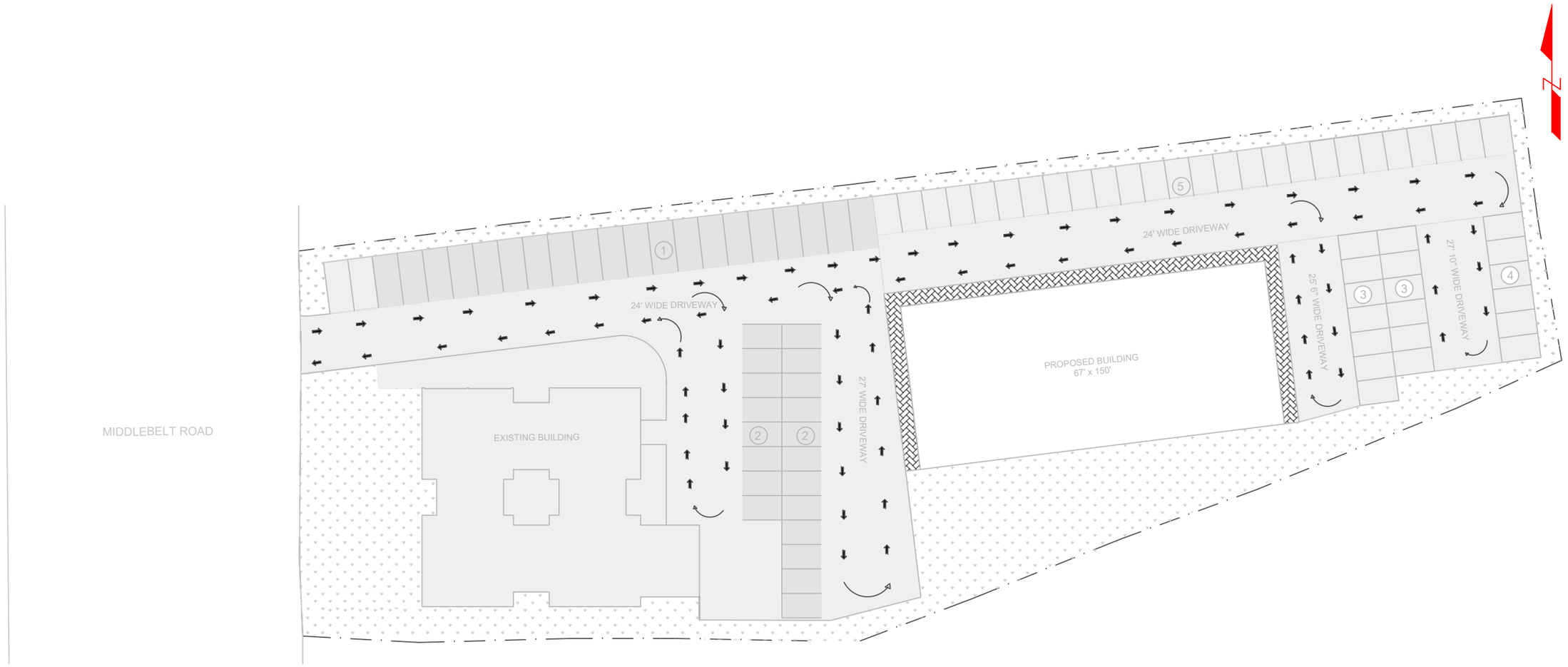
DRAWING TITLE:

CIVIL PLANS

SURVEILLANCE PLAN

DRAWN BY	MUHAMMAD AALIYAN ASHRAF	SCALE: AS SHOWN	
DESIGNED BY	AHMAD MAAZ	A3 SIZE PAPER	
CHECKED BY	SYED SAIF UL HAQ	DATE: AUG, 2023	
APPROVED BY			
DRAWING NUMBER: A-6	SES CODE P-065	STATUS FA	REV 00

FR = FOR REVIEW , FA = FOR APPROVAL , FC = FOR CONSTRUCTION , AB = AS BUILT



LEGEND

- PROPERTY BOUNDARY
- PROPOSED BUILDING
- WALKWAY
- EXISTING BUILDING
- GREEN AREA
- 1 PARKING COUNT
- TRAFFIC MOVEMENT DIRECTIONS

PROPERTY ADDRESS

18340 Middlebelt Rd, Livonia,
MI 48152

DESIGNED FOR:

DESIGNED BY:

SAFE Engineering Solutions

REV	DESCRIPTION	DATE

NOTES:

1. ALL DIMENSIONS & LEVELS ARE IN FEET AND INCHES UNLESS SPECIFIED OTHERWISE.

PROJECT:

STORM FITNESS CENTER

DRAWING TITLE:

CIVIL PLANS

PARKING PLAN

DRAWN BY	MUHAMMAD AALIYAN ASHRAF	SCALE: AS SHOWN	
DESIGNED BY	AHMAD MAAZ	A3 SIZE PAPER	
CHECKED BY	SYED SAIF UL HAQ	DATE: AUG, 2023	
APPROVED BY			
DRAWING NUMBER:	SES CODE P-065	STATUS	REV
A-7		FA	00

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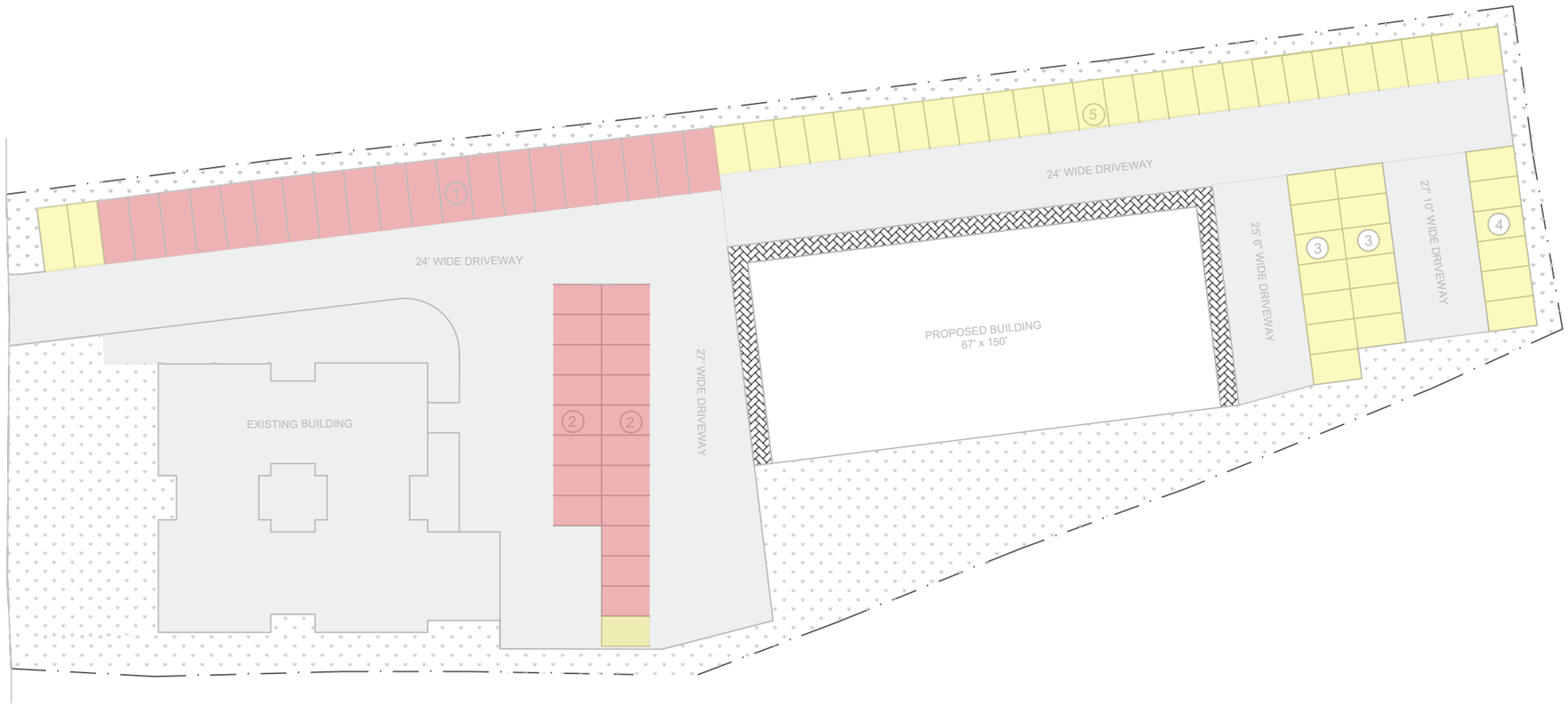
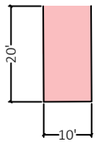


N

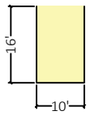
LEGEND

- PROPERTY BOUNDARY
- PROPOSED BUILDING
- WALKWAY
- EXISTING BUILDING
- GREEN AREA
- 1 — PARKING COUNT
- EXISTING PARKINGS
- PROPOSED PARKINGS

EXISTING PARKING SLOTS



PROPOSED PARKING SLOTS



PROPERTY ADDRESS

18340 Middlebelt Rd, Livonia,
MI 48152

DESIGNED FOR:

DESIGNED BY:

SAFE Engineering Solutions

REV	DESCRIPTION	DATE

NOTES:

1. ALL DIMENSIONS & LEVELS ARE IN FEET AND INCHES UNLESS SPECIFIED OTHERWISE.

PROJECT:

STORM FITNESS CENTER

DRAWING TITLE:

CIVIL PLANS

PARKING DISTRIBUTION PLAN

DRAWN BY	MUHAMMAD AALIYAN ASHRAF	SCALE: AS SHOWN
DESIGNED BY	AHMAD MAAZ	A3 SIZE PAPER
CHECKED BY	SYED SAIF UL HAQ	DATE: AUG, 2023
APPROVED BY		

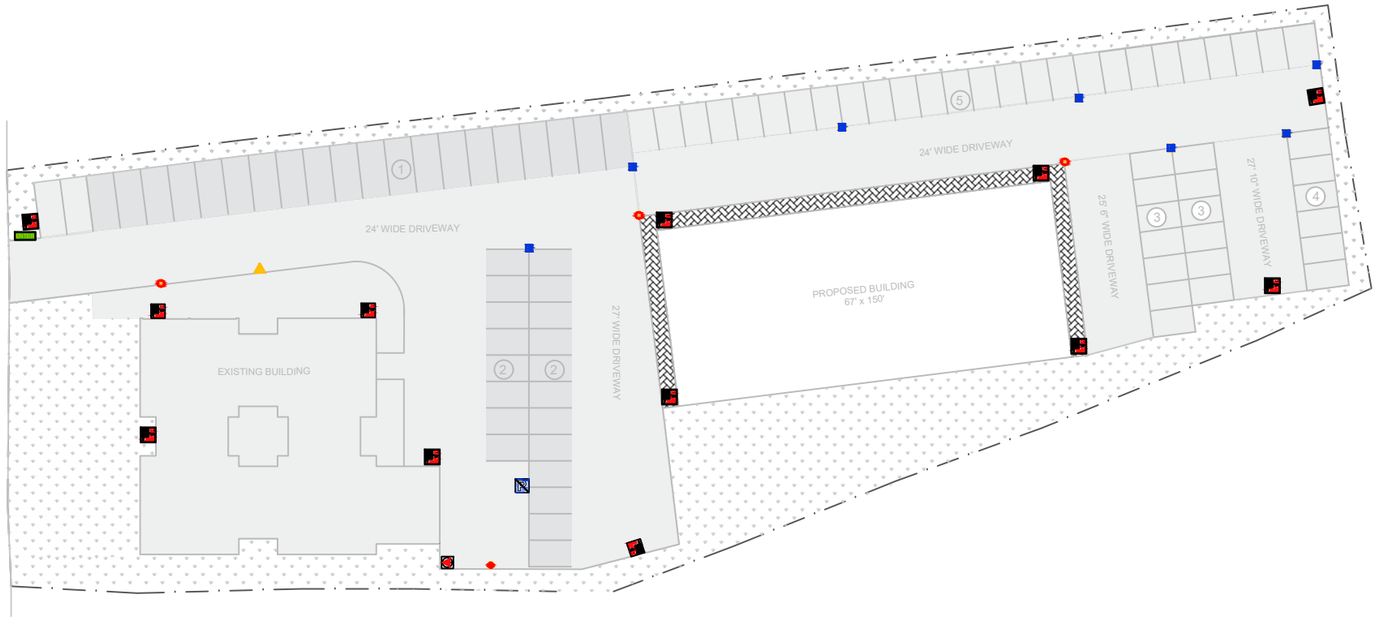
DRAWING NUMBER: A-8 | SES CODE: P-065 | STATUS: FA | REV: 00

FR = FOR REVIEW , FA = FOR APPROVAL , FC = FOR CONSTRUCTION , AB = AS BUILT

LEGEND

	PROPERTY BOUNDARY
	PROPOSED BUILDING
	WALKWAY
	EXISTING BUILDING
	GREEN AREA
1	PARKING COUNT
	FIRE HYDRANT
	FDC
	NO PARKING
	TRAFFIC STOP
ENTER	ENTER PATH
EXIT	EXIT PATH
	TWO-WAY LANE
30	30 MPH SPEED LIMIT
P	CAR PARKING

MIDDLEBELT ROAD



PROPERTY ADDRESS

18340 Middlebelt Rd, Livonia,
MI 48152

DESIGNED FOR:

DESIGNED BY:

SAFE Engineering Solutions

REV	DESCRIPTION	DATE

NOTES:

1. ALL DIMENSIONS & LEVELS ARE IN FEET AND INCHES UNLESS SPECIFIED OTHERWISE.

PROJECT:

STORM FITNESS CENTER

DRAWING TITLE:

CIVIL PLANS

SIGNAGE PLAN

DRAWN BY	MUHAMMAD AALIYAN ASHRAF	SCALE: AS SHOWN	
DESIGNED BY	AHMAD MAAZ	A3 SIZE PAPER	
CHECKED BY	SYED SAIF UL HAQ	DATE: AUG, 2023	
APPROVED BY			
DRAWING NUMBER:	SES CODE P-065	STATUS	REV
A-9		FA	00

FR = FOR REVIEW , FA = FOR APPROVAL , FC = FOR CONSTRUCTION , AB = AS BUILT

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

February 8, 2024

Mr. Jacob Uhazie
Planning and Economic Development Coordinator
City of Livonia

Re: Petition 2024-01-01-01 – #18340 Middlebelt Road

Dear Mr. Uhazie:

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 **#18340 Middlebelt Road**. Should additional addresses be needed, the Owner will need to contact this Department once permitting has been completed.

2. There legal description submitted with the drawings appears to be correct, and should be used for the property if the rezoning petition is approved.

3. The existing parcel is currently serviced by public sanitary sewer and water main, and storm sewer. The submitted drawings does not include any proposed utility information or calculations, so we cannot comment on any proposed impacts to the existing systems at this time. Should the proposed improvements move forward, we will review utility improvements and impacts during the permitting process.

4. Although the drawings do not indicate any future utility information, it should be noted the any proposed development will be required to provide storm water improvements and detention per the Wayne County Stormwater Ordinance. Stormwater calculations will be reviewed during the permitting process.

5. Any disturbances with the Middlebelt Road right-of-way will require permits through the Wayne County Department of Public Service, including drive approach and sidewalk removals and placements.

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: 2024 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

February 12, 2024

Mr. Jacob Uhazie
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

Petition 2024-01-01-01 - 18340 Middlebelt Road

Dear Mr. Uhazie,

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

From: Uhazie, Jacob
To: Reece, Stephanie
Subject: FW: Petition 2024-01-01-01 - 18340 Middlebelt Road
Date: Friday, February 16, 2024 4:56:33 PM

Jacob Uhazie
Assistant Planning Director
City of Livonia | Planning Department
(734) 466-2293 | (734) 674-7647
juhazie@livonia.gov

From: Nash, Susan M. <snash@livonia.gov>
Sent: Friday, February 2, 2024 10:57 AM
To: Uhazie, Jacob <juhazie@livonia.gov>
Subject: RE: Petition 2024-01-01-01 - 18340 Middlebelt Road

Taxes are current

Susan Nash
City Treasurer
City of Livonia | Treasurer's Office
(734) 466-2244
snash@livonia.gov

From: Uhazie, Jacob <juhazie@livonia.gov>
Sent: Friday, February 2, 2024 10:48 AM
To: Nash, Susan M. <snash@livonia.gov>; Kumpula, Connie <ckumpula@livonia.gov>; Siterlet, Kathie <ksiterlet@livonia.gov>; Gosselin, Linda <LGosselin@livonia.gov>
Cc: Reece, Stephanie <SReece@livonia.gov>
Subject: Petition 2024-01-01-01 - 18340 Middlebelt Road

Under Sections 13.13 and 13.15 of the City of Livonia Zoning Ordinance, as amended, SR&D Development is requesting to rezone the property at 18340 Middlebelt Road, located on the east side of Middlebelt Road between Six Mile Road and Pickford Avenue in the Northwest ¼ of Section 12, from RUF (Rural Urban Farm) to C1 (Local Business).

If you have any observations or concerns, we would appreciate receiving your comments by **February 19, 2024**. Please transmit an **electronic copy** (PDF format please) to planning@livonia.gov

Jacob Uhazie
Assistant Planning Director
City of Livonia | Planning Department
(734) 466-2293 | (734) 674-7647
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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

February 14, 2024

To: Planning Department

Re: **Petitions 2024-01-01-01 - 18340 Middlebelt**

A request has been made by SR&D Development to rezone the property at 18340 Middlebelt Road, parcel No: 046-01-0002-001 from RUF to C1. Based on the plans submitted it appears they want to construct an additional building on the site. The parcel would need to be split to accommodate another building, it is unclear how they would access the rear of the property. 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




Nomad Massage
Grimm St
Intuitive Hands Massage
Starfish Kayden
Google

ROLL CALL VOTE:
AYES: Maher, Burklow, Brown, Laura, Blomberg, Muccino
NAYS: None

Muccino: Your petition's been approved. Good luck.

Schafer: Thank you.

APPEAL CASE NO. 9307-123: Whitton-Boutros Associates, Inc., 20365 Middlebelt, Livonia 48152, seeking a variance from the portion of the Zoning Ordinance which regulates the activities which may be conducted on property zoned RUF. The Applicant proposes to operate a physical therapy rehabilitation clinic. The Zoning Ordinance does not provide for this use in an RUF zoning district. The property is located on the east side of Middlebelt (18340) between Seven Mile and Curtis, Lot No. 046 01 0002 001, RUF zoning district. Rejected by the Inspection Department under Zoning Ordinance 543, Section 5.02, Permitted Uses; and 3.08, District Regulations, not complied with.

Muccino: Mr. MacDonald, do you have anything to add?

MacDonald: Madame Chair, a couple of comments. As just read from the Legal Notice, the property is zoned residential. The use proposed for this property is either professional office use or C-1 or C-2 commercial use. Previously on this property, the Board had granted a request for the owner of Skandia Landscaping to build what is essentially a commercial building on residential land for purposes of a nursery yard and sales and offices for that business. Along with that, at that time the Board required that commercial standards, namely those pertaining to protection from abutting residential properties in the form of a protective wall, be provided. On this property, we have in part, that protective wall on the north for a length of 400 feet. The Board has granted a waiver for the remainder of the wall required on the north lot line which would be 120 feet on the westerly end of the north lot line. An additional 110 feet of wall would be required on the east property line, which is the rear of the property, and approximately 300 feet of wall on the south. That's all I have.

Muccino: Thank you. Any questions?

Brown: As far as the wall is concerned, Mr. MacDonald, have there been any major changes behind that property that would abut all of these sections as far as homes being built or anything like that?

MacDonald: Well, the major change would be that the nursery yard itself, which contained the trees and plant material that was being stored or raised for later planting, has been removed or stripped from the land, yes.

Brown: But there's no additional residences back there of any kind?

MacDonald: No, I believe it is essentially the same as when the Board

last heard the rehearing.

Brown: Thank you.

Muccino: Any other questions?

Blomberg: Mr. MacDonald, what would be an alternate use of this property? Could it possibly be developed into a small subdivision or possibly commercial?

MacDonald: I don't know if we have enough land area here to make a subdivision-type development feasible. I guess that's something that could be considered. The only other thing I could think of with its current zoning might be useful for would be perhaps a day care facility or something like that.

Blomberg: The property extends to the street behind it, doesn't it?

MacDonald: No, it does not. At one time it did, but the rear portion was split off and developed with a home on it which also came before the Board years ago. It has an average depth of around 512 feet. I might also add that there are some remnants of the previous use of this property. There is a metal barn-type storage building behind the principal building. We have information that there was a 1,000 gallon underground gas tank which was used to fuel the vehicles for the previous company and our records show that that tank is still in the ground, however, the property owner has applied to the Michigan State Police for the required permit to remove the tank that we believe is still in the ground. The plans don't show the status of this building except that it's to remain and I'm not sure how that building would fit in with the proposed use. The inspector for the area also reports that the landscaping on this site would require complete renovation from top to bottom. There are some minor problems with the building itself. The stone entrance will require some maintenance or repair. The entire asphalt area, in his estimation, requires complete resurfacing and striping. There is also a storm drain at the rear of the building which during the last rainstorm we had was observed to be blocked or plugged which caused a flooding condition in the entire paved area to the rear of the building. There have also been complaints from neighbors regarding allegations of rat infestation or rats observed on this property and as a result of that complaint, I called the resident rat expert with the Wayne County Health Department and he and I both inspected the property from top to bottom and also neighboring residential properties. He has submitted a letter regarding the condition in which he found the property which I will pass along to the Board.

Maher: Mr. MacDonald, how long has this property been vacant?

MacDonald: We reported this vacant around April of last year. We're approaching a year and a half now. Madame Chair, I would also add one additional comment. If the Board members, when they visited the property, were standing in the rear, they would have observed a protective wall to the south. That wall was erected by the owners of the office pavilion which abuts this property in part on the south. There is a residential property that fronts on Grimm Street to the rear, a portion of whose rear

yard was used for tree storage. Standing in the back of this property, you would have also been looking at the portion of that rear yard that was used for that purpose. That is not, in fact, part of this site. There is not a wall on the south property line of this property. There is this interlope of residential property fronting on Grimm Street to the rear, which actually comes between the property in question and the office zoned property to the south. I will pass along a map and on this map the area highlighted in orange is the residential property that the Skandia property abuts. There is a wall required, by virtue of previous action of the Board, where this property would abut that residential property.

Muccino: Any other questions? Will the Petitioner please come forward. Good evening. Could you give us your names and addresses please.

My name is Joseph Durso. I live at 35209 Seven Mile, Livonia.

My name is Ed Raschke. I live at 3140 Chickering Court, Bloomfield Hills.

Durso: Mr. Raschke will be representing Whitton-Boutros Company. And the owner of the property, I would be representing him this evening. He could not make it.

Muccino: And whoever would like to begin.

Durso: Okay, a couple of issues that Mr. MacDonald had brought up. There is a parcel of land that is on Grimm Street that goes back into this property and if this sale is made, we've already made arrangements with the owner of that property to purchase that and therefore, that would square off that section of land in the back. I'm sure at some future date the purchaser of the property will be coming back to solve this situation with the wall that would be required in the back section there.

Muccino: Let's get to the reason for this use coming into this building.

Raschke: Currently the building is approximately 9,000 square feet. We have a facility on Middlebelt Road currently just north of Seven Mile Road. The facility's approximately 1,600 square feet. What we would like to do, because of the volume of people moving into the Livonia area, would like to expand that particular facility and move to the south in this particular building. We at the present time would utilize only about 4,500 square feet of the building, or half of it. The other half we would partition off and use for storage of our machinery, exercise equipment and that type of thing. We do plan on landscaping the property similar to what we have at our other facility. We do have eight other facilities beside the one in Livonia. We do intend to landscape it. The plan is to surface with asphalt the whole parking area. We intend to stripe that particular area. We do intend to fix-I was in there in June and I noticed some of the sidewalks need repairing and that type of thing. Some of the doors need repairing. I don't know if those will be repaired or replaced, one or the other. We do plan on just having medical suites there. Currently, we have six employees at our current facility. We hope to expand that to about 15 employees, which of course, would be all working for the city here. As I read the sketch here, it looks like we have between 34 and 40 parking spaces, which I feel at this point, would be

adequate. The gas tank, I understand, will be removed as soon as this appeal has been granted. That will be removed at the current owner's expense. We do maintain ourselves all of our clinics. Maintenance people do maintain our lawns. All of our clinics are very beautiful. I think that's about all I have.

Brown: I have several questions. You said you thought you would have between 30 and 40 parking spaces. Is that correct?

Raschke: As I count them off, it looks like I could count 34. It looks like we could another six or so in there.

Brown: You would have medical suites. Now I'm assuming that this would all pertain to your therapists. This isn't a medical suite that would be rented out to this doctor, and that doctor, or am I wrong?

Raschke: It's all for physical therapy for our own use. We do not rent any of the suites out in any of our current buildings.

Brown: How many patients requiring physical therapy would you be able to service at one time-the most that you would service at one time if you were at full capacity?

Raschke: Well, it appears we're going to be putting in about eight beds, so the best we could do is eight with two or three waiting. I'd say between 10 and 11 people.

Brown: I was just trying to see where we were on parking.

Raschke: I see, okay.

Brown: There was some reference made to the entrance being deteriorated, the brick or the stone. Is that going to be repaired?

Raschke: Yes, it is.

Brown: If this were granted, how soon would you be occupying this building?

Raschke: Well, we have a tentative buyer for our existing building and he's quite anxious to get in. We would get started right away.

Brown: I guess I was wondering when it would be completed, when the paving would be done. Are we looking at this season, because I don't know if we are running out of time, or are we looking at spring?

Raschke: It's hard to say because of the asphalt, I don't know when they stop that. Again, I looked at it in June and I didn't look at it that closely, the asphalt itself. I understand it does need repair or I can replace it. So I feel if the weather permits, we'll be getting in right away. Our mortgage money has been approved. We are going through a small business loan on that and we are also going to Comerica Bank. That all has been approved. It's just a matter of waiting. The biggest holdup right now is this variance that we're looking for and the tank in the

ground. I think if that were done we'd be ready to go.

Brown: You stated that you would be occupying around 4,500 square feet and using the rest for storage. So there would be no plans to rent any of the excess space to any other tenant?

Raschke: No, we have no plans for that. We have one of our largest facilities, it's almost 5,000 square feet. We have a work area which is used specifically for workman comp cases. In there, for lack of a better explanation, it looks like kind of a Vic Tanny operation, for long-term care. We may use that space for that later. We would come again before the Board and ask permission for that.

Brown: That would still be part of your business, correct?

Raschke: Oh, yes. That's our business also.

Brown: Thank you.

Blomberg: The tank issue was discussed, but I'm curious to know about the steel building that's in the back. Will there be a need by you for that steel building or will that be removed?

Raschke: We have no need for it.

Blomberg: In other words, we're not going to see vehicles parked there for winter storage and so forth?

Raschke: We don't really have vehicles.

Blomberg: The rear of the property concerns me quite a bit. Your building and your operation and parking and so forth will occupy such a small portion of this very large piece. What do you intend on doing with the rear. You spoke of a neighbor in the rear buying or possibly purchasing some of it. Just how much are we talking about?

Durso: There's a sliver there on the parcel in the back that comes to a point on the southern section of the property and what he wanted to do was purchase that small sliver. It's of no use whatsoever to the homeowner on Grimm. It's in order to square the property off. When I talked to the company about purchasing it, their thoughts were they could grow and expand maybe sometime in the future they might want to do an addition. They would have the land to do it. Obviously, they would have to come back and request it.

Blomberg: This would be a small part, the third neighbor on Grimm from another lot line, lot 45 I think it is. Is that right, Bill, is that what he's speaking of?

MacDonald: Are you looking at the plat of the area, Mr. Blomberg?

Blomberg: Right.

MacDonald: The area I highlighted in orange is the residential property

that Mr. Durso says the homeowner will sell to Whitton-Boutros, not the reverse.

Blomberg: Oh, I see. I misunderstood.

MacDonald: So the Petitioner would acquire that area highlighted in orange to expand the site accordingly.

Blomberg: I guess I'm concerned about the rear of the property. It's in sad shape right now. It's a no man's land.

Raschke: We have a piece of property we're currently in where our biggest facility is and what we have done, we put about two acres of new grass and we do maintain it. We have a park-like atmosphere. That's what we're doing at our current facility.

Blomberg: And you'll do the same here?

Raschke: We'll do the same here because we don't want weeds. First of all, in bringing patients in, they want something that looks nice. We don't want weeds growing in the back yard and they're going to have to park and certainly they'd be coming into the building and they'll see that.

Blomberg: You look like you could use some fill back there.

Raschke: Oh, it's pretty bad.

Blomberg: Yes, I would say that if grant this, we condition that we would like to see a landscape print. That came up earlier, too, in discussion, possibly including this, so if it's approved we might approve it with an informal viewing of landscape prior. We don't want to hold him up, but I'd like to take a look at it myself.

Durso: I have a suggestion if I may. If you grant it with that condition, that would at least enable us to get this thing moving and then give him a certain time period. I don't know how that would function, but....

Blomberg: I'm sure we can handle that.

Laura: This way we wouldn't hold up everything if we approve this this evening. Time is of the essence. Obviously this area needs to be improved. This sounds like an improvement to me and a win-win situation. I would hate to restrict him. We could have him come back but give him some sort to latitude to get going.

Muccino: Any other questions?

Maher: Following Mrs. Brown's line of questioning, she talked about the number of patients that would be there at one time, but how many employees will be at that site?

Raschke: At our peak we would probably have 15.

Maher: And what would your hours of operation be?

Raschke: We're operating currently between the hours of 8:00 and 5:30. We will probably expand that until about 6:30 or 7:00.

Maher: Monday through Friday?

Raschke: Monday through Friday.

Maher: No weekend hours at all?

Raschke: We have not been in the past.

Maher: And you don't have any plans to open on a Saturday?

Raschke: Not at this time.

Maher: Thank you.

Muccino: Any other questions? I have a couple I'd like to clear up. We talked about the equipment that you'll have there. You stated sort of a Vic Tanny type atmosphere. Apparently you aren't having any type of fitness center, this is strictly physical therapy?

Raschke: Physical therapy, and I use the phrase Vic Tanny. I don't want to mislead you on that. We have a room that's about 30 by 40 at our present facility and it has exercise equipment. This equipment is used for long-term care.

Muccino: I just wanted to clear that up for the record. Does this building have a basement in it?

Raschke: No.

Muccino: Do you have any plans or anything that you're going to show us what this building will look like when you're finished? Do you have a site plan or elevations or anything?

Raschke: I don't have one with me.

Muccino: Okay, can you briefly describe what you are going to do to the exterior of this building?

Raschke: I can't tell you exactly what we're going to do, but I believe there's mortar problems, as I understand it. Those will be corrected. The walkway going up there, I understand is going to be replaced where necessary. I don't think every panel will be replaced. They're talking about at this time repaving. They have had people look at it to come in and possibly repave it and stripe the lot. I don't believe the roof needs repair because it's not that old.

Muccino: Do you have any thoughts on signage?

Raschke: Currently we have very small signs. We haven't thought too much about signs.

Muccino: Do you actually have doctors on premises or is it mostly therapists?

Raschke: It's strictly physical therapists, licensed physical therapists. There are no doctors.

Muccino: That's all I have. Are there any other questions?

Burklow: Regarding the Vic Tanny room, would that ever be open to the public?

Raschke: No.

Burklow: Thank you.

Raschke: The only way we can accept a patient is through a prescription. You cannot walk into any of our clinics. They have to be prescribed.

Muccino: Any other questions? Is there anybody in the audience wishing to speak on this? Yes, sir, could we have your name and address for the record please.

My name is Harry Yuschak. I live at 18369 Middlebelt, directly across. My driveway is directly across their driveway and I've lived there for 32 years. This zoning change would, for me, it would cause a real great inconvenience because it would increase the traffic in the turn lane. When I'm trying to enter my driveway heading north, I would be coming directly at the traffic trying to enter their driveway. We would be nose to nose. I'm experiencing this now. I've experienced this with Skandia. I have said nothing when Skandia wanted to change, but their traffic was mainly trucks in the morning because they store trucks there. They left, and then they came back in the late evening. But this would be a continuous flow of traffic throughout the day and would cause me a great deal of harm and create a hazard for me and my family to try to get in and out of my own driveway, especially getting back into it because I would be using that turning lane and that turning lane just does not allow for all that traffic. It would be very bad. I'm very much against it.

Muccino: Thank you for your comments. Anybody else? Do we have any correspondence?

Maher: Yes, we have two letters. We have an approval from Thomas and Dorothy Moyles at 29275 Pickford. We have an objection from Harry Yushcak at 18369 (the letters were read).

Muccino: Mr. Raschke and Mr. Durso, do you have any final statements you'd like to make?

Raschke: I don't have any.

Durso: I think it's an excellent use for the land considering all of the different options we have.

Muccino: We'll close the public portion.

Blomberg: I don't have a problem with it. I just would like to condition that they bring back a print within a specified period of time, we might discuss informally too, 30 days, of what they propose for that back property and front property and make that as part of the condition. Maybe 30 days or so that they could draw up something for us and get a commitment for that. Otherwise, I think it's a good use for the property.

Maher: I agree with Mr. Blomberg. I think it's a wonderful use for the space. I'm glad to see another vacant building being used obviously. So I would vote for this and I am also in concurrence on seeing a site plan along with a landscaping plan.

Brown: I agree. I think this will be a very good and attractive facility. I think it's a very attractive building and it's good to see somebody going in there. I think it's a very good use.

Laura: I think it's an excellent use in consideration of the options. I would be in favor of it. I would hope this Board would not-the proposed tenant seems to be ready to go and again, the time is waning as we get further and further into the fall and winter, so I hope that we wouldn't put any restrictions or at least allow him the latitude to get started.

Burklow: I have no problem with the business. As far as Mr. Yuschak's objection, the other options available would be maybe an office building or day care center. I have a day care center at the end of my street and traffic through there is constant. I think you might be better off with this where there's a limited number of patients coming in.

Yuschak: I would like to make one other suggestion if I might. If there's any chance of putting a "no left hand turn" so his traffic would flow coming in from the south, that would be super. Then we wouldn't be coming head on.

Muccino: I don't think that we can restrict that, but I can have Mr. MacDonald check on that.

Burklow: I have no problem as long as the landscaping and site plan is provided.

Muccino: I would agree with this also.

Brown: In regard to the landscaping. They're going to shortly run out of time and maybe not do a whole lot this year. Not that I wouldn't like to see them move ahead as soon as possible, it's just that....

Blomberg: Condition they bring something for approval. Madame Chair, I've got another question to Bill about the wall. Did the wall issue go away with the tenant or are we still speaking about a lack of wall that's needed here?

MacDonald: Part of this case, in addition to the use variance, would be the waiver of the wall.

Blomberg: Even with the new tenant?

MacDonald: Well, I can only assume that the Board is going to apply the same commercial standards to this use and this property as it did previously. With that in mind, the wall is an issue.

Blomberg: That might make our handle for compliance with any landscaping we might review. We'll condition, possibly, for one year to take a look at the property and a year to see what we get.

Muccino: That's what I was going to suggest. I, too, would like to see a plan within 30 days that we can just look at after a meeting one night as an x-item. But I would go along with the wall waiver for whatever the Board decides, Spring, or a year.

Brown: Spring won't really give them enough time to get everything in.

Muccino: Okay, anything else?

Durso: Can I ask a question? The condition of the-we're fighting the weather coming up and that's what I'm a little concerned about and the condition of the 30 days to get the plan back, I'm certain I can provide you with something like that, but how will we handle that in regards to moving forward to a closing and getting them into the building. Is that going to restrict us at all?

Raschke: We'd like to move as quickly as possible.

Muccino: I understand that.

Raschke: I do have a site plan. I didn't bring it with me, but we provided the Small Business Association with.

Muccino: I think that's really what we're asking for.

Raschke: They would really be more concerned with the four walls and roof as opposed to landscaping.

Blomberg: Is there a way out, Bill, that we can condition but let them go ahead?

MacDonald: Certainly, I think the Board if they find favor with the proposal to use it for this purpose, allow them in the building now. If we don't have enough time this year to complete the clean up and site improvements, do it in the springtime.

Muccino: I don't think the landscape right now is going to be a problem because you really can't get it in this year to where you're going to see something.

Raschke: You'll see improvement almost immediately.

Muccino: I think a motion's in order.

Upon Motion by Maher, supported by Blomberg, it was:

RESOLVED, APPEAL CASE NO. 9307-123: Whitton-Boutros Associates, Inc., 20365 Middlebelt, Livonia 48152, seeking a variance from the portion of the Zoning Ordinance which regulates the activities which may be conducted on property zoned RUF. The Applicant proposes to operate a physical therapy rehabilitation clinic. The Zoning Ordinance does not provide for this use in an RUF zoning district. The property is located on the east side of Middlebelt (18340) between Seven Mile and Curtis, Lot No. 046 01 0002 001, RUF zoning district. Rejected by the Inspection Department under Zoning Ordinance 543, Section 5.02, Permitted Uses; and 3.08, District Regulations, not complied with, be granted for the following reasons and findings in fact:

1. The Board finds that a physical therapy rehabilitation clinic would be a good use for this property, which is currently vacant. The Petitioner indicated that although they plan to utilize only half of the building at this time, they will probably need the extra space to install an exercise room, to be used by their patients only, at a later date. Therefore, they will not be renting any of the space during the interim.

2. The Petitioner plans to purchase a small portion of property from the rear residential neighbor (on Grimm) to square this property off. This would also allow room for expansion.

3. The City's Inspection Department received complaints of rat infestation, however, upon an inspection conducted by the Wayne County Environmental Health Division, it was determined that there was no rat activity at this particular property.

4. The Board did hear concerns addressed by a surrounding neighbor regarding traffic problems this use would create. However, the Board determined that this clinic would create less traffic than other uses, such as offices or a day care center, because there will be a limited number of patients at this facility.

5. The Board also grants the continuance of the protective wall waiver for a period of one year for the northerly 120 feet; southerly 300 feet and the easterly 110 feet of this property.

FURTHER, This variance is granted with the following conditions:

1. As indicated by the Petitioner, several upgrades are to be made to the property including the repair of the mortar where necessary; the replacement of the walkway to the building; and repaving and re-striping the parking lot. In addition, the landscaping will be completely renovated. The Board has

requested the Petitioner to submit a landscape plan for this site within 60 days which will be reviewed as an x-item, however, the Petitioner may move in and proceed with the clean-up of the property.

2. The existing metal building at the rear of the property is to be removed.

FURTHER, The granting of this variance is not detrimental to the surrounding area or to the Master Plan of the City of Livonia.

ROLL CALL VOTE:
AYES: Maher, Blomberg, Laura, Burklow, Brown, Muccino
NAYS: None

Muccino: Your motion's been approved with conditions. You'll get a copy of the resolution within a week.

Raschke/Durso: Thank you.

APPEAL CASE NO. 9307-125: Jim Seba, Northland Center, J-21, Southfield 48075, seeking a variance from the portions of the Zoning Ordinance which regulate building setbacks, landscaping and parking on commercial sites. It is proposed to erect a new, multi-tenant commercial building. That building is required to be at a 75 foot front yard setback, have 15% of the entire site in landscape, and provide a minimum of 20 parking spaces. It is proposed to to erect the building at a 43 foot front yard setback, have 12.6% of the site in landscaping and provide 13 conforming parking spaces. The property is located on the north side of Five Mile (27510) between Harrison and Inkster, Lot No. 052 01 0036 004, C-1/P zoning district. Rejected by the Inspection Department under Zoning Ordinance 543, Sections 10.08, Front and Side Yard Requirements; 19.06, General Waiver Requirements and General Standards; 18.37(b), Off-Street Parking Requirements, and 18.38(21), Off-Street Parking; Schedule, not complied with.

Muccino: Mr. MacDonald, do you have anything to add?

MacDonald: Madame Chair, the site plan submitted as part of this proposal shows on the east side of the building abutting Foch Street five parking spaces. Those spaces were not included as part of the write-up and would be deficient. Originally proposed to be 18 spaces because they do not conform to the ordinance requirements in that in order to enter or exit the space it would require you to travel over the public sidewalk at other than a driveway location. These do not conform to parking space requirements. Therefore, were not counted as part of the on-site parking. I can only presume that those spaces would then be used for landscaping purposes or something other than parking. In this particular case, if the Board were to grant variances, this proposal will require site plan approval by the Planning Commission.

Muccino: Any questions for Mr. MacDonald? Will the Petitioner please

PROPERTY SEPARATION AGREEMENT

RECITALS

Section 18.45 of the City of Livonia Zoning Ordinance requires that a poured concrete, cement block, or brick wall be erected along the line between the adjoining residential and non-residential properties of the undersigned parties unless the undersigned reach an agreement as to an alternative type of separation between the properties.

The parties hereto have agreed on an alternative to a wall between the properties.

AGREEMENT

1. In return for the agreement of the non-residential property owner to maintain materials in the location and type shown in the attached plans, in order to protect the residential property from the effects of activities on the non-residential property, the residential property owner hereby waives the wall requirement of Zoning Ordinance Section 18.45 for a period of 5 years* from the date of this agreement.

2. After the term of this agreement expires, the property owners (or their successors) may sign another agreement like this one, or change the agreement in any way they can agree on.

3. The non-residential property owner understands and agrees that he/she/they/it will have to build the wall required by Section 18.45 of the Zoning Ordinance if:

---

* The term of this agreement may not be longer than five years.

a) the term of this agreement ends, and no new agreement is signed, and/or

b) the non-residential property owner fails to install or maintain any of the materials shown on the attached plans.

4. This agreement shall be binding on the lessees, successor owners, or other assignees of both the residential and the non-residential property until the term set forth in paragraph 1 above expires.

5. [Any additional terms.]

THERAMATRIX, INC.
Non-residential Property Owner

By: George Walker

Its: C.F.O.

Address: 900 AUBURN RD. PONTIAC, MI 48342

Date: 10-3-05

Residential Property Owner(s)

Address: 18365 GRIMM ST / IVONIA MI 48152

Date: 10-3-05

LOTS 2b + 3b

APPEAL CASE NO. 9307-123

PROPERTY ADDRESS: 18340 Middlebelt

PROPERTY SEPARATION AGREEMENT

RECITALS

Section 18.45 of the City of Livonia Zoning Ordinance requires that a poured concrete, cement block, or brick wall be erected along the line between the adjoining residential and non-residential properties of the undersigned parties unless the undersigned reach an agreement as to an alternative type of separation between the properties.

The parties hereto have agreed on an alternative to a wall between the properties.

AGREEMENT

1. In return for the agreement of the non-residential property owner to maintain materials in the location and type shown in the attached plans, in order to protect the residential property from the effects of activities on the non-residential property, the residential property owner hereby waives the wall requirement of Zoning Ordinance Section 18.45 for a period of 5 years* from the date of this agreement.

2. After the term of this agreement expires, the property owners (or their successors) may sign another agreement like this one, or change the agreement in any way they can agree on.

3. The non-residential property owner understands and agrees that he/she/they/it will have to build the wall required by Section 18.45 of the Zoning Ordinance if:

---

* The term of this agreement may not be longer than five years.

a) the term of this agreement ends, and no new agreement is signed, and/or

b) the non-residential property owner fails to install or maintain any of the materials shown on the attached plans.

4. This agreement shall be binding on the lessees, successor owners, or other assignees of both the residential and the non-residential property until the term set forth in paragraph 1 above expires.

5. [Any additional terms.]

NONE

THERAMATRIX, INC.

Non-residential Property Owner

By: George Wilcha

Its: C.F.O.

Address: ~~18~~ 900 AUBURN RD PONTIAC, MI. 48342

Date: 10-3-05

Residential Property Owner(s)

Jennifer Prymeau-Smolka

P.C.

Address: 18359 Grimm Livonia MI 48152

Date: 10-3-05

LOT 4

APPEAL CASE NO. 9307-123

PROPERTY ADDRESS: 18340 Middlebelt

MAYOR
EDWARD H. McNAMARA
CITY COUNCIL
ROBERT E. McCANN, President
ROBERT R. BISHOP, Vice President
ROBERT D. BENNETT
FERNON P. FEENSTRA
ALICE M. GUNDERSEN
GERALD D. TAYLOR
PETER A. VENTURA

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000 EXT. 427

August 19, 1983

Mr. and Mrs. Hans O. Hansen
34412 Quaker Valley Road
Farmington Hills, Michigan 48018

Dear Mr. and Mrs. Hansen:

The Zoning Board of Appeals of the City of Livonia, at its special meeting held on August 16, 1983, adopted the following resolution:

RESOLVED, That Appeal Case No. 3306-80, filed by Hans O. and Mary Ann Hansen, 34412 Quaker Valley Road, Farmington Hills 48018, seeking to construct a new nursery sales and office building - existing building is nonconforming use - (residential structure to be removed) on property located on the east side of Middlebelt (18340 - Skandia Landscaping & Garden Service) between Six Mile Road and Pickford, Lot Nos. 2, 3 (046 01 0002 000) (046 01 0003 000), Thomas F. O'Connor's Middlebelt Subdivision, RUF zoning district, be granted and the requirements of Zoning Ordinance No. 543, Section 5.02 (Landscaping business prohibited in RUF zone); Section 18.21 (Expansion of nonconforming use not allowed), be waived for the following reasons and findings of fact:

1) That it has been represented by the petitioner and their counsel that the granting of this relief would allow the petitioner to upgrade the area that is in need of such, as it is a business that has existed on this particular parcel for twenty-five years or so and the Board feels that this is an ideal way to allow for this upgrading.

ATT: TO FILE COPY.

2) That it has been represented to the Board that this is an opportune time for the petitioner to construct a far more aesthetically pleasing building to complement his type of business and the Board feels that the granting of this waiver will certainly accomplish this end.

FURTHER, That the variance be granted with the following conditions:

1) That the petitioner will comply and adhere to all commercial zoning restrictions and building codes.

2) That there will be no outside storage of landscaping materials, live or otherwise, in the front of the building other than what would be allowed in the landscaping plan.

3) That there shall be no storage of vehicles in the front parking area as designated on the site plan, other than for loading or unloading.

4) That any additions or change of use on this particular parcel in the future will come before this Board for their decision.

5) That any signage on this parcel shall come before this Board for approval.

6) That this variance is granted for this petitioner and this petitioner's use only.

7) That the Board does condition that prior to issuance of a building permit, final site plan approval and landscape plan approval shall come back before this Board, especially due to the fact that this will be the only body of the City reviewing this matter.

FURTHER, That the Board has taken into consideration the fact that this would normally be considered a waiver use in a commercial zone and due to the fact that protective walls would be required for that use, the Board does reserve the right that at some time in the future, should there be a change of use on this property, or should this existing use become detrimental to the abutting residential property, with the full knowledge and intent of the deliberation this evening, to require the protective wall on the northerly and southerly property lines and the Board does waive that for a period of two (2) years from issuance of the Certificate of Occupancy.

AN ORDINANCE AMENDING SECTION 12 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 March 7, 2024, setting forth its resolution 03-07-2024 recommending approval of Petition 2024-01-01-01, having been considered by the Council, and the Council having conducted a public hearing on March 5, 2024, on said petition, and having rejected the recommendation of the City Planning Commission, the Council hereby adopts said Petition 2024-01-01-01 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 2024-01-01-01 submitted by SR&D Development is hereby approved, and the zoning classification of the premises hereinafter described is hereby changed from RUF (Rural Urban Farm) to C1 (Local Business):

> Land situated in the City of Livonia, Wayne County, Michigan, described as follows:
>
> Parts of lots 2 and 3 of Thomas F. O'Connor's Middlebelt Sub., T. 1 S., R. 9 E., Livonia Township (now City of Livonia) as recorded in Liber 68, Page 96, Wayne County Records, More particularly described as Beginning at the southwest corner of said lot 3 and proceeding N 00°10'30" W, 156.00 feet; thence N 83°02'09" E, 331.37 feet; thence S 00°10'30" E, 159.68 feet; thence S 68°47'00" W, 102.48 feet; thence N 89°51'20" W, 233.40 feet to the Point of Beginning. Containing 1.292 acres, more or less
>
> and the Northwest 1/4 of Section 12 of the Zoning Map is hereby amended to conform to the changes made in this section.

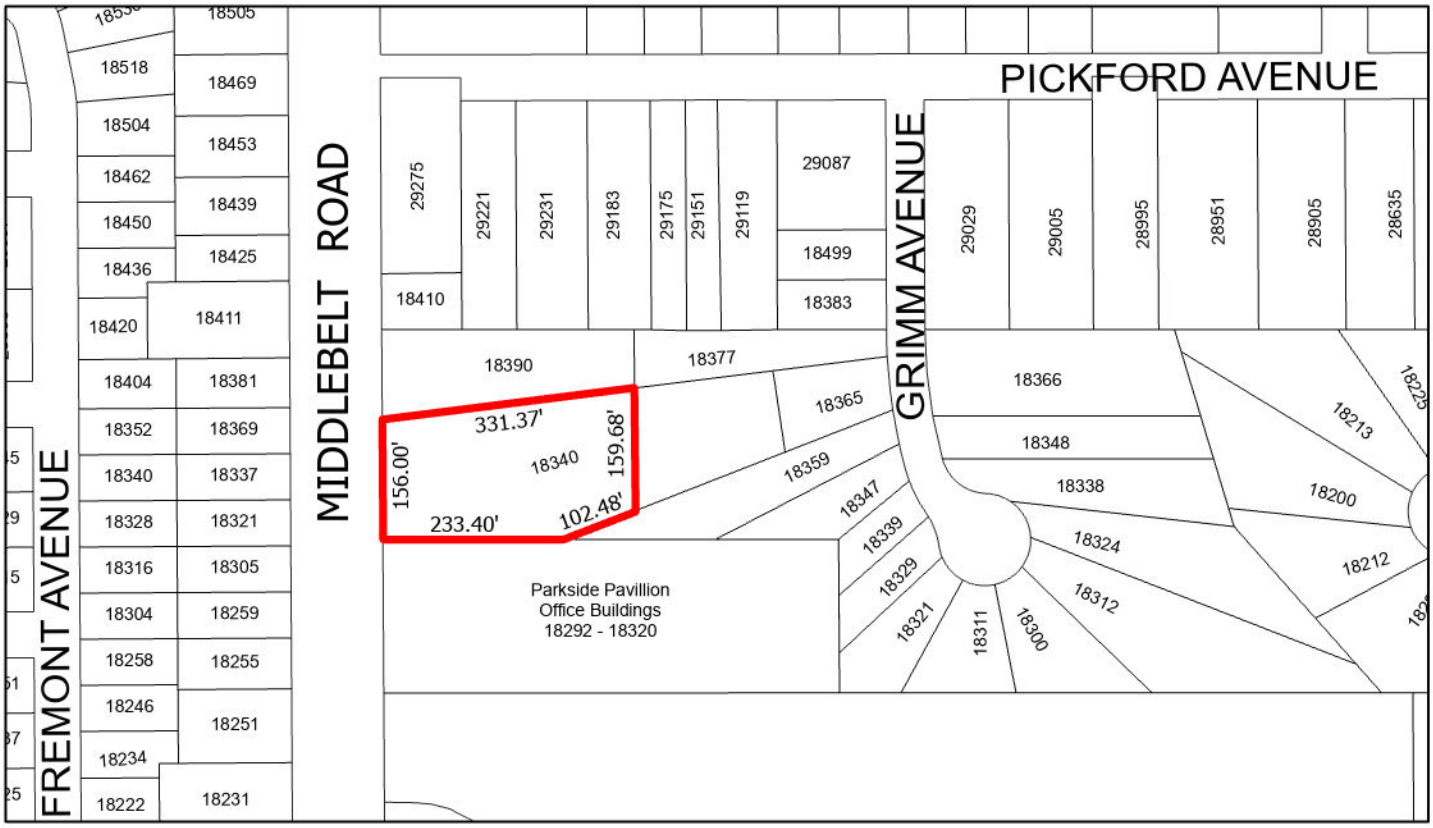
Section 4. The attached map designated “Amendment No. ___ to the Zoning Map of the City of Livonia” showing all of the amendments and changes made in the foregoing Section 2 of this ordinance is hereby approved, established and made a part hereof.

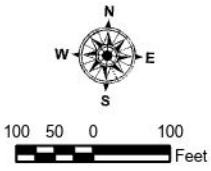
Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

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.

_____

BOUNDARY OF DISTRICT AS AMENDED FROM RUF, RURAL URBAN FARM TO C-1, LOCAL BUSINESS

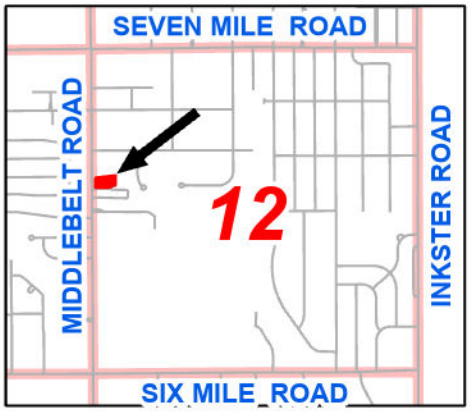




PETITION NO. 2024-01-01-01
A PART OF THE N.W. 1/4 OF SECTION 12

AMENDMENT NO. TO
THE LIVONIA ZONING MAP
CITY OF LIVONIA, MICHIGAN
ORDINANCE NO.

Adopted by the City Council on



_____ MAYOR

_____ CLERK

LETTER TO THE LIVONIA CITY COUNCIL

24.

Law
May 14, 2024

MEETING DATE	PRESENTED BY
R052024/R060324	Carter Fisher, City Attorney

AGENDA ITEM

REZONE PETITION: Planning Commission, re: Petition 2024-03-01-02 submitted by Belaggio Homes Inc., requesting to rezone the properties at 19282, 19316, and 19358 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).
First Reading given by Councilmember Rob Gjonaj Donovic on May 20, 2024.

BACKGROUND DETAILS

At the Regular Meeting of May 20, 2024, First Reading was given by Councilmember Rob Gjonaj Donovic.

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

Second Read and Roll Call

ATTACHMENTS

1. PH051324 Petition 2024-03-01-02 (Belaggio Homes) Minutes
2. PH051324 2024-03-01-02 Belaggio Homes Direction
3. PH051324 LTC 2024-03-01-02 Belaggio Homes
4. 2024-03-01-02_E-COUNCIL Pkt
5. Proposed Ordinance - Pet. 2024-03-01-02 - Belaggio Homes
6. 2024-03-01-02_1st

APPROVED BY

LETTER TO THE LIVONIA CITY COUNCIL

20.

Law
May 14, 2024

MEETING DATE	PRESENTED BY
R052024/R060324	Carter Fisher, City Attorney

AGENDA ITEM

REZONE PETITION: Planning Commission, re: Petition 2024-03-01-02 submitted by Belaggio Homes Inc., requesting to rezone the properties at 19282, 19316, and 19358 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).
Public Hearing held on May 13, 2024

BACKGROUND DETAILS

At your public hearing held on May 13, 2024, you approved Petition 2024-03-01-02, submitted by Belaggio Homes Inc., for a change of zoning of properties at 19282, 19316 and 19358 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins in the Southwest 1/4 of Section 5 from RUF to N2, and requested the Department of Law to prepare the necessary ordinance amendment.

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)

First Read

ATTACHMENTS

1. PH051324 Petition 2024-03-01-02 (Belaggio Homes) Minutes
2. PH051324 2024-03-01-02 Belaggio Homes Direction
3. PH051324 LTC 2024-03-01-02 Belaggio Homes
4. 2024-03-01-02_E-COUNCIL Pkt
5. Proposed Ordinance - Pet. 2024-03-01-02 - Belaggio Homes
6. 2024-03-01-02_1st

APPROVED BY

Date: May 14, 2024

Carter Fisher, City Attorney



Date: May 16, 2024

Maureen Miller Brosnan, Mayor

CITY OF LIVONIA
PUBLIC HEARING

Minutes of Meeting Held on Monday, May 13, 2024

A Public □earing of the Council of the City of Livonia was held at the Livonia City □all Auditorium on May 13, 2024.

MEMBERS PRESENT: Brandon McCullough, President
Martha Ptashnik, Vice President
Carrie Budzinski
Rob Donovic
Jim Jolly
Scott Morgan

MEMBERS ABSENT: Laura M. Toy

OT□ERS PRESENT: Eric Goldstein, Assistant City Attorney
Mark Taormina, Planning and Economic Development Director
Sara Kasprowicz, Recording Secretary

The Public Hearing was called to order at 7:01 p.m. with Council President Brandon McCullough presiding. This item is regarding Petition 2024-03-01-02 submitted by Belaggio Homes Inc. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19282, 19316 and 19358 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).

This item will be moved to the Regular Meeting of May 20, 2024.

The Public Hearing is now open. There were approximately 11 persons in the audience.

McCullough Mr. Taormina.

Taormina Thank you. This petition involves three contiguous parcels along Newburgh Road. The north parcel, which is 19358 Newburgh is the largest of the three. It measures approximately one acre and has 211 feet of road frontage. This parcel does contain a residence as well as some accessory structures that would be removed if this rezoning is approved. The center parcel, 19316 Newburgh, is vacant and it measures 100 feet by 244 feet. The southernly parcel, 19282 Newburgh, also measures 100 by 240 feet. So, altogether, the site has 400 feet of frontage. Along Newburgh, the land area is 93,593 square feet, which is 2.15 acres. The current zoning RUF requires minimum lot size of 75 feet by 150 feet with a lot area of 15,000 square feet. The proposed N2 neighborhood zoning classification would lower this minimum land area requirement to 8,400 square feet per lot and a minimum lot width of 70 feet. If rezoned, this would allow for the division of the property into five conforming parcels.

There would be a sixth lot that would require nine additional feet from the parcel to the north. So, the next petition this evening is a companion petition. So, the two are working in concert with one another, whereby, the first petition would allow these five conforming lots, all seventy feet in width. The northerly lot would be stopped shy to 70 feet but with 9 feet added from the parcel to the north, would allow for six, 70-foot-wide lots of lt areas would vary between 14,172 square feet and 17,150 square feet, all of which would be conforming to the N2 district requirements. □ust to get you familiar with the area around here. To the north, are single family homes that are within the Willow Woods and the Fox Creek Meadows subdivisions, also to the east are homes within the same two subdivisions. To the south, is a commercial strip center and then across Newburgh Road, are residential properties also zoned RUF. Planning Commission did review this at their meeting a few weeks ago and recommending approval of the N2 district. Thank you.

McCullough Thank you, Mr. Taormina. I'm going to go to Council quickly and then the audience, Mr. □olly□

□olly Yeah, I want to go to the audience, but first, I just wanted to frame this a little bit. I recall a couple of years ago, and it could have been as many as like five years ago, I think before most, possibly most, of the people who are currently on the Council, we had a Rapid Response meeting in regards to these properties. And there was a proposal for a commercial, I think, doctor's office to be put there, do you recall that□ It was proposed at a Rapid Response meeting and we talked about it, and I, to be honest with you at the time, I didn't like it because when you turn right on to Newburgh off Seven Mile there, it's got that certain kind of feeling, there is no commercial over there with the exception of the strip mall and the gas station and you know, the little boutique or whatever is there, a hair salon or whatever that is, but when you go a little bit further past the corner there it is residential all the way until you get to the golf course and you get to Greenmead. And I say that just because this is obviously a change and I want to preface this, this is a far better proposal in regards to what could be used with this property. And I think it's a higher and better use than something that would drag commercial further north on Newburgh. So, with that being said, that's the light I'm looking at this through. I'm looking at this as houses. It might be more houses that are currently there and have been there for the last 100 years plus and the current structure that's on there and what's on there. But it's a lot better than what could have been there, so, thank you.

McCullough Councilman Donovic.

Donovic Thank you, Mr. President. Yeah, my initial thoughts on this was quite an improvement from what I saw initially from the Planning Commission. I think before the Planning Commission, they talked about nine lots or ten, lots smaller allotments. Seeing the 70-foot lot widths, and they're fairly large in square footage and depth 245 feet deep. The other ones are 200

feet deep towards the north. I know there's a companion petition as well, but Bellagio □omes has made a long history in our community of good development, and I think this would be consistent and harmonious with the community. The two biggest things I wanted to see was that there were going to be 1. Sidewalks. I know at a recent Council meeting, there was some discussion about the extension of sidewalks and access to sidewalks and now we're talking about adding nine lots and we'd like to see sidewalks along Newburgh Road. To Councilman Jolly's point, and I would hate to see the continuation expansion of commercial when there's such a prevalence of residential here. I think it's a much better project as opposed to the traditional commercial. I would like to see sidewalks and just making sure there's some buffer trees. That'd be nice if we could keep some of the trees back there. I guess I'll wait for the petitioner to mention it, but all in all, I think this is really good. Thanks, Mr. President.

McCullough Thank you Councilman Donovic. Anybody else on Council before I go to the audience□ Seeing none. I'm going to open it to the audience for item number one, if you would like to make a comment, please head to the podium. Name and address for the record and you have two minutes.

P. Riggio Patty Riggio, 37204 Bretton Drive. My husband and I live in Willow Woods subdivision, which backs, kind of backs up to this. I am the President of the □OA there. I'm getting lots of good feedback from the neighbors in the area, they are still a little concerned that it may be too many houses on that property. But I will say the lot sizes are comparable to the lot sizes that we currently live in. So, I think that that's very fair. Also, we, we really, really, really want sidewalks. So, please make sure the builders, that's part of the building process. Thank you.

R. Riggio I'd like to add. My name is Ron Riggio, I'm the husband. I think □im □olly hit it right on the head with residential. Residential mean kids. Residential means sidewalks for the kids, so they can ride their bikes up and down the sidewalk. So, I'd like to ask both builders while they're here to commit to putting sidewalks in. That's why I'm here. Thank you.

McCullough Thank you. Anybody else from the audience□

G. Pagnucco □i, my name is Greg Pagnucco, this is my wife, Christine. We also live in the Willow Woods sub, four houses in from Newburgh. And we were concerned originally because we've been to several of the pre-meetings to this one about the amount of housing. We did here one time it was eight or nine, which seemed like excessive. Did I hear you correctly and now talking about five or six□ I'm not sure when. It seems like a lot for that area. You have two homes there. Now I understand they're farm, the lots are large, but it seems like an awful lot for that space to me. But I'm very happy to hear about residential properties going in there as well. I will echo their comment about the sidewalks. But I do want to talk about the trees too. There's a lot of wooded area that kind of divides our backyards from not only Newburg Road but that whole section there if they wipe that out,

I'm afraid if we've rip out all the trees it's just gonna be completely open. We do have a buffer from Newburgh, even as far as we are.

C. Pagnucco And we're like the fourth house in Newburgh, so we're very conscious of how close the road is and even with some of the trees that have started to clear, we can already hear more of the traffic, a lot of the cars and stuff like that, just when we're out in our backyard. So, just concerned about that, you know, it would be nice if they would leave some of the trees. And, and again, just it would be very nice to have sidewalks along the road as well. And potentially a less number of houses if possible.

G. Pagnucco I'm not sure if within the previous meetings too, they talked about driveways going directly out to the Newburgh Road or some kind of an island or something where they come out to a smaller street and then come out to road, I'm not sure about that, either. But that would be a concern as well.

McCullough Thank you, I appreciate it. And what we'll end up doing is we're gonna bring the Petitioner on up and ask questions as well. But I appreciate you guys coming out. Anything further

C. Pagnucco Well, my question too, is about how they're going to handle like the sewer and water, things like that, the hook ups, and that again, because we're so close to I don't want any…

McCullough I can somewhat attest to that. When it goes through the planning review process, there's calculations that go into it. So, they would have to submit data on the building application. And it's strenuous right now, especially with the new building codes. So, that's a good thing.

C. Pagnucco Okay, yeah, just concerned with some of the houses along the back with the golf course that had some flooding across recently. We are kinda low and I just don't want extra strain, we've had problems with flooding.

McCullough So thank you. Anything else from the audience Seeing none, I'll go back to Council. Mr. Donovic.

Donovic Thank you, Mr. President. I'm okay with this petition. It meets all the requirements for N2. These are consistent sized lots, all 70-foot in width, I have no concerns about that. My biggest issue was just making sure about the sidewalks. Some initial discussions with the developers, they want to limit the amount of trees that are going to move anyways. The more trees they take down, the more money it costs. So, I think in the sense of reality, they're going to try to eliminate as many trees, I think that's a selling feature, as well, as is keeping as many trees as possible. There are also realities of construction and making sure that there's not trees too close to buildings, because those trees weaken an create and obstruction, so they have to come down. So, I have no issues, I'm gonna offer an approving, thank you, Mr. President.

McCullough Thank you, Mr. Donovic, we have an approving on the Regular. Anything else from Council□

□olly I'll just say, just to address the sidewalk concern. So, this is actually something that would give us a little bit of momentum in regards to the sidewalk on the east side, where maybe we would get up to a point. Mark, could you scroll down a little bit so you can see further north□

Taormina You want to see further north□

□olly Yeah. So, we could actually go all the way up to the street there. What street is that□ So, if we can get sidewalk up to St. Marting, there. And then, you know, at some point extended a little bit further, and then jog over. And then I think the city has an interest in putting Greenmead at some point. But this kind of bites off a big chunk of that path. I don't think we would have sidewalks on both sides of Newburgh, because it would be it'd be a little rough for people, right in terms of adding the cost later on, but this will give us a good chunk in that direction. And then the city, I think we'd be more than willing to add the sidewalk in front of the Greenmead property, which would get you most of the way there. If that makes sense. I've ridden my bike there as well. And I know you have a personal concern. I've had my children ride their bikes through Greenmead up there and it's rough. It's a really rough ride and it's not all that safe to be honest with you either. So, just let you know there is an effort in that direction.

Taormina I just want to point something out. And this actually shows it pretty well. The next petition, the property we're talking about right now involves these three parcels right here, which the next petition involves the next two properties. And I know it's difficult to see, but there are three down here and two here. This northern limit, which is where the sidewalk would be built in connection with these petitions, does not form the connection with the sidewalk to the north. You'll see this, if you can see this magenta line, that denotes the subdivision property, so that sidewalk is still part of Willow Woods, it ended here at the subdivision line. So, there is a gap of a couple 100 feet between where this sidewalk ends and where the new sidewalk will be built. So, this is something that the city would have to handle. We would not expect the developer of this project to build that section of sidewalk but it is something that we can bring to the Bike-Walk Committee and see if we can get some funding for that.

□olly That sounds great. Who's the owner of that property right now□

Taormina Are you talking about this residential parcel□ Well, that's the Newburgh right-of-way, the City of Livonia owns that, its under our jurisdiction.

McCullough Mr. Donovic.

Donovic I just wanted to clarify the city owns that parcel right there, so maybe we can apply some pressure on our City Engineer to get a sidewalk right there.

McCullough □ice President.

Ptashnik Thank you, Mr. Chair. I actually live in Fox Creek Meadows, which is the subdivision just east of this land, and my backyard kind of goes up to that, so, I'm very familiar with us. As the petitioner comes up, I just would want the issue of driveways of traffic flow, how that's going to be handled, to be discussed, and also, what we're looking at as far as the greenery that we're going to try to preserve as far as the trees and everything that is back there. So, I just want to make those points that of course, the sidewalks are a huge issue. If anyone's tried to walk through to the Greenmead Post Office or Greenmead itself. I walk my dog there and you're trudging through mud and no sidewalks. So, that'd be critical for me, as well. Thank you.

McCullough Councilwoman Budzinski.

Budzinski I agree with what my colleagues have said. Mark, do you know, what size the new homes are looking at, what the square footage is□

Taormina I'm gonna let the applicant answer that question.

McCullough I'm gonna bring our Petitioner up. Good evening, sir.

Soave Good evening, everybody. Enrico Soave, 37771 Seven Mile Road, Suite C, Livonia.

McCullough Good to see you, sir.

Soave Likewise.

McCullough Do you want to jump right in□ I mean, you've kind of heard somebody's questions.

Soave There are just a couple questions that keep on being asked over and over again, the easy ones are sidewalks and greenspace, tree preservation. Yes, there will be sidewalks, certainly. Knocking down trees, clearing the lots, the good news of this property, any infrastructure that needs to be brought in extension of the water main, which does not have to be here because of water main goes on that side all through Newburgh. So, there's some sanitary sewer that needs to be extended, all the utilities at the front yards. So, we're hopefully going to preserve all the trees and the rear yard, especially as a buffer between the new homes and older homes. So, I think we can preserve a lot of trees in the back. As Mr. Donovic said, trees cost money and that's not something that developers and builders like to do, are clear lots.

McCullough No, I appreciate that. And the one thing, are you opposed to maybe adding some more screening behind the homes I think this is the easiest petition I've seen, you got sidewalks.

Soave I don't really think it's necessary. The homeowners can attest, there's a lot of full-grown pine trees back there.

McCullough I think you had everybody when you said, we'll have sidewalks.

Soave For the size of the homes, we're anticipating about 2,400 square foot colonials, three car garages. And then traffic flow. I think every one of them, all the drivers are going to be curb cuts off Newburgh Road, but for the actual future homeowners, there will be T-turnarounds inside the actual envelope, so they're not backing up into Newburgh. So, they'll be able to turn around to get in and out with enough egress, pulling in traffic or potentially causing an accident.

McCullough ice President.

Ptashnik Thank you. So just kind of address that. So, we're looking at more like a side entry garage where they'll be able to pull in…

Soave These will be front entry garages.

Ptashnik But they'll still have to turn around

Soave They can turn around as it gets closer to Newburgh, can be turned around.

Ptashnik Gotcha. Okay, because that's kind of a high traffic area. So, I just want to make sure we're not setting ourselves up.

Soave Don't forget, we got to sell these homes to make them comfortable with our product.

McCullough Well, thank you, Anything else from Council So, we have an approving on the Regular, that'll be on May 20. And that will be the formal vote on the Regular. So, anybody that's listening if you'd like to join to see that. Thank you so much for answering some questions. My pleasure. Thank you. And with that, I'm going to close this item.

As there were no further questions or comments, the Public earing was declared closed at 7:20 p.m.

Mayor, Law, S.
Kasprowicz, L. Miller, File

PUBLIC HEARING
DIRECTION

Tuesday, May 14, 2024

PETITION 2024-03-01-03 submitted by TCM Development, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).

DIRECTION: 1 APPRO ING

PETITION 2024-03-01-02 submitted by Belaggio Homes Inc., requesting to rezone the properties at 19282, 19316 and 19358 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).

DIRECTION: 1) APPROVING

THESE ITEMS ARE TO BE PLACED ON THE AGENDA FOR THE REGULAR MEETING OF May 20, 2024

LETTER TO THE LIVONIA CITY COUNCIL

Planning
April 24, 2024

MEETING DATE	PRESENTED BY
PH051324/R052024	Mark Taormina, Planning and Economic Development Director

AGENDA ITEM

Petition 2024-03-01-02 submitted by Belaggio Homes Inc. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19282, 19316, and 19358 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).

BACKGROUND DETAILS

April 26, 2024

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2024-03-01-02 - Belaggio Homes

Dear Council Members:

At the 1,212th Public Hearings and Regular Meeting held by the City Planning Commission on April 23, 2024, the following resolution was adopted:

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

#04-13-2024 RESOLVED, That the City Planning Commission does hereby recommend to the City Council that Petition 2024-03-01-02 submitted by Belaggio Homes Inc. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19282, 19316 and 19358 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood), be approved for the following reasons:

1. The proposed zoning change is compatible with and in harmony with the area's surrounding land uses and zoning districts.

2. The proposed zoning change will allow the subject properties to be subdivided into lots that comply with N2 District regulations.

3. The proposal represents a reasonable and logical plan for the subject properties that follows

sound land use planning principles, and

4. The proposed zoning change is consistent with the Future Land Use plan.

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.

ATTACHMENTS

1. 2024-03-01-02_E-COUNCIL Pkt

APPROVED BY



Date: April 25, 2024

Mark Taormina, Planning and Economic Development Director



Date: April 26, 2024

Maureen Miller Brosnan, Mayor

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: 3/12/24 Petition 2024-03-01-02

Site Address: 19358, 19316 & 19282 Newburgh Sidwell 46-019-99-0001-001, 46-019-99-0010-006
46-019-99-0010-007

Requesting To Rezone Property From RUF To N-2

For the Following Reason (s) to construct single family residential homes

Applicant: Enrico Soave Business/Company: Belaggio Homes Inc

Applicant's Address: 37771 7Mile Rd Ste C City: Livonia State: MI Zip Code: 48152

Applicant's Phone # (734) 469-4894 Applicant's Email belaggiohomes@gmail.com

For fee computation, see attached Fee Schedule **Please provide the following information:**

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

RECEIVED
OFFICE OF THE CITY CLERK
2024 MAR 12 PM 4:09

RECEIVED
MAR 14 2024
CITY OF LIVONIA
PLANNING COMMISSION

Owner of Property: Belaggio Homes Inc

Owner's Address: 37771 7Mile Rd Ste C City: Livonia State: MI Zip Code: 48152

Owner's Phone # (734) 469-4894 Owner's Email belaggiohomes@gmail.com

Signature of Owner: [signature] Print Name: Enrico Soave

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

on this 12th day of March 20 24.

Signature of Notary Stacey Lynn Roberts My commission expires 11-11-2025.

APPROVED AS FORM
Department of Law

By: Michael E. Fisher

Date: 3/13/2024

Stacey Lynn Roberts
Notary Public of Michigan
Wayne County
Expires 11/11/2025
Acting in the County of Wayne

UNAPPROVED MINUTES

MINUTES OF THE 1,212th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, April 23, 2024, the City Planning Commission of the City of Livonia held its 1,212th 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, Peter Ventura, Ian Wilshaw

Members absent: Wafa Dinaro

Mr. Jacob Uhazie, Assistant Planning Director, Scott Miller, Planner IV, 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 2024-03-01-02 Belaggio Homes

Mr. Caramagno, Secretary, announced the first item on the agenda, Petition 2024-03-01-02 submitted by Belaggio Homes Inc. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19282, 19316 and 19358 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).

Mr. Wilshaw: Thank you, Mr. Caramagno. For the folks in our audience following this item, this petition and the following one on number three are adjacent properties and share many of the same conditions. We're going to deal with each of them separately, but you may hear some overlap in the discussion as we talk about these. Mr. Uhazie, would you like to give us some background information?

Mr. Uhazie: Yes, so this is a petition to rezone the three parcels located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue from RUF (Rural Urban Farm) to N2 (Neighborhood). The existing conditions at the site for the northern parcel, 19358 Newburgh, measures 211 feet by 202 feet with a depth of 244 feet along the southern property line and contains a residential house with attached garage and detached barn. The center parcel at 19316 Newburgh measures 100 feet by 240 feet and is currently vacant. The southern parcel is 19282 Newburgh Road, and it measures 100 feet by 244 feet, and this is also currently vacant. Together the site measures 411 feet along Newburgh Road and a combined land area of 93,593 square feet, or about 2.15 acres. The current zoning is RUF (Rural Urban Farm), which requires a minimum lot width of 75 feet and a minimum lot area of 15,000 square feet. The N2 minimum requirements for a minimum lot area of 8,400 square feet and the minimum lot dimensions of 70 feet in width by 120 feet in depth. The proposal would have the site be divided into six new parcels, shown here. Five lots would measure 70 feet wide, the sixth parcel and to the north would measure 61 feet in width. The lot would be combined with nine feet from the adjacent parcel to the north to create a conforming N2 parcel. The existing house, garage and barn would be demolished with this proposal. The surrounding neighborhoods include single family homes in the Willow Woods and Fox Creek Meadows neighborhoods which are zoned N2 to the north and east. To the south is Lena's Park Place Plaza. The commercial strip center is zoned C-1 and to the west across Newburgh Road are residential properties zoned RUF (Rural Urban Farm). The Livonia Vision 21 Future Land Use plan designates this subject property as low density residential, which recommends a density of one to five dwelling units per acre and a minimum lot area of 7,200 square feet and a minimum lot width of 60 feet. These would conform to the future land use. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Uhazie: Mr. Uhazie: The first item is from the Engineering Division, dated March 19, 2024, 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 #19282, #19316 and #19358 Newburgh Road. The existing parcels are currently serviced by public water main and sanitary sewer. The public storm sewer is located on the west side of the road with catch basins on the east side in front of 19316 Newburgh Road. Should the owner develop the properties, they will need to investigate options for sump pump drainage for any new construction."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Finance Department, dated April 11, 2024, 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. We received an email from Susie Nash, Treasurer, stating no taxes or water are due. That is the extent of the correspondence.

Mr. Wilshaw: Is there any questions for our planning staff? I don't see any questions. Our petitioner is in the audience tonight. Feel free to come forward. Good evening, sir.

Enrico Soave, 37771 Seven Mile Road, Suite C, Livonia, MI

Mr. Wilshaw: Thank you for being here.

Mr. Soave: I have nothing additional to add, other than what the planning department has represented tonight, but would be happy to answer any questions for you this evening.

Mr. Wilshaw: Thank you, Mr. Soave, and as we've mentioned with these types of petitions in the past, I'll remind anyone in our audience that are interested in this petition, that this is a rezoning request. This and the following agenda item are both rezoning requests. We're going to focus on the zoning from RUF (Rural Urban Farm) to N2 as the main topic of discussion. There will not be a lot of discussion in regard to the actual development of the site in terms of what the houses are going to look like or those types of things because this is a rezoning request. That will come in a separate process later on when we get to that part of the petition. Once the rezoning is or the zoning request is sent through to City Council, then the petitioner will file paperwork for

the development of the homes, and we'll have an opportunity then to look at what they're going to propose for this site. So, with that, is there any questions for our petitioner, from any of our commissioners, Mr. Ventura?

Mr. Ventura: Thank you. Mr. Soave, just to be clear, the site plan that is attached to your petition shows that the northernmost lot is only 61 feet wide, and so I want you to confirm for us that you have made contractual arrangements and agreements with the property owner to the north to purchase nine feet of land, which will add to that northern most lot to make it a conforming 70 feet. Is that correct?

Mr. Soave: Yes, that is correct. We are purchasing approximately 8.9 feet of frontage from the northern property owner. And I believe they are in the audience tonight, and they can further represent that as well.

Mr. Ventura: Thank you, I'm gratified to see that you and the petitioner to the north have cooperated and brought this development to a rational conclusion and in a good petition that will be an asset to the city. This was a long road to get here. But we're happy to see you're finally in front of us. Thank you.

Mr. Wilshaw: Thank you, Mr. Ventura. For those that are not aware, the parcels to the north did previously come to us for a rezoning request. That petition was subsequently withdrawn later on and now is going to come to us again tonight with different sizing of the 70-foot lots which will conform with this parcel as well. Any other questions for our petitioner?

Mr. Bongero: Just to rehash, at the study meeting, we discussed about setting the houses back further than the minimum because of their front entry garages just to allow some type of a turn in or whatever to allow people to drive straight out on the Newburgh Road, is that still the intent?

Mr. Soave: Absolutely. Okay. I like this petition. I think it's a good, really good thing over there. It's going to be a big improvement. I'm looking forward to it.

Mr. Wilshaw: Thank you, Mr. Bongero. Any other questions?

Mr. Caramagno: I don't know who this question is for, Rico or for the planning department, but what is the setback on that house? Is it from the curb line of Newburgh Road? What is the feet setback on that?

Mr. Soave: The Planning Department can answer better than I can, but usually the setback is from the right of way.

Mr. Miller: Correct.

Mr. Soave: So, I think N2 is 30 feet minimum from the right of way?

Mr. Miller: Correct.

Mr. Caramagno: 30 feet. So coming inside the curb 30 feet back from there. What is the right way? The amount of feet there?

Mr. Uhazie: The current one?

Mr. Caramagno: Yeah.

Mr. Uhazie: I'd have to measure it.

Mr. Miller: I'm sure the street is 120'. So, it is 60' and 60'.

Mr. Wilshaw: Does that answer your question, or would you like them…?

Mr. Caramagno: I think so. So you're saying it is 20?

Mr. Miller: Yeah, it's a 120' street. So, it's 60' / 60' from the centerline.

Mr. Caramagno: Okay, that's good. Thank you.

Mr. Wilshaw: All right. Thank you. Any other questions?

Mr. Miller: Sorry.

Mr. Wilshaw: It's okay, Mr. Miller, you didn't intend on killing you as part of this. Any questions for petitioner? If not, any other questions from the Commission? I will go to the audience and see if there's any comments that anyone wishes to make on this petition for either for or against and this is the rezoning of three of these parcels. Anyone wishing to speak for against this item? I don't see anyone coming forward. Mr. Soave, anything else that you'd like to add before we make our decision? All right, thank you. If there's no other comments or questions from any of the commissioners, I will close the public hearing and a motion would be an order.

On a motion by Ventura, seconded by Bongero, and unanimously adopted, it was

#04-13-2024 ***RESOLVED***, That the City Planning Commission does hereby recommend to the City Council that Petition 2024-03-01-02 submitted by Belaggio Homes Inc. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19282, 19316 and 19358 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood), be approved for the following reasons:

1. The proposed zoning change is compatible with and in harmony with the area's surrounding land uses and zoning districts.

2. The proposed zoning change will allow the subject properties to be subdivided into lots that comply with N2 District regulations.

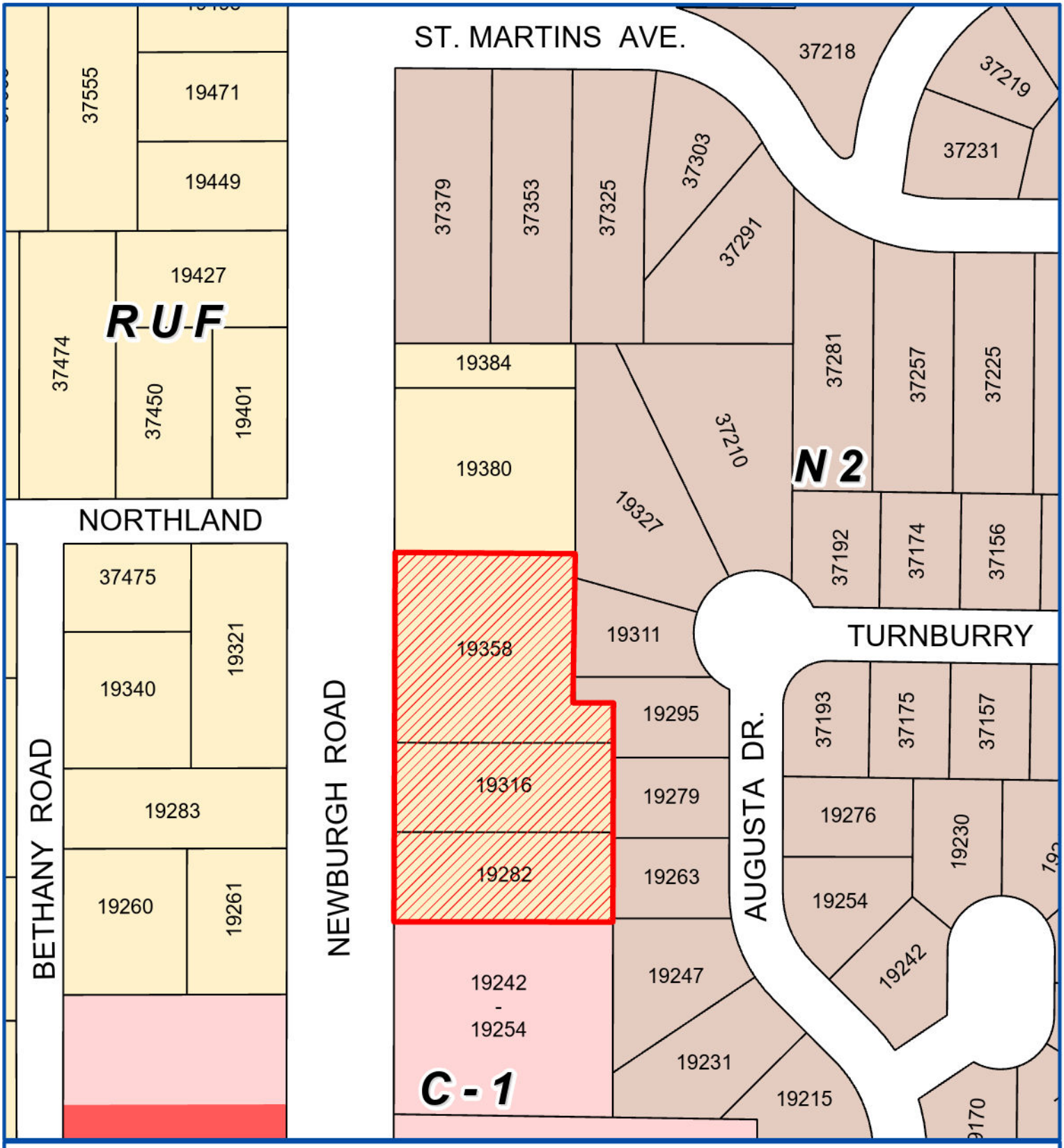
3. The proposal represents a reasonable and logical plan for the subject properties that follows sound land use planning principles, and

4. The proposed zoning change is consistent with the Future Land Use plan.

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 the City Council with an approving resolution.





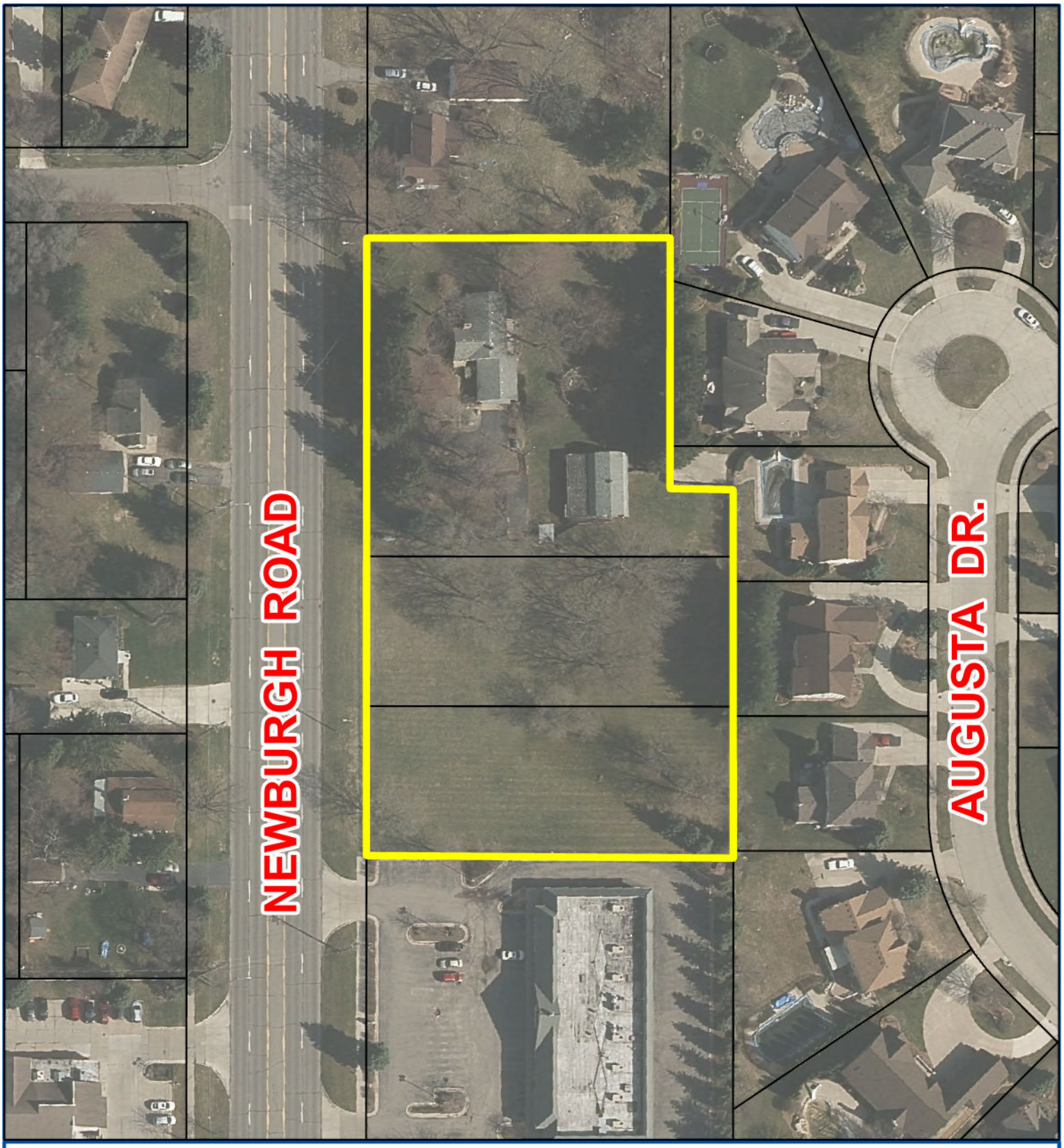
Address & Zoning Map

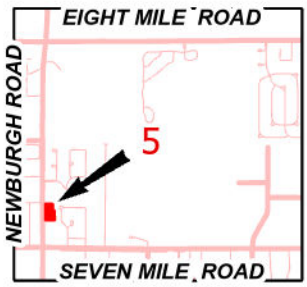
Petition 2024-03-01-02
Belaggio Homes Inc.
19358, 19316 & 19282 Newburgh Road

N

Not to Scale

City of Livonia
Planning Department





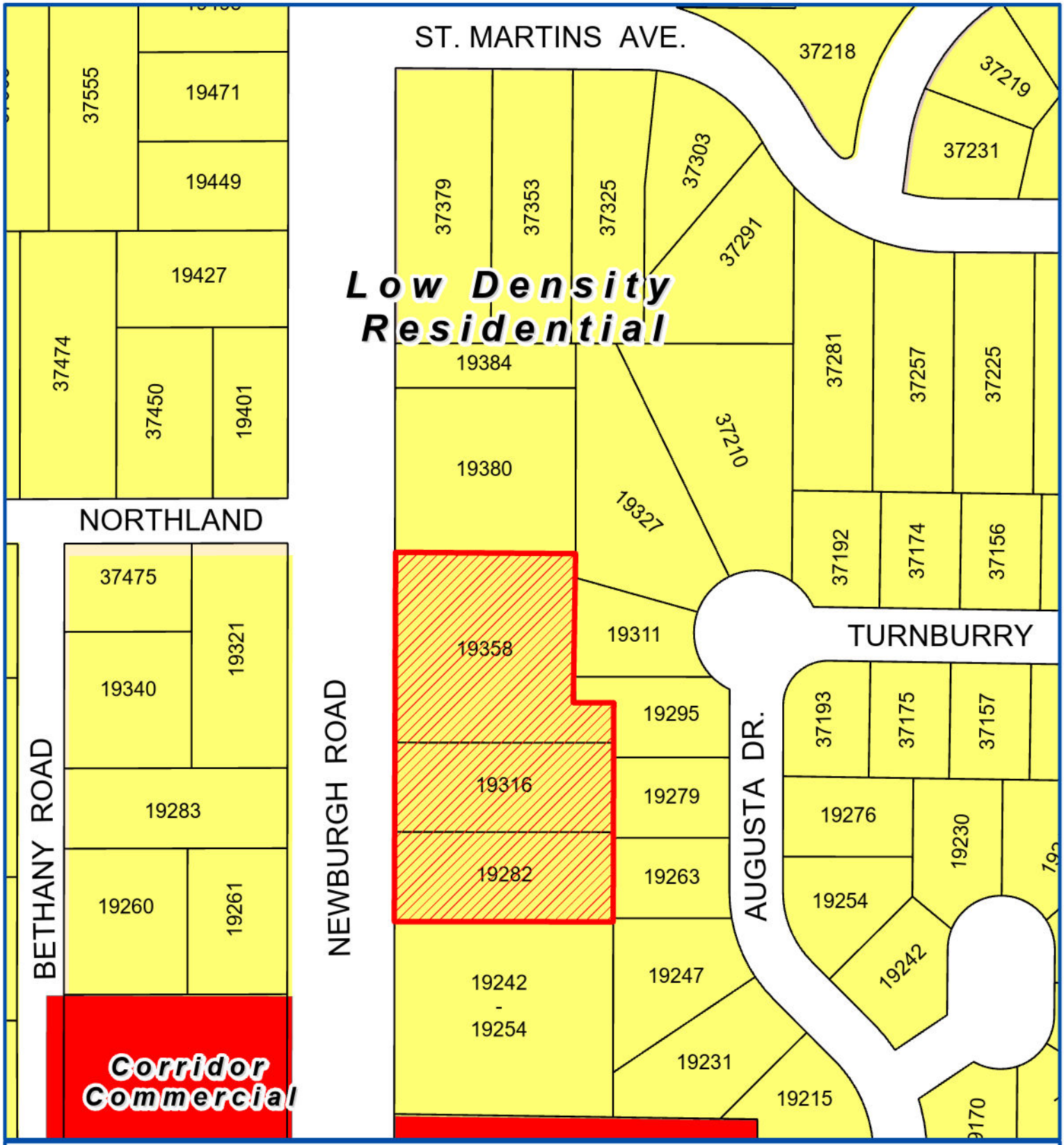
Aerial Map

Petition 2024-03-01-02
Belaggio Homes Inc.
19358, 19316 & 19282 Newburgh Road

N

Not to Scale

City of Livonia
Planning Department





Future Land Use Map

Petition 2024-03-01-02
Belaggio Homes Inc.
19358, 19316 & 19282 Newburgh Road

N
Not to Scale

City of Livonia
Planning Department

P□ANNING COMMISSION STAFF NOTES

PU□□IC □EARING

ITEM 2

Petition 2024-03-01-02 submitted by □elaggio □omes Inc. under Sections 13.13 and 13.15 of the Livonia □oning Ordinance, as amended, requesting to rezone the properties at 19282, 19316, and 19358 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest □ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).

April 16, 2024, Study Meeting:

This petition seeks to rezone three (3) adjoining parcels located on the east side of Newburgh Road, north of Seven Mile Road, from RUF (Rural Urban Farm) to N2 (Neighborhood). N2 zoning requires a minimum lot area of 8,400 square feet and minimum lot dimensions of seventy feet (70□) in width by 120 feet in depth. In comparison, RUF zoning requires a minimum lot area of 15,000 square feet and minimum lot dimensions of seventy-five feet (75□) in width by 150 feet in depth.

The northernmost parcel, 19358 Newburgh Road, measures 211 feet in width along Newburgh Road, 202 feet in depth along its north property line, and 244 feet in depth along its south property line. This parcel contains a residential house with an attached garage and a detached barn. The middle and southern parcels, 19316 and 19282 Newburgh Road, respectively, are similar in size. Both measure 100 feet in width along Newburgh Road by a depth of 244 feet. Both parcels are vacant. Altogether, the three (3) parcels have 411 feet of frontage along Newburgh Road and a combined land area of 93,593 square feet or 2.15 acres.

If approved, the house and barn would be removed and the site subdivided, creating six (6) new parcels. Five (5) of the new lots would measure seventy feet (70□) in width. The sixth parcel, located at the north end of the property, would measure sixty-one feet (61□) in width. A companion rezoning petition (Pet. 2024-03-01-03) involving the land immediately to the north of the sixth parcel would allow nine feet (9□) from the adjacent property to be combined with the sixth parcel to make it a conforming N2 parcel.

Residential properties surround the subject site. To the north and east are single-family houses in the Willow Woods and the Fox Creek Meadows Subdivisions, zoned N2, Neighborhood. To the south and the west, across Newburgh Road, are residential properties zoned RUF.

The Livonia □ision 21 Future Land Use map designates the subject property as *Low-Density Residential,* which recommends a density of 1 to 5 dwelling units per acre, a minimum lot area of 7,200 square feet, and a minimum lot width of sixty feet (60□). The proposed N2 zoning would correspond with this designation.

April 23, 2024, Public □earing:

Approving Resolution: The request to rezone the properties at 19282, 19316, and 19358 Newburgh Road from RUF to N2 is hereby approved, subject to City Council approval, for the following reasons:

1. The proposed zoning change is compatible with and in harmony with the area's surrounding land uses and zoning districts.

2. The proposed zoning change will allow the subject properties to be subdivided into lots that comply with N2 District regulations.

3. The proposal represents a reasonable and logical plan for the subject properties that follows sound land use planning principles, and

4. The proposed zoning change is consistent with the Future Land Use plan.

Denying Reasons: The request to rezone the properties at 19282, 19316 and 19358 Newburgh Road from RUF to N2 is hereby denied for the following reasons:

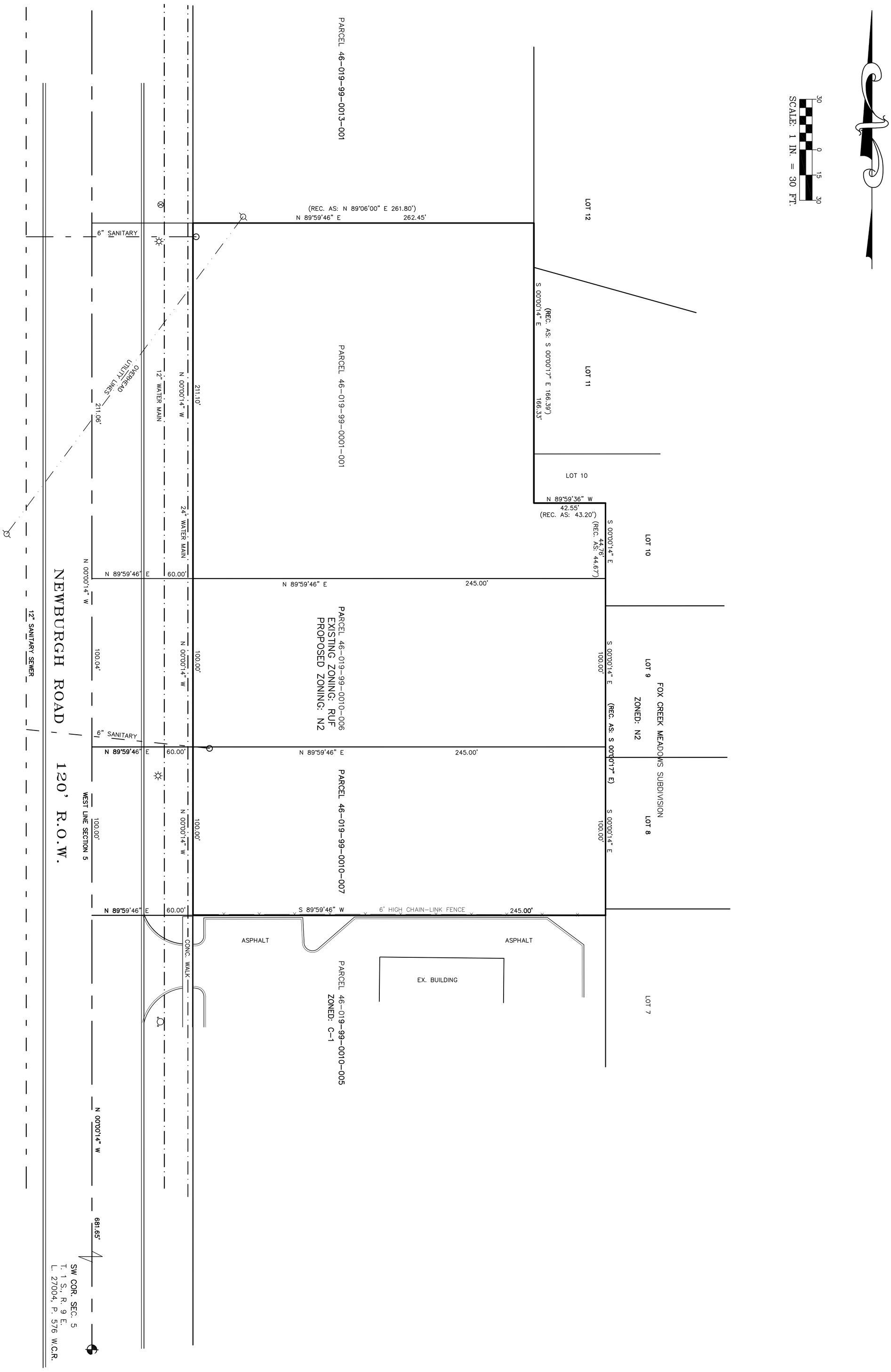
1. The petitioner has failed to affirmatively show that the proposed zoning change would be compatible with and in harmony with the surrounding neighborhood.

2. The proposed zoning change is inconsistent with the established pattern of the surrounding development and would adversely alter the area's character.

3. The proposed zoning change is not needed to develop the property.

4. The existing RUF zoning is more consistent with the established pattern of development and character of the area, and

5. That the proposal fails to conclusively deal with all the concerns deemed necessary for the safety and welfare of the City and its residents.



SH. 1 OF 1

JOB # 24008

DATE 4/16/24
DRAFTED BY WRD
CHECKED BY WGD
F.B. 291
FILE:

EXISTING CONDITIONS

PART OF THE SW 1/4 OF SECTION 5
T. 1 S., R. 9 E., CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

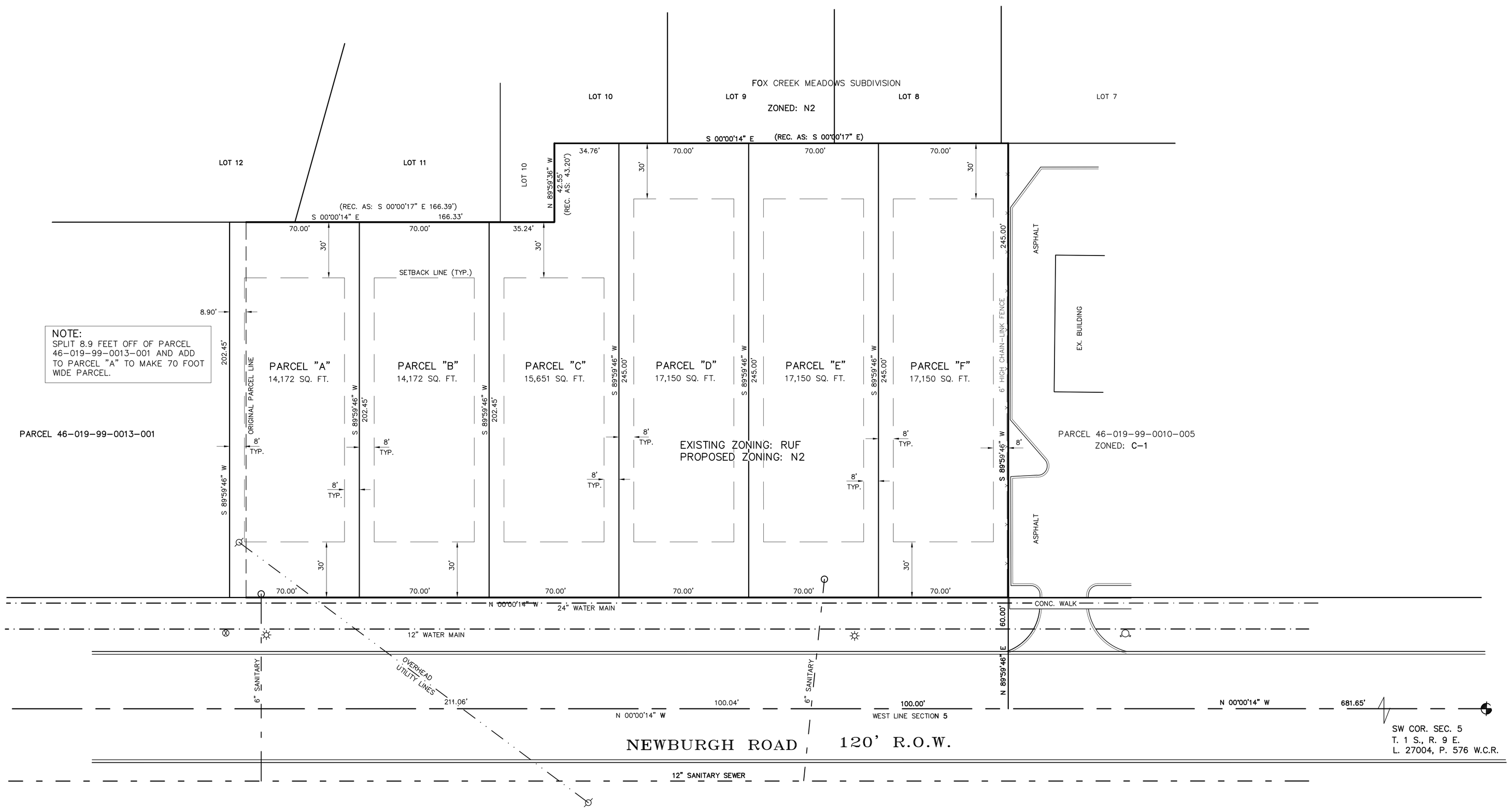
ARPEE/DONNAN, INC.
LAND SURVEYING · ENGINEERING · MAPPING
32233 SCHOOLCRAFT RD., SUITE 103
LIVONIA, MICHIGAN 48150
PHONE (734) 953-3335 FAX (734) 953-3324

PREPARED FOR
BELAGGIO HOMES, INC.
37771 SEVEN MILE RD., STE C
LIVONIA, MI 48152
734-469-4895

REVISIONS

30 0 15 30

SCALE: 1 IN. = 30 FT.



CONCEPTUAL

REVISIONS

PREPARED FOR
BELAGGIO HOMES, INC.
37771 SEVEN MILE RD., STE C
LIVONIA, MI 48152
734-469-4895

ARPEE/DONNAN, INC.
LAND SURVEYING · ENGINEERING · MAPPING
32233 SCHOOLCRAFT RD., SUITE 103
LIVONIA, MICHIGAN 48150
PHONE (734) 953-3335 FAX (734) 953-3324

PROPOSED LAND DIVISION & RE-ZONING PLAN

PART OF THE SW 1/4 OF SECTION 5
T. 1 S., R. 9 E., CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

DATE	4/16/24
DRAFTED BY	WRD
CHECKED BY	WGD
F.B.	291
FILE:	
JOB #	24008

SH. 1 OF 1

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

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

MAUREEN MILLER BROSNAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

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

March 19, 2024

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2024-03-01-02 – #19282, #19316 and #19358 Newburgh 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. The subject parcels are assigned the addresses of **#19282, #19316 and #19358 Newburgh Road**

The existing parcels are currently serviced by public water main and sanitary sewer. The public storm sewer is located on the west side of the road with catch basins on the east side in front of 19316 Newburgh Road. Should the owner develop the properties, they will need to investigate options for sump pump drainage for any new construction.

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: 2024 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

April 10, 2024

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

Petition 2024-03-01-02 - 19282, 19316 and 19358 Newburgh Road

Dear Mr. Miller,

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

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

FW: Petition 2024-03-01-02 - 19282, 19316 and 19358 Newburgh Road

Reece, Stephanie <SReece@livonia.gov>
Tue 4/23/2024 4:03 PM
To:Goff, Erika <egoff@livonia.gov>

Stephanie Reece
Program Supervisor
City of Livonia | Planning Department
(734) 466-2288
SReece@livonia.gov

From: Nash, Susan M. <snash@livonia.gov>
Sent: Tuesday, April 23, 2024 4:01 PM
To: Reece, Stephanie <SReece@livonia.gov>
Subject: Re: Petition 2024-03-01-02 - 19282, 19316 and 19358 Newburgh Road

No outstanding taxes or bills
Sent from my iPhone

Susan Nash
City Treasurer
City of Livonia | Treasurer's Office
(734) 466-2244
snash@livonia.gov

> On Apr 22, 2024, at 11:50 AM, Reece, Stephanie <SReece@livonia.gov> wrote:
>
> Good Morning,
>
> I never got a response on this one. Please and thank you
>
> **Stephanie Reece**
> Program Supervisor
> City of Livonia | Planning Department
> (734) 466-2288
> SReece@livonia.gov

AN ORDINANCE AMENDING SECTION 5 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 April 24, 2024, setting forth its resolution 04-13-2024 recommending approval of Petition 2024-03-01-02, having been considered by the Council, and the Council having conducted a public hearing on May 13, 2024, on said petition, and having concurred in the recommendation of the City Planning Commission, the Council hereby adopts said Petition 2024-03-01-02 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 2024-03-01-02 submitted by Belaggio Homes Inc. is hereby approved, and the zoning classification of the premises hereinafter described is hereby changed from RUF (Rural Urban Farm) to N2 (Neighborhood):

> Land situated in the City of Livonia, Wayne County, Michigan, described as follows:
>
> Parcel 1:
>
> Part of the Southwest ¼ of Section 5, Town 1 South, Range 9 East; Beginning North 0 degrees, 00 minutes, 14 seconds West, 881.69 feet from the Southwest corner of Section 5; thence North 0 degrees, 00 minutes, 14 seconds West, 211.06 feet; thence North 89 degrees, 06 minutes East, 261.80 feet; thence South 0 degrees 00 minutes, 14 seconds East, 166.39 feet; thence North 89 degrees, 59 minutes, 46 seconds East 43.20 feet; thence South 0 degrees, 00 minutes, 14 seconds East 44.67 feet; thence South 89 degrees, 59 minutes, 46 seconds West, 305 feet to the point of beginning, except the West 60 feet.

Parcel 2:

Part of the Southwest ¼ of Section 5, Town 1 South, Range 9 East; Beginning North 0 degrees, 00 minutes, 14 seconds West, 781.65 feet and North 89 degrees, 59 minutes, 46 seconds East, 60 feet from the Southwest corner of Section 5; thence North 0 degrees, 00 minutes, 14 seconds West, 100 feet; thence North 89 degrees, 59 minutes, 46 seconds East, 245 feet; thence South 0 degrees 00 minutes, 14 seconds East, 100 feet; thence South 89 degrees, 59 minutes, 46 seconds West, 245 feet to the Point of Beginning.

Parcel 3:

Part of the Southwest ¼ of Section 5, Town 1 South, Range 9 East; Beginning North 0 degrees, 00 minutes, 14 seconds West, 681.65 feet and North 89 degrees, 59 minutes, 46 seconds East, 60 feet from the Southwest corner of Section 5; thence North 0 degrees, 00 minutes, 14 seconds West, 100 feet; thence North 89 degrees, 59 minutes, 46 seconds East, 245 feet; thence South 0 degrees 00 minutes, 14 seconds East, 100 feet; thence South 89 degrees, 59 minutes, 46 seconds West, 245 feet to the Point of Beginning.

and the Southwest 1/4 of Section 5 of the Zoning Map is hereby amended to conform to the changes made in this section.

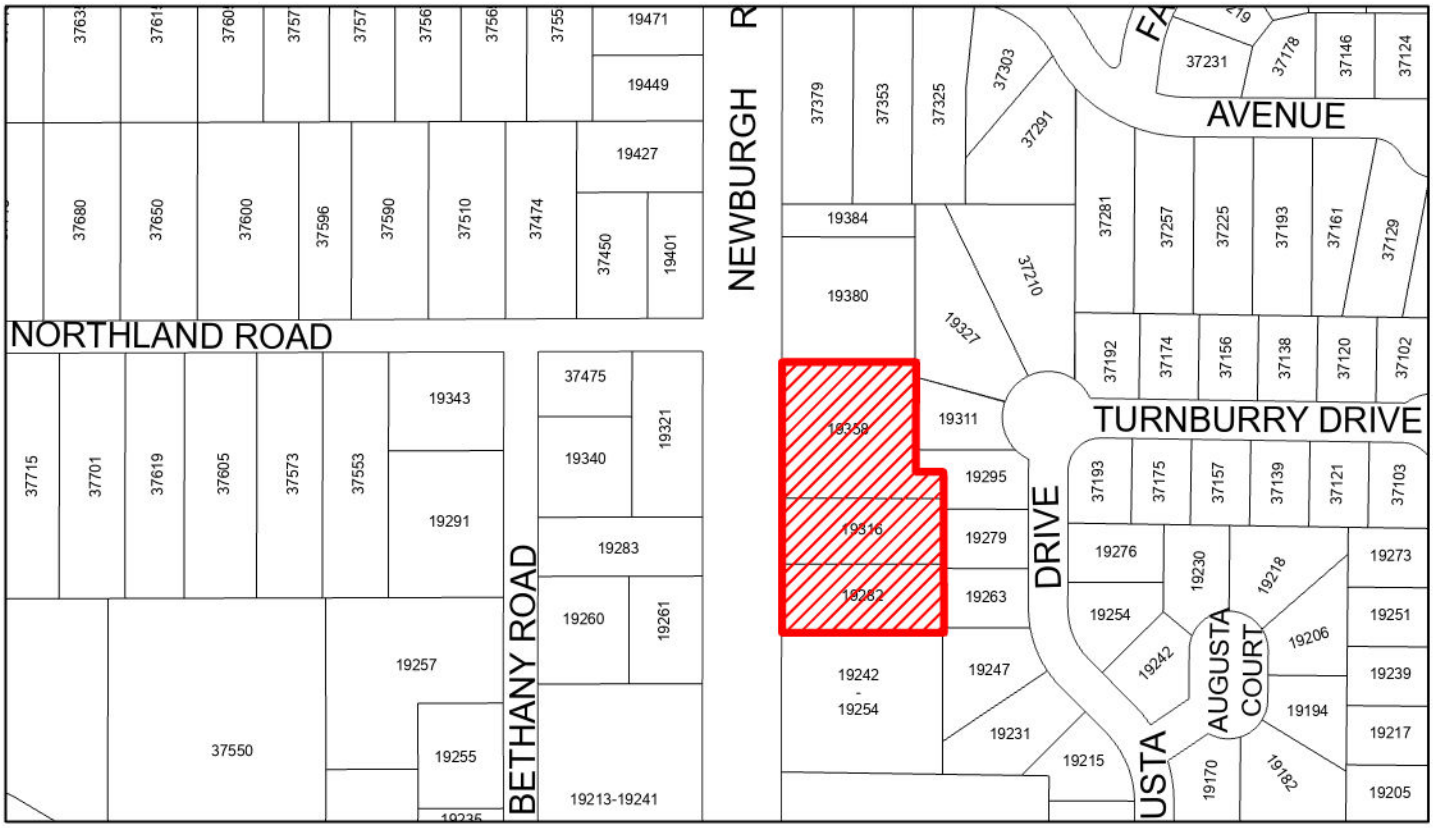
Section 4. The attached map designated “Amendment No. ___ to the Zoning Map of the City of Livonia” showing all of the amendments and changes made in the foregoing Section 2 of this ordinance is hereby approved, established and made a part hereof.

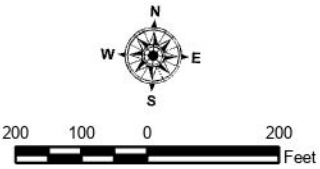
Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

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.

_____

BOUNDARY OF DISTRICT AS AMENDED FROM RUF, RURAL URBAN FARM TO N2, NEIGHBORHOOD

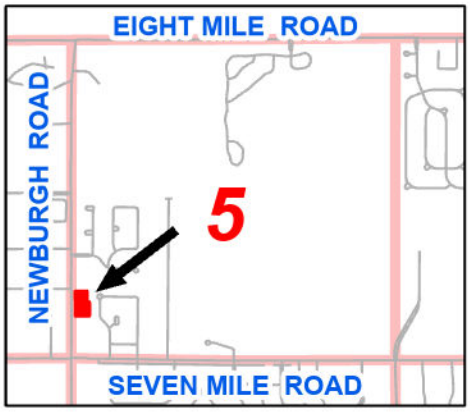




PETITION NO. 2024-03-01-02
A PART OF THE S.W. 1/4 OF SECTION 5

AMENDMENT NO. TO
THE LIVONIA ZONING MAP
CITY OF LIVONIA, MICHIGAN
ORDINANCE NO.

Adopted by the City Council on



_____ MAYOR

_____ CLERK

LETTER TO THE LIVONIA CITY COUNCIL

25.

Law
May 14, 2024

MEETING DATE	PRESENTED BY
R052024/R061724	Carter Fisher, City Attorney

AGENDA ITEM

REZONE PETITION: Planning Commission, re: Petition 2024-03-01-03 submitted by TCM Development, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).
First Reading given by Council Vice President Martha Ptashnik on May 20, 2024.

BACKGROUND DETAILS

At the Regular Meeting of May 20th, First Reading wasgiven by Council Vice President Martha Ptashnik·

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

Second Read and Roll Call

ATTACHMENTS

1. PH051324 2024-03-01-03 TCM Development Direction
2. PH051324 Petition 2024-03-01-03 (TCM Dev) Minutes
3. PH051324 LTC 2024-03-01-03 TCM Development
4. 2024-03-01-03_E-COUNCIL Pkt
5. Proposed Ordinance - Pet. 2024-03-01-03 - TCM
6. 2024-03-01-03_1st

APPROVED BY

LETTER TO THE LIVONIA CITY COUNCIL

21.

Law
May 14, 2024

MEETING DATE	PRESENTED BY
R052024/R061724	Carter Fisher, City Attorney

AGENDA ITEM

REZONE PETITION: Planning Commission, re: Petition 2024-03-01-03 submitted by TCM Development, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).
Public Hearing held on May 13, 2024

BACKGROUND DETAILS

At your public hearing held on May 13, 2024, you approved Petition 2024-03-01-03, submitted by TCM Development, for a change of zoning of properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins in the Southwest 1/4 of Section 5 from RUF to N2, and requested the Department of Law to prepare the necessary ordinance amendment.

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)

First Read

ATTACHMENTS

1. PH051324 2024-03-01-03 TCM Development Direction
2. PH051324 Petition 2024-03-01-03 (TCM Dev) Minutes
3. PH051324 LTC 2024-03-01-03 TCM Development
4. 2024-03-01-03_E-COUNCIL Pkt
5. Proposed Ordinance - Pet. 2024-03-01-03 - TCM
6. 2024-03-01-03_1st

APPROVED BY

Date: May 14, 2024

Carter Fisher, City Attorney



Date: May 16, 2024

Maureen Miller Brosnan, Mayor

LETTER TO THE LIVONIA CITY COUNCIL

21.

Law
May 14, 2024

MEETING DATE	PRESENTED BY
R052024/R061724	Carter Fisher, City Attorney

AGENDA ITEM

REZONE PETITION: Planning Commission, re: Petition 2024-03-01-03 submitted by TCM Development, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).
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BACKGROUND DETAILS

At your public hearing held on May 13, 2024, you approved Petition 2024-03-01-03, submitted by TCM Development, for a change of zoning of properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins in the Southwest 1/4 of Section 5 from RUF to N2, and requested the Department of Law to prepare the necessary ordinance amendment.

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)

First Read

ATTACHMENTS

1. PH051324 2024-03-01-03 TCM Development Direction
2. PH051324 Petition 2024-03-01-03 (TCM Dev) Minutes
3. PH051324 LTC 2024-03-01-03 TCM Development
4. 2024-03-01-03_E-COUNCIL Pkt
5. Proposed Ordinance - Pet. 2024-03-01-03 - TCM
6. 2024-03-01-03_1st

APPROVED BY

Date: May 14, 2024

Carter Fisher, City Attorney



Date: May 16, 2024

Maureen Miller Brosnan, Mayor

Mayor, Law, S. Kasprowicz,
L. Miller, File

PU□□IC □EARING
DIRECTION

Tuesday, May 14, 2024

□□□

CITY OF □I□ONIA
PU□□IC □EARING

Minutes of Meeting □eld on Monday, May 13, 2024

A Public □earing of the Council of the City of Livonia was held at the Livonia City □all Auditorium on May 13, 2024.

MEMBERS PRESENT: Brandon McCullough, President
Martha Ptashnik, □ice President
Carrie Budzinski
Rob Donovic
□im □olly
Scott Morgan

MEMBERS ABSENT: Laura M. Toy

OT□ERS PRESENT: Eric Goldstein, Assistant City Attorney
Mark Taormina, Planning and Economic Development Director
Sara Kasprowicz, Recording Secretary

The Public □earing was called to order at 7:20 p.m. with Council President Brandon McCullough presiding. This item is regarding Petition 2024-03-01-03 submitted by TCM Development under Sections 13.13 and13.15 of the Livonia □oning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest □ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).

This item will be moved to the Regular Meeting of **May 20, 2024**.

The Public □earing is now open. There were approximately 11 persons in the audience.

McCullough Mr. Taormina, do you even need to touch on anything with that□

Taormina □ust quickly. Again, the two parcels to the north, together, they comprise about just over one acre in size, it would be the same zoning classification, N2. In this case, there would be three parcels created. The two lots, on the south side of the parcels, will be 70 feet. Again, they're taking a portion of this property, adding nine feet from the property to the south to create that 6th 70-foot lot, if you will, and then set 7,8 and 9. 7 would be a 70-foot lot, eight would be 70 feet. And then what we discussed with the petitioners is taking this northern parcel and keeping this as wide as possible. There is some drainage here, there is a drainage creek that runs along the north side on the property to the north. So, it's in their best interest to make this lot as wide as possible to be able to work with those challenging grades that are on the north side. And there are several trees

along here too, that would be protected as a result of shifting that building envelope as far south as possible along that northern most lot.

McCullough I'll just preface with the audience. This is more of a formality with having two items. If you would like to speak on this, now would be the time. Seeing none, I'll open up the Council. Mr. olly.

olly Thank you, Mr. President. I'll offering an approving. Like I said earlier, this is, I'm glad to see these lots being developed residential, I suppose. A blessing for the community and everybody around there specifically.

McCullough I think it's a great plan. And thanks again. I know we're nearly built out but again, to the residents and the petitioners. If you had to add a sidewalk, you're probably like, that's easy. Thank you all for coming out. Council. Do we have anything further

Morgan All right. Quick question. For the petitioner Are these homes going to be similar to the ones that are being built to the south or are they going to be a different style

Yaldo Yes, that's the plan.

Morgan Okay.

McCullough We have an approving on the Regular. I'm going to close the meeting at 7:23.

As there were no further questions or comments, the Public earing was declared closed at 7:23 p.m.

LETTER TO THE LIVONIA CITY COUNCIL

2.

Planning
April 24, 2024

MEETING DATE	PRESENTED BY
PH051324/R052024	Mark Taormina, Planning and Economic Development Director

AGENDA ITEM

Petition 2024-03-01-03 submitted by TCM Development under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).

BACKGROUND DETAILS

April 26, 2024

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2024-03-01-03 - TCM Development

Dear Council Members:

At the 1,212th Public Hearings and Regular Meeting held by the City Planning Commission on April 23, 2024, the following resolution was adopted:

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

#04-14-2024 RESOLVED, That the City Planning Commission does hereby recommend to City Council that Petition 2024-03-01-03 submitted by TCM Development under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood), be approved for the following reasons:

1. The proposed zoning change is compatible with and in harmony with the area's surrounding land uses and zoning districts.

2. The proposed zoning change will allow the subject properties to be subdivided into lots that comply with N2 District regulations.

3. The proposal represents a reasonable and logical plan for the subject properties that follows

sound land use planning principles, and

4. The proposed zoning change is consistent with the Future Land Use plan.

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.

ATTACHMENTS

1. 2024-03-01-03_E-COUNCIL Pkt

APPROVED BY



Date: April 25, 2024

Mark Taormina, Planning and Economic Development Director



Date: April 26, 2024

Maureen Miller Brosnan, Mayor

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: March 13th 2024 3/14/24 Petition Rezoning 2024-03-01-03

19380 Newburgh Rd Livonia MI 48152 & 19384 Newburgh Rd, Livonia MI 48152

46-019-99-0003-000 & 46-019-99-0013-001

Site Address: 19380+19384 Newburgh Sidwell

R-U-F Residential

N2 Neighborhood Residential

Requesting To Rezone Property From To

Construct Single family dwellings

For the Following Reason (s)

Frank Yaldo

Applicant:

TCM Development

Business/Company:

19233 Newburgh Rd Livonia MI 48152

Applicant's Address: City: State: Zip Code:

248 755-9791

Fyaldo@thehomealliance.com

Applicant's Phone # ( ) Applicant's Email

For fee computation, see attached Fee Schedule **Please provide the following information:**

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

RECEIVED PLANNING DEPT. MAR 22 2024

TCM Development

Owner of Property:

18708 Telegraph Rd Romulus MI 48174

Owner's Address: City: State: Zip Code:

734 812-3353

Tcmdevelopment1@gmail.com

Owner's Phone # ( ) Owner's Email

Nicolas Canzano

Signature of Owner: Print Name:

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

on this day of 20 .

Signature of Notary My commission expires 07.31.24

APPROVED AS FORM
Department of Law

By: Michael E. Fisher

Date: 3/15/2024

JAMES LEE WILBANKS
Notary Public - State of Michigan
County of Wayne
My Commission Expires Jul 31, 2024
Acting in the County of

RECEIVED
MAR 19 2024
CITY OF LIVONIA
PLANNING COMMISSION

UNAPPROVED MINUTES

MINUTES OF THE 1,212th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, April 23, 2024, the City Planning Commission of the City of Livonia held its 1,212th 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, Peter Ventura, Ian Wilshaw

Members absent: Wafa Dinaro

Mr. Jacob Uhazie, Assistant Planning Director, Scott Miller, Planner IV, 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 2024-03-01-03 TCM Development

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2024-03-01-03 submitted by TCM Development under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).

Mr. Uhazie: This rezoning request involves the property, looking to the east side of Newburgh Road. The existing conditions include two adjoining parcels. The northern parcel is vacant, with 150 feet of frontage on Newburgh Road with a depth of about 200 feet. The southern parcel contains a residential house with attached garage and 186 feet of frontage on Newburgh Road with a depth of about 200 feet. Combined there is 236 feet of frontage along Newburgh Road, for a combined total lot area of 47,778 square feet or about 1.09 acres. The N2 minimum requirements are the same as before, with a minimum lot area of 8,400 square feet with the minimum lot dimensions of 70 feet in width and 120 feet in depth. The site would be divided into three new parcels. Two lots would measure 70 feet, the third parcel to the north would measure 87 feet in width. The existing residential house with the garage upon approval would be removed. The surrounding neighborhoods are single family homes, N2 to the north and east. To the west across Newburgh Road the residential properties are zoned RUF and to the south are residential properties also zoned RUF. The Future Land Use map designates the subject property as low density residential and recommends a density of one to five dwelling units per acre and a lot area of 7,200 square feet with a minimum lot width of 70 feet or 60 feet. These would be conforming to that and with that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Uhazie: The first item is from the Engineering Division, dated March 20, 2024, 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 #19380 and #19384 Newburgh Road.The existing parcel is currently served by public water main and sanitary sewer. Water Main is located on the east side of Newburgh Road, while the sanitary sewer is located on the west side and will require new crossings for the proposed parcels. (or extend the existing main located to the south of the properties) There is no public storm sewer available to the proposed parcels, although there is an open drain to the north of parcel "D". The developer will need to investigate options for the parcels to accommodate the required sump pump drainage, including placing a rear-yard storm system in an easement to service all four parcels."* The letter is

signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Finance Department, dated April 10, 2024, 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 Assessment Department, dated March 20, 2024, and reads as follows: *"A request has been made by TCM Development to rezone the properties at 19380 and 19384 Newburgh Road from RUF to N2. Based on the plans submitted it appears they want to combine the 2 parcels and then split them into 3 individual parcels (A through C) The lot split and combination must be submitted to the Assessor's Office. 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. We also received an email from Susie Nash, Treasurer, stating no taxes or water are due at this time. That is the extent of the correspondence.

Mr. Wilshaw: Thank you. Mr. Uhazie. Is there any questions for our planning staff? Any questions? Mr. Miller, you're doing all right. Okay, good. I just want to make sure. You're a very valuable member of our team. All right. I believe the petitioner is in the audience. If the petitioner is here, please come forward. Can we ask for your name and address to start. Thank you.

Frank Yaldo, 19233 Newburgh Road, Livonia, MI

Jaspar Compeau, TCM Development, Livonia, MI

Mr. Wilshaw: All right, welcome back guys. Would you like to tell us about your petition for rezoning?

Mr. Yaldo: Nothing really more than what he said to be honest. We are working in conjunction with Belaggio Homes on the nine feet and then keep everything kind of conforming throughout.

Mr. Wilshaw: Okay, very good. Let's see if we have any questions for you. Any questions from any of our commissioners?

Mr. Bongero: Mr. Compeau, what are you guys going to do about the storm system back there?

Mr. Compeau: Well, I want to talk to…I don't know if we can get an easement to go to that drain. But I don't know if we're going to do dry

wells. with some kind of overflow going to the north to go into that drain, but we'll have to get an easement from the neighboring properties on St. Martin's there.

Mr. Bongero: So, you guys are working on that.

Mr. Compeau: Yeah.

Mr. Bongero: Okay. Cool. Thank you.

Mr. Compeau: It can't go to Newburgh Road because it's kind of uphill there.

Mr. Bongero: Thanks.

Mr. Wilshaw: All right. Any other questions for this petitioner? I don't see any other questions for this petitioner. Is there anyone in our audience wishing to speak for or against this item? We do you have one person coming forward. Good evening again, ma'am.

Betsy Calhoun, 33023 Grennada, Livonia, MI. I serve on the Livonia Greenleaf Commission for Sustainability, and I chair the Historic Preservation Commission. I'm not speaking for either of those commissions, but it just demonstrates my legitimate interest in those topics. Just have a couple of comments. There's a farmhouse I think on your property, an 1860s or 70s farmhouse, that has some good salvage value. I understand the bottom inside is not original, but places like Detroit Architectural Salvage, I hear that the woodwork and the doors upstairs are original. The windows certainly are. Then if somebody you know, it's a green thing to do to, you know…it's good quality 150-year-old materials that could be salvaged. On other thing is more of a question. I assume that there are some state laws regarding testing for asbestos because houses of this era could have you know, asbestos pipe wrap or tile and if we don't have anything like that we might consider that in Livonia. And third question corollary to that kind of interesting to think about here in Livonia, that in Traverse City, clearly, they have some sort of an ordinance when demoing buildings that requires them to spray down with water on a regular basis. We saw that in the house next to us. We saw that with a fast-food restaurant being deconstructed, it really improves the air quality for the neighbors. So just some thoughts for people to think about. Well,

Mr. Wilshaw: Thank you, Ms. Calhoun, for your comments, and we appreciate your service to the community, as well. Any other questions or comments for or against this item from any of our residents in the audience? I don't see anyone else coming forward. Was there any final comments you gentlemen would like to make on this petition?

Mr. Yaldo: At this moment, no.

Mr. Wilshaw: Okay. Is there any other questions from any of the commissioners on this item? 4Iif not, I will close the public hearing and a motion would be in order.

On a motion by Long, seconded by Bongero, and unanimously adopted, it was

#04-14-2024 ***RESOLVED***, That the City Planning Commission does hereby recommend to City Council that Petition 2024-03-01-03 submitted by TCM Development under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood), be approved for the following reasons:

1. The proposed zoning change is compatible with and in harmony with the area's surrounding land uses and zoning districts.

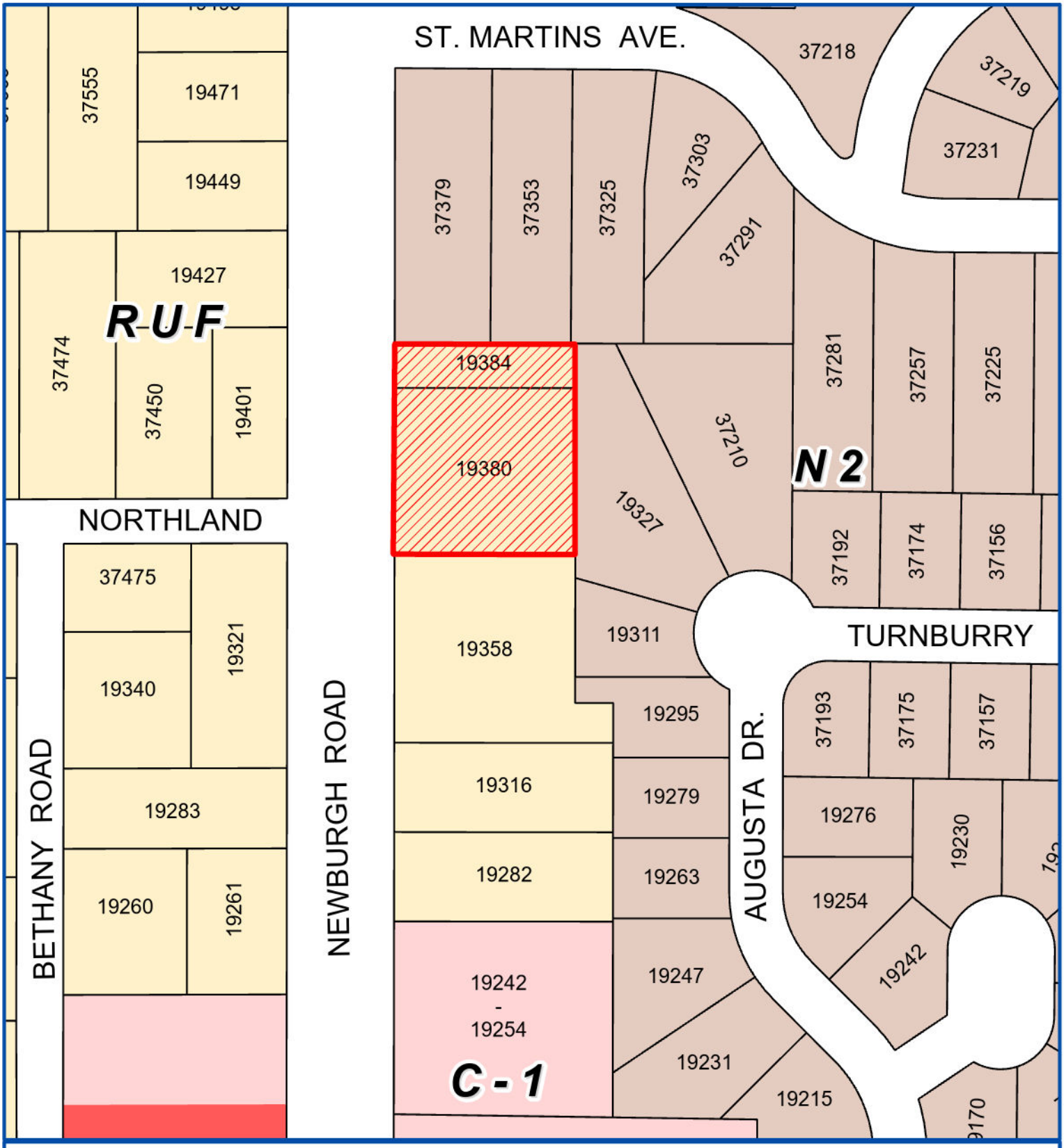
2. The proposed zoning change will allow the subject properties to be subdivided into lots that comply with N2 District regulations.

3. The proposal represents a reasonable and logical plan for the subject properties that follows sound land use planning principles, and

4. The proposed zoning change is consistent with the Future Land Use plan.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to the City Council with an approving resolution.





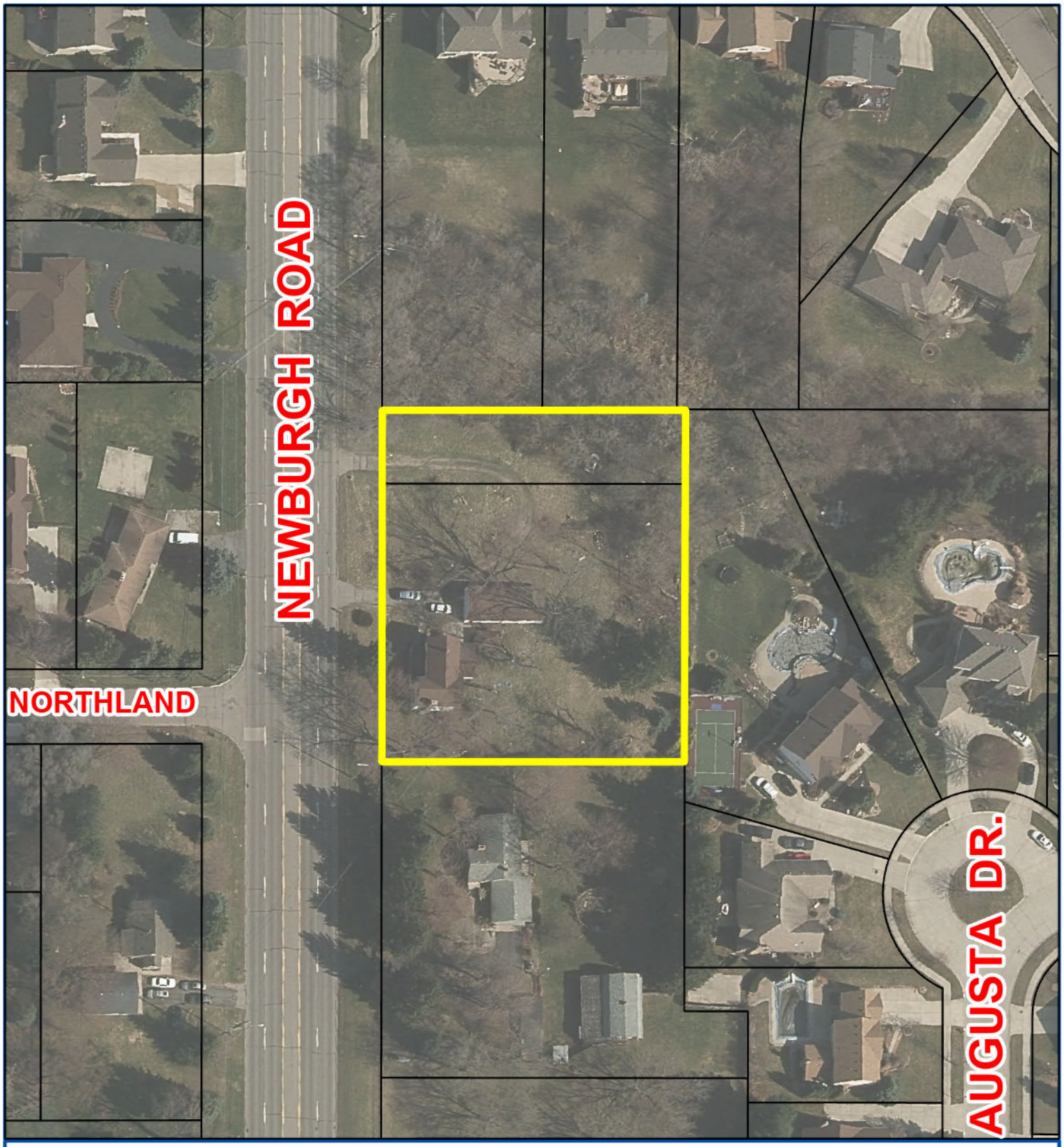
Address & Zoning Map

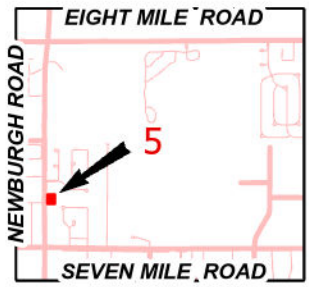
Petition 2024-03-01-03
TCM Development
19380 & 19384 Newburgh Road

N

Not to Scale

City of Livonia
Planning Department



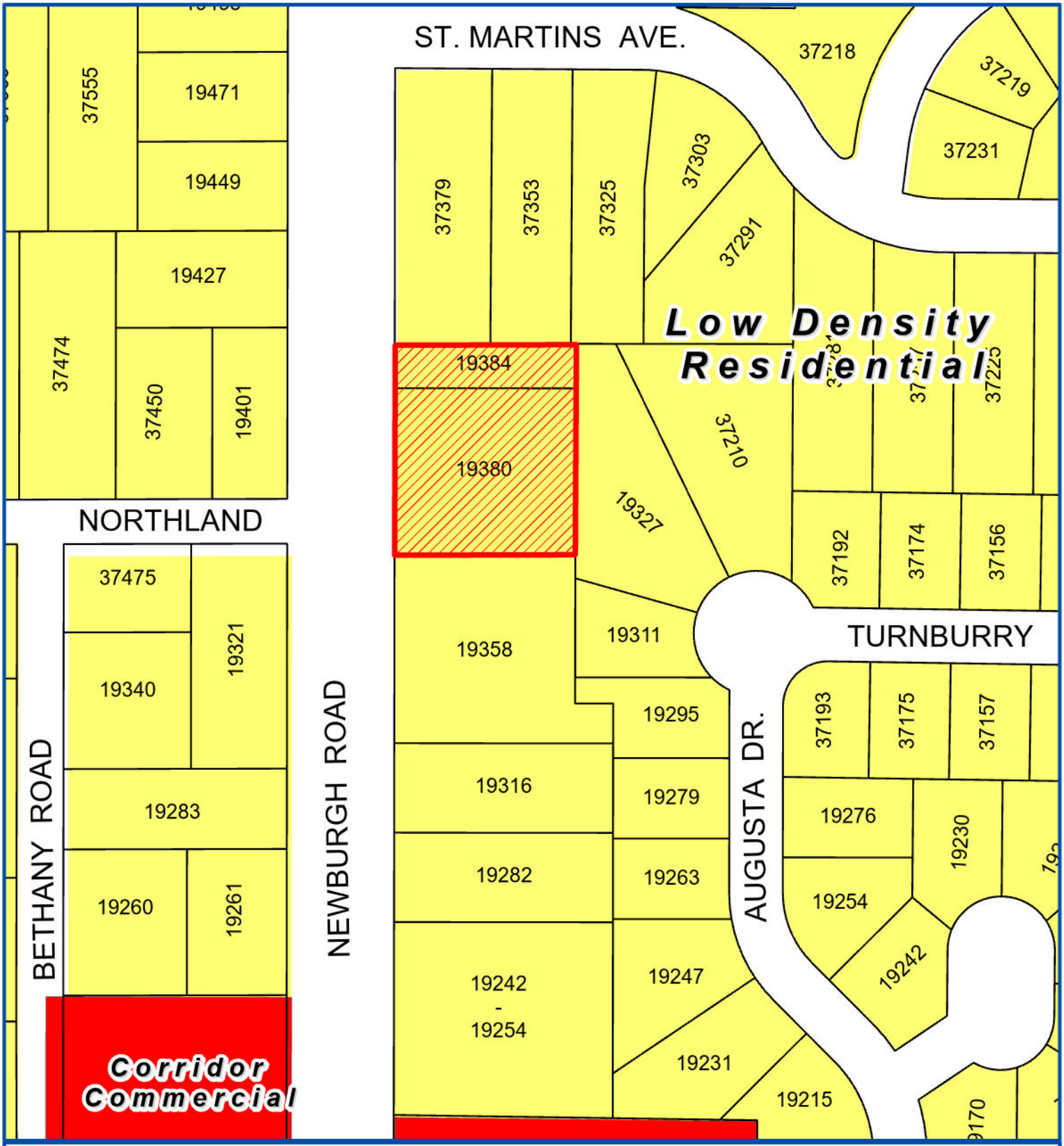


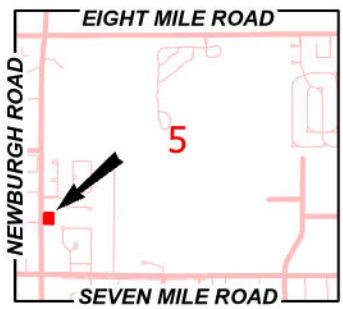
Aerial Map

Petition 2024-03-01-03
TCM Development
19380 & 19384 Newburgh Road

N
Not to Scale

City of Livonia
Planning Department





Future Land Use Map

Petition 2024-03-01-03
TCM Development
19380 & 19384 Newburgh Road

N

Not to Scale

City of Livonia
Planning Department

P□ANNING COMMISSION STAFF NOTES

PU□□IC □EARING

ITEM 3

Petition 2024-03-01-03 submitted by TCM Development under Sections 13.13 and 13.15 of the Livonia □oning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest □ of Section 5, from RUF (Rural Urban Farm) to N2 (Neighborhood).

April 16, 2024, Study Meeting:

This petition seeks to rezone two (2) adjoining parcels located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue from RUF (Rural Urban Farm) to N2 (Neighborhood). N2 zoning requires a minimum lot area of 8,400 square feet and minimum lot dimensions of seventy feet (70□) in width by 120 feet in depth. In comparison, RUF zoning requires a minimum lot area of 15,000 square feet and minimum lot dimensions of seventy-five feet (75□) in width by 150 feet in depth.

The northern parcel, 19384 Newburgh Road, measures fifty feet (50□) in width along Newburgh Road by a depth of 202.45 feet. This parcel is vacant. The southern parcel, 19380 Newburgh Road, has 186 feet of frontage along Newburgh Road and a depth of 202.45 feet. This parcel contains a residential house and an attached garage. Together, both sites measure 236.00 feet in frontage along Newburgh Road and combined have a total lot area of 47,778 square feet or 1.09 acres. If this zoning change is approved, the existing house and garage would be removed.

Last year this same site was proposed to be rezoned (Pet. 2023-04-01-02) to N1 (Neighborhood). During that rezoning process, the Planning Commission expressed concerns that the proposed fifty-nine-foot (59□) wide lots shown on the preliminary plans did not compare with the existing lots in the surrounding neighborhoods. This petition was tabled at the May 9, 2023, Public □earing to allow the Petitioner time to acquire additional land to the south so that the projected lots could be split-up closer to N2 requirements. On □uly 17, 2023, the Petitioner withdrew their rezoning request.

The submitted preliminary plan for this rezoning request shows that the subject site would be divided into three (3) parcels. The southern (Parcel A) and middle (Parcel B) lots would mirror each other and measure seventy-nine feet (79□) in frontage along Newburgh Road by a depth of 202.45 feet, for a total area of 15,944 square feet. The northern (Parcel C) lot would be slightly smaller measuring seventy-eight feet (78□) in frontage along Newburgh Road by a depth of 202.45 feet, for a total area of 15,791 square feet. All proposed parcels would comply with the N2 lot size requirements.

Residential properties surround the subject site. To the north and east are single-family houses in the Willow Woods and the Fox Creek Meadows Subdivisions, zoned N2, Neighborhood. To the south and the west, across Newburgh Road, are residential properties zoned RUF.

The Livonia □ision 21 Future Land Use map designates the subject property as *Low-Density Residential,* which recommends a density of 1 to 5 dwelling units per acre, a minimum lot area of 7,200 square feet, and minimum lot width of sixty feet (60□). The proposed N2 zoning would correspond with this designation.

April 23, 2024, Public □earing:

Approving Resolution: The request to rezone the properties at 19380 and 19384 Newburgh Road from RUF to N2 is hereby approved, subject to City Council approval, for the following reasons:

1. The proposed zoning change is compatible with and in harmony with the area's surrounding land uses and zoning districts.

2. The proposed zoning change will allow the subject properties to be subdivided into lots that comply with N2 District regulations.

3. The proposal represents a reasonable and logical plan for the subject properties that follows sound land use planning principles, and

4. The proposed zoning change is consistent with the Future Land Use plan.

Denying Reasons: The request to rezone the properties at 19380 and 19384 Newburgh Road from RUF to N2 is hereby denied for the following reasons:

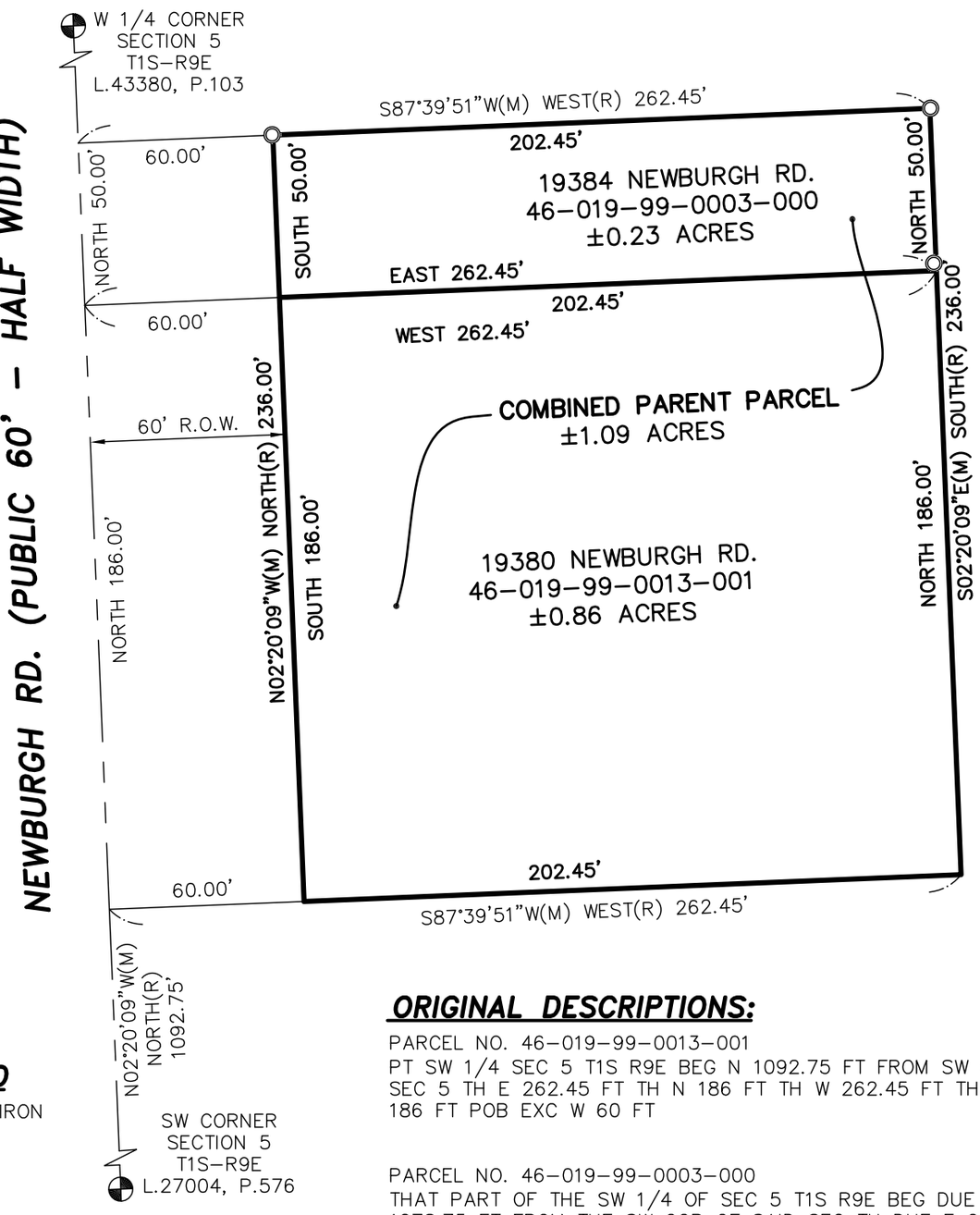
1. The petitioner has failed to affirmatively show that the proposed zoning change would be compatible with and in harmony with the surrounding neighborhood.

2. The proposed zoning change is inconsistent with the established pattern of the surrounding development and would adversely alter the area's character.

3. The proposed zoning change is not needed to develop the property.

4. The existing RUF zoning is more consistent with the established pattern of development and character of the area, and

5. That the proposal fails to conclusively deal with all the concerns deemed necessary for the safety and welfare of the City and its residents.



LEGEND

◎ FOUND IRON

ORIGINAL DESCRIPTIONS:

PARCEL NO. 46–019–99–0013–001
PT SW 1/4 SEC 5 T1S R9E BEG N 1092.75 FT FROM SW COR SEC 5 TH E 262.45 FT TH N 186 FT TH W 262.45 FT TH S 186 FT POB EXC W 60 FT

PARCEL NO. 46–019–99–0003–000
THAT PART OF THE SW 1/4 OF SEC 5 T1S R9E BEG DUE N 1278.75 FT FROM THE SW COR OF SAID SEC TH DUE E 262.45 FT. TH DUE N 50 FT. TH DUE W 262.45 FT. TH DUE S 50 FT POB EXC W 60 FT THEREOF

STATE OF MICHIGAN
John Heikkinen
PROFESSIONAL SURVEYOR
No. 4001047952
LICENSED PROFESSIONAL SURVEYOR

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREIN DESCRIBED, AND THAT THERE ARE NO VISIBLE ENCROACHMENTS UPON THE ABOVE DESCRIBED PROPERTY, EXCEPT AS SHOWN HEREON. I CERTIFY THAT THE REQUIREMENTS FOR 1970 PA 132. MCL 54.213 HAVE BEEN MET. THE RELATIVE POSITIONAL PRECISION OF THE CORNERS IDENTIFIED FOR THIS SURVEY AND SHOWN ON THE MAP ARE WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING.

JOHN D. HEIKKINEN
PROFESSIONAL SURVEYOR #4001047952

NOTE:

BEARINGS BASED ON MICHIGAN STATE PLANE COORDINATES, NAD83, MICHIGAN SOUTH ZONE

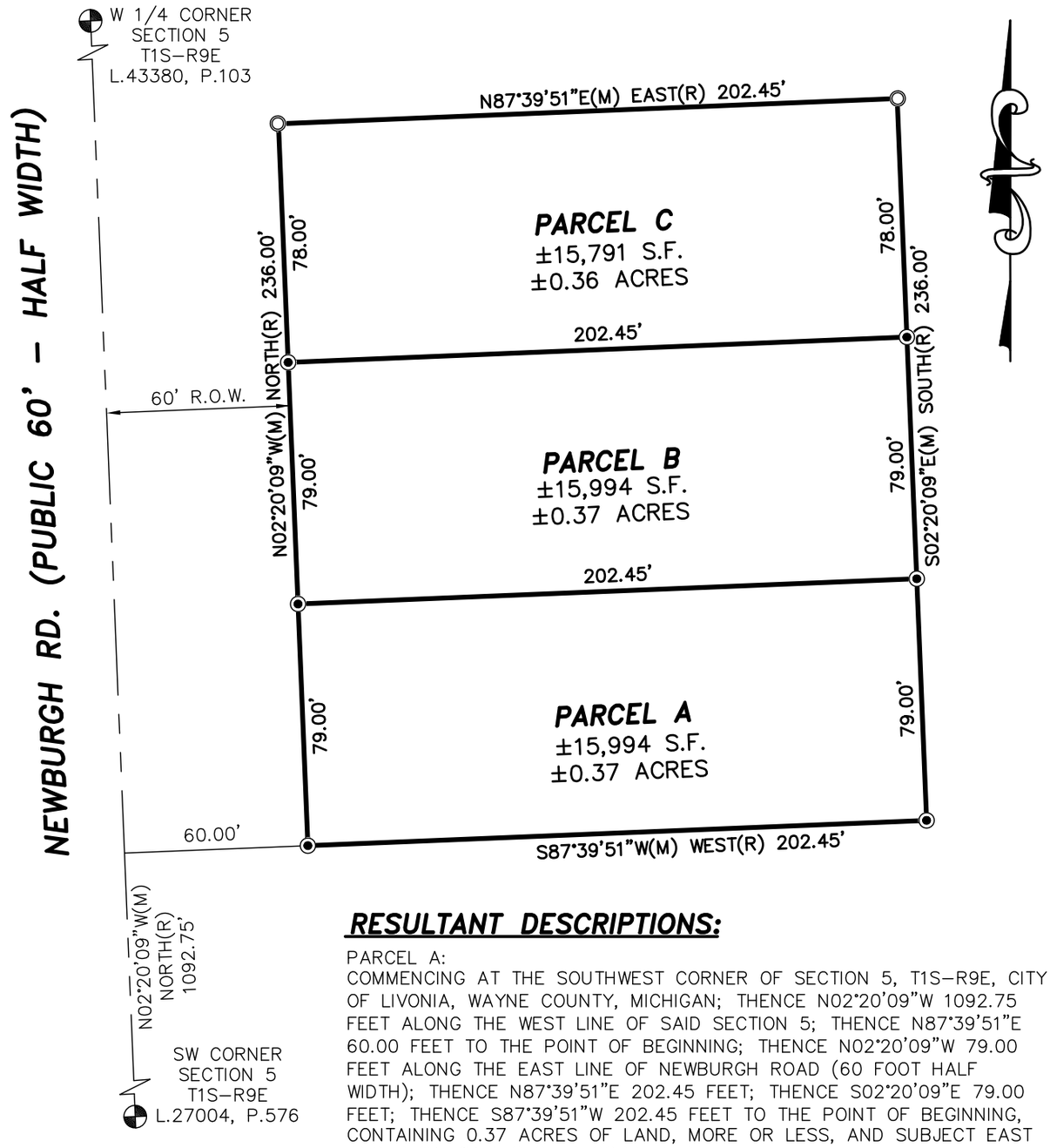
ALPINE ENGINEERING, INC.
CIVIL ENGINEERS & LAND SURVEYORS
46892 WEST ROAD
SUITE 109
NOVI, MICHIGAN 48377
(248) 926–3701 (BUS)
(248) 926–3765 (FAX)

CLIENT:
TCM DEVELOPMENT

PARCEL SPLIT

19380/19384 NEWBURGH
SECTION: 5 TOWNSHIP: 1S RANGE: 9E
CITY OF LIVONIA
WAYNE COUNTY
MICHIGAN

DATE: 8–15–23
DRAWN BY: JDH
CHECKED BY: JDH
0 25 50
FBK:
CHF:
1/2
23–219
SCALE HOR 1"=50 FT.
VER 1"= FT.



LEGEND

- FOUND IRON
- SET IRON

NOTE:

BEARINGS BASED ON MICHIGAN STATE PLANE COORDINATES, NAD83, MICHIGAN SOUTH ZONE

RESULTANT DESCRIPTIONS:

PARCEL A:
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 5, T1S–R9E, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN; THENCE N02°20'09"W 1092.75 FEET ALONG THE WEST LINE OF SAID SECTION 5; THENCE N87°39'51"E 60.00 FEET TO THE POINT OF BEGINNING; THENCE N02°20'09"W 79.00 FEET ALONG THE EAST LINE OF NEWBURGH ROAD (60 FOOT HALF WIDTH); THENCE N87°39'51"E 202.45 FEET; THENCE S02°20'09"E 79.00 FEET; THENCE S87°39'51"W 202.45 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES OF LAND, MORE OR LESS, AND SUBJECT EAST AND RESTRICTIONS OF RECORD, IF ANY.

PARCEL B:
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 5, T1S–R9E, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN; THENCE N02°20'09"W 1092.75 FEET ALONG THE WEST LINE OF SAID SECTION 5; THENCE N87°39'51"E 60.00 FEET; THENCE N02°20'09"W 79.00 FEET ALONG THE EAST LINE OF NEWBURGH ROAD (60 FOOT HALF WIDTH) TO THE POINT OF BEGINNING; THENCE CONTINUING N02°20'09"W 79.00 FEET ALONG SAID EAST LINE); THENCE N87°39'51"E 202.45 FEET; THENCE S02°20'09"E 79.00 FEET; THENCE S87°39'51"W 202.45 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES OF LAND, MORE OR LESS, AND SUBJECT EAST AND RESTRICTIONS OF RECORD, IF ANY.

PARCEL C:
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 5, T1S–R9E, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN; THENCE N02°20'09"W 1092.75 FEET ALONG THE WEST LINE OF SAID SECTION 5; THENCE N87°39'51"E 60.00 FEET; THENCE N02°20'09"W 158.00 FEET ALONG THE EAST LINE OF NEWBURGH ROAD (60 FOOT HALF WIDTH) TO THE POINT OF BEGINNING; THENCE CONTINUING N02°20'09"W 78.00 FEET ALONG SAID EAST LINE); THENCE N87°39'51"E 202.45 FEET; THENCE S02°20'09"E 78.00 FEET; THENCE S87°39'51"W 202.45 FEET TO THE POINT OF BEGINNING, CONTAINING 0.36 ACRES OF LAND, MORE OR LESS, AND SUBJECT EAST AND RESTRICTIONS OF RECORD, IF ANY.

ALPINE ENGINEERING, INC.
CIVIL ENGINEERS & LAND SURVEYORS
46892 WEST ROAD
SUITE 109
NOVI, MICHIGAN 48377
(248) 926–3701 (BUS)
(248) 926–3765 (FAX)

CLIENT: TCM DEVELOPMENT

PARCEL SPLIT

19380/19384 NEWBURGH
SECTION: 5 TOWNSHIP: 1S RANGE: 9E
CITY OF LIVONIA
WAYNE COUNTY
MICHIGAN

DATE: 8–15–23
DRAWN BY: JRV
CHECKED BY: KEH
0 25 50
FBK:
CHF:
2/2
23–219
SCALE HOR 1"=50 FT.
VER 1"= FT.

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

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

MAUREEN MILLER BROSNAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

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

March 20, 2024

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2024-03-01-03 – #19380 and #19384 Newburgh 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. The subject parcels are assigned the addresses of **#19380 and #19384 Newburgh Road**.

The existing parcel is currently served by public water main and sanitary sewer. Water Main is located on the east side of Newburgh Road, while the sanitary sewer is located on the west side and will require new crossings for the proposed parcels. (or extend the existing main located to the south of the properties)

There is no public storm sewer available to the proposed parcels, although there is an open drain to the north of parcel "D". The developer will need to investigate options for the parcels to accommodate the required sump pump drainage, including placing a rear-yard storm system in an easement to service all four parcels.

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: 2024 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

April 10, 2024

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

Petition 2024-03-01-03 - 19380 and 19384 Newburgh Road

Dear Mr. Miller,

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

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

FW: Petition 2024-03-01-03 - 19380 and 19384 Newburgh Road

Reece, Stephanie <SReece@livonia.gov>
Tue 4/23/2024 4:43 PM
To:Goff, Erika <egoff@livonia.gov>

Stephanie Reece
Program Supervisor
City of Livonia | Planning Department
(734) 466-2288
SReece@livonia.gov

From: Nash, Susan M. <snash@livonia.gov>
Sent: Tuesday, April 23, 2024 4:22 PM
To: Reece, Stephanie <SReece@livonia.gov>
Subject: Re: Petition 2024-03-01-03 - 19380 and 19384 Newburgh Road

Taxes and water are current for both parcels
Sent from my iPhone

Susan Nash
City Treasurer
City of Livonia | Treasurer's Office
(734) 466-2244
snash@livonia.gov

> On Apr 22, 2024, at 11:56 AM, Reece, Stephanie <SReece@livonia.gov> wrote:
>
> Hi again,
>
> If you can please respond to this petition also, please and thank you.
>
> **Stephanie Reece**
> Program Supervisor
> City of Livonia | Planning Department
> (734) 466-2288
> SReece@livonia.gov

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

March 20, 2024

To: Planning Department

Re: **Petition 2024-03-01-03 19380 and 19384 Newburgh Road**

A request has been made by TCM Development to rezone the properties at 19380 and 19384 Newburgh Road from RUF to N2. Based on the plans submitted it appears they want to combine the 2 parcels and then split them into 3 individual parcels (A through C) The lot split and combination must be submitted to the Assessor's Office. Please direct any questions to the Assessor's Office or Livonia.gov for the lot split and combination process.

Kindest Regards,

Kathie Siterlet
Residential Appraiser

AN ORDINANCE AMENDING SECTION 5 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 April 26, 2024, setting forth its resolution 04-14-2024 recommending approval of Petition 2024-03-01-03, having been considered by the Council, and the Council having conducted a public hearing on May 13, 2024, on said petition, and having concurred in the recommendation of the City Planning Commission, the Council hereby adopts said Petition 2024-03-01-03 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 2024-03-01-03 submitted by TCM Development is hereby approved, and the zoning classification of the premises hereinafter described is hereby changed from RUF (Rural Urban Farm) to N2 (Neighborhood):

Land situated in the City of Livonia, Wayne County, Michigan, described as follows:

PARCEL A:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 5, T1S-R9E, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN, THENCE N02°20'09"W 1092.75 FEET ALONG THE WEST LINE OF SAID SECTION 5, THENCE N87°39'51"E 60.00 FEET TO THE POINT OF BEGINNING; THENCE N02°20'09"W 79.00 FEET ALONG THE EAST LINE OF NEWBURGH ROAD (60 FOOT HALF WIDTH); THENCE N87°39'51"E 202.45 FEET; THENCE S02°20'09"E 79.00 FEET; THENCE S87°39'51"W 202.45 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES OF LAND, MORE OF LESS, AND SUBJECT EAST AND RESTRICTIONS OF RECORD, IF ANY.

PARCEL B:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 5, T1S-R9E, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN, THENCE N02°20'09"W 1092.75 FEET ALONG THE WEST LINE OF SAID SECTION 5, THENCE N87°39'51"E 60.00 FEET; THENCE N02°20'09"W 79.00 FEET ALONG THE EAST LINE OF NEWBURGH ROAD (60 FOOT HALF WIDTH) TO THE POINT OF BEGINNING; THENCE CONTINUING N02°20'09"W 79.00 FEET ALONG SAID EAST LINE); THENCE N87°39'51"E 202.45 FEET; THENCE S02°20'09"E 79.00 FEET; THENCE S87°39'51"W 202.45 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES OF LAND, MORE OF LESS, AND SUBJECT EAST AND RESTRICTIONS OF RECORD, IF ANY.

PARCEL C:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 5, T1S-R9E, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN, THENCE N02°20'09"W 1092.75 FEET ALONG THE WEST LINE OF SAID SECTION 5, THENCE N87°39'51"E 60.00 FEET; THENCE N02°20'09"W 158.00 FEET ALONG THE EAST LINE OF NEWBURGH ROAD (60 FOOT HALF WIDTH) TO THE POINT OF BEGINNING; THENCE CONTINUING N02°20'09"W 78.00 FEET ALONG SAID EAST LINE); THENCE N87°39'51"E 202.45 FEET; THENCE S02°20'09"E 78.00 FEET; THENCE S87°39'51"W 202.45 FEET TO THE POINT OF BEGINNING, CONTAINING 0.36 ACRES OF LAND, MORE OF LESS, AND SUBJECT EAST AND RESTRICTIONS OF RECORD, IF ANY.

and the Southwest 1/4 of Section 5 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.

_____

BOUNDARY OF DISTRICT AS AMENDED FROM RUF, RURAL URBAN FARM TO N2, NEIGHBORHOOD



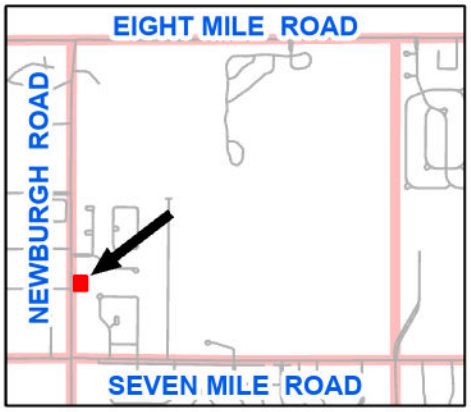
N
W E
S

200 100 0 200 Feet

PETITION NO. 2024-03-01-03
A PART OF THE S.W. 1/4 OF SECTION 5

AMENDMENT NO. TO
THE LIVONIA ZONING MAP
CITY OF LIVONIA, MICHIGAN
ORDINANCE NO.

Adopted by the City Council on



_____ MAYOR

_____ CLERK

Councilmember Jolly recused himself at 7:50 p.m. to avoid professional conflict.

Councilmember Donovic gave first reading to the following Ordinance:

AN ORDINANCE AMENDING SECTION 11 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. (Petition 2022-12-01-02)

Councilmember Jolly resumed his chair at 7:51 p.m.

FIRST READING GIVEN BY COUNCILMEMBER ROB DONOVIC
(Regular Meeting of January 17,2024)

Present: Ptashnik, Donovic, Budzinski, Toy, Jolly,
Absent: McCullough Morgan

LETTER TO THE LIVONIA CITY COUNCIL

12.

Law
December 6, 2023

MEETING DATE	PREPARED BY
01/17/24	Brenda Smyser, Program Supervisor,

AGENDA ITEM

PROPOSED AMENDMENT TO THE LIVONIA ZONING ORDINANCES, AS AMENDED: Department of Law, 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 Northwest¼ of Section 11, from P-L (Public Lands) to N2 (Neighborhood).

BACKGROUND DETAILS

At your regular meeting held on December 4, 2023, you responded to Petition 2022-12-01-02, submitted by the Basilica of St. Mary, for a change of zoning for 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).

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)

First Read

ATTACHMENTS

1. Proposed Ordinance - Pet. 2022-12-01-02 - Basilica of St. Mary
2. 2022-12-01-02_1st
3. R120423 Petition 2022-12-01-02 - Basilica of St. Mary - CR 380-23
4. Petition 2022-12-01-02, the Basilica of St. Mary, PC Packet
5. PH040323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident Response recd 3-20-23 - 1 of 2)
6. PH040323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident Response recd 3-20-23 - 2 of 2)
7. PH091323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident Response recd 4-18-23)
8. PH091323 LTC Petition 2022-12-01-02, St Marys (1)
9. PH091323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Clarification - Withdrawal of NM3-I Portion)
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 (Resident Response recd 9-6-23 - 2 of 2)
12. PH091323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident response recd 9-7-23)
13. PH091323 Basilica of St Marys Minutes
14. PH091323 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident response recd 9-19-23)
15. R100223 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident Response recd 9-28-23)
16. COW112723 NEW DATA - Petition 2022-12-01-02 Basilica of St. Mary Recd 10-9-23
17. R100223 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident response recd 9-29-23)
18. R100223 New Data - Petition 2022-12-01-02 Basilica of St. Mary (Resident response recd 10-02-23)
19. R120423 New Data - Item 14 - Basilica of St Mary (1 of 2)
20. R100223 New Data - Petition 2022-12-01-02 Basilica of St. Mary (2nd Resident response recd 10-02-23)
21. R120423 New Data - Item 14 - Basilica of St Mary (2 of 2)
22. COW1123723 LTC Petition 12-01-02, St. Mary's (1)
23. R120423 New Data Item 14 - Petition 2022-12-01-02 - Basilica of St. Mary - recd 12-04-23
24. R120423 New Data Item 14 - Petition 2022-12-01-02 - Basilica of St. Mary (2nd) recd 12-04-23
25. R120423 Petition 2022-12-01-02 - Basilica of St. Mary - New Data (3rd) recd 12-04-23

APPROVED BY

Date: December 06, 2023

Paul Bernier, City Attorney

Date: December 08, 2023

Maureen Miller Brosnan, Mayor

AN ORDINANCE AMENDING SECTION 11 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 February 13, 2023, setting forth its resolution 01-04-2023 recommending approval of Petition 2022-12-01-02, having been considered by the Council, and the Council having conducted a public hearing on September 13, 2023, on said petition, and having concurred in the recommendation of the City Planning Commission, the Council hereby adopts said Petition 2022-12-01-02 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 2022-12-01-02 submitted by Basilica of St Mary is hereby approved, and the zoning classification of the premises hereinafter described is hereby changed from P-L (Public Lands) to N2 (Neighborhood) and NM3-I (Neighborhood Multifamily – Maximum 4 Stories):

> 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:
>
> AREA TO BE REZONED FROM P-L TO N2:
> 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, 172.00 FEET TO THE POINT OF BEGINNING. CONTAINING 129,110 SQUARE FEET OR 2.96 ACRES.

AREA TO BE REZONED FROM P-L TO NM3-I:
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.

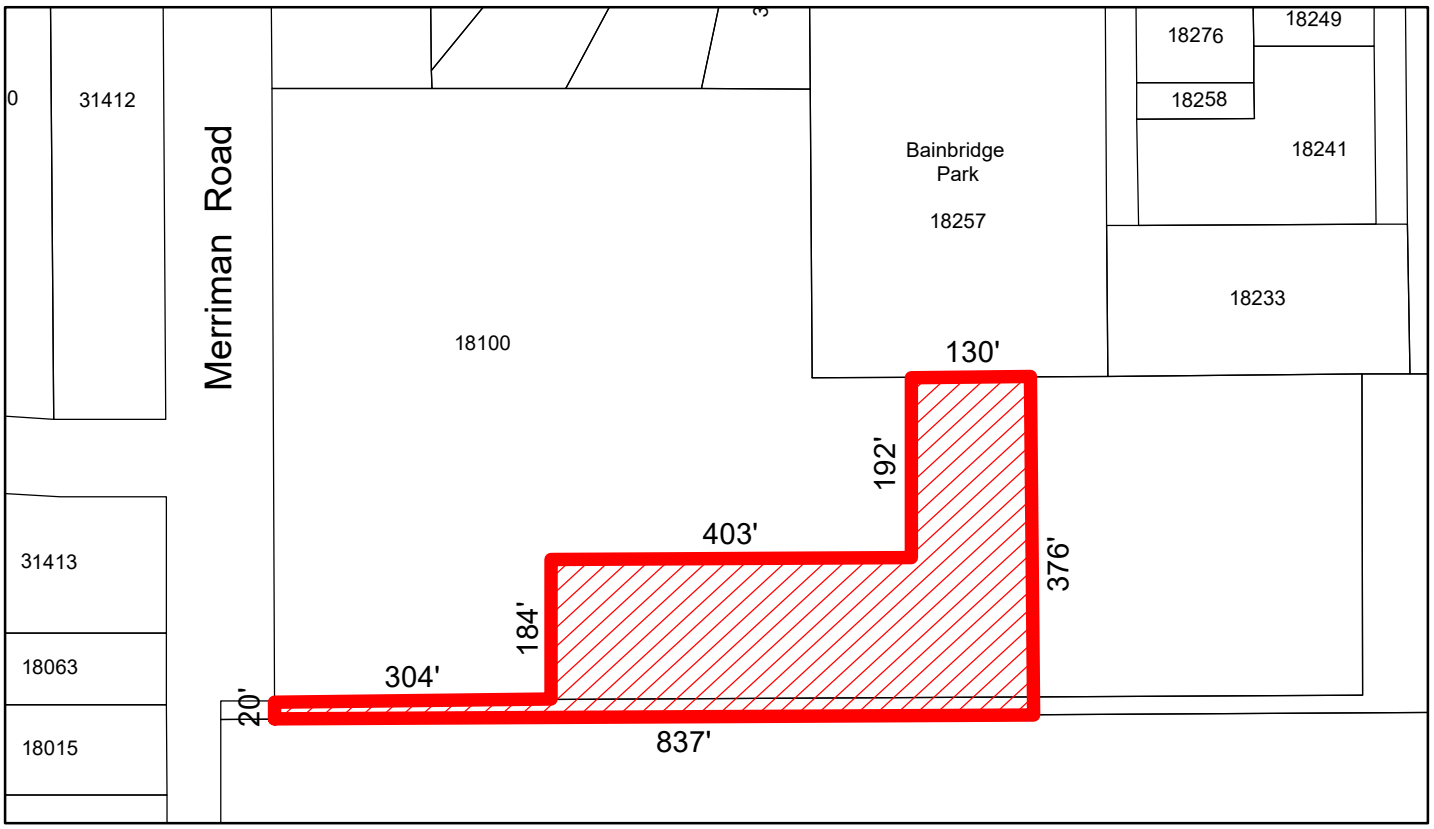
and the Northwest 1/4 of Section 11 of the Zoning Map is hereby amended to conform to the changes made in this section.

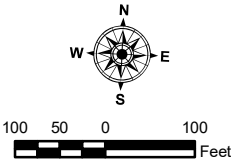
Section 4. The attached map designated “Amendment No. ___ to the Zoning Map of the City of Livonia” showing all of the amendments and changes made in the foregoing Section 2 of this ordinance is hereby approved, established and made a part hereof.

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.

BOUNDARY OF DISTRICT AS AMENDED FROM P-L, PUBLIC LANDS TO N2, NEIGHBORHOOD

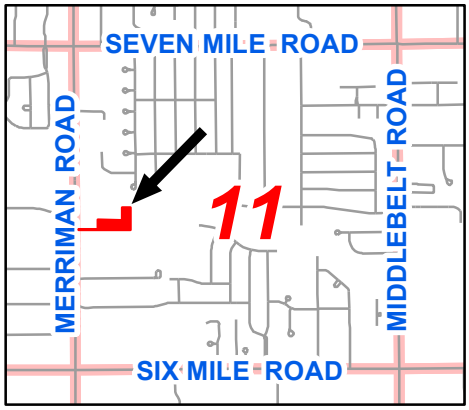




PETITION NO. 2022-12-01-02
A PART OF THE N.W. 1/4 OF SECTION 11

AMENDMENT NO. TO
THE LIVONIA ZONING MAP
CITY OF LIVONIA, MICHIGAN
ORDINANCE NO.

Adopted by the City Council on



_____ MAYOR

_____ CLERK

On a motion by Councilmember McIntyre, supported by Councilmember Bahr and adopted, it was:

> **#380-23** RESOL□ED, that having considered the report and recommendation of the Committee of the Whole, dated November 27, 2023, submitted pursuant to Council Resolution 308-23, adopted on October 2, 2023, and a communication from the City Planning Commission, dated February 13, 2023, which transmits its resolution #01-04-2023, adopted on □anuary 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 □ 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 approve Petition 2022-12-01-02 for preparation of the Ordinance for submission to Council□and the City Planner is hereby instructed to cause the necessary map for publication to be prepared indicating the zoning change herein approved and to furnish the same to the Department of Law and, upon receipt of such map, the Department of Law is requested to prepare an ordinance amending the Livonia □oning Ordinance, as amended, in accordance with this resolution.

The following residents spoke in opposition to the rezoning of the property:

Emilija □ilkaite, 31716 Curtis Road
Kevin Skylis, 30528 □eannine
Caitlyn, 30528 □eannine
Mike Bertges, 30825 Mayville

Brandon Grysko, representative for Basilica of St. Mary, and Robert, the Parrish Council Chairman, spoke in favor of the rezoning of the property.

A representative from the Basililca of St. Mary explained the EGLE response.

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

AYES: McIntyre, Toy, Bahr, Donovic, Morgan, and □olly

NAYS: McCullough

□ice President Toy declared the motion passed.

President □olly resumed the chair at 8:38 p.m.

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 OFFICE OF THE CITY CLERK 2022 DEC -9 AM 11:49

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: 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 sfsamaan@gmail.com

Signature of Owner: [signature] 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: [signature]

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:

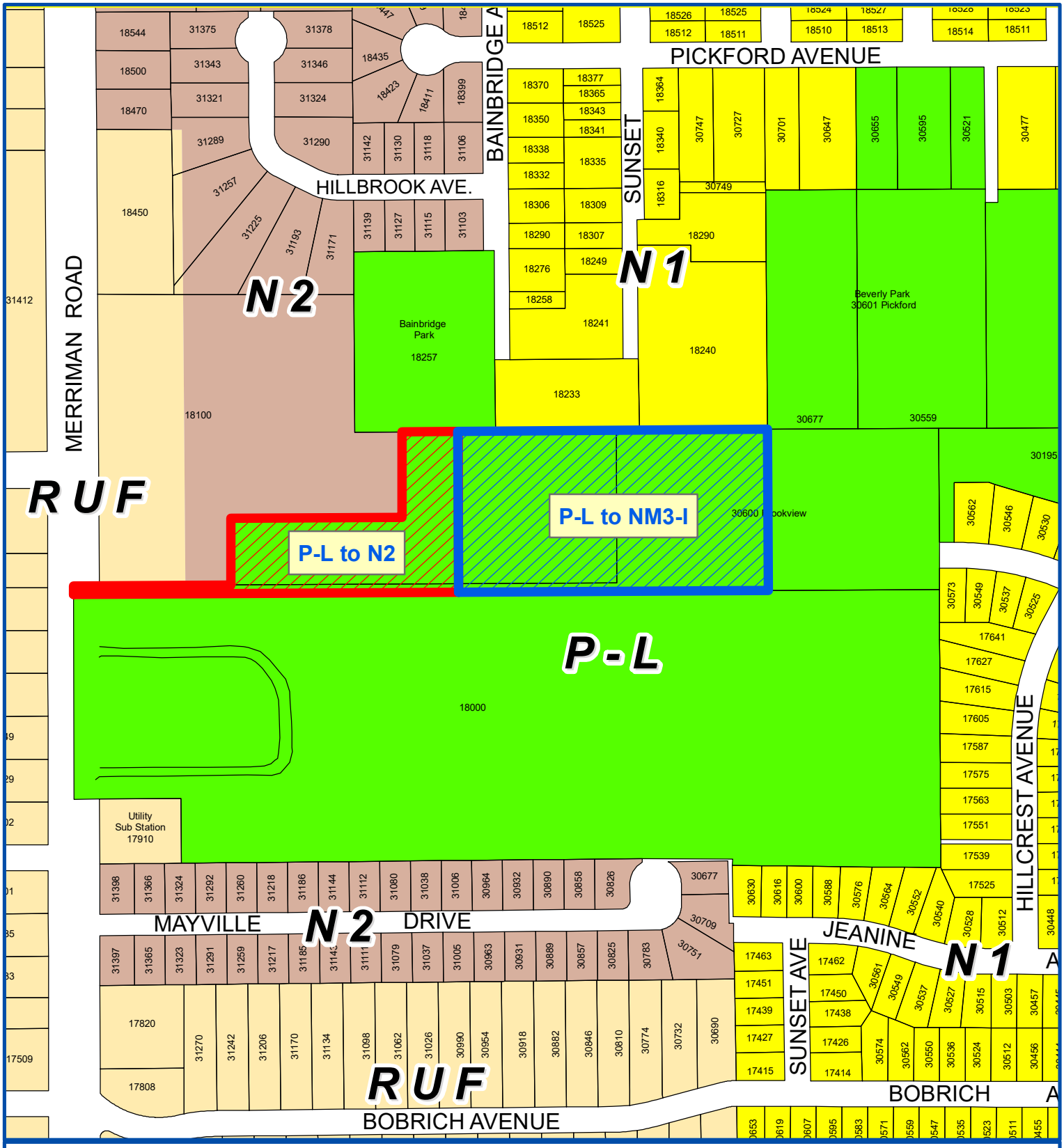
At the Planning Commission Public hearing held on January 31, 2023, the commission approved the rezoning of one section of the property from PL to N2, and tabled St. Mary's request to rezone the adjacent property from PL to NM3-1, which is presently set for February 14, 2023. On behalf of the Basilica 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.

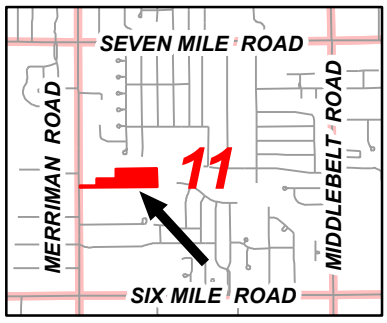
Thank you for your consideration in this matter.

Very truly yours,

Salem F. Samaan

SFS/sha





Address & Zoning Map

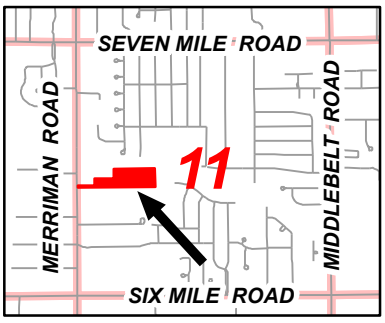
Petition 2022-12-01-02
Basilica of St. Mary
18100 Merriman & 30600 Brookview
from P-L to N2 & NM3-I

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

P□ANNING COMMISSION STAFF NOTES

PU□□IC □EARING

ITEM 1

Petition 2022-12-01-02 submitted by □asilica of St. Mary under Sections 13.13 and 13.15 of the Livonia □ision 21 □oning 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 □ of Section 11, from P-L (Public Lands) to N2 (Neighborhood) and NM3-I (Neighborhood Multifamily □ Maximum 4 Stories).

□anuary 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 □ood 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 - □ousing for the Elderly, the NM3 district permits independent elderly housing, senior assisted living facilities, congregate elderly housing, and nursing homes. The term Elderly □ousing 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 □ardie 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 (2□) 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 □ision 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.

□anuary 31, 2023: Public □earing:

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.

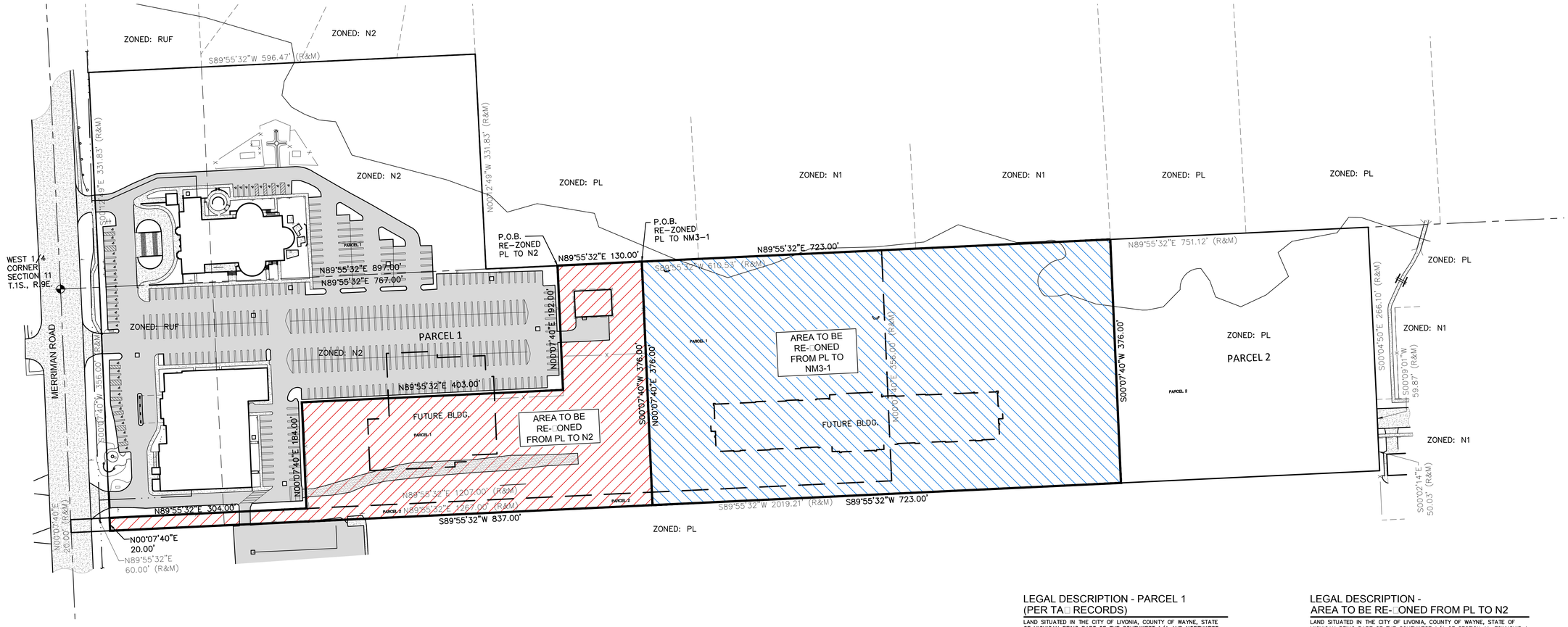
Denying Reasons: The request to rezone parts of the properties at 18100 Merriman Road and 30600 Brookview Drive from P-L, Public Lands, to N2, Neighborhood, and NM3-I, Neighborhood Multifamily, is hereby denied for the following reasons:

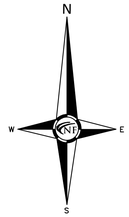
1. The petitioner has failed to show that the proposed zoning changes and the intended uses would be compatible with and in harmony with the surrounding residential neighborhoods.

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 □oning 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 □ision 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

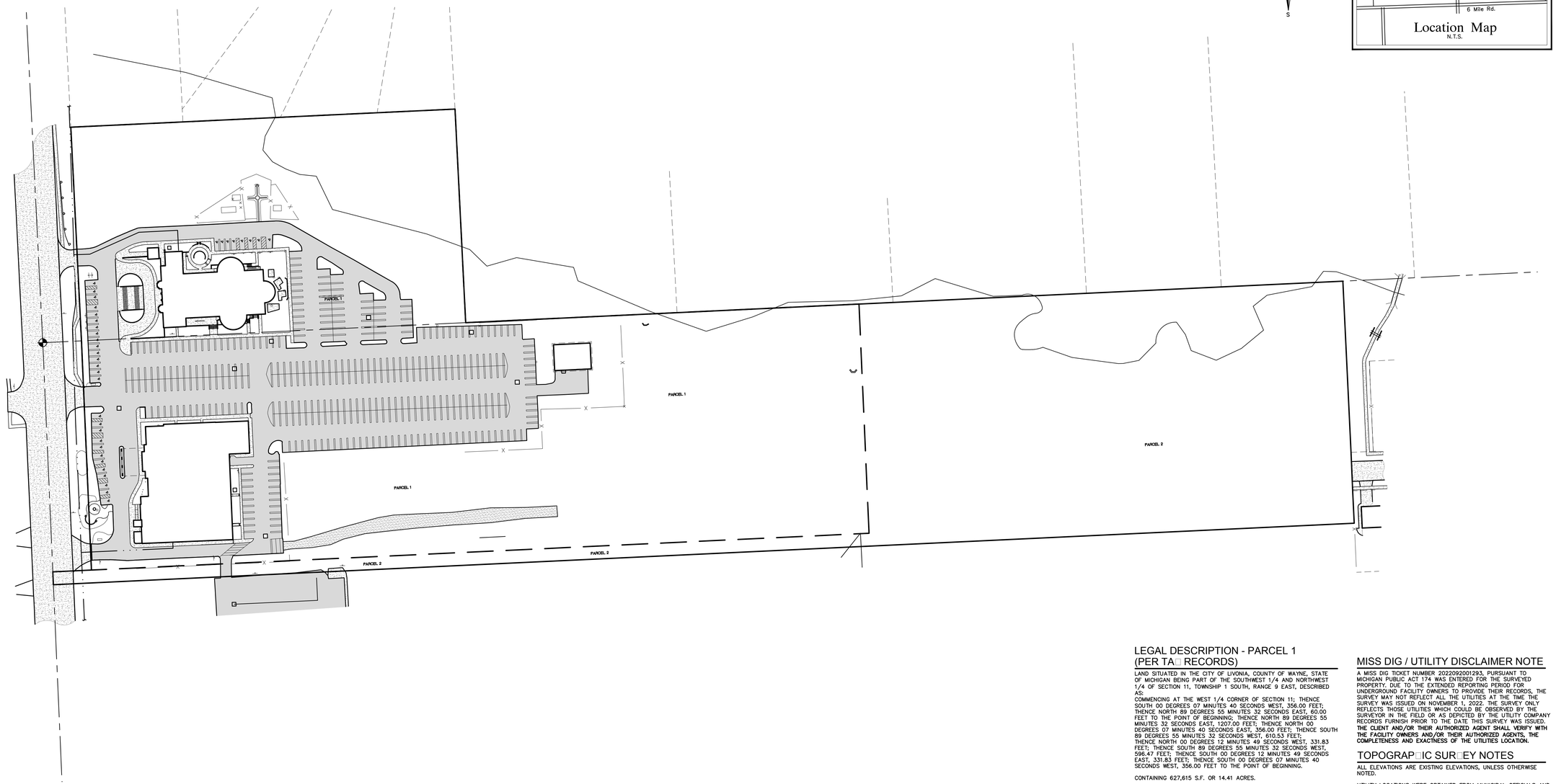
SHEET
Re-Zoning Sketch

811 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

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Overall Survey

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DESIGNED BY:

APPROVED BY: P. Williams

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80 40 0 40 80 120

NFE JOB NO. **N210**

SHEET NO. **1 of 4**

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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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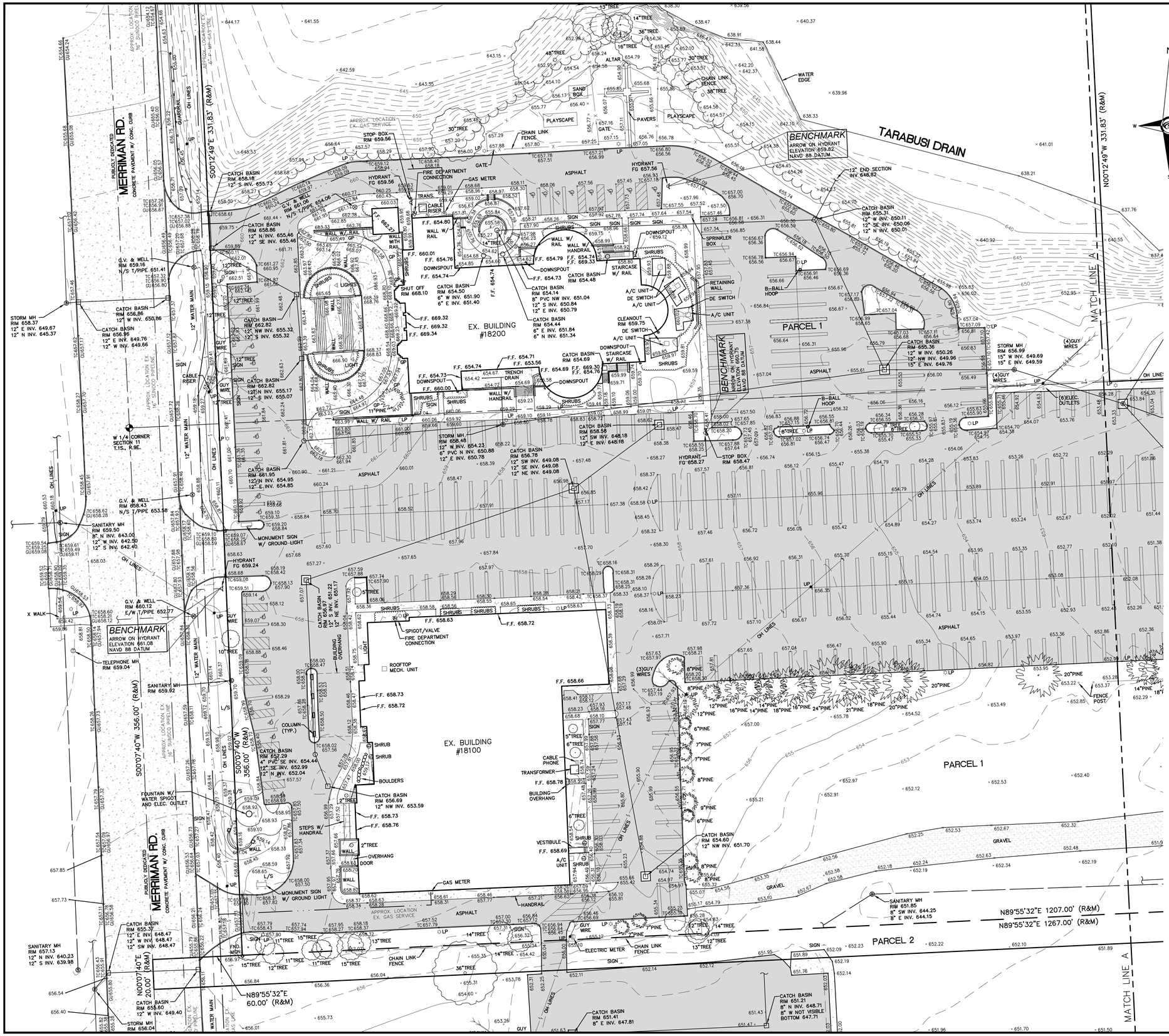
LEGEND

- MANHOLE — EXISTING SANITARY SEWER
- HYDRANT — EXISTING SAN. CLEAN OUT
- 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


BENCHMARK
ARROW ON HYDRANT
ELEVATION 659.82
NAVD 88 DATUM
TARABUSI DRAIN
MERRIMAN RD.
PUBLICLY DEDICATED
CONCRETE PAVEMENT W/ CONC. CURB
S00°12'49"E 331.83' (R&M)
N00°12'49"W 331.83' (R&M)
EX. BUILDING #18200
PARCEL 1
PARCEL 2
MATCH LINE A
BENCHMARK
ARROW ON HYDRANT
ELEVATION 660.75
NAVD 88 DATUM
BENCHMARK
ARROW ON HYDRANT
ELEVATION 661.08
NAVD 88 DATUM
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)
APPROX. LOCATION EX. GAS SERVICE
APPROX. LOCATION 16" SUNOCO PIPELINE
APPROX. LOCATION EX. 16" SUNOCO PIPELINE
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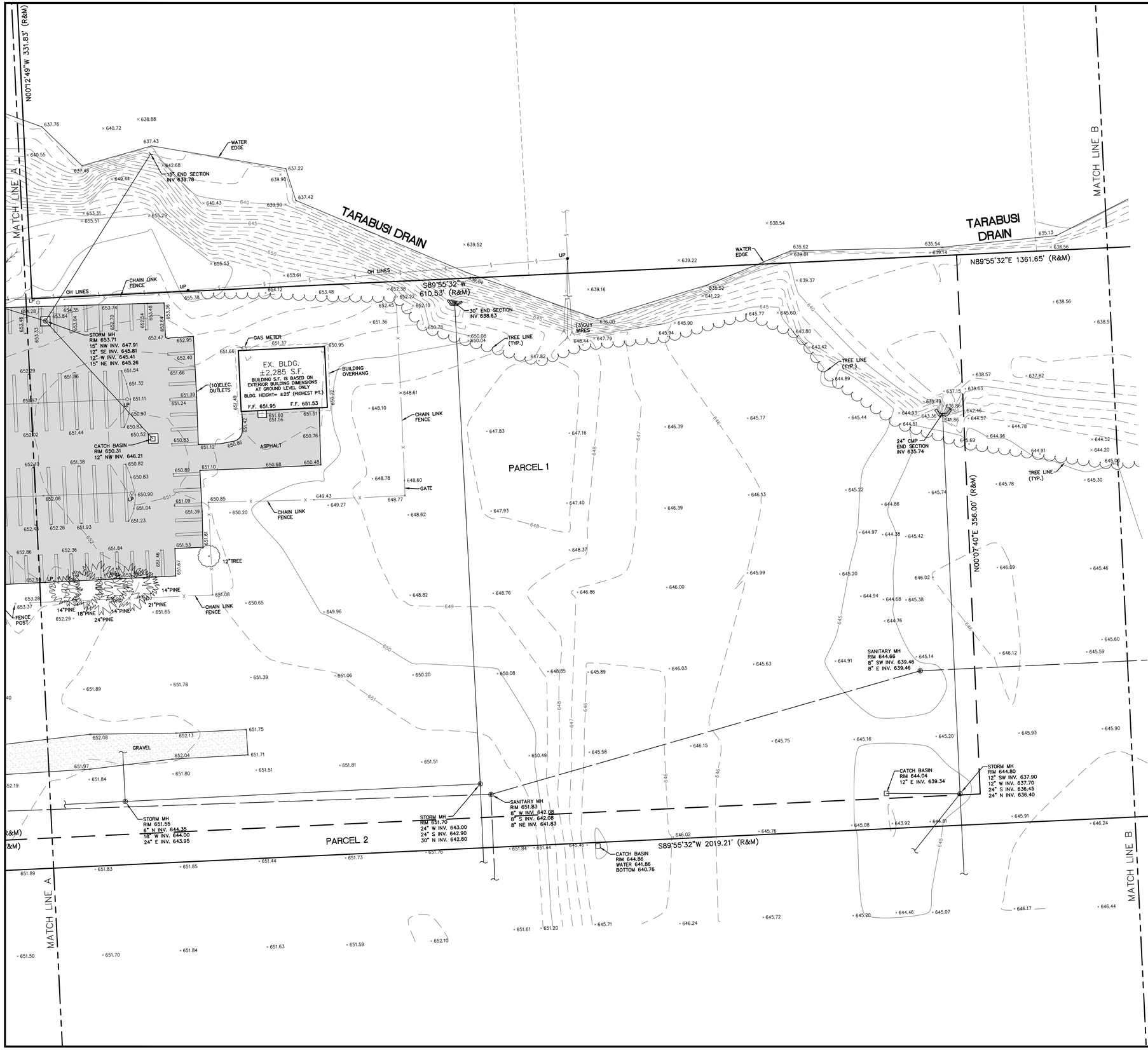
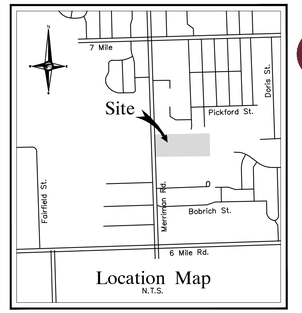
APPROX. LOCATION EX.





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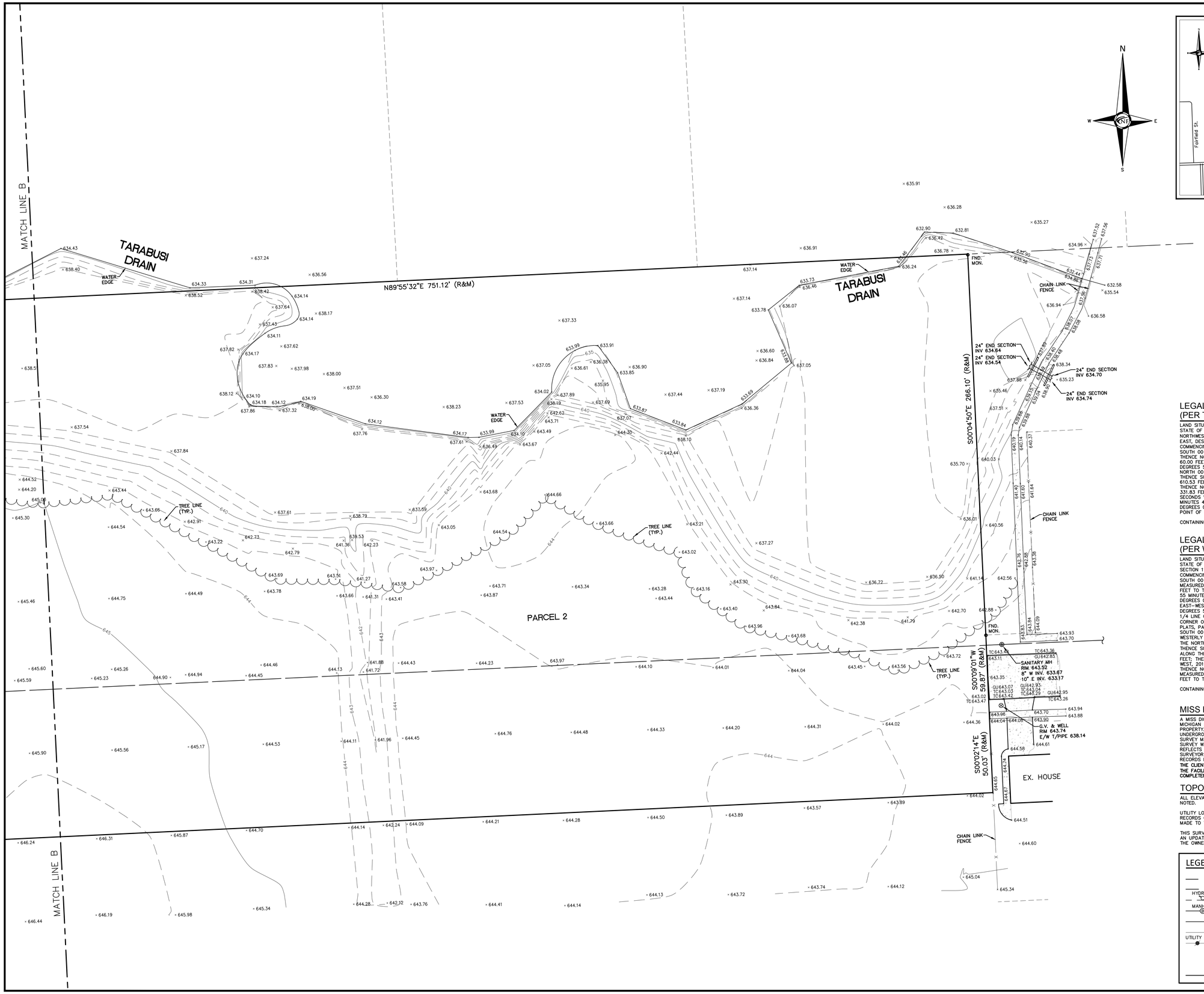
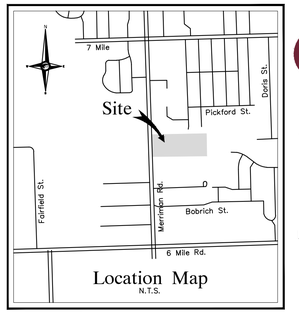
NFE JOB NO. **N210**
SHEET NO. **3 of 4**





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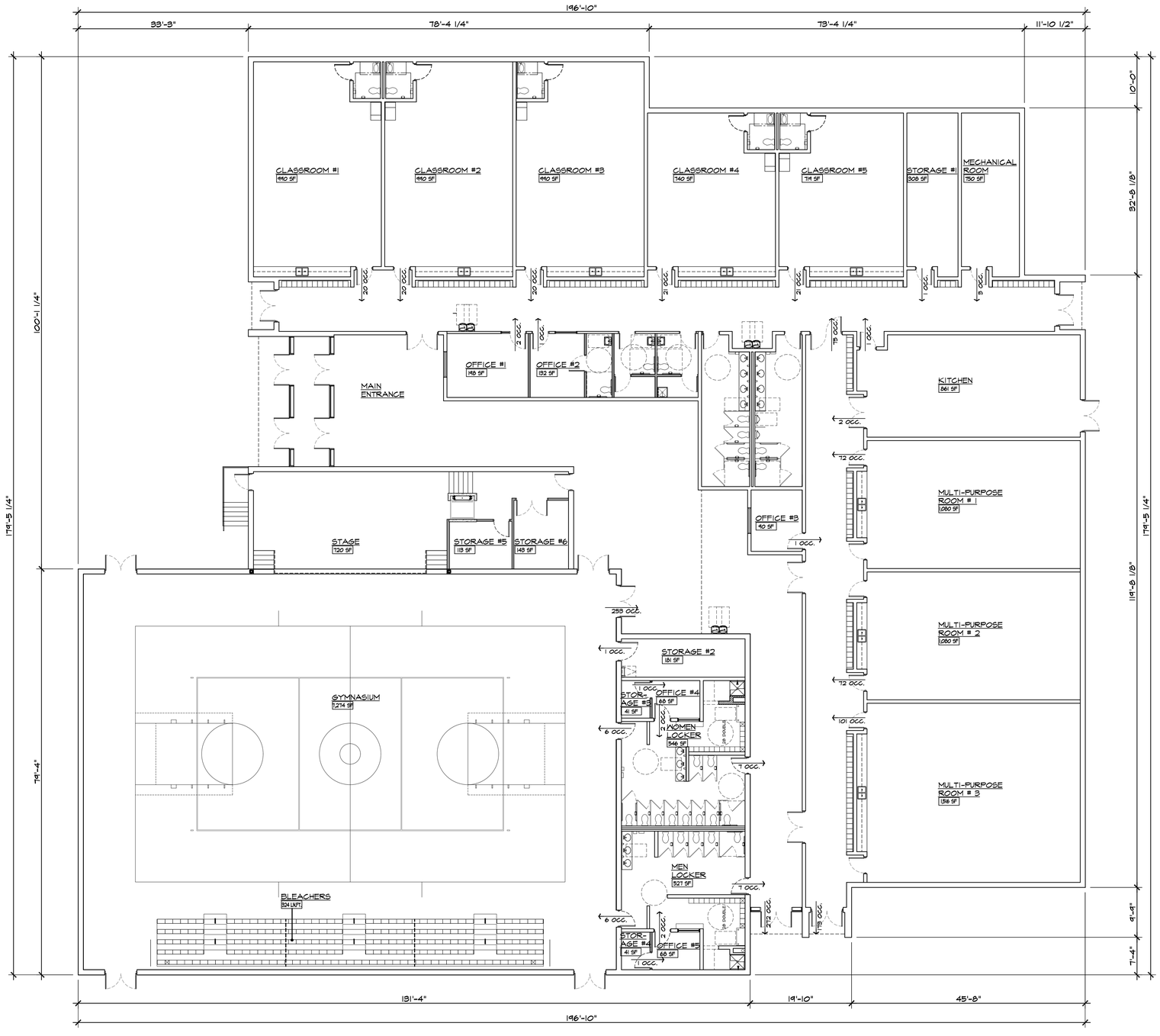


NORTH

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"

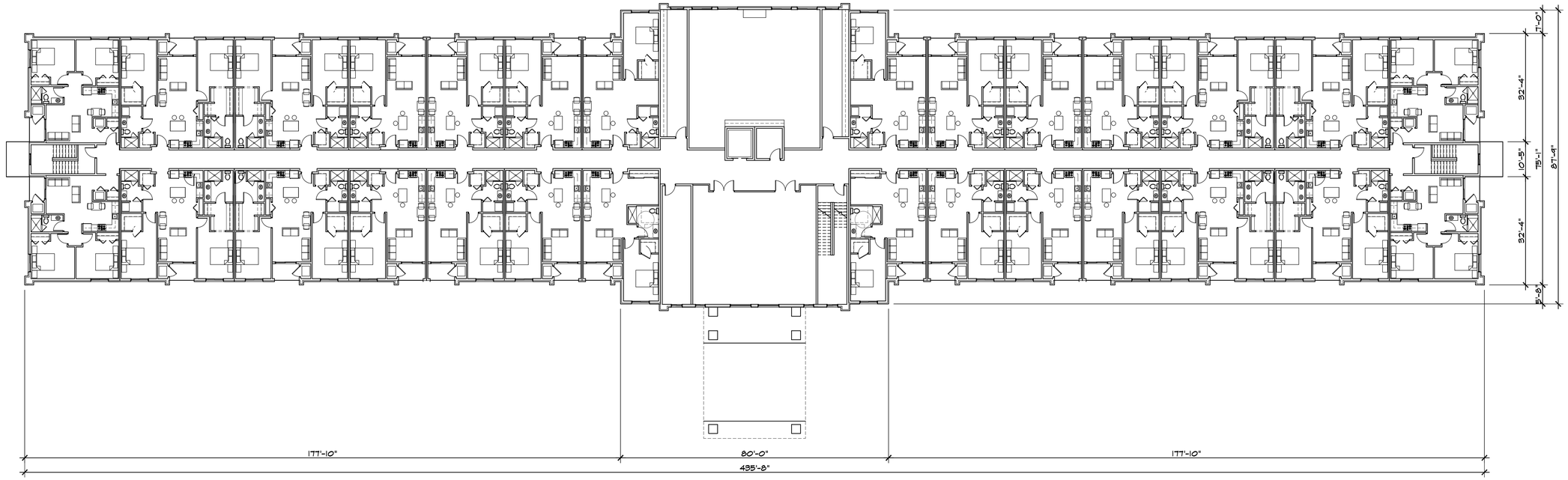
FILE NAME : 20035_A101

JOB #: 20035

SHEET TITLE
PROPOSED SCHOOL FLOOR PLAN

SHEET #
A.101

STATE OF MICHIGAN
SAMIR M. SAMAAN
No. 1301038452
LICENSED ARCHITECT



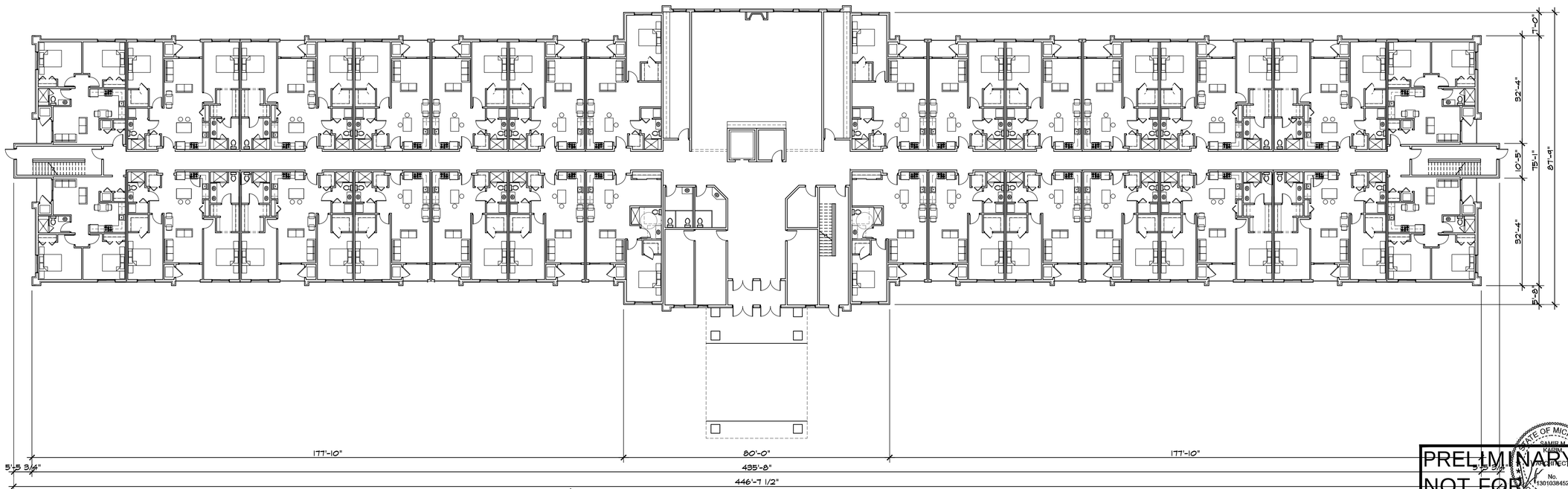
NORTH

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

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ST. MARY'S ACADEMY & GYMNASIUM
18200 MERRIMAN RD
LIVONIA, MICHIGAN

DRAWN:	DESIGNED:	CHECKED:
GA	GA	GA

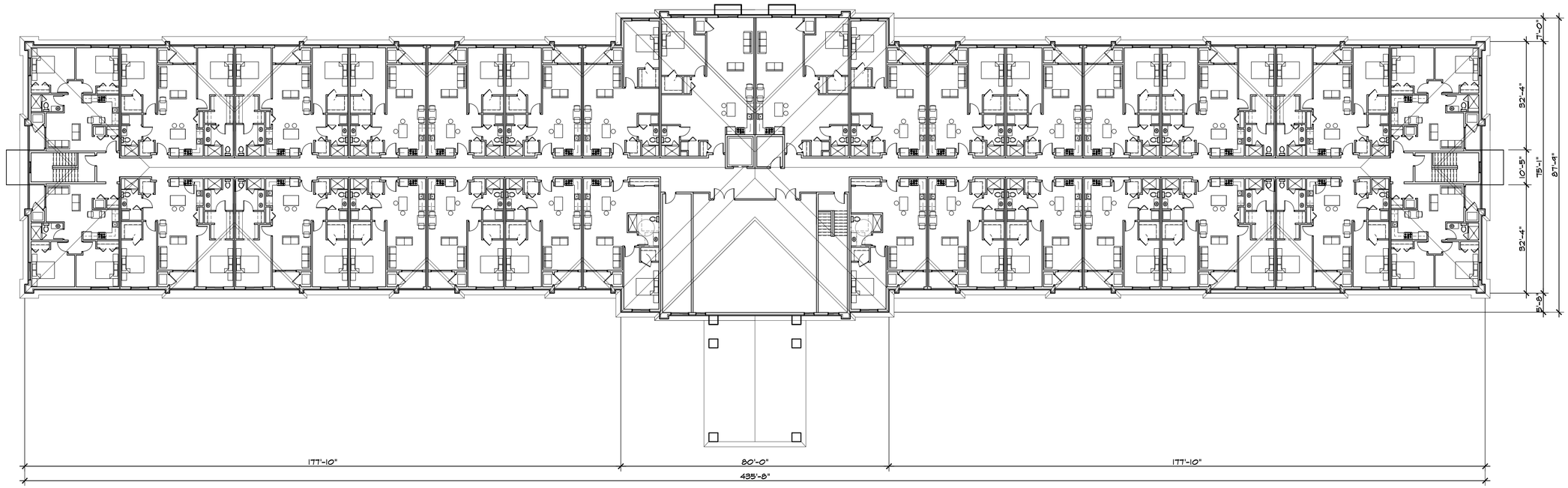
SCALE : 1/16" = 1'-0"

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

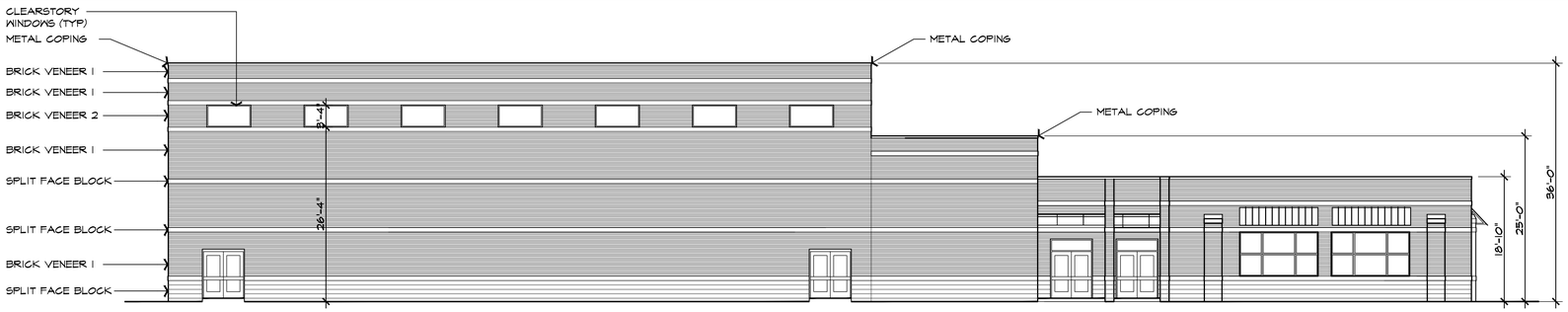
SCALE : 1/16" = 1'-0"

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"



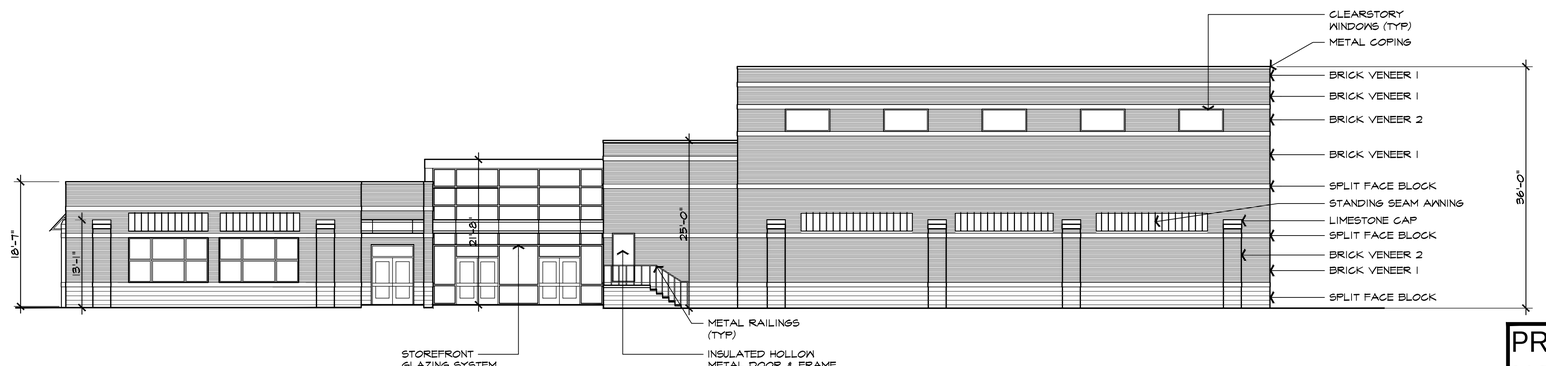
PROPOSED SCHOOL EAST ELEVATION

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

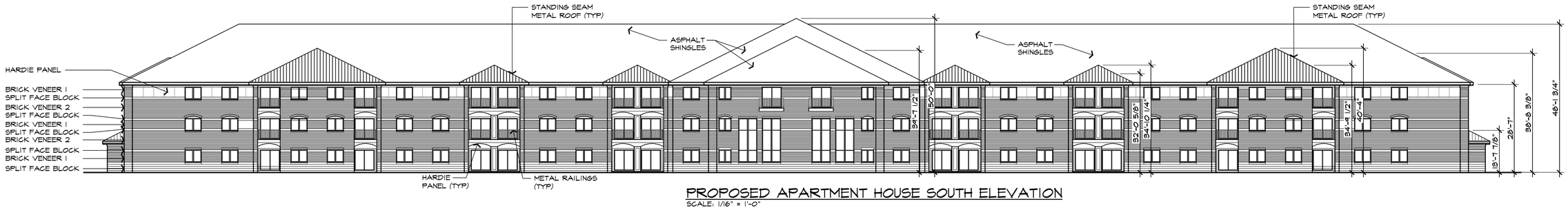
SCALE : 3/32" = 1'-0"

FILE NAME : 20035_A201

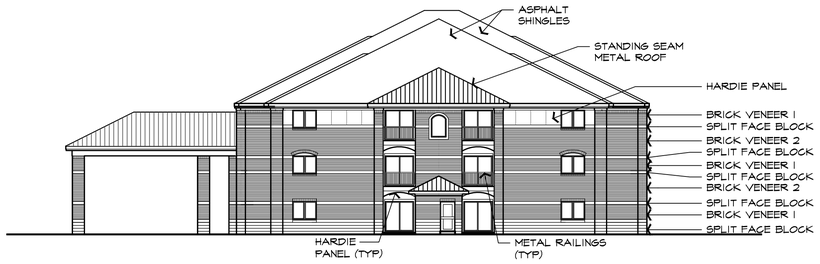
JOB #: 20035

SHEET TITLE
PROPOSED SCHOOL ELEVATIONS

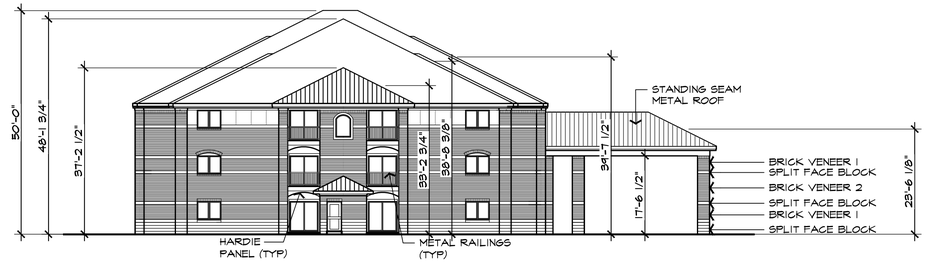
SHEET #
A.201



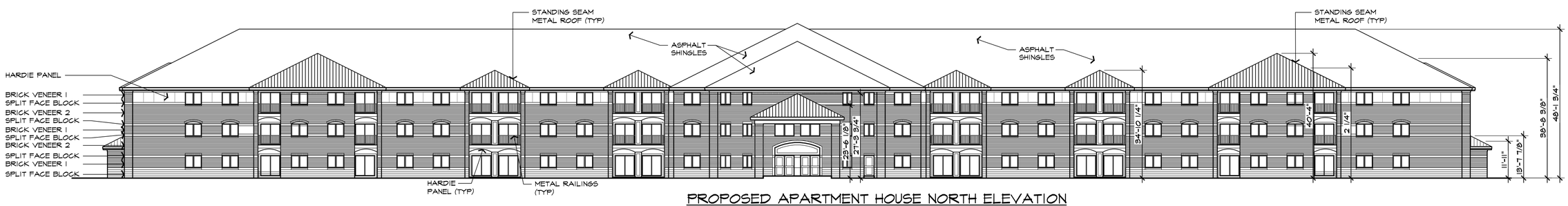
PROPOSED APARTMENT HOUSE SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



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. KARIM
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 734-459-4040

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

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

Elias

Scarlett♡.S.

Lea

Melvin.M.

Sophia

George

Chloe W.Mya

Adrian

Brooklyn

Quentin

Abby

Chloe

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.

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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).

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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

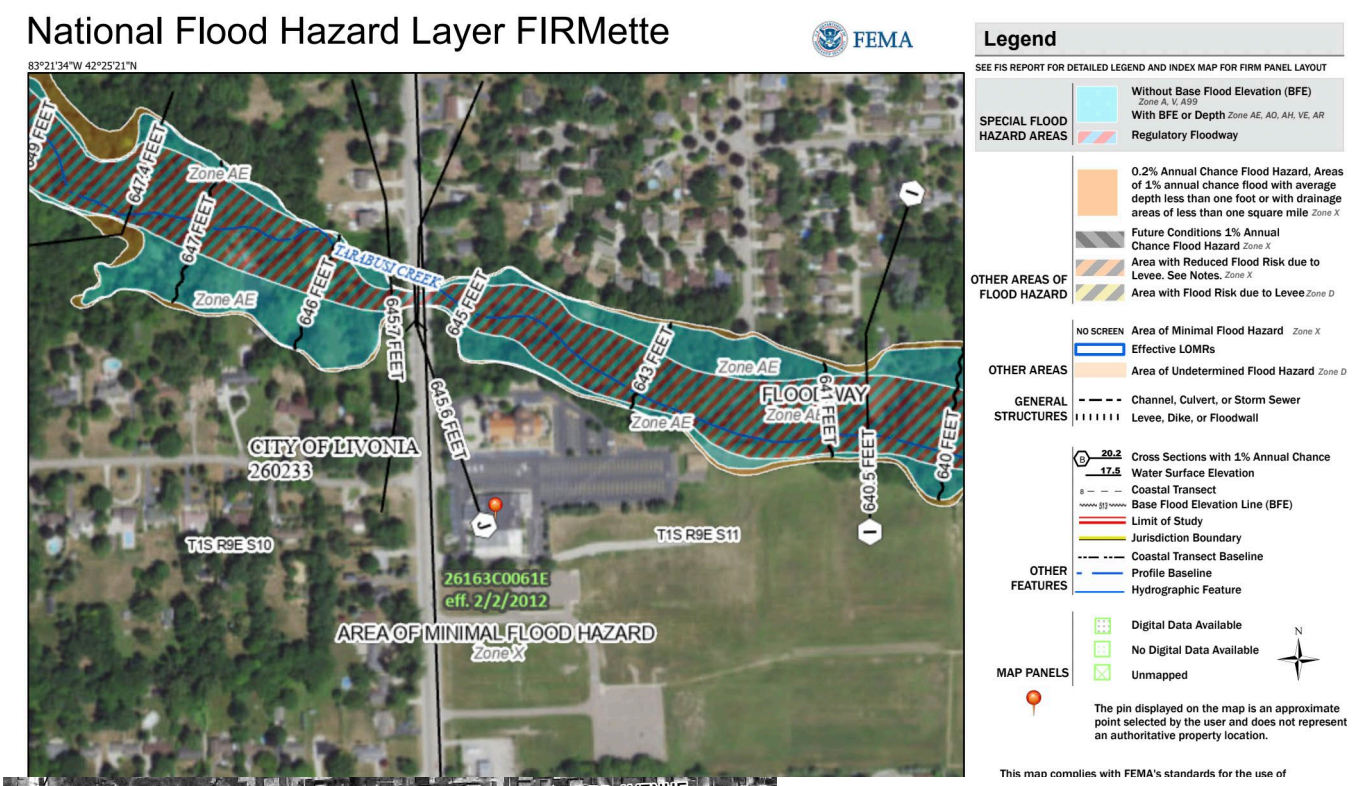
My husband and I moved to Brookwood Estates in November 2019 and our lot directly backs up to the field that is being discussed for rezoning today. When we stepped foot into our backyard for the first time, we knew that this was going to be our next home. The view is beautiful with the large field that 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.

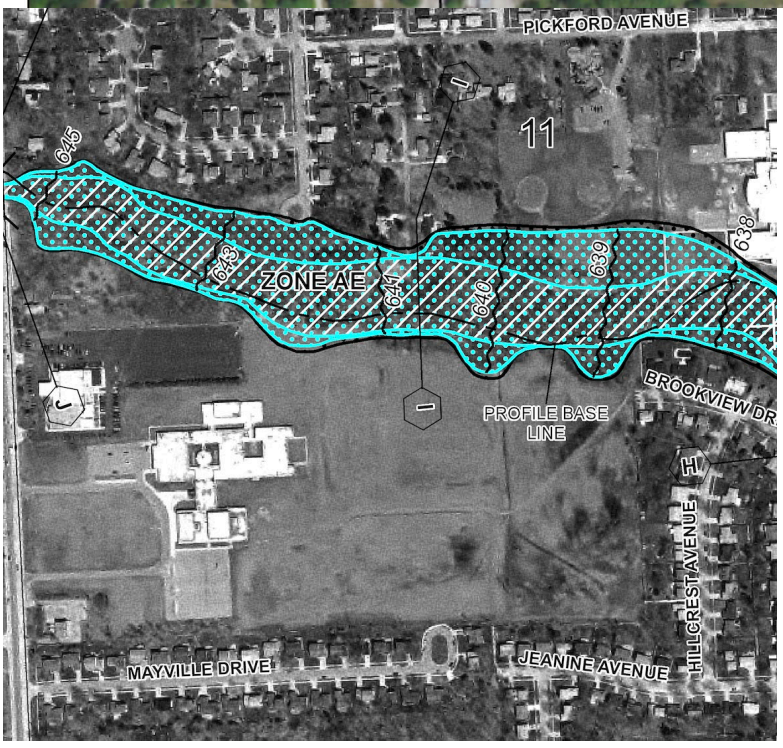
There were many beautiful houses that we found while searching for our home that we passed on because of their location next to commercial buildings, apartment buildings, or being too close to a main road. These things play a major factor in determining whether someone will buy a home and can have a 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
--
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.

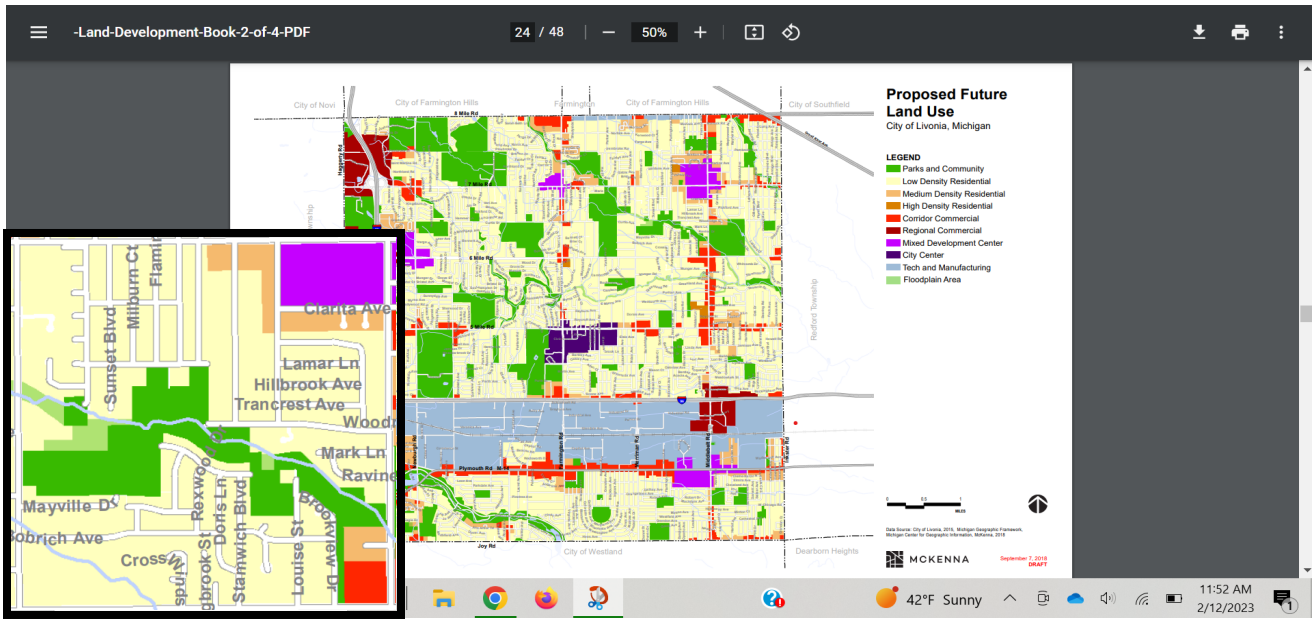
First, the rezoning of the first (most west, L shape) parcel of land from P-L to N-2 for the purpose of the Montessori school is appropriate. Most residents recognize that this does not change the atmosphere of the neighborhood as there are already schools nearby. Moreover, as an educational facility 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.

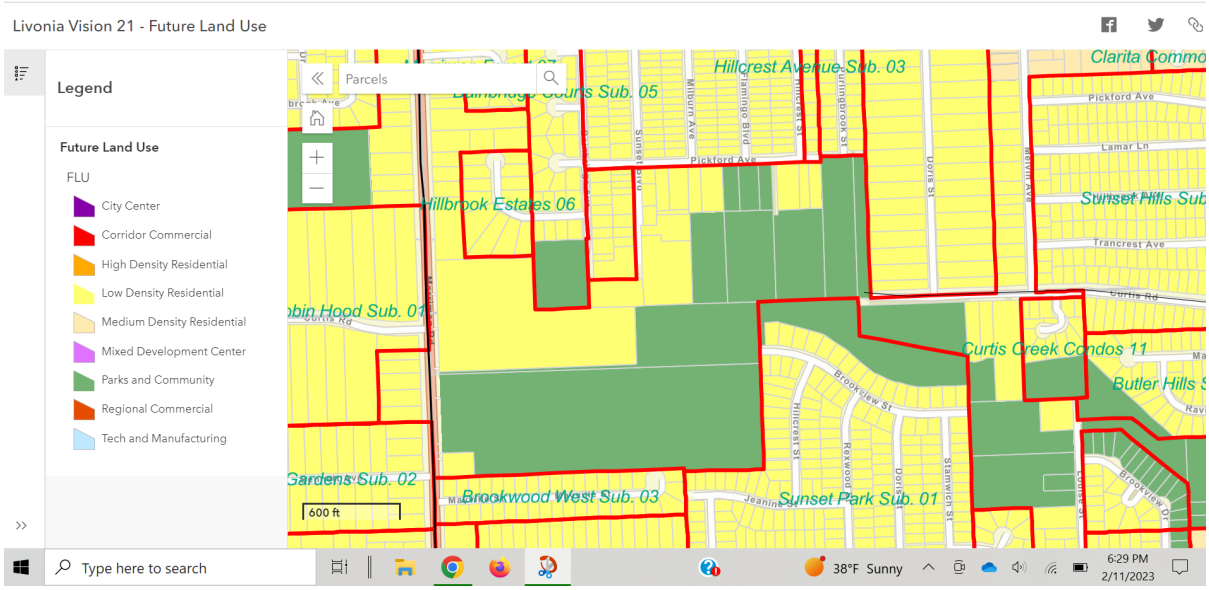
b. *Loss of Public Lands*. In today's day and age, the amount of public land in America is not growing. In fact, in the past 15 years the United States of America has lost more than 24 million acres of public land! As this is a shrinking commodity, the City of Livonia should be working to conserve it, 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.

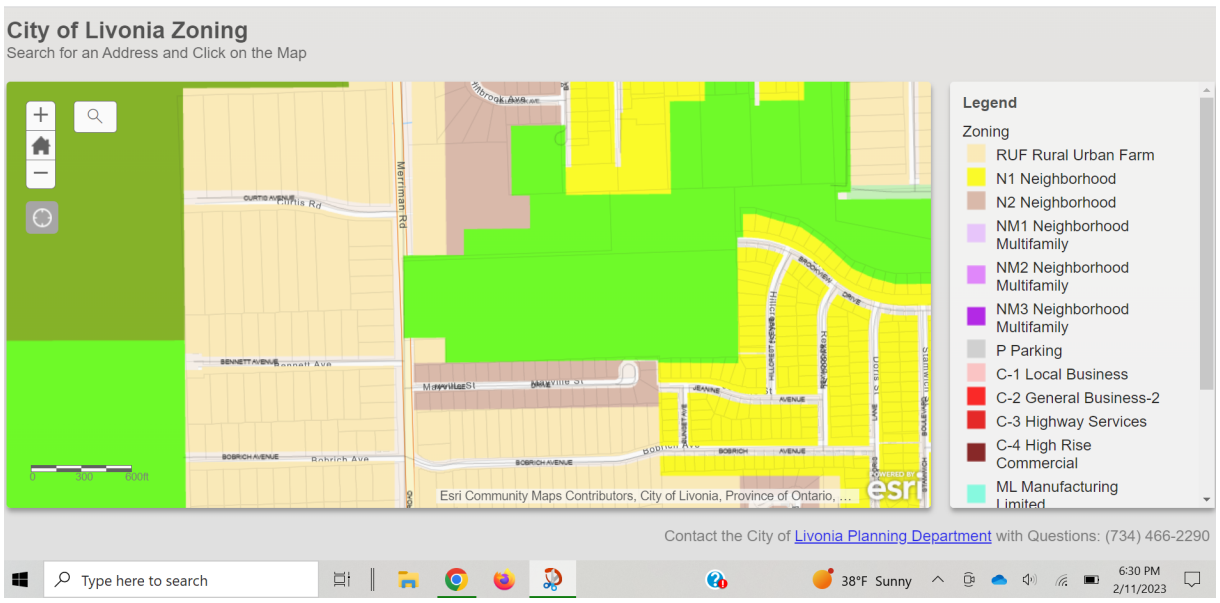
a. *Livonia Vision 21*. As members of the Livonia Planning Commission are already aware, the planning for the Livonia Vision 21 started in late 2017 and was officially adopted in January 2019. In this, the “Livonia Vision 21 - Future Land Use” proposed rezoning map was published. A screenshot of this 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.

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.

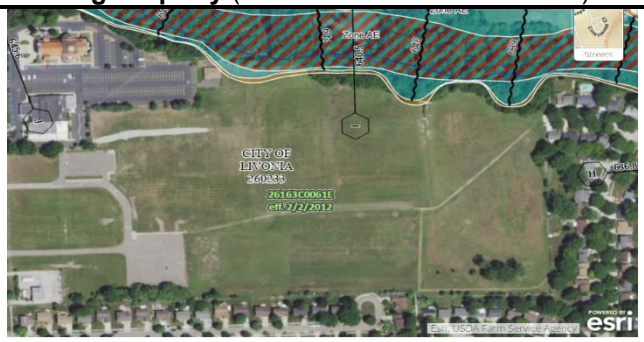
Dear Counsel Member x

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 □ision 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 □ision 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 □eanine Street
Livonia MI 48152
Ph. 734-xxx-xxxx **Email** dwood8689@google.com

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
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

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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 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

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
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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
Jessica Wilhoite	48152
Janet Roznowski	48150
Judith Malick	48152
Christine Schulkey	48152
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
Lithgow Ryan	48152
Patricia Garvey	48152
Theresa Carroll	48150
Robyn Frank	48152
Hunter James	48152
Romeo James	48152
Jessica Swanson	48154
Jennifer Paige	48185
Cynthia Korpela	48152
Amy Ciavaglia	48152
Andrea McMillan	48154
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
Kevin Stone	48154
Mary Lynne Roemer	48154
Steven Riemer	48154
Lisa Breitmeyer	48154
Cody Strauch	48154
Kelly Bache	48154
Donna Supplee	48150
Wendy Stone	48154
Elissa Brothers	48152
Judy Tootikian	48150
Janan Kaoud	48152
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

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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
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Kelli O'Halloran	48150
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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
Bujar Ramolli	48152
Leo Moilanen	48152
Denise Macmartin	48152
Jenna McWilliams	48152
Kaitlyn Kennedy	48154
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Janelle Adams	48152
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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
Alan tolcher Tolcher	48154
Lori Nersesian	48154
Valarie Mailloux	48152
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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
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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

Petition 2022-12-01-02 Rezoning of 18100 Merriman and 30600 Brookview - □OTE NO

Dear Counsel Members □olly, 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. □aving 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 □ision 21□ Text from the □ison 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 □eanine Street

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

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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.

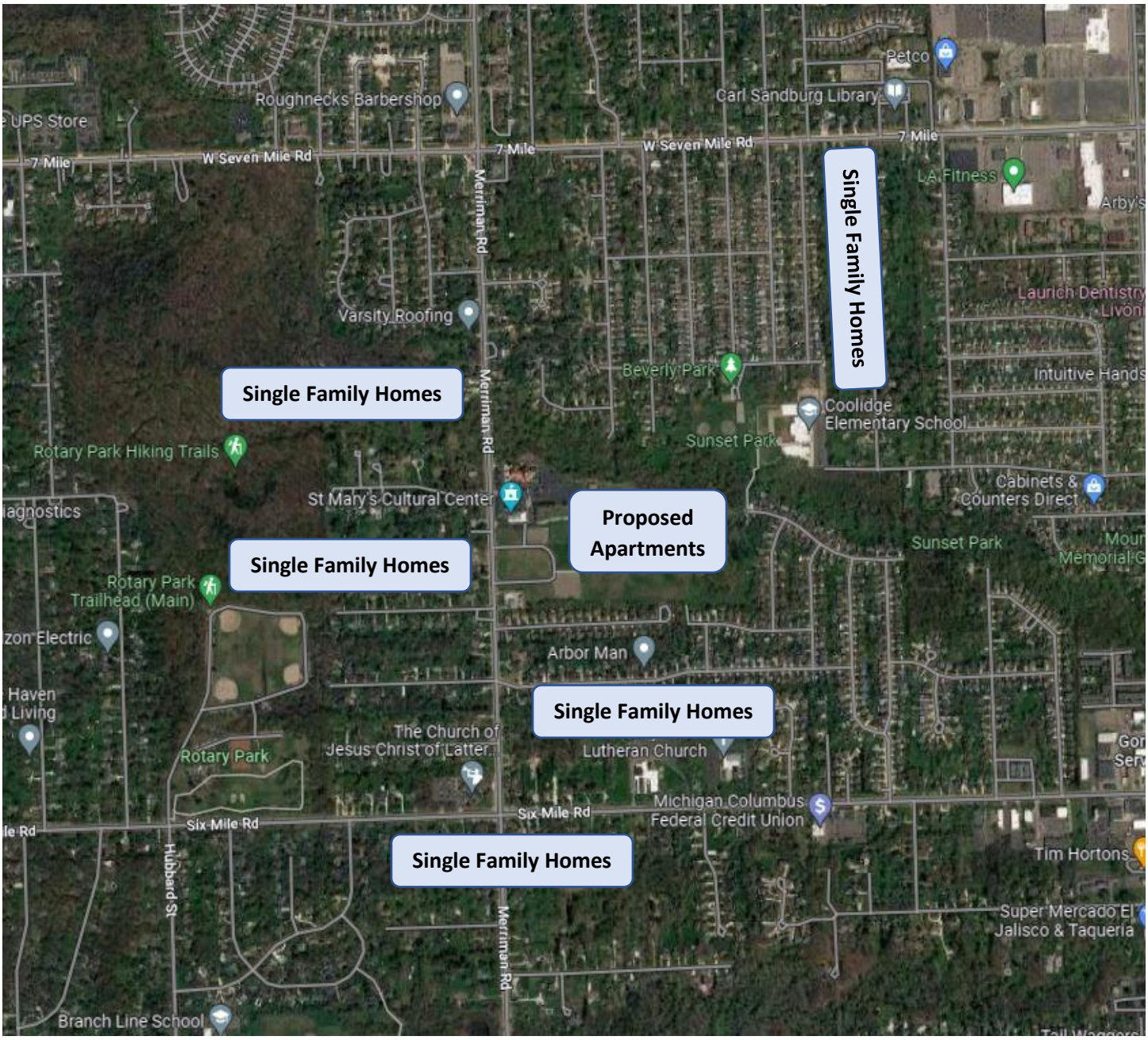
1.) Spot zoning occurs when the use of a parcel of land differs from the surrounding properties in that zone. For example, if a home is allowed to be used for business purposes in what would otherwise be a residential area, this could be considered spot zoning. In other words, one plot of land or building 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 □illage,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 □ision 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.

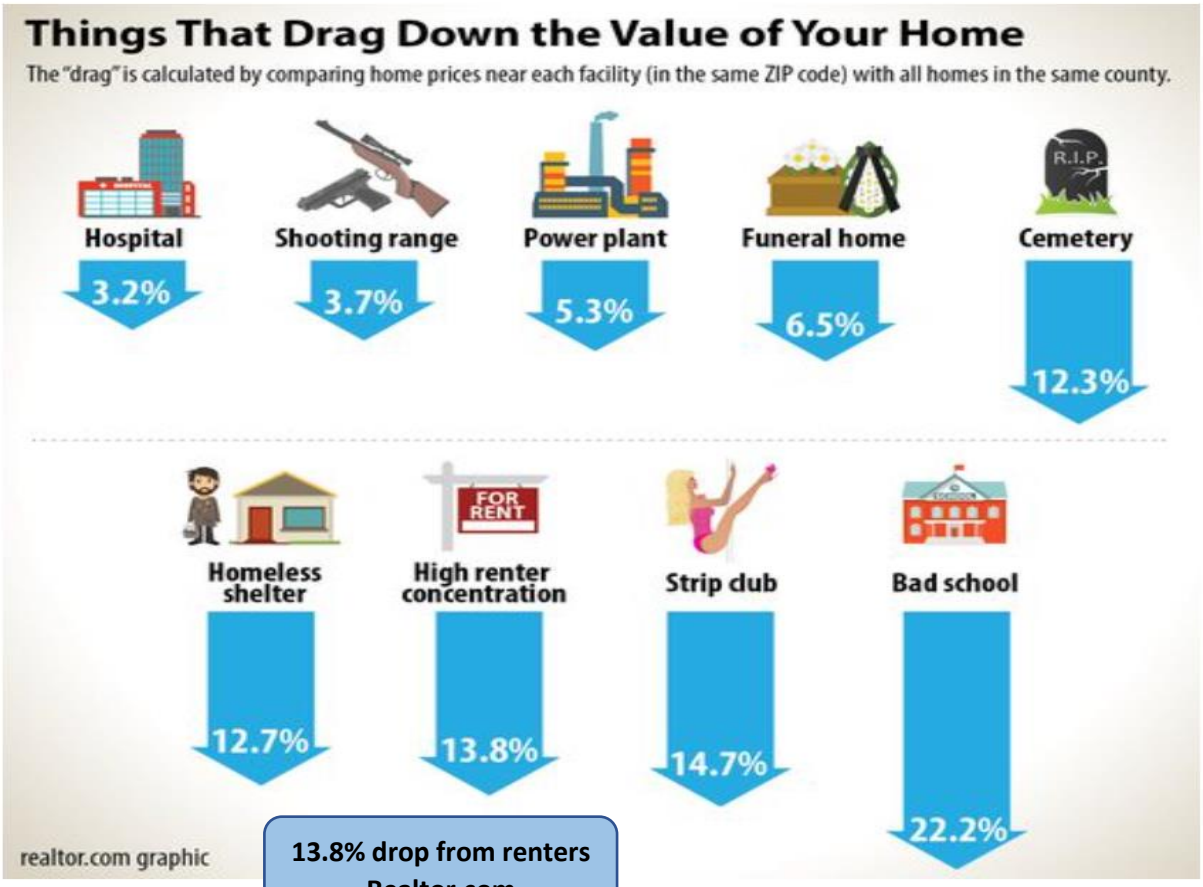
Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02

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

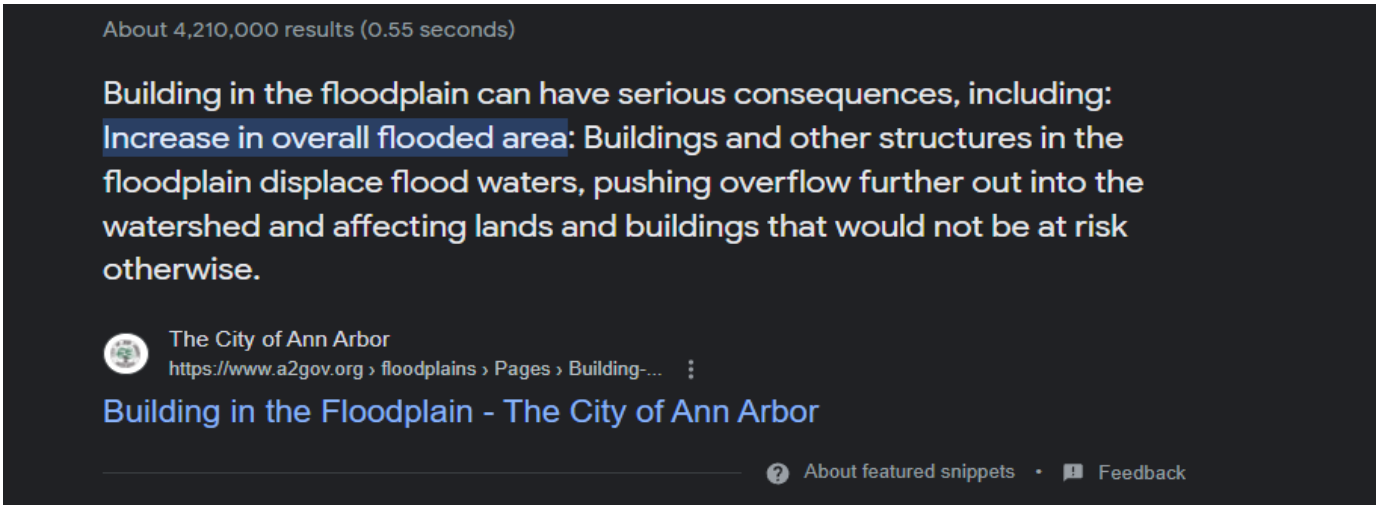
Flood Plain and Drainage Issues

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





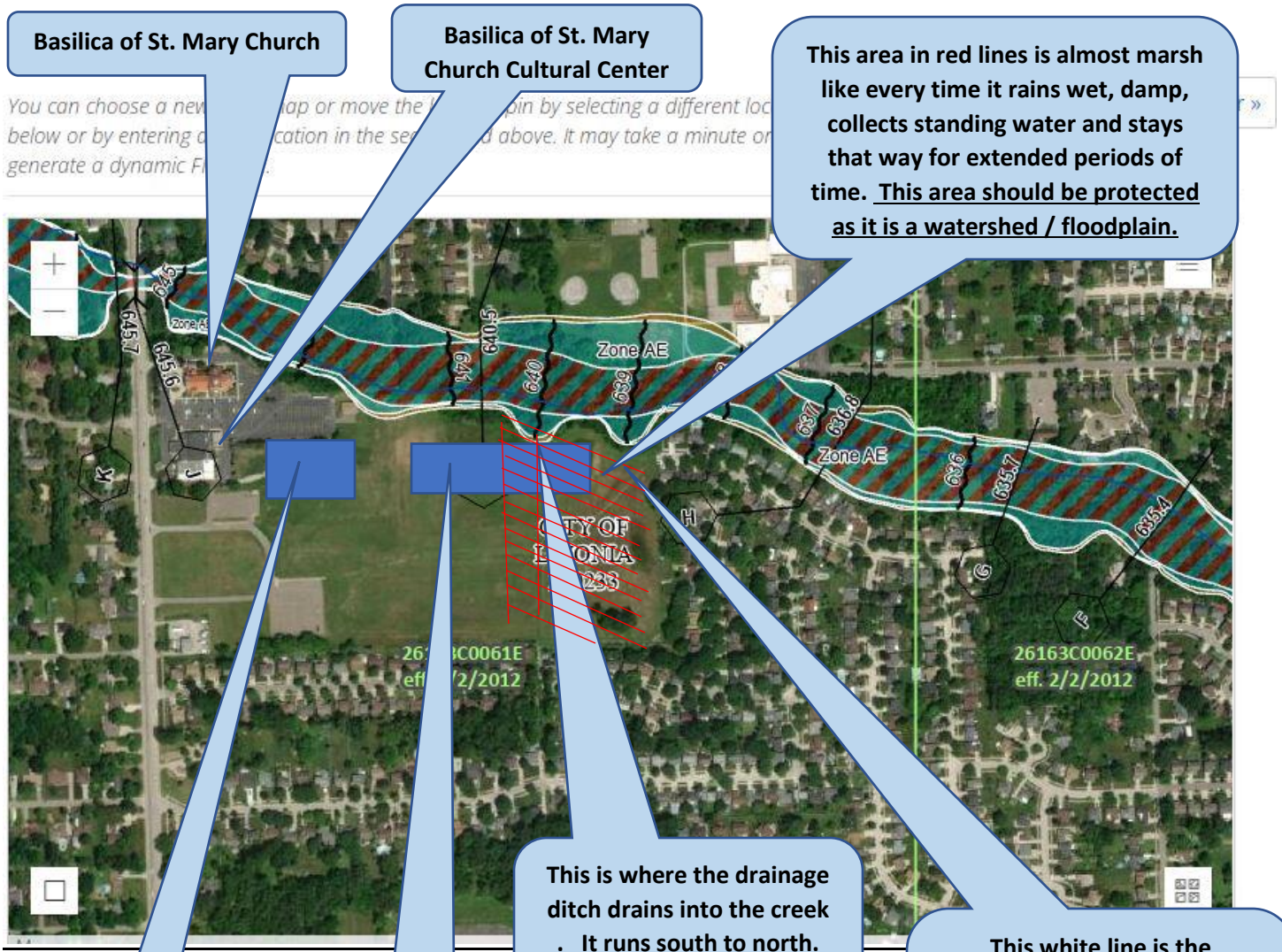




Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2022-12-01-02`

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

CITY OF □I□ONIA
PU□□IC □EARING

Minutes of Meeting □eld on □ ednesday, September 13, 2023

A Public □earing of the Council of the City of Livonia was held at the Livonia City □all Auditorium on September 13, 2023.

MEMBERS PRESENT: Laura Toy, □ice President
Rob Donovic
Brandon McCullough
Kathleen McIntyre
Scott Morgan

MEMBERS ABSENT: □im □olly, President (recused)
Scott Bahr

OT□ERS PRESENT: Paul Bernier, City Attorney
Mark Taormina, Planning and Economic Development Director
Sara Kasprowicz, Recording Secretary

The Public □earing was called to order at 7:28 p.m. with Council □ice 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 □ 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 □earing is now open. There were approximately 250 persons in the audience.

□olly — 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 □ice 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 ice 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 earing on the rezoning on anuary 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 ice 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 ice President Toy. ust 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 □ice 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, □ision 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 □ust curious. All right. That's all for now. Thank you.

Toy kGrysko Anyone else from the Council□ Would the petitioner like to come forward. 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 □oning 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 □ice 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 □azard. 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.

□oekstra Good evening. My name is Robert □oekstra, I live at 30564 □eanine 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. □ust 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 □igh 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 ello, Kevin Skylis, 30528 eanine 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 BA 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 r. igh 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 illcrest, 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 oseph Kozma. I'm at 17605 illcrest, 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 □ust 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□ □e 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.

olland Magdalene olland and I live at 31691 Bennett, Livonia and my concern is, nobody has talked about taxes. ow 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 illbrook 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 ice 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 ice 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 ice 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 ust 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 earing was declared closed at 8:32 p.m.

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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Email not displaying correctly? View it in your browser.

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)

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

jg

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: 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).

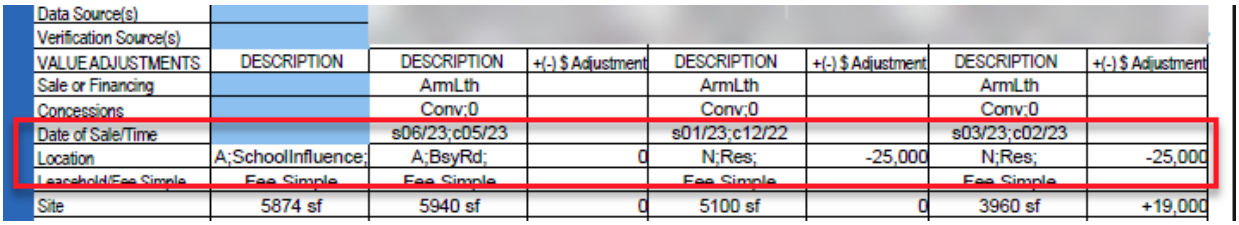
Public Hearing held on September 13, 2023.

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: 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).

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.

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.

ASTI ENVIRONMENTAL

Assessment • Remediation • Compliance
Restoration • Incentives

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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 (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	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 (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	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**
Hydric Soil Present?	Yes X	No ____	**within a Wetland?** **Yes** X **No** ____
Wetland Hydrology Present?	Yes X	No ____	If yes, optional Wetland Site ID: ____

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)	%	Redox Features Color (moist)	%	Type[1]	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**
Hydric Soil Present?	Yes ____	No X	**within a Wetland?** **Yes** ____ **No** X
Wetland Hydrology Present?	Yes X	No ____	If yes, optional Wetland Site ID: ____

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 (inches)	Matrix Color (moist)	%	Redox Features 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 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 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 (inches)	Matrix Color (moist)	%	Redox Features 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)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

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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 (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Redox Features Type[1]	Redox Features 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):

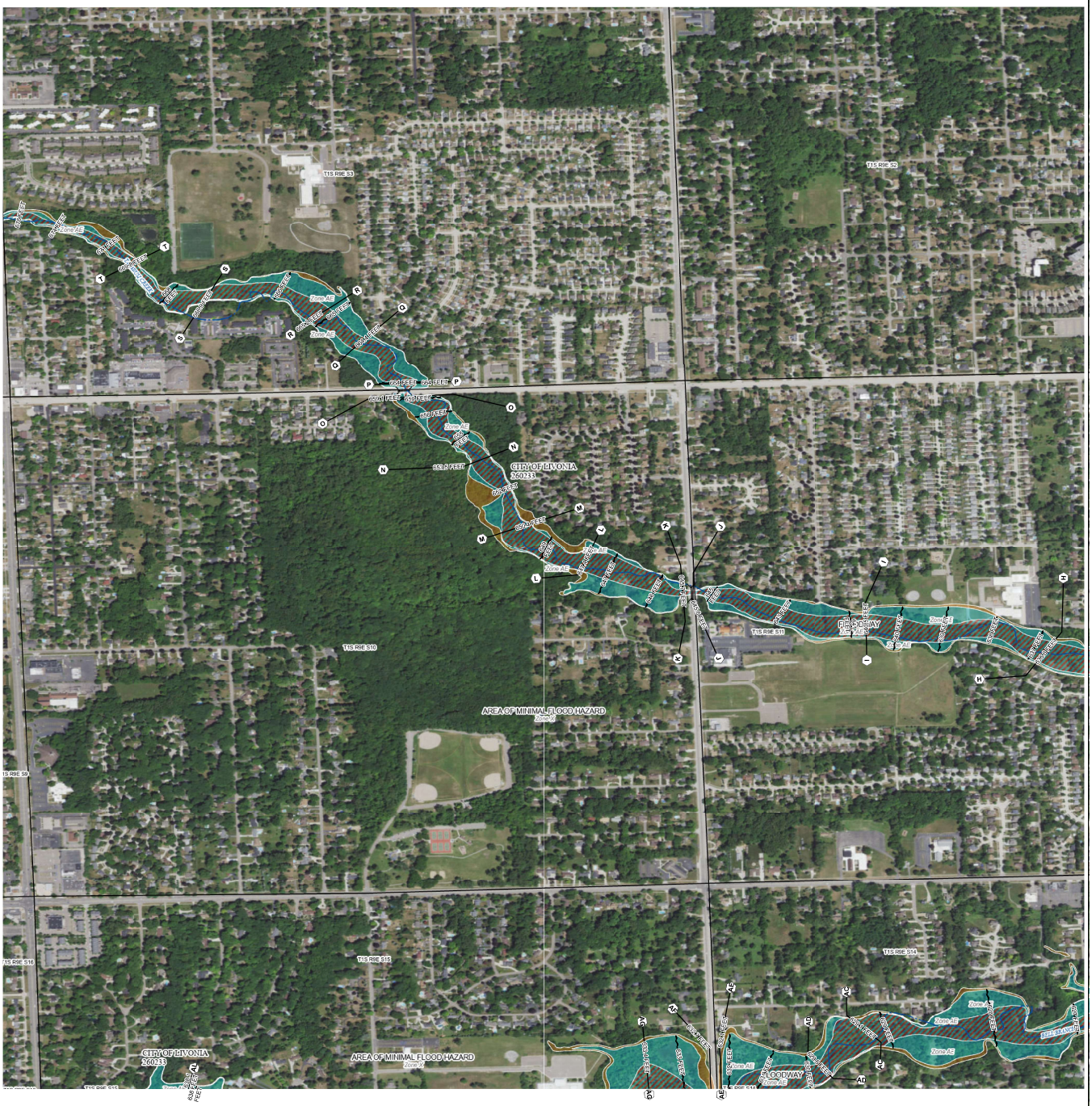
Type: _____

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, 499
- 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

1 inch = 500 feet 1:6,000

0 250 500 1,000 1,500 2,000 Feet

N

0 50 100 200 300 400 Meters

FEMA National Flood Insurance Program

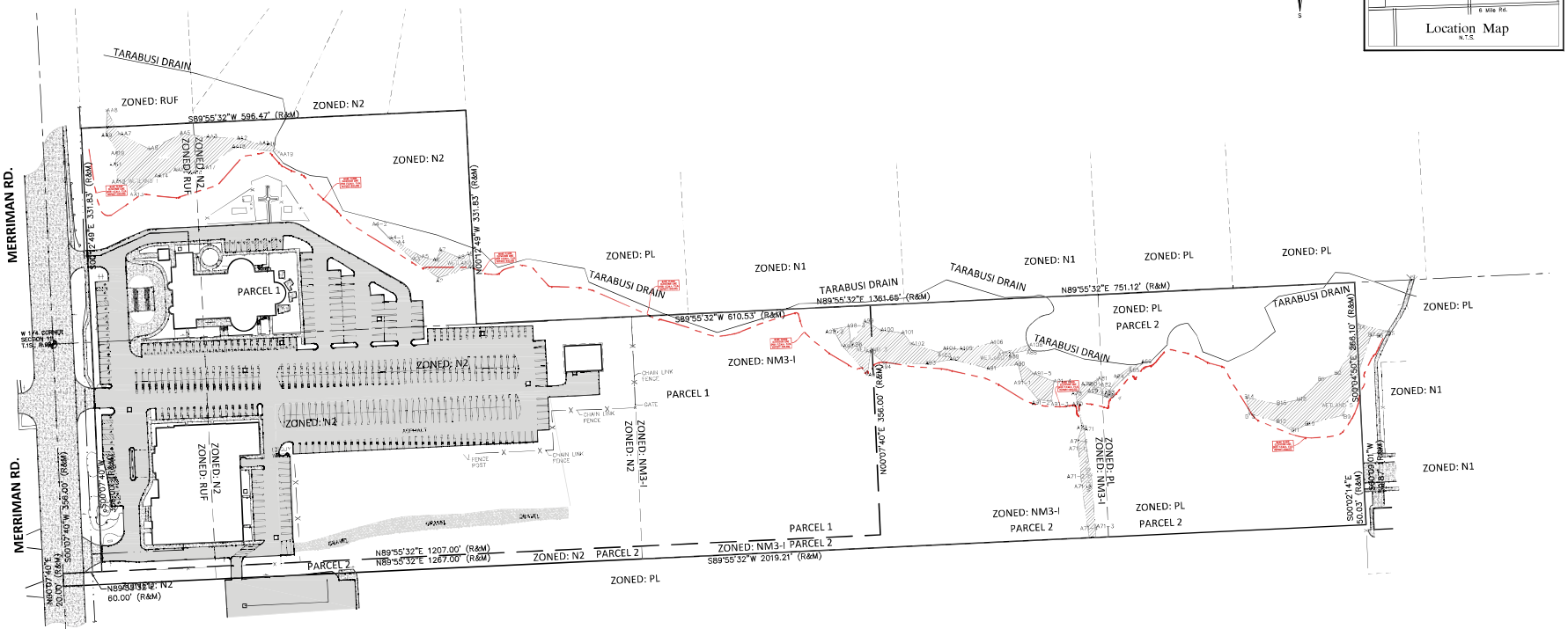
NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

PANEL 61 OF 541

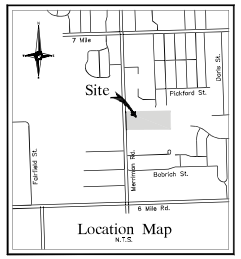
Panel Contains:

COMMUNITY	NUMBER	PANEL
CITY OF LIVONIA	260233	0061

MAP NUMBER
26163C0061E
EFFECTIVE DATE
February 02, 2012


TARABUSI DRAIN
ZONED: RUF
ZONED: N2
S89°55'32"W 596.47' (R&M)
ZONED: N2
ZONED: RUF
ZONED: N2
MERRIMAN RD.
S00°02'49"E 331.83' (R&M)
N00°02'49"W 331.83' (R&M)
ZONED: PL
TARABUSI DRAIN
ZONED: N1
TARABUSI DRAIN
N89°55'32"E 1361.65' (R&M)
TARABUSI DRAIN
ZONED: N1
N89°55'32"E 751.12' (R&M)
ZONED: PL
ZONED: PL
ZONED: PL
PARCEL 1
S89°55'32"W 610.53' (R&M)
ZONED: NM3-I
PARCEL 2
TARABUSI DRAIN
ZONED: PL
PARCEL 2
TARABUSI DRAIN
S00°04'50"E 265.10' (R&M)
ZONED: PL
ZONED: N2
ZONED: N1
ZONED: N2
ZONED: NM3-I
N00°07'40"E 356.00' (R&M)
ZONED: NM3-I
ZONED: PL
ZONED: N1
MERRIMAN RD.
S00°07'40"W 356.00' (R&M)
S00°02'14"E 50.03' (R&M)
S00°02'14"E 50.03' (R&M)
N00°07'40"E 20.00' (R&M)
N89°55'32"E 60.00' (R&M)
ZONED: N2
PARCEL 1
N89°55'32"E 1207.00' (R&M)
N89°55'32"E 1267.00' (R&M)
ZONED: N2
PARCEL 2
ZONED: NM3-I
PARCEL 2
S89°55'32"W 2019.21' (R&M)
ZONED: NM3-I
PARCEL 2
ZONED: PL
PARCEL 2
ZONED: PL
ZONED: PL
PARCEL 1
ZONED: N2
ZONED: N2
ZONED: N2
ZONED: NM3-I
ZONED: N2
ZONED: RUF
ZONED: N2
PARCEL 1
ZONED: N2
ZONED: N2
ZONED: N2





Location Map
N.T.S.

LEGAL DESCRIPTION - PARCEL 1 (PER TAX RECORDS)

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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 20220920012A3, 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 FURNISHED PRIOR TO THE DATE THIS SURVEY WAS ISSUED. **THE CLIENT AND/OR THEIR AUTHORIZED AGENT SHALL VERIFY WITH THE UTILITY OWNERS AND/OR THEIR AUTHORIZED AGENTS, THE COMPLETENESS AND EXACTNESS OF THE UTILITIES LOCATION.**

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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. 47351 — 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

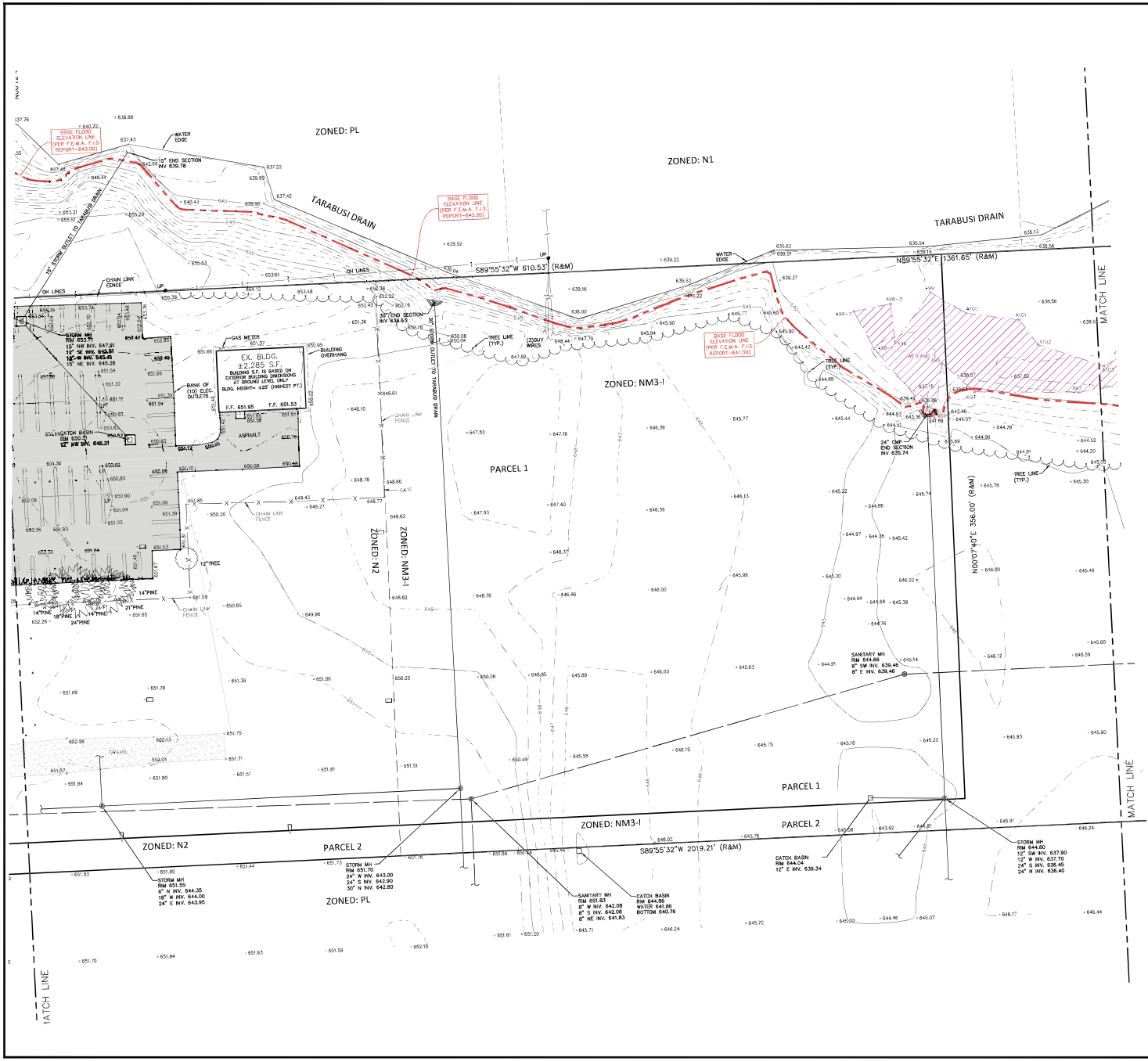
811 Know what's below Call before you dig.

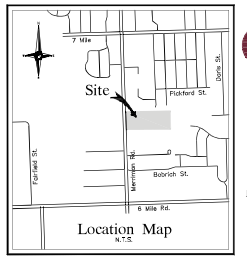
DATE	ISSUED/REVISED
10-01-2022	ORIGINAL SURVEY
04-12-2023	ADD WETLANDS
10-17-2023	PRELIMINARY SITE PLAN
10-03-2023	REV. PHOTOMETRIC PLAN

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-02





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TEL. (248) 332-7931
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SEAL

STATE OF MICHIGAN — PATRICK J. WILLIAMS — ENGINEER NO. 43381 — REGISTERED PROFESSIONAL

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.

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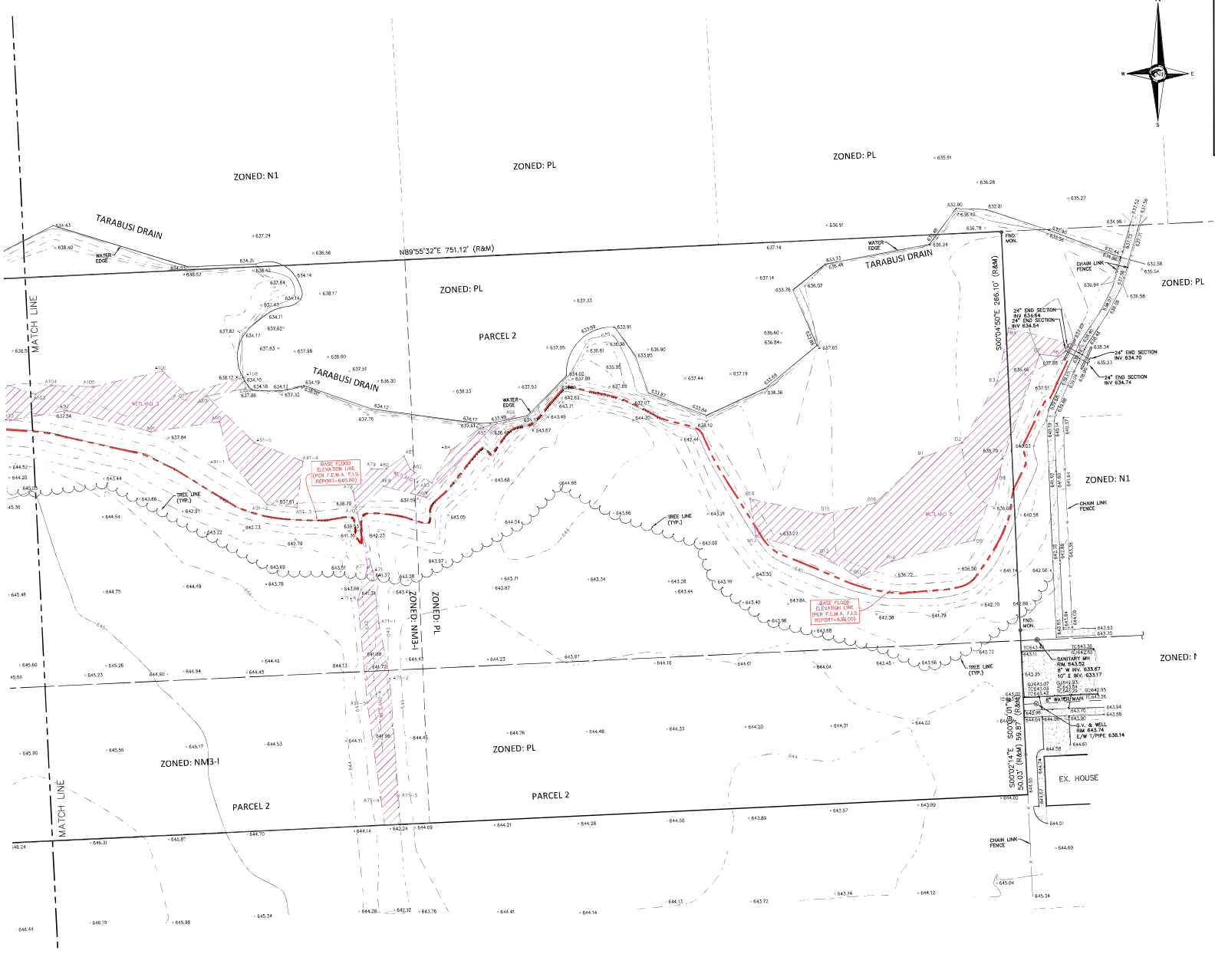
11-03-2023	REV. PHOTOMETRIC PLAN

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**





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SEAL

STATE OF MICHIGAN — PATRICK J. WILLIAMS — ENGINEER NO. 44381 — REGISTERED PROFESSIONAL

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
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of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET
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11-03-2023	REV. PHOTOMETRIC PLAN

DRAWN BY: A. Eizember
DESIGNED BY:
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 30'

NFE JOB NO. N210
SHEET NO. SP-04

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 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

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

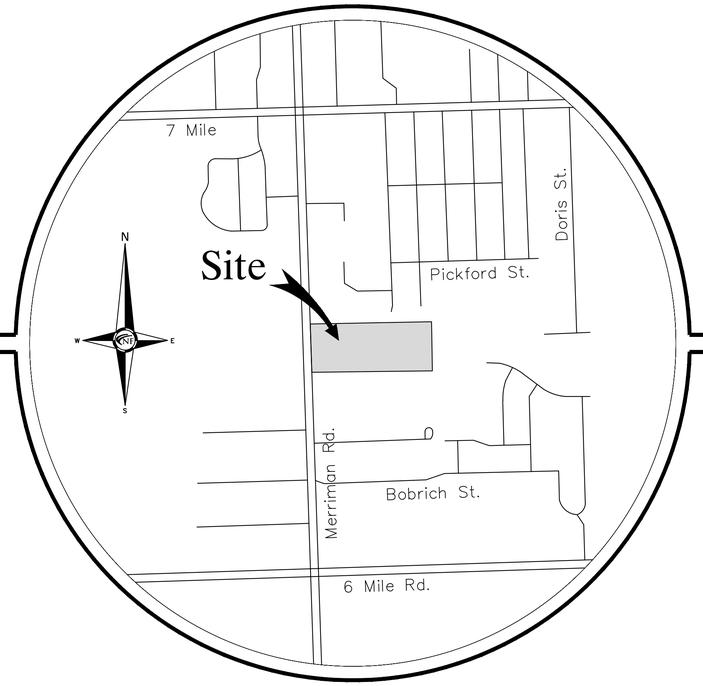
T: 248.332.7931

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

NFE JOB #N210

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
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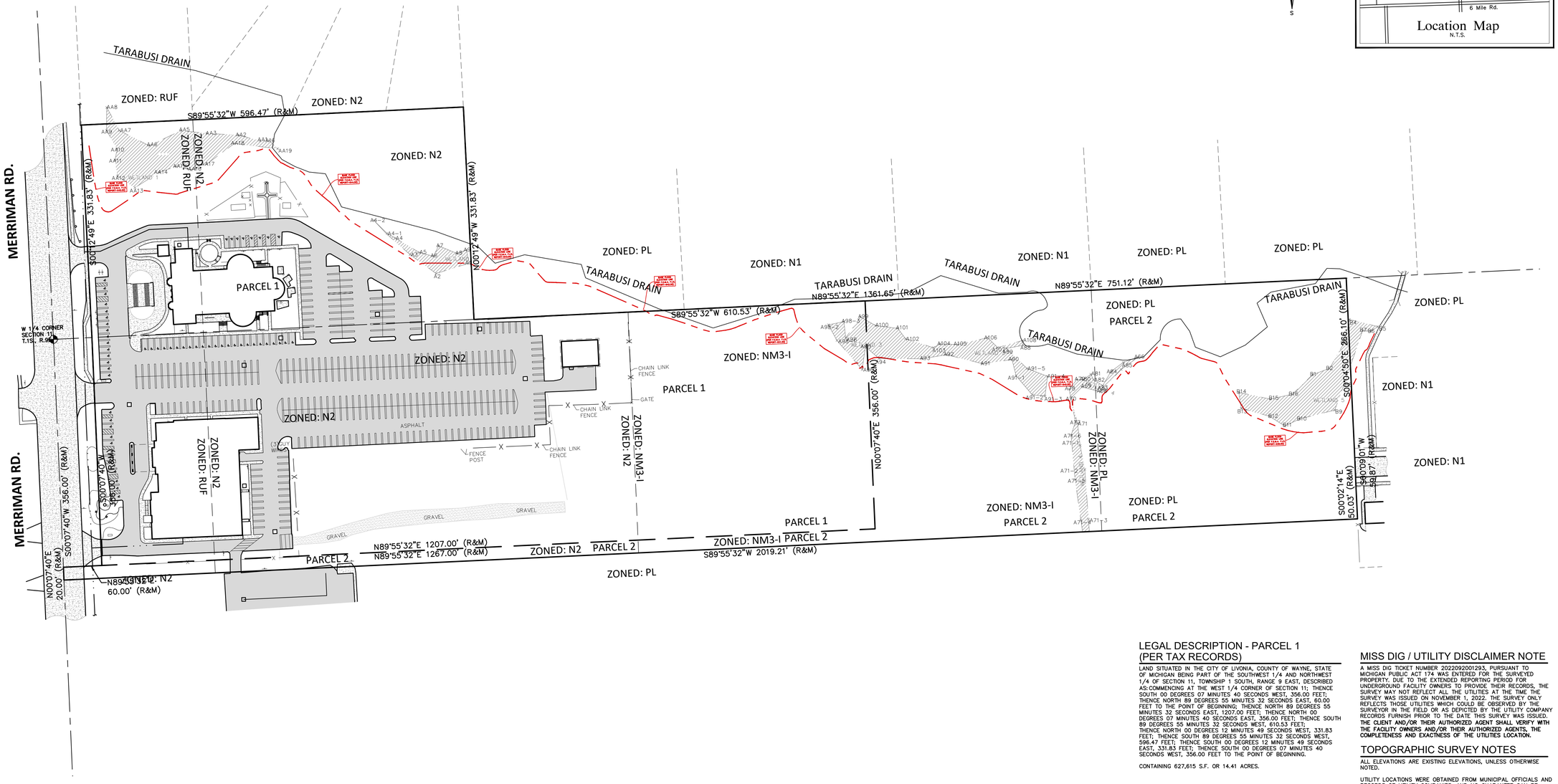

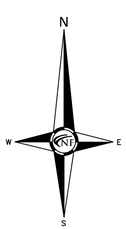



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WWW.NFE-ENGR.COM

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

Overall Site Survey

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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

Know what's **below** **Call** before you dig.

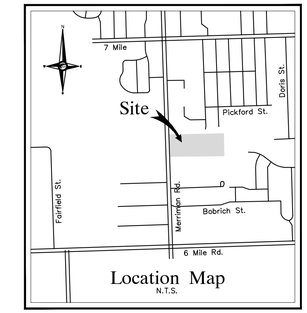
DATE	ISSUED/REVISED
11-01-2022	ORIGINAL SURVEY
04-12-2023	ADD WETLANDS
10-17-2023	PRELIMINARY SITE PLAN
11-03-2023	REV. PHOTOMETRIC PLAN

DRAWN BY: A. Eizember
DESIGNED BY:
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 80'

80 40 0 40 80 120

NFE JOB NO. **N210**
SHEET NO. **SP-01**





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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. 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

LEGAL DESCRIPTION - PARCEL 1 (PER TAX RECORDS)

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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

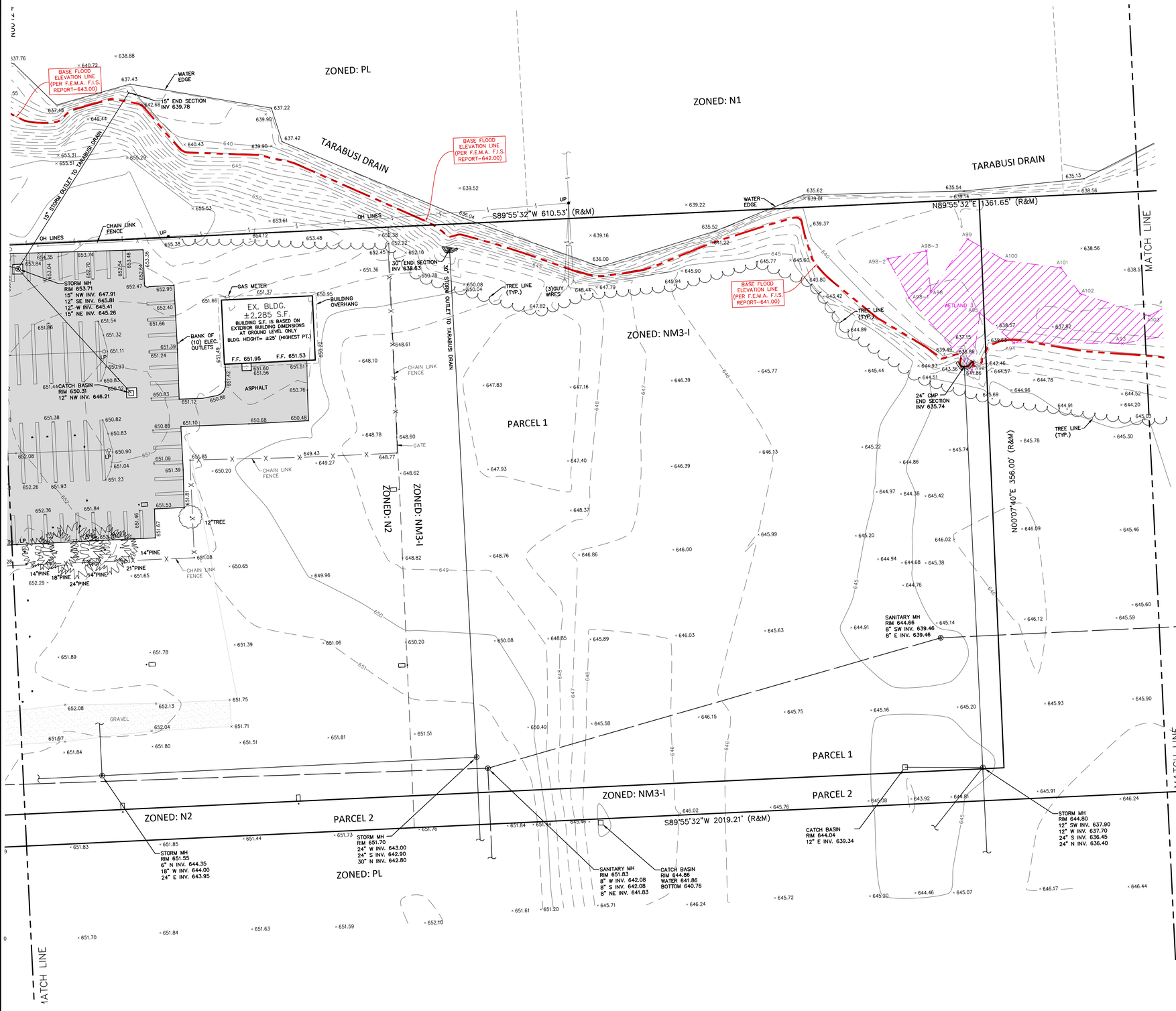
SHEET NO. SP-02

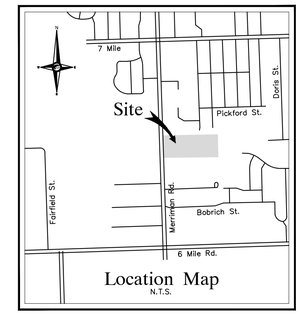
PROJECT LOCATION

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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LEGEND

- MANHOLE — EXISTING SANITARY SEWER
- HYDRANT, GATE VALVE — EXISTING SAN. CLEAN OUT
- MANHOLE, CATCH BASIN — EXISTING WATER MAIN
- EX. R.Y. CATCH BASIN — EXISTING STORM SEWER
- UTILITY POLE, GUY POLE — EXISTING BURIED CABLES
- GUY WIRE — OVERHEAD LINES
- LIGHT POLE
- SIGN
- EXISTING GAS MAIN

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. 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**
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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

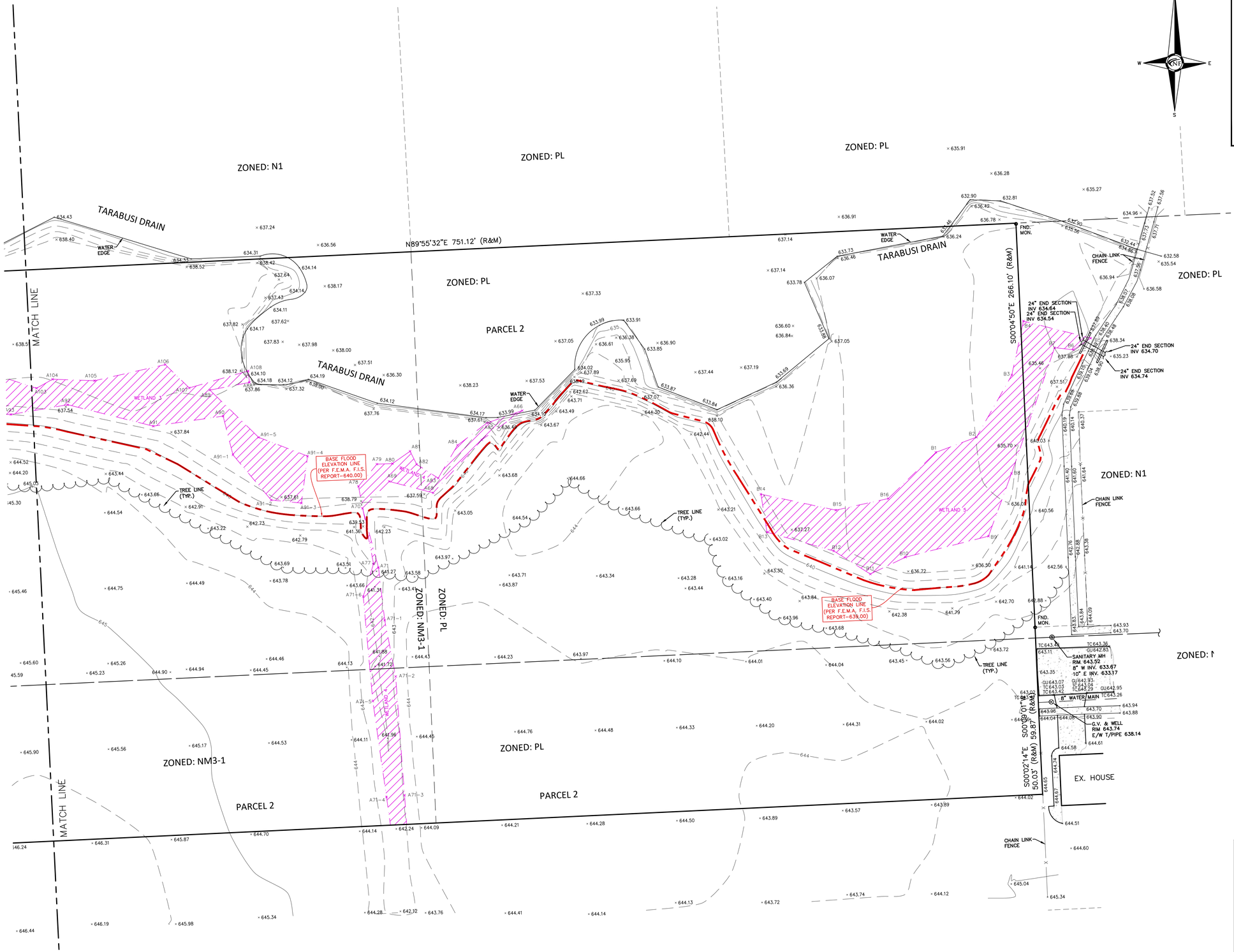
DATE: October 4, 2023

SCALE: 1" = 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

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SEAL

STATE OF MICHIGAN — PATRICK J. WILLIAMS — ENGINEER NO. 44251 — PROFESSIONAL ENGINEER

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CLIENT

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Contact: Salem Samaan
Ph: (734) 459-4040

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T. 1 South, R. 9 East
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SHEET

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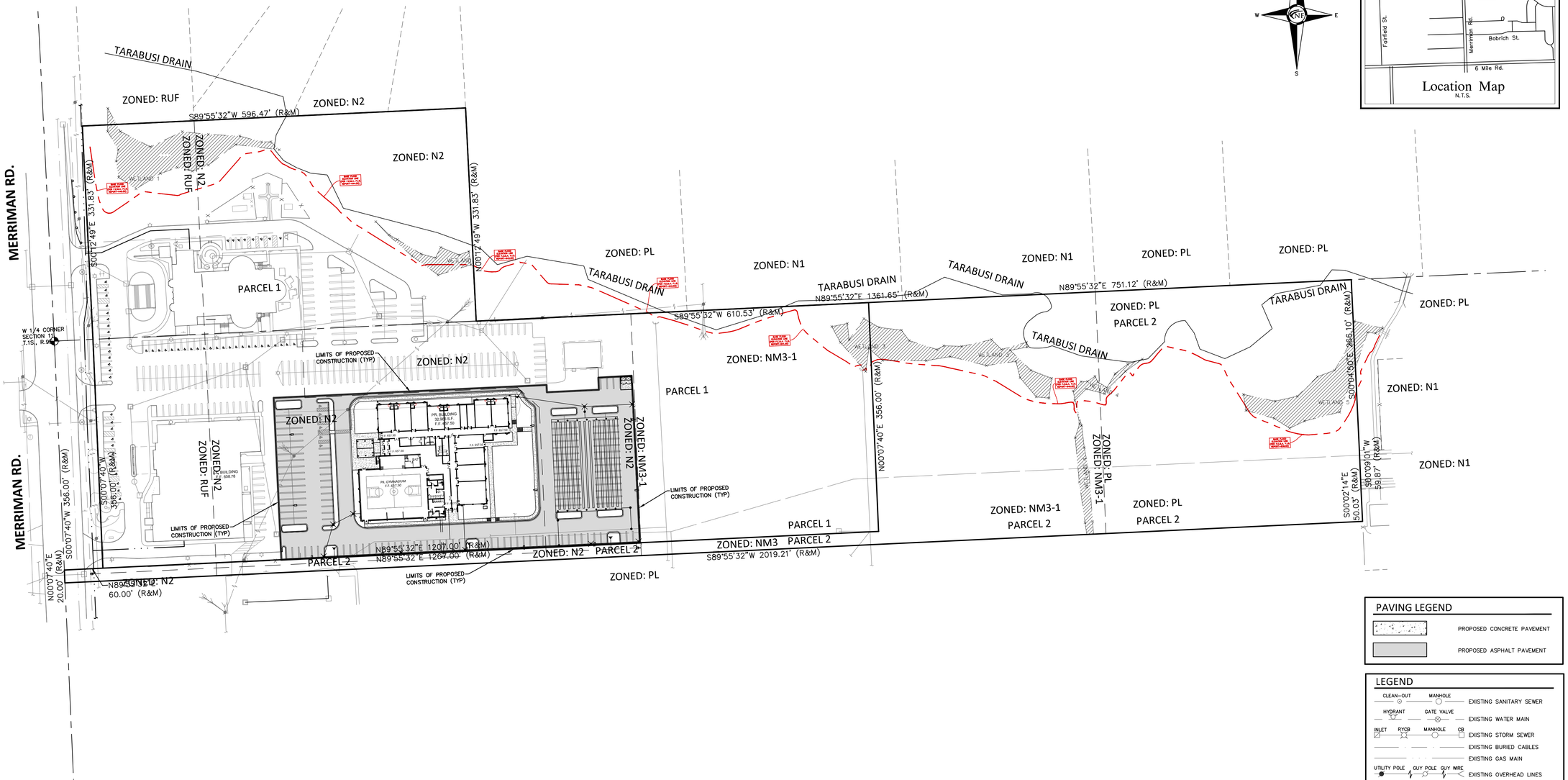
11-03-2023	REV. PHOTOMETRIC PLAN

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**



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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 (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

PROJECT
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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 Plan

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. Wiseman

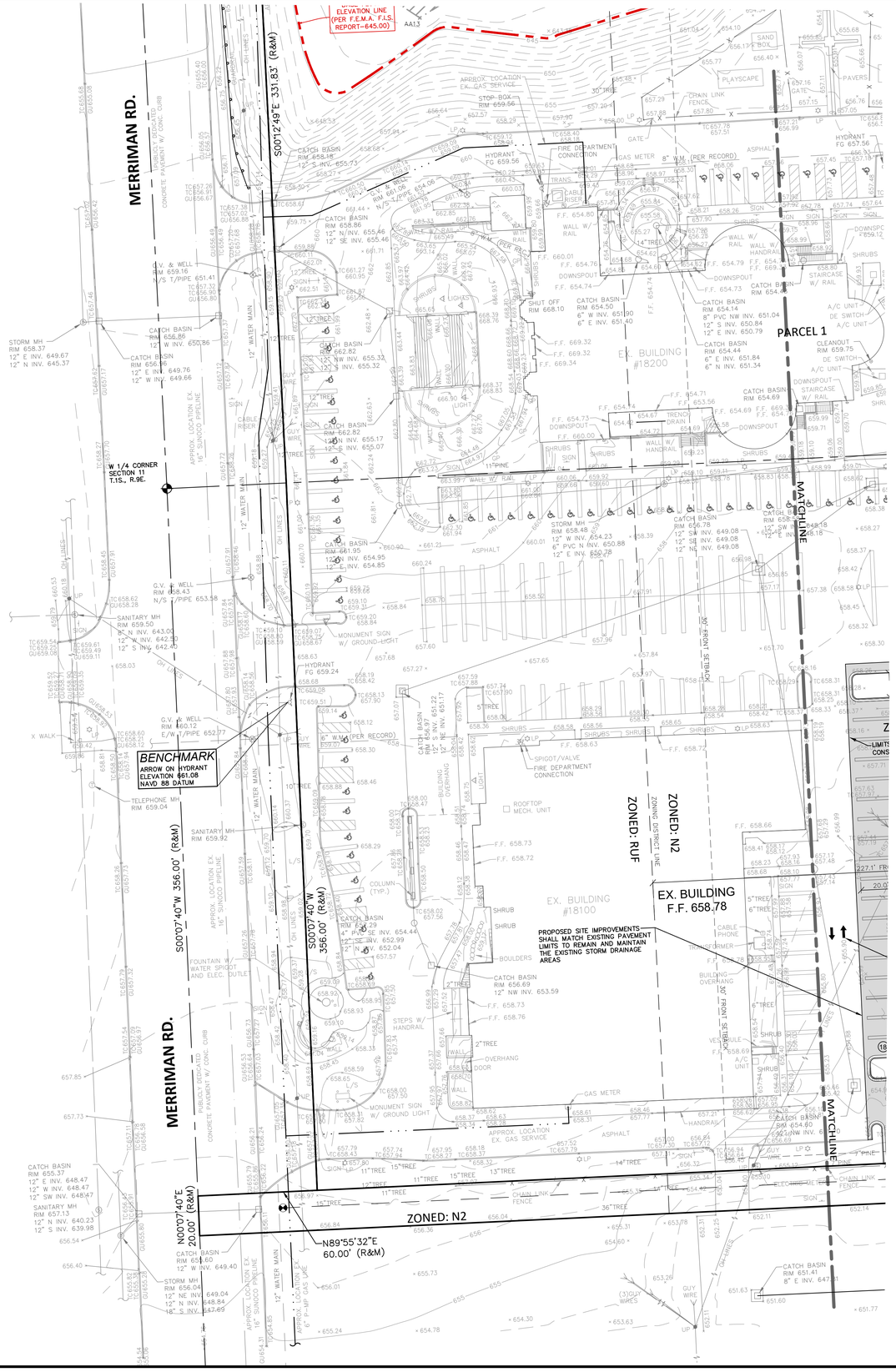
DESIGNED BY:
A. Wiseman

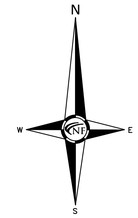
APPROVED BY:
P. Williams

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.

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SEAL

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LICENSED PROFESSIONAL ENGINEER

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SHEET

Dimensional Site Plan

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DRAWN BY:
A. Wiseman

DESIGNED BY:
A. Wiseman

APPROVED BY:
P. Williams

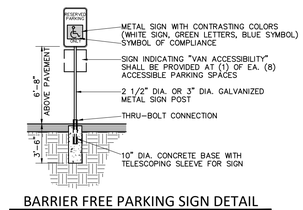
DATE:
October 4, 2023

SCALE: 1" = 30'

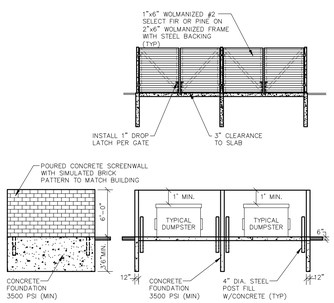
30 15 0 15 30 45

NFE JOB NO. **N210**

SHEET NO. **SP-06**



BARRIER FREE PARKING SIGN DETAIL
N.T.S.
Provide (1) for each accessible parking space



DUAL DUMPSTER ENCLOSURE
N.T.S.

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LEGEND

- CLEAN-OUT / MANHOLE — EXISTING SANITARY SEWER
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- 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
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- TC 600.00 — PR. TOP OF CURB ELEVATION
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- TP 600.00 — PR. TOP OF PAVEMENT ELEV.
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- PR. DRAINAGE DIRECTION
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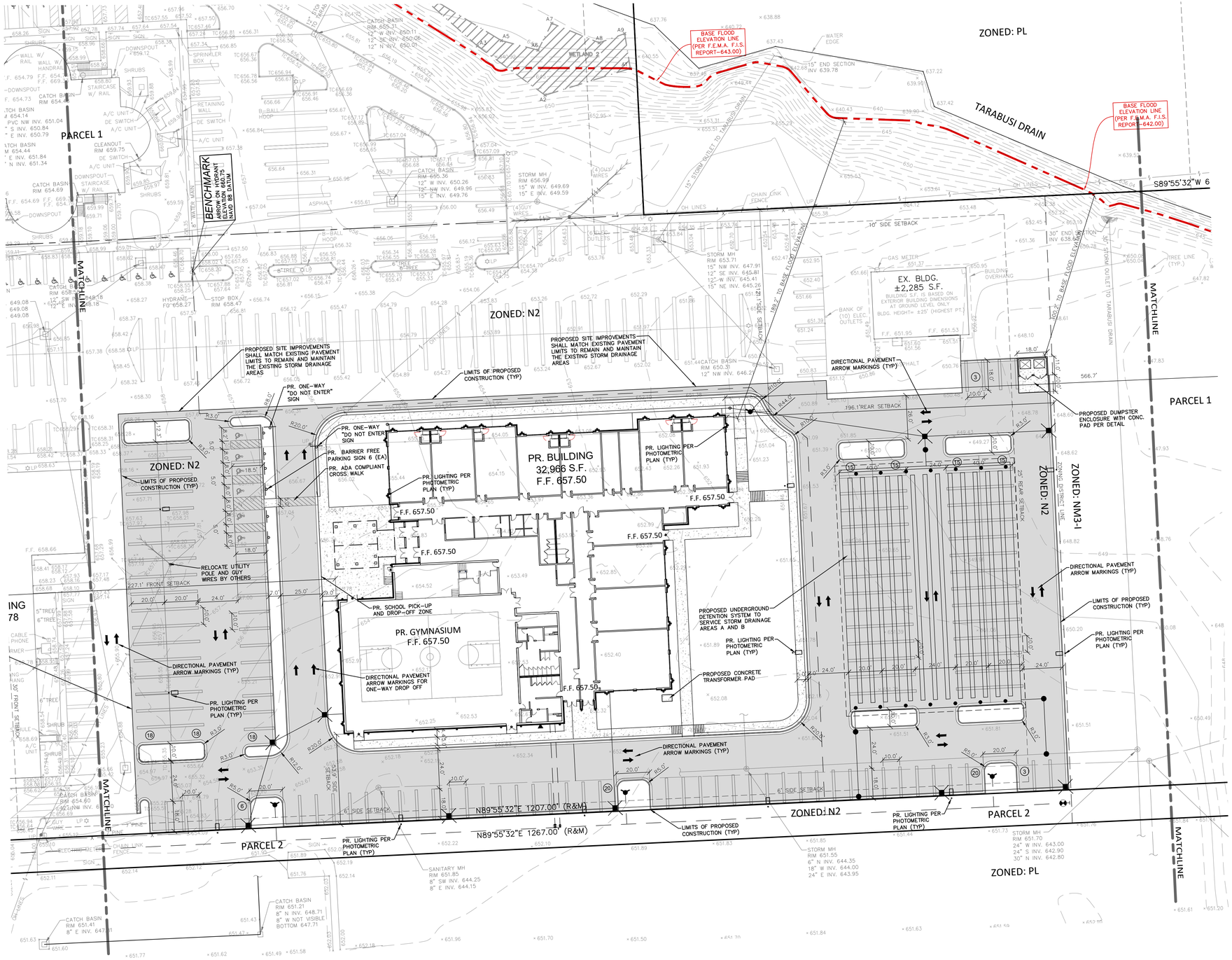

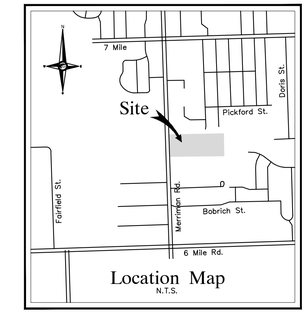

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DESIGNED BY: A. Wiseman
APPROVED BY: P. Williams
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SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. N210
SHEET NO. SP-07

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PARCEL ZONED: RUF (RURAL URBAN FARM)
N1 (NEIGHBORHOOD)
N2 (NEIGHBORHOOD)
NM3-I (NEIGHBORHOOD MULTI FAMILY)

PROPOSED SCHOOL IN PARCEL 1 (ZONED N2):
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BUILDING LOT AREA COVERAGE:
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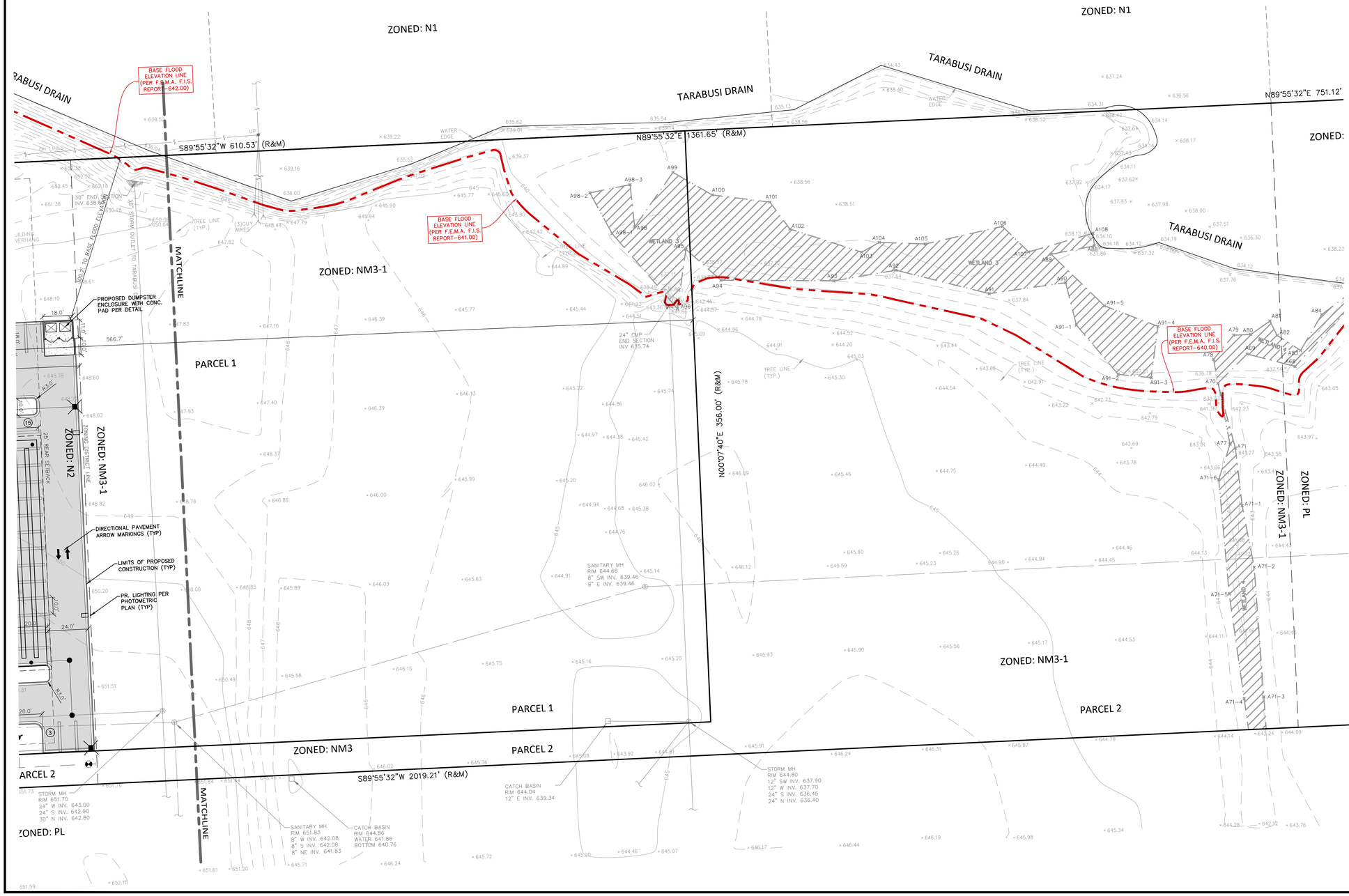
EMPLOYEES:
10 TEACHERS, 4 OFFICE STAFF, 6 BUILDING STAFF = 20 SPACES

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)



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STATE OF MICHIGAN
PATRICK J. WILLIAMS
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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.
	PR. GAS
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

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11-03-2023	REV. PHOTOMETRIC PLAN

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DESIGNED BY: A. Wiseman
APPROVED BY: P. Williams
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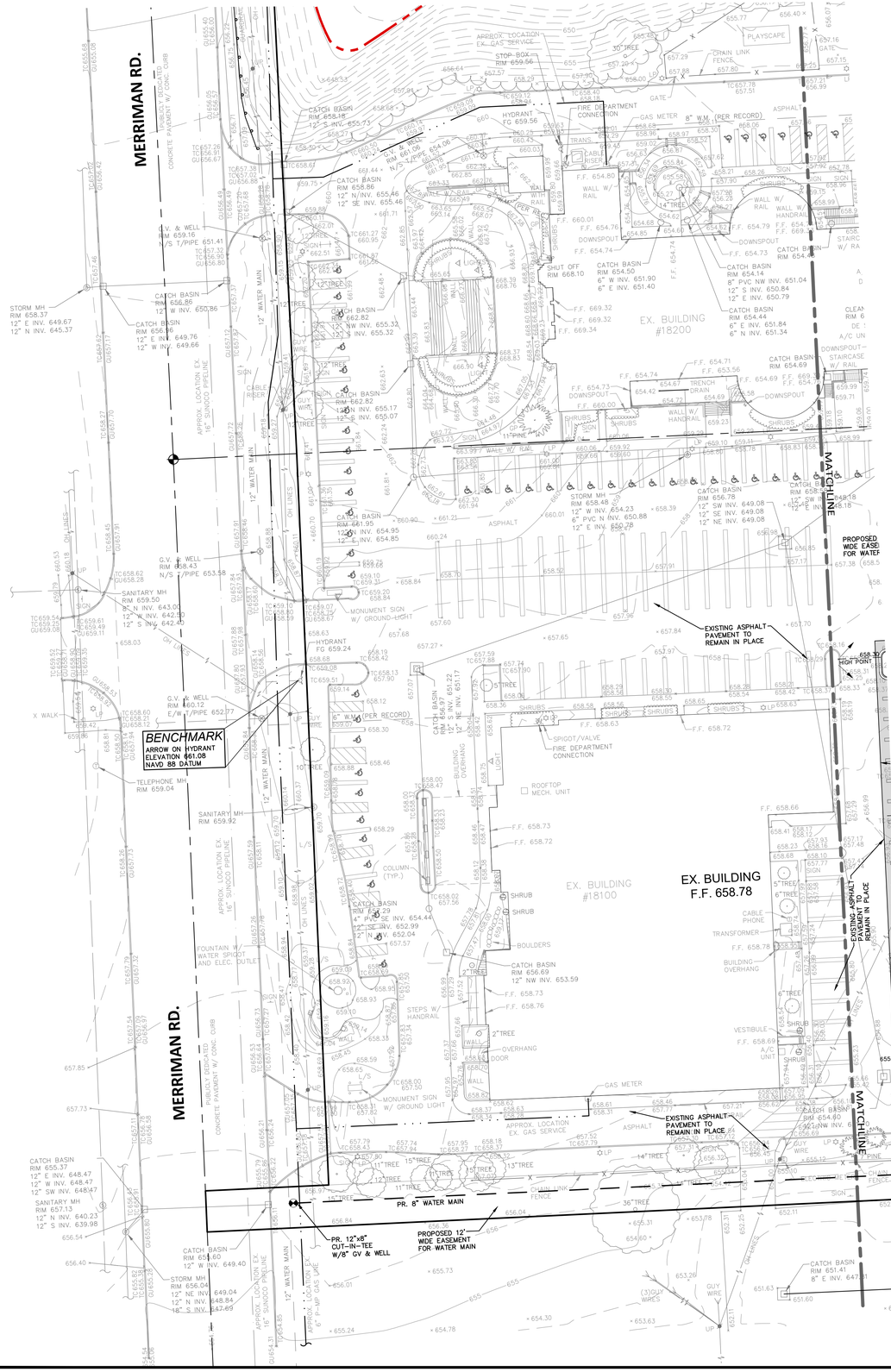
SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. **N210**
SHEET NO. **SP-08**



REQUIRED DETENTION VOLUME CALCULATIONS

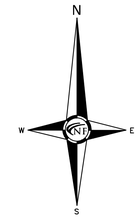
100 Year Post-Development Detention Volume

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

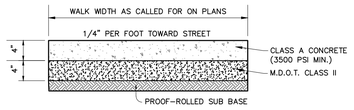
Pipe Dia (inches)	X-sec area (sq. ft.)	Length (LF)	Volume Provided (Cubic Feet)
60	19.64	1969	38676.8

Volume Provided (Cu. Ft.) 38,677

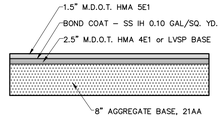




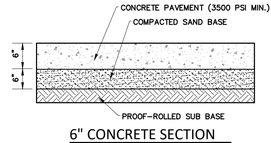
Location Map
N.T.S.



CONCRETE SIDEWALK SECTION
N.T.S.



ASPHALT PAVEMENT SECTION
(DRIVE AND PARKING)



6" CONCRETE SECTION
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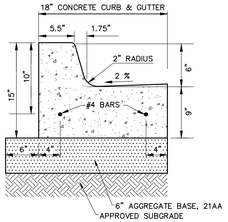
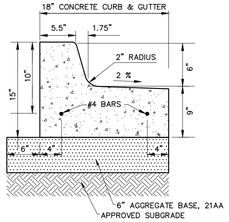


CONCRETE CURB DETAIL 'A'
N.T.S.



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)
- 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)
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- UTILITY CROSSING (A)
- PR. TELCOM
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- PR. GAS
- PR. TOP OF CURB ELEVATION (TC 600.00)
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- PR. TOP OF PAVEMENT ELEV. (TP 600.00)
- PROPOSED FINISH GRADE (FG 600.00)
- PROPOSED CONTOUR (600)
- PROPOSED SWALE
- PR. DRAINAGE DIRECTION
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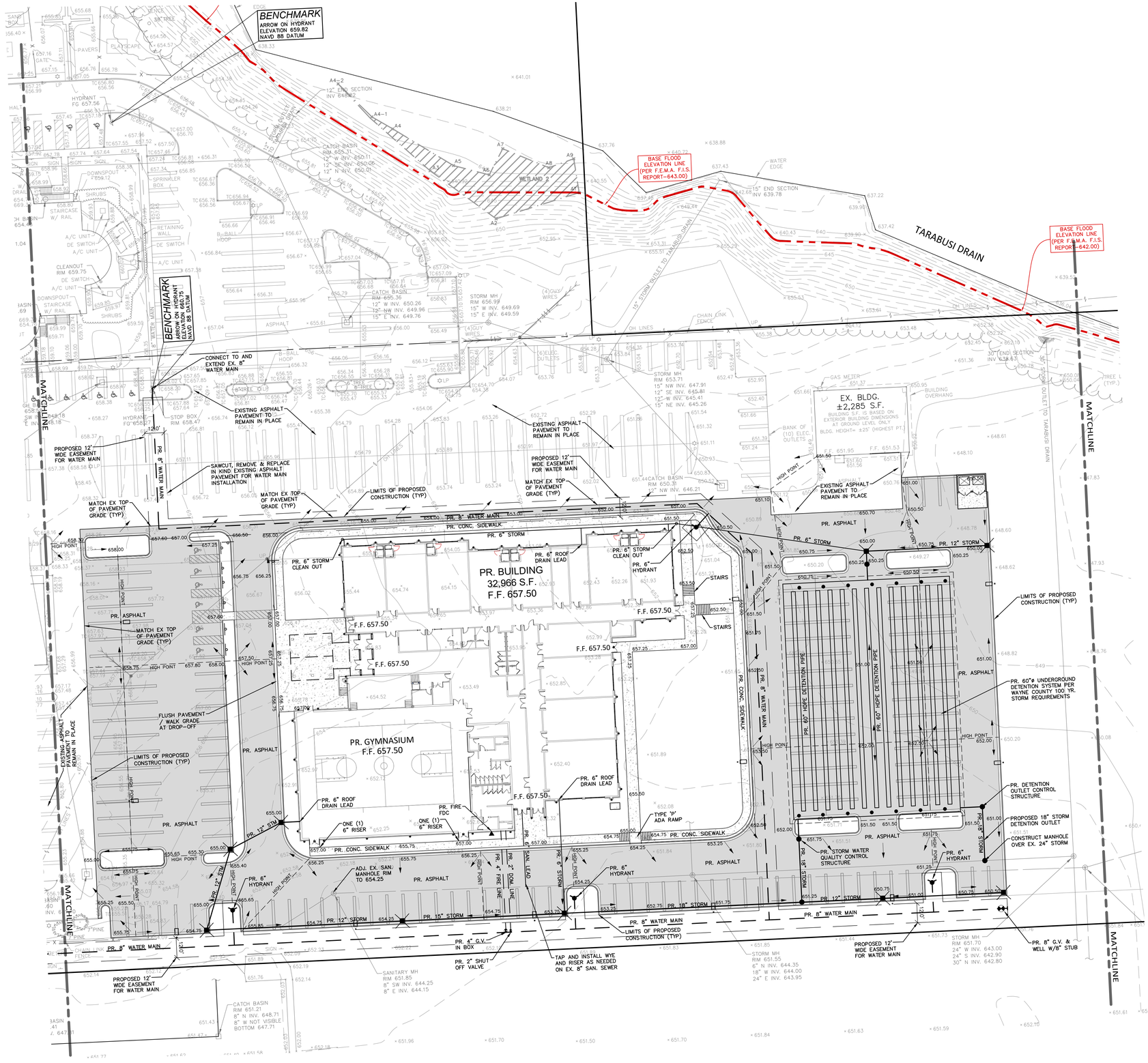
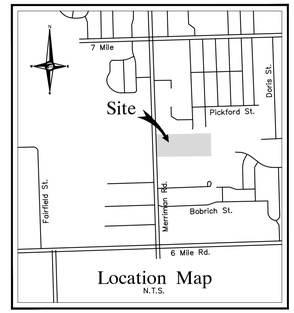
NFE JOB NO. **N210**
SHEET NO. **SP-09**





PAVING LEGEND

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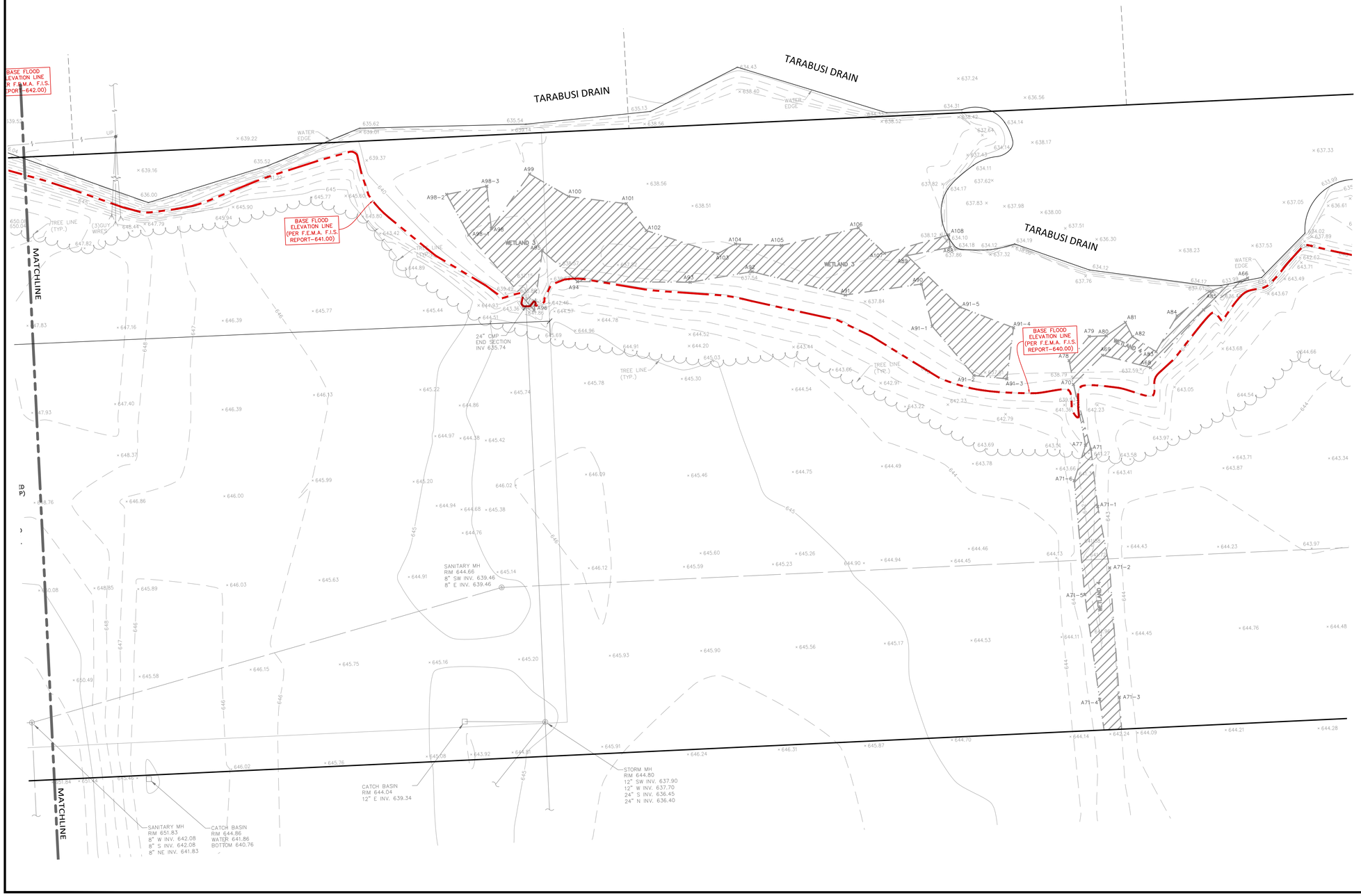
NFE JOB NO. N210
SHEET NO. SP-10





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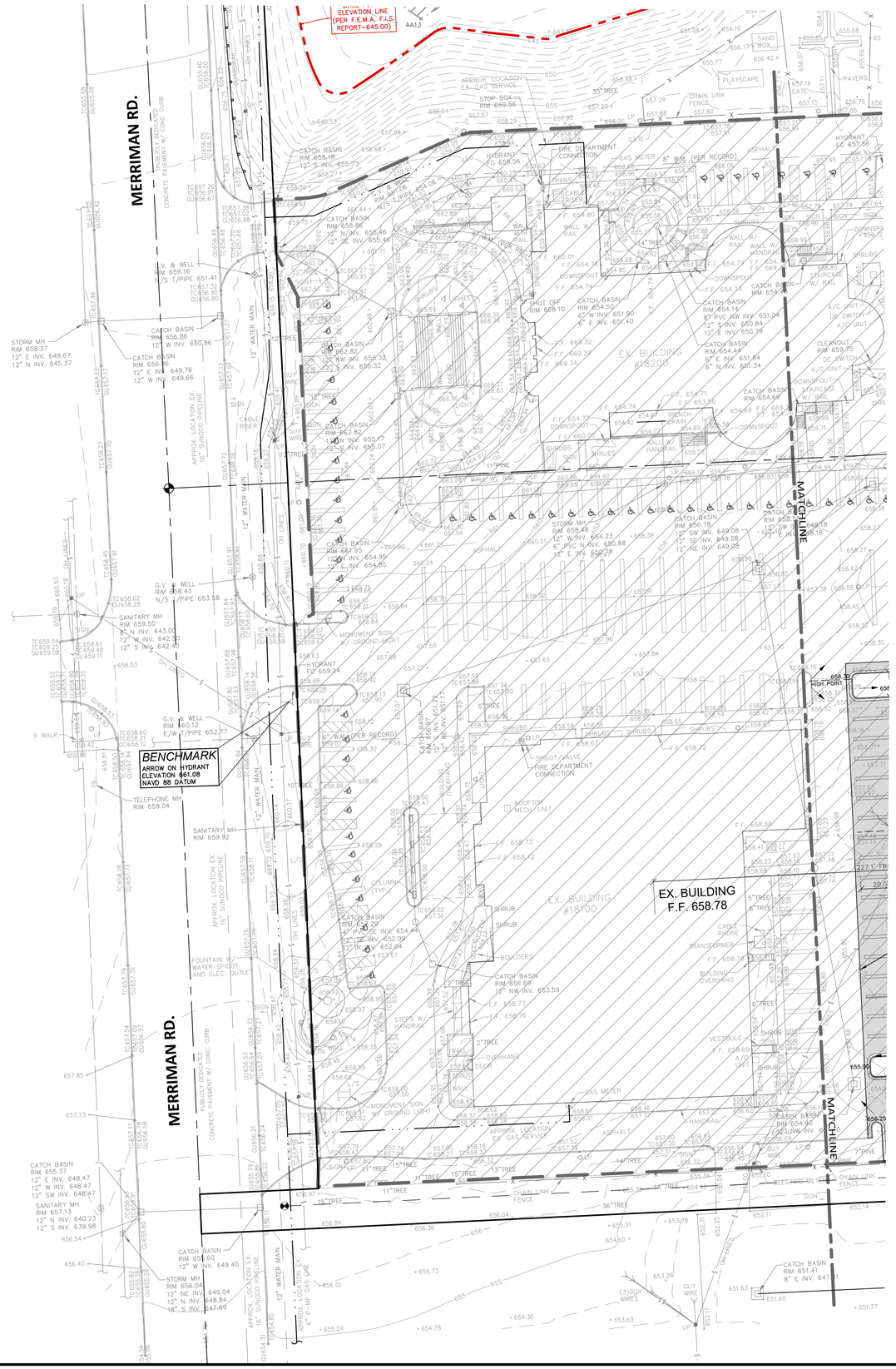
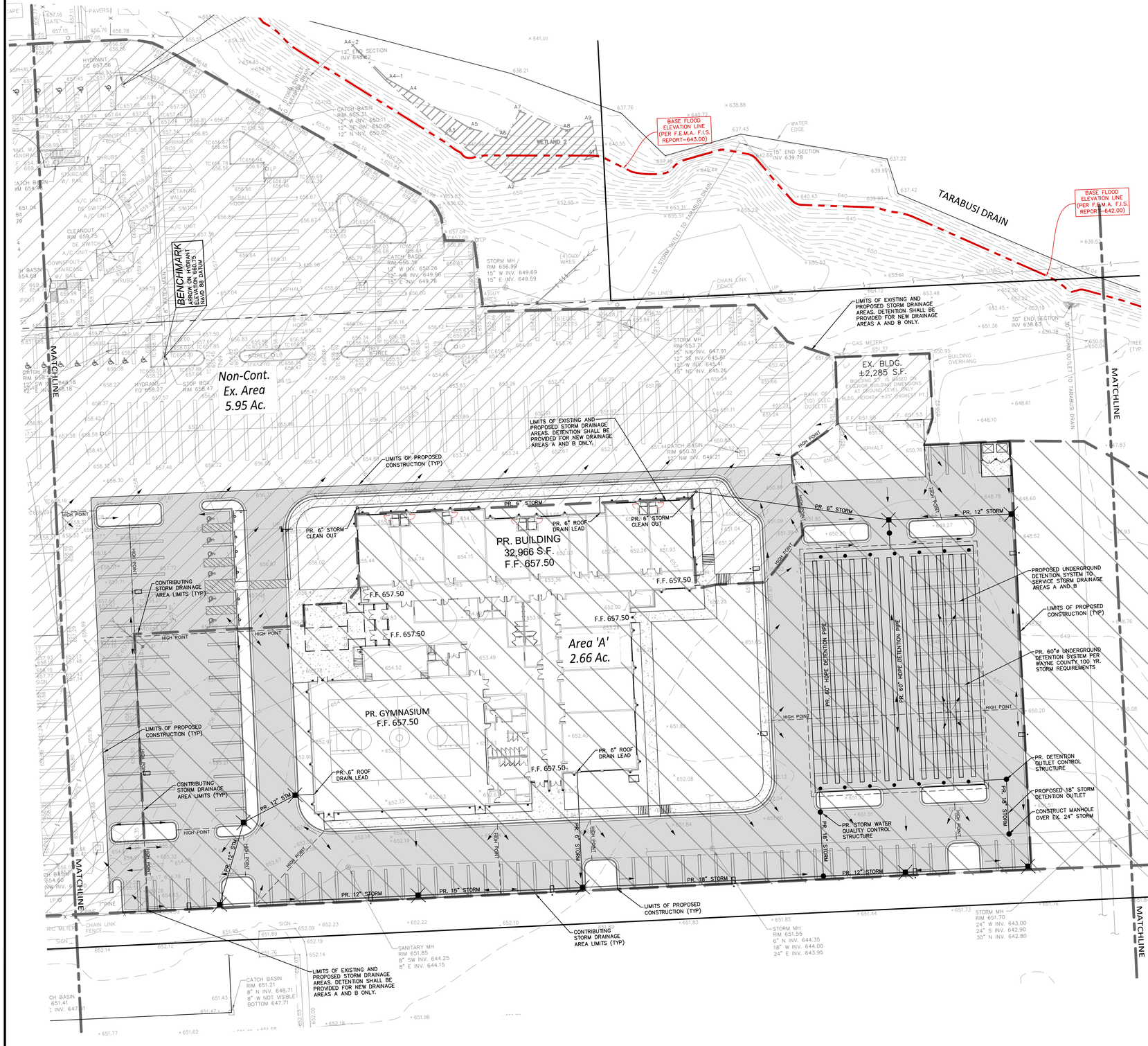
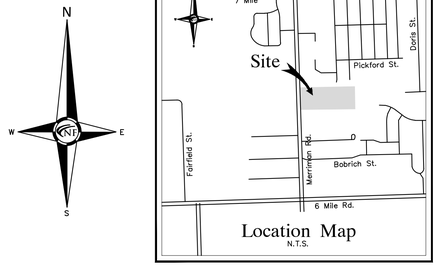
SHEET NO. SP-11


MERRIMAN RD.
MERRIMAN RD.
MATCHLINE
MATCHLINE
ELEVATION LINE (PER F.E.M.A. F.I.S. REPORT-645.00)
EX. BUILDING #18700
EX. BUILDING F.F. 658.78
BENCHMARK
ARROW ON HYDRANT
ELEVATION 661.08
NAVD 88 DATUM
HIGH POINT
APPROX. LOCATION EX. SUNOCO PIPELINE
12" WATER MAIN
CATCH BASIN RIM 658.18 12" S INV. 655.73
CATCH BASIN RIM 658.86 12" N INV. 655.46 12" SE INV. 655.46
G.V. & WELL RIM 659.16 N/S T/PIPE 651.41
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
STORM MH RIM 658.37 12" E INV. 649.67 12" N INV. 645.37
CATCH BASIN RIM 662.82 12" NW INV. 655.32 12" S INV. 655.32
CATCH BASIN RIM 662.82 12" NW INV. 655.17 12" E INV. 655.07
G.V. & WELL RIM 658.43 N/S T/PIPE 653.58
SANITARY MH RIM 659.50 8" N INV. 643.00 12" W INV. 642.50 12" S INV. 642.40
G.V. & WELL RIM 660.12 E/W T/PIPE 652.77
TELEPHONE MH RIM 659.04
SANITARY MH RIM 659.92
CATCH BASIN RIM 657.95 12" W INV. 654.95 12" E INV. 654.65
CATCH BASIN RIM 654.22 4" PVC SE INV. 654.44 12" SE INV. 652.99 12" W INV. 652.84
CATCH BASIN RIM 656.58 12" NW INV. 653.59
CATCH BASIN RIM 654.50 8" 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 654.69
CATCH BASIN RIM 656.78 12" SW INV. 649.08 12" SE INV. 649.08 12" NE INV. 649.08
STORM MH RIM 658.48 12" W INV. 654.23 8" PVC N INV. 650.88 12" E INV. 650.78
CATCH BASIN RIM 654.90 12" NW INV. 651.40
CATCH BASIN RIM 655.37 12" E INV. 648.47 12" W INV. 648.47 12" SW INV. 648.47
SANITARY MH RIM 657.13 12" N INV. 640.23 12" S INV. 639.98
CATCH BASIN RIM 651.60 12" W INV. 649.40
STORM MH RIM 656.04 12" NE INV. 649.04 12" N INV. 648.84 18" S INV. 647.69
CATCH BASIN RIM 651.41 8" E INV. 647.21
(3)GUY WIRES
GUY WIRE
SHRUB
5" TREE
6" TREE
11" TREE
12" TREE
13" TREE
14" TREE
15" TREE
36" TREE
CHAIN LINK FENCE
CONCRETE PAVEMENT W/ CONC. CURB
PUBLICLY DEDICATED
APPROX. LOCATION EX. 6" P-MP GAS LINE
APPROX. LOCATION EX. 16" SUNOCO PIPELINE
APPROX. LOCATION EX. GAS SERVICE
FOUNTAIN W/ WATER SPIGOT AND ELEC. OUTLET
SPIGOT/VALVE FIRE DEPARTMENT CONNECTION
FIRE DEPARTMENT CONNECTION
GAS METER
BOLLARDS
STEPS W/ HANDRAIL
OVERHANG
DOOR
WALK
CONCRETE
ASPHALT
SIGN
MONUMENT SIGN W/ GROUND-LIGHT
TRANSFORMER
CABLE PHONE
BUILDING OVERHANG
VESTIBULE
A/C UNIT
CLEANOUT
DOWNSPOUT
STAIRCASE W/ RAIL
TRENCH DRAIN
WALL W/ HANDRAIL
RAMP W/ RAIL
SHRUBS
PLAYSCAPE
SAND BOX
PAVERS
CHAIN LINK FENCE
GATE
APPROX. LOCATION EX. GAS SERVICE
STOP BOX RIM 659.66
30" TREE
HYDRANT FG 657.56
HYDRANT FG 658.24
HYDRANT FG 659.24
HYDRANT FG 657.58
8" W.M. (PER RECORD)
12" WATER MAIN
OH LINES
UP
LP
X WALK
SIGN
CABLE RISER
TRANSFORMER
CATCH BASIN RIM 654.44 4" PVC SE INV. 654.44 12" SE INV. 652.99 12" W INV. 652.84
CATCH BASIN RIM 654.22 4" PVC SE INV. 654.44 12" SE INV. 652.99 12" W INV. 652.84
CATCH BASIN RIM 654.90 12" NW INV. 651.40
CATCH BASIN RIM 654.69
CATCH BASIN RIM 656.78 12" SW INV. 649.08 12" SE INV. 649.08 12" NE INV. 649.08
CATCH BASIN RIM 654.90 12" NW INV. 651.40
CATCH BASIN RIM 651.41 8" E INV. 647.21
CATCH BASIN RIM 651.60 12" W INV. 649.40
CATCH BASIN RIM 655.37 12" E INV. 648.47 12" W INV. 648.47 12" SW INV. 648.47
SANITARY MH RIM 657.13 12" N INV. 640.23 12" S INV. 639.98
STORM MH RIM 656.04 12" NE INV. 649.04 12" N INV. 648.84 18" S INV. 647.69
STORM MH RIM 658.37 12" E INV. 649.67 12" N INV. 645.37
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" NW INV. 655.17 12" E INV. 655.07
CATCH BASIN RIM 657.95 12" W INV. 654.95 12" E INV. 654.65
CATCH BASIN RIM 658.18 12" S INV. 655.73
CATCH BASIN RIM 658.86 12" N INV. 655.46 12" SE INV. 655.46
CATCH BASIN RIM 656.58 12" NW INV. 653.59
CATCH BASIN RIM 654.50 8" 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 654.69
CATCH BASIN RIM 656.78 12" SW INV. 649.08 12" SE INV. 649.08 12" NE INV. 649.08
STORM MH RIM 658.48 12" W INV. 654.23 8" PVC N INV. 650.88 12" E INV. 650.78





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":	5.47 *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)	*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)
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- EXISTING LIGHT POLE, EXISTING SIGN
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- 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

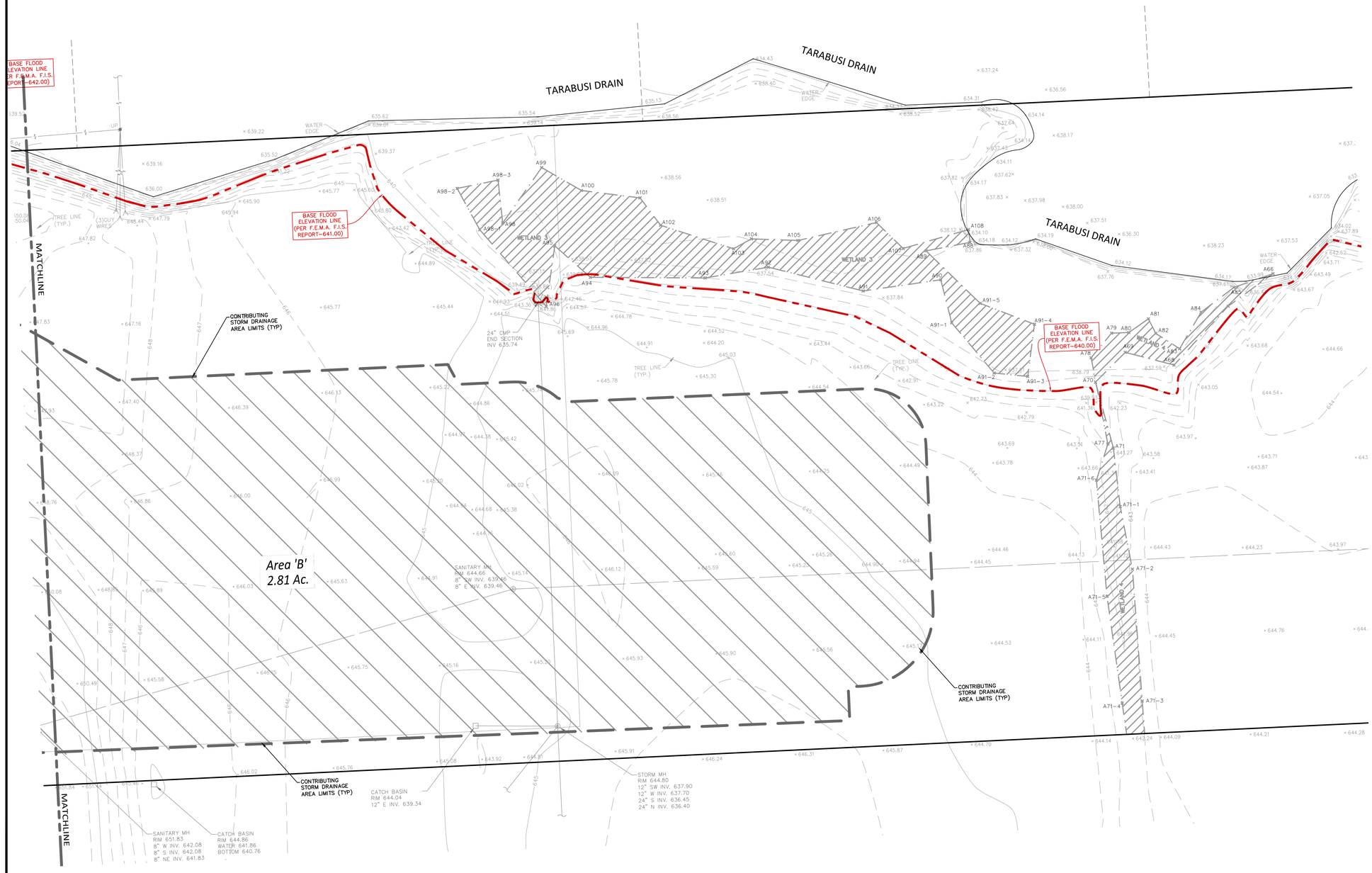
Know what's **below** **Call** before you dig.

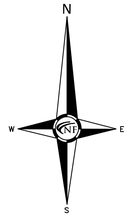
DATE	ISSUED/REVISED
11-01-2022	ORIGINAL SURVEY
04-12-2023	ADD WETLANDS
10-17-2023	PRELIMINARY SITE PLAN
11-03-2023	REV. PHOTOMETRIC PLAN

DRAWN BY: A. 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**





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DRAWN BY: A. Wiseman

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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

DLC LISTED PREMIUM · DLC LISTED · NIGHTTIME FRIENDLY · ida · BAA

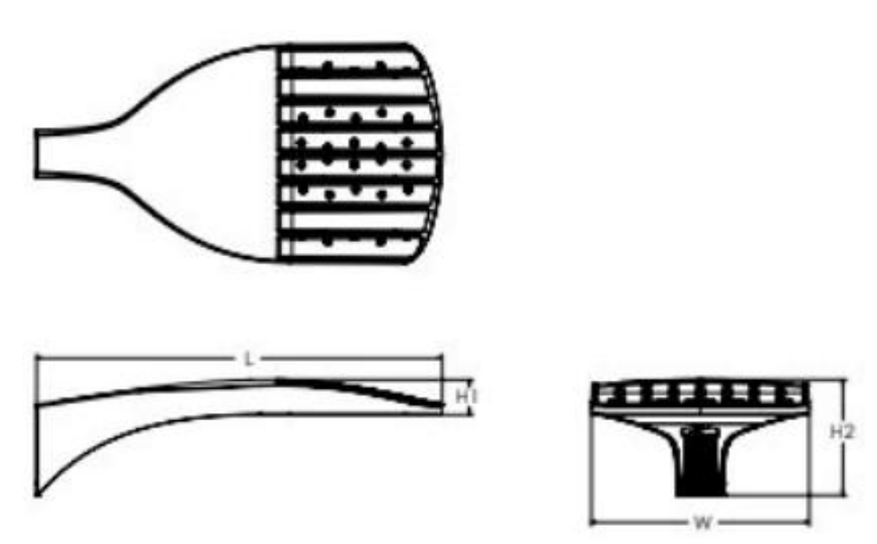
d"series

Catalog Number

Notes

Type

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)

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	Color Rendering Index	Distribution		Voltage	Mounting
DSX0 LED	Forward optics: P1, P2, P3, P4, P5, P6, P7; Rotated optics: P10, P11, P12, P13	(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; T4M Type IV medium; T4LG Type IV low glare; TFTM Forward throw medium	T5M Type V medium; T5LG Type V low glare; T5W Type V wide; BLC3 Type III backlight control; BLC4 Type IV backlight control; LCCO Left corner cutoff; RCCO Right corner cutoff	MVOLT (120V-277V); HVOLT (347V-480V); XVOLT (277V-480V); 120; 208; 240; 277; 347; 480	Shipped included: SPA Square pole mounting (#8 drilling, 3.5" min. SQ pole); RPA Round pole mounting (#8 drilling, 3" min. RND pole); SPA5 Square pole mounting (#5 drilling, 3" min. SQ pole); RPA5 Round pole mounting (#5 drilling, 3" min. RND pole); SPA8N Square narrow pole mounting (#8 drilling, 3" min. SQ pole); WBA Wall bracket; 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; PIR High/low, motion/ambient sensor, 8–40' mounting height, ambient sensor enabled at 2fc; PER NEMA twist-lock receptacle only (controls ordered separate); PER5 Five-pin receptacle only (controls ordered separate)	PER7 Seven-pin receptacle only (controls ordered separate); FAO Field adjustable output; BL30 Bi-level switched dimming, 30%; BL50 Bi-level switched dimming, 50%; DMG 0-10v dimming wires pulled outside fixture (for use with an external control, ordered separately)	Shipped installed: HS Houseside shield (black finish standard); L90 Left rotated optics; R90 Right rotated optics; CCE Coastal Construction; HA 50°C ambient operation; BAA Buy America(n) Act Compliant; SF Single fuse (120, 277, 347V); DF Double fuse (208, 240, 480V); Shipped separately: EGSR External Glare Shield (reversible, 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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DSX0-LED Rev. 09/05/23 Page 1 of 9

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).

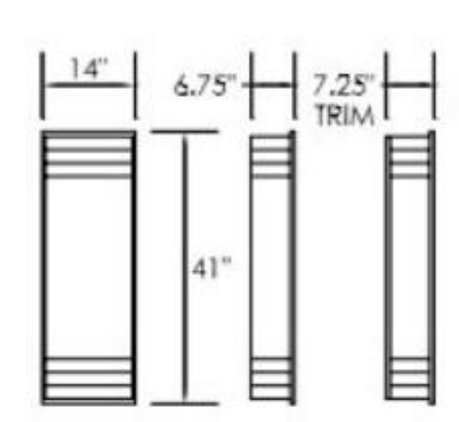
MOUNTING
The 7616 series is designed to be mounted directly to the wall with (4) 1/4" anchors (not included).

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 - ___ - ___ - ___ - ___ - ___
Model · 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[3**] Bi-Level Dimming
- ES[6] ENERGY STAR® (H32 Only)
- FCL[7] French Canadian Labels
- OCC[8] Occupancy Sensor
- T24[9] Title 24 JA8 Compliant (H32 only)

Universal Footnotes (only applies if option is listed on spec sheet): (0) 90R - 90 CRI output-loss multiplier: 0.85 (estimate). Cannot be combined with ES. 1) BAC - cannot be combined with FCL. (2) BBI/BBS/BBC - cannot be combined with ECW or EXT. (3) BLD - includes integral microwave motion sensor (do not combine with OCC option). Cannot be combined with DTR. (4) DTR - cannot be combined with BLD. (5) ECW - cannot be combined with BBI, BBC, or DTR. (6) ES - cannot be combined with 90R or T24. (7) FCL - cannot be combined with BAC. (8) OCC - integral microwave motion sensor (ON/OFF). (9) T24 - includes JA8 labeling and 90 CRI LEDs (do not combine with 90R option). Cannot be combined with ES. (10) PCH/PC4 - cannot be combined with BLD or OCC. Add'l Notes: *BBI/BBC - BBI minimum operating temp: 10C/50F unless otherwise stated. BBC minimum operating temp: -20C/-4F. **BLD - integral microwave motion sensor with step-dim control. 1: 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.

BROWNLEE LIGHTING www.brownlee.com

REVISED 2023.04.07

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	✳	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

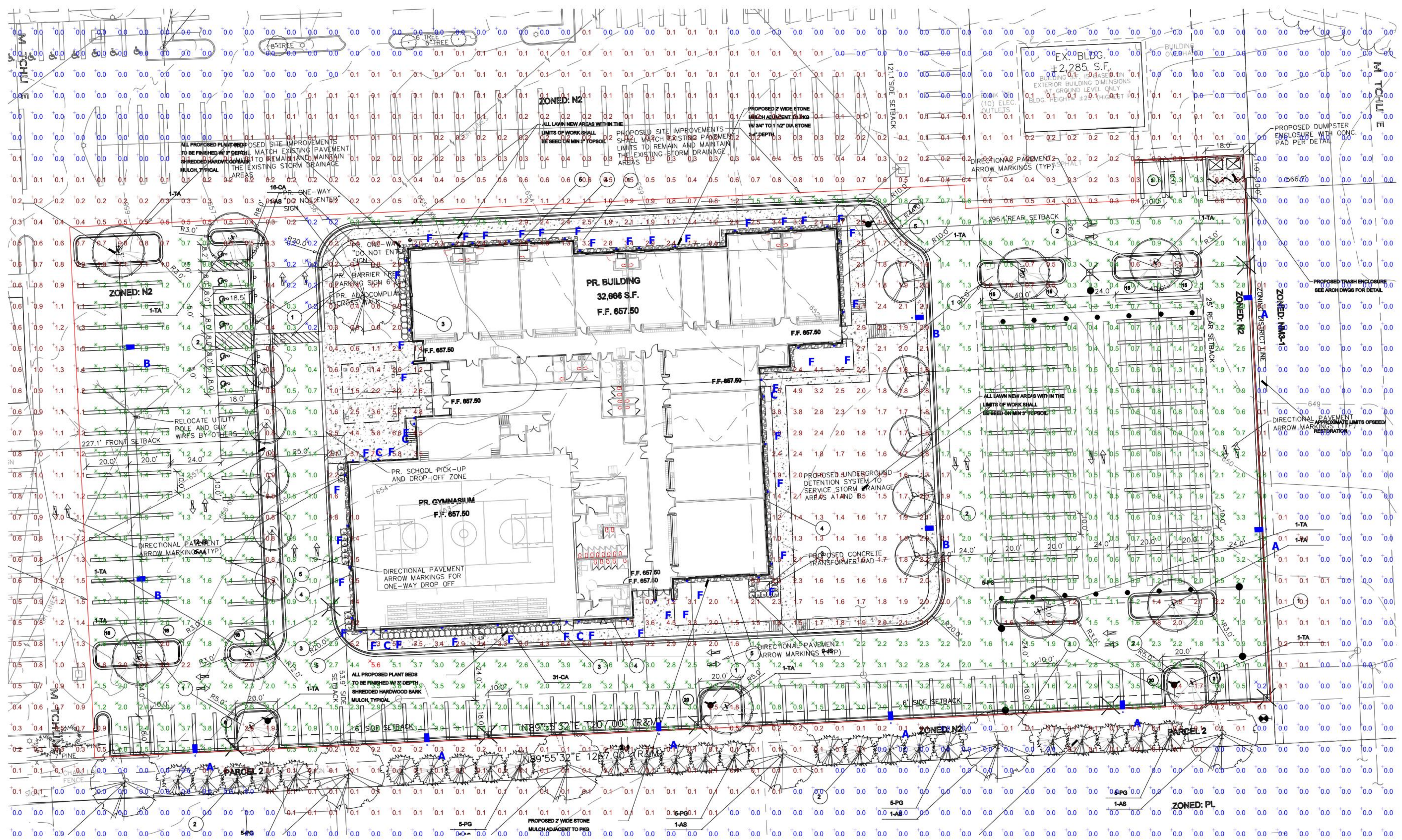
FOR INQUIRIES CONTACT GASSER BUSH AT QUOTES@GASSERBUSH.COM OR 734-266-6705.

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

BASILICA OF ST. MARY
PHOTOMETRIC SITE PLAN
GASSER BUSH ASSOCIATES
PREPARED FOR: NOWAK & FRAUS ENGINEERS
WWW.GASSERBUSH.COM

Designer
DB/KB
Date
10/17/2023
rev. 10/30/2023
Scale
Not to Scale
Drawing No.
#23-21296-V2

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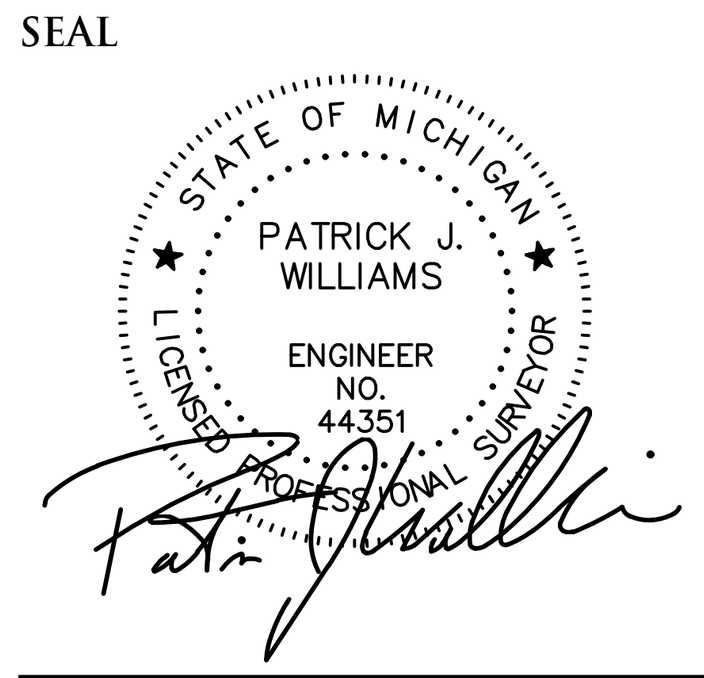

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Photometric Plan

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. Wiseman

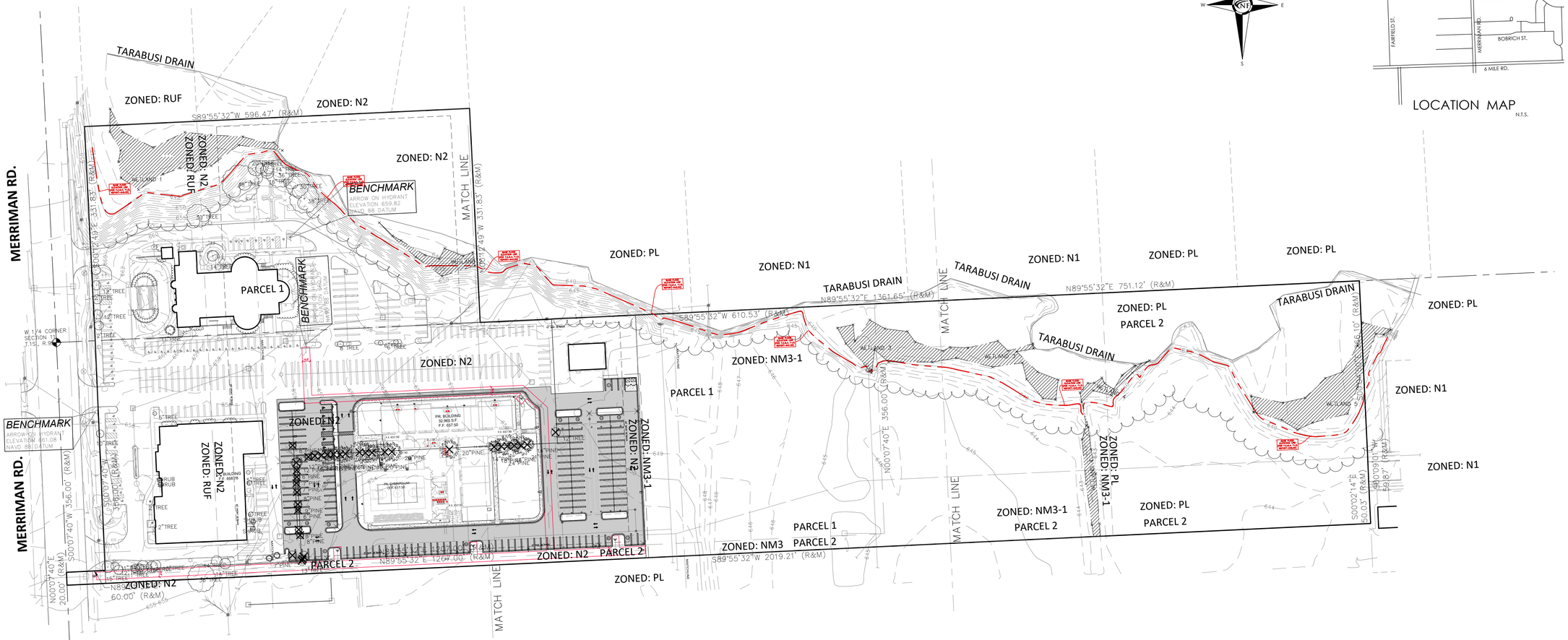
DESIGNED BY:
A. Wiseman

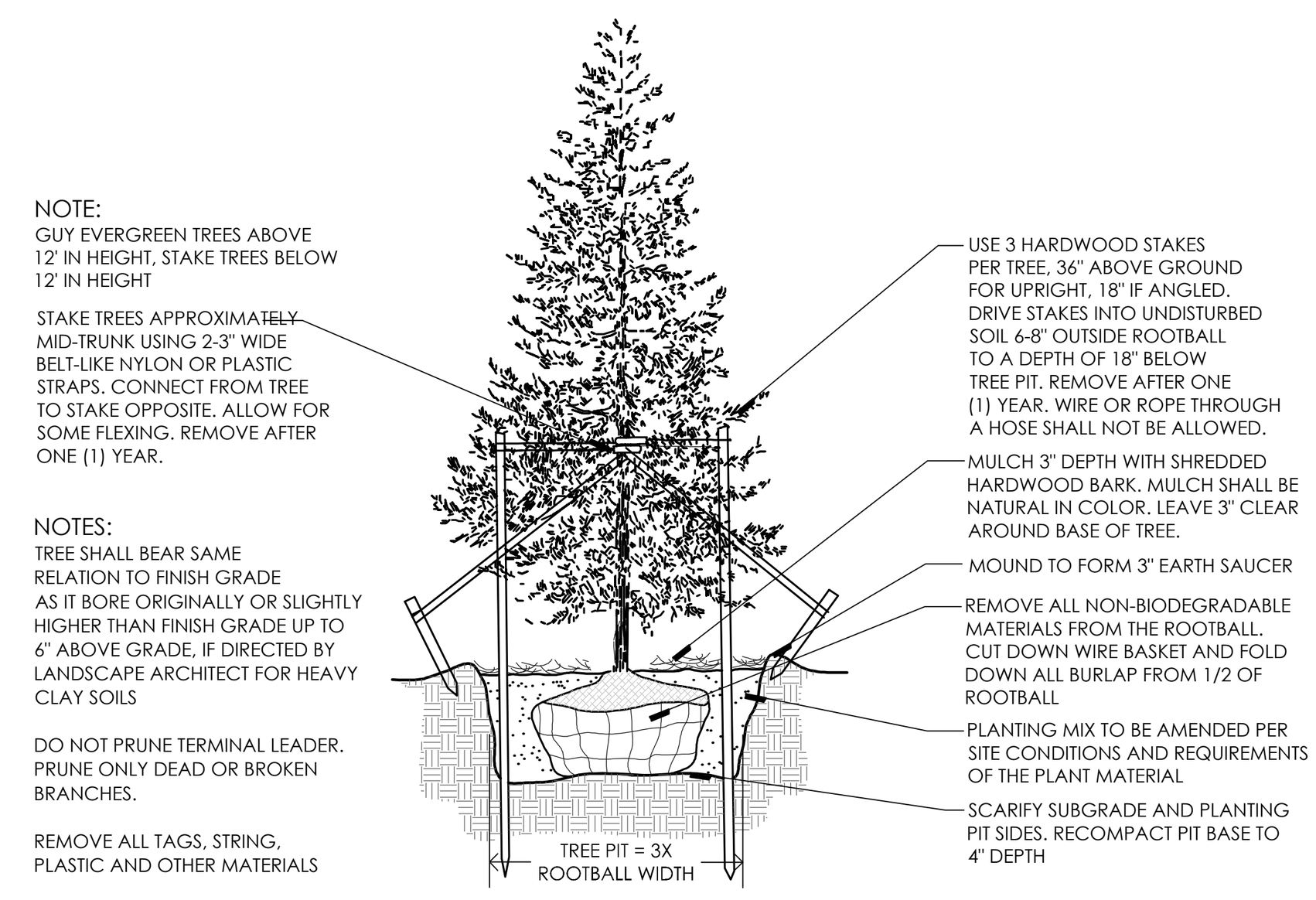
APPROVED BY:
P. Williams

DATE:
October 4, 2023

SCALE: 1" = 30'
30 15 0 15 30 45

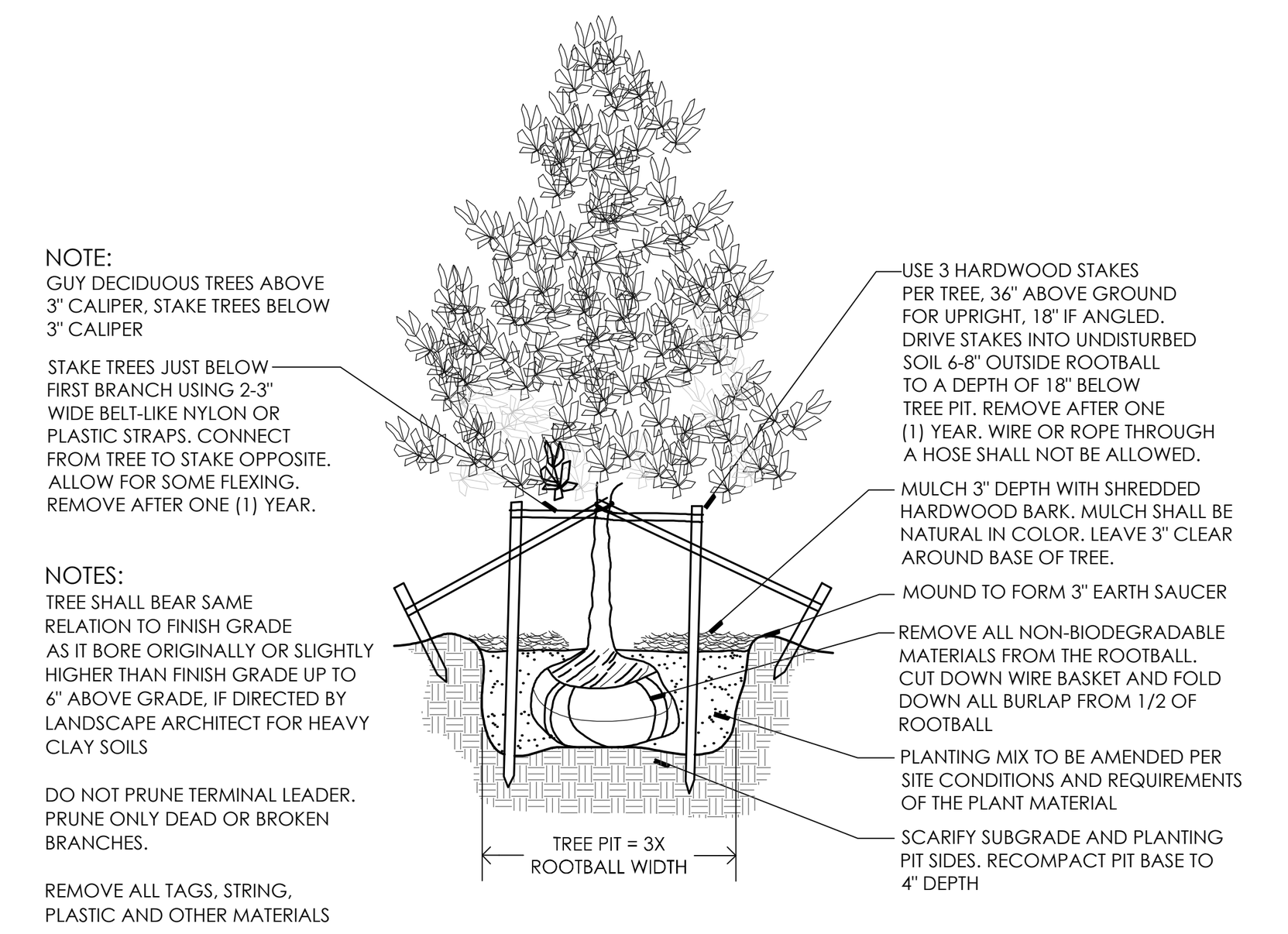
NFE JOB NO. N210
SHEET NO. SP-15


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



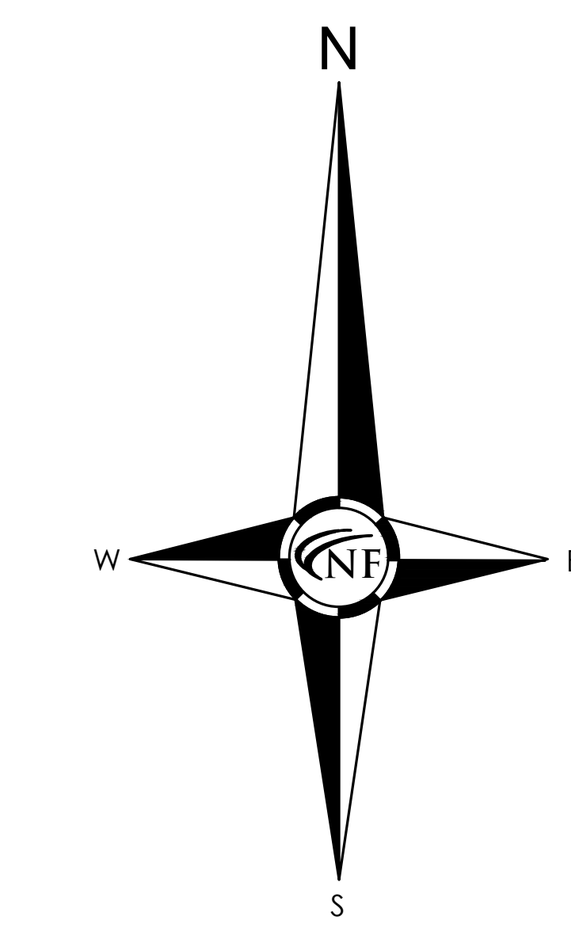
EVERGREEN TREE PLANTING DETAIL

NTS



DECIDUOUS TREE PLANTING DETAIL

NTS





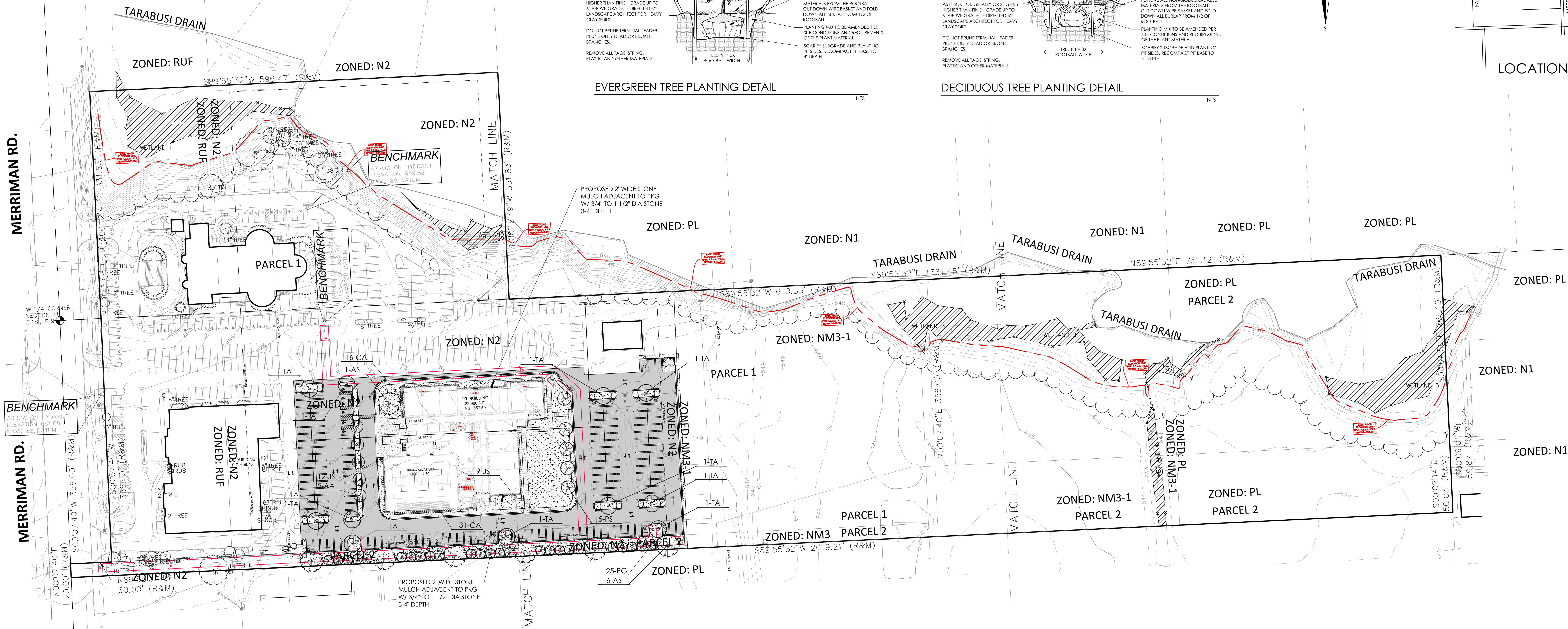
LOCATION MAP

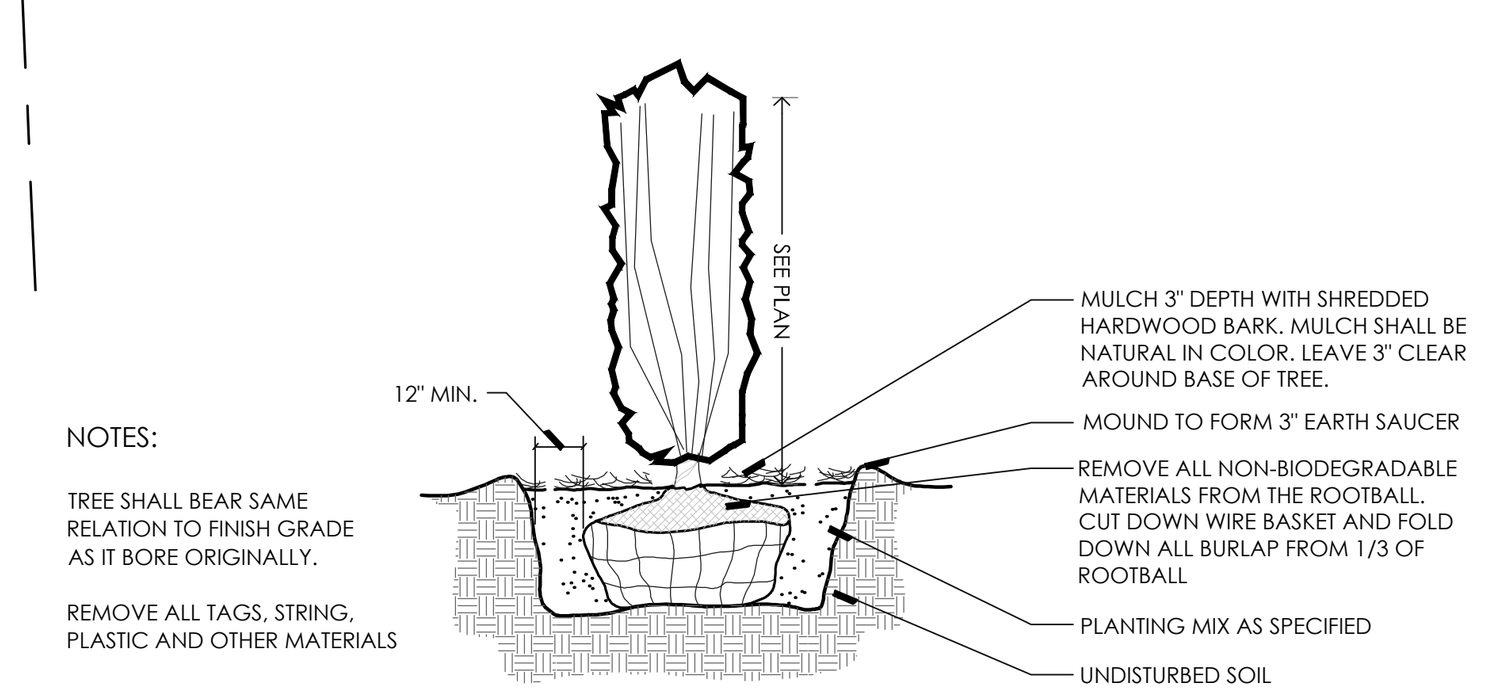
N.T.S.

NF ENGINEERS

CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

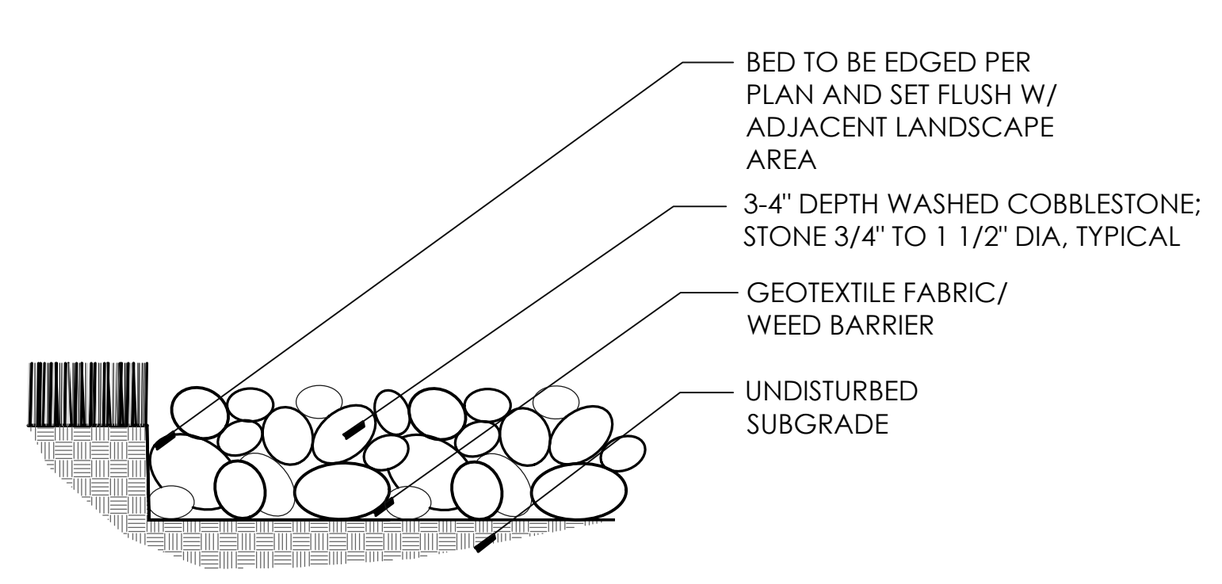
NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257





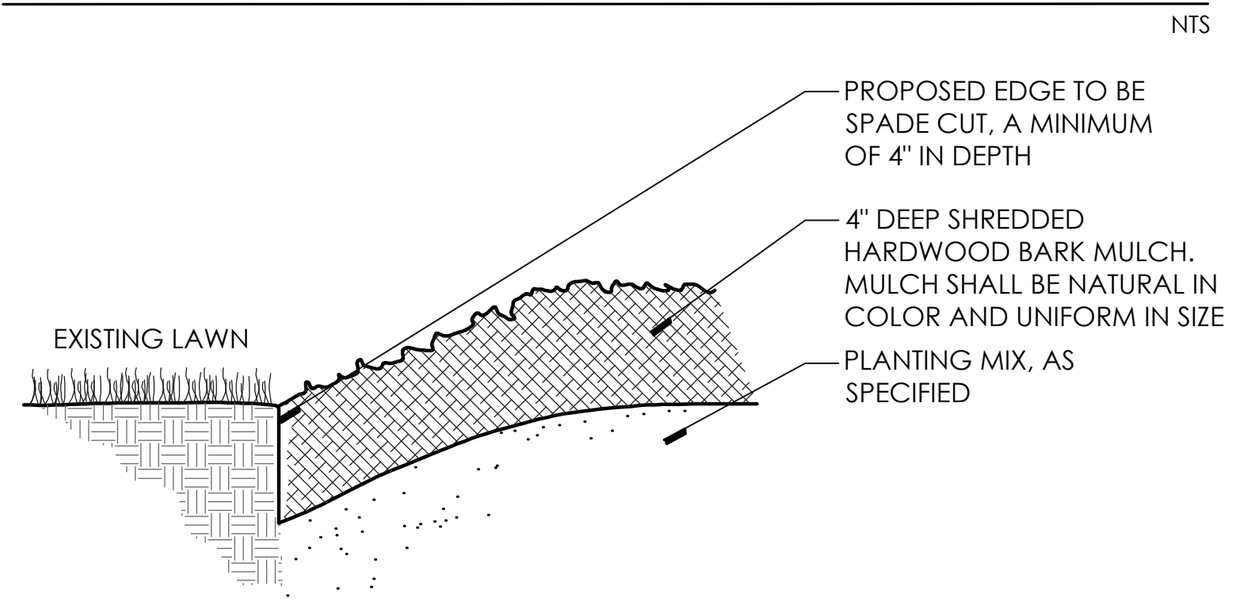
UPRIGHT EVERGREEN SHRUB PLANTING DETAIL

NTS



COBBLESTONE MULCH DETAIL

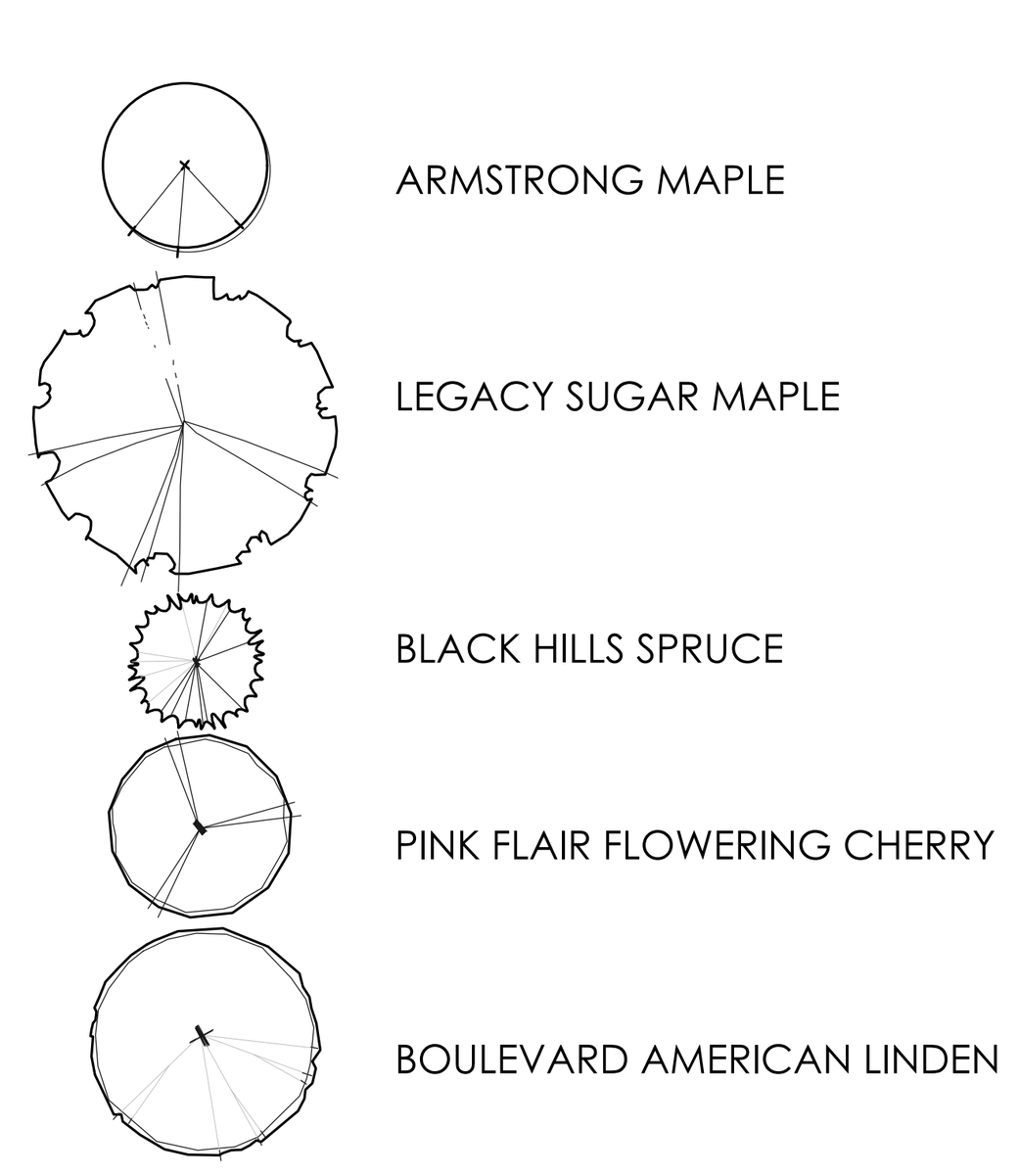
NTS



SPADE CUT EDGE DETAIL

NTS

LANDSCAPE KEY

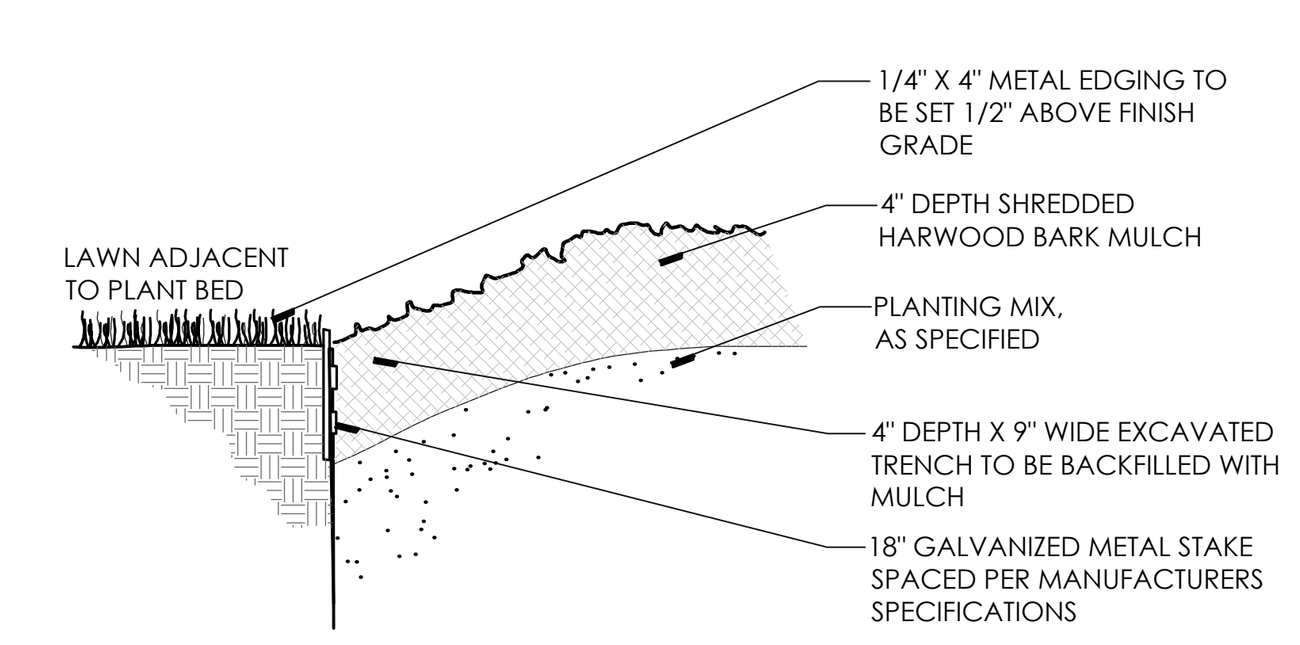


LANDSCAPE REQUIREMENTS

EXISTING SITE ZONING: N2, RUF, NM3-1, PL
EXISTING SITE AREA: 934,757.26 S.F. OR 21.45 ACRES

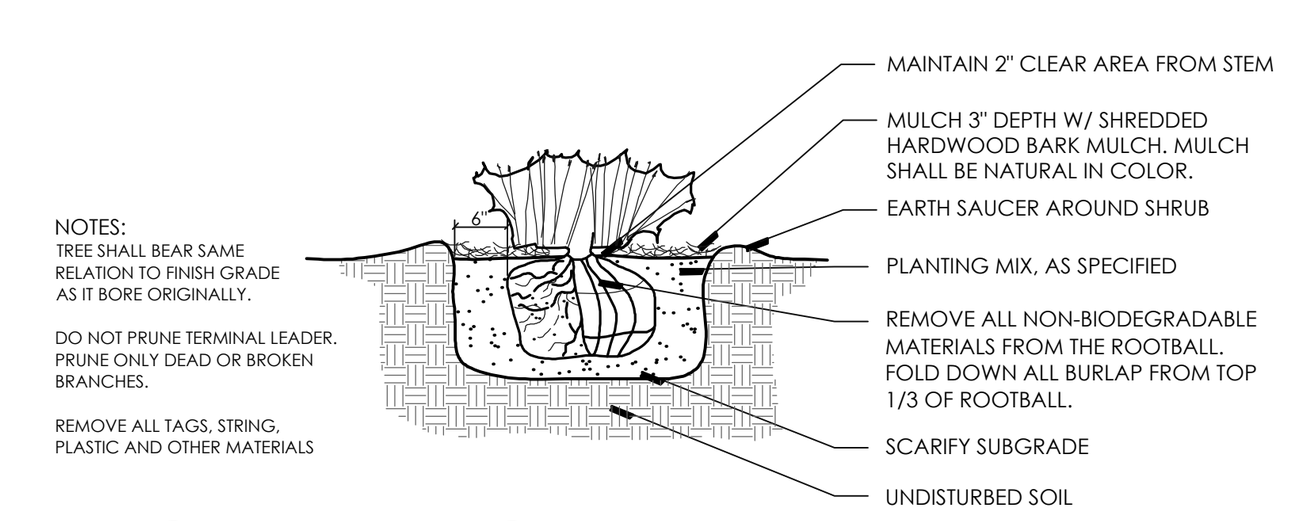
INTERIOR PARKING LOT LANDSCAPE REQUIREMENTS
5% OF ALL PAVED AREAS SHALL BE LANDSCAPED W/
1 TREE PER 300 S.F. OF REQUIRED AREA
PAVED AREA: 76,739.76 S.F.
REQUIRED AREA; 76,739.76 S.F. X 5% = 3,836.99 S.F.
TREES REQUIRED: 3,836.99 S.F. / 300 S.F. = 12.79 OR 13 TREES
AREA PROVIDED: 5,058.15 S.F. AND 16 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 UNACCEPTACBLE 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 OR CHANGES OF LOCATION, OR PLANT TYPE SHALL BE MADE WITHOUT THE 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 IRRIGATION 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: APRIL1 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.

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
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
DATE: 10-09-2023
SCALE: 1" = 80'
80 40 0 40 80 120

NFE JOB NO. N210
SHEET NO. L2

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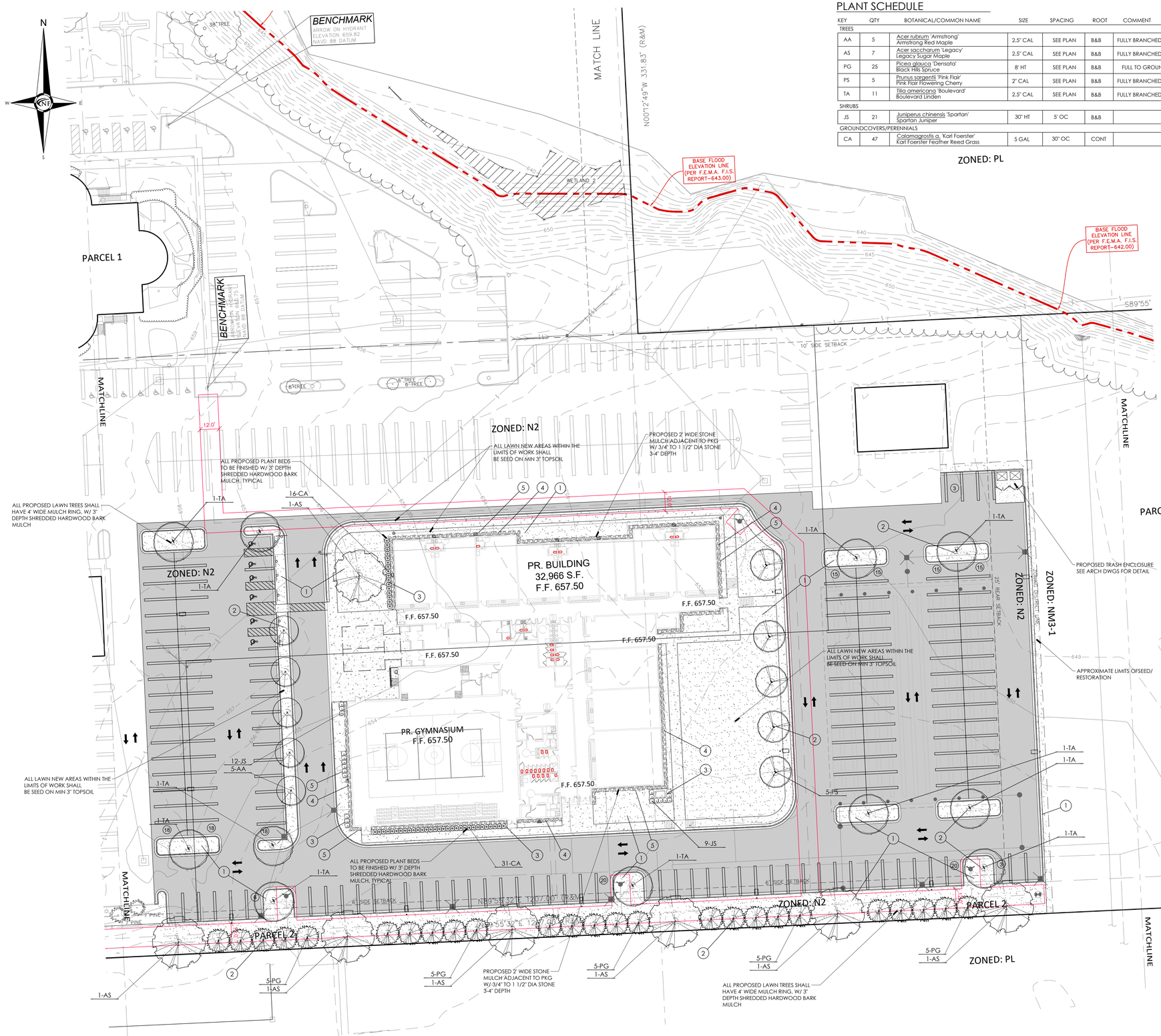

PLANT SCHEDULE

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:

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.
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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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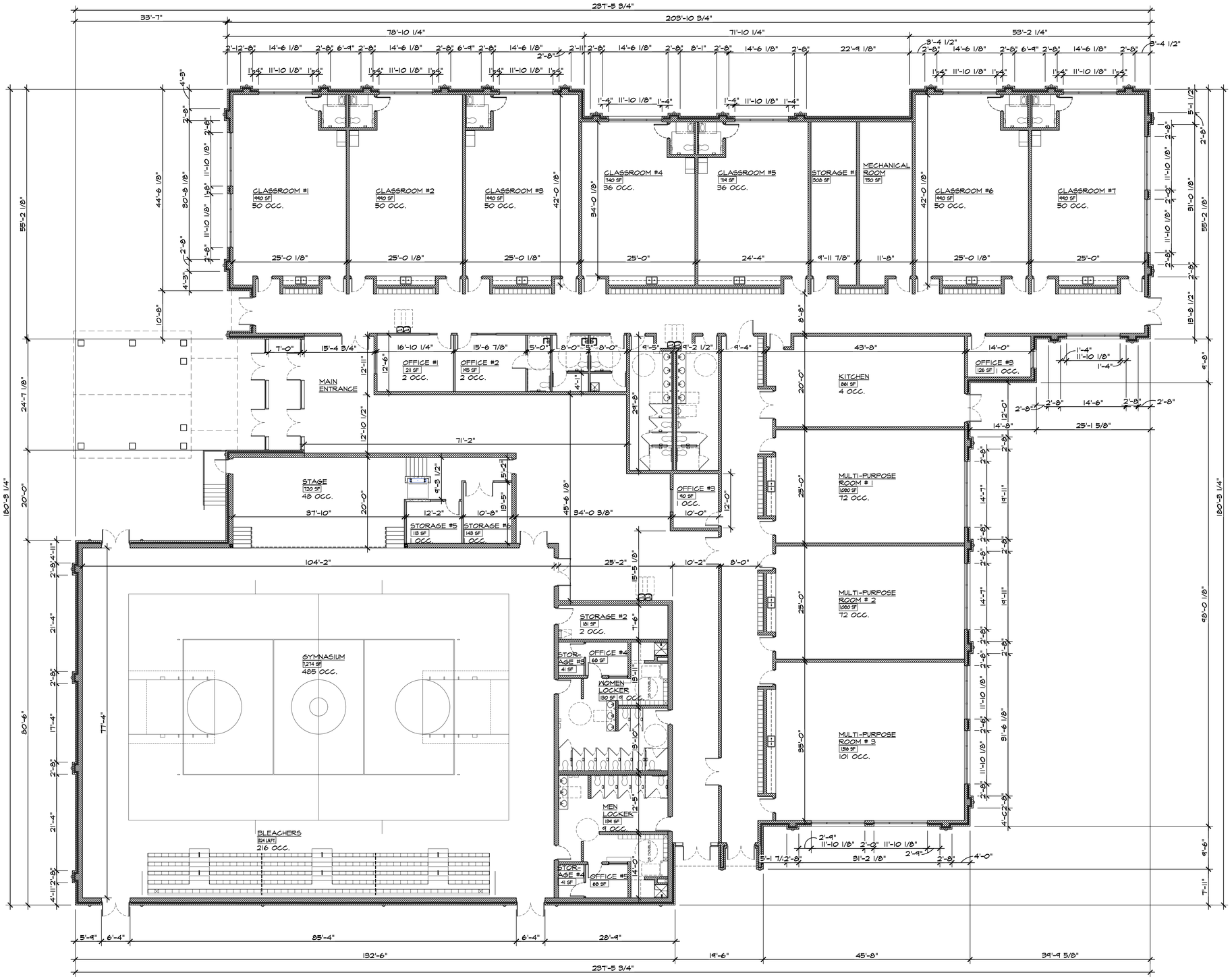


PROPOSED FLOOR PLAN
SCALE: 3/32" = 1'-0" 32,966 SQ.FT.

NORTH

PRELIMINARY
NOT FOR
CONSTRUCTION

ISSUED FOR	DATE
SPA	11-3-2023

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

PROPOSED NEW BUILDING FOR:
ST. MARY'S ACADEMY & GYMNASIUM
18200 MERRIMAN ROAD
LIVONIA, MICHIGAN

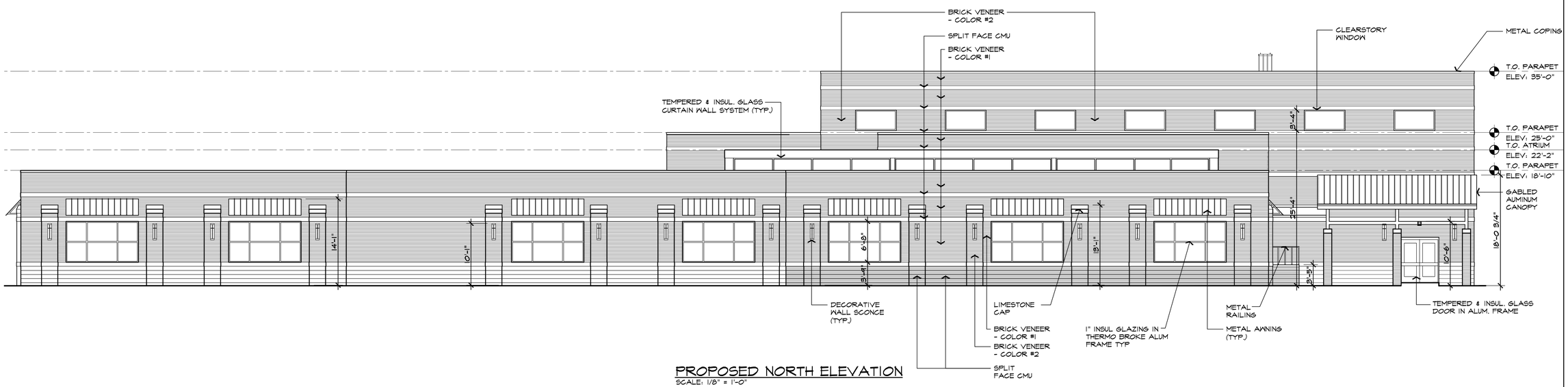
DRAWN:	DESIGNED:	CHECKED:
DG	GA	GA

SCALE : 3/32" = 1'-0"

FILE NAME : 18123_A101

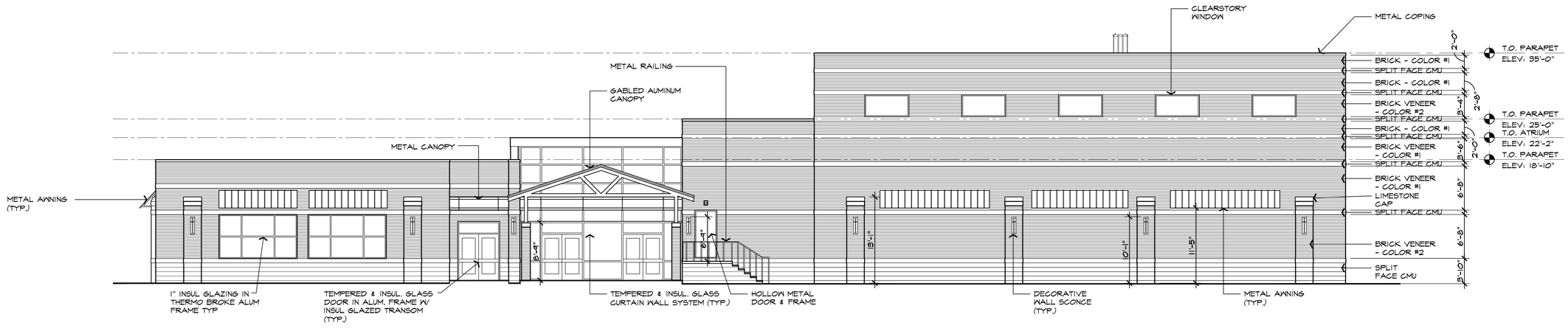
JOB #: 22086

SHEET TITLE
PROPOSED
FLOOR
PLAN
SHEET #
A.101



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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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

PROPOSED NEW BUILDING FOR:
ST. MARY'S ACADEMY & GYMNASIUM
18200 MERRIMAN ROAD
LIVONIA, MICHIGAN

DRAWN:	DESIGNED:	CHECKED:
DG	GA	GA

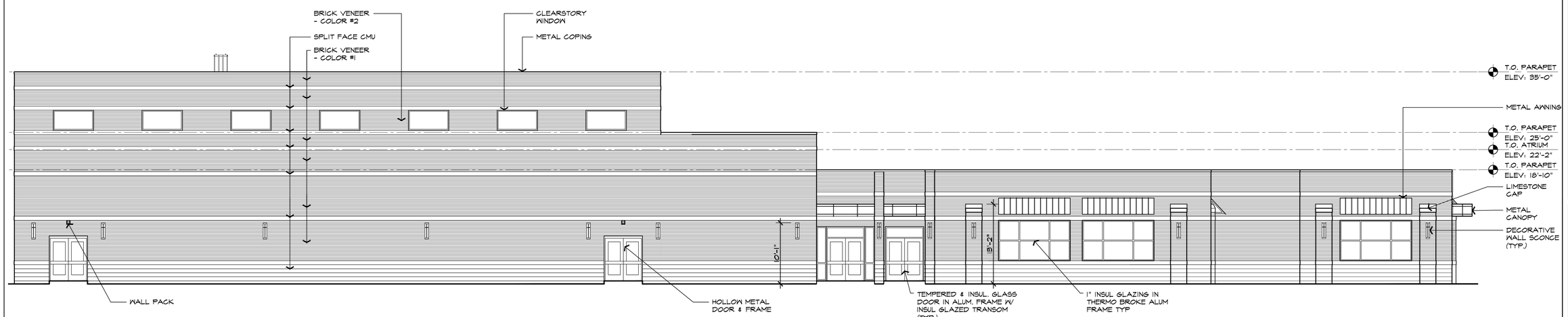
SCALE : 1/8" = 1'-0"

FILE NAME : 18123_A201

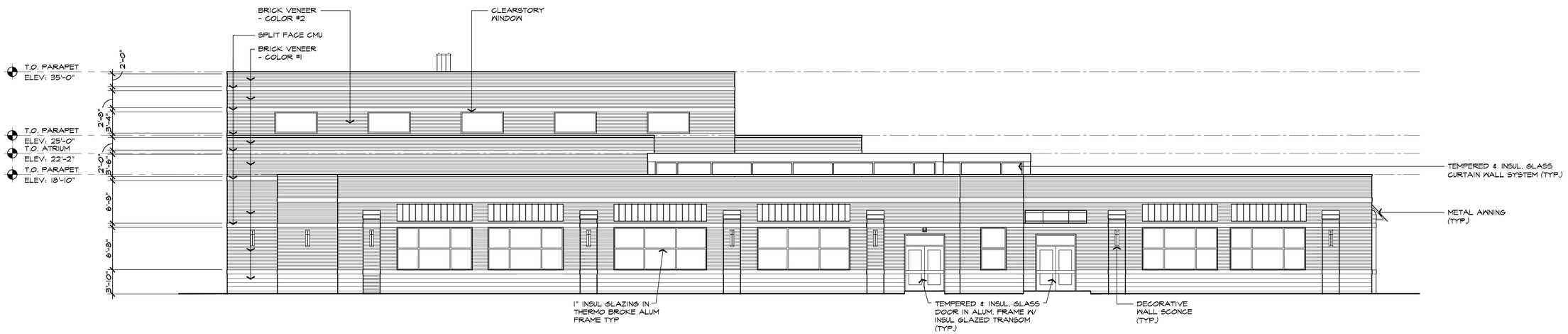
JOB # 22086

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
SAMIR M. KARIM
ARCHITECT
No. 1301038452
LICENSED ARCHITECT

ISSUED FOR	DATE
SPA	11-3-2023

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

PROPOSED NEW BUILDING FOR:
ST. MARY'S ACADEMY & GYMNASIUM
18200 MERRIMAN ROAD
LIVONIA, MICHIGAN

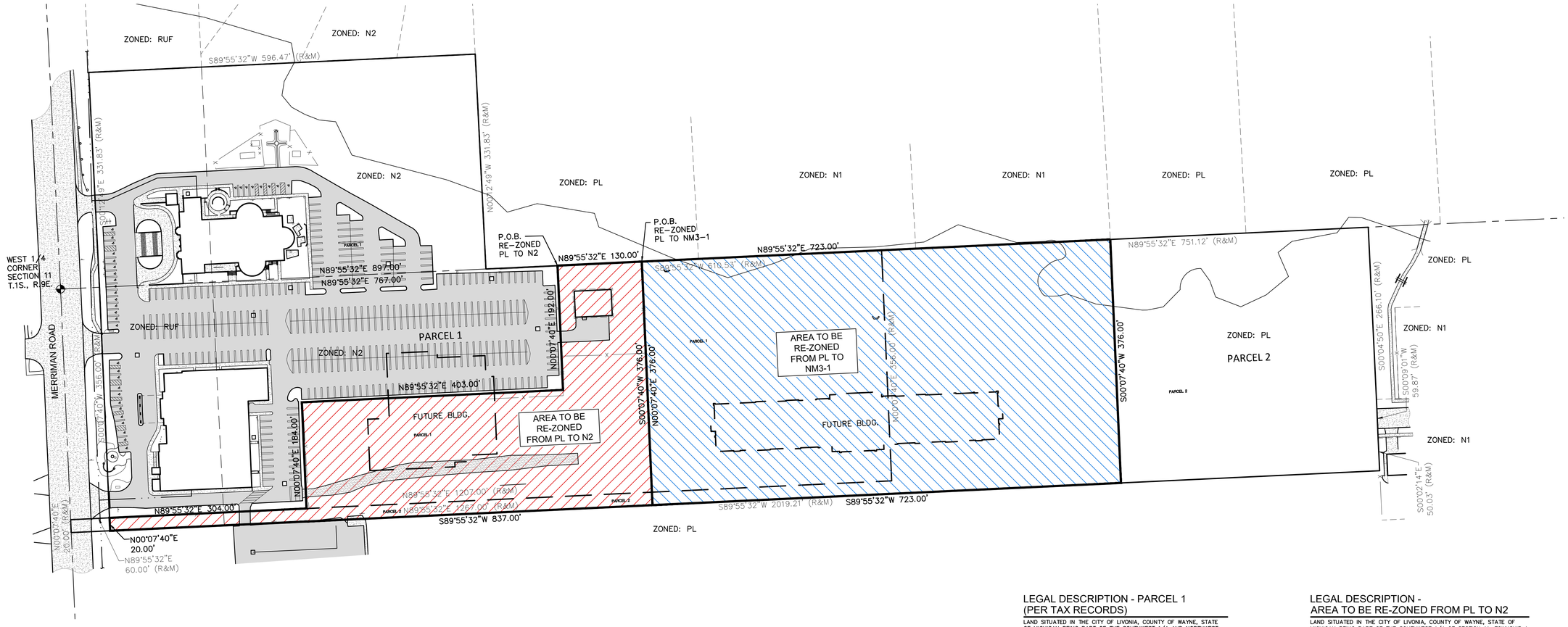
DRAWN:	DESIGNED:	CHECKED:
DG	GA	GA

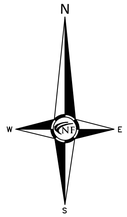
SCALE : 1/8" = 1'-0"

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
Cc:	Planning; Simmons, Jennifer
Subject:	FW: Brookwood Estates and Surrounding Neighborhood Opposition to the Rezoning of the Property Specified in the Basilica of St. Mary Petition 2022-12-01-02
Date:	Monday, December 4, 2023 9:47:42 AM
Attachments:	City of Livonia Outdoor Lighting Policy.pdf City of Livonia Park Rules.png Local Montessori Zones.pdf Livonia Inspection Guidebook .pdf Site Mapping_ Flood Plains, Wet Lands, USA Protected Nature.pdf

Good Morning,

We received this message from the Mayor's office, but it is Council's hands. This is for your department.
Thank you

Stephanie

Stephanie Reece
Program Supervisor
City of Livonia | Planning Department
(734) 466-2288
SReece@livonia.gov

From: Simmons, Jennifer <jsimmons@livonia.gov>
Sent: Monday, December 4, 2023 9:42 AM
To: Planning <Planning@Livonia.gov>
Subject: FW: Brookwood Estates and Surrounding Neighborhood Opposition to the Rezoning of the Property Specified in the Basilica of St. Mary Petition 2022-12-01-02

Jennifer Simmons
Constituent Relations Specialist
City of Livonia | Mayor's Office
(734) 466-2204
jsimmons@livonia.gov

From: Emilija Vilkaite <em.vilkaite@gmail.com>
Sent: Monday, December 4, 2023 8:09 AM
To: CityCouncil <CityCouncil@Livonia.gov>
Cc: 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>
Subject: Brookwood Estates and Surrounding Neighborhood Opposition to the Rezoning of the Property Specified in the Basilica of St. Mary Petition 2022-12-01-02

Hello All,

I would like to send over some information pertaining to the site specified for the rezoning in the Basilica of St.Mary. I shared part of this information at the City Council Meeting on November 27, 2023. Attached documents of just a few of my concerns and issues as a resident who lives across the street from the property specified in the Basilica of St.Mary's Petition 2022-12-01-02. In the documents I have highlighted information that pertains to this petition.

All Concerns and Issues:

- Flood Plains, Wetlands, and Watershed in Area
- Impact on Tarabusi Creek and surrounding wildlife area such as Bainbridge Park (National Protected Area)
- Light Pollution
- Zoning
- Increased Waste
- Noise Pollution
- Increased Traffic and accidents (at nearby intersections as well as Merriman and Curtis)
- Pollution/Contamination and other increased waste

The document "Livonia Inspection Guidebook", is a residential guidebook the City of Livonia put out. The information on Wetlands and Floodplains still pertains to this petition and proposed structures. The datasets included are from the ESRI database which is a multinational geographic information system that uses powerful mapping & spatial analytics technology. The City of Livonia Park Rules pertains to this petitions the Bainbridge park is located right next to the site and is legally protected land by the United States of America, therefore, there are laws to protect it such as: Clean Air Act, P2 Law, National Pollution Prevention Policy, and many others.

This Petition goes against the Livonia Vision 21 Plan and instead of bringing Livonia into a clean brighter future it pushes the city back decades from decent development and protection of green spaces. Please understand that if you do vote for this, you are opening a larger problem for the city. As this does give precedent for additional future developments in the space adjacent and will bring in a larger population of unhappy residents.

I look forward to speaking with you again and sending you more pertinent information on subjects that were stated but not discussed in this email.

Thank you,
Emilija Vilkaite
31716 Curtis

Adopted December 19, 2001
Council Resolution 776-01

CITY OF LIVONIA
OUTDOOR LIGHTING POLICY

The City of Livonia finds it necessary to establish guidelines for the installation of exterior lighting in all non-residential zoning districts. The purpose and intent of establishing these guidelines are as follows:

- To reduce glare and light pollution as a result of unnecessary and improperly designed light fixtures.
- To prevent light trespass into residential homes.
- To provide safe roadways for motorists, cyclists and pedestrians.
- To conserve energy by promoting efficient and cost effective lighting.
- To allow for flexibility in the style of lighting fixtures.
- To provide sufficient illumination for safety, convenience and security.
- To assist residents, business and property owners, city departments, the Planning Commission, City Council, and other governmental agencies in bringing outdoor lighting into conformance with the purposes of this policy.

The City of Livonia Inspection Department shall consider the following guidelines and criteria at the time a building permit is applied for, and in the case of projects that require the review and approval of a site plan by the Planning Commission and/or City Council, such guidelines shall be considered as part of the site plan review process. The Inspection Department or Planning Department may request additional information, as it deems necessary in determining whether or not the following guidelines are being met. Such information may include, but shall not be limited to: lighting plans with a layout of the proposed fixture locations; photometric data showing the spatial distribution of the output of the proposed fixtures; and manufacturer's catalog cuts that present a description of the equipment, including glare reduction devices, lamps, and mounting heights.

1) All light fixtures should be located, aimed or shielded so as to minimize stray light trespassing across property boundaries.
2) Pole mounted lights should not exceed a height of 20 feet as measured from the surface of the parking lot or ground surrounding the base of the proposed light fixture. Exceptions will be allowed in cases where there are unique circumstances due to topography, or the location and size of the parking lot in relation to residential districts and public thoroughfares is such that increasing the height of the light poles will not cause a nuisance or result in any safety hazards.
3) Flat lens "shoebox" or full cutoff design with horizontally aligned flush-mounted (non-protruding) lens style light fixtures are preferred over sag-lens or drop lens fixtures, which tend to waste energy and produce unnecessary glare.

4) Any canopy structures should have recessed lights with diffusers, which do not extend below the surface of the canopy. Canopy mounted sag-lens or drop lens fixtures are discouraged.
5) Where security is a concern, fluorescent and metal halide lamps are preferred source of outdoor lighting.
6) Directional fixtures such as floodlights, spot lights and sign lights should be installed or aimed so that they do not shine directly into the window of a neighboring residence, directly into a roadway, or skyward. Photocells with timers that allow a floodlight to go on at dusk and off by 11:00 p.m. are encouraged.
7) All outdoor light fixtures should be equipped with or be capable of being back fitted with light directing devices such as shields, visors or hoods when necessary to redirect offending light distribution.
8) All non-essential exterior lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.
9) The use of mercury vapor lamps is discouraged.

BEFORE YOU BUILD

Additions

The following items should be checked at the beginning of your project. Any of these items can affect the type, location, cost and length of time it takes to build your Addition.

Existing Foundation - When an addition is constructed, the existing foundation system needs to be capable of supporting the additional loads. If your house does not have an adequate foundation system, additional work may be required to ensure the existing house and new addition are properly supported. An addition cannot be constructed on an existing wood deck unless the deck is designed to support the additional loads (typically additional engineering is required).

Setbacks - The City of Livonia Zoning Ordinance contains minimum dimensions required between your addition and the property lines. Your addition cannot be located closer than 10 feet to any accessory structure without having to meet additional requirements. An addition attached to any portion of the house having a nonconforming front, side or rear yard setback will be required to meet the current standards of the Ordinance. See "Setback Requirements".

Deed Restrictions - Your subdivision may have Deed Restrictions that apply. The City of Livonia cannot enforce Deed Restrictions; however, we encourage you to check for any restrictions that may apply to your project.

Drainage - Will the existing yard drainage be affected by the location of the proposed addition? All changes to the existing drainage need to be shown on the plot plans. If large grade changes and/or slopes are proposed, retaining walls or special grading may be required. See "Plot Plan Requirements". If you have any questions, please call the Inspection Department at (734) 466-2580.

Flood Plains - Floodplains are usually associated with lakes, streams, rivers and drainage courses. They are areas designated as "prone to flooding" during times of rain. Building in these areas is strictly regulated. Floodplain Maps are available from the FEMA website. If you are proposing to fill or build within a regulated floodplain, Engineering drawings completed by a licensed surveyor or Civil Engineer registered in the State of Michigan will be required to obtained from permits from EGLE. Please call the Engineering Department at (734) 466-2571 for more information.

Wetlands - These areas have been determined to be indispensable and are to be protected as a natural resource. They provide numerous beneficial factors including wildlife habitat, water quality, flood controls, pollution reduction, erosion controls, open spaces, recreation areas and aesthetics. If your home will be close to or in regulated wetlands, additional paperwork, including permits, may be required from the City or State of Michigan prior to your Building Permit approval. Please contact the Inspection Department at (734) 466-2580 for more information. Preliminary wetland location maps are available at the Environment, Great Lakes and Energy website (formerly MDEQ) and can be used as a guide as to whether further studies shall be performed. If wetlands are located on the property, permits for any disturbance or filling of those areas will need to be obtained from EGLE prior to any Engineering and Inspection Department permits being issued. Please contact the Engineering Department for additional information.

Trees - A Tree Removal Permit is required for parcels regulated by the Tree Conservation Ordinance and for tress located in the Public Street Right-of-Way. Please refer to "Tree Requirements". Tree removal permits for trees located within the public right-of-way can be obtained from the Department of Public Works. Homeowners (or their representatives) are required to fill out an application at the DPW, after which an arborist from the City will inspect the tree(s) and determine if a permit will be required for the homeowner to remove the tree at their own costs, or if the City will place it on its removal list.

Permit Process – Please allow time for the permit process. Plan review time varies depending on the Inspection Department's workload.

Miss Dig – Call Miss Dig 811 before you dig. Michigan's free & easy utility notification system.

These are some of the common items that may cause delays in the permit process. If your project is beyond the scope of this Guidebook, additional requirements may be necessary. Please call the Inspection Department at (734) 466-2580 if you have any questions on how to apply this Guidebook to your specific project.

INSPECTION REQUESTS

Additions

The Inspection Department offers two convenient methods to allow you to request an inspection:

- An Inspection may be requested by filling out an online form, from our website at www.livonia.gov, Departments, Inspection (Building & Enforcement) "Request An Inspection" or by calling our Inspection Request Line (734) 466-2802 and providing the following information:
  - **The Street Address of the job site.**
  - **The Permit Number.**
  - **The type of Inspection you are requesting.**
  - **Requested Date of Inspection.**

- **QR Code Inspection Scheduling–** Scanning the QR Code at the top of this page will gain you direct access to the same Online Inspection Request Form as mentioned above. You will find the QR Code for scheduling inspections on many of our Inspection Department documents for your convenience.

Inspections scheduled before 4:00 p.m. may be added to the workload for the following working day. Electrical inspections fill up faster than other inspections, they will not be guaranteed the next day. Inspections will be done Monday through Friday from 9:30 a.m. - 3:30 p.m. Inspections may be done earlier or later depending on the Inspector's workload. Inspectors will be available by phone from 8:30 – 9:30 a.m. and 4:00 – 5:00 p.m. See our Staff Directory to call the morning of your inspection for an a.m. or p.m. window. Inspections may be available outside the normal business hours by special arrangement. Additional fees for "After Hours" inspections shall be paid in advance of the inspection.

A request to cancel an Inspection needs to be called in to the Inspection Department at (734) 466-2580 before 9:00 a.m. on the day of the requested Inspection.

Please make sure your project is ready for an Inspection. Inspections will not be done and a re-inspection fee may be charged if the following items are not completed or in place:

- Safe access to the job site and throughout the area to be inspected.
- Approved plans on site.
- The job is ready for inspection (refer to "Building Inspections").
- The Street address and lot number posted and visible from street.
- Temporary soil erosion control properly installed if applicable.
- The Street kept clean.
- All building construction debris and materials contained on the property.
- Tree protection properly installed and maintained if applicable.

Inspection results will be left on site after each inspection has been completed.

City of Livonia Sticker This will have a list of all the inspection groups. If signed and dated at inspection requested the Inspection was Approved.

Inspector's Correction Notice Inspection not approved. The Inspector's Correction Notice will contain a list of items that need to be addressed before calling for a re-inspection. A re-inspection fee will be due for items not corrected at the time of the second Inspection. Inspections shall be approved before proceeding with the next phase of construction.

It is your responsibility as the permit holder to check the job site for the Inspection results. Please read the information on the Inspector's Correction Notice. If you have any questions regarding this information, please call your Inspector between 8:30 – 9:30 a.m. and 4:00 – 5:00 p.m. see our Staff Directory online. You can also view your inspection results from the "Online Property Inquiry" link at www.livonia.gov, Departments, Inspection (Building & Enforcement). The link will take you to the Assessor's Office page. Scroll down to the bottom of the page and click on "I agree, to proceed to the online property inquiry system" link. once in BS&A Online enter the address in the search bar. Click on the address when it appears, then click on the Building Department tab. Scroll down to the Permits tab.

BUILDING AND TRADE INSPECTIONS

Additions

This list is intended to help you understand standard Inspections and some of the common items the Inspector looks for during an Inspection. This is not intended to be an all-inclusive list. The type and complexity of your project will determine what Inspections are required.

A safe access shall be provided to the inspection site and through all areas to be inspected.

Rail Footings – After the rails are formed for spread footings, the following will be checked:
- Footing sizes.
- Footings match the approved plot plan.
- Footings are down to solid undisturbed virgin soil.
- That any required reinforcing steel (rebar) is in place.
- Special footings that may require additional inspections prior to pouring:
  - Walk-out basement footings.
  - Bad ground conditions.
  - Engineered foundation systems.
  - Engineered pile foundations.
- Tree protection – maintained as required.
- Electrical bonding (if required) is in place.

Backfill – Before the backfill has been installed, after the drain tile has been installed, and stone and waterproofing or damp-proofing have been completed. The following will be checked:
- Properly installed lead walls with footings to the edge of the excavation, a minimum of 3 feet from the basement wall.
- 6 inches of required stone cover on the drain tile.
- Any As-Built plot plans have been submitted and approved prior to backfill for setback and brick ledge verification.
- Properly installed foundation anchors and wall bracing anchors.
- Damp-proofing applied from footing to above proposed grade.

Footings – The following will be checked:
- Footings shall rest on solid undisturbed soil.
- Footings shall be 42 inches below grade – minimum.
- Any forming required to provide protection of footing due to ground conditions.
- Footings installed in accordance with the approved plans.
- Footing locations and dimensions match the approved construction drawings and plot plan.

Underground Plumbing – After all underground plumbing is installed. The following will be checked:
- Types and sizes of all piping.
- Slopes of pipe – 1/8-inch per foot minimum.
- Stone installed around perforated pipe.
- Traps installed at all floor drains.

Rough Plumbing – After bathtubs, showers and all concealed piping in walls, floors and attics has been installed and fire stopped with proper material. The following will be checked:
- Types and sizes of piping.
- All water, sanitary and vent piping.
- Fire stopping of all tubs, showers and piping per code requirements.
- Pressure testing for concealed piping depending on job conditions.

Rough Mechanical – After all concealed gas piping, duct work, return air, chimneys and electrical wiring have been installed and fire stopped with proper material. The following will be checked:
- All concealed gas piping has been pressure tested.

- All ductwork has been sealed.
- Any exterior ductwork has been properly insulated.
- Proper clearances between chimneys and combustible materials exists.
- Bath fan ducts are installed and terminated to the outside.
- Complete framing and fire-stopping on all chimneys, chimney chases, return air and piping has been done.
- Covers installed on second floor registers.
- Floor registers in bathrooms, laundries and kitchens are a minimum one (1) inch above the finish floor.
- Floor registers in bathrooms are located at least 3' from water closet.

Rough Electrical – After all wires, boxes and recessed fixtures have been installed with grounds and neutrals tied together and wire holes are fire-stopped as required by Code. The following will be checked:
- Wires shall extend a minimum of 6 inches from boxes.
- All wires shall be secured as required by Code.
- Smoke detectors – wired and interconnected with 3-wire cable.
- Wire holes fire-stopped where required by Code with proper material.
- Vertical wires are not installed in return air areas.
- Recessed fixtures installed in insulated ceilings are the proper type fixtures and have been installed per the Michigan Uniform Energy Code requirements.
- Switches, plugs and covers are not installed prior to Rough Inspection.
- Arch Fault Circuit Interrupters are installed in all bedrooms.

Rough Fireplace
- **Masonry Fireplace** – A damper inspection is required after the damper has been installed and the smoke chamber is in place with the first flue set. The following will be checked:
  - Concealed gas piping prior to covering.
  - Type of mortar used in fire box, hearth and smoke chamber construction.
  - Size and location of exterior air intake.
  - A min. 2-inch clearance from combustibles from floor through roof.
  - Size and construction of hearth extension.
  - Flue sizes.
  - Location and construction of fire damper and smoke shelf.

- **Prefab Fireplace** – After the fireplace, chimney, and hearth extension protection have been installed as required by manufacturer. The following will be checked:
  - A Mechanical Permit has been secured.
  - The fireplace has been installed per manufacturer's requirements.
  - Installation instructions are on site.
  - Clearances between chimney and combustible material per manufacturer.
  - Framing and fire-stopping at the fireplace and the chimney chase has been completed.
  - Concealed gas piping has been pressure tested.
  - Proper hearth extensions and protection per manufacturer.
  - Manufacturer's installation instructions have been followed.

Pre-Masonry
- The proper type of water-resistant sheathing has been installed with the required proper lapping.
- Joints have been protected with proper type building wrap material.
- Flashing has been properly installed at all locations as required by Code.

Rough Building – After Rough Plumbing, Mechanical, Electrical and Fireplace Inspections have been conducted and approved. Approved plans and truss drawings shall be on site for all inspections. The following will be checked:

Floors
- Floor joist spans.
- If any floor trusses have been damaged or modified.
- Joist hangers are installed where required and have been properly nailed.
- If floor joists have been improperly notched or bored.
- Floor joists or trusses have proper bearing.

- Support under header studs has been installed.
- Support under heat, cold air and plumbing cut outs has been installed.
- Support under bearing walls has been installed.
- Stairway width of 36-inch minimum when all walls are finished.
- Stair risers are equal in height with a maximum rise of 8 ¼".
- Stair treads are equal in depth with a minimum depth of 9".
- Winder stair tread widths meets code requirements.
- Proper headroom at stair – 6'8" minimum.
- Proper sill plate on foundation with the proper size, type and spacing of foundation anchors.
- A minimum 16" x 24" access to the crawl space if through a perimeter wall, a minimum of 18" x 24" if through a floor.
- Crawl space ventilation, including ventilation within three feet of each corner.
- The Engineered floor system (if applicable) has been properly laid out per the engineered drawings (Please Note: The joist layout and all details shall be readable).
- Steel beam sizing and column spacing and size of column footings.
- Proper bearing and connections for steel beams and columns.
-

Walls

- All beams/girders have been properly supported.
- All girder trusses have been properly supported.
- Double studs at cut plates under joists have been installed.
- Proper portal framing has been installed for garage door opening with foundation anchors secured in footings to meet code requirements for wall bracing.
- Plates in contact with concrete are treated and nailed with proper corrosion resistant nails.
- All joints in top plates are supported.
- All bottom plates have been properly nailed.
- All headers have been shimmed at the bearing points if necessary.
- Notching in any studs has been done properly.
- Boring in any studs has been done properly.
- Proper wall bracing has been installed, including all requirements and hold-downs.
- Sheathing has been installed in a proper manner and any holes have been repaired.
- All holes through plates (for wiring, plumbing, HVAC) have been properly fire blocked.
- The chimney chase (if applicable) has been properly fire blocked.
- Any drop ceiling has been completely fire blocked.
- All bathtubs/shower pans have been completely fire blocked.
- All dead spaces have been properly fire blocked.
- All furred walls have been properly fire blocked.
- Window installation, including:
- Required safety glass, with readable labeling.
- Bedroom egress window sizes.
- Basement egress windows.
- Studs at wall intersections have been properly nailed.
- Wall sheathing has been properly nailed.
- All braced wall methods (as applicable) have been properly installed.
- Exterior house wrap has been properly installed per manufacturer's installation instructions. including overlaps.

Roof Framing

- Roof trusses have been properly installed and trusses are bearing at design bearing points.
- Trusses have not been altered or damaged.
- Properly sized truss hangers have been installed at girder truss connections.
- Rafter sizes are proper for their span.
- Ceiling joist sizes are proper for their span.
- The porch roof (if applicable) has been properly supported.
- The bay roof (if applicable) has been completed and weatherproofed.
- The ridge board is properly sized for the size of rafters being used.
- Collar ties have been installed.

- Guardrails have been installed at raised floor surfaces and open sided stairs located more than 30 inches above floor or grade below at any point within 36" horizontally to the edge of the open side.
- Intermediate rails or ornamental closures in guardrails do not allow the passage of an object 4 inches or more in diameter. Openings in guardrails for stairways do not allow passage of an object 4-3/8" or more in diameter.
- Doors are secure leading to future deck or stair areas that are not yet built.
- Weep holes are properly located and not covered by landscaping.

Permanent Erosion Control (inspected as part of the Final Grade Inspection) shall be installed as required by Engineering. The following will be checked:

- Sod or grass seed at least 50% germinated are installed in the areas noted below:
  - In the Right-of-Way – From the edge of the road to private property (typically 16.5 ft.).
  - In and along all ditches.
  - On the house side of bike paths or sidewalks.
  - On all slopes greater than 1 foot on 5 feet.
  - A minimum 10 feet around catch basins and storm manholes.
  - All other areas prone to erosion as determined by the Inspector.

Items To Be Installed Per Approved Plot Plan (Inspected as part of the Final Grade Inspection)

- Ditches.
- Culverts.
- Drive Apron and associated material.
- All required lot grading.
- Tree protection (Please contact the Engineering Department (734) 466-2571) for final approval).
- Lot and the adjacent lots are free of debris

SETBACK REQUIREMENTS

How Close Can I Build To My Property Line?

The distance between your house and your property line is called "**setback**." The Zoning Ordinance outlines specific requirements for minimum setbacks depending on the Zoning District you live in. To find your Zoning Code go to the Online Property Inquiry to determine your specific zoning classification. Then, refer to the chart below to determine the setback requirements for your area. To verify your correct Zoning District, please contact the Inspection Department at (734) 466-2580.

Zoning District	Front Setback	Side Setback	Rear Setback
R-1	25	5	30
R-2	30	6	30
R-3	35	8	30
R-4	40	10	35
R-5	50	12	45
RUF	50	10	50
AG	50	50	60
R-6	30	6(+)	50
R-C	50(c)	25(b)	50(c)
R-7	50(c)	30(b)	50(c)

Exceptions may apply to the above setback requirements. Please contact the Building Department if any of the following situations apply:

(b) The intent of Footnote (b) is to maintain some consistency in those residential areas where the houses have varying setbacks. For example, you find from the chart above that your side yard setback is required to be a minimum of 25 feet, however, the average side yard setback of two at least is 60 feet, however, the average side yard setback is 30 feet.

(c) Footnote (c) applies to that when any front, rear or side yard abuts a single family residential district or a major thoroughfare of one-hundred-twenty (120) feet or more as indicated on the Master Thoroughfare Plan of the City of Livonia, the minimum setback shall be seventy-five (75) feet.

(+) The intent of Footnote (+) is to allow lots in R-6 Districts on which a one family dwelling is established shall have two (2) side yards, one with a minimum width of not less than six (6) feet and the aggregate width of both side yards shall not be less than sixteen (16) feet. All lots in R-6 Districts on which a two (2) family dwelling is established shall have two (2) side yards of not less than ten (10) feet each. In R-6 Districts, the width of side yards abutting upon a street shall not be less than seventeen (17) feet at the first floor level when rear yards abut rear yards; however, in case of a rear yard abutting a side yard of an adjacent lot, the side yard abutting upon a street shall be not less than thirty (30) feet. Every lot on which a building or structure used for a non-dwelling purpose, other than an accessory building is erected, shall have a side yard on each side of such lot, and each such yard shall be not less than fifteen (15) feet in width with an increase of one (1) foot in width for each five (5) feet or part thereof by which the said building or structure exceeds thirty-five (35) feet in over-all dimension along the side yard and also of an additional one (1) foot for every two (2) feet in height in excess of thirty-five (35) feet.

PLOT PLAN REQUIREMENTS

Additions

Three sets of plot plans containing all the information and details noted below shall be submitted with the building permit application. See "Sample Plot Plan". The plot plan can be drawn by the homeowner, contractor, Land Surveyor, Engineer or Architect. Special circumstances may require the plot plan to be drawn by a licensed engineer, Architect or Land Surveyor. This will be determined during the review process.

The plot plan shall contain the following information:

General:

Builder's name, address and telephone number.

The north arrow, legal description, street right-of-way and street name.

If the building is built on or adjacent to slopes greater than 1 unit vertical to three units horizontal, show the dimensions as required by the Michigan Residential Code.

Plan scale is to be between 1" = 20' and 1" = 50".

The preferred plan size is 8 ½" x 14". If it is necessary to go to a larger size, please do not exceed 18" x 24".

Temporary soil erosion control measures may be required based on the field inspection. Permanent soil erosion control measures may be required for final grade approval.

Zoning:

Show the location and dimensions of all structures on the lot, including the proposed structure and distances from lot lines and/or existing structures (see "Setback Requirements").

Plot plans shall show lot dimensions.

The plot plan footprint and the construction drawings shall be consistent.

Grading and Drainage:

The overall subdivision grading shall remain unchanged. Elevations may deviate slightly to accommodate the construction of the addition.

A minimum of 6 inches of fall away from the structure in the first 10 feet and a minimum of 1% grade for the remainder of the property is required for drainage.

Indicate existing and proposed drainage patterns.

Provide the location of all overhead and underground utilities such as electric, gas, phone, water and sewer.

Show the location of all slopes on the property that exceed one foot vertical to five feet horizontal (20%).
The maximum slope allowed is 1 foot vertical to 3 feet horizontal (33%). All slopes exceeding 1 foot vertical to 3 feet horizontal will require retaining walls with details of construction. Additional information and details may be required for retaining walls. This will be determined during the review process.

Any slopes exceeding 1 foot vertical to 5 foot horizontal (20%) will require permanent erosion control for final grade approval.

For Additions with New or Revised Driveways:

If the road is gravel, the drive approach shall be gravel. If the road is paved, the drive approach shall be paved.

Indicate the width and type of proposed driveway construction.

The drive grade requirements are as follows:
Side entrance slab – minimum 2% - maximum 4% slope.
Slope down to road – minimum 2% - maximum 10% slope.
Reverse drive slope – minimum 2% - maximum 7% slope.

Show all existing curb drops and all proposed curb cuts.

The angle of the driveway should be 90% to the roadway edge.

A circle drive may be permitted if the lot frontage is 75 feet or more and the distance between the drives is a minimum of 45 feet to center.

A minimum of 5 feet is required between the driveway and fire hydrant.

A minimum of 6 feet is required between the driveway and a high back catch basin.

Driveways should avoid all utility manholes. If unavoidable, a permit and inspection from the Engineering Department is required for the adjustment and isolation of the structure (detail available). For information, call (734) 466-2571.

Other agency permits will be required when a new approach or alterations to an existing approach are proposed and,

- The road your house is on is a County road. A drive approach permit from the Wayne County Department of Public Service (WCDPS) is required prior to plot plan approval,

- The road your house is on is a State road. A drive approach permit from the Michigan Department of Transportation (MDOT) is required prior to plot plan approval.

Trees in the Public Street Right-of-Way

- All trees located between the property line and the street are regulated by the Street Tree Ordinance and require a Right-of-Way Tree Permit.
- Show all existing trees in the road right-of-way (public property).
- For Right-of-Way Tree Permit requirements, contact the Engineering Department (734) 466-2571

Wetlands and Floodplain:

If there are flood plains or wetland on your lot, a survey from a licensed Land Surveyor or Engineer (signed and sealed) may be required. This will be determined during plan review.

Show the wetland limits, 25-foot natural features setback and required protective fencing. Activity within 10 feet of the regulated wetlands will require a Wetlands Use Permit. Provide information as required by the Natural Resources Ordinance, Chapter 126.

Provide a State of Michigan Department of Environmental Quality permit if the property has a State regulated wetlands.

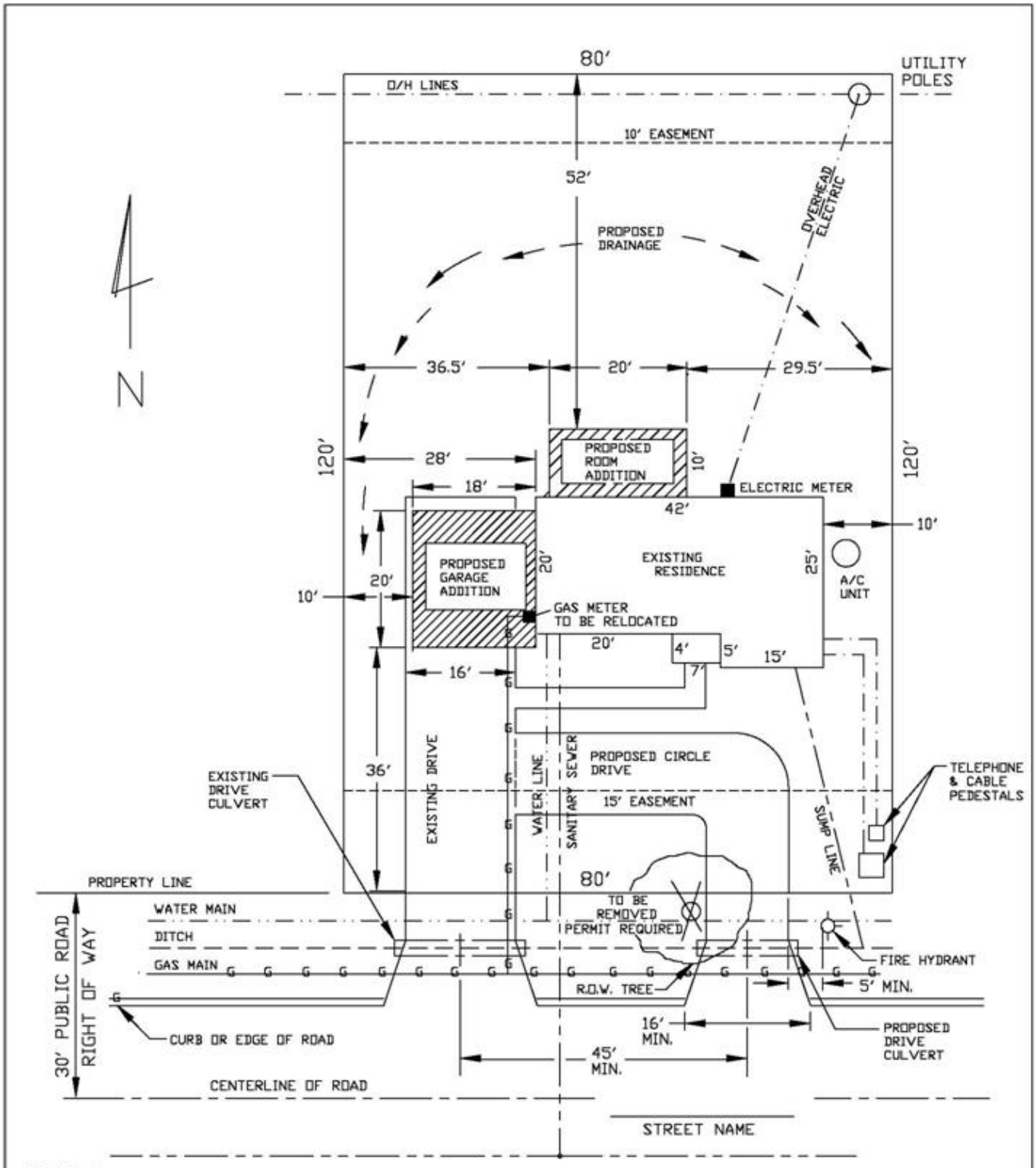
Show the location and elevation of all watercourses and provide the floodplain elevation on the plan. Adhere to the City of Livonia Flood Plains Ordinance, 28.01, 28.02, 28.03.

A soil erosion control permit from the Engineering is required for all properties with wetlands, flood plain, or within 500 feet of a lake, stream, storm drain, etc. Contact the Engineering Department (734) 466-2571 for further information.

The setback and plot plan requirements are taken from the following ordinances and publications:

City of Livonia Zoning Ordinance No. 543
City of Livonia Codified Ordinance, Article III, IV, V, VI, VII, VIIA, VIII.
City of Livonia Grading and Soil Erosion 15.36

This information is provided in a "user-friendly" format as a general guide to help you apply the ordinance requirements to your project. It covers the most common types of projects. The actual ordinance language may contain additional requirements or exceptions that may apply if your project is beyond the scope of this guidebook.



SAMPLE
PLOT PLAN
FOR: ADDITIONS

SCALE: 1"=20'

SHOW THE UTILITY LOCATIONS BOTH ABOVE AND BELOW GROUND.
SHOW THE LOCATION OF THE ELECTRIC METER, GAS METER AND A/C UNIT.
SHOW THE LOCATION OF THE WATER, SANITARY, AND SUMP LINES

IF A NEW DRIVE OR ALTERATIONS TO AN EXISTING DRIVE ARE PROPOSED, ALL CONSTRUCTION MUST CONFORM TO CURRENT STANDARDS. (SEE ATTACHED ZONING AND GRADING REQUIREMENTS.)

BUILDER: XYZ CONST.	
ADDRESS XXXX XXXX	PHONE XXX-XXX-XXXX
OWNER: RESIDENT	
ADDRESS XXXX XXXX	PHONE XXX-XXX-XXXX

A Children's Place Montessori

32175 Folsom Rd, Farmington Hills, MI 48336

RA3 Zoning: Neighborhood Multifamily District.

32175 Folsom Rd

Parcel Data | ACTIONS

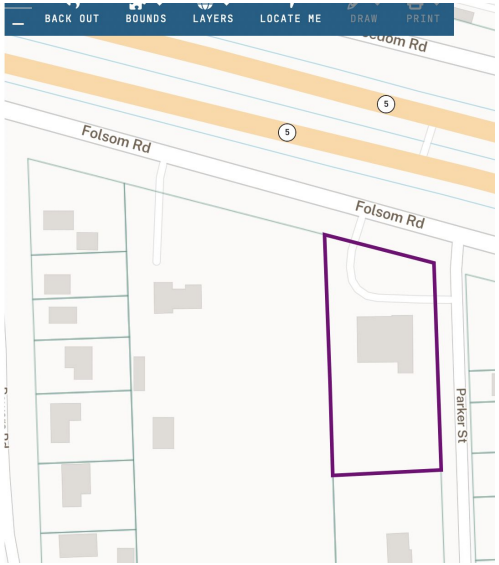


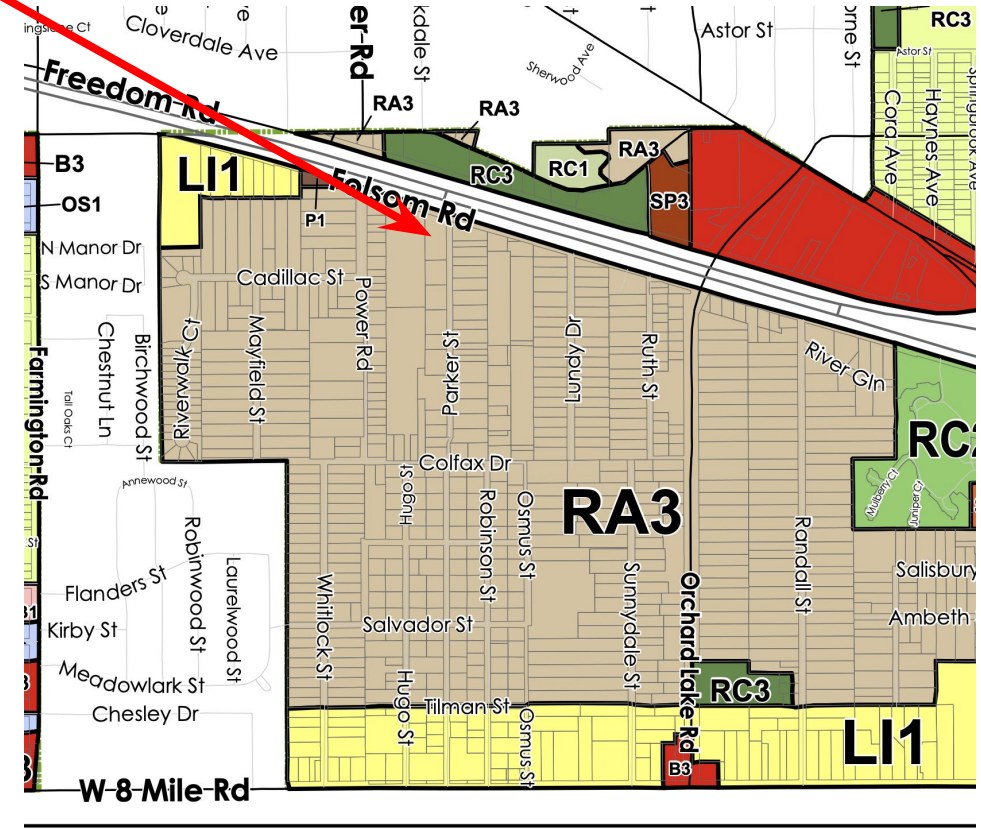
Fields with this color can be unlocked with a Pro subscription — Unlock with Pro

▼ **Parcel Address**

Parcel ID	2334251046
Parcel Address	32175 FOLSOM RD
Parcel Address City	FARMINGTON HILLS
Parcel Address Zip Code	48336-4601

▼ **Owner Information**

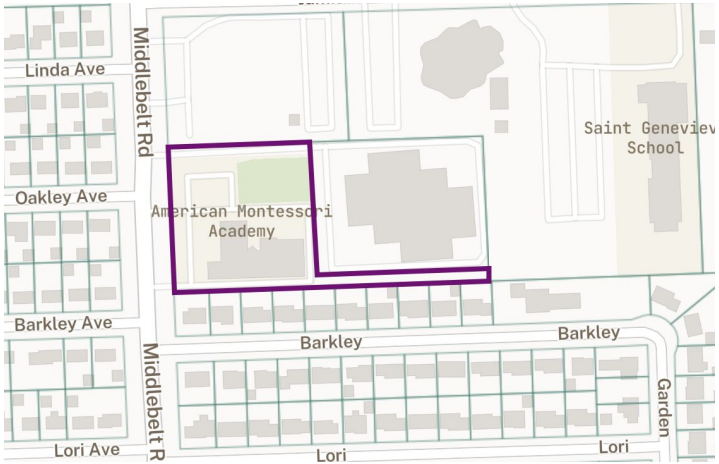




American Montessori Academy

14800 Middlebelt Rd, Livonia, MI 48154

RUF Zoning: Rural Urban Farm





CITY OF LIVONIA
NEW ZONING MAP

Legend

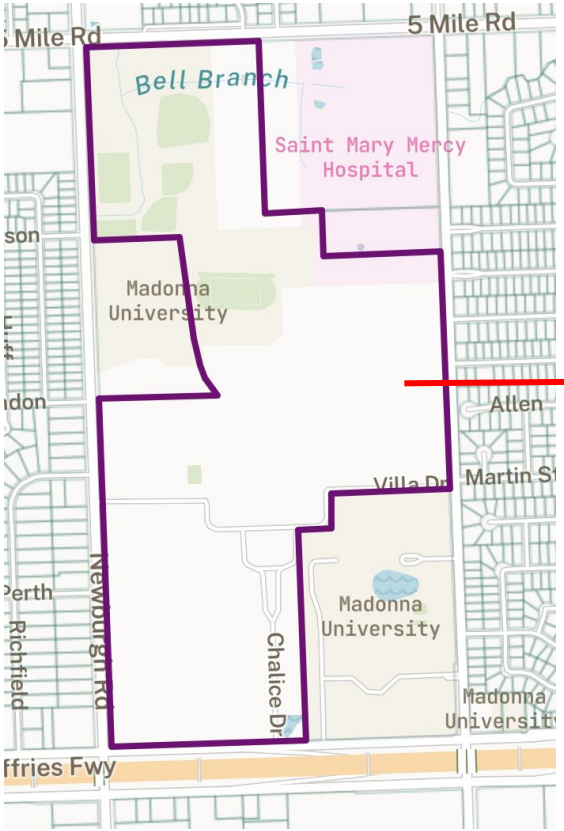
New Zoning Districts

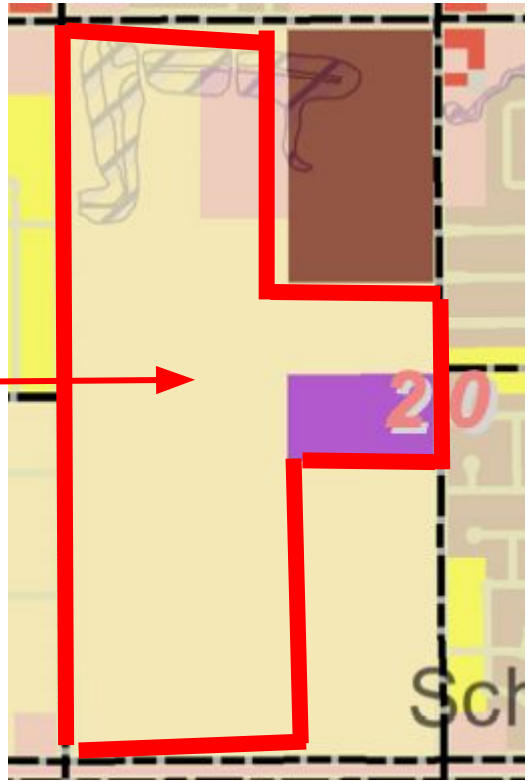
- RUF Rural Urban Farm
- N1 Neighborhood
- N2 Neighborhood
- NM1 Neighborhood Multifamily
- NM2 Neighborhood Multifamily
- NM3 Neighborhood Multifamily

Montessori Center of Our Lady

14200 Newburgh Rd, Livonia, MI 48154

Zoning: RUF, NM2 or NM3 , C-1 Local Business



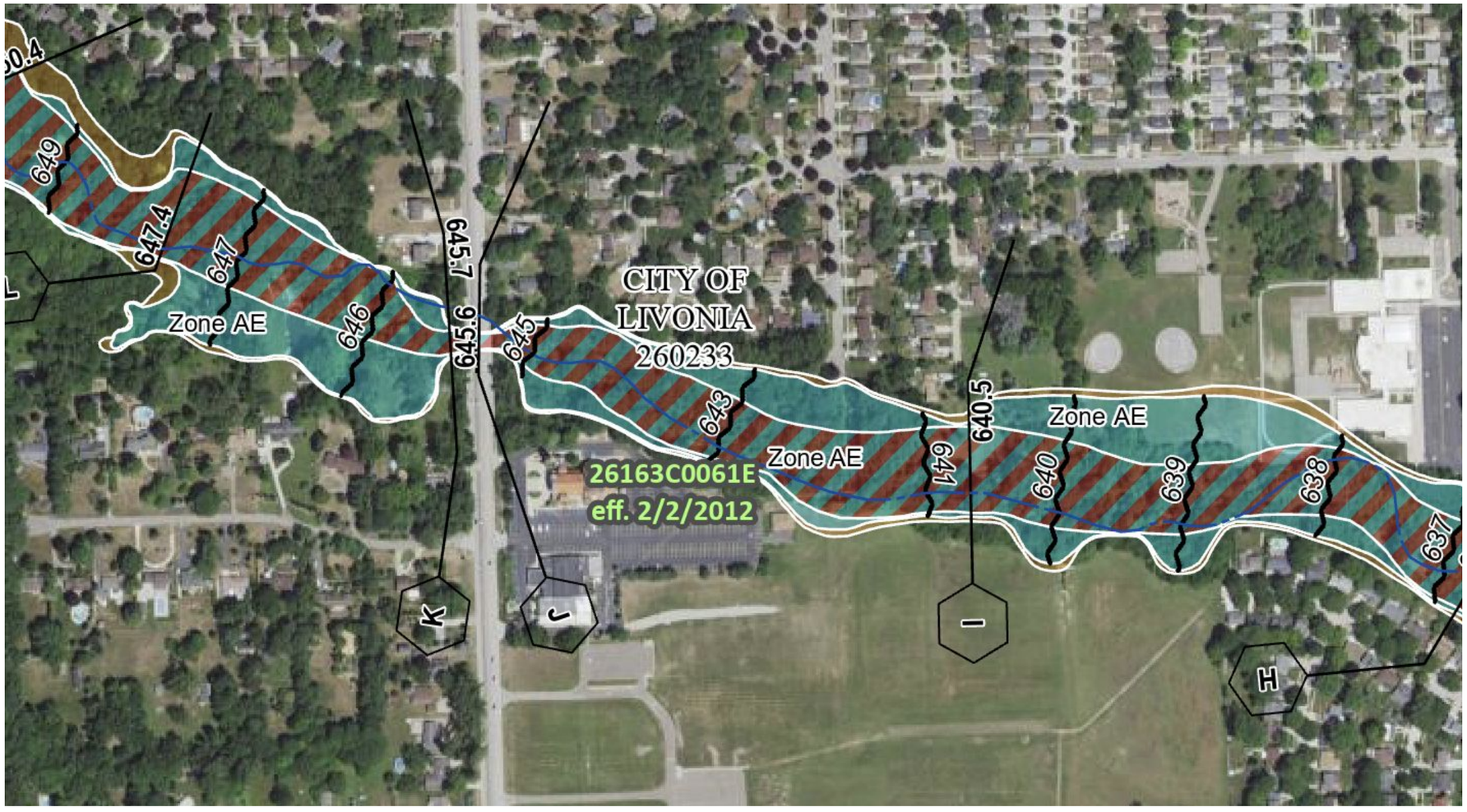


CITY OF LIVONIA
NEW ZONING MAP

Legend
New Zoning Districts

- 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
- C-3 Highway Services
- C-4 High Rise Commercial
- M-L Manufacturing Limited
- M-1 Light Manufacturing
- M-2 General Manufacturing
- P-L Public Lands
- NP Nature Preserves

FEMA Flood Map



PIN
- Approximate location based on user input and does not represent an authoritative property location

MAP PANELS
- Selected FloodMap Boundary
- Digital Data Available
- No Digital Data Available
- Unmapped

OTHER AREAS
- NO SCREEN — Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*
- Otherwise Protected Area
- Coastal Barrier Resource System Area

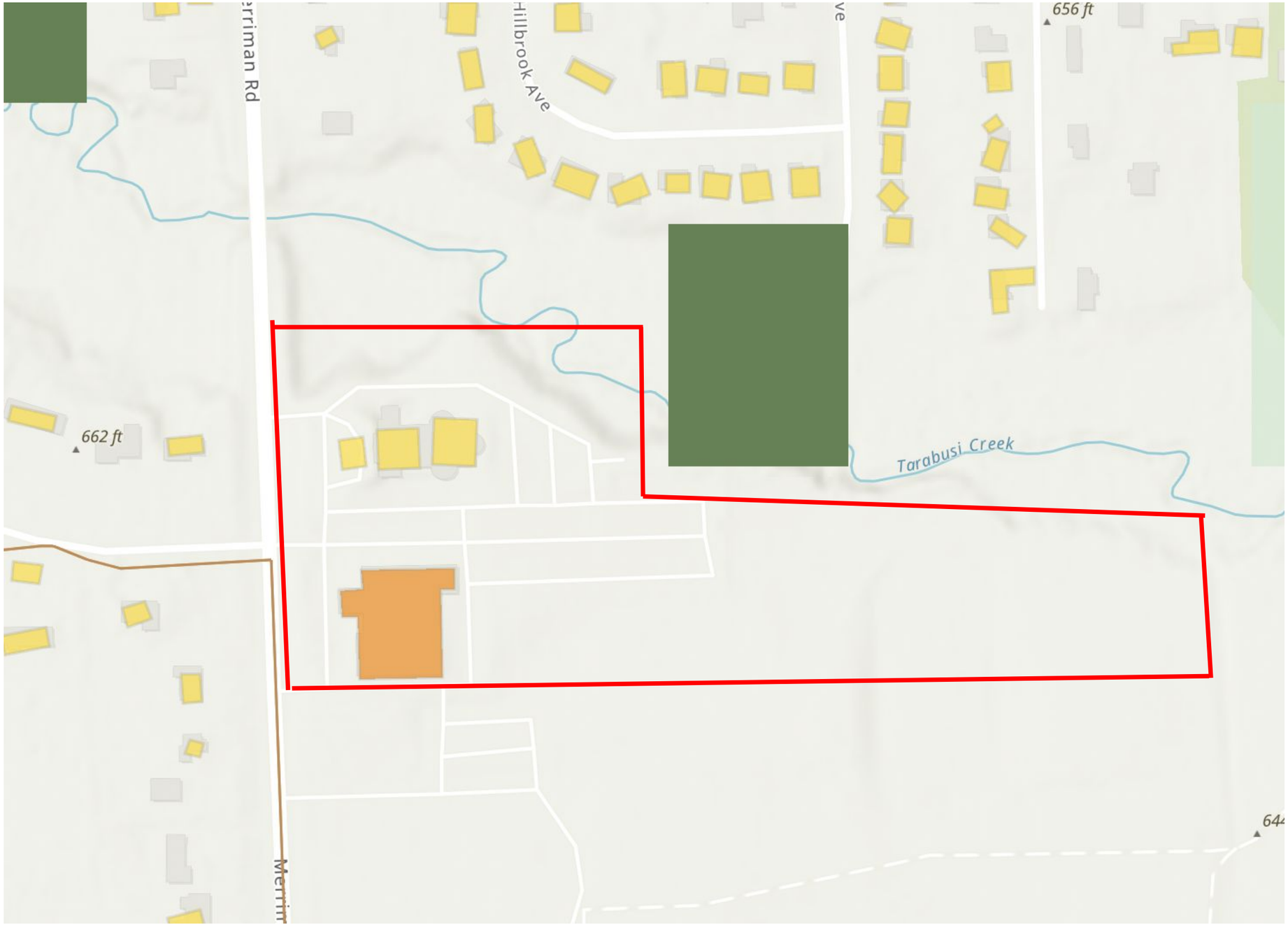
SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth
- Regulatory Floodway *Zone AE, AO, AH, VE, AR*

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 FEATURES
- 20.2 / 17.5 — Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- 513 — Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

USA Protected Land From Land Cover Conversion



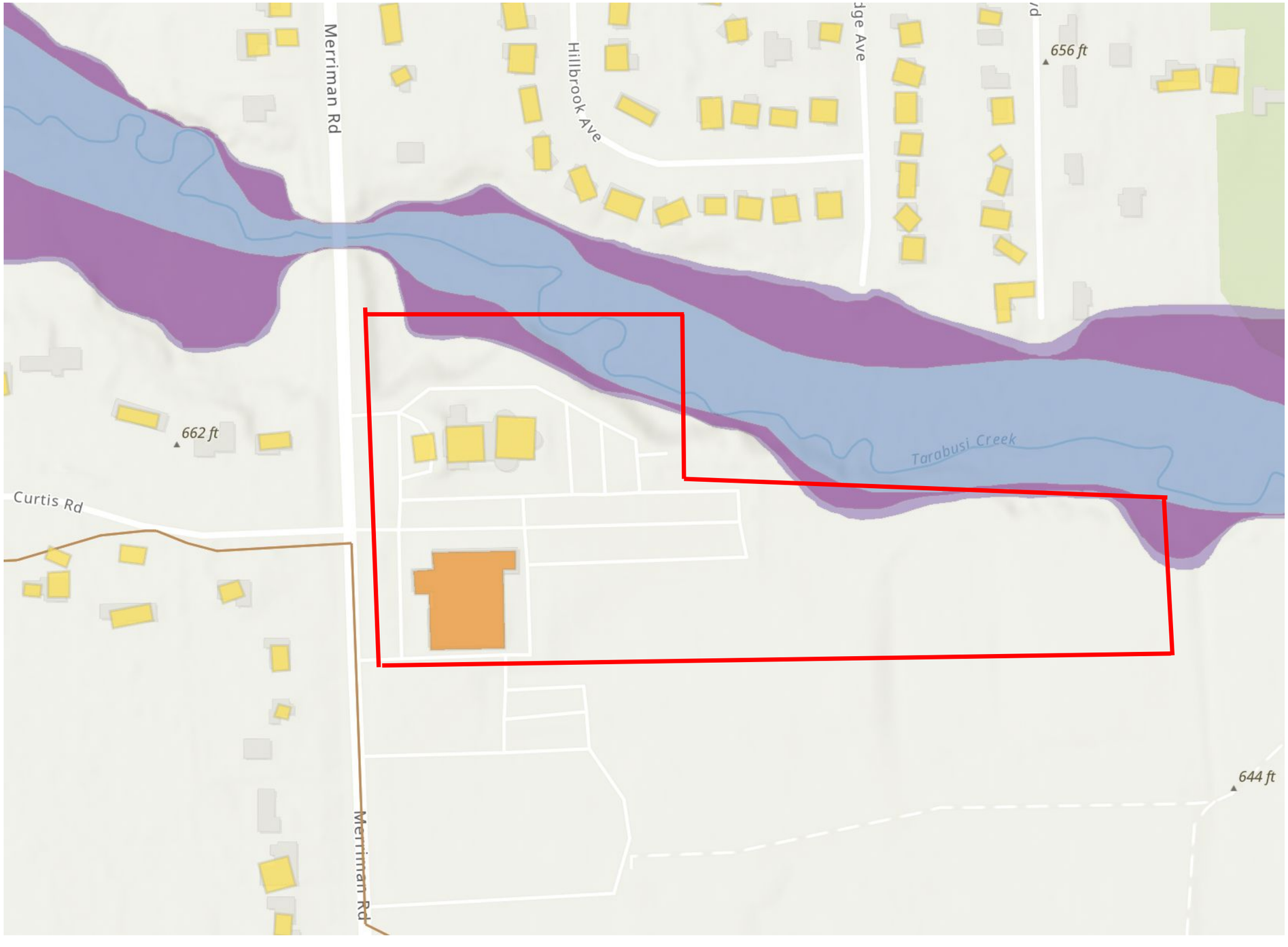
USA Protected from Land Cover Conversion

USA Protected from Land Cover Conversion

- GAP Status 1
- GAP Status 2
- GAP Status 3

ESRI Dataset

USA Flood Hazard Areas

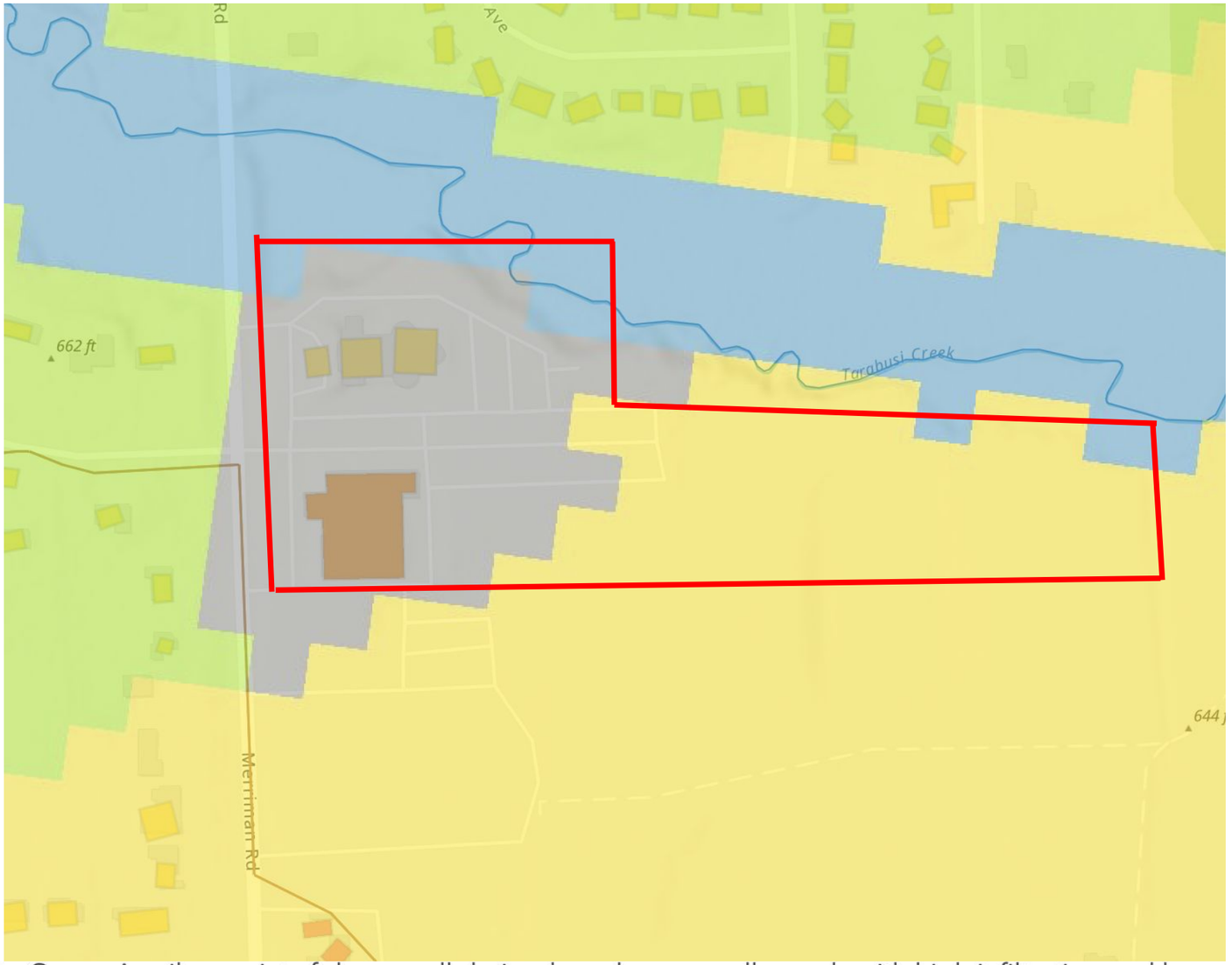


USA Flood Hazard Areas

- 0.2% Annual Chance Flood Hazard
- 1% Annual Chance Flood Hazard
- Future Conditions 1% Annual Chance Flood Hazard
- Regulatory Floodway
- Area with Reduced Risk Due to Levee
- Special Floodway

ESRI Dataset

USA SSURGO - National Hydrography Dataset



USA SSURGO - Soil Hydrologic Group

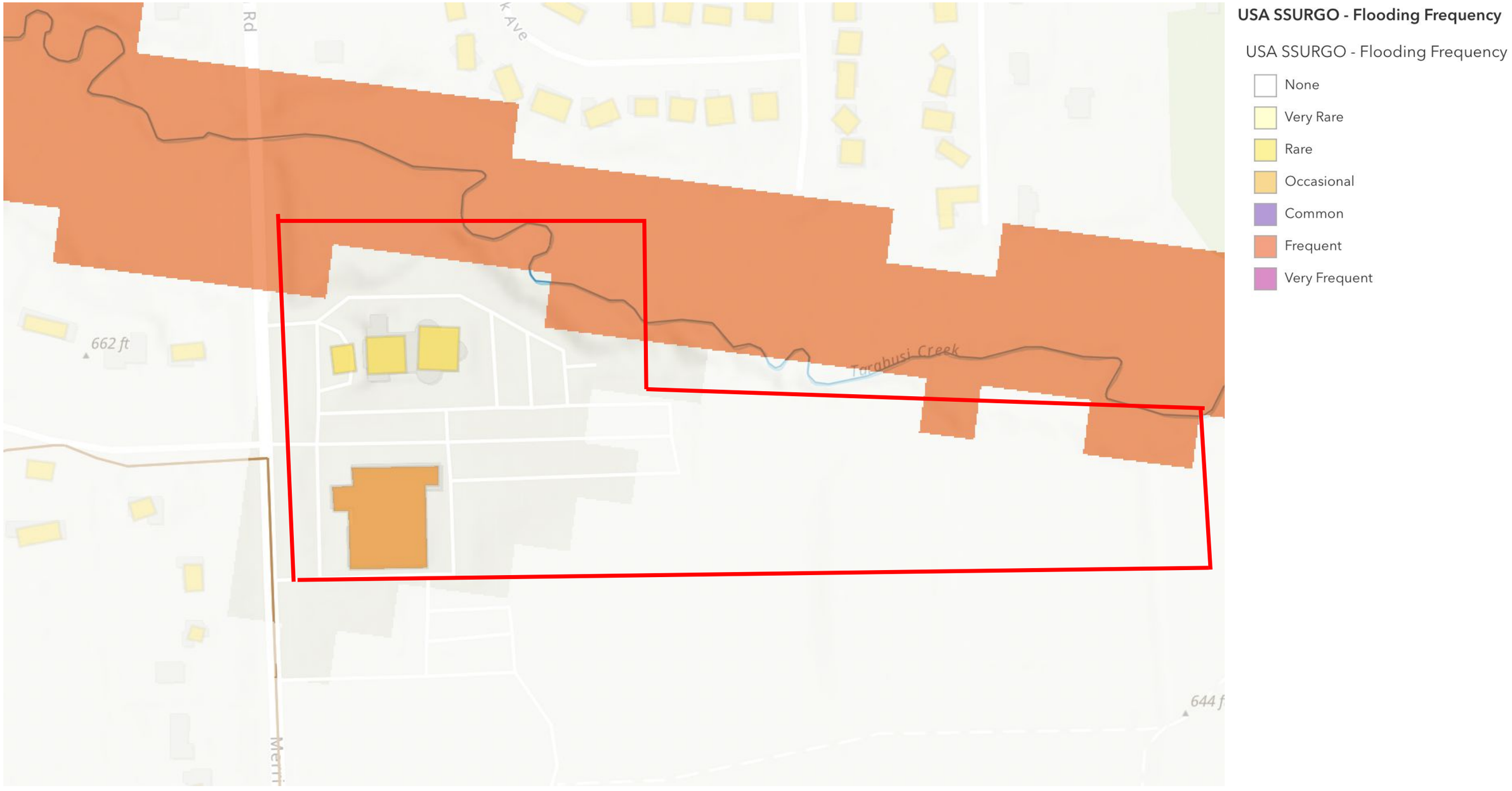
USA SSURGO - Soil Hydrologic Group

- Group A
- Group B
- Group C
- Group D
- Group A/D
- Group B/D
- Group C/D

- **Group A** - Group A soils consist of deep, well drained sands or gravelly sands with high infiltration and low runoff rates.
- **Group C** - Group C consists of soils with a layer that impedes the downward movement of water or fine textured soils and a slow rate of
- **Group D** - Group D consists of soils with a very slow infiltration rate and high runoff potential. This group is composed of clays that have a high shrink-swell potential, soils with a high water table, soils that have a clay pan or clay layer at or near the surface, and soils that are shallow over nearly impervious material.
- **Group B/D** - Group B/D soils naturally have a very slow infiltration rate due to a high water table but will have a moderate rate of infiltration and runoff if drained.

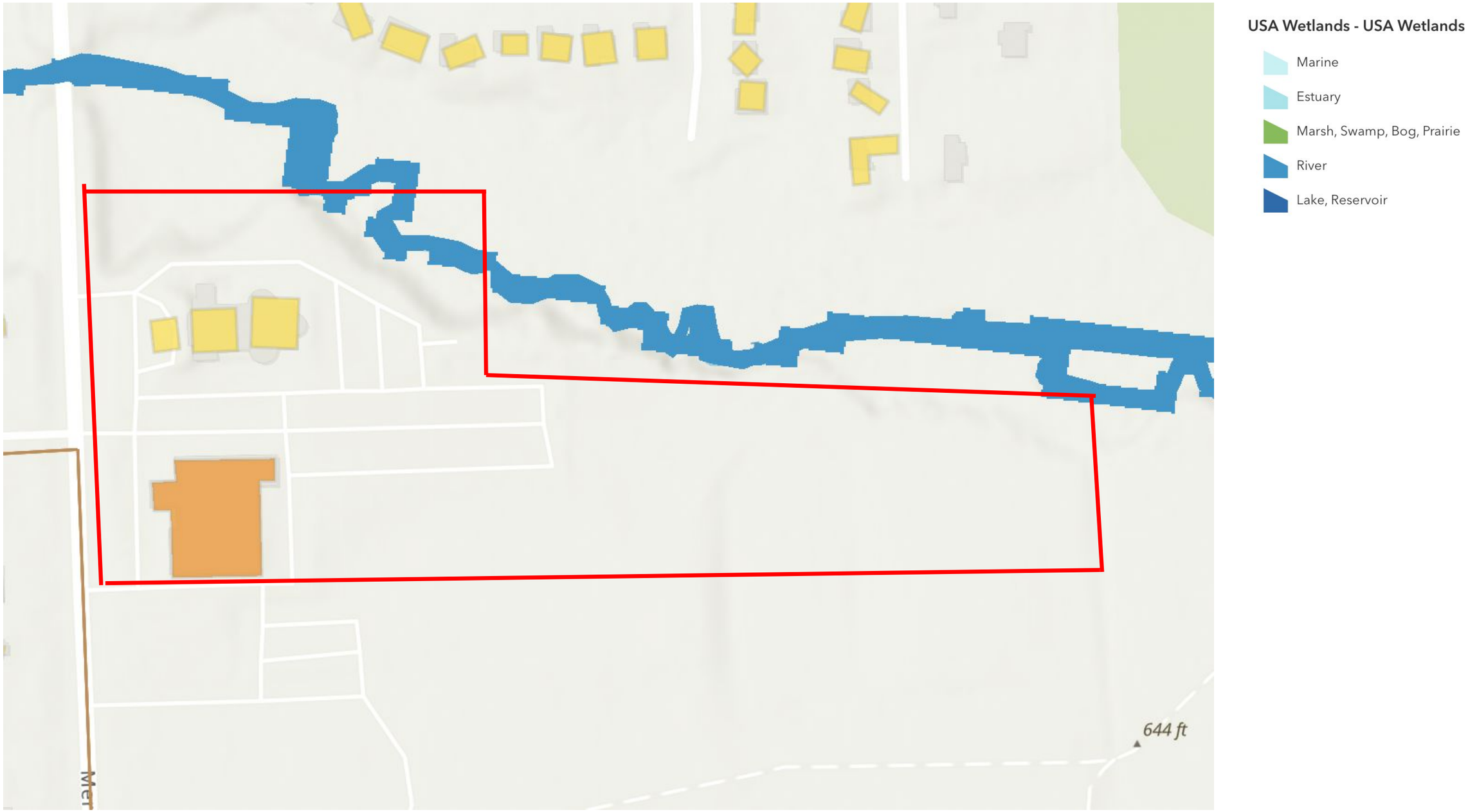
ESRI Dataset

USA SSURGO - Flooding Frequency Dataset



ESRI Dataset

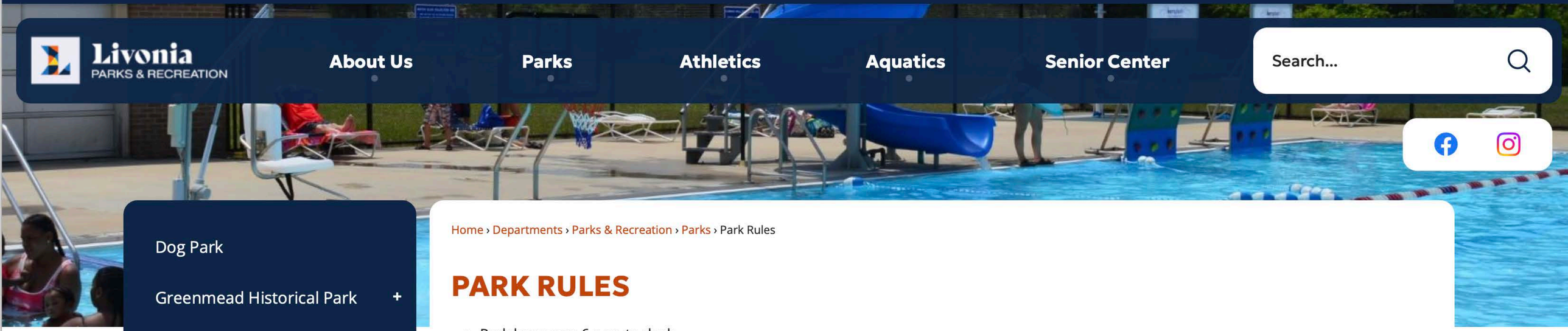
National Wetlands Inventory - USA Wetlands



ESRI Dataset

Create a Website Account - Manage notification subscriptions, save form progress and more.

Website Sign In



- Dog Park
- Greenmead Historical Park +
- Nature Trails & Preserve Sites
- Park Programs
- Park Rules
- Pavilions
- Play Structures

PARK RULES

- Park hours are 6 a.m. to dusk
- No littering or dumping
- No alcohol is permitted unless an alcohol permit is issued
- Animals must be kept on a leash and under control of the owner
- No motor vehicles on trails or paths
- No amplified and loud music unless permitted
- No carving, cutting or removal of trees or other natural vegetation
- No trapping, capturing or frightening of any wild or domestic animals
- Pollution of water resources, pools, fountains, ponds, streams or sewers is prohibited
- Fires shall be built in designated places only
- Use of fireworks without a permit is prohibited
- Commercial activities prohibited without prior written approval from the Parks and Recreation Commission
- Playing or practicing of archery or golf, flying motor-driven model aircraft, drones, or launching any type of device, regardless of the power source is prohibited
- Tents, portable grills, inflatables and large groups (20 plus) require a permit
- No livestock/farm animals are permitted

EGLE WRD's Authorities and Responsibilities – what can we do?

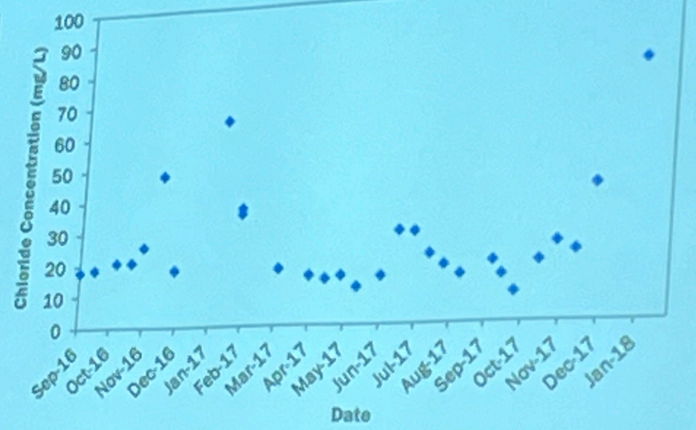
- We CAN
  - Issue permits for activities that may have an impact on water quality and ensure that corresponding actions are taken to minimize/offset those impacts - in accordance with the authorities defined in the federal Clean Water Act and state Natural Resources and Environmental Protection Act.
  - Compliance/enforcement for activities that violate statutes/permits or are performed without required permits.
  - **Provide education to local governments and the public on the scope of regulations and the science behind preserving water quality.**
  - **Provide recommendations for best management practice to minimize impact on water quality or restore impacted sites.**
  - Support voluntary actions to protect/restore water quality through grants, education, and technical assistance.

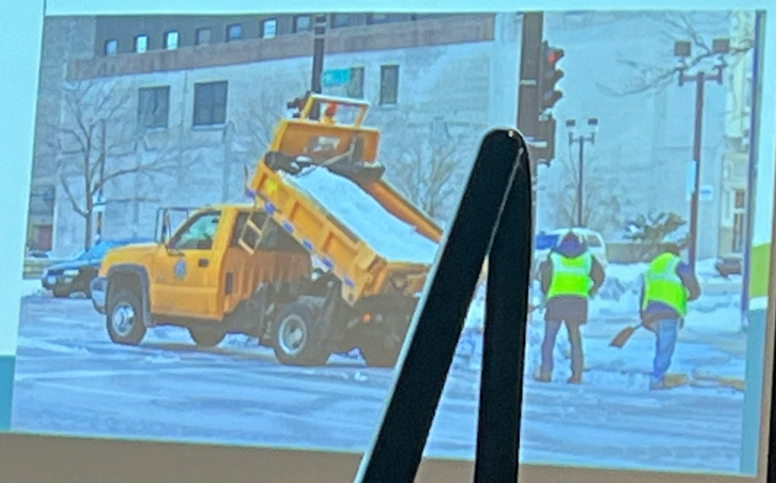
- We CANNOT
  - Use our regulatory authority to influence local policy, unless specifically required by statute- **e.g. can't influence local zoning decisions**
  - Require any actions/activities or issue penalties that are beyond the scope of our regulatory authority/programs
  - Make new laws to protect water quality or expand laws beyond scope of authorities defined by stat requires legislative action)
  - Completely prevent a proposed project from moving forward (in most cases)

EGLE

Possible contributor to biota impairments in Tarabusi Creek – chloride pollution

- Road salt application is the primary pollutant of concern
- New EGLE water quality values
  - Acute – 640 mg/l
  - Chronic – 320 mg/l
- FOTR volunteer data
  - Coolidge Elementary: 0-506 mg/l
  - 8-mile crossing: 0-270 mg/l





NEW DATA RECEIVED FOR THE REGULAR MEETING OF DECEMBER 4, 2023, ITEM 14

From: noreply@civicplus.com
To: CityCouncil
Subject: Online Form Submittal: City Council Inquiries
Date: Monday, December 4, 2023 1:19:10 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	12/4/2023
Attachment (Optional)	Basilica Church December 4 meeting.docx
Comments	*Field not completed.*

Email not displaying correctly? View it in your browser.

Tonight is the supposed decision regarding the requests of the Basilica of St. Mary church to rezone. At the last meeting there was a sense that too many of the council feel that have to say yes. This decision is more than just an environmental decision. This decision impacts every single tax paying Livonia citizen who lives in the surrounding houses. This affects value, quality of life, right and wrong. The church has made a point of tiptoeing around some of the truths such as it is not a day care it is intended to be a school for grades 1 through 5. There is a public school within walking distance. There is a brand new Montessori being built for Livonia on Newburgh. Father George has made a point of stating that no one will stop him. Does that mean he gives enough money to the right people and places he will get what he wants – right or wrong. He doesn't live in Livonia, a majority of the church members do not live in Livonia or even those who do, not in the affected homes. It is a compound they are building, no regard to the neighborhood. We deal with the loud music, trash and light pollution, now you add this to the problem. There truly is no respect from the church to the surrounding citizens.

There is disappointment in some of the council who make it sound like they don't have a choice. There is always a choice. People chose the houses we live in, people chose the city they live in. We pay the taxes as required. The church pays nothing, the church demands, but to what benefit to the city of Livonia?

It is also a shame that this is still an issue and the city can't just say no. It is 100% for parishioners – no matter what he says. He has made a commitment to his church and church members. 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.

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. 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.

Many residents feel like you are just continuing this in the hopes that one side stops trying. Stand up and do what is right the tax paying citizens of Livonia. Do your job!

NEW DATA RECEIVED FOR THE REGULAR MEETING OF DECEMBER 4, 2023, ITEM 14

From: noreply@civicplus.com
To: CityCouncil
Subject: Online Form Submittal: City Council Inquiries
Date: Monday, December 4, 2023 3:16:10 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	Stephen
Last Name	Myers
Address	30514 Brookview Drive
Email Address	stephenmyers1701@gmail.com
Phone Number	7345363257
Topic	City Council Meetings
Date of Issue	12/4/2023
Attachment (Optional)	*Field not completed.*
Comments	Vote NO on St. Mary's tonight!!! How many more signatures do you need to know the whole neighborhood is against it? 800 people already don't want it.

Email not displaying correctly? View it in your browser.

CITY OF LIVONIA – CITY COUNCIL
MINUTES OF STUDY MEETING HELD MAY 20, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

11. WAIVER PETITION: Planning Commission, re: Petition 2024-02-02-04 submitted by Basilica of St. Mary, requesting waiver use approval to construct and operate a Montessori school and family/youth center at 18100 Merriman Road, located on the east side of Merriman Road between Six Mile Road and Seven Mile Road in the Southwest ¼ of Section 11.

    Mark Taormina, Planning and Economic Development Director, presented the request to Council.

    Councilmember Donovic confirmed that they are adding a significant amount of underwater storm retention.

    Councilmember Budzinski asked about additional greenspace.

    The petitioner explained the added greenspace and indicated it was a result of the residents requesting a light shield.

    Councilmember Toy verified that the State came in and looked at previous issues with water. She asked if there would be a play area on the property.

    The petitioner pointed out the playground in the green space next to the building. He also indicated the school will be for age groups one to six years old and it is not limited to the parishioners. He also said they currently have a waiting list for the school.

    The following residents spoke in opposition of the project:

    Steve Johnson, 18240
    Sunset Steve King, 33950
    Coventry Christopher Martin,
    Resident

    Mr. Zilincik explained the storm water management options at the request of Councilmember Budzinski.

    Councilmember Toy offered an approving motion for the Regular Agenda.

    DIRECTION APPROVING REGULAR

    Councilmember □olly resumed his chair at 10:06 p.m.

NEW DATA RECEIVED FOR THE STUDY
MEETING OF MAY 20, 2024, ITEM 11

From: Taormina, Mark
To: Kasprowicz, Sara
Subject: FW: City Council Study Agenda of May 20, 2024
Date: Friday, May 17, 2024 8:38:10 AM
Attachments: image002.png
image003.png
image004.png
image006.png
image009.png
image010.png
image011.png
image012.png
image013.png
N210_St.Mary-Livonia_Rev-SP-051624.pdf

Sara,

Attached is the full plan set for St. Mary's, which can replace the previous set but with only one minor change to the photometric plan. Should probably be submitted as New Data so that the Council has a single plan set for review on Monday night.

Mark

Mark Taormina
Planning and Economic Development Director
City of Livonia | Planning Department
(734) 466-2292
mtaormina@livonia.gov

From: Dave Ganezer <daveg@gavassociates.com>
Sent: Thursday, May 16, 2024 1:51 PM
To: Taormina, Mark <mtaormina@livonia.gov>
Subject: FW: City Council Study Agenda of May 20, 2024

Mark,

Good afternoon. Please see the attached plan set for the St. Mary's project. I just rec'd this today from the civil engineer. This set supersedes the set I sent you yesterday. A minor change to the Photometric Plan sheet.
Thanks,
David

David Ganezer
Project Manager
GAV & Associates, Inc.
24001 Orchard Lake Rd, Suite 180A
Farmington, MI 48336
ph: 248-985-9101 ext.1006
www.gavassociates.com

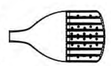


D-Series Size 0
LED Area Luminaire

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" (19.0 cm)
Weight: 23 lbs (10.4 kg)



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	Color rendering	Optic/distribution	Voltage	Mounting
DSX0 LED	Forward optics: P1 P5 P2 P6 P3 P7 P4 — Rotated optics: P10[1] P12[1] P11[1] P13[1]	(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	AFR Automotive front row; T1S Type I short; T2M Type II medium; T3M Type III medium; T3LG Type III low-glare[1]; T4M Type IV medium; T4LG Type IV low-glare[1]; T5TM Forward throw medium; T5W Type V medium; T5AS Type V wide; T5M Type III medium; BLC3 Type III backlight control[2]; BLC4 Type IV backlight control[2]; LCCO Left corner cutoff[2]; RCCO Right corner cutoff[2]	MVOLT (120-277V)[3,4]; HVOLT (347V-480V)[3,4]; XVOLT (277V-480V)[3,4]; 120[3,4]; 208[3,4]; 240[3,4]; 277[3,4]; 347[3,4]; 480[3,4]	Shipped included: SPA Square pole mounting (4@ drilling, 3.5" min. SQ pole); RPA Round pole mounting (4@ drilling, 2" nom. RND pole); SPA5 Square pole mounting (4@ drilling, 5" min. SQ pole)[5]; RPA5 Round pole mounting (4@ drilling, 5" min. RND pole)[5]; SPABR Square narrow pole mounting (4@ drilling, 3.5" min. SQ pole); WBA Wall bracket[6]; MA Mast arm adapter (mounts on 2 3/8" OD horizontal tenon)

Control/Emergency	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[7,8,9]; PIR — High/low, motion/ambient sensor, 8–40' mounting height, ambient sensor enabled at 2fc[7,8,9]; PER — NEMA twist-lock receptacle only (control ordered separate)[10]; PERS — Five-pin receptacle only (controls ordered separate)[10,11]; PER7 Seven-pin receptacle only (controls ordered separate)[10,11]; FAO Field adjustable output[7,12]; BL30 Bi-level switched dimming, 30%[9,12]; BL50 Bi-level switched dimming, 50%[9,12]; DMG 0–10v dimming wires pulled outside fixture (for use with an external control, ordered separately)[12]	Shipped installed: HS Houseside shield (Black) (field installed)[13]; LNS Left-rotated optics[7]; RNS Right-rotated optics[7]; CCE Coastal Construction[14]; HA 50°C ambient operation[15]; BAA Buy American & Trade Agreements Act Compliant; SF Single fuse (120, 277, 347V)[16]; DF Double fuse (208, 240, 480V)[16] — Shipped separately: EGSR External Glare Shield (reversible; field install required, matches housing finish); BSSR 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 — One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • www.lithonia.com
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DSX0 LED Rev. 09/05/23 Page 1 of 9
COMMERCIAL OUTDOOR

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

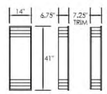
Delivered 3500K lumens noted. Consult Brownlee.com for performance of all CCTs.
H32 – 32W nominal, .26 A input - 2356 lm. Dimmable (0-10V).
H41 – 41W nominal, .35 A input - 2878 lm. Dimmable (0-10V).

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 - ____ - ____ - ____ - ____ - ____
Model 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[2,3] Bi-Level Dimming ENERGY STAR® (H32 Only)
FCL[1] French Canadian Labels
OCC[4] Occupancy Sensor
T24[4] Title 24 JA8 Compliant (H32 only)

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) BBI/BBS/BBC - cannot be combined with ECRW or EXT. (3) BLD - includes integral microwave motion sensor (DNATXD). (4) T24 - includes JA8 labeling and RC ON LEDs (do not combine with 90R option). Cannot be combined with ES. (10) PCA/PCA - cannot be combined with HLO or OCC. Axis® Names: *BBI/BBS - BBC minimum operating temp: 10C/50F unless otherwise noted. BBC minimum operating temp: 20C/-4F. **BLD - integral microwave motion sensor with step dim dimmer. 5. Motion is detected, illuminate to 100%. ***BLD - integral microwave motion sensor with step dim dimmer. 6. Motion is detected, illuminate to 100%. Configurable via enhanced dip switches.
Specifications and dimensions subject to change without notice.
Consult your Brownlee Lighting representative for availability and ordering information.

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
PARKING LOT	X	1.5 fc	5.6 fc	0.2 fc	28.0:1	7.5:1	0.3:1
OVERALL	+	0.8 fc	7.7 fc	0.0 fc	N/A	N/A	0.1:1

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.

ZONED: N2
PR. BUILDING
32,906 S.F.
F.F. 657.50
PR. GYMNASIUM
F.F. 657.50
PR. SCHOOL PICK-UP AND DROP-OFF ZONE
DIRECTIONAL PAVEMENT ARROW MARKINGS FOR ONE-WAY DROP OFF
27285 S.F.
PROPOSED 5' WIDE STONE WALK
PROPOSED DUMPSTER ENCLOSURE
PROPOSED SITE IMPROVEMENTS TO MATCH EXISTING PAVEMENT
LIMITS TO REMAIN AND MAINTAIN EXISTING STORM DRAINAGE
PROPOSED 6' WIDE STONE WALK
ALL PROPOSED PLANT BEDS TO BE FINISHED W/ 3" SHREDDED HARDWOOD BARK MULCH, TYPICAL
ALL LAWN NEW AREAS WITHIN THE LIMITS OF WORK SHALL BE SEEDED & MULCHED
PROPOSED 6' WIDE STONE WALK
PROPOSED STORM MANHOLE SEE ARCH'S DWGS FOR DETAIL
PROPOSED 6' WIDE STONE WALK
PROPOSED 5' WIDE STONE WALK

NEW DATA RECEIVED FOR THE STUDY MEETING OF MAY 20, 2024, ITEM 11

From: Taormina, Mark
To: Kasprowicz, Sara
Subject: New Data: St, Mary site plan
Date: Wednesday, May 15, 2024 1:47:14 PM
Attachments: image002.png
image003.png
image004.png
N210_Revs per PC-042324.pdf

Sara,

Attached is the revised site plan for St. Mary's showing the proper zoning classification (PL) for Parcel 2.

Mark

Mark Taormina
Planning and Economic Development Director
City of Livonia | Planning Department
(734) 466-2292
mtaormina@livonia.gov

From: Dave Ganezer <daveg@gavassociates.com>
Sent: Wednesday, May 15, 2024 1:39 PM
To: Taormina, Mark <mtaormina@livonia.gov>
Cc: Ghassan Abdelnour <ghassan@gavassociates.com>
Subject: FW: St, Mary site plan 04-30-24

Mark,

Good afternoon, please see the attached PDF set for the revisions to the SPA set for the St. Mary's campus.

Thanks,
David

David Ganezer
Project Manager
GAV & Associates, Inc.
24001 Orchard Lake Rd, Suite 180A
Farmington, MI 48336
ph: 248-985-9101 ext.1006
www.gavassociates.com

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Architectural Design / Planners

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From: Andrew Wiseman <awiseman@nfe-engr.com>
Sent: Wednesday, May 15, 2024 1:25 PM
To: Dave Ganezer <daveg@gavassociates.com>
Cc: Ghassan Abdelnour <ghassan@gavassociates.com>; Patrick Williams <pwilliams@nfe-engr.com>
Subject: St, Mary site plan 04-30-24

Hello David,

This is the latest site plan set, (civil and landscape) revised per the last PC meeting. Please send the revised GBA files when you get them and let me know if you need anything else.

Thank you,

Andrew P. Wiseman
Project Manager

Nowak & Fraus Engineers
46777 Woodward Avenue
Pontiac, Michigan 48342

T: 248.332.7931

NF ENGINEERS

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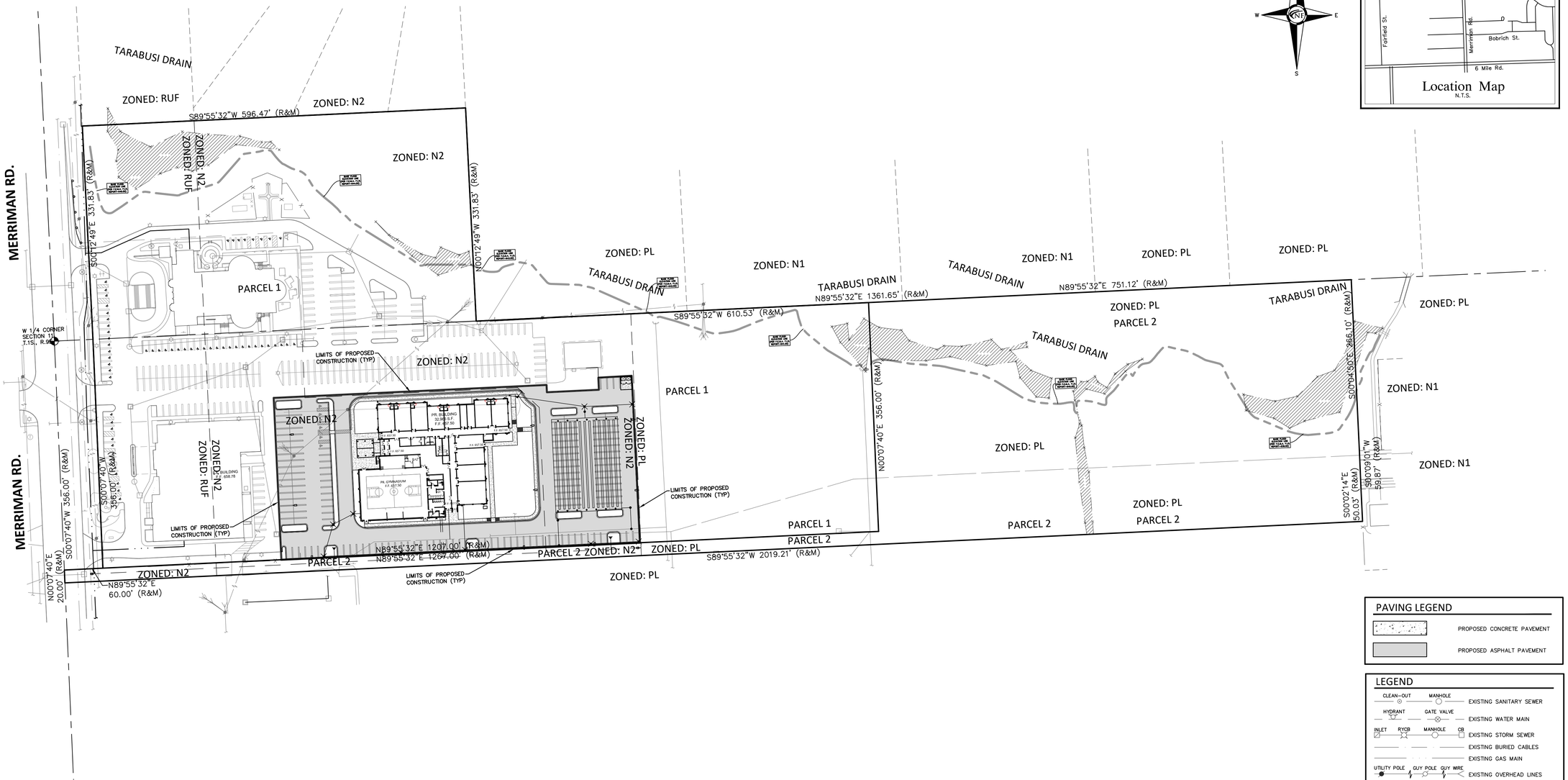
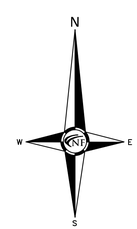
electronic data should be checked against the hard copy. Hard copies of all NFE data are on file and available upon request if needed for comparison.







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 Plan

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)
NM3-1 (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

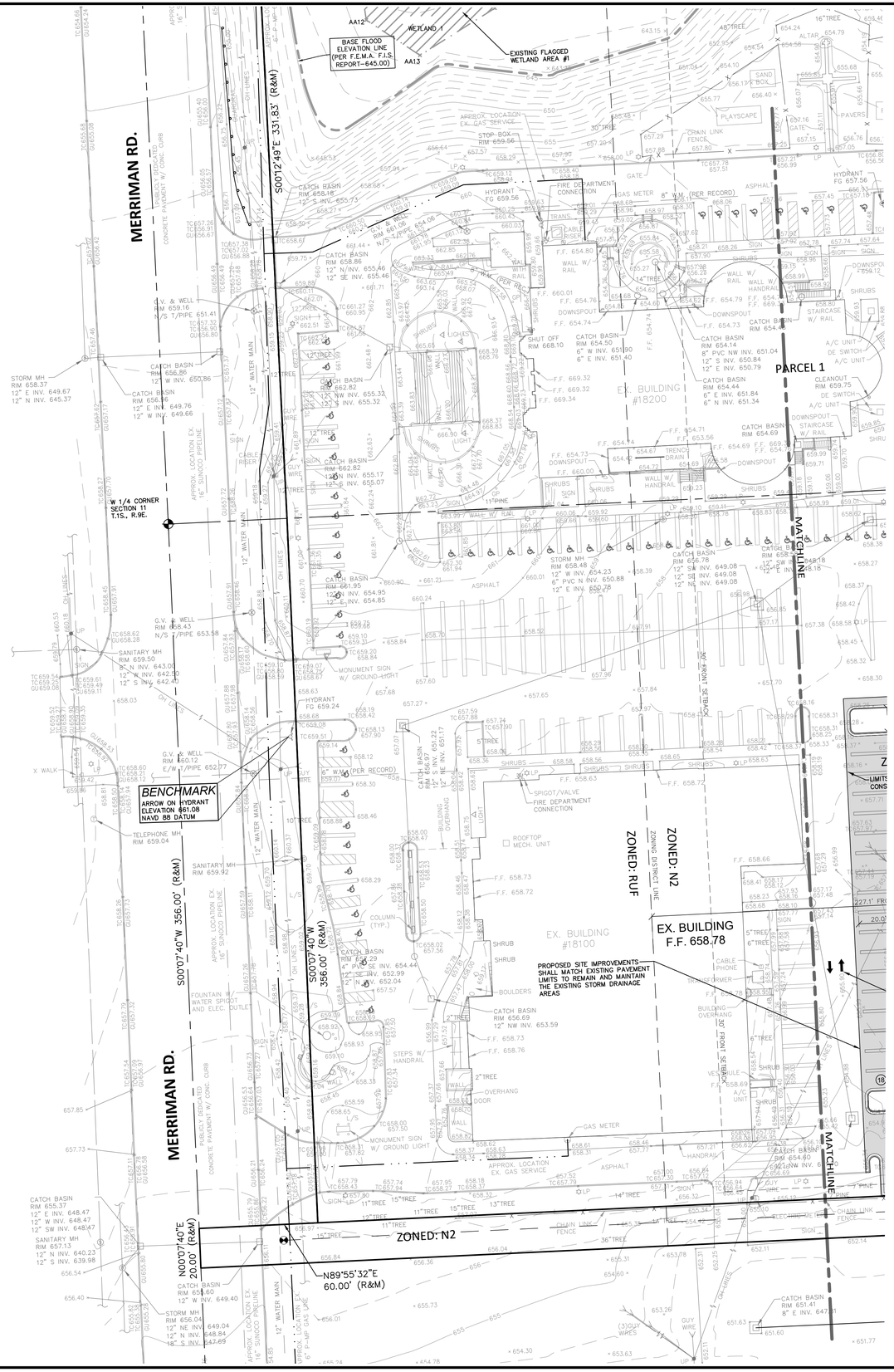
Know what's below Call before you dig.

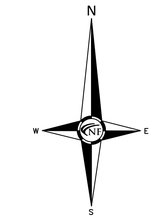
DATE	ISSUED/REVISED
11-01-2022	ORIGINAL SURVEY
04-12-2023	ADD WETLANDS
10-17-2023	PRELIMINARY SITE PLAN
11-03-2023	REV. PHOTOMETRIC PLAN
04-30-2024	REV. PER P.C.

DRAWN BY: A. Wiseman
DESIGNED BY: A. Wiseman
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 80'

80 40 0 40 80 120

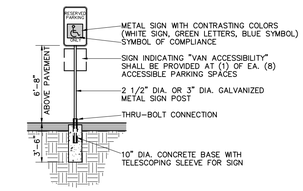
NFE JOB NO. N210
SHEET NO. SP-05



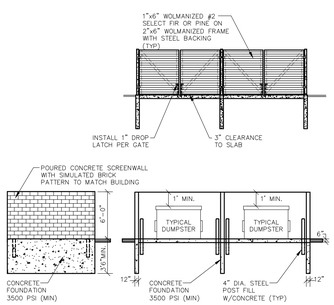




Location Map
N.T.S.



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
- PROPOSED ASPHALT PAVEMENT

LEGEND

- EXISTING SANITARY SEWER
- EXISTING WATER MAIN
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- EXISTING BURIED CABLES
- EXISTING GAS MAIN
- EXISTING OVERHEAD LINES
- PR. SANITARY SEWER
- PROPOSED WATER MAIN
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NF ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS
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WWW.NFE-ENGR.COM

SEAL

STATE OF MICHIGAN
PATRICK J. WILLIAMS
ENGINEER NO. 44251
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

811 Know what's below Call before you dig.

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11-03-2023	REV. PHOTOMETRIC PLAN
04-30-2024	REV. PER P.C.

DRAWN BY: A. Wiseman
DESIGNED BY: A. Wiseman
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 30'
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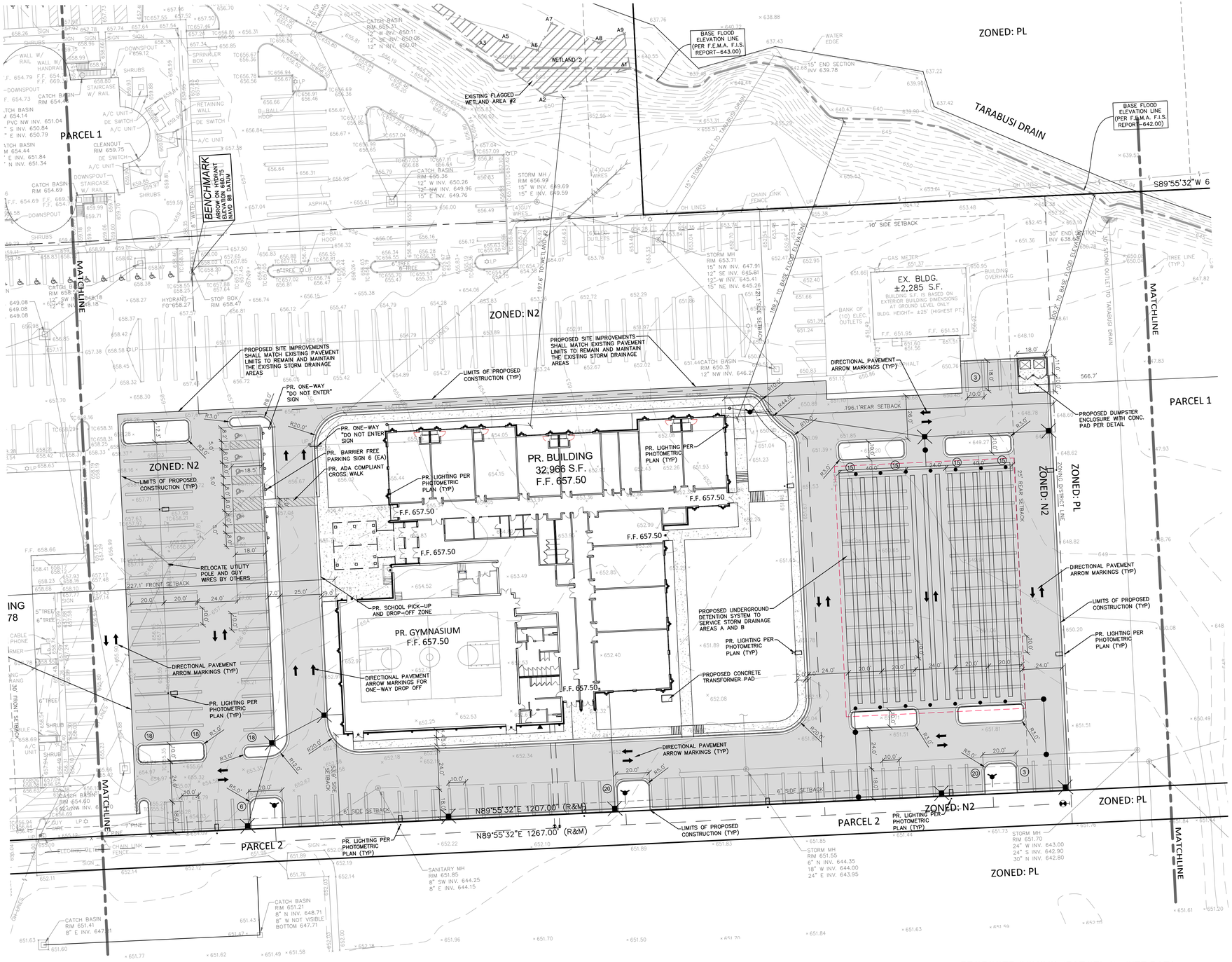
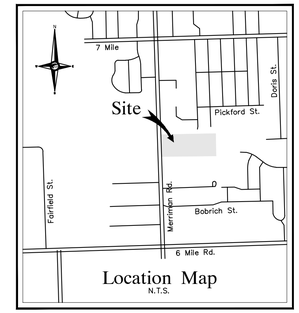
NFE JOB NO. N210
SHEET NO. SP-06





PAVING LEGEND

- PROPOSED CONCRETE PAVEMENT
- PROPOSED ASPHALT PAVEMENT

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- EXISTING SANITARY SEWER (CLEAN-OUT, MANHOLE)
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N2 (NEIGHBORHOOD)
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SEAL

STATE OF MICHIGAN — PATRICK J. WILLIAMS — ENGINEER NO. 44351 — LICENSED PROFESSIONAL ENGINEER

PROJECT
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at Basilica of St. Mary
18100 Merriman Rd.
Livonia, MI

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,
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SHEET
Dimensional Site Plan

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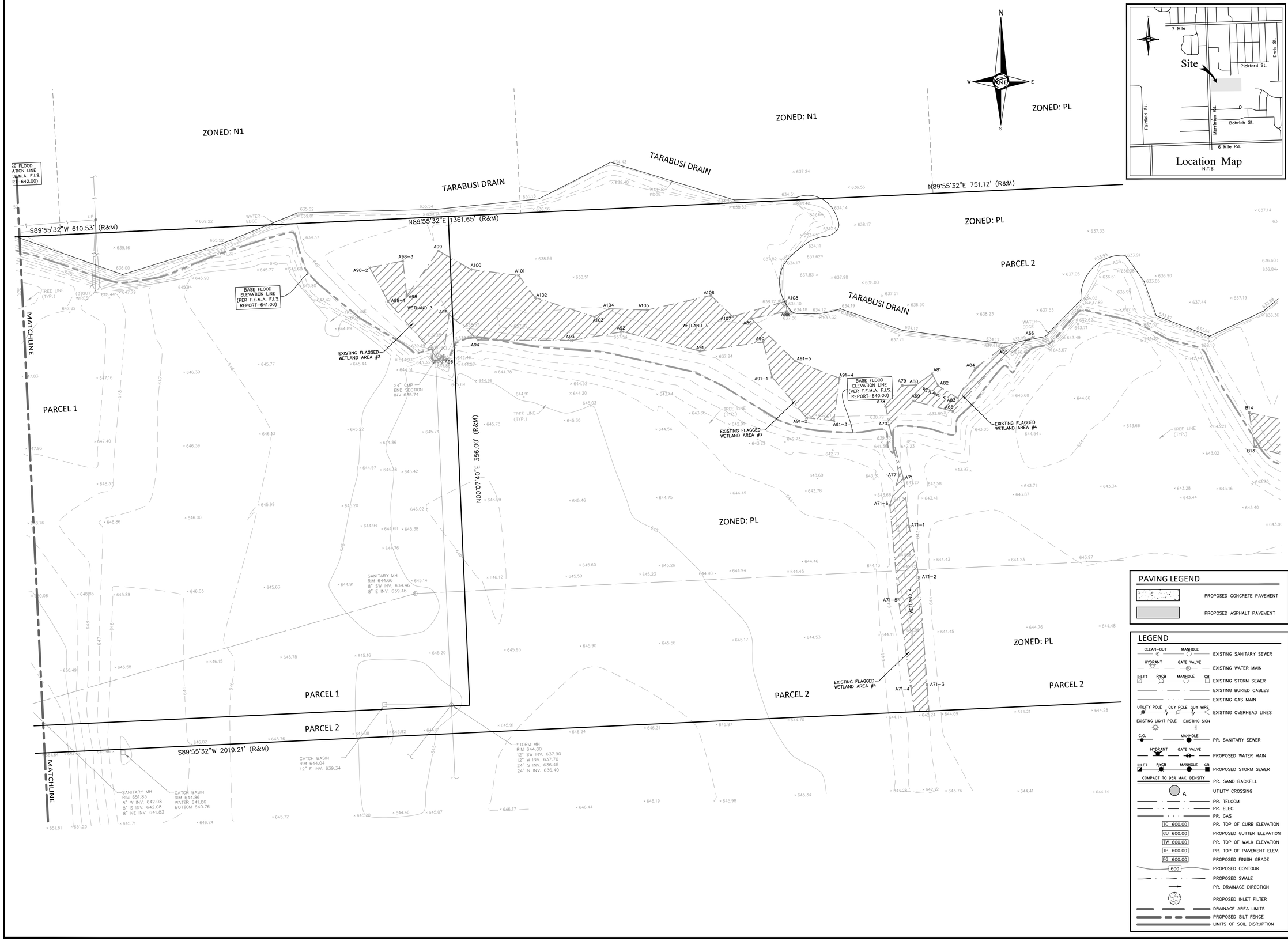
DRAWN BY: A. Wiseman
DESIGNED BY: A. Wiseman
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 30'

NFE JOB NO. N210
SHEET NO. SP-07



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SEAL

STATE OF MICHIGAN
PATRICK J. WILLIAMS
LICENSED PROFESSIONAL ENGINEER
ENGINEER NO. 44251

PROJECT

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18100 Merriman Rd.
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CLIENT

Basilica of St. Mary

Contact: Salem Samaan
Ph: (734) 459-4040

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SHEET

Dimensional Site Plan

PAVING LEGEND

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- PROPOSED ASPHALT PAVEMENT

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10-17-2023	PRELIMINARY SITE PLAN
11-03-2023	REV. PHOTOMETRIC PLAN
04-30-2024	REV. PER P.C.

DRAWN BY: A. Wiseman
DESIGNED BY: A. Wiseman
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 30'

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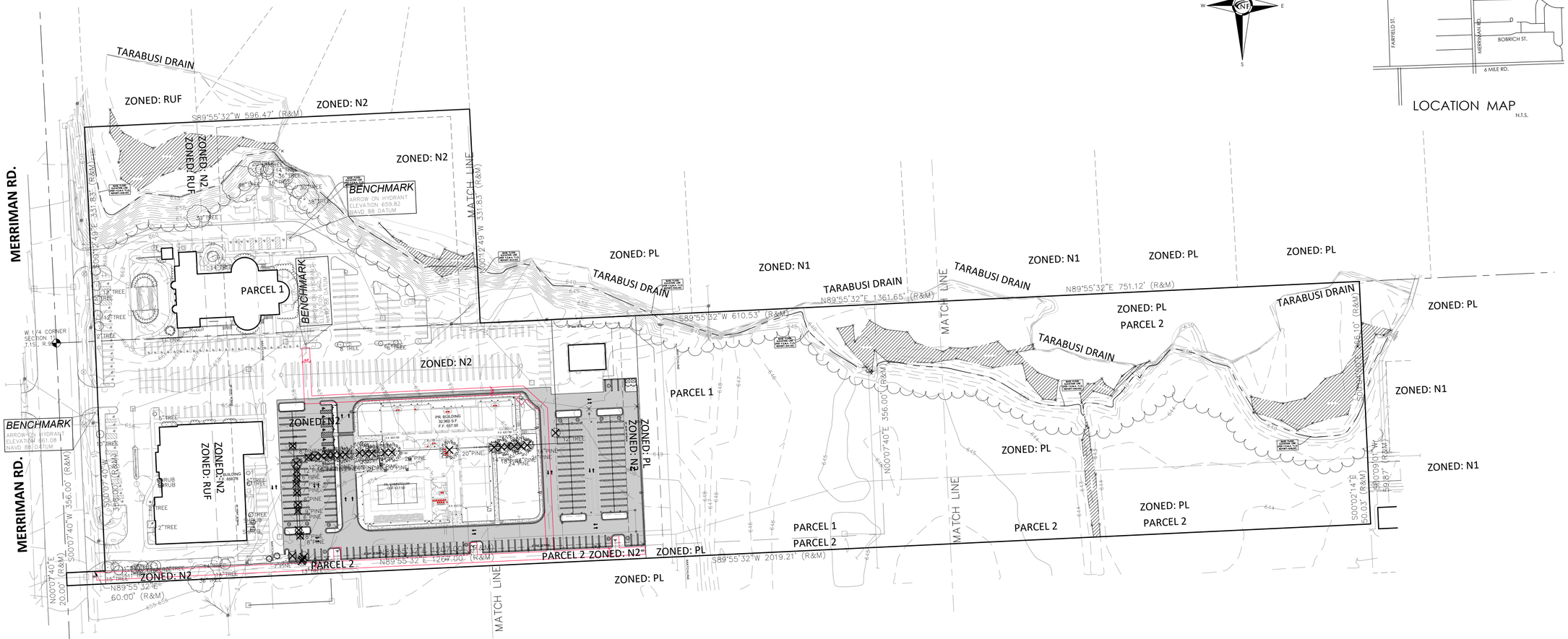
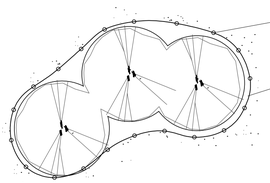
NFE JOB NO. N210
SHEET NO. SP-08



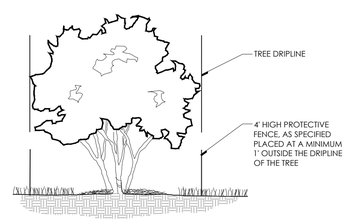




LOCATION MAP
N.T.S.



TREE PROTECTION DETAIL-PLAN
NTS



TREE PROTECTION DETAIL-SECTION
NTS

GENERAL TREE PROTECTION NOTES

1. APPROVED TREE PROTECTION SHALL BE ERECTED PRIOR TO THE START OF CONSTRUCTION ACTIVITIES, AND SHALL REMAIN IN PLACE UNTIL THE IN PLACE UNTIL CONSTRUCTION IS COMPLETE.
2. ALL UNDERSTORY VEGETATION WITHIN THE LIMITS OF PROTECTIVE FENCING SHALL BE PRESERVED.
3. NO PERSON MAY CONDUCT ANY ACTIVITY WITHIN THE DRIP LINE OF ANY TREE DESIGNATED TO REMAIN, INCLUDING BUT NOT LIMITED TO, PLACING SOLVENTS, BUILDING MATERIALS, CONSTRUCTION EQUIPMENT, OR SOIL DEPOSITS WITHIN THE DRIP LINE.
4. WHERE GROUPINGS OF TREES ARE TO REMAIN, TREE FENCING SHALL BE PLACED AT THE LIMITS OF GRADING LINE.
5. DURING CONSTRUCTION, NO PERSON SHALL ATTACH ANY DEVICE OR WIRE TO ANY TREE, SCHEDULED TO REMAIN.
6. ALL UTILITY SERVICE REQUESTS MUST INCLUDE NOTIFICATION TO THE INSTALLER THAT PROTECTED TREES MUST BE AVOIDED. ALL TRENCHING SHALL OCCUR OUTSIDE OF THE PROTECTIVE FENCING.
7. SWALES SHALL BE ROUTED TO AVOID THE AREA WITHIN THE DRIP LINES OF PROTECTED TREES.
8. TREES LOCATED ON ADJACENT PROPERTIES THAT MAY BE AFFECTED BY CONSTRUCTION ACTIVITIES MUST BE PROTECTED.
9. ROOT ZONES OF PROTECTED TREES SHOULD BE SURROUNDED WITH RIGIDLY STAKED FENCING.
10. THE PARKING OF IDLE AND RUNNING EQUIPMENT SHALL BE PROHIBITED UNDER THE DRIP LINE OF PROTECTED TREES.
11. THE STRIPPING OF TOPSOIL FROM AROUND PROTECTED TREES SHALL BE PROHIBITED.
12. ALL TREES TO BE REMOVED SHALL BE CUT AWAY FROM TREES TO REAMIN.
13. THE GRUBBING OF UNDERSTORY VEGETATION WITHIN CONSTRUCTION AREAS SHOULD BE CLEARED BY CUTTING VEGETATION AT THE GROUND WITH A CHAIN SAW OR MINIMALLY WITH A HYDRO-AXE.
14. THE CONTRACTOR IS RESPONSIBLE FOR THE REPLACEMENT PER ORDINANCE GUIDELINES, FOR THE DAMAGE OR REMOVAL OF ANY TREE DESIGNATED TO REMAIN.
15. TREES TO BE REMOVED SHALL BE FIELD VERIFIED, EVALUATED AND FLAGGED FOR REMOVAL, BY THE LANDSCAPE ARCHITECT OR FORESTER, ONLY AS DIRECTED BY THE OWNER OR OWNERS REPRESENTATIVE.

TREE PRESERVATION SUMMARY:

TOTAL NUMBER OF TREES SURVEYED:	70
TOTAL NUMBER OF TREES TO BE REMOVED:	34
TOTAL NUMBER OF TREES TO REMAIN:	36

LEGEND:

- TREES TO BE REMOVED
- 930 — TREES TO REMAIN
- TREE PROTECTION FENCING

NF ENGINEERS
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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

SEAL

STATE OF MICHIGAN
GEORGE A. OSTROWSKI
REGISTERED LANDSCAPE ARCHITECT

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
Tree Preservation Plan

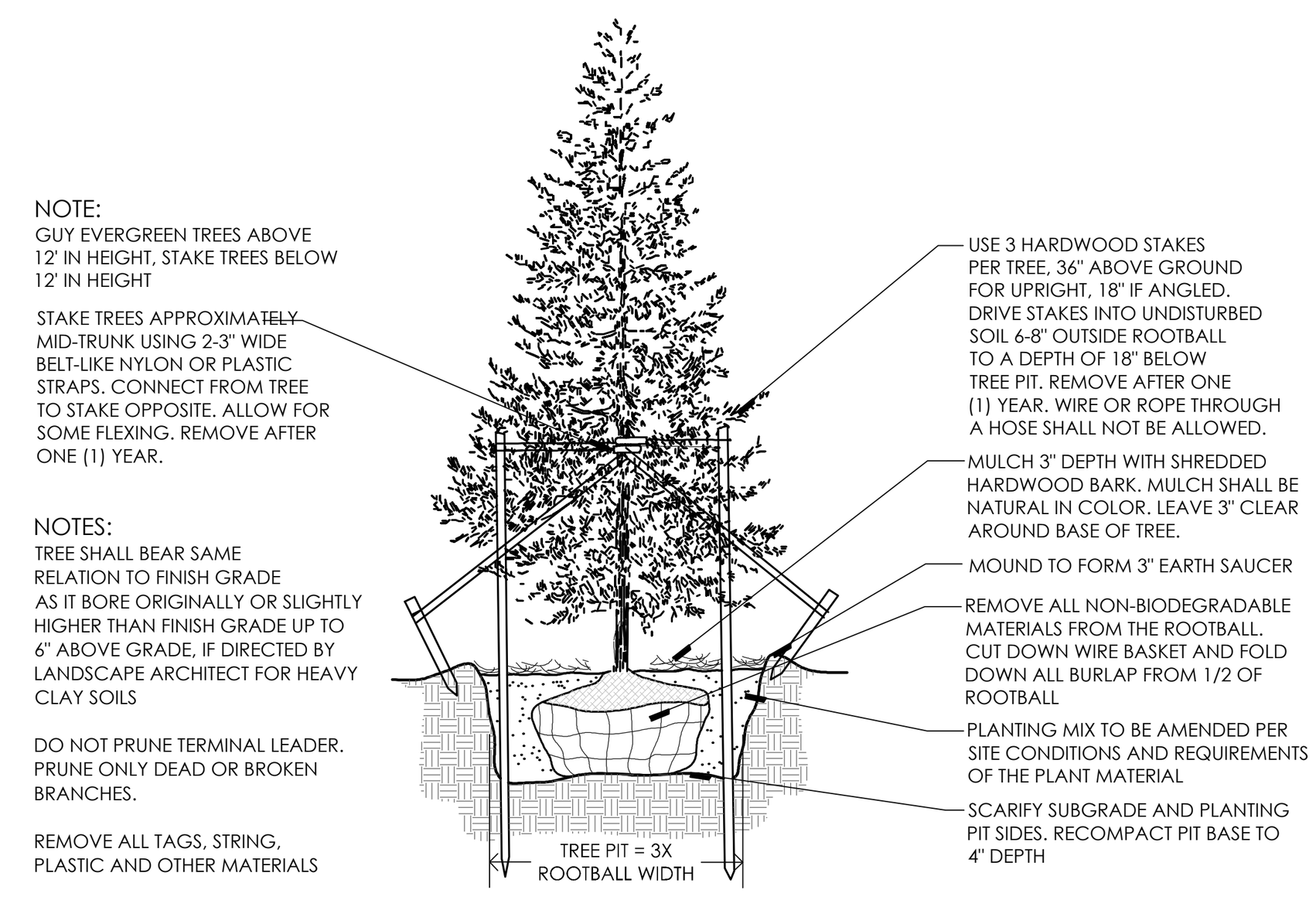
811
Know what's below
Call before you dig.

REVISIONS
10/17/2023 PRELIMINARY SITE PLAN
04/30/2024 REVISED PER CITY

DRAWN BY:
G. Ostrowski
DESIGNED BY:
G. Ostrowski
APPROVED BY:
G. Ostrowski
DATE:
10-09-2023
SCALE: 1" = 80'
80 40 0 40 80 120

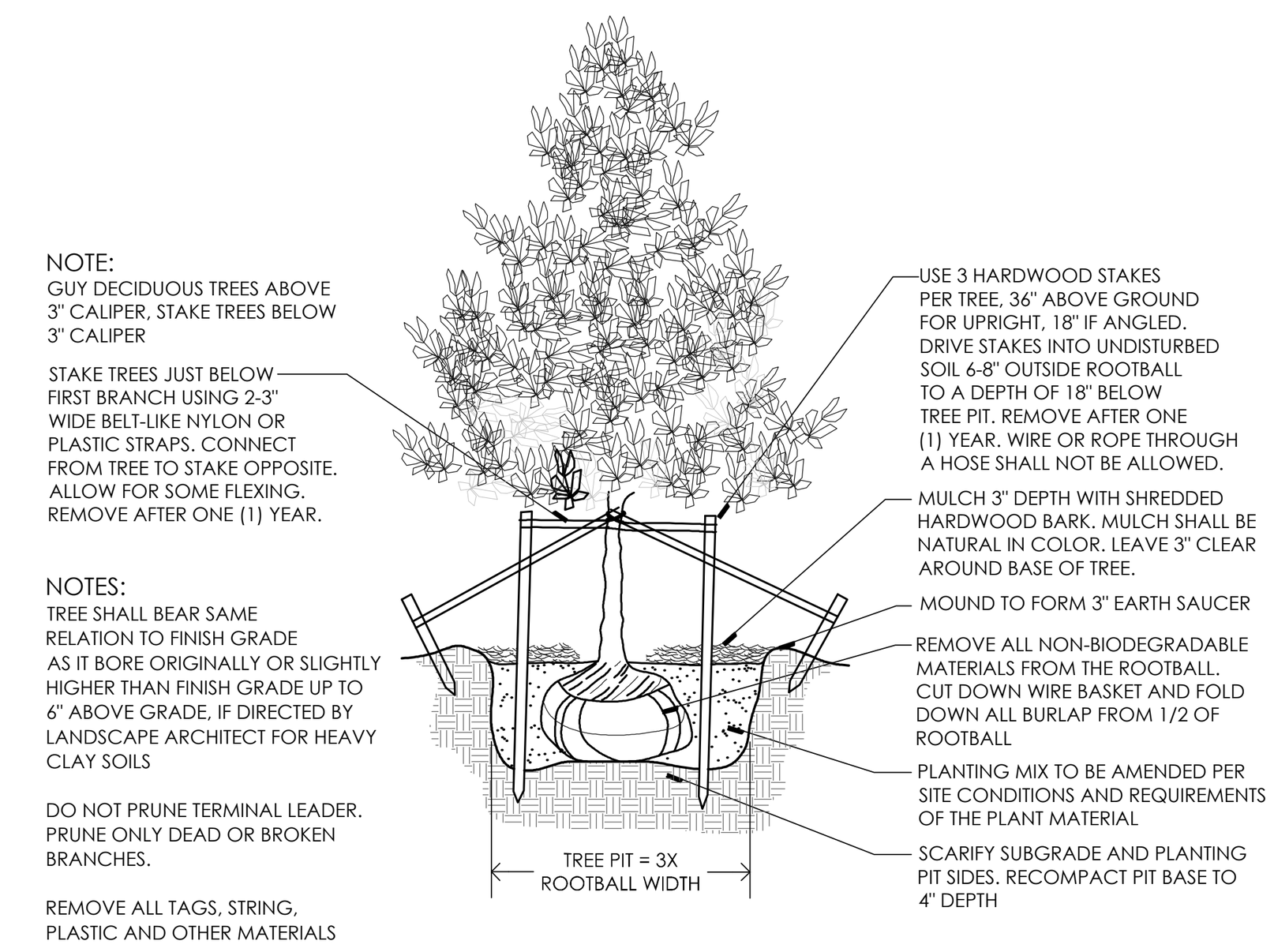
NFE JOB NO. N210
SHEET NO. L1

W:\GIS\0-2020 Files\N200-PLES\N210\Office\Landscape\N210_LS.dwg, 4/30/2024 4:41:01 PM



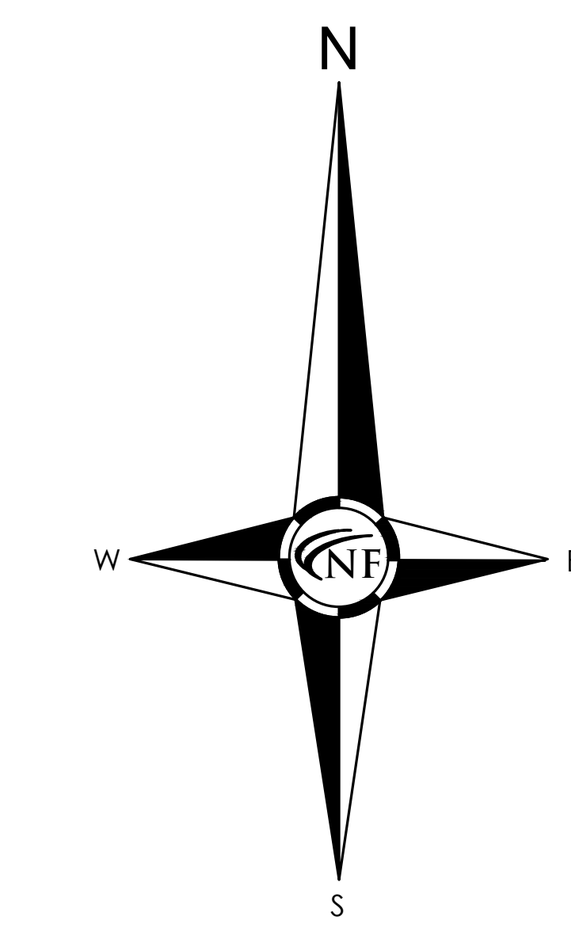
EVERGREEN TREE PLANTING DETAIL

NTS



DECIDUOUS TREE PLANTING DETAIL

NTS





LOCATION MAP

N.T.S.

NF ENGINEERS

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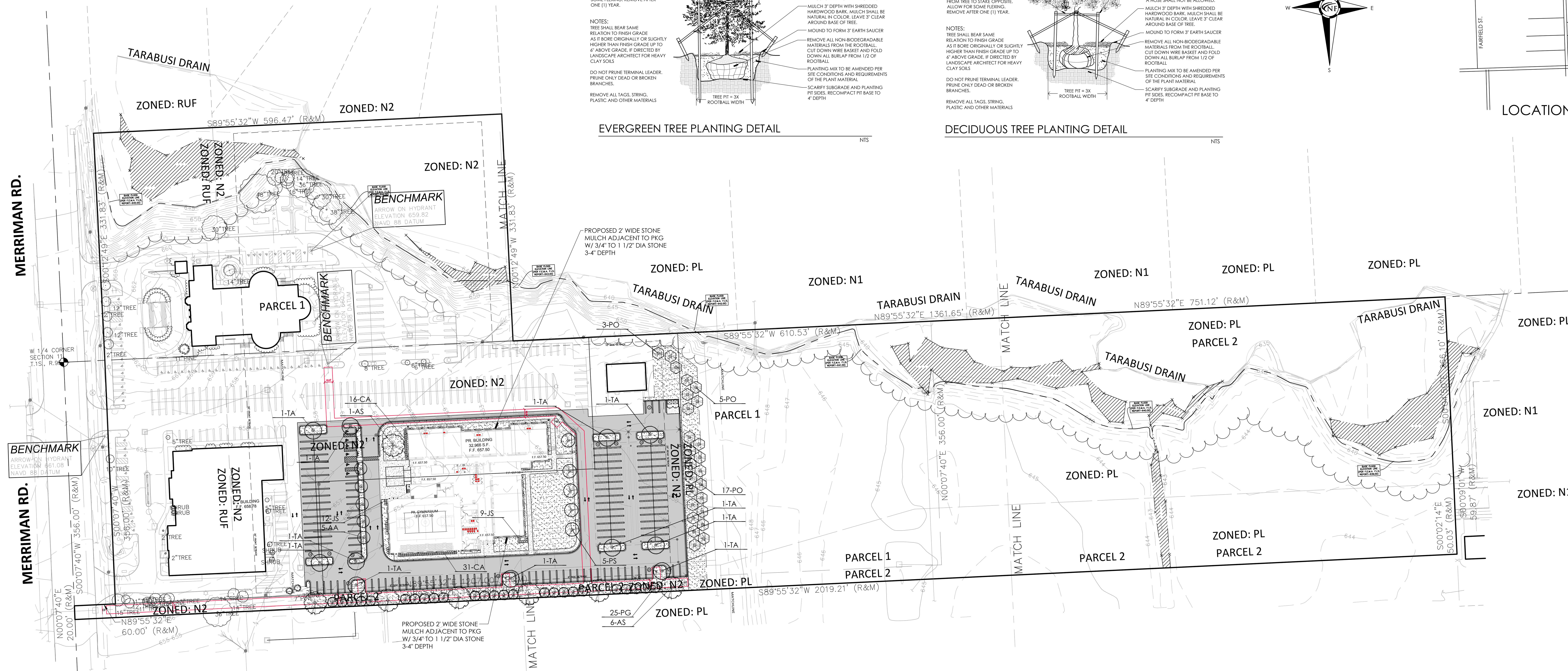
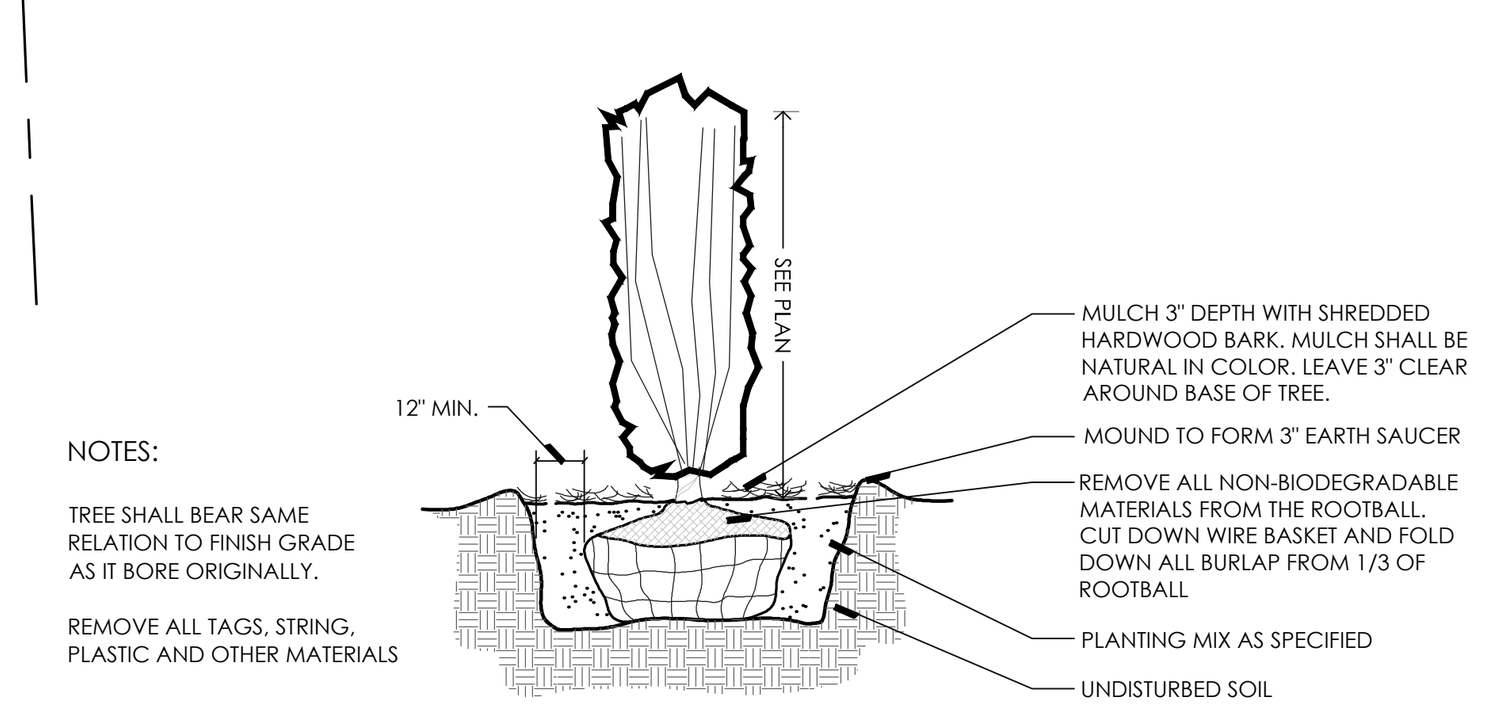
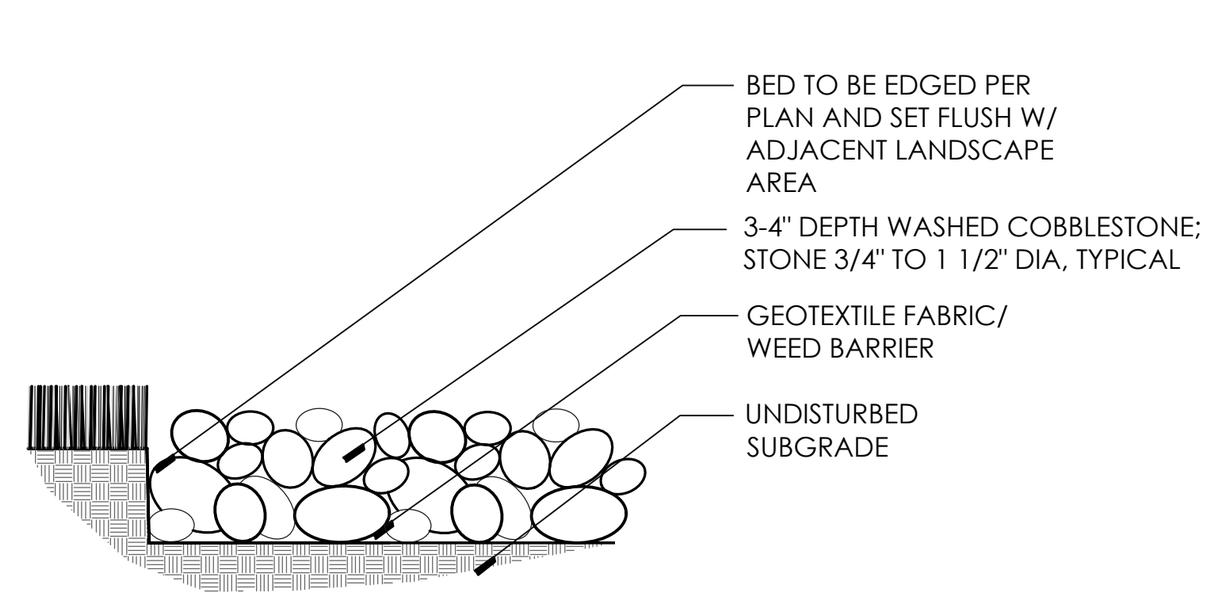
FAX. (248) 332-8257





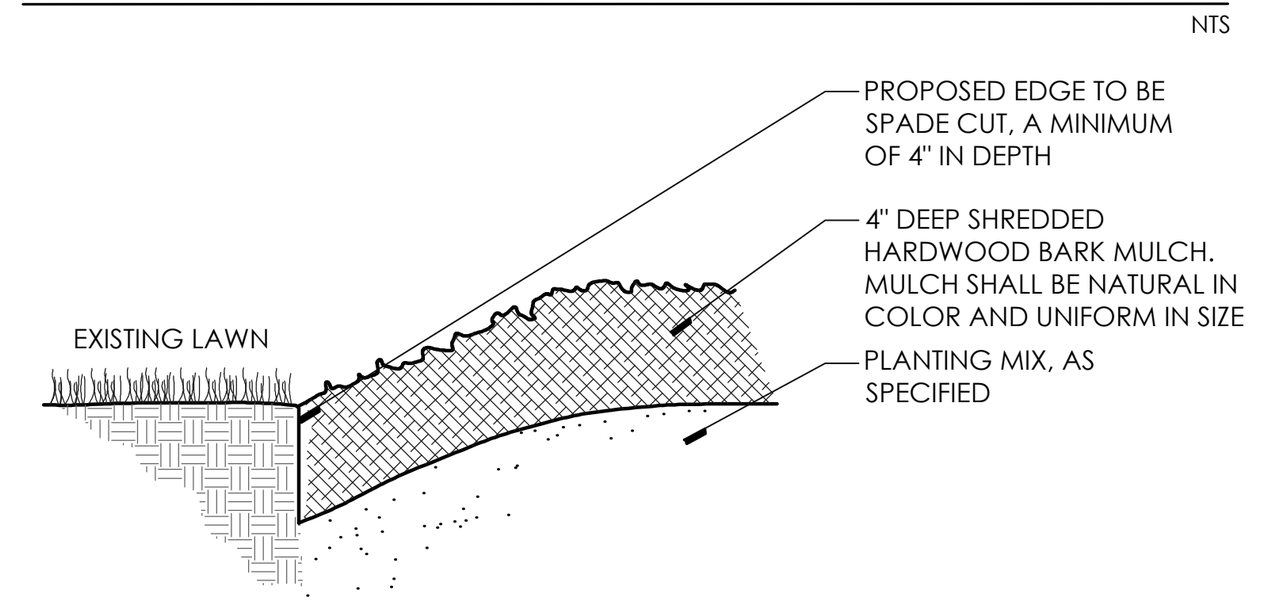
UPRIGHT EVERGREEN SHRUB PLANTING DETAIL

NTS



COBBLESTONE MULCH DETAIL

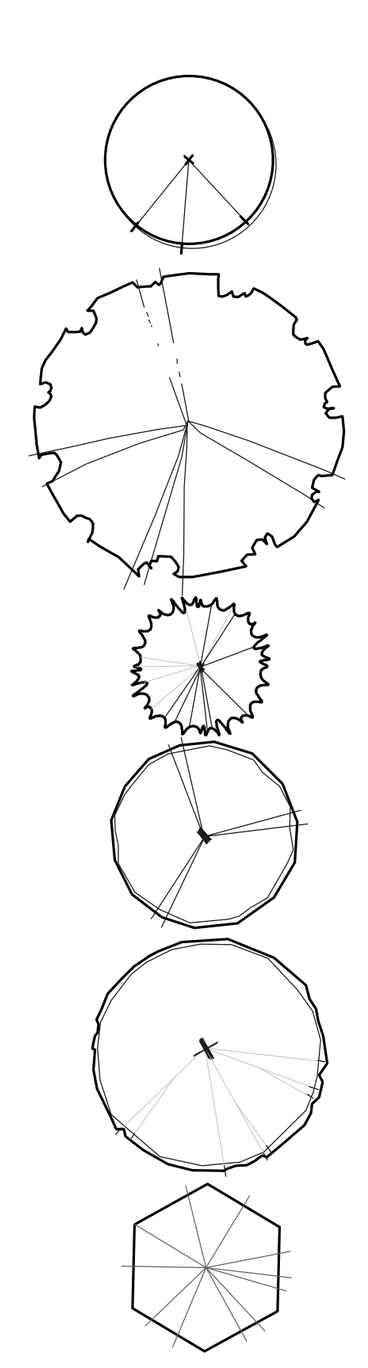
NTS



SPADE CUT EDGE DETAIL

NTS

LANDSCAPE KEY

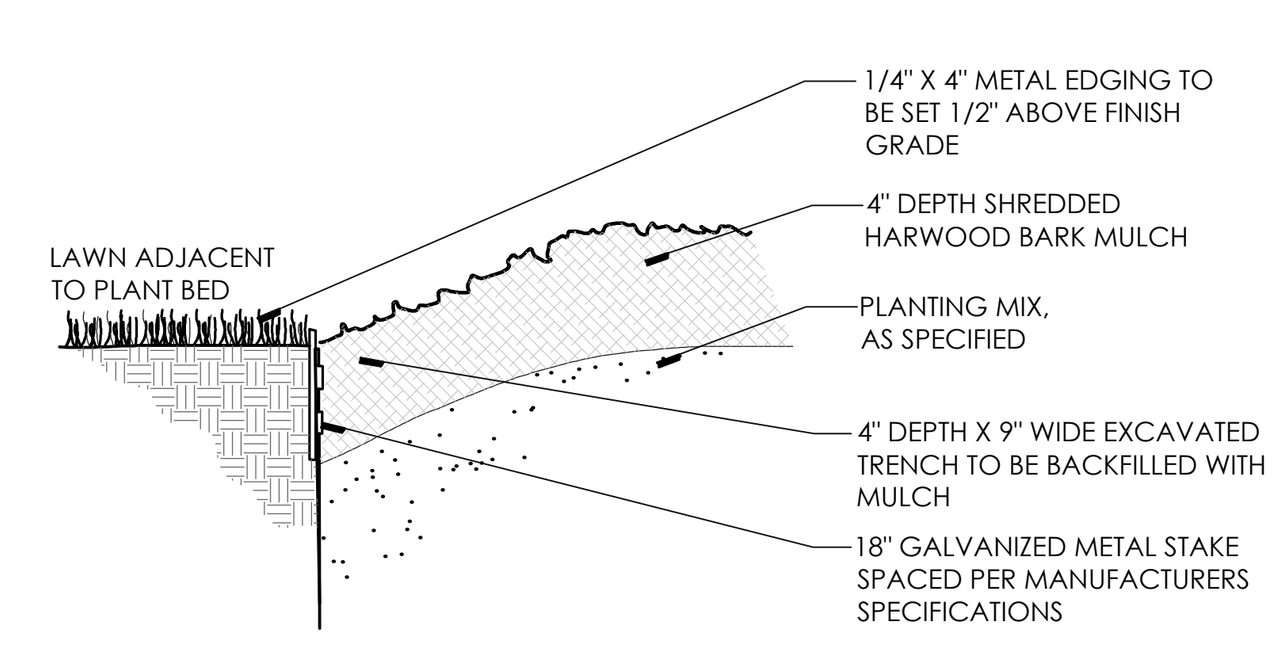


LANDSCAPE REQUIREMENTS

EXISTING SITE ZONING: N2, RUF, NM3-1, PL
EXISTING SITE AREA: 934,757.26 S.F. OR 21.45 ACRES

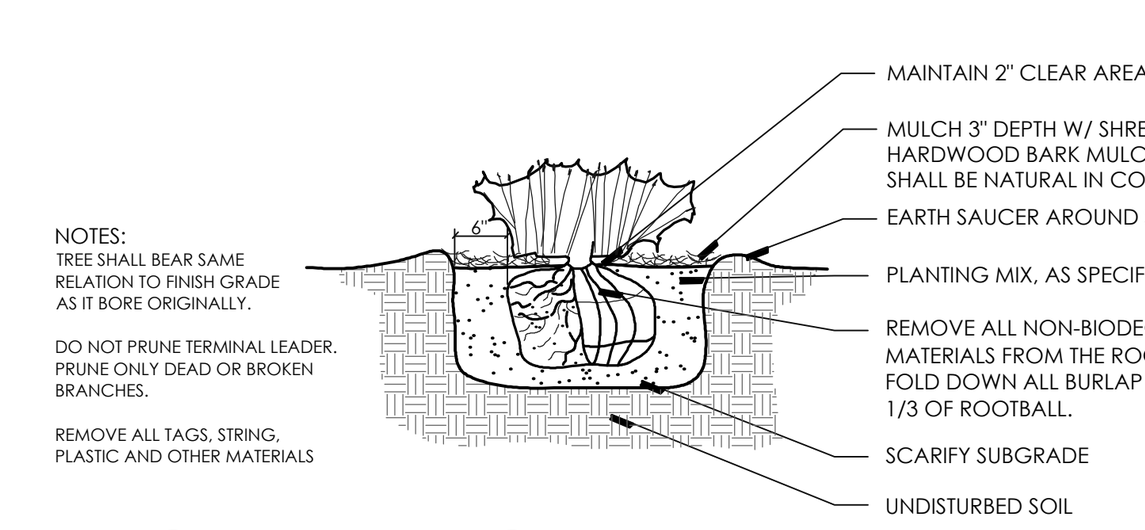
INTERIOR PARKING LOT LANDSCAPE REQUIREMENTS
5% OF ALL PAVED AREAS SHALL BE LANDSCAPED W/ 1 TREE PER 300 S.F. OF REQUIRED AREA
PAVED AREA: 76,739.76 S.F.
REQUIRED AREA; 76,739.76 S.F. X 5% = 3,836.99 S.F.
TREES REQUIRED: 3,836.99 S.F. / 300 S.F. = 12.79 OR 13 TREES
AREA PROVIDED: 5,058.15 S.F. AND 16 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 UNACCEPTACBLE 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 OR CHANGES OF LOCATION, OR PLANT TYPE SHALL BE MADE WITHOUT THE 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: APRIL1 TO JUNE1
FALL: AUGUST 15 TO OCTOBER 15

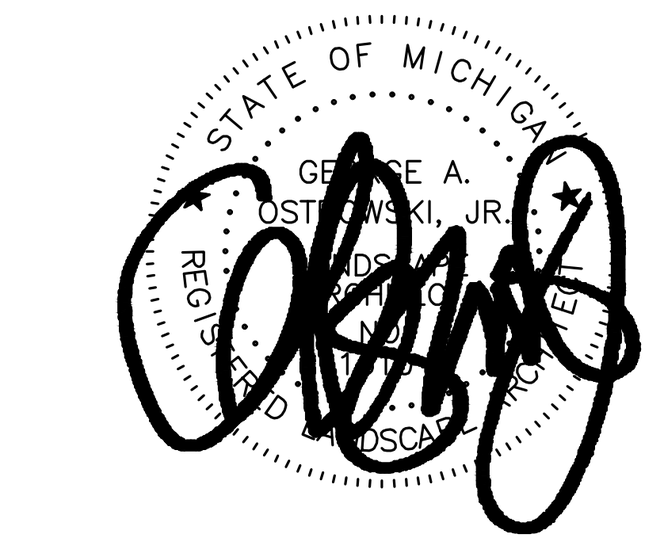
TYPICAL SEEDED LAWN MIX:

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.

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
Overall Landscape Plan

811 Know what's **below** **Call** before you dig.

REVISIONS

10/17/2023 PRELIMINARY SITE PLAN
04/30/2024 REVISED PER CITY

DRAWN BY: G. Ostrowski
DESIGNED BY: G. Ostrowski
APPROVED BY: G. Ostrowski
DATE: 10-09-2023
SCALE: 1" = 80'
80 40 0 40 80 120

NFE JOB NO. N210
SHEET NO. L2

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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
PO	25	Picea omorika Serbian Spruce	8' HT	SEE PLAN	B&B	FULL TO GROUND
PS	5	Prunus sargentii '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	



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

Know what's below Call before you dig.

REVISIONS

10/17/2023 PRELIMINARY SITE PLAN
04/30/2024 REVISED PER CITY

DRAWN BY: G. Ostrowski
DESIGNED BY: G. Ostrowski
APPROVED BY: G. Ostrowski
DATE: 10-09-2023
SCALE: 1" = 30'

NFE JOB NO. N210
SHEET NO. L3

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LETTER TO THE LIVONIA CITY COUNCIL

11.

Planning
April 24, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	

AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2024-02-02-04 submitted by Basilica of St. Mary, requesting waiver use approval to construct and operate a Montessori school and family/youth center at 18100 Merriman Road, located on the east side of Merriman Road between Six Mile Road and Seven Mile Road in the Southwest ¼ of Section 11.

BACKGROUND DETAILS

April 26, 2024

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2024-02-02-04 - Basilica of St. Mary

Dear Council Members:

At the 1,212th Public Hearings and Regular Meeting held by the City Planning Commission on April 23, 2024, the following resolution was adopted:

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

#04-16-2024 RESOLVED, That the City Planning Commission does hereby recommend to the City Council that Petition 2024-02-02-04 submitted by Basilica of St. Mary requesting waiver use approval under Section 6.50 of the Livonia Zoning Ordinance, as amended, to construct and operate a Montessori school and family/youth center at 18100 Merriman Road, located on the east side of Merriman Road between Six Mile Road and Seven Mile Road in the Southwest ¼ of Section 11., be approved for the subject to the following conditions:

1. The Overall Site Plan identified as Sheet SP-05 and the Dimensional Site Plan identified as Sheets SP-06 and SP-07, dated November 3, 2023, as revised, prepared by Nowak & Fraus Engineers, are hereby approved and shall be adhered to.

2. All parking spaces, except the required handicapped spaces, shall be double-striped and measure ten feet (10') in width.

3. The Tree Preservation Plan, Overall Landscape Plan, and Enlarged Landscape Plan, identified as Sheets L1, L2, and L3, respectively, dated October 17, 2023, as revised, prepared by Nowak & Fraus Engineers, are hereby approved and shall be adhered to, except that evergreens shall be added along the eastern edge of the parking lot in an effort to shield car headlights, subject to the review and approval of the Planning and Inspection Departments. A temporary barrier, such as snow fencing, shall be installed along the construction limits in select areas on the property's north side to prevent intrusion into the wetlands and floodplain areas.

4. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding.

5. 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 permanently maintained in a healthy condition.

6. The Exterior Elevations Plans, identified as Sheets A.201 and A.202, dated November 3, 2023, prepared by G.A.V. Associates, Inc., are hereby approved and shall be adhered to.

7. All rooftop mechanical equipment shall be concealed from public view on all sides by screening and shall be compatible with material and color with other exterior materials on the building.

8. The three walls of the trash dumpster area shall be constructed of materials that complement the building. The enclosure gates shall be made of obscuring panel steel or durable, long-lasting panel fiberglass.

9. The developer shall secure all required stormwater management permits, wetland permits, and soil erosion and sedimentation control permits from Wayne County, the City of Livonia, and the State of Michigan Department of Environment, Great Lakes, and Energy (EGLE).

10. All light fixtures shall not exceed twenty feet (20') in height and shall be shielded to minimize glare trespassing on adjacent properties and roadways.

11. The overall average illumination level for the parking lots shall be 1.0-foot candle as provided under Section 7.22 of the Zoning Ordinance.

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

13. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and

14. 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.

ATTACHMENTS

1. 2024-02-02-04_E-COUNCIL Pkt

APPROVED BY



Date: April 29, 2024

Mark Taormina, Planning and Economic Development Director



Date: May 02, 2024

Maureen Miller Brosnan, Mayor

Petition 2024-02-02-04 submitted by Basilica of St. Mary requesting waiver use approval under Section 6.50 of the Livonia Zoning Ordinance, as amended, to construct and operate a Montessori school and family/youth center at 18100 Merriman Road, located on the east side of Merriman Road between Six Mile Road and Seven Mile Road in the Southwest ¼ of Section 11.

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: 2/16/24 Petition 2024-02-02-04

Site Address: 18100 Merriman Sidwell _____ Zoning of Property _____

Requesting Approval To build Montessori

Applicant: Salem Samaan Business/Company: Basilica of St Mary

Applicant's Address: 18100 Merriman City: Livonia State: MI Zip Code: 48152

Applicant's Phone # (734) 459-4040 Applicant's Email sfsamaan@gmail.com

Contact Person: Salem Samaan Business/Company: Basilica of St Mary

Contact's Address: 18100 Merriman City: Livonia State: MI Zip Code: 48152

Contact's Phone # (____) _____ Contact's Email sfsamaan@gmail.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** 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.

STEPHANIE K. REECE
Notary Public, State of Michigan
County of Wayne
My Commission Expires Sep. 28, 2027
Acting in the County of Wayne

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 $ _____

Owner of Property: Basilica of St Mary's Qatholican Orthodox Church

Owner's Address: 18100 Merriman City: Livonia State: MI Zip Code: 48152

Owner's Phone # (734) 751 6046 Owner's Email SFSamaan@gmail.com

~~Signature of Owner:~~ _____ Print Name: Salem Samaan

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

on this 16th day of February 20 24

Signature of Notary Stephanie K Reece My commission expires September 28, 2027

Acting in the County of Wayne.

UNAPPROVED MINUTES

MINUTES OF THE 1,212th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, April 23, 2024, the City Planning Commission of the City of Livonia held its 1,212th 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, Peter Ventura, Ian Wilshaw

Members absent: Wafa Dinaro

Mr. Jacob Uhazie, Assistant Planning Director, Scott Miller, Planner IV, 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 #5 PETITION 2024-02-02-04 Basilica of St. Mary

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2024-02-02-04 submitted by Basilica of St. Mary requesting waiver use approval under Section 6.50 of the Livonia Zoning Ordinance, as amended, to construct and operate a Montessori school and family/youth center at 18100 Merriman Road, located on the east side of Merriman Road between Six Mile Road and Seven Mile Road in the Southwest ¼ of Section 11.

Mr. Uhazie: This is a request to construct and operate a Montessori school and Family Youth Center on the east side of Merriman Road between Six and Seven Mile Roads. The total land area owned by St. Mary's is 21.3 acres and is currently divided into three zoning classifications. The front of the property, approximately 8.7 acres including the Basilica and cultural center is zoned RUF, and N2. The remaining 12.6 acres, which mostly includes the easterly portion of the site, comprising land previously owned by LPS is zoned PL (Public land). The subject site measures 680 feet of frontage along Merriman Road with a depth of 1,200 feet for a total land area of 21.48 acres. This site has started the rezoning process and it's gone through to the City Council and the rest of the petition will come with this or is waiting for the rest of this petition to be resolved. The surrounding neighborhoods bordering to the north of the site are residential properties on Bainbridge and Sunset streets and public parkland, including Bainbridge Park and Beverly Park. Traversing these properties is a tributary of the Belle branch part of the upper Rouge River watershed, which is mostly undeveloped and part of a floodplain. To the east are single family homes in the Sunset Park subdivision and to the south is the remaining portion of the former Bryant school property still owned by LPS. The proposal would construct a new one-story building positioned directly east of the cultural center. The first floor has an area of 32,966 square feet and a maximum height of 35 feet with seven classrooms, three multipurpose rooms and an approximately 900 square foot kitchen. There'll be a 10,000 square foot gymnasium with space for 488 people and 720 square feet elevated stage, bleachers with an occupancy for 216 people are identified on the plan. For building materials, it would include split face CMU and alternating brick veneer colors. The building would include metal awnings and decorative wall scones with limestone caps. Parking for educational and public or quasi-public uses requires one space for each employee plus efficient off-street parking for the safe and convenient loading and unloading of students. The petitioner identified a total of 20 employees. This plan identifies 7,310 square feet of public or quasi-public use, which would require 146 spaces. The site plan shows 166 parking spaces. For landscaping the site requires 13 interior parking lot trees and 16 trees are present on the plan. To the south is a 20-foot-wide greenbelt buffer with one tree per 20 linear feet. Stormwater would be maintained in an underground storage system beneath the parking lot located behind the building. The average illumination for the parking lot and loading areas is 0.3-

foot candles, which conforms to the zoning ordinance. With that, I can read out the correspondence.

Mr. Wilshaw: Yes, please

Mr. Uhazie: From the treasurer's office, all taxes and water are paid, signed Susie Nash, City Treasurer. From the accounting department "*I have reviewed and the address connected with the above noted petition as there are no outstanding amounts receivable general or water and sewer. I have no objection to the proposal",* signed Connie Kumpula, Chief Accountant. From the Department of Inspection, it reads: *"Pursuant to your requests the above reference petition has been reviewed. One if K through 12 grades are taught the state of Michigan will have jurisdiction over the construction of the school. construction plans would then be submitted to the state of Michigan for required building permits and Inspections. This department has no further objections to this petition"*, signed Jerome Hanna, Director of Inspection. From the Traffic Bureau, it reads: *"I have reviewed the plans in connection with this petition. I have no objection objections to this proposal",* signed Paul Walters, Seargent, Traffic Bureau. From the Fire Department, it reads: *"This office has reviewed the site plans submitted in connection with a request to construct a commercial building on property located at the above reference address. We have no objections to this proposal with the following stipulations adhering to the fire code. One sprinkler suppression system required with alarm monitoring to fire hydrant with 100 feet of fire department connection. Three maintain emergency vehicle access with required spacing distances per code. A further detailed plan review will take place with this division. When this division receives an official plan set.", signed* Brian Kukla, Fire Marshal. From the Engineering Department, it reads: *"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, but would like to note the following items: 1. The subject parcel is assigned the address of #18100 Merriman Road. Should additional addresses be needed, the Owner will need to contact this Department once permitting has been completed. 2. The legal descriptions submitted with the drawings appears to be correct and should be used for the parcels should the waiver-use be granted. 3. The existing parcel is currently serviced by public sanitary sewer and water main, as well as private storm sewer. The submitted drawings indicate that new services will be installed for the proposed structure, which will be reviewed during the permit submittal process.*

Based on the submitted drawings, we do not believe there will be negative impacts to the existing systems. 4. The drawings indicate the intention to provide stormwater detention onsite, which will be required per the Wayne County Stormwater Ordinance. Stormwater calculations will be reviewed during the permitting process. 5. Any disturbances with the Merriman Road right-of-way will require permits through the Wayne County Department of Public Service, including drive approach and sidewalk removals and placements." is signed David Lear, Assistant City Engineer. Lastly, we received one email from residents signed Brookfield Brookwood estates and the surrounding neighborhoods, opposed to the zoning of the property specified in the Basilica of St. Mary petition. 2024-02-02-04. " *This petition to rezone to N2 should not be allowed and is in direct conflict with Livonia zoning ordinance Section 3.05 From the city council study meeting dated January 24, 2023 ; " Section 3.05 of the zoning ordinance specifies that educational uses are permitted in the N2 District. The code defines educational services such as public libraries, public primary and secondary schools, and publicly owned and operated institutions of higher learning. Make no mistake, whatever the Basilica of St. Mary calls it, a Montessori, family center or learning center its still a school that is funded by enrollees that pay tuition. A state school or public primary and secondary school is defined as "A State or public primary (elementary school) or secondary school (junior or high school) that educates without charge. Such schools are funded in whole or in part by taxation." Private / parochial schools have to be approved by the State of Michigan. I would suggest that both the planning commission and the city council do their homework in regards to the regulations of the State of Michigan before this issue get out of control. The Basilica of St. Mary petition to rezone to N2 to build their school does not educate without charge and is not funded in whole or in part by taxation. This petition should not be approved. If this was to be approved it would appear that city council has disregarded Livonia's zoning ordinances."* signed Matt Bilbo. That is the end of the correspondence.

Mr. Wilshaw: Thank you. Mr. Uhazie. Is there any questions from any of the commissioners for our planning staff?

Mr. Ventura: Thank you, Mr. Wilshaw, Jacob, do I understand that the property immediately north of the church is a floodplain?

Mr. Uhazie: Correct.

Mr. Ventura: And that heavily wooded area can never be built on?

Mr. Uhazie: Correct.

Mr. Ventura: So, there's not an opportunity for homes to be adjacent to this property to the north?

Mr. Uhazie: Yes, they have provided a detailed drawing of where the wetlands are and how that impacts the property.

Mr. Ventura: Okay, thank you. And then I guess my second question is, do you know the distance from the proposed Montessori School to the homes to the east?

Mr. Uhazie: To the east it looks like…at least to the chain link fence, it is 1,351 feet from the building all the way to the east chain link fence.

Mr. Ventura: Okay. Thank you.

Mr. Wilshaw: Thank you, Mr. Ventura. Any other questions for our planning staff? I don't see any other questions for our planning staff. Our petitioner is in the audience tonight. Feel free to come forward. Good evening.

Brandon Grysko, attorney for the petitioner address, 41700 Six Mile Road, Northville, MI

Mr. Wilshaw: What would you like to tell us about this petition?

Mr. Grysko: So as usual, the planning staff did a great job explaining the project. Some of the specifics related to the zoning ordinance and things like that, regarding how those factors are satisfied. I think at the study session, we had talked about that as well, and identified that we believe, at least I think, at least conceptually, the Planning Commission was sort of on board that the origins factors have been met. I do have a couple of general waiver requirements that I would like to go over. I would first like to address just very briefly, the letter regarding section three of the zoning ordinance regarding public education versus private education, things like that. So, the city actually required us to submit under Section 6.05, which would make this as like an ancillary use to the existing religious use. So that's why it falls under the religious use category, rather than a public education type of use category. But that said, you know, the regulations

that apply to any school would still apply to this project, as far as the state level goes, but as far as the city's zoning ordinance goes, at least our position would be that we fall under a separate section of the ordinance there. And so I just wanted to take a moment to address that issue. As far as the waiver-use standards go, I did just want to touch on those very briefly. You know, one of the factors to consider with that is whether or not the proposed use, size, location and character is going to be in harmony, and appropriate with the orderly development of the surrounding neighborhoods. So Mr. Uhazie did identify that to the south, it actually used to be a school that was probably two, three times the size of the school that we have currently. And just to the north of the development that we're proposing, there currently is a Montessori use that that is in use in the Basilica. So that use has been historically present, adjacent to our property, and is also currently present adjacent to our property. And so from the perspective of whether or not this is going to be in harmony with the orderly development of that parcel, we think that's certainly the case based on the historic and current use of adjacent parcels. So additionally, as it pertains to the location and height of the building and square footage of the building, the height of 35 feet being sort of a standard single story height, or not single story rather, but being of a height that would be allowed in any zoning district have a similar type, I think also further characterize this as something that would be in harmony with the zoning district. Moreover, as far the traffic goes, we've identified on the site plan that there's going to be directional pavement markings for traffic. There's going to be a single directional drop off loop in order to protect children being dropped off. So, there's really not going to be any confusion pertaining to what direction people are supposed to be going or where the drop off/pickup area is, and things of that nature. So, we think that factor as it pertains to the general waiver-use requirement also satisfied there. Moreover, we currently have about 70 Students enrolled, where traffic is currently going to and from the property. And so, to that extent we're not expecting certainly double or anything like that. There probably wouldn't be an increase or at least we're trying to generate enough interest for the increase in students there, but the reality is that it's not going to be, you know, 100% increase or anything like that. So, we certainly feel the existing traffic light for the area, and then the existing size and scope of the parking situation is going to be sufficient to protect the children and also promote orderly vehicle traffic and things of that nature. One of the last things I wanted to touch on specific to the waiver-use criteria regarding the zoning ordinance in the Master Plan. The Master

Plan designates this area for the future land use plan as parks and community, which includes privately owned facilities providing recreational, educational, governmental and other services to the community. So certainly, this would be providing educational services to the community. And so it'd be right in line with the parks and community designation on the future land use plan involved with the master planning. And there's also going to be a gymnasium which provides recreational opportunities as well there. Both of these uses would be allowed in the public lands in the N2 zoning districts. The N2, which we're going to and the PL, which it currently is today. So as a result of that, and then there are a number of other benefits, I think to this project, including the fact that additional schools in the community, good schools, new schools, we think is going to benefit by providing younger families with the ability to have more options with respect to where to send their children, this is going to be open enrollment to anybody who'd be interested in it. This isn't restricted to any particular religious group or parish or anything like that. And there's also going to be underground stormwater added to the project that is going to also assist with the water situation during rain events. I think it's in your packet, but I think to the base flood area, we're 100 feet at the very, very closest and farther than that in other areas. We've also got a definitive determination from EGLE that no wetland permits are going to be required. And then the NR EPA only requires any floodplain permitting when you're going to alter or occupy a floodplain, and of course, we're over 100 feet from any floodplain area so that's not going to be a concern either. We do also have some renderings here. We have our architect, and civil engineer president who would be happy to take any questions pertaining to the technical side criteria that the Planning Commission might have. And other than that, we look forward to the opportunity to develop this facility to provide additional educational opportunities to young families in the community, and to give our existing students and future students and staff and teachers an upgrade to the facilities. So, we thank you for your consideration and thanks for having me tonight.

Mr. Wilshaw: Thank you, Mr. Grysko. I'm sure we will have some questions for you or some of your team there. Let's see if there's some questions regarding this petition from any of our commissioners. Anyone with questions for our petitioner?

Mr. Ventura: I'll ask a question. The package that we have that you really can't see, Mr. Grysko, has some renderings in it and then it

doesn't have the rendering that you see on screen here. But in one of the renderings that we're looking at the building is white, and then in the other renderings the building is two tone brown and tan. So that's it. Okay, great. That's a good answer.

Mr. Grysko: There may have been an issue with the way the color showed up on the pictures.

Mr. Ventura: Okay, so this is the way it's really gonna end up.

Mr. Wilshaw: If you could do me a favor and set it in front of that front chair. Our crack television crew will get a zoom in on that and be able to put that on the TV so that folks in our audience and online can also see that. Thank you for presenting that. Any other questions, Mr. Ventura?

Mr. Ventura: That's got it. Thank you.

Mr. Wilshaw: Okay, any other questions from any of our other commissioners?

Mr. Caramagno: On one of the sketches here I see toward the east end of the property looks like a parking lot, but it doesn't show a clear parking lot spot. What is that that I'm looking at with all the lines? It's not a solar field or a solar panel field or anything is it?

Ghassan Abdelnour, JV Associates Architect, 24001 Orchard Lake Road, MI. I think that may have to have Ghassan answer that, but I think that may be the playground area but go ahead.

Ghassan Abdelnour, JV Associates Architect, 24001 Orchard Lake Road, MI. The one with the back of the playground area?

Mr. Caramagno: No, I'm talking about just to the east of there to the right of in the picture. What is that? Is that a parking lot or…what is that? It doesn't show parking spaces.

Mr. Wilshaw: Is that the underground water detention area?

Mr. Abdelnour: Yes. Yes, it is. It is a parking area. But there's an underground detention under the park. This detention helps a lot for a lot of water issues outside. So now existing, we don't have a detention pond. So now we're creating this detention park for that new area and connecting and that's going to solve a lot of water issues on the site that people have problems.

Mr. Caramagno: So that I'll be underneath the parking lot. That's the underground detention that you are talking about. Thank you.

Mr. Wilshaw: Ghassan, did you want to introduce yourself?

Ghassan Abdelnour, JV Associates Architect, 24001 Orchard Lake Road, MI. I'm the architect on the project.

Mr. Wilshaw: Okay, very good. Thank you. We appreciate you here to explain the details of the architectural elements.

Mr. Abdelnour: Absolutely, because the elevation we're trying to work with the existing buildings between the church and community center we have so we are matching the two brick and the building so they look like more like a complex, so it doesn't look like a building different colors and requirements.

Mr. Wilshaw: And in regard to Mr. Ventura's earlier question, because our audience may not have been able to hear what you're saying off microphone, the one rendering we have, which shows the building kind of highlighted in white makes it sort of…is it sort of just a glowing effect that you're giving so that we can see that this is the new building on the property?

Mr. Abdelnour: Actually, this rendering was provided long time ago. So, when we've been submitting this is the new renders that have been approved.

Mr. Wilshaw: Okay. I see, okay. And do you happen to have a sample board of materials with you, or just the renderings?

Mr. Abdelnour: Just the colors. We're trying to match exactly the color. We have a split face block at the bottom that match actually with the color of the church itself.

Mr. Wilshaw: Okay.

Mr. Abdelnour: And we have brick, bigger sized colored bricks and units on the building, it's more brownish matching with the Community Center, and just with the part of the building itself, of the church, The whole building will be made from masonry. The entrance, we are trying to create some nice entrance made from some nice metal. and just to coordinate with the building. It has a covered area for people to walk to the building itself. Especially when people are dropping their kids we are trying to make it a

little bit easier. And we do have a drop off area that is only one direction. And these drawings, if we if we are approved, we have to submit to the state. Because of the drop off area, we have to meet state requirements, also with the city requirements. So, the state requires that kind of to have one direction drop off area for safety for the kids.

Mr. Wilshaw: Okay, thank you for that information. Let's see if there's any other questions from any of their commissioners.

Mr. Bongero: Just a quick question. What are the…five days a week for the school? Five days and then what are the hours for a typical school day.

Mr. Wilshaw: Sir, please come forward.

Salem Samaan, on the board of the Montessori School, Livonia, MI. It will be five days a week from seven to four.

Mr. Bongero: Okay.

Mr. Wilshaw: Thank you. You might want to stay up here for just a second in case there's any other questions. Any other questions regarding the school? We have this gentleman here. If not, I'll ask one or two. You said or your attorney said that there was currently 70 students enrolled at your existing Montessori and that you're looking for sort of an indeterminate number. Do you have an idea as to how many students total you're looking at having at this facility?

Mr. Samaan: At this point, where we're at, we basically outgrew the space with the 70 students. We're limited to how many we can have and it's also not very conducive to the teachers to have limited space. So, I'm guessing that we may increase it by 40 to 50 students.

Mr. Wilshaw: Okay. And what grades do you serve?

Mr. Samaan: It's, it's not grades. It's age one through six,

Mr. Wilshaw: Age one through six. Okay.

Mr. Samaan: It's a Montessori school.

Mr. Wilshaw: Right. So preschool, and is it pre-kindergarten as well?

Mr. Samaan: It could be but it's one through six.

Mr. Wilshaw: Okay. All right. Any other questions from any of our commissioners?

Mr. Caramagno: Thank you. Mr. Chair. I was curious. I've got a couple now. Thank you, the gymnasium and the weekend activities. Tell us a little bit about how those hours work and the activities that will happen there.

Mr. Samaan: It is a gymnasium. It is for the use of the Montessori School, perhaps also the Basilica. There may be times when we would lease out or allow the different high schools, for the boys schools, to use it for sports and so forth. So, it would be during the day for the most part. If there's any activity in the evening, it probably, if it's a sport activity, it may go to eight, nine o'clock, but there'll be nothing more than that.

Mr. Caramagno: There'll be on Monday through Saturday, will it include Sunday?

Mr. Samaan: If there's something going on a Sunday, it'll depend if there's somebody that needs to use the facility on Sunday, but it's not…again, it would be a sports activity with them.

Mr. Caramagno: Okay, I am not real hip on how often schools lease, lease other gymnasium properties. Is that something that will happen often or on rare occasions?

Mr. Samaan: Not often, but if you have any kids that are participating in any sports activities in the City of Livonia They're always looking for a place to practice or to have games. Mostly it'd be for practice.

Mr. Caramagno: Will it just be City of Livonia schools or is it open to anything in Metro Detroit?

Mr. Samaan: City of Livonia schools.

Mr. Caramagno: Okay, thank you.

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

Mr. Wilshaw: One other question, I guess to sort of go off Mr. Caramagno's last round of questioning, and obviously we know about the Montessori use of this school for grades are ages one through

six. What other uses do you anticipate this building will have outside of that?

Mr. Grysko: The principal use of the building is intended to be as a school. So even the gymnasium, I mean, to the extent that other schools, you know, tend to have gymnasiums, and things of that nature, that would be the principal use of the building.

Mr. Wilshaw: But do you see this being used for other activities, evening activities, events, sort of like the cultural center rental, any that type of thing?

Mr. Grysko: Not that I've heard of. I think that there's been some discussion about what potential could happen in the future, but certainly at this time, it's just really envisioned as a school.

Mr. Wilshaw: Okay. And the bulk of the interior layout, I don't know that we talked too much about it, but you can kind of see from this diagram that's on our screen there is mostly classroom environment, correct?

Mr. Grysko: Yeah, there's a classroom environment. The gymnasium takes up a fair amount of space. And then there's some office space for staff and things like that.

Mr. Samaan: It could be an overflow for church activities, for example, church schools and so forth. So that would happen on usually Saturday or Sunday. So it's to be used by overflow.

Mr. Wilshaw: Okay. And there's food preparation, as well in that building for…there's no food?

Mr. Samaan: There's no food preparation, I think there may be heating some because that's required by schools.

Mr. Wilshaw: Okay. That's the only questions I have at this moment. Is there any other questions from anyone else? If not, we're gonna go to the audience and see if there's anyone wishing to speak for or against this petition. I know we do have a lot of interest from people in the audience. So, feel free to come forward to one of our two podiums, and we will give you an opportunity to speak. I am going to set…because we do have a lot of people here, we're going to ask that your comments be kept to three minutes. I will let you know when you're hitting the three-minute mark so you can summarize and finish your comments. We do ask that you address the commission. Do not speak to the petitioner.

Ask us your questions or your comments for or against. And we'll go one at a time. Good evening, ma'am.

Joann Yurgil, 18345 Bainbridge, Livonia, MI. Aa couple questions. Earlier meetings, a few months ago there were referrals to possibly being their like counseling done on site. I didn't hear anything about that this evening. Another question is, currently the Montessori school children dropped off by private vehicle, will it continue that way? Or will there be like a minivan or you know, school van service? Just another question about the use. And I thought I heard there was like some kind of a…I thought I heard like a 900 square foot kitchen. No. Can you repeat? So, what is the purpose of a kitchen of that size? Is that what's required for a Montessori? So just some basic questions and then any future plans…you have seven classrooms? Any any future plans to expand up to higher grades because Montessori from my experience, there are people that are trained to teach maybe second, third, fourth, a little higher than the age six. So, you know, just looking for future plans since I live fairly close by. Thank you.

Mr. Wilshaw: We appreciate your comments. Thank you. And again, any questions that are asked, we'll try to ask the petitioner to answer those once we hear from everyone.

Laura Burke, 30573 Brookview, Livonia, MI. My first thing is I received…my house again, since I've seen you last year, I've seen the council, we've gone through this. My fence is the property line of the church. Okay, so we got this in the mail last year, and then we got this this year. And they look like they're two different diagrams. So, my question one is, is it different from the ‘23 diagram that we got? Because it looks like it's extended, or it's not extended? And I believe what possibly could be extended now, because it was never brought up is perhaps the parking lot. So, I think you guys said it is 3,153 feet to the east house, which would be my house. So, I have no idea how long that is. If you said maybe a football field, I might figure that out or something, but it does seem like what I'm going to get in my backyard is not what was proposed earlier last year, which was everything's going to be up close, just like the old school was, which I lived there with the old school. It never bothered us, the parking or any of that because it was up by Merriman. It doesn't appear to be that way. So I would like two things. I would like you guys…I would like to invite all of you over to my house one evening, and have a beer or coffee or something on the deck and see how many cars that I see in my windows. One window from the church parking lot on a given day that they have their

activities, which is fine. I've never called on the music. I've never called on the lights. But I'm telling you last week was an example. I actually got up because it looked like someone actually flashed a light in my window and I went downstairs because I thought someone was out the house, and it wasn't. When I looked out I had to walk out to the garage and it was actually a car in the parking lot. And that was from a car because I…the big three are making great headlights nowadays. So, I can't imagine it being 3,000 feet from my house. That is upsetting to me that that was not brought up. It appeared last year when you guys were given these, that it was a school for Montessori children. It wasn't going to be used for perhaps other people to use the gymnasium because now you're talking…the gymnasium would be used by high school kids. They go to school during the day. So now it's going to be in the evenings. So not only are we going to have the festivities that they have they currently have that's fine. I've been there many times, but now I'm going to have the activities, perhaps how many days? Seven days a week? All evenings?

Mr. Wilshaw: You have reached the three minutes. Can you summarize?

Ms. Yurlik: Yep. I'm just saying I really would like you guys, before you make a decision sitting at your desk and your chairs, to come over there and sit by our houses. Not just my house, but all the other houses. That's all I ask. Thank you.

Mr. Wilshaw: Thank you for your comments. Thank you, ma'am

Ms. Yurlik: Knock on the door, or I'll send you an invite personally, all of you.

Mr. Wilshaw: We appreciate that. Thank you. Sir.

Trevor Wilson, 17538 Hillcrest, Livonia, MI. Question regarding the site plan. Looking at the site plan, you guys showed up there on the south side. There was a wall of trees kind of meant for privacy I'm guessing. I'm feeding in to her comment. I didn't see anything on the south side. I'm sorry. On the on the east side as an east side neighbor. Is there a plan? Or is it included to have like that same kind of tree line going across the eastern most border of the back property?

Mr. Wilshaw: Well, that wasn't shown on the plan. But that's something we'll ask the petitioner to comment on when he gets back up here.

Mr. Wilson: All right, cool. That's my question. Thank you.

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

Brian Smith, 30126 Brookview Drive, Livonia, MI. Thank you for this opportunity to present my thoughts. I just want to thank the commission for your hard work over the years. You do a great job and I mean that sincerely as a lifelong Livonia resident. It's a hard job and you do a really good job. Thank you for reading the email from Brookview Estates earlier. I think that's a very important email and it carries a lot of weight. I'm kind of a guy that deals likes to deal in facts. So I want to present some facts tonight. Hopefully nothing in my remarks is new information. It certainly shouldn't be new information to you. Bryant Field is one of our last precious green spaces left in the City of Livonia. It has been used as a neighborhood park for over 60 years, long before Rotary and Bicentennial were even constructed and it's still used today by senior citizens walking their dogs and children flying kites. The fact is we invited an EGLE representative to come to the Livonia Community Library and address the residents. We asked him if he had any concerns about this petition and the waiver use and he said, well, yes. The segment of the Terra Boosey between Bryant and Coolidge, according to his studies, is the most contaminated segment in that entire tributary. The petitioner didn't mention that because they had their own EGLE representative, but that's what our legal representative told us. Fact, the petitioner still has not presented a response to standing water. There is no setback with their proposal. It directly abuts the Terra Boosey wetlands. there is no setback. Fact, this development would destroy two trailheads along that wetland. These trails I walk twice a week. Fact as mentioned previously by others, their current noise pollution and lighting pollution issues emanating from the St. Mary's Cultural Center are disruptive to the residence of Mayville. Thank goodness I don't live on Mayville. And they have been for many years. There's a long list of complaints to the Livonia Police Department, which you can check out. Fact, the residents of Brookwood estates and other neighborhoods within a one-mile radius of St. Mary's Basilica, have signed an online petition over 800 people signed it. Nobody wants this facility. I have gone down my street and asked my neighbors not one wants to see this. And we fear the harm to our property values. Thank you very much.

Mr. Wilshaw: Thank you, Mr. Smith for your comments.

Cathy Gifford, 17587 Hillcrest Street, Livonia, MI. Backing up to the field. I am interested in hearing if they plan on building a wall, a tall wall to block their public areas, and all the problems that come with them. So, the neighborhoods can have privacy and carry on with their lives the way they have.

Mr. Wilshaw: We will ask them that when they come back up. I don't think there's any wall that's proposed in this particular development that I've seen on the plan.

Mr. Gifford: How would we make it a requirement? Who would start that ball rolling?

Mr. Wilshaw: The requirement for walls is generally in Mr. Uhazie or Mr. Miller from our Planning Department can describe that but generally walls are required when you have adjacent zonings that are when commercial and residential are next to each other. When these types of developments are next to residential, a wall is generally not a requirement, is that correct?

Mr. Miller: Correct. It's residential to residential.

Mr. Wilshaw: Okay.

Ms. Gifford: So, can we change that so it is a requirement? Well, otherwise, a residential area is going to die down.

Mr. Wilshaw: Well, that would require a zoning change, because that's part of our zoning ordinances but to realize that if you require a wall between two residential developments, that would also mean putting walls between everybody's houses.

Ms. Gifford: I'm sorry, residential wall between two houses or this commercial venture of the church and the residential homes that are already there?

Mr. Wilshaw: Right. Well…

Ms. Gifford: Which is it? Are they a residential zoning?

Mr. Wilshaw: Residential zoning, yes, correct.

Ms. Gifford: They are currently…they're now a residential zoning, but they're putting in commercial buildings. How did this come to be?

Mr. Wilshaw: This is not considered a commercial development based on the zoning ordinance. So, a wall would not be required as part of the zoning currently.

Ms. Gifford: And where would we go to get that zoning correction done?

Mr. Wilshaw: Again, you can speak to City Council on that. They start the process of rezoning request, but like I said, in this case, you have two residential zonings next to each other. If you were to require a wall between two residential zonings, that would also mean every residential zoning in the city in the future would require a wall, so it could be a slippery slope.

Ms. Gifford: Is the church property going to stay residential zoning once it has commercial buildings on it?

Mr. Wilshaw: We don't know what other development will happen on this property. But what we're dealing with right now is not a zoning question. We're dealing with a waiver use for this and a site plan for the building.

Ms. Gifford: I think that people in the audience want to hear about a wall protecting us from this venture. Well, that's something we're interested in.

Mr. Wilshaw: We're interested in your comments, and we appreciate your comments. But I can't keep going back and forth on this wall. I've explained what I can to you regarding what the zoning requires. And we do appreciate your thoughts of wanting a wall. And we'll take that into consideration.

Ms. Gifford: Thanks for your time.

Mr. Wilshaw: Thank you, ma'am. Gentleman, would you like to speak?

Mike Burgess, 30825 Mayville, Livonia, MI. Okay, I heard right now, Montessori School has 70 students. Okay, and they're only talking about once they build the new school and the auditorium. They're going to gain another 40 or 50 students possibly.

Mr. Wilshaw: That's what I heard.

Mr. Burgess: But at Five Mile and Middle Belt there's already a Montessori school there. On Seven Mile there's a Montessori school there. And it's like, what are the residents of the surrounding area

going to gain from that? If you grant them access to build this other school? You know, I don't know. We don't gain anything, we just lose. That traffic is going to be more. And I'm just wondering if the council will take that into consideration. You know, I've got nothing against the school. I got nothing against church. Nothing against the father and all that but I'm just bringing that up. And is that going to raise our taxes as homeowners? Because I live on Mayville. Right next to the field where all this is going to go on. So just there are questions that people have not brought up. And I thank you for your time.

Mr. Wilshaw: Well, thank you for coming, and we do appreciate your raising those concerns. Thank you, sir. Good evening.

Steve Johnson, 18240 Sunset, Livonia, MI. Originally, we were told the building would be used as a Montessori school for children ages one through six. And the concern I and some of the others in the area have is that this building will turn into a commercial venture. The term family/Youth Center seems quite vague. All the way up and down Merriman between six and seven and to the east and west is residential single-family homes. My question is, can there be a condition placed upon the waiver that the building will only…will not be used for commercial venture or commercial operation and will only be used for religious purposes. Thank you.

Mr. Wilshaw: Thank you for your comments, sir.

Susan Chavey, 31412 Curtis, Livonia, MI. I live directly across the street from the church and have lived there since the church began building even when Father George came from Syria and lived in the farmhouse and I want to say that I support the church and I support their endeavors. And I believe that they do have the community's best interest at heart and at times I feel discouraged because there is so much disdain expressed. I too am a victim of cars and the lights and things like that, but after living there a while I just don't think about it. Anyway, I just want to say I do support the church in their endeavors. Thank you.

Mr. Wilshaw: Appreciate those comments. I believe there's a gentleman behind you also. Good evening.

Paul Condon, 31115 Hillbrook, Livonia, MI. We live across the other side next to Bainbridge. Our houses are right in back of the larger green square. I can't see what says P L. Parkland. So we're the second house in. Originally, last time I saw the plans, I believe

the gymnasium would and the school would be on the south end of that property, if I'm correct on that. And the gymnasium would that be at the east end? Or as behind the auditorium that is there now? Or is it the gymnasium and then the school or the school and then the gymnasium? I couldn't see the layout from where we were sitting?

Mr. Wilshaw: I think I can explain it. The building itself will be pretty much directly behind the community center that's currently on the property.

Mr. Condon: Okay.

Mr. Wilshaw: The gym, and correct me if I'm wrong, is on the west end of the building closest to the community center. Is that correct?

Mr. Uhazie: Correct. It's like the purplish grey.

Mr. Condon: Okay.

Mr. Wilshaw: So, this building, as you see it right there, is oriented with north up.

Mr. Condon: Merriman is this way here, right?

Mr. Wilshaw: Yes.

Mr. Condon: So, okay, the school. Alright, so the gymnasium will be there. And it's about 35 feet high? Is that the top roof line? Or is that a rafter line? Do you know?

Mr. Wilshaw: That’s the top of the roof for the gymnasium section? Is that correct?

Mr. Uhazie: I believe so.

Mr. Wilshaw: which is the highest point of the building.

Mr. Uhazie: Correct.

Mr. Wilshaw: And then the area where this The classrooms are is a little bit lower.

Mr. Condon: And the only, I guess, concern that I would have is the lighting again. We often see from the parking lot, especially this time of the year, in the fall…from the fall and through the spring until the

trees leaf out. We see a lot of lights from the parking lot. And I think they've gone to a lot of the LED lights which are a lot brighter, as we all know. So, if some considerations could be given to lighting hours, and sometimes the lights go off about maybe 2am or 3am, sometimes they don't. If some consideration could be given possibly to that. And maybe using deflectors of some sort might be helpful.

Mr. Wilshaw: Excellent comments.

Mr. Condon: Thank you very much.

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

Michael Khoury, 33733 Clarita Street, Livonia, MI. I want to thank you for your time and attention today. Very reasonable request by the gentleman. I think there's been a lot of technicalities, a lot of details expressed. a lot of which I feel, and I don't have a lot of experience with this, but I feel like a lot of things can be worked out as this is developed, but and I thank you for your comments, ma'am in support because I've grown up in this church. I started out as an altar boy, at may be four years old, and I've been going there ever since. So, my family, my parents as well. This church has become a beacon of hope and light in the Arab American community, as well as just the community in general. We started out with a small church and then added on the cultural center and now the beautiful Basilica and it's a shining example of progress and growth and serving the community. And so I just want to, again express my support for this endeavor. I understand the concerns and I respect them all. I live in Livonia and I can appreciate distractions and light and cars etc., but I feel like, you know, in the name of progress, those things can be managed and worked out. So, again, thank you for your time.

Mr. Wilshaw: Thank you Mr. Corey.

Nadia Hanania, 35185 Banbury, Livonia,MI. Regarding the lady that said the car was lighting at her house in the middle of the night or I don't know when. I live in Sheffield subdivision. And behind me, there are houses. Their driveways are facing my bedroom window and they have teenager kids. They come home at two o'clock, three o'clock. I mean, I'm not gonna sign a petition telling you to police them or whatever.

Mr. Wilshaw: We understand.

Ms. Hanania: Because I had kids grow up too, and they drove. They came in the middle of the night. The lights, I knew most of the time. I'm sorry, I'm asleep. But I mean, I don't know what she was trying to say. I'm sorry.

Mr. Wilshaw: I think we understand the concern. We'll talk to the petitioner when they come up.

Ms. Hanania: Montessori schools aren't going to have cars at night, right? The Activity Center is not going to have cars at night, either. Alright, so anywhere you live, there's going to be cars packed.

Mr. Wilshaw: Thank you for coming tonight. Sir.

Mr. Burgess: Another concern was outside of the property at St. Mary's Basilica. There has been a tractor trailer that has been parked there forever and when they have their celebration of their people in the faith it gets kind of loud at times and I live on Mayville, which is right next to the field. There are a lot of people that will avoid parking, the parking fee of $5. They'll park on our street, all up and down the street. And anyway, no, I was just wondering about policing. Like there is a trailer outside next door funds on their property. But you know…

Mr. Wilshaw: Okay, and you're speaking of when they have special events?

Mr. Burgess: Right now. There's a lot, okay. But when they have special events and the music has been reported to be too loud at times, which is not a problem. But you know, it goes longer and louder than what's allowed. Right. But no, I just thought I'd point that out.

Mr. Wilshaw: I appreciate that. We'll address that. Thank you, Mr. Burgess. Any other folks wishing to come forward to speak for or against this petition? If not, we'll close the public hearing and if the petitioner would like to come forward, or their representatives. You had the opportunity to hear a number of issues raised and some concerns and also some questions and some very good ideas. How would you like to respond to some of those things that you've heard if you missed anything that is of interest to us we're gonna point it out for you.

Mr. Grysko: Sure, I'm sure you will and I look forward to that. So, the first thing I wanted to point out is that I know there's been some

concern raised concerning what the use of the property is going to be and things of that nature. I think we've tried to articulate that as clearly as we can, that it would be similar to most other schools where sometimes you do have activities going on in terms of practices or games or something like that. But from the perspective of only for, as somebody mentioned, that it should be only for religious purposes. So, I think that the current zoning ordinance as it exists today, you know, you can't simply expand your use or change your use without going through whatever the appropriate approval processes would be to do that. So, to the extent that we have a waiver use for religious purposes, that would be the use that we have the waiver use for. And so, unless there's something specifically allowed as a principal permitted use under the zoning ordinance, we wouldn't be able to just unilaterally change that anyway. So, I just wanted to point that out and suggest that I don't necessarily know that there's any need for specific condition on that because I think that's already implicit within the zoning ordinance. I know Mr. Uhazie brought up the point of the lighting, and how many candles it was and things of that nature. I don't recall the exact number, but I believe that is in accordance with the zoning ordinance. I also believe that, and Ghassan could correct me if I'm wrong, that lighting also has to be hooded within most communities. So, I think that's the case of Livonia, as well. So certainly, I think the site plan was intended to, but if it doesn't, but I think it does, show that the hooding on the lights would be contemplated or acquired into the site plan.

Mr. Wilshaw: Before you venture off that particular subject. I think there's two concerns when it comes to lighting that we hear from residents and were expressed tonight. One of them is concern of the light standards, light poles and shielding and that type of thing. The other one is the light that comes from vehicles at night. People who are using the cultural center, maybe they have a wedding or reception or something going on, and those vehicles shining lights toward the residential homes. How would you address that?

Mr. Grysko: Yes, I have a couple of comments on that. Number one, and I'm not sure the timing, it was kind of broadly stated, so I don't know the exact timing that this person is talking about. Certainly, there's hours associated with the cultural center, where after those hours, there would tend to not be anybody on site. Although I do know that the LPS school property has sort of a little parking area. So I don't know for sure that some of those cars might not be using the LPS owned property that is owned

by the school, and we can't control who they allow on their property. We do have an issue on our own property, which is privately owned, that there are people that sometimes will pull into our lot after hours that aren't authorized to be there, and are actually trespassing, whether they realize it or not. And that goes for a lot of people that you know, use the field to cross through and, and maybe think of it as a public park or something like that, but it is privately owned land. And so, we do have an issue with trespassers, to some regard with that. Now, to the extent that maybe you have an event that gets out at 10 o'clock at night or something when it's dark, you know, there may very well be vehicle lights that you see as they turn around in the lot or something like that to exit. But again, I don't know the exact timeframe that that particular commenter was talking about so, it's hard to address that. It was brought up, obviously, we'd be opposed to a wall. I don't think that's in keeping with harmonious development in this area. What I'm also concerned about with a wall or any other barrier, for that matter, is the kind of idea of like ghettoizing or institutionalizing the children that are in the school here. Where, you know, from a certain perspective, it should be treated just like the kids at any other school and have the same view that the kids at other schools would be entitled to and things like that. So, I would be a little bit concerned about a condition that would, you know, force them into sort of an institutionalized environment with a kind of boxed in, in that respect. But of course, we'd be open to any suggestions or recommendations that the Planning Commission has, and it sounds like my architect has some ideas.

Mr. Abdelnour: Usually for parking, usually, we can come up with some landscaping at the end of the parking and have like baby trees up to six feet, because the cars are usually the lower than six feet with the light. So, we do that all the time with landscaping, so we're willing to work at the end of the parking area. We can maybe put some trees that make it a little bit better for everybody.

Mr. Wilshaw: Makes sense.

Mr. Samaan: Actually, we have plans to plant a lot of trees in that section between where the Montessori is, and the houses behind. So, there's going to be like a little park, so to speak. We're going to have all kinds of trees that will defray from the lighting that some of the neighbors are complaining.

Mr. Abelnour: Like I was saying the trees, we can use evergreen, so they stay green for the whole year so you're not worried about fall and summer. So, most of these situations, we solve it within the neighbors and different projects. And we're willing to work with the neighbors for that issue. Like we said, we're gonna be submitting a photometric plan for the planning. And for the engineering plan, we have to show all the shields and the lighting should be equal to zero to come to get what it gets to any neighbors. So really, we're going to have to meet the city requirement, the state requirement, and we're going to meet all the requirements that it's needed for us. That for the lighting.

Mr. Wilshaw: Thank you for those comments. Anything else?

Mr. Grysko: So they're nicer than I am, I guess, as it pertains to that. So it sounds like they're more than willing to work with the planning commissioners and the residents on that issue. So I think that combined with the distance, I think Mr. Uhazie said it was about 1,000 feet to the east, was the closest lot line there. So, I think that would certainly be enough to satisfy that concern. So know that we're here for any other questions or comments that the Planning Commission has. And we thank you for your time and hope for approving resolution here.

Mr. Wilshaw: Thank you, Mr. Grysko.

Mr. Ventura: So I made some notes while everyone came up and asked questions, Mr. Grysko, and so I'm just going to run through questions that haven't been addressed yet. One of the questions was, will there be counseling on the site?

Mr. Grysko: I am unaware of any plans for counseling on the site.

Mr. Ventura: Okay. Another question was…

Mr. Grysko: I'm sorry. Can I just interrupt to give a little bit of clarification. So the group that we see here today is authorized to speak on behalf of the petitioner with respect to this. We have had situations where a number of other folks have come up in support of the project and said things that aren't necessarily within the plans. And those folks are obviously free to speak in a public forum. We have limited ability to control some of that, but this is the plan, as presented here today.

Mr. Ventura: I appreciate the clarification and strive to be making an effort to have the questions that were asked by the residents addressed.

And I think you have the people here, ready to do that. So, there was a question about the composition of the traffic that would be there. You'd now have cars dropping children off for the Montessori school that exists. And the question was, will there be buses added to that?

Mr. Grysko: Certainly, no public school buses, and it sounds like there's no plans to have any private buses involved either.

Mr. Ventura: Thank you. And I'm confused, is there or is there not a kitchen in the building?

Mr. Samaan: It's actually it's a warmup kitchen. There's no cooking there.

Mr. Ventura: Okay.

Mr. Samaan: Actually, the warmup kitchen is for the kids. If they have in the school, they bring…there's no cooking.

Mr. Ventura: That's a requirement for the school?

Mr. Samaan: Yes.

Mr. Abdelnour: It is a state requirement to have the warmup kitchen.

Mr. Ventura: Thank you very much. There was some concern about evening gym use. Is that in the plans?

Mr. Samaan: Actually, is it's not in the plans. However, if a high school or junior high school required the use of a gym in the afternoon for training and/or practice, we will allow it but it's not going to be running all night long. Guaranteed. Absolutely not.

Mr. Ventura: Okay. It would be a kind of service, not because we're going to make money out of it. It will be a service to the community.

Mr. Ventura: Thank you. And a kind of follow-up question to Mr. Wilshaw and his question. The lighting and when you have parking lot lighting in the evening, how late will that be on? What are the hours?

Mr. Samaan: The cultural center, usually people are gone by…It's only on the weekend that they have functions, and usually parties go till 11 or 12. It never goes beyond one o'clock because the music has to be turned off and when the music is shut off, people leave. It's done. So, it's only on the weekends, Friday, Saturday, but on Sundays it's much earlier than that.

Mr. Ventura: So, when the event is over, the lights go off?

Mr. Samaan: Absolutely. When you say the lights, we're talking about the car lights, or are we talking about the lot lights?

Mr. Ventura: Parking lot lights.

Mr. Samaan: There's lights that stay on for security purposes, but the way…when they're going to be done they're going to have the shields on them. So, they're not going to be able to shine into anybody's…those are security lights.

Mr. Ventura: I think that exhausts the list. And Mr. Grysko, you made the point that by virtue of the zoning, if this is approved here this evening, there really can't be another use of the building. Somebody asked about a commercial use succeeding, that really can't happen. Unless you would come back and petition once again for another zoning change.

Mr. Grysko: Assuming the City Council approves it, and Jacob, correct me if I'm wrong, but I think it's N2 that we are going to go to, which is residential zoning district. So, we'd be limited and the waiver use, of course, is limited to the specific use that we brought forward here this evening.

Mr. Ventura: Thank you very much.

Mr. Wilshaw: Thank you, Mr. Ventura. Any other questions from any of the commissioners?

Mr. Bongero: Just one last thing to back up to what Mr. Ventura was adding was the issue of standing water. But I think you addressed it saying the underground detention should I have…

Pat Williams, Nowak & Fraus Engineers. Yeah, we are providing a stormwater collection system for all the new improvements and even some of the area that was already developed that didn't have any stormwater management And so we're actually improving the situation and providing an underground detention system that will clean the water and slowly release the water back into the system at an agricultural rate. So, we're actually improving the situation from what's out there today,

Mr. Bongero: It's going to improve yours. Your water is going to be managed on your site. So, there's water in the old Bryant field, that is

something entirely different, right? People don't understand that. That's nothing to do with you because you're gonna make sure yours is managed, correct?

Mr. Williams: Yep.

Mr. Bongero: Okay. Thank you.

Mr. Wilshaw: Thank you, Mr. Bongero. That was on my list of questions that hadn't been answered. So, thank you. Any other questions from any of our commissioners for our petitioner? If not, is there anything else that you'd like to say, Mr. Grysko before we make our decision?

Mr. Grysko: I think you guys are probably sick of hearing me talk. I'm sick of hearing myself talk. I appreciate the opportunity to be here, though, and we appreciate the support of the Commission. Thank you.

Mr. Wilshaw: Thank you, Mr. Grysko. I do want to thank both the petitioner and everyone in our audience here tonight bor your decorum through this meeting. I know that this has been a subject that is been followed very closely by many people in the community. I appreciate that community support and interest in this petition and I do appreciate the decorum tonight that everyone spoke very well. They let everybody else speak and showed a lot of respect for everyone's opinions. It just made the meeting flow a lot easier so, I really do appreciate that. With that, because there is no other questions or comments. We are ready to close the public hearing and a motion would be an order.

On a motion by Bongero, seconded by Long, and unanimously adopted, it was:

#04-16-2024 ***RESOLVED***, That the City Planning Commission does hereby recommend to the City Council that Petition 2024-02-02-04 submitted by Basilica of St. Mary requesting waiver use approval under Section 6.50 of the Livonia Zoning Ordinance, as amended, to construct and operate a Montessori school and family/youth center at 18100 Merriman Road, located on the east side of Merriman Road between Six Mile Road and Seven Mile Road in the Southwest ¼ of Section 11., be approved for the subject to the following conditions:

1. The Overall Site Plan identified as Sheet SP-05 and the Dimensional Site Plan identified as Sheets SP-06 and SP-07, dated November 3, 2023, as revised, prepared by

Nowak & Fraus Engineers, are hereby approved and shall be adhered to.

2. All parking spaces, except the required handicapped spaces, shall be double-striped and measure ten feet (10') in width.

3. The Tree Preservation Plan, Overall Landscape Plan, and Enlarged Landscape Plan, identified as Sheets L1, L2, and L3, respectively, dated October 17, 2023, as revised, prepared by Nowak & Fraus Engineers, are hereby approved and shall be adhered to, except that evergreens shall be added along the eastern edge of the parking lot in an effort to shield car headlights, subject to the review and approval of the Planning and Inspection Departments. A temporary barrier, such as snow fencing, shall be installed along the construction limits in select areas on the property's north side to prevent intrusion into the wetlands and floodplain areas.

4. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding.

5. 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 permanently maintained in a healthy condition.

6. The Exterior Elevations Plans, identified as Sheets A.201 and A.202, dated November 3, 2023, prepared by G.A.V. Associates, Inc., are hereby approved and shall be adhered to.

7. All rooftop mechanical equipment shall be concealed from public view on all sides by screening and shall be compatible with material and color with other exterior materials on the building.

8. The three walls of the trash dumpster area shall be constructed of materials that complement the building. The enclosure gates shall be made of obscuring panel steel or durable, long-lasting panel fiberglass.

9. The developer shall secure all required stormwater management permits, wetland permits, and soil erosion and sedimentation control permits from Wayne County, the

City of Livonia, and the State of Michigan Department of Environment, Great Lakes, and Energy (EGLE).

10. All light fixtures shall not exceed twenty feet (20') in height and shall be shielded to minimize glare trespassing on adjacent properties and roadways.

11. The overall average illumination level for the parking lots shall be 1.0-foot candle as provided under Section 7.22 of the Zoning Ordinance.

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

13. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and

14. 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.

Mr. Wilshaw: Is there any discussion?

Mr. Long: Mr. Chairman, thank you. I was wondering if the maker of the motion would consider adding a little more language to number five, which speaks to the plant and materials being installed to the satisfaction of the Inspection Department. We heard the petitioner, representatives of the petitioner, discuss planting some kind of an evergreen to shield headlights from cars. So, wondering if we could put some language in there. For there to be some sort of evergreens installed either there at the eastern edge of the parking lot or at the eastern edge of the property line. in an effort to shield some headlights satisfactory to the Inspection and Planning Departments.

Mr. Wilshaw: Totally fine with that. If that's okay with the maker in which it is. I would say that it's this kind of a nitpick but probably item number three would be more appropriate. That's the one that speaks to the landscape plan and five is more of the sprinklers.

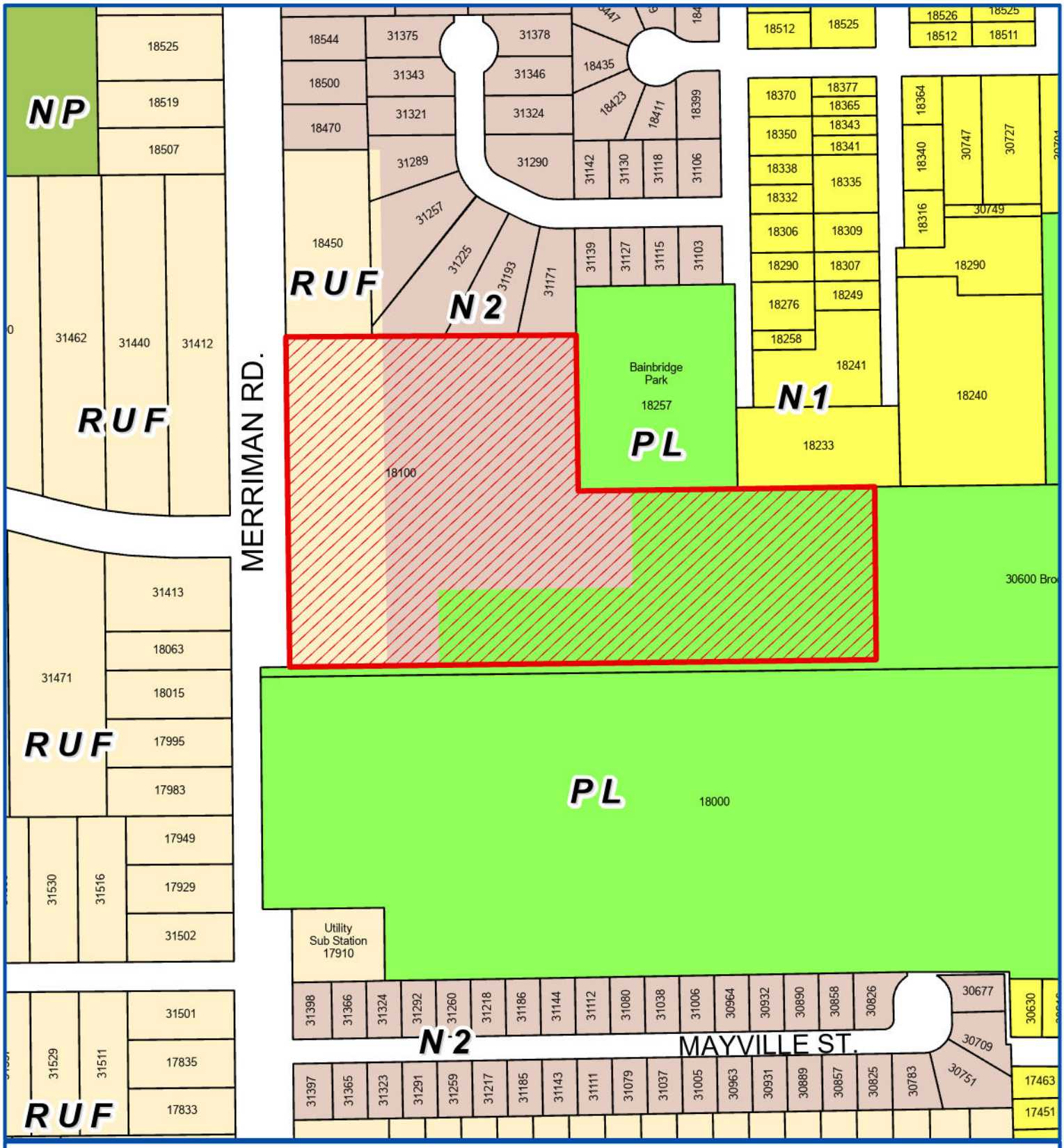
Mr. Long: Either position, if the maker is okay with it.

Mr. Wilshaw: I think that's a good idea to encapsulate that additional landscaping. Mr. Uhazie, are you okay with what we're asking for?

Mr. Uhazie: Yes.

Mr. Wilshaw: In terms of working with the petitioner for that additional landscaping? Okay. All right. Is there any other comments or questions on the motion to approve? I don't see any.

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to the City Council with an approving resolution.



7 MILE ROAD

MERRIMAN ROAD

MIDDLEBELT ROAD

6 MILE ROAD

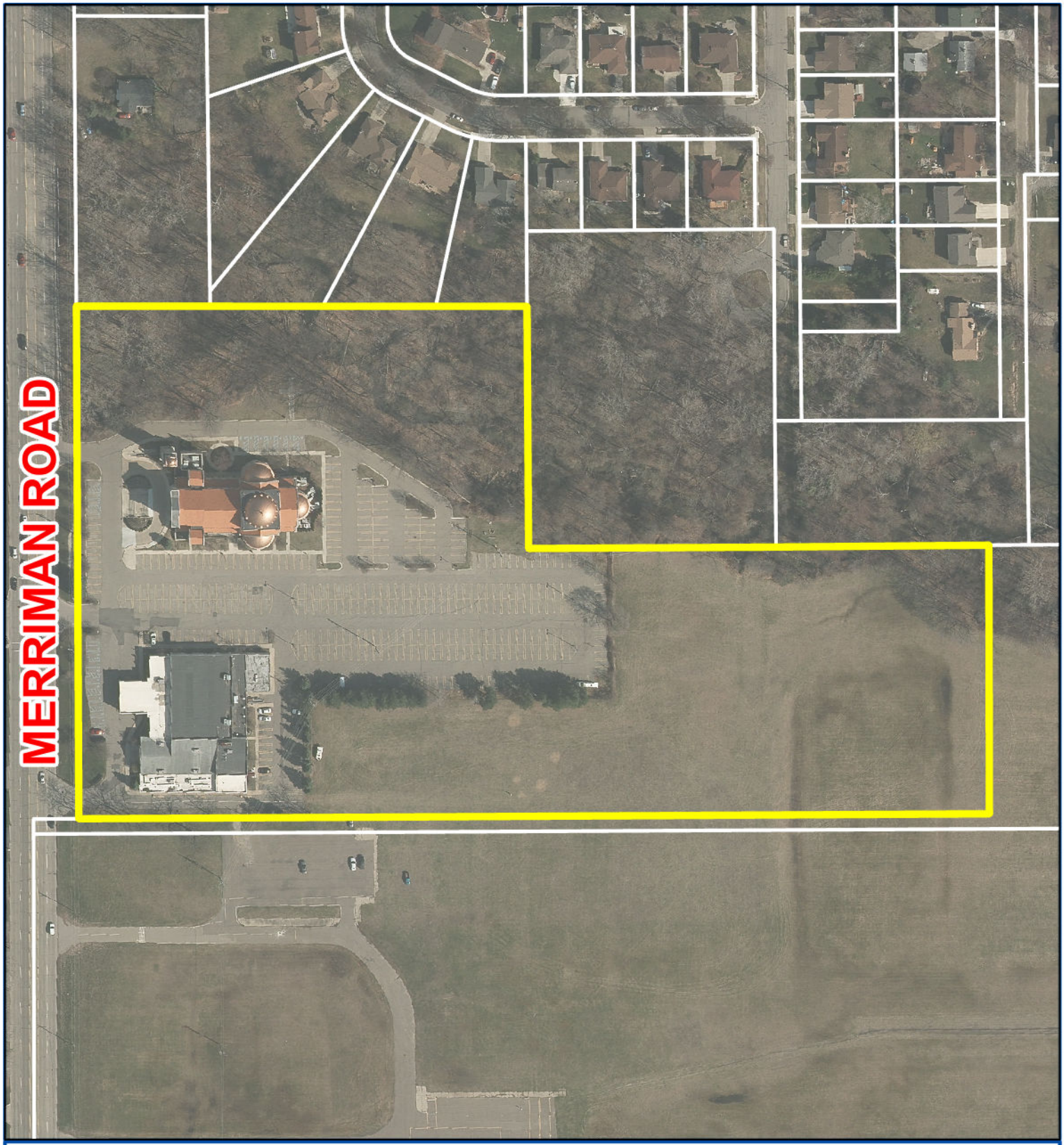
Address & Zoning Map

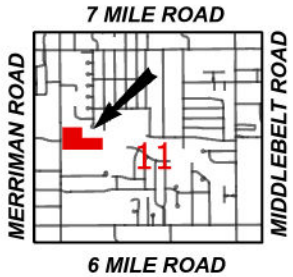
Petition 2024-02-02-04
18100 Merriman Rd.
Basilica of St Mary

N

Not to Scale

City of Livonia
Planning Department





Aerial Map

Petition 2024-02-02-04
18100 Merriman Rd.
Basilica of St Mary

N
Not to Scale

City of Livonia
Planning Department

P□ANNING COMMISSION STAFF NOTES

PU□□IC □EARING

ITEM 5

Petition 2024-02-02-04 submitted by □asilica of St. Mary requesting waiver use approval under Section 6.50 of the Livonia □oning Ordinance, as amended, to construct and operate a Montessori school and family/youth center at 18100 Merriman Road, located on the east side of Merriman Road between Six Mile Road and Seven Mile Road in the Southwest □ of Section 11.

April 16, 2024: Study Meeting:

This petition involves a request to construct and operate a Montessori school and family/youth center at the Basilica of St. Mary property at 18100 Merriman Road. The property owned by St. Mary measures 21.48 acres with approximately 680 feet of frontage along Merriman Road by a depth of 1,200 feet. The site is currently divided into three (3) zoning classifications. The front portion, which includes the Basilica and Cultural Center, is zoned RUF (Rural Urban Farm) and N2 (Neighborhood). The easterly portion comprising approximately 12.6 acres, is zoned P-L, Public Lands. Livonia Public Schools previously owned this part of the site as part of the former Bryant Middle School. Of the 12.6 acres, 2.96 acres is in the process of being rezoned to N2. The City Council gave the First Reading to the zoning change on □anuary 17, 2024. Second Reading and Roll Call, the final steps in the rezoning process, are on hold pending a review of the subject waiver use and site plan.

The proposed new one-story building is positioned directly east of the Cultural Center. It has a first-floor area of 32,966 square feet and a maximum height of thirty-five feet (35□). Access to Merriman Road would be provided by the existing drive aisles that run east along the north and south sides of the Cultural Center. The main entrance to the gymnasium is centrally located along the west fa□ade of the building. A second set of doors that would be used mainly for the Montessori school is north of the main entrance. This second entrance leads to a hallway that runs the length of the building, approximately 200 feet, providing access to seven (7) classrooms ranging in size from approximately 700 square feet with occupancy for thirty-six (36) people to 1,000 square feet with occupancy of fifty (50) people. The northern hallway also contains access to three (3) offices and restroom facilities.

At the rear of the building, a hallway runs north and south, connecting to three (3) multipurpose rooms and an approximate 900 square-foot kitchen.

The southwest portion of the building is a 10,000-square-foot gymnasium with space for 488 people. Along the northern end of the gymnasium is a 720-square-foot elevated stage area with occupancy for forty-eight (48) people and two (2) storage rooms. The site plan also shows bleachers located along the southern wall of the gymnasium, which has an occupancy of 216 people. Between the gymnasium and the rear hallway are separate men□s and women□s locker rooms.

The main entrance contains a gabled aluminum canopy with a tempered, insulated glass curtain wall system. The elevation plans show a base of split face CMU and alternating brick veneer colors identified on the plans as Color #1 and Color #2. Courses of split face CMU would provide horizontal accent lines along the fa□ade, separating the veneer styles at approximately seven-foot (7□) intervals in the bottom half of the building and three-and-a-half foot (3□□) intervals in the upper portion of the building. The building would have metal awnings and decorative wall scones with limestone caps above. Clerestory windows are spread across the gymnasium at approximately twenty-eight feet (28□). Mechanical screening is shown on elevation drawings, but no materials or designs are presented.

Parking is based on the proposed educational and quasi-public uses of the building. Educational uses require 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 petitioner identified ten (10) teachers, four (4) office staff, and six (6) building staff for a total of twenty (20) employees. The □oning Ordinance requires (20) parking spaces to accommodate the staff. The plans identify 7,310 square feet devoted primarily to the gymnasium. Under the □oning Ordinance, one (1) space is required for every fifty (50) square feet of gross assembly space, which translates into 146 required parking spaces (7,274 sq. ft. □ 50 sq. ft). The submitted plans meet the spaces needed by the Livonia □oning Ordinance. The site plan shows 166 parking spaces, including six (6) accessible spaces and one-way student drop-off lanes, which are provided along the east side of the proposed building.

The □oning Ordinance requires interior landscaping with off-street parking of forty (40) parking spaces or more. Additionally, interior landscaping must account for at least five percent (5□) of all paved parking areas, equating to approximately 3,837 square feet (5□ of 76,739.76). The landscape plan provides 5,058.15 square feet of interior landscaping. Each interior landscape area must contain at least one (1) tree, and one (1) tree must be planted for each 300 square feet of interior landscaping. This site requires thirteen (13) interior parking lot trees (3,837 □ 300), and sixteen (16) trees are shown on the landscape plan.

Adjacent zoning along the south side of the property requires a twenty-foot (20□) wide greenbelt buffer, with one (1) tree per twenty (20) linear feet (minimum of 50□ evergreen trees). The submitted landscape plan complies with the Ordinance standards.

The site plan shows a dual dumpster enclosure in the site's northeast corner. The dumpster is on a poured concrete pad with gates of womanized fir or pine on a galvanized frame with steel backing. The enclosure will consist of poured concrete screen walls with a simulated brick pattern to match the building facade.

Storm runoff from the site would be detained in a proposed underground storage system beneath the parking lot behind the building. The buried system would outlet at a restricted rate to an existing 30-inch storm line east of the parking lot that runs north and discharges into the Tarabusi Creek. The proposed underground detention system was designed to meet Wayne County's 100-year storm requirements. The wetland and floodplain areas along the Tarabusi have been identified and surveyed. No direct impacts would occur in these areas.

The photometric plan provides detailed information on site lighting, including the location and type of light sources and illumination levels. As shown on the photometric plan, the average illumination for the parking lot and loading areas is 0.3-foot candles and complies with Section 7.22 of the Livonia □oning Ordinance, which limits the average illumination level to 1.0-foot candles.

April 23, 2024: Public □earing:

Approving Resolution: This request to construct and operate a Montessori school and family/youth center at 18100 Merriman Road is hereby approved, subject to the City Council and the following conditions:

1. The Overall Site Plan identified as Sheet SP-05 and the Dimensional Site Plan identified as Sheets SP-06 and SP-07, dated November 3, 2023, as revised, prepared by Nowak □ Fraus Engineers, are hereby approved and shall be adhered to.

2. All parking spaces, except the required handicapped spaces, shall be double-striped and measure ten feet (10□) in width.

3. The Tree Preservation Plan, Overall Landscape Plan, and Enlarged Landscape Plan, identified as Sheets L1, L2, and L3, respectively, dated October 17, 2023, as revised, prepared by Nowak □ Fraus Engineers, are hereby approved and shall be adhered to. A temporary barrier, such as snow fencing, shall be installed along the construction limits in select areas on the property's north side to prevent intrusion into the wetlands and floodplain areas.

4. All disturbed lawn areas, including road rights-of-way, shall be sodded instead of hydroseeding.

5. 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 permanently maintained in a healthy condition.

6. The Exterior Elevations Plans, identified as Sheets A.201 and A.202, dated November 3, 2023, prepared by G.A.□. Associates, Inc., are hereby approved and shall be adhered to.

7. All rooftop mechanical equipment shall be concealed from public view on all sides by screening and shall be compatible with material and color with other exterior materials on the building.

8. The three walls of the trash dumpster area shall be constructed of materials that complement the building. The enclosure gates shall be made of obscuring panel steel or durable, long-lasting panel fiberglass.

9. The developer shall secure all required stormwater management permits, wetland permits, and soil erosion and sedimentation control permits from Wayne County, the City of Livonia, and the State of Michigan Department of Environment, Great Lakes, and Energy (EGLE).

10. All light fixtures shall not exceed twenty feet (20□) in height and shall be shielded to minimize glare trespassing on adjacent properties and roadways.

11. The overall average illumination level for the parking lots shall be 1.0-foot candle as provided under Section 7.22 of the □oning Ordinance.

12. That only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the □oning Board of Appeals.

13. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for□and

14. Under Section 13.13 of the Livonia □oning 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 construct and operate a Montessori school and family/youth center at 18100 Merriman Road is hereby denied for the following reasons:

1. The petitioner has failed to comply with all general standards and requirements set forth in Section 6.50 of the Livonia □oning Ordinance.

2. The location and layout of the Montessori school and family/youth center, as well as the traffic generated by the proposed use, would have a negative effect on the neighboring properties.

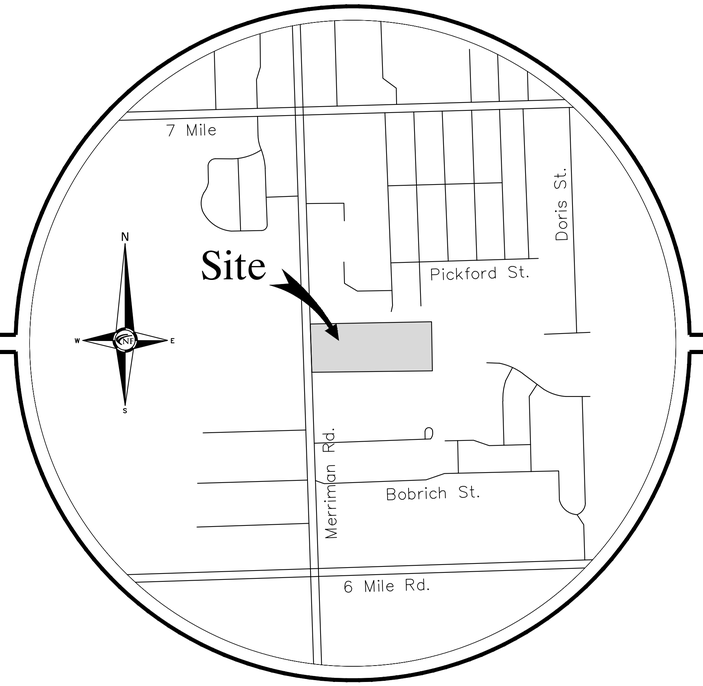
3. That during peak drop-off and pick-up times of the proposed use would unduly tax and conflict with the established and normal traffic flow of the area.

4. That approving this request would allow a use that is inconsistent with the surrounding land uses□and

5. The petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

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)

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.

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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

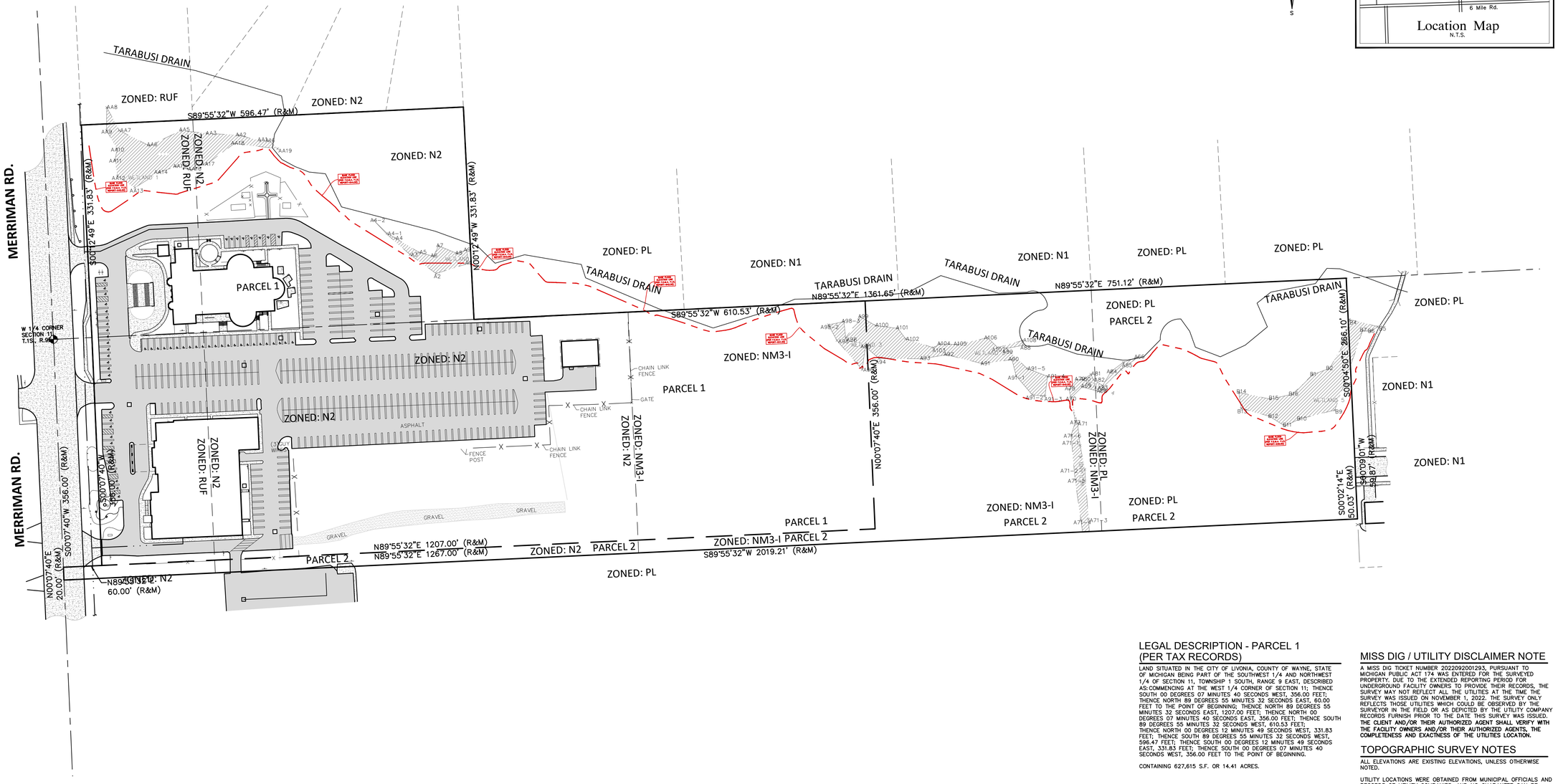
NFE JOB #N210

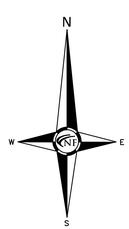
STATE OF MICHIGAN
PATRICK J. WILLIAMS
ENGINEER
NO. 44351
REGISTERED PROFESSIONAL ENGINEER

Know what's below Call before you dig.

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





Location Map
N.T.S.

NF ENGINEERS

CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
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,
Wayne County, Michigan

SHEET

Overall Site Survey

811
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" = 80'

80 40 0 40 80 120

NFE JOB NO. **N210**
SHEET NO. **SP-01**

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.

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.

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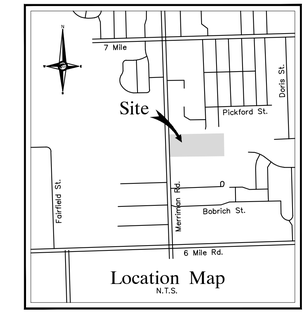
LEGEND

- 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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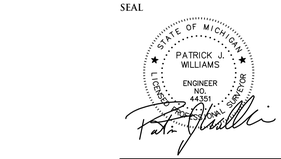
SEAL



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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CONTAINING 308,000 S.F. OR 7.07 ACRES.

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HYDRANT / GATE VALVE	EXISTING SAN. CLEAN OUT
MANHOLE / CATCH BASIN	EXISTING WATER MAIN
	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

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

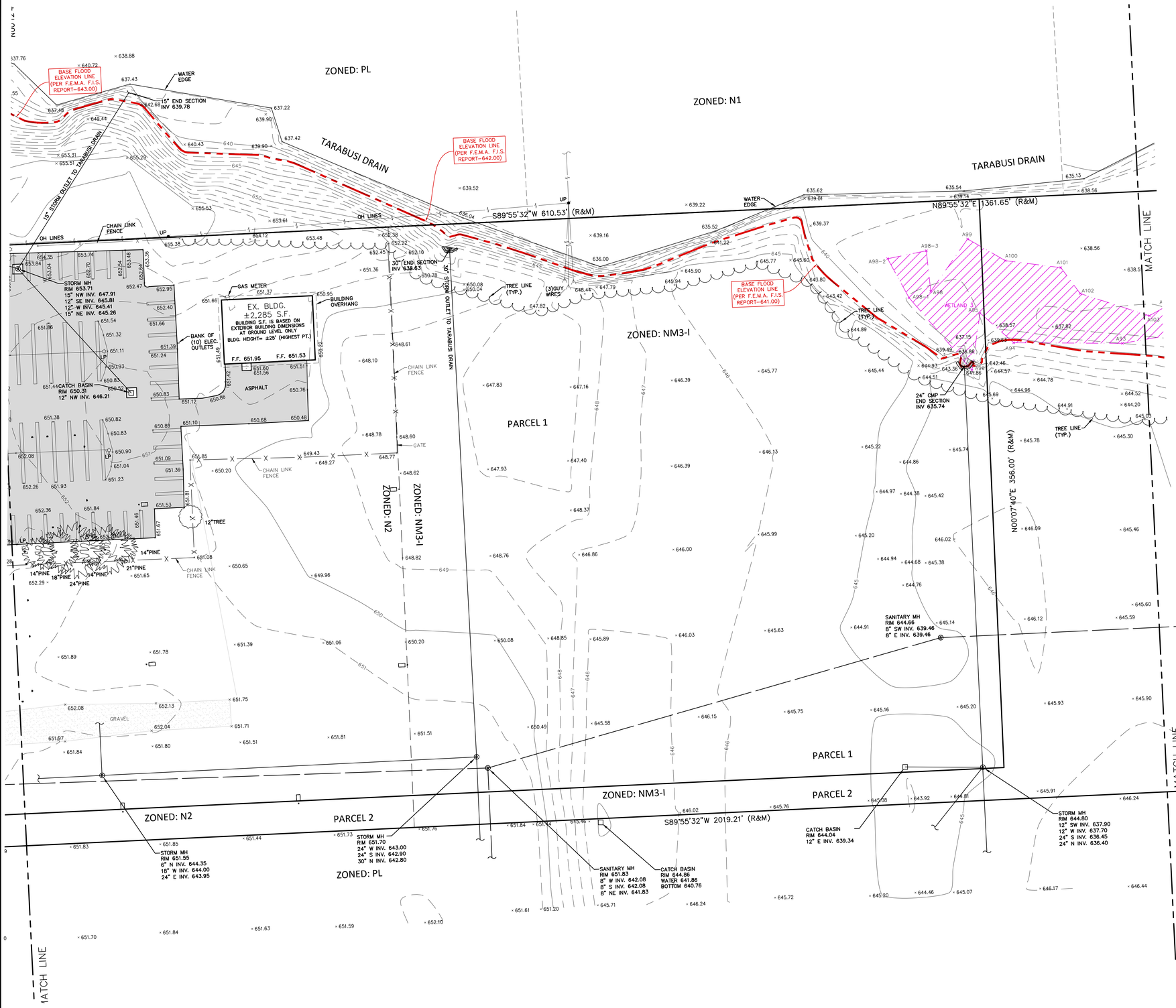
SHEET NO. SP-02

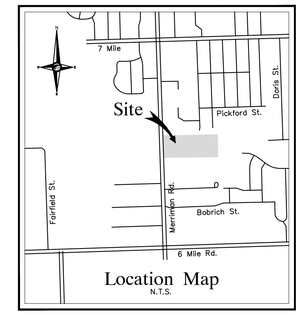
SHEET

Boundary / Topographic Survey

PROJECT LOCATION

Part of the Southwest ¼ of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan





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.

MISS DIG / UTILITY DISCLAIMER NOTE

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LEGEND

- MANHOLE — EXISTING SANITARY SEWER
- HYDRANT, GATE VALVE — EXISTING SAN. CLEAN OUT
- MANHOLE, CATCH BASIN — EXISTING WATER MAIN
- EX. R.Y. CATCH BASIN — EXISTING STORM SEWER
- UTILITY POLE, GUY POLE — EXISTING BURIED CABLES
- GUY WIRE — OVERHEAD LINES
- LIGHT POLE
- SIGN
- EXISTING GAS MAIN

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. 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

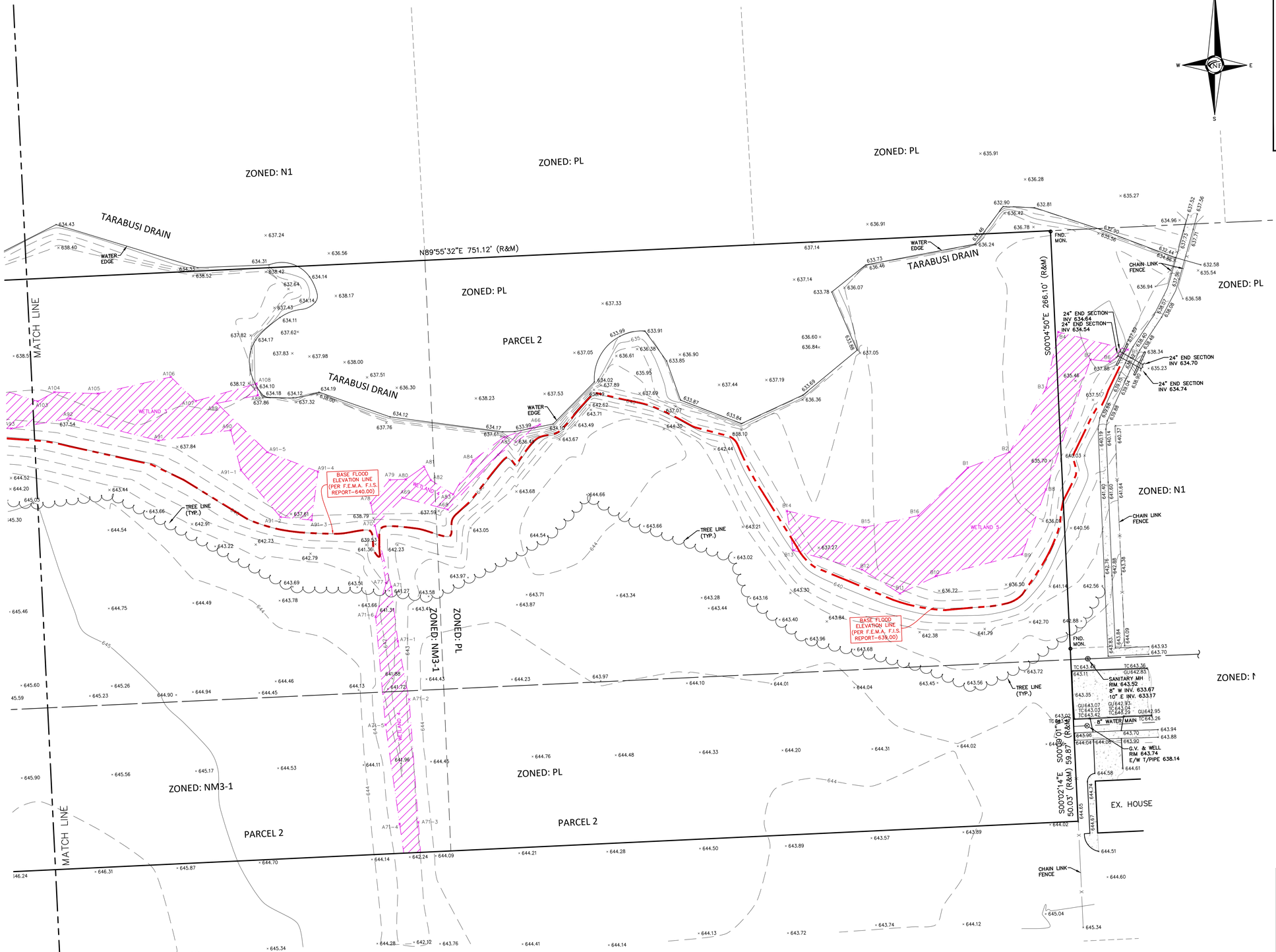
DATE: October 4, 2023

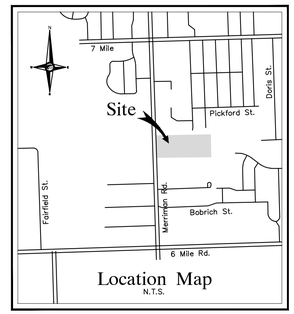
SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. **N210**

SHEET NO. **SP-03**





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- SIGN
- EXISTING GAS MAIN

PROJECT LOCATION

Part of the Southwest ¼
of Section 11
T. 1 South, R. 9 East
City of Livonia,
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SHEET

Boundary / Topographic Survey

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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

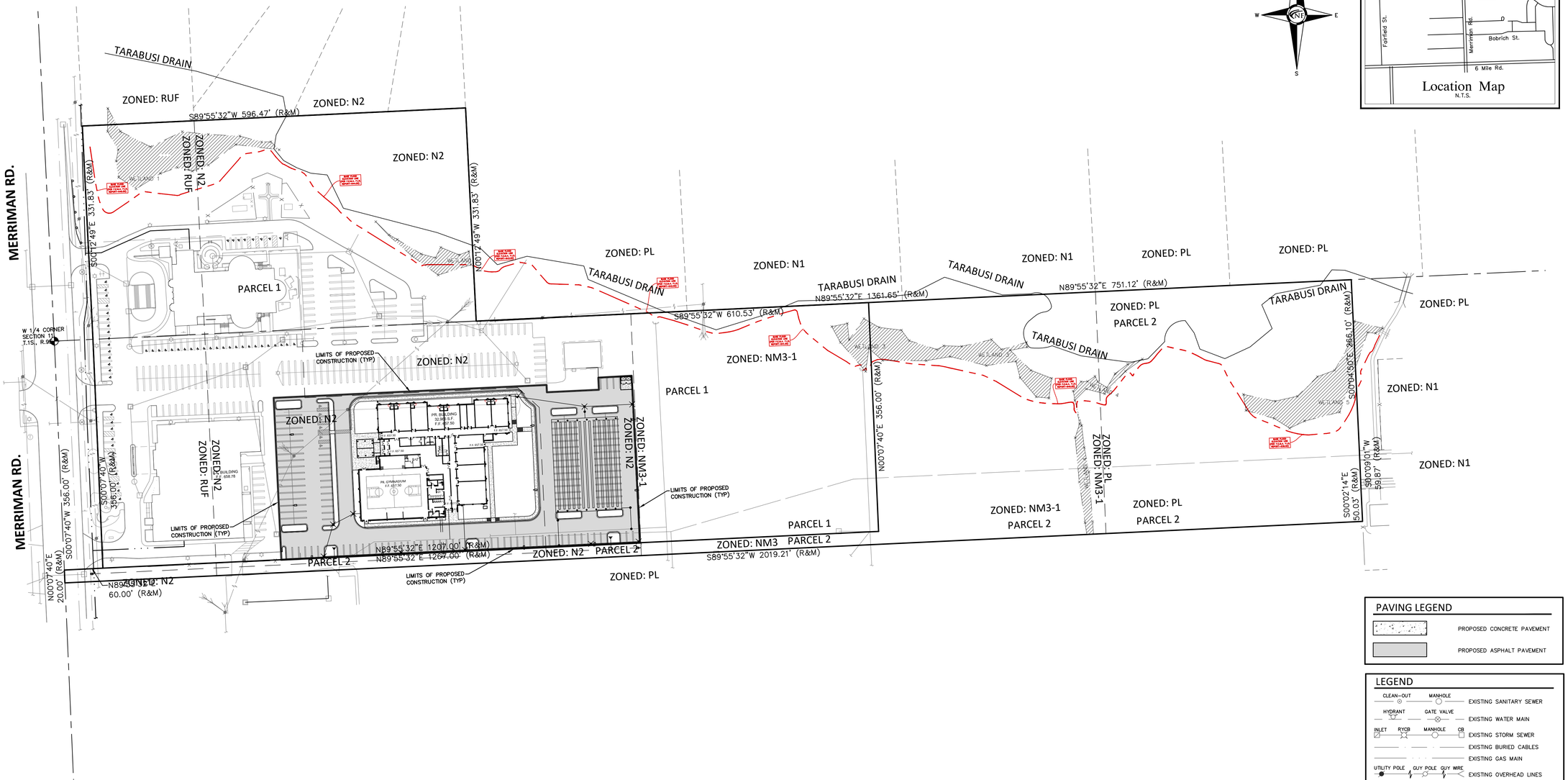
DATE: October 4, 2023

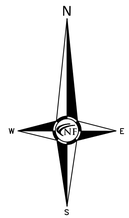
SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. **N210**

SHEET NO. **SP-04**





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SEAL

PARKEVON J. CHRISOMALIS NAVAROLI License No. 400105850 STATE OF MICHIGAN REGISTERED PROFESSIONAL ENGINEER

PROJECT

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Livonia, MI

CLIENT

Basilica of St. Mary

Contact: Salem Samaan
Ph: (734) 459-4040

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SHEET

Overall Site Plan

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11-03-2023	REV. PHOTOMETRIC PLAN

DRAWN BY: A. Wiseman
DESIGNED BY: A. Wiseman
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**

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
- 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

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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:

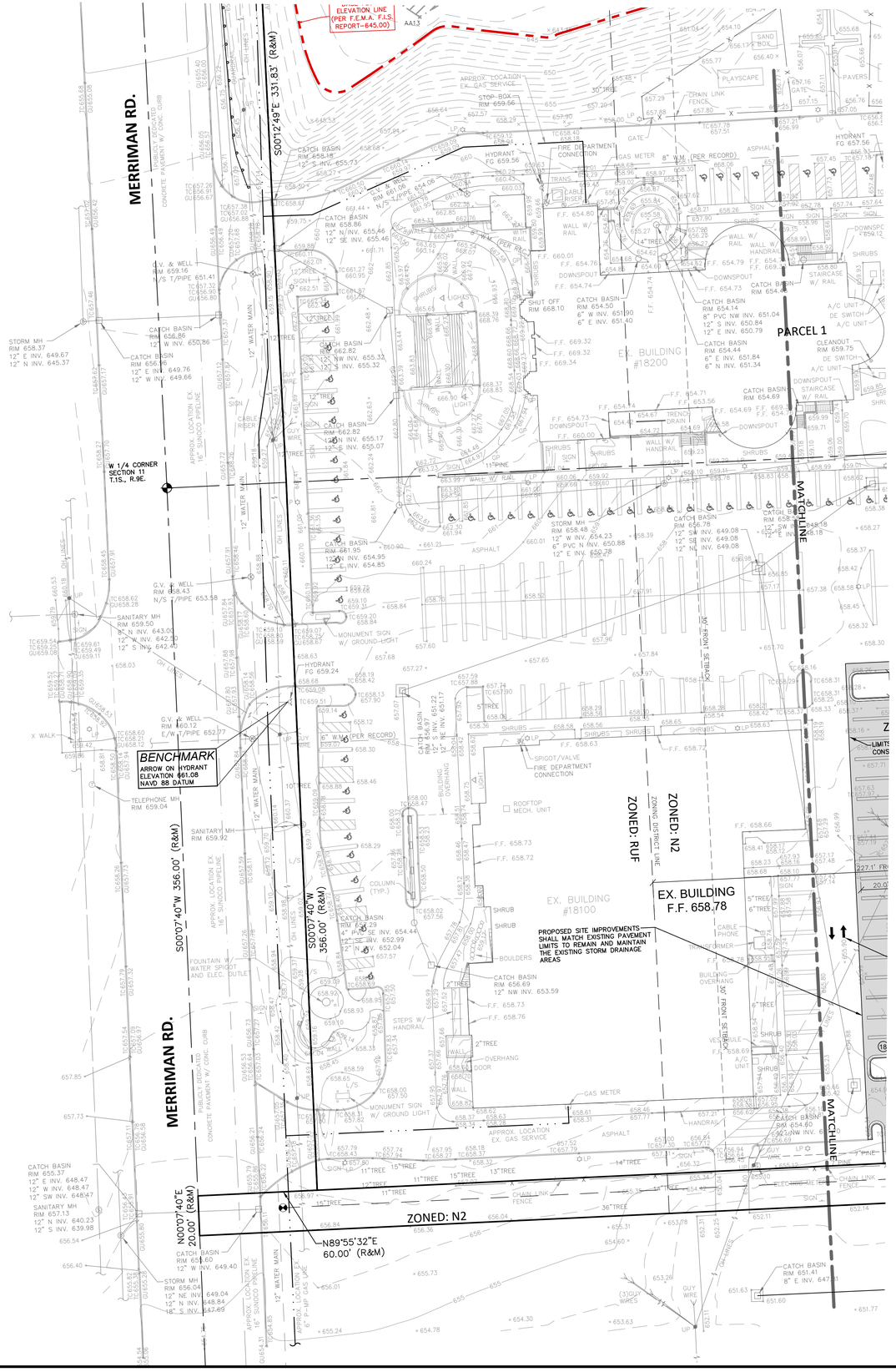
EDUCATIONAL USE:
ONE (1) PARKING SPACE FOR EACH EMPLOYEE (TEACHERS, ADMINISTRATORS AND STAFF)

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)


MERRIMAN RD.
S00°12'49"E 331.83' (R&M)
ELEVATION LINE (PER F.E.M.A. F.I.S. REPORT-645.00)
APPROX. LOCATION EX. GAS SERVICE
STOP BOX RIM 659.56
CHAIN LINK FENCE
FIRE DEPARTMENT CONNECTION
GAS METER
8" W.M. (PER RECORD)
HYDRANT FG 659.56
CATCH BASIN RIM 658.16 12" S INV. 655.73
CATCH BASIN RIM 658.86 12" N/INV. 655.46 12" SE INV. 655.46
G.V. & WELL RIM 659.16 N/S T/PIPE 651.41
CATCH BASIN RIM 656.86 12" W INV. 650.86
STORM MH RIM 658.37 12" E INV. 649.67 12" N INV. 645.37
CATCH BASIN RIM 656.16 12" E INV. 649.76 12" W INV. 649.66
APPROX. LOCATION EX. 16" SUNOCO PIPELINE
12" WATER MAIN
W 1/4 CORNER SECTION 11 T.1S., R.9E.
CATCH BASIN RIM 662.82 12" S INV. 655.32 12" S INV. 655.32
CATCH BASIN RIM 662.82 12" S INV. 655.17 12" S INV. 655.07
SHUT OFF RIM 668.10
CATCH BASIN RIM 654.50 6" W INV. 651.90 6" E INV. 651.40
EX. BUILDING #18200
PARCEL 1
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 654.69
CLEANOUT RIM 659.75
A/C UNIT
DE SWITCH
DOWNSPOUT
STAIRCASE W/ RAIL
WALL W/ HANDRAIL
TRENCH DRAIN
SHRUBS
SIGN
LIGHTS
CABLE RISER
TRANS
GATE
ASPHALT
PAVERS
PLAYSCAPE
SAND BOX
CHAIN LINK FENCE
30" IRON
14" TREE
11" PINE
MATCHLINE
STORM MH RIM 658.48 12" W INV. 654.23 6" PVC N INV. 650.88 12" E INV. 650.78
CATCH BASIN RIM 656.78 12" SW INV. 649.08 12" SE INV. 649.08 12" NE INV. 649.08
CATCH BASIN RIM 654.60 12" NW INV. 649.10
CATCH BASIN RIM 661.95 12" N INV. 654.95 12" E INV. 654.85
ASPHALT
SANITARY MH RIM 659.50 8" N INV. 643.00 12" W INV. 642.50 12" S INV. 642.40
G.V. & WELL RIM 658.43 N/S T/PIPE 653.58
TELEPHONE MH RIM 659.04
BENCHMARK
ARROW ON HYDRANT
ELEVATION 661.08
NAVD 88 DATUM
SANITARY MH RIM 659.92
S00°07'40"W 356.00' (R&M)
S00°07'40"W 356.00' (R&M)
ZONED: RUF
ZONED: N2
ZONING DISTRICT LINE
EX. BUILDING #18100
EX. BUILDING F.F. 658.78
PROPOSED SITE IMPROVEMENTS SHALL MATCH EXISTING PAVEMENT LIMITS TO REMAIN AND MAINTAIN THE EXISTING STORM DRAINAGE AREAS
CATCH BASIN RIM 656.29 4" PVC SE INV. 654.44 12" NE INV. 652.99 12" N INV. 652.04
CATCH BASIN RIM 656.69 12" NW INV. 653.59
ROOFTOP MECH. UNIT
SPIGOT/VALVE FIRE DEPARTMENT CONNECTION
COLUMN (TYP.)
SHRUB
BOULDERS
STEPS W/ HANDRAIL
OVERHANG
DOOR
WALL
MONUMENT SIGN W/ GROUND LIGHT
APPROX. LOCATION EX. GAS SERVICE
CATCH BASIN RIM 654.97 12" E INV. 651.17
CATCH BASIN RIM 656.9? 12" SW INV. 651.22 12" NE INV. 651.17
FIRE DEPARTMENT CONNECTION
HYDRANT FG 659.24
CATCH BASIN RIM 661.60 12" W INV. 649.40
STORM MH RIM 656.04 12" NE INV. 649.84 12" N INV. 648.84 18" S INV. 647.69
CATCH BASIN RIM 655.37 12" E INV. 648.47 12" W INV. 648.47 12" SW INV. 648.47
SANITARY MH RIM 657.13 12" N INV. 640.23 12" S INV. 639.98
N00°07'40"E 20.00' (R&M)
N89°55'32"E 60.00' (R&M)
ZONED: N2
CATCH BASIN RIM 651.41 8" E INV. 647.91
(3)GUY WIRES
GUY WIRE
CONCRETE PAVEMENT W/ CONC. CURB
RUBBLE STONE
FOUNTAIN W/ WATER SPIGOT AND ELEC. OUTLET
APPROX. LOCATION EX. 6" PURE GAS LINE
APPROX. LOCATION EX. 16" SUNOCO PIPELINE
OH LINES
X WALK
LP
UP
SIGN
TREE
SHRUB
F.F. 658.73
F.F. 658.72
F.F. 658.76
F.F. 658.78
F.F. 658.63
F.F. 658.72
F.F. 654.80
F.F. 660.01
F.F. 654.76
F.F. 654.74
F.F. 654.79
F.F. 654.73
F.F. 654.14
F.F. 654.71
F.F. 653.56
F.F. 654.69
F.F. 669.32
F.F. 669.32
F.F. 669.34
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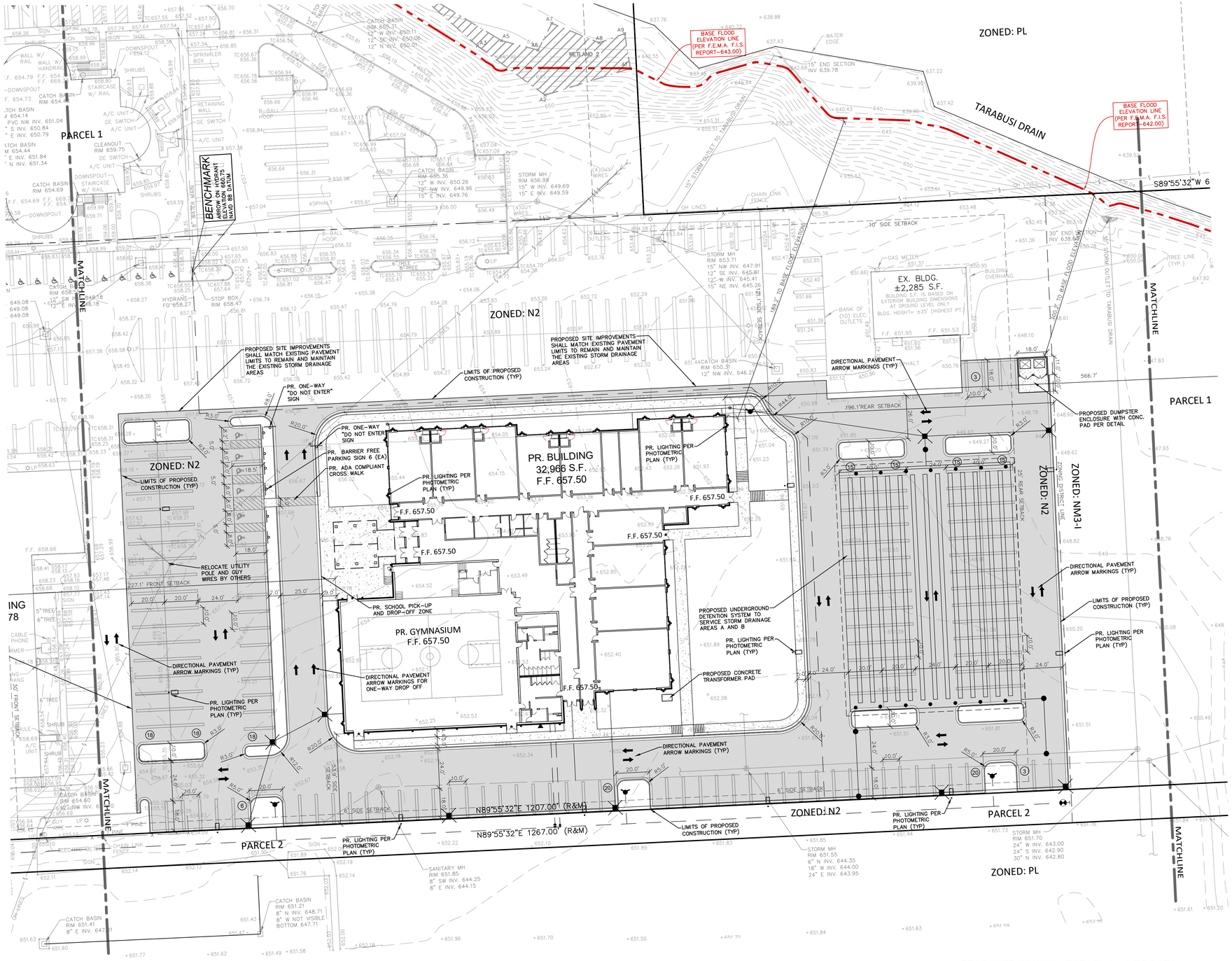
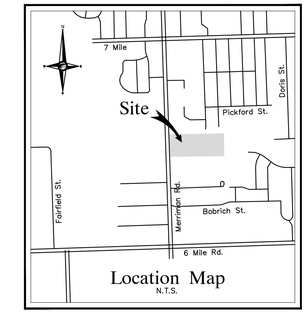
F.F. 658.72





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
- 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

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

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)

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LAND PLANNERS

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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

Know what's below Call before you dig.

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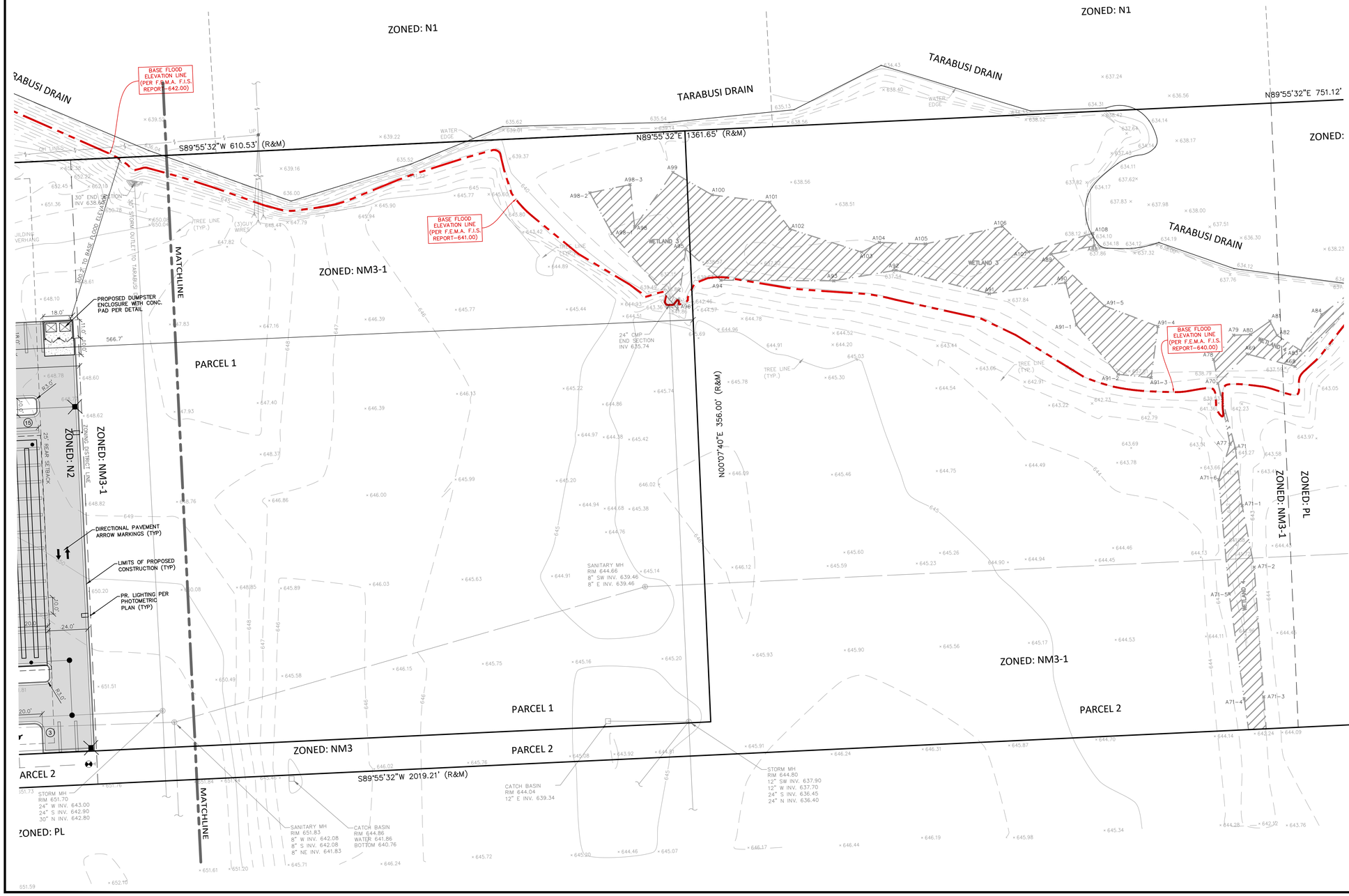
11-03-2023	REV. PHOTOMETRIC PLAN

DRAWN BY: A. Wiseman
DESIGNED BY: A. Wiseman
APPROVED BY: P. Williams
DATE: October 4, 2023
SCALE: 1" = 30'

NFE JOB NO. N210
SHEET NO. SP-07



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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
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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

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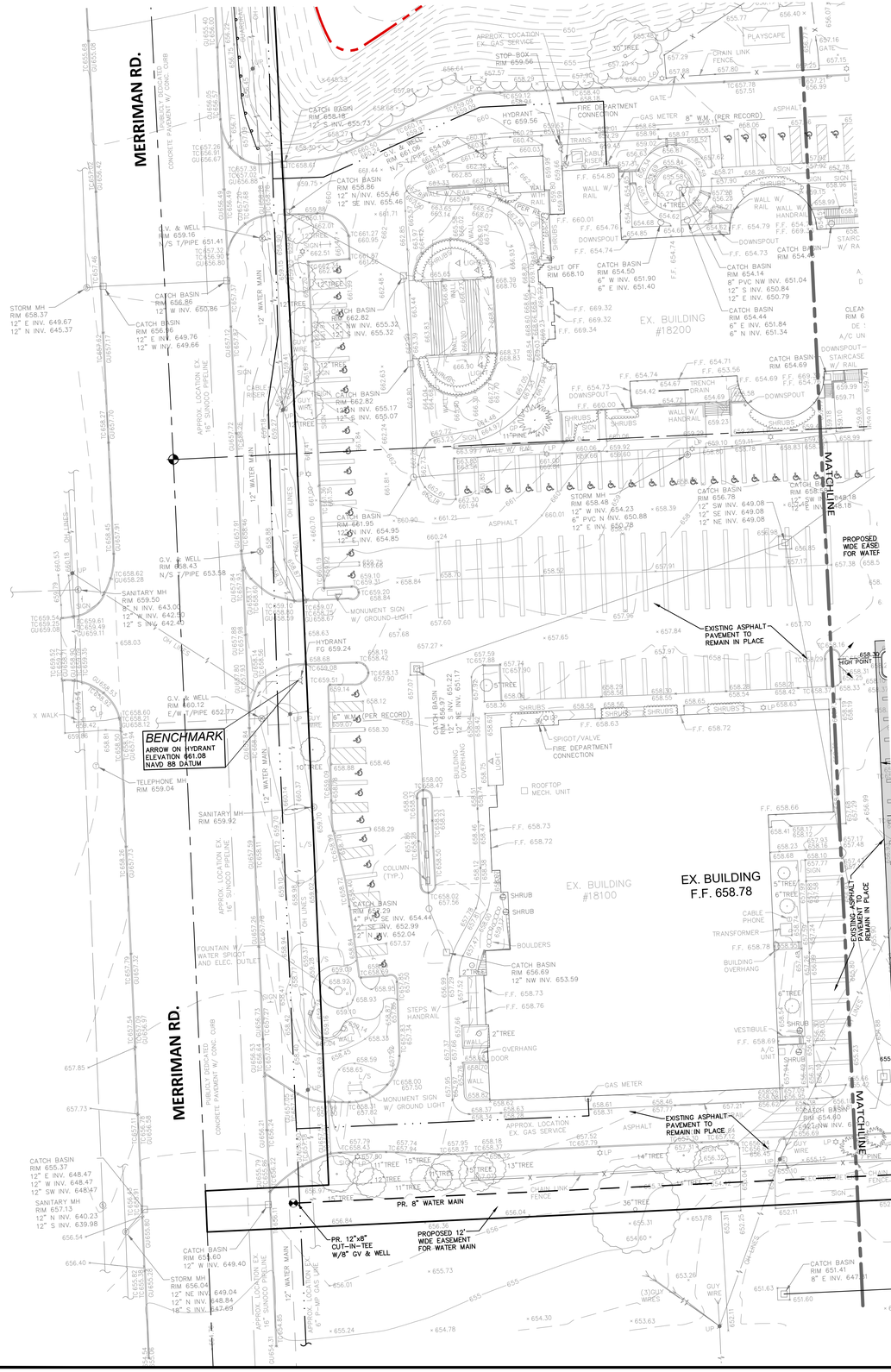
30 15 0 15 30 45

NFE JOB NO. **N210**
SHEET NO. **SP-08**



REQUIRED DETENTION VOLUME CALCULATIONS

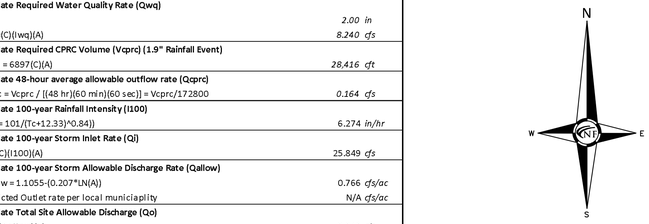
100 Year Post-Development Detention Volume

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***

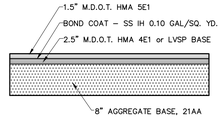
PROPOSED PIPE STORAGE

Pipe Dia (inches)	X-sec area (sq. ft.)	Length (LF)	Volume Provided (Cubic Feet)
60	19.64	1969	38676.8

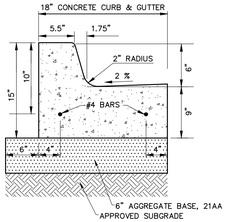
Volume Provided (Cu. Ft.) 38,677



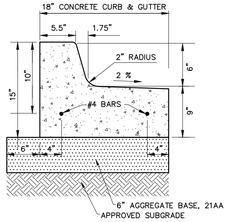
CONCRETE SIDEWALK SECTION
N.T.S.



ASPHALT PAVEMENT SECTION
(DRIVE AND PARKING)



CONCRETE CURB DETAIL 'A'
N.T.S.



CONCRETE CURB DETAIL 'B'
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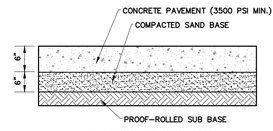

6" CONCRETE SECTION
N.T.S.

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)
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- EXISTING GAS MAIN
- EXISTING OVERHEAD LINES (UTILITY POLE, GUY POLE, GUY WIRE, EXISTING LIGHT POLE, EXISTING SIGN)
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- PR. TOP OF CURB ELEVATION (TC 600.00)
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- PR. TOP OF WALK ELEVATION (TW 600.00)
- PR. TOP OF PAVEMENT ELEV. (TP 600.00)
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- PROPOSED CONTOUR (600)
- PROPOSED SWALE
- PR. DRAINAGE DIRECTION
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- DRAINAGE AREA LIMITS
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Location Map
N.T.S.

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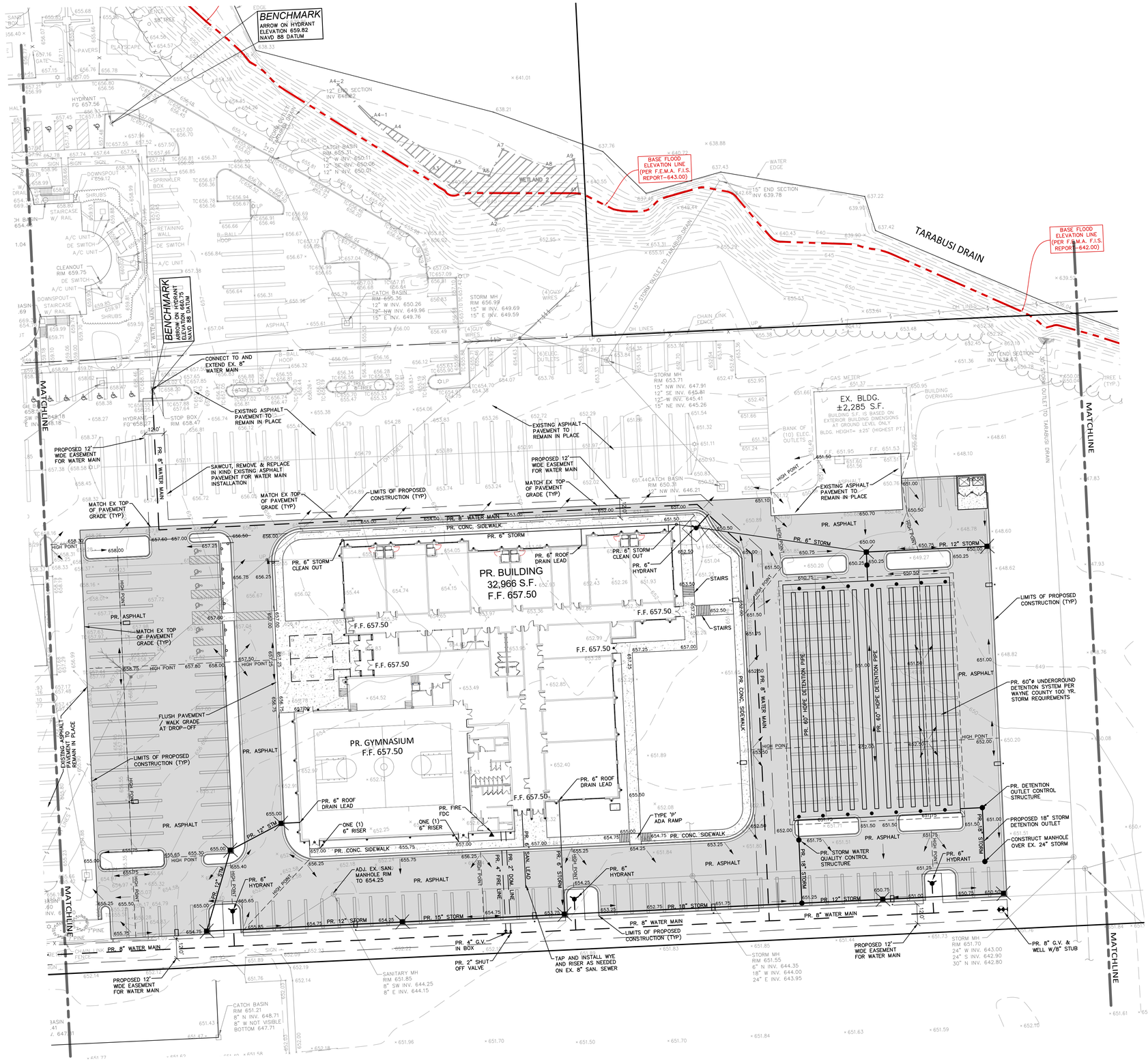

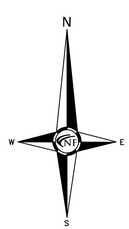

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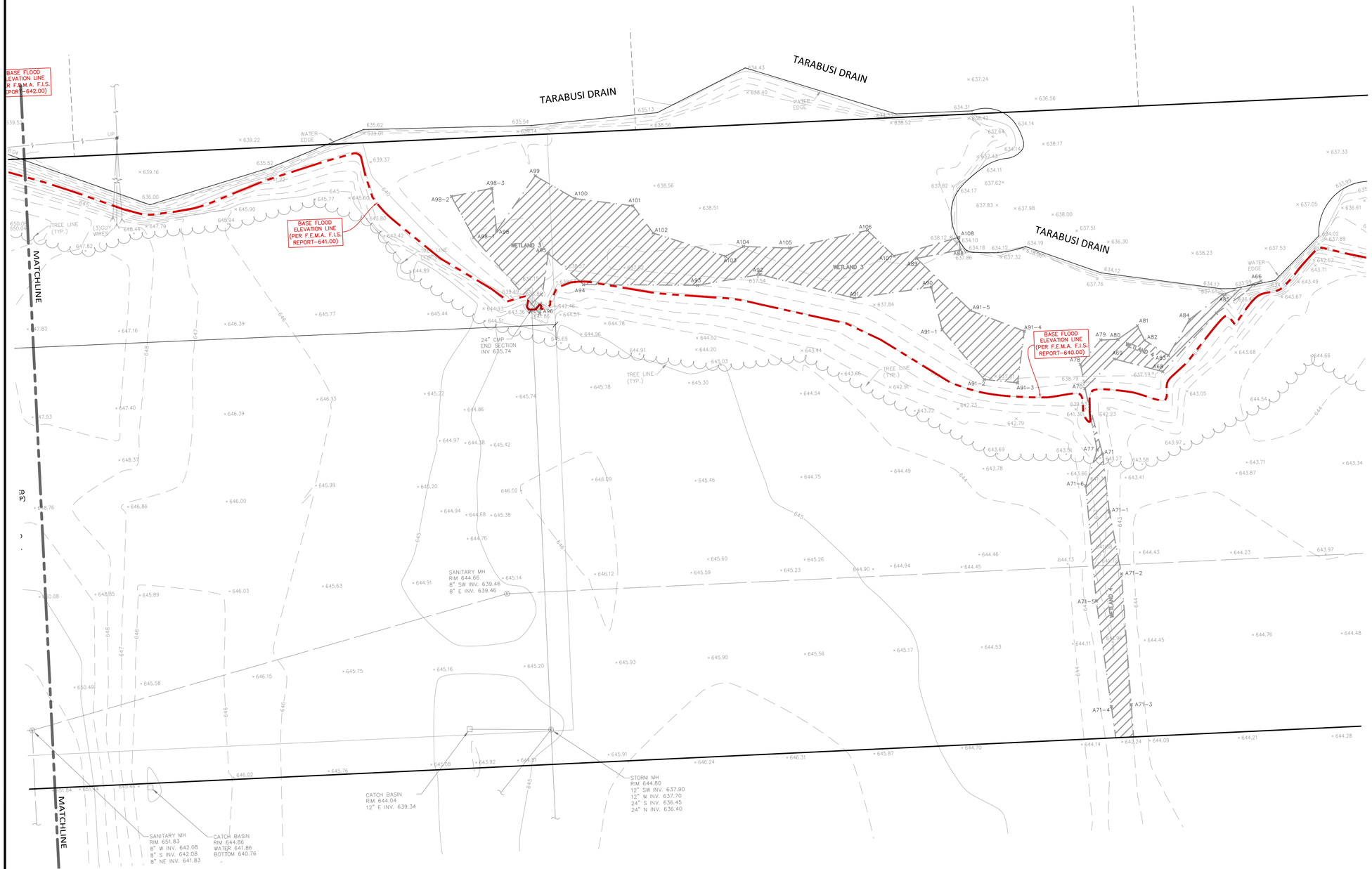
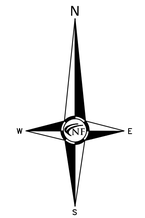
SHEET NO. SP-10





Location Map
N.T.S.

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

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

Engineering Site Plan

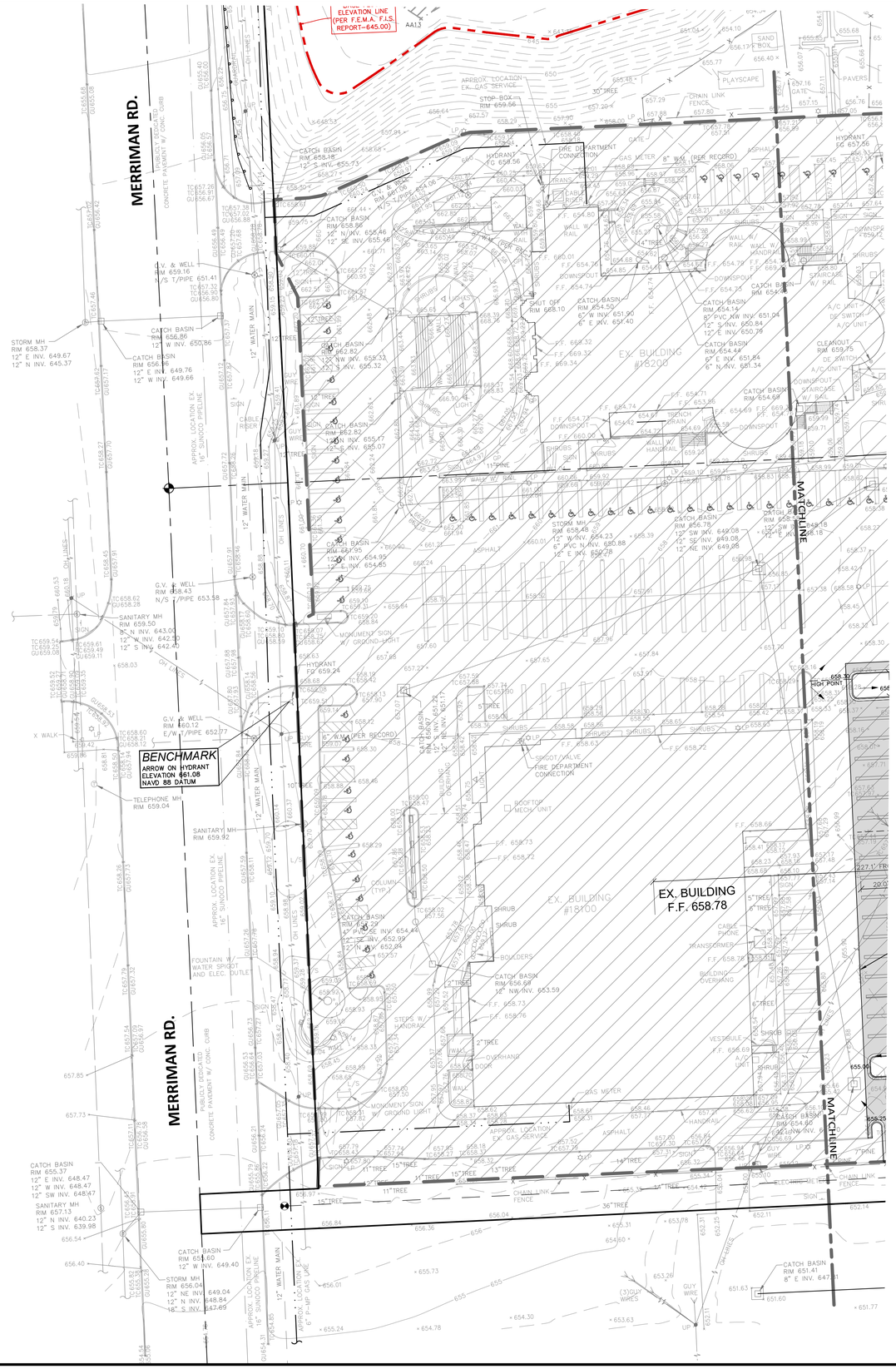
Know what's below Call before you dig.

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. 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-11


ELEVATION LINE (PER F.E.M.A. F.I.S. REPORT-645.00)
MERRIMAN RD.
MERRIMAN RD.
MATCHLINE
MATCHLINE
BENCHMARK
ARROW ON HYDRANT
ELEVATION 661.08
NAVD 88 DATUM
EX. BUILDING #18700
EX. BUILDING F.F. 658.78
HIGH POINT
APPROX. LOCATION EX. SUNOCO PIPELINE
APPROX. LOCATION EX. 6" P-MP GAS LINE
APPROX. LOCATION EX. GAS SERVICE
12" WATER MAIN
STORM MH RIM 658.37 12" E INV. 649.67 12" N INV. 645.37
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
G.V. & WELL RIM 659.16 N/S T/PIPE 651.41
G.V. & WELL RIM 658.43 N/S T/PIPE 653.58
SANITARY MH RIM 659.50 8" N INV. 643.00 12" W INV. 642.50 12" S INV. 642.40
G.V. & WELL RIM 660.12 E/W T/PIPE 652.77
TELEPHONE MH RIM 659.04
SANITARY MH RIM 659.92
CATCH BASIN RIM 655.37 12" E INV. 648.47 12" W INV. 648.47 12" SW INV. 648.47
SANITARY MH RIM 657.13 12" N INV. 640.23 12" S INV. 639.98
CATCH BASIN RIM 651.60 12" W INV. 649.40
STORM MH RIM 656.04 12" NE INV. 649.04 12" N INV. 648.84 18" S INV. 647.69
CATCH BASIN RIM 651.41 8" E INV. 647.41
(3)GUY WIRES
GUY WIRE
CATCH BASIN RIM 658.18 12" S INV. 655.73
CATCH BASIN RIM 658.86 10" N INV. 655.46 12" SE INV. 655.46
CATCH BASIN RIM 662.82 12" NW INV. 655.32 12" S INV. 655.32
CATCH BASIN RIM 662.82 12" NW INV. 655.17 12" E INV. 655.07
CATCH BASIN RIM 661.95 12" W INV. 654.95 12" E INV. 654.65
CATCH BASIN RIM 662.82 4" PVC SE INV. 654.44 12" SE INV. 652.99 12" W INV. 652.84
CATCH BASIN RIM 656.68 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 654.69
CATCH BASIN RIM 656.78 12" SW INV. 649.08 12" SE INV. 649.08 12" NE INV. 649.08
STORM MH RIM 658.48 12" W INV. 654.23 8" PVC N INV. 650.88 12" E INV. 650.78
CATCH BASIN RIM 654.90 12" NW INV. 651.80
CATCH BASIN RIM 654.90 12" SW INV. 649.18 12" E INV. 649.18
CATCH BASIN RIM 654.90 12" NW INV. 651.80
CATCH BASIN RIM 656.68 12" NW INV. 653.59
CATCH BASIN RIM 654.90 12" NW INV. 651.80
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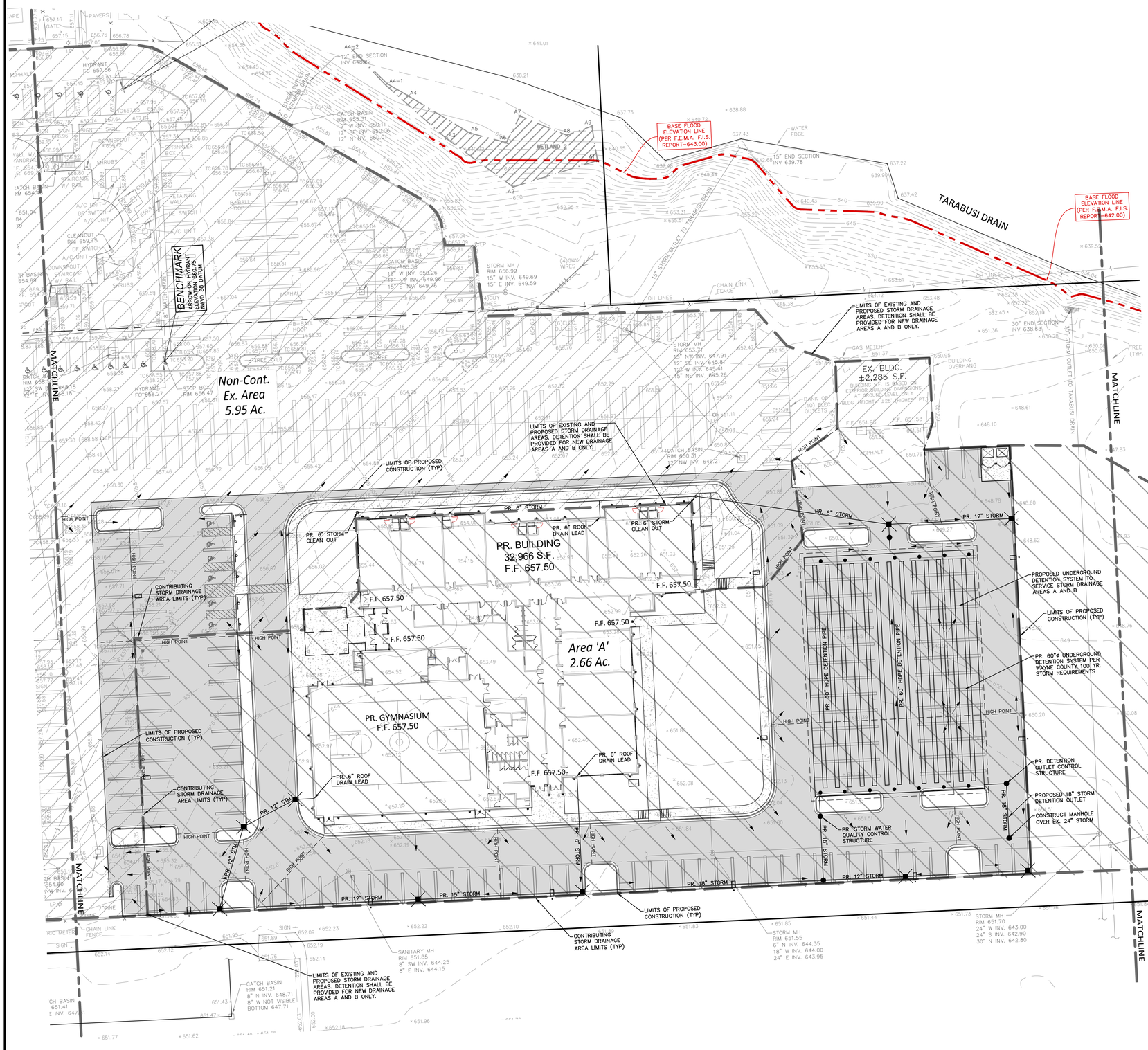

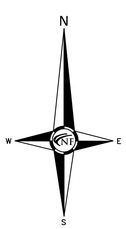

REQUIRED DETENTION VOLUME CALCULATIONS

100 Year Post-Development Detention Volume

Name of Project:	**St. Mary's**
Location of Project:	**Livonia**
NFE Project No.:	**N210**
Contributing Acreage "A":	5.47 *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)	*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

- 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.
- PR. GAS
- 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
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SEAL

STATE OF MICHIGAN — PATRICK J. WILLIAMS — LICENSED PROFESSIONAL ENGINEER — ENGINEER NO. 44251

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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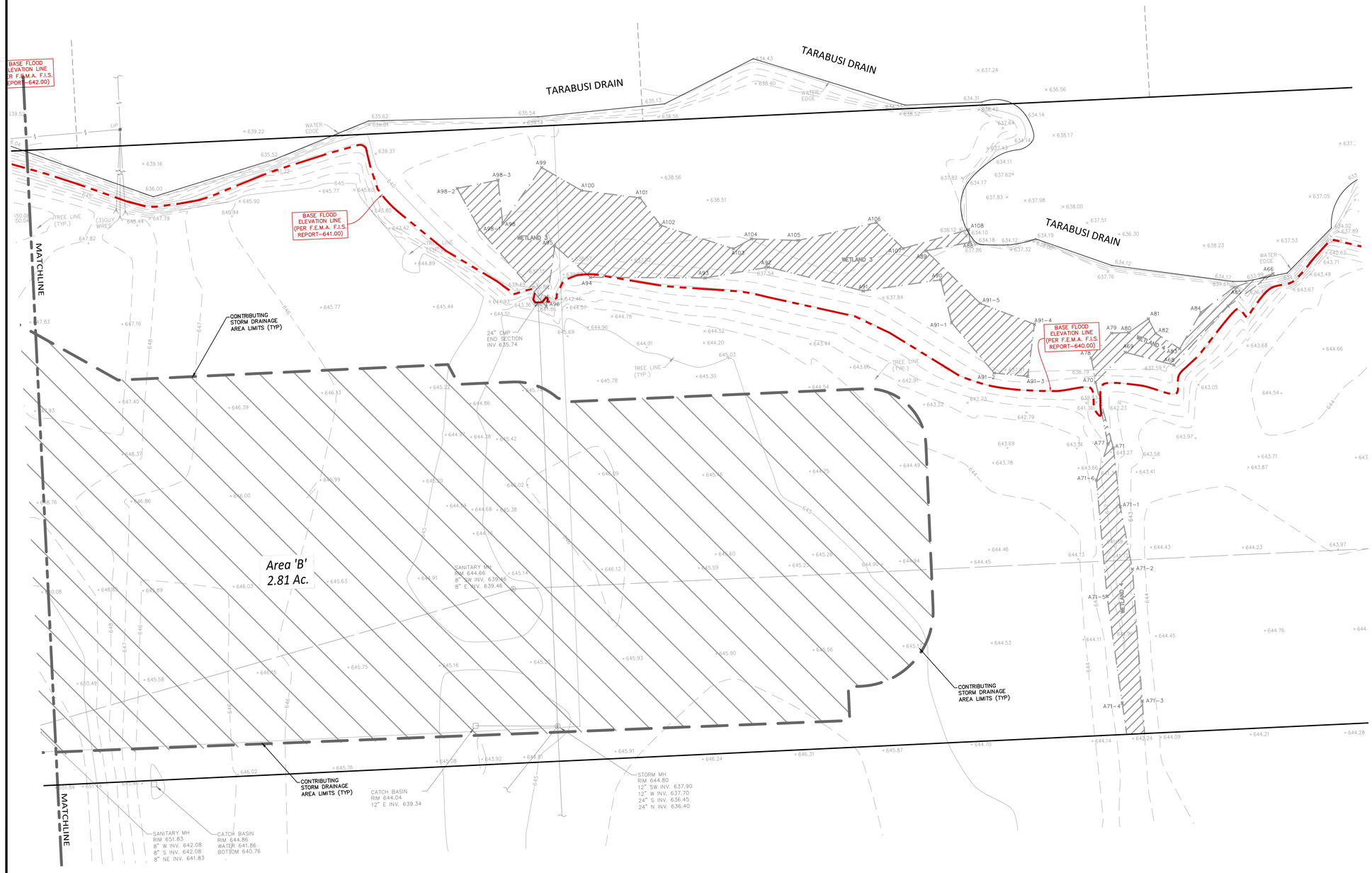
04-12-2023	ADD WETLANDS
10-17-2023	PRELIMINARY SITE PLAN
11-03-2023	REV. PHOTOMETRIC PLAN

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**



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W E

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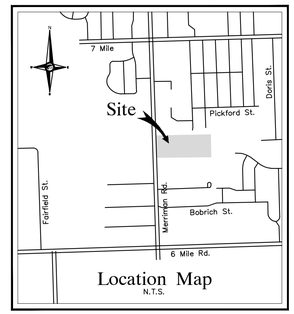

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Storm Water Management Plan

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DATE: October 4, 2023

SCALE: 1" = 30'

30 15 0 15 30 45

NFE JOB NO. **N210**

SHEET NO. **SP-14**

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)
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- PR. TELCOM
- PR. ELEC.
- PR. GAS
- PR. TOP OF CURB ELEVATION (TC 600.00)
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- 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

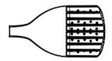


D-Series Size 0
LED Area Luminaire

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

Specify luminaire configuration(s). Ordering information is available at www.lithonia.com/dseries

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 [4,7,8] 240 [4,7,8] 277 [4,7,8] 347 [4,7,8] 480 [4,7,8]	**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[9] 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 [11,12,13] PIR High/low, motion/ambient sensor, 8–40' mounting height, ambient sensor enabled at 2fc [11,12,13] PER NEMA twist-lock receptacle only (controls ordered separately) [14] PERS Five-pin receptacle only (controls ordered separately) [14,15]	**Shipped included** HS Houseside shield (black finish standard) [16] L90 Left rotated optics [17] R90 Right rotated optics [17] CCE Coastal Construction [18] HA 50°C ambient operation [19] BAA Buy American Act Compliant SF Single fuse (120, 277, 347V) [20] DF Double fuse (208, 240, 480V) [20] **Shipped separately** BSSH External Glare Shield (snowmobile, field install required, matches housing finish) BSDS 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

PERS7 Seven-pin receptacle only (controls ordered separately) [14,15]
FAO Field adjustable output [5,21]
BL30 Bi-level switched dimming, 30% [11,12]
BL50 Bi-level switched dimming, 50% [11,12]
DMG 0–10v dimming wires pulled outside fixture (for use with an external control, ordered separately) [22]

LITHONIA LIGHTING
COMMERCIAL OUTDOOR

One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • www.lithonia.com
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DSXO LED
Rev. 09/05/23
Page 1 of 9

PRO-41 [H4]

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).

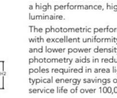
FINISH
All 7616 parts are prepared using a three step pre-treatment/sealing process, followed by a powder coat primer prior to applying any of the Brownlee paint finishes.

WARRANTY
5 year limited warranty on this LED product. Consult factory for details.

PROJECT:
MODEL #:
FIXTURE TYPE:



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)

Universal Footnotes (only applies if option is listed on spec sheet): (0) NOE - 90 CRI output-loss multiplier: 0.85 (estimate). Cannot be combined with ES. **1) BAC** - cannot be combined with FCL. **(2) BBI/BIS/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 BBI, BBC, or DTR. **(6) ES** - cannot be combined with 90K or T24. **(7) FCL** - cannot be combined with BAC. **(8) OCC** - integral occupancy sensor. Cannot be combined with BLD or DCC. **(9) PCI/PCA** - cannot be combined with BLD or DCC. **And/Or Notes: *BBI/BIS/BBC** - 0°C minimum operating temp; 350 CRSF unless otherwise stated. **BBC** minimum operating temp: -20C/-4F. ***BLD** - integral microwave motion sensor with step-dim control. T. Motion is detected, illuminate to 100%. U. Motion no longer detected, dim to set level. V. 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.

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.

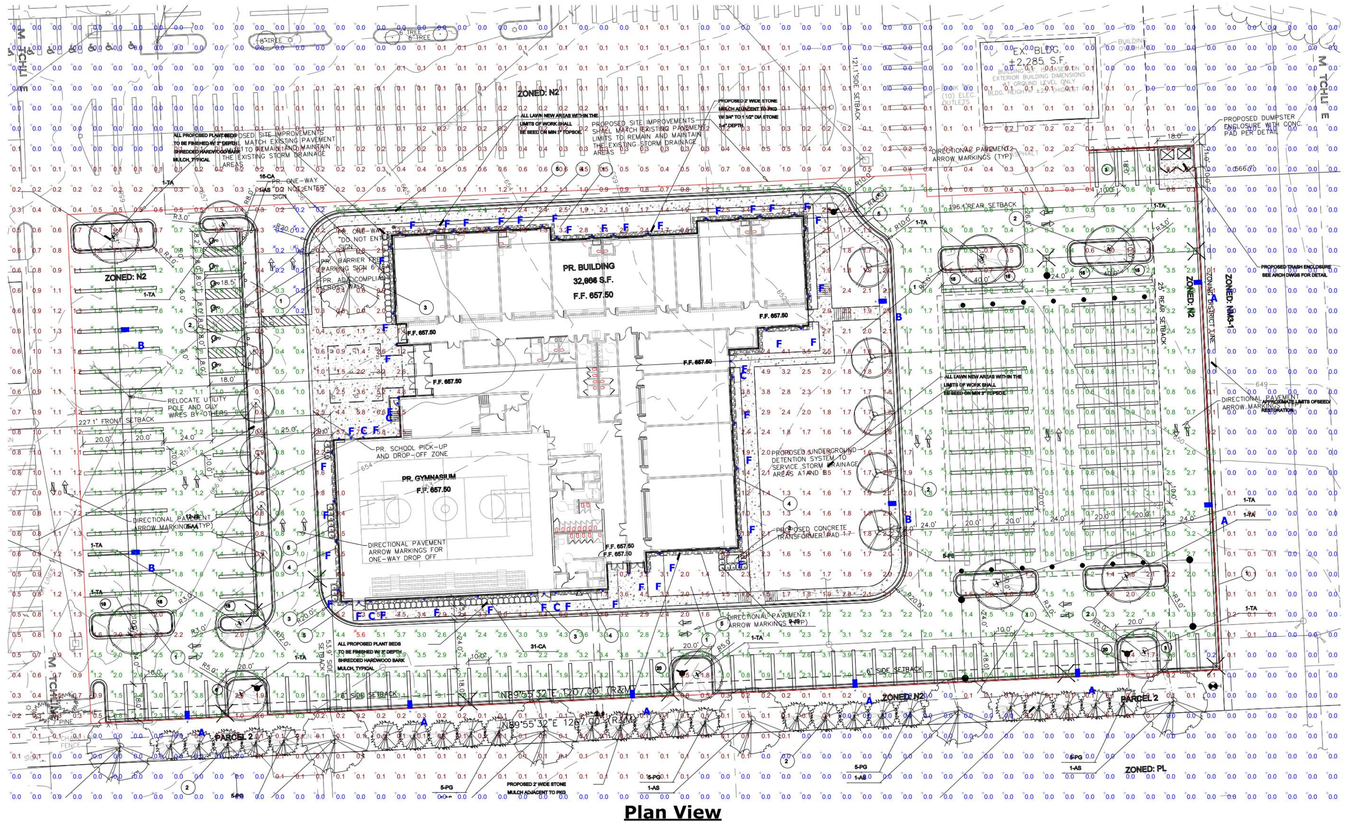
UNLESS EXEMPT, PROJECT MUST COMPLY WITH LIGHTING CONTROLS REQUIRMENTS DEFINED IN ASHRAE 90.1 2013. FOR SPECIFIC INFORMATION CONTACT GBA CONTROLS GROUP AT ASG@GASSERBUSH.COM OR 734-266-6705

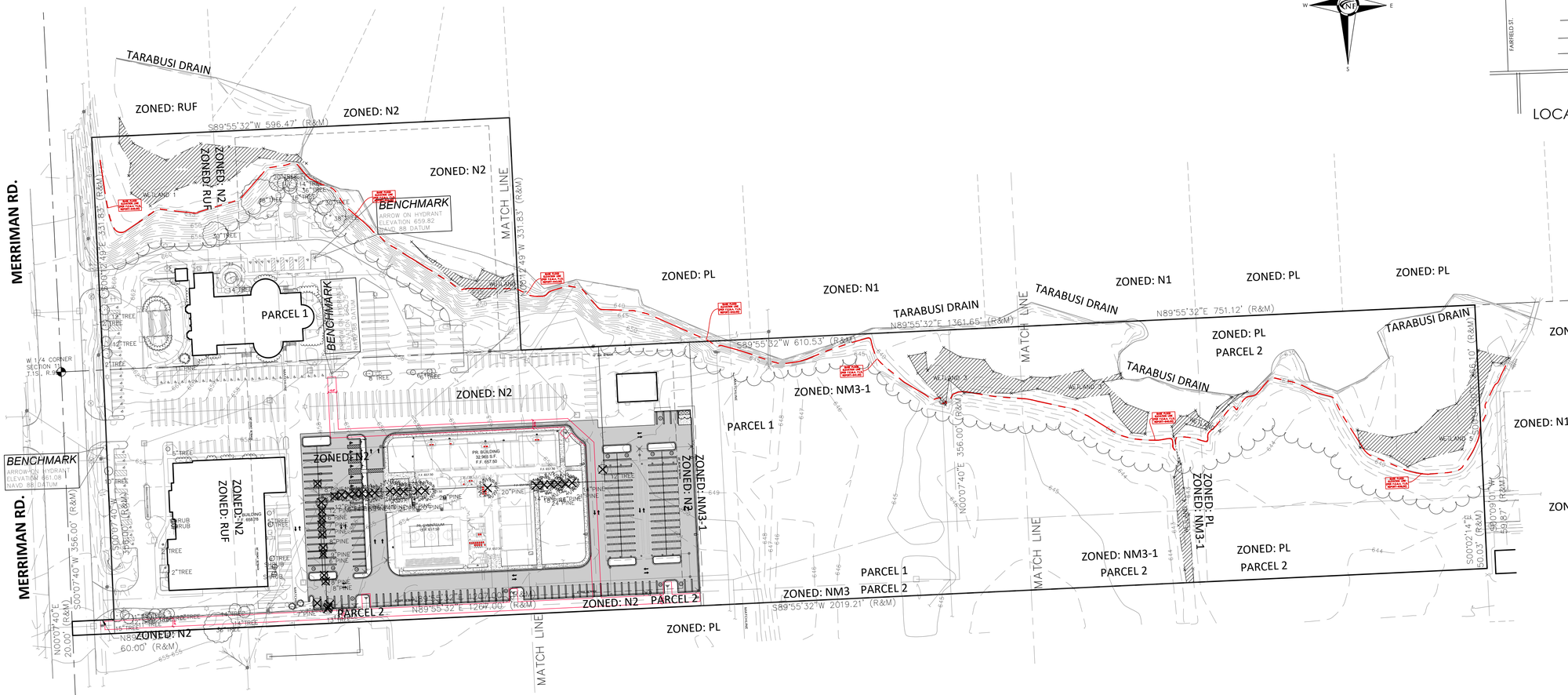
Drawing Note
THIS DRAWING WAS GENERATED FROM AN ELECTRONIC IMAGE FOR ESTIMATION PURPOSE ONLY. LAYOUT TO BE VERIFIED IN FIELD BY OTHERS.

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.


PR. BUILDING
32,606 S.F.
F.F. 657.50
PR. GYMNASIUM
F.F. 657.50
PR. SCHOOL PICK-UP AND DROP-OFF ZONE
DIRECTIONAL PAVEMENT ARROW MARKINGS FOR ONE-WAY DROP OFF
DIRECTIONAL PAVEMENT ARROW MARKINGS (TYP)
PROPOSED CONCRETE SIDEWALK (TYP)
PROPOSED SITE IMPROVEMENTS - SHALL MATCH EXISTING PAVEMENT LIMITS TO REMAIN AND MAINTAIN THE EXISTING STORM DRAINAGE AREAS
PROPOSED 2' WIDE STONE MULCH ADJACENT TO RIM
ALL PROPOSED PLANT BEDS TO BE FINISHED W/ 3" DEPTH SHREDDED HARDWOOD BARK MULCH, TYPICAL
PROPOSED UNDERGROUND DETENTION SYSTEM OR SERVICE STORM DRAINAGE AREAS A1 AND B5
PROPOSED DUMPSTER ENCLOSURE WITH CONC. PAD FOR DETAIL
PROPOSED TRANSFORMER ENCLOSURE SEE ARCH'S DWGS FOR DETAIL
ALL LAWN NEW AREAS WITHIN THE LIMITS OF WORK SHALL BE SEED, SHOWN IF DISPOSED
EXISTING BUILDING DIMENSIONS
EXISTING BUILDING TO BE DEMOLISHED
EXISTING PARKING LOT TO BE DEMOLISHED
EXISTING PARKING LOT TO REMAIN
EXISTING PARKING LOT TO BE RESTORED
EXISTING PARKING LOT TO BE RESURFACED
EXISTING PARKING LOT TO BE RESTRIPED
EXISTING PARKING LOT TO BE RESTRIPED AND RESURFAC


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
W 1/4 CORNER SECTION 11 T.1S., R.9E
BENCHMARK
ARROW ON HYDRANT
ELEVATION 661.08
NAVD 88 DATUM
ZONED: N1
ZONED: PL
ZONED: NM3-1
PARCEL 2
N89°55'32"E 751.12' (R&M)
N89°55'32"E 1361.65' (R&M)
S89°55'32"W 610.53' (R&M)
N00°07'40"E 356.00' (R&M)
S00°07'40"W 356.00' (R&M)
S00°02'14"E 596.10' (R&M)
S00°09'01"W 596.87' (R&M)
S00°03'13"E 596.03' (R&M)
N00°07'40"E 20.00' (R&M)
N89°55'32"E 1256.00' (R&M)
S89°55'32"W 2019.21' (R&M)
N89°55'32"E 60.00' (R&M)
PR. BUILDING 32,965 S.F. F.F. 657.50
PR. DUMPSTER ENCL. TOP OF WALL 659.50
PR. CANOPY TOP 657.50
WETLAND 1
WETLAND 2
WETLAND 3
WETLAND 4
WETLAND 5
WETLAND 6
WETLAND 7
WETLAND 8
WETLAND 9
WETLAND 10
WETLAND 11
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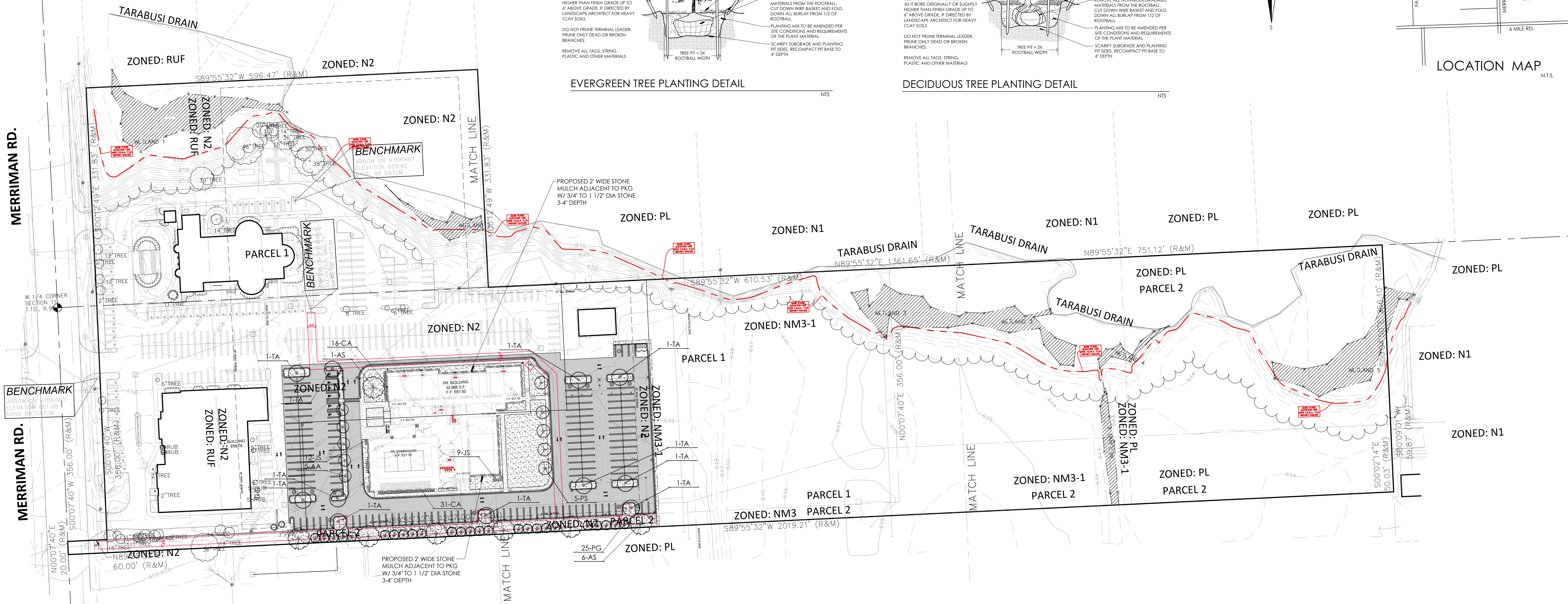
WETLAND 20
WETLAND



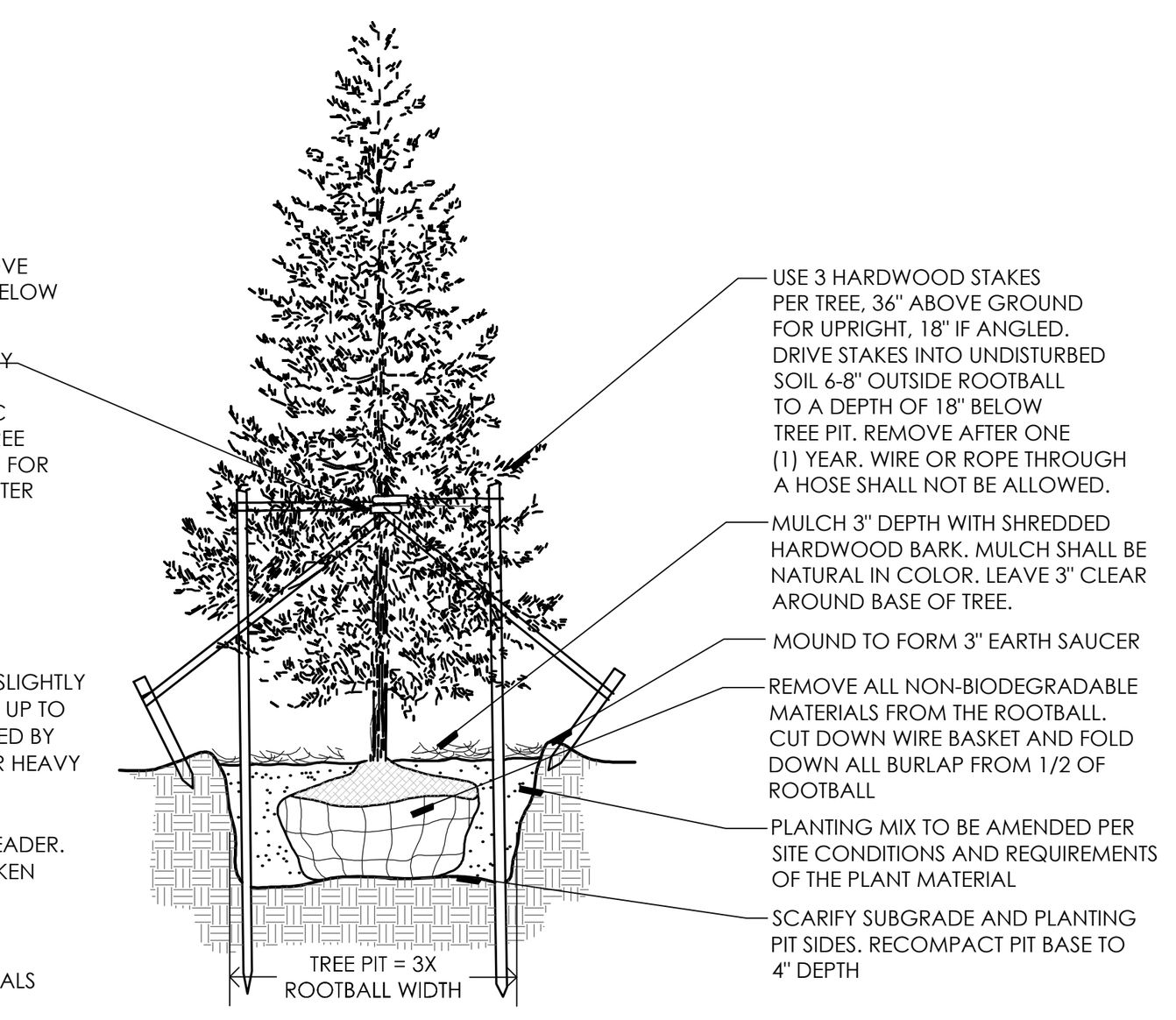
NOTE:
GUY EVERGREEN TREES ABOVE 12' IN HEIGHT, STAKE TREES BELOW 12' IN HEIGHT

STAKE TREES APPROXIMATELY MID-TRUNK USING 2-3" WIDE BELT-LIKE NYLON OR PLASTIC STRAPS. CONNECT FROM TREE TO STAKE OPPOSITE. ALLOW FOR SOME FLEXING. REMOVE AFTER ONE (1) YEAR.

NOTES:
TREE SHALL BEAR SAME RELATION TO FINISH GRADE AS IT BORE ORIGINALLY OR SLIGHTLY HIGHER THAN FINISH GRADE UP TO 6" ABOVE GRADE, IF DIRECTED BY LANDSCAPE ARCHITECT FOR HEAVY CLAY SOILS

DO NOT PRUNE TERMINAL LEADER. PRUNE ONLY DEAD OR BROKEN BRANCHES.

REMOVE ALL TAGS, STRING, PLASTIC AND OTHER MATERIALS



EVERGREEN TREE PLANTING DETAIL

NTS

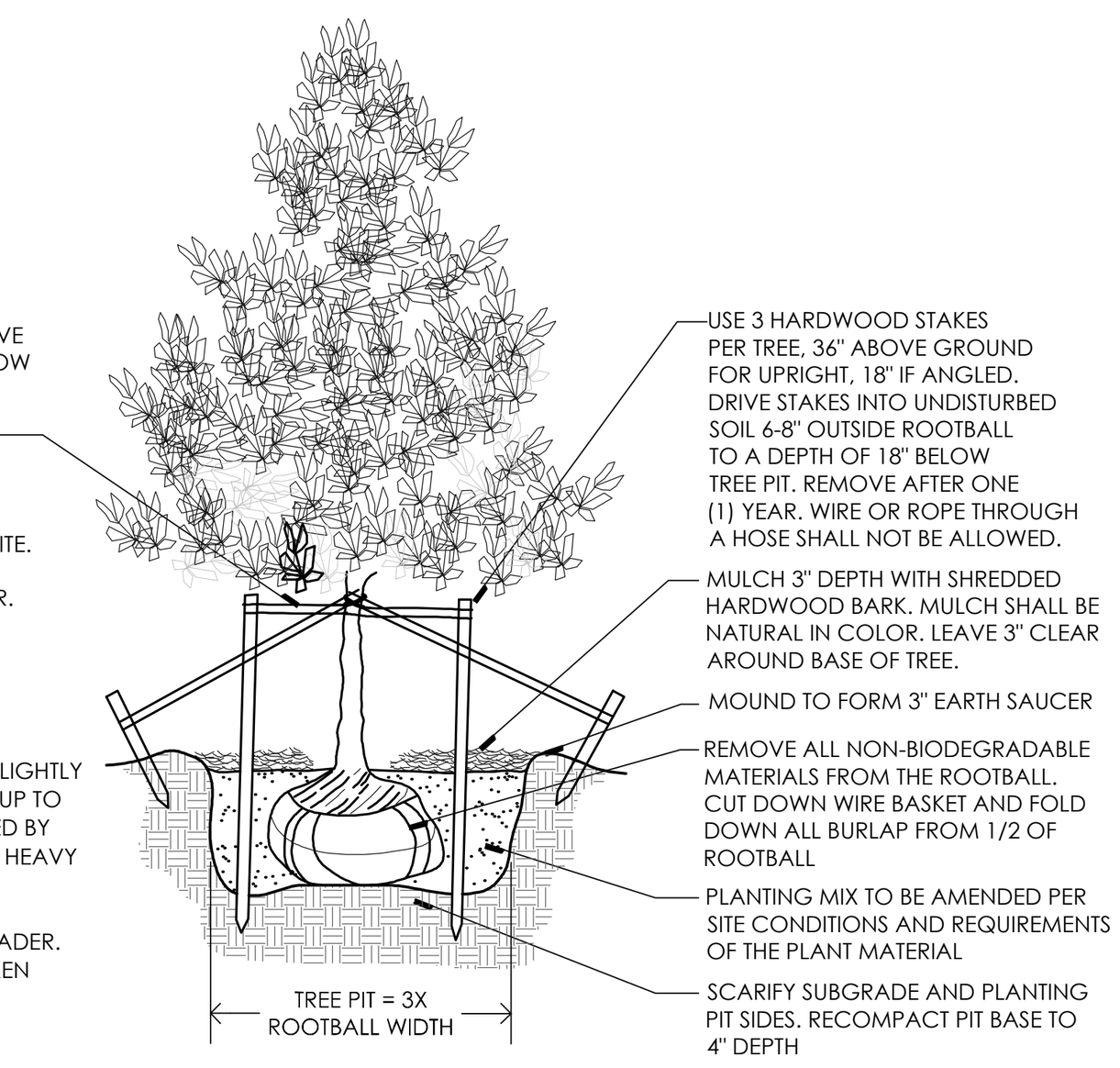
NOTE:
GUY DECIDUOUS TREES ABOVE 3" CALIPER, STAKE TREES BELOW 3" CALIPER

STAKE TREES JUST BELOW FIRST BRANCH USING 2-3" WIDE BELT-LIKE NYLON OR PLASTIC STRAPS. CONNECT FROM TREE TO STAKE OPPOSITE. ALLOW FOR SOME FLEXING. REMOVE AFTER ONE (1) YEAR.

NOTES:
TREE SHALL BEAR SAME RELATION TO FINISH GRADE AS IT BORE ORIGINALLY OR SLIGHTLY HIGHER THAN FINISH GRADE UP TO 6" ABOVE GRADE, IF DIRECTED BY LANDSCAPE ARCHITECT FOR HEAVY CLAY SOILS

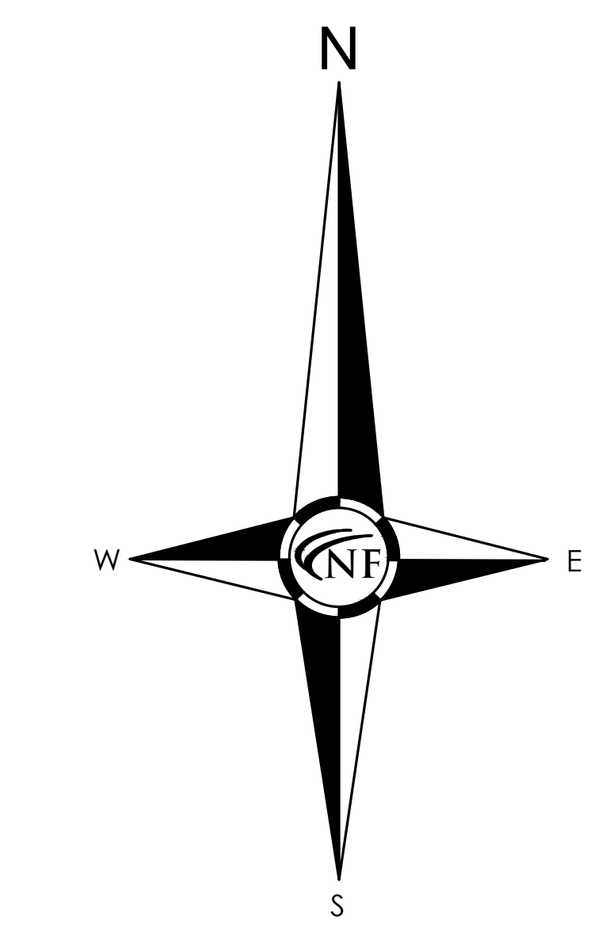
DO NOT PRUNE TERMINAL LEADER. PRUNE ONLY DEAD OR BROKEN BRANCHES.

REMOVE ALL TAGS, STRING, PLASTIC AND OTHER MATERIALS



DECIDUOUS TREE PLANTING DETAIL

NTS





LOCATION MAP

N.T.S.

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

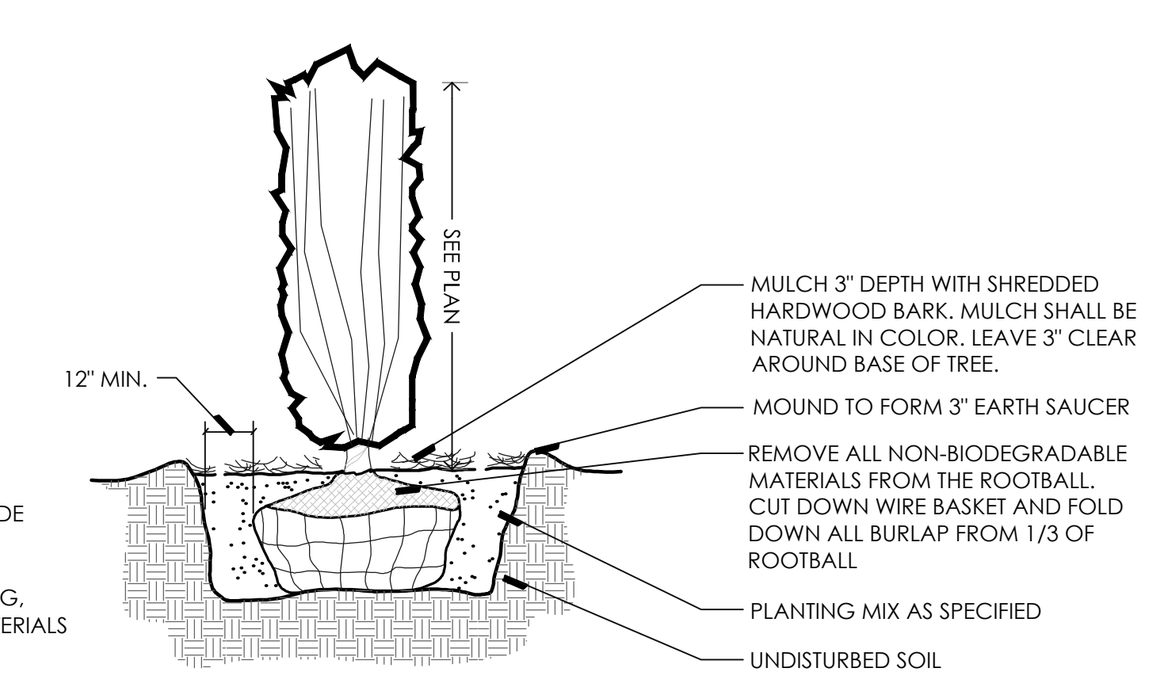
Contact: Salem Samaan
Ph: (734) 459-4040

PROJECT LOCATION
Part of the Southwest ¼ of Section 11
T. 1 South, R. 9 East
City of Livonia,
Wayne County, Michigan

SHEET
Overall Landscape Plan

Know what's below
Call before you dig.

REVISIONS
10/17/2023 PRELIMINARY SITE PLAN



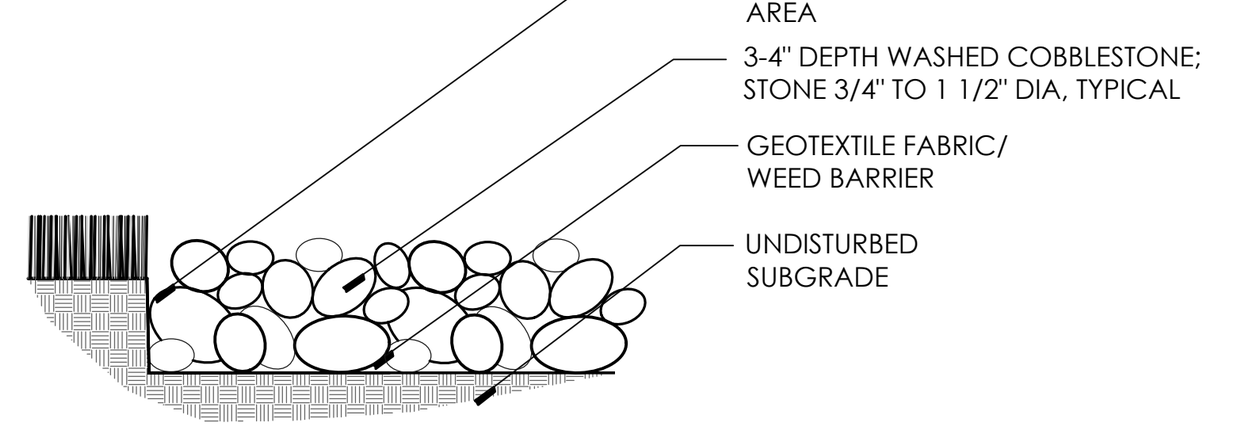
NOTES:

TREE SHALL BEAR SAME RELATION TO FINISH GRADE AS IT BORE ORIGINALLY.

REMOVE ALL TAGS, STRING, PLASTIC AND OTHER MATERIALS

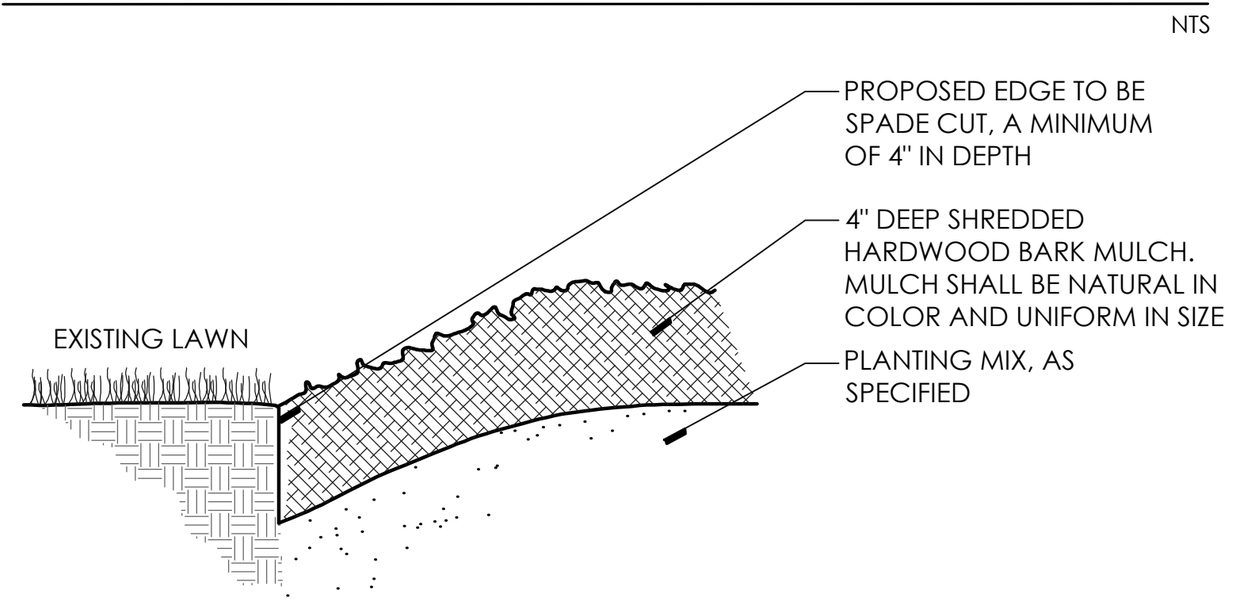
UPRIGHT EVERGREEN SHRUB PLANTING DETAIL

NTS



COBBLESTONE MULCH DETAIL

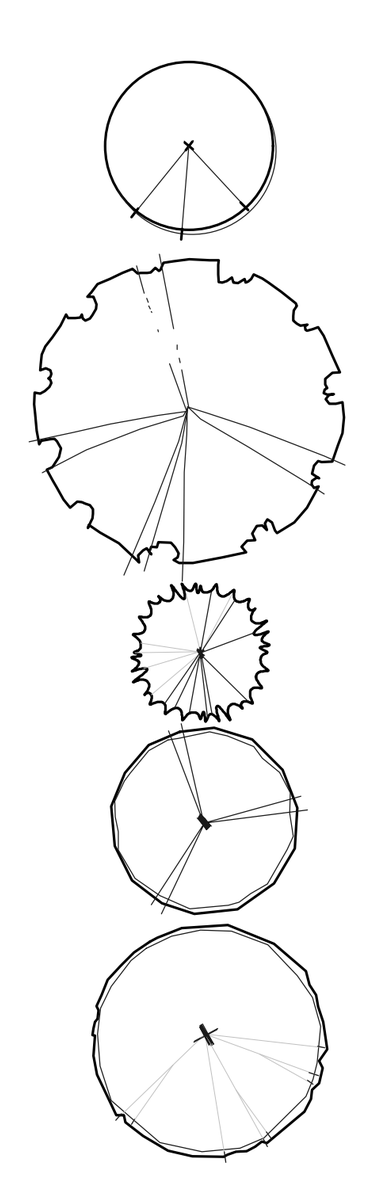
NTS



SPADE CUT EDGE DETAIL

NTS

LANDSCAPE KEY



ARMSTRONG MAPLE

LEGACY SUGAR MAPLE

BLACK HILLS SPRUCE

PINK FLAIR FLOWERING CHERRY

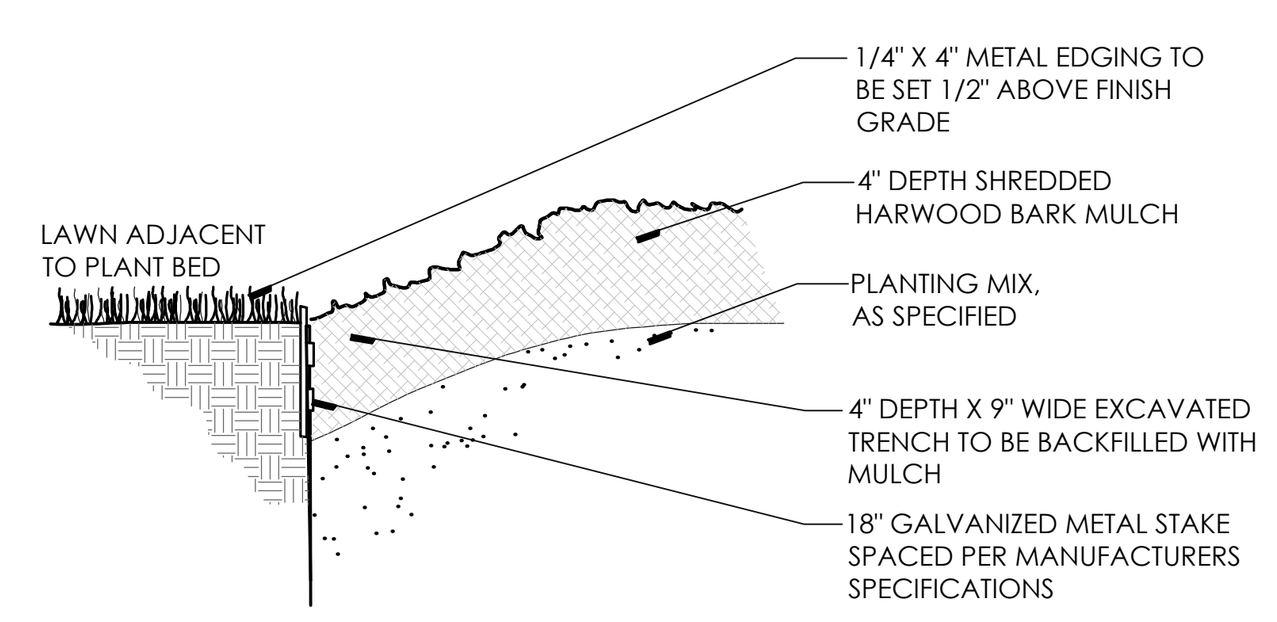
BOULEVARD AMERICAN LINDEN

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%)



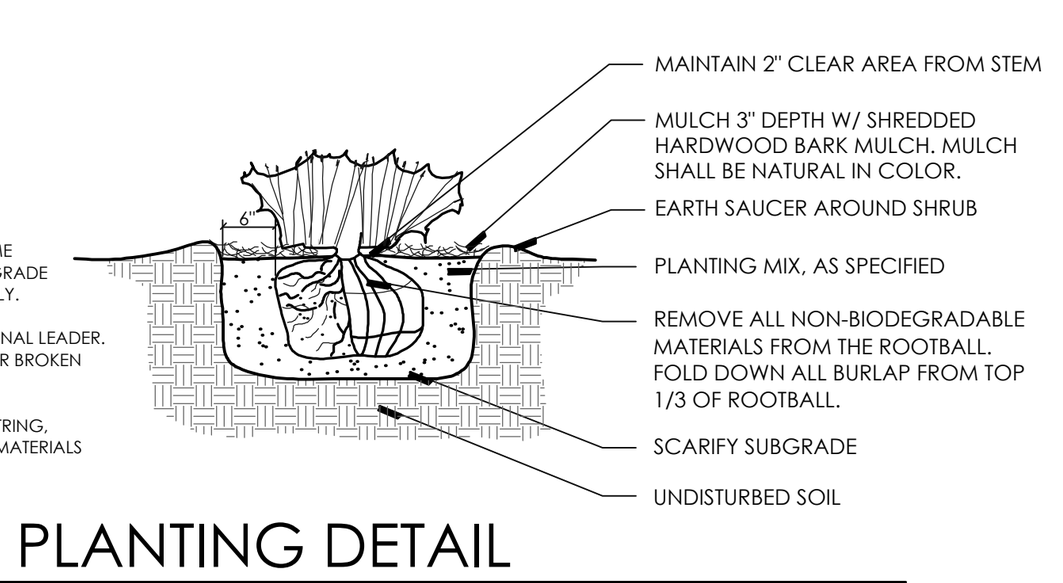
METAL EDGING DETAIL

NTS

NOTES:
TREE SHALL BEAR SAME RELATION TO FINISH GRADE AS IT BORE ORIGINALLY.

DO NOT PRUNE TERMINAL LEADER. PRUNE ONLY DEAD OR BROKEN BRANCHES.

REMOVE ALL TAGS, STRING, PLASTIC AND OTHER MATERIALS



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 UNACCEPTACBLE 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 OR CHANGES OF LOCATION, OR PLANT TYPE SHALL BE MADE WITHOUT THE 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: APRIL1 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.

DRAWN BY:
G. Ostrowski
DESIGNED BY:
G. Ostrowski
APPROVED BY:
G. Ostrowski
DATE:
10-09-2023

SCALE: 1" = 80'
80 40 0 40 80 120

NFE JOB NO.
N210

SHEET NO.
L2

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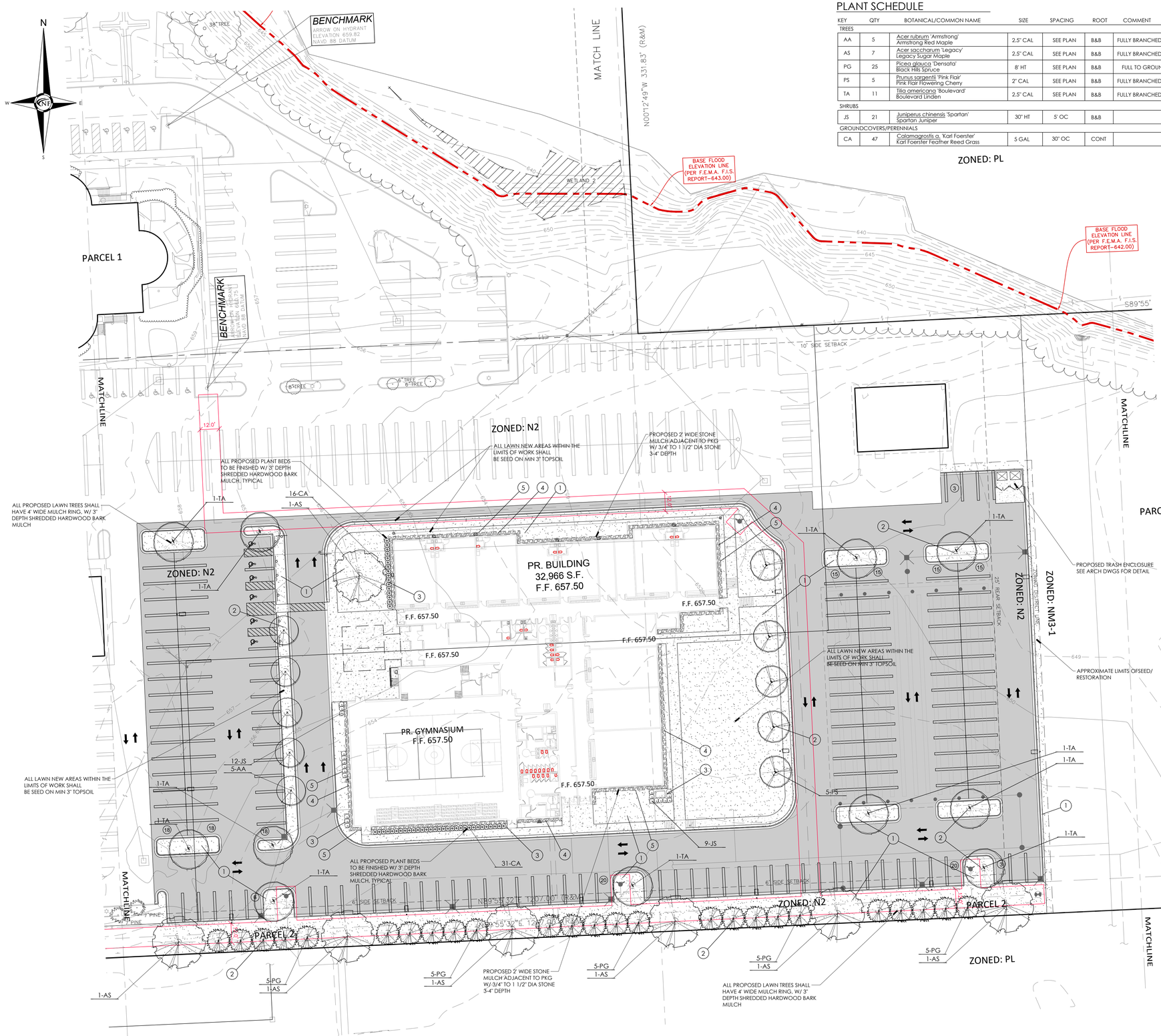

PLANT SCHEDULE

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:

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: APRIL1 TO JUNE1
FALL: AUGUST 15 TO OCTOBER 15

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MIX IS COMPRISED OF
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- 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.

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

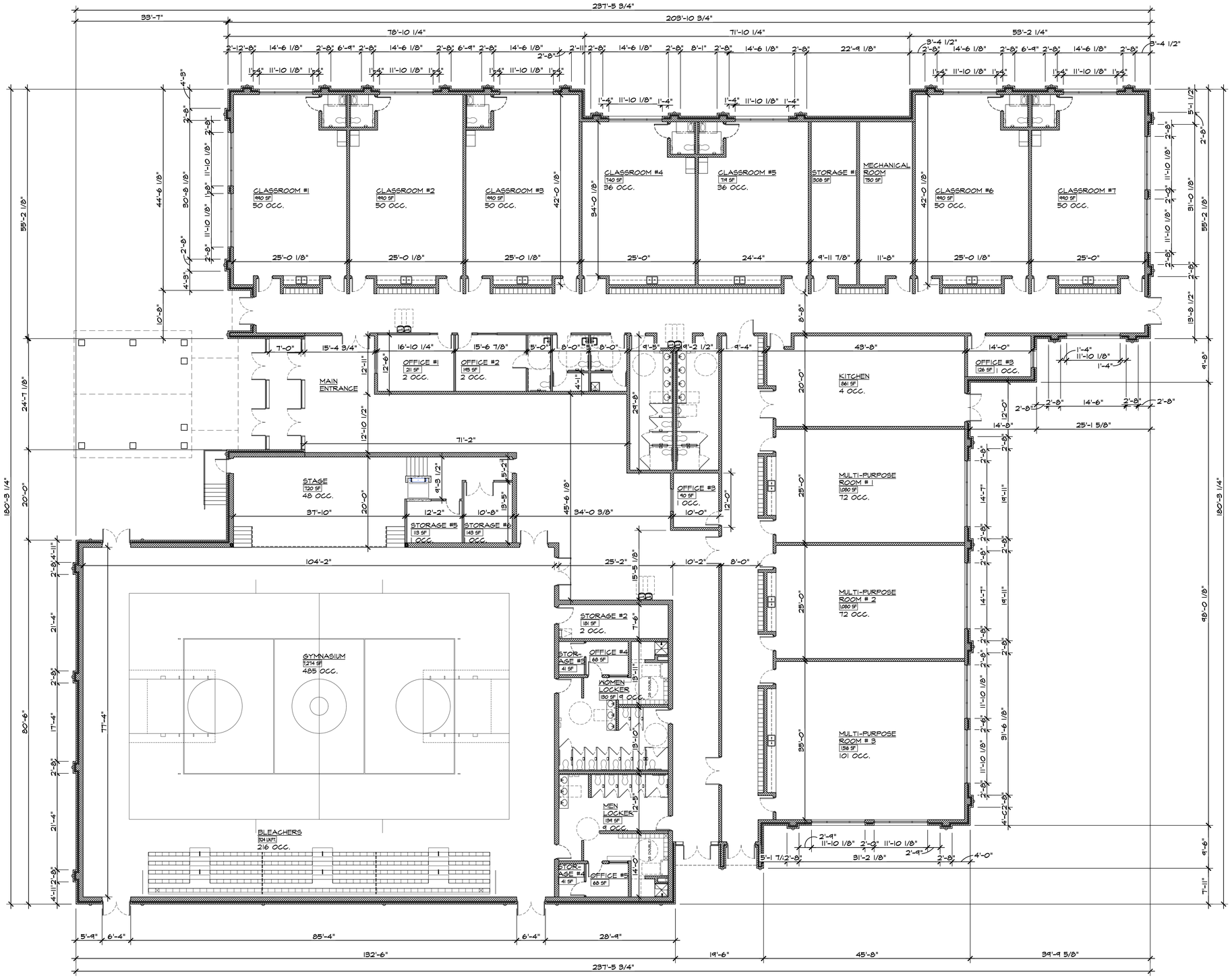
10/17/2023 PRELIMINARY SITE PLAN

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

W:\GS00-2000\Plan\N000-FILES\N210\Office\Landscape\N210_LS.dwg, 10/17/2023 4:44:47 PM



PROPOSED FLOOR PLAN
SCALE: 3/32" = 1'-0" 32,966 SQ.FT.

NORTH

PRELIMINARY NOT FOR CONSTRUCTION

ISSUED FOR	DATE
SPA	11-3-2023

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

PROPOSED NEW BUILDING FOR:
ST. MARY'S ACADEMY & GYMNASIUM
LIVONIA, MICHIGAN

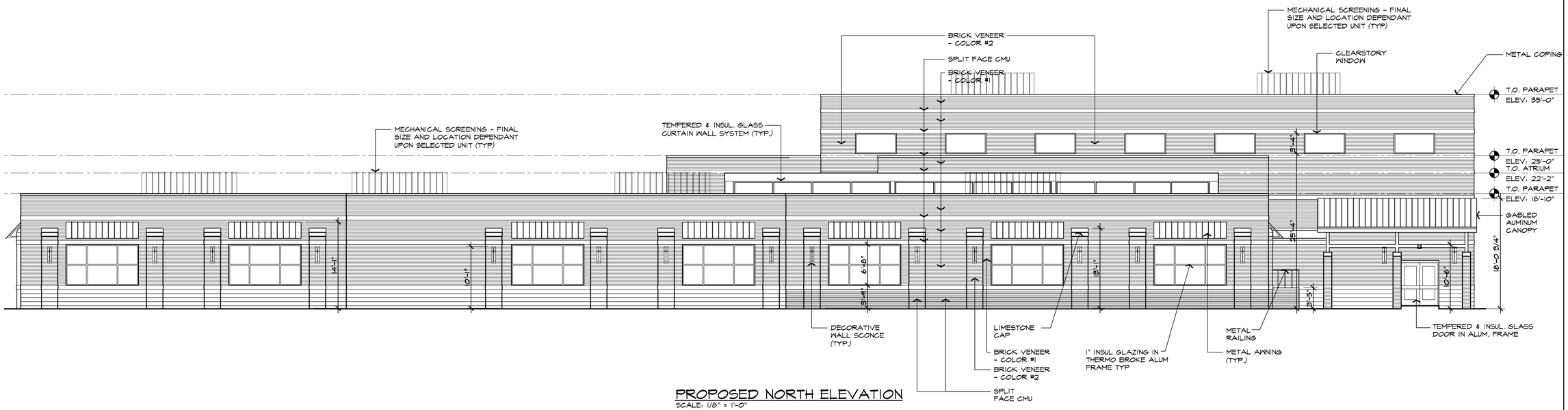
DRAWN:	DESIGNED:	CHECKED:
DG	GA	GA

SCALE : 3/32" = 1'-0"

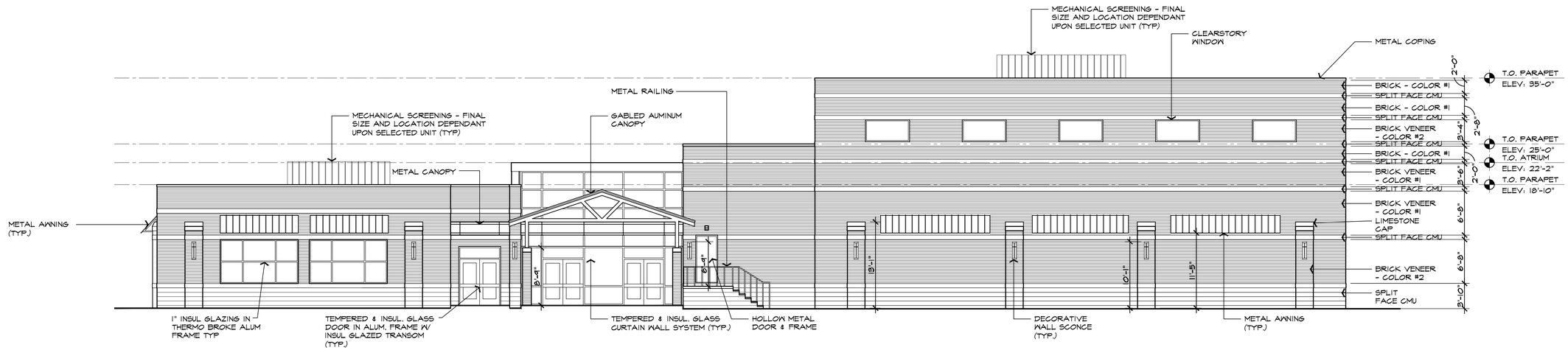
FILE NAME : 18123_A101

JOB #: 22086

SHEET TITLE
PROPOSED FLOOR PLAN
SHEET #
A.101



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. KARIM ARCHITECT No. 1301038452 LICENSED ARCHITECT

ISSUED FOR	DATE
SPA	11-3-2023

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

PROPOSED NEW BUILDING FOR:
ST. MARY'S ACADEMY & GYMNASIUM

LIVONIA, MICHIGAN

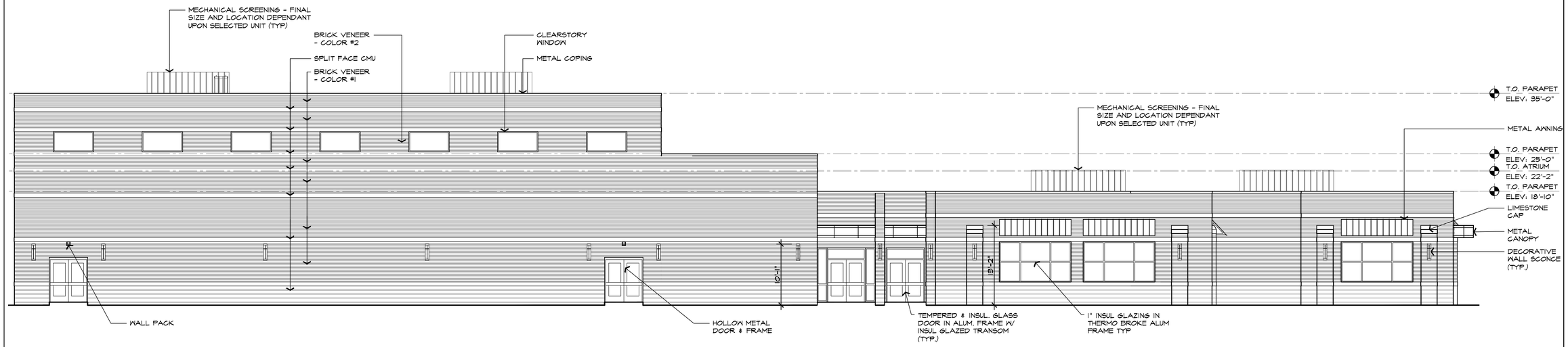
DRAWN:	DESIGNED:	CHECKED:
DG	GA	GA

SCALE : 1/8" = 1'-0"

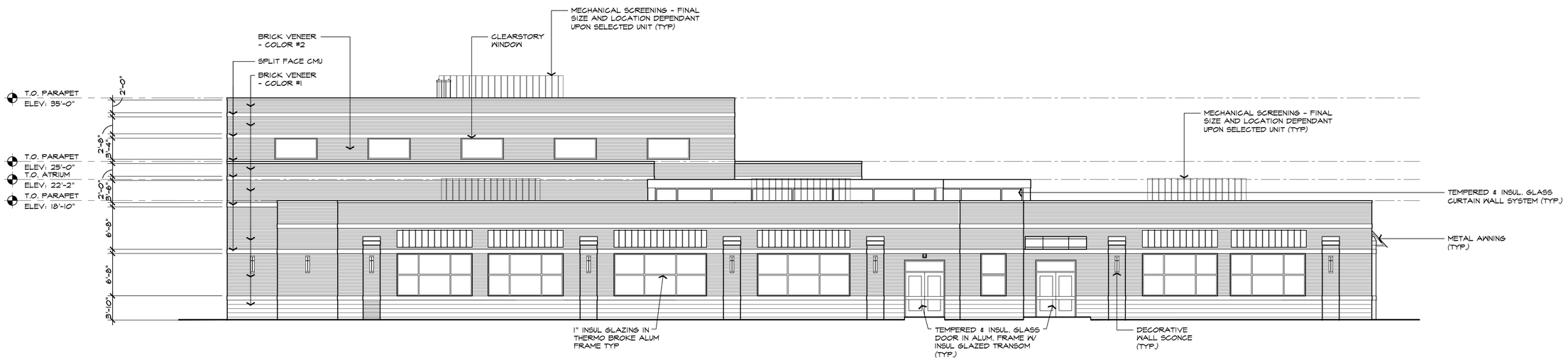
FILE NAME : 18123_A201

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 SAMIR M. KARIM ARCHITECT No. 1301038452 LICENSED ARCHITECT

ISSUED FOR	DATE
SPA	11-3-2023

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

PROPOSED NEW BUILDING FOR:
ST. MARY'S ACADEMY & GYMNASIUM
LIVONIA, MICHIGAN

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











GAI
& ASSOCIATES , INC.
ARCHITECTURAL DESIGN / PLANNESRS

THE BASILICA OF SAINT MARY MONTESSORI ACADEMY, YOUTH & FAMILY CENTER

MARIAM CENTER

LIVONIA , MICHIGAN



GAV & ASSOCIATES, INC.
Architectural Design / Planners

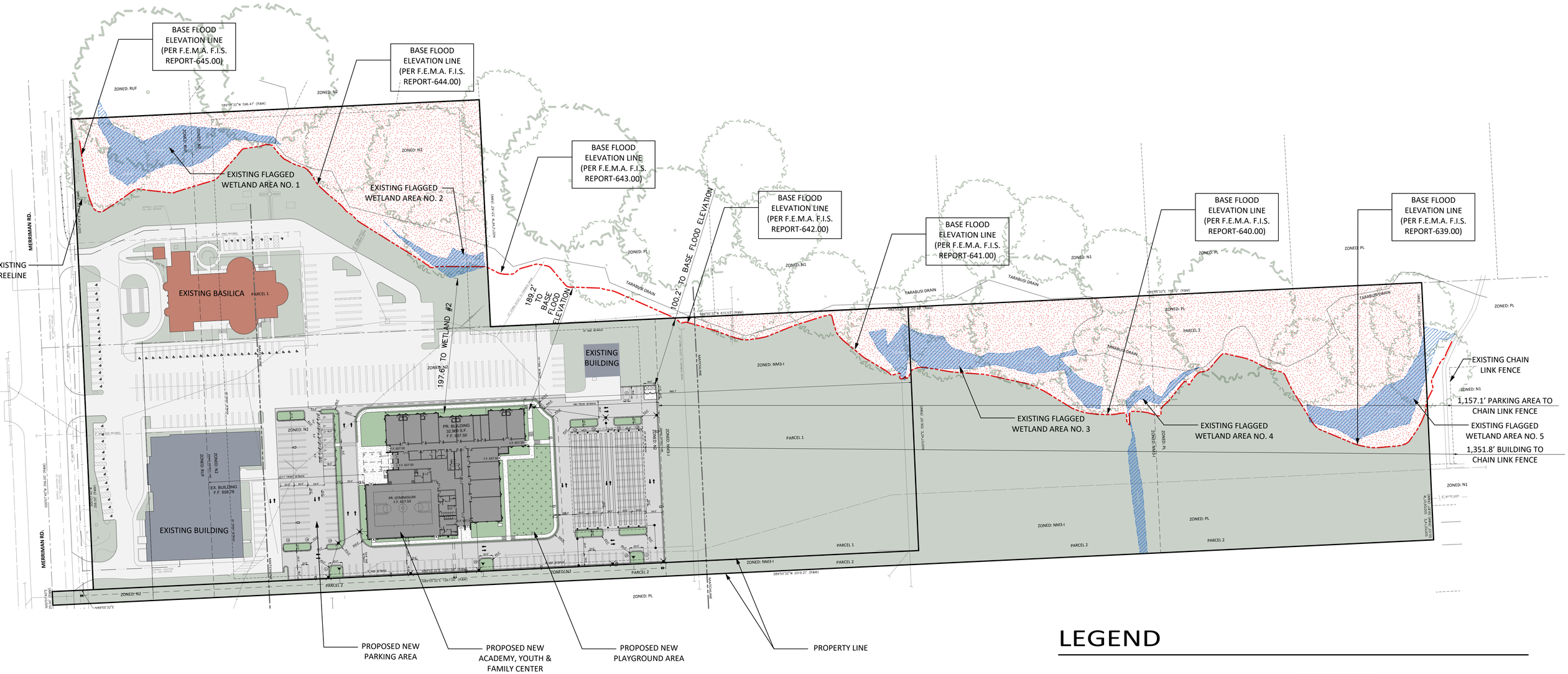
THE BASILICA OF SAINT MARY MONTESSORIA ACADEMY, YOUTH & FAMILY CENTER
MARIAM CENTER

LIVONIA, MICHIGAN









LEGEND

- EXISTING FLOODPLAIN
- EXISTING FLAGGED WETLAND
- EXISTING OPEN GRASSY AREA
- EXISTING PAVED AREA
- PROPOSED NEW PAVED AREA
- PROPOSED NEW LANDSCAPED AREA
- PROPOSED NEW PLAYGROUND AREA
- EXISTING TREES

GAI & ASSOCIATES, INC.
ARCHITECTURE - DESIGN - PLANNING

THE BASILICA OF SAINT MARY MONTESSORIA
MIRIAM CENTER

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

February 27, 2024

Mr. Jacob Uhazie
Assistant Planning Director
City of Livonia

Re: Petition 2024-02-02-04 – #18100 Merriman Road

Dear Mr. Uhazie:

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, but would like to note the following items:

1. The subject parcel is assigned the address of **#18100 Merriman Road**. Should additional addresses be needed, the Owner will need to contact this Department once permitting has been completed.

2. The legal descriptions submitted with the drawings appears to be correct and should be used for the parcels should the waiver-use be granted.

3. The existing parcel is currently serviced by public sanitary sewer and water main, as well as private storm sewer. The submitted drawings indicate that new services will be installed for the proposed structure, which will be reviewed during the permit submittal process. Based on the submitted drawings, we do not believe there will be negative impacts to the existing systems.

4. The drawings indicate the intention to provide stormwater detention onsite, which will be required per the Wayne County Stormwater Ordinance. Stormwater calculations will be reviewed during the permitting process.

5. Any disturbances with the Merriman Road right-of-way will require permits through the Wayne County Department of Public Service, including drive approach and sidewalk removals and placements.

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: 2024 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: 3/18/2024

TO: Scott O. Miller, Planner IV

FROM: Livonia Fire Prevention Division

SUBJECT: **Petition 2024-02-02-04 18100 Merriman, Basilica of St. Mary's**

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 adhering to fire codes:

1. Sprinkler suppression system required **with** alarm monitoring.
2. Fire hydrant with 100 ft of Fire Department Connection (FDC).
3. Maintain emergency vehicle access with required spacing distances per code.

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

February 27th 2024

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

Re: Petition 2024-02-02-04 – 18100 Merriman 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,

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: April 22, 2024

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2024-02-02-04 18100 Merriman Road

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

1. If K-12 grades are taught, the State of Michigan will have jurisdiction over the construction of this school. Construction plans would then be submitted to the State of Michigan for required building permits and inspections.

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

February 26, 2024

Mr. Jacob Uhazie
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

Petition 2024-02-02-04 - 18100 Merriman Road

Dear Mr. Uhazie,

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

FW: Petition 2024-02-02-04 - 18100 Merriman Road

Reece, Stephanie <SReece@livonia.gov>
Mon 4/15/2024 8:50 AM
To:Goff, Erika <egoff@livonia.gov>

Stephanie Reece
Program Supervisor
City of Livonia | Planning Department
(734) 466-2288
SReece@livonia.gov

From: Nash, Susan M. <snash@livonia.gov>
Sent: Monday, April 15, 2024 8:45 AM
To: Reece, Stephanie <SReece@livonia.gov>
Subject: RE: Petition 2024-02-02-04 - 18100 Merriman Road

All taxes and water are paid

Susan Nash
City Treasurer
City of Livonia | Treasurer's Office
(734) 466-2244
snash@livonia.gov

From: Reece, Stephanie <SReece@livonia.gov>
Sent: Friday, April 12, 2024 3:36 PM
To: Nash, Susan M. <snash@livonia.gov>
Subject: FW: Petition 2024-02-02-04 - 18100 Merriman Road

Hi,

I have not received your response regarding the attached.
If you can please get that to us by Tuesday, it would be appreciated.
Stephanie

Stephanie Reece
Program Supervisor
City of Livonia | Planning Department

Brookwood Estates and the Surrounding Neighborhoods Opposed to the rezoning of the property specified in the Basilica of St. Mary Petition 2024-02-02-04

This petition to rezone to N2 should not be allowed and is in direct conflict with Livonia zoning ordinance Section 3.05

From the city council study meeting dated January 24, 2023 ; " Section 3.05 of the zoning ordinance specifies that educational uses are permitted in the N2 District. The code defines educational services such as public libraries, public primary and secondary schools, and publicly owned and operated institutions of higher learning."

Make no mistake, whatever the Basilica of St. Mary calls it, a Montessori, family center or learning center its still a school that is funded by enrollees that pay tuition.

A state school or public primary and secondary school is defined as "A State or public primary (elementary school) or secondary school (junior or high school) that educates without charge. Such schools are funded in whole or in part by taxation." Private / parochial schools have to be approved by the State of Michigan.

I would suggest that both the planning commission and the city council do their homework in regards to the regulations of the State of Michigan before this issue get out of control.

The Basilica of St. Mary petition to rezone to N2 to build their school does not educate without charge and is not funded in whole or in part by taxation.

This petition should not be approved. If this was to be approved it would appear that city council has disregarded Livonia's zoning ordinances.

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

12. WAIVER PETITION: Planning Commission, re: Petition 2024-02-02-05 submitted by N.C. Designers & Contracting Inc., on behalf of Mike Alcodray, requesting waiver use approval to re-develop the existing gas station site, including constructing a new building with a drive-up window for a food-service operation, at 34901 Ann Arbor Trail, located on the southwest corner of Ann Arbor Trail and Wayne Road in the Southwest ¼ of Section 33.

    Mark Taormina, Planning and Economic Development Director, presented the request to Council.

    Councilmember Budzinski asked if they will have EV options at the station. She also asked what type of restaurant will be there.

    The petitioner said they may at some point, but EV is not currently in the plans. He isn't sure which restaurant will be in there yet.

    President McCullough relinquished the chair to Vice President Ptashnik at 10:10 p.m.

    Councilmember Donovic verified with Mr. Taormina that the ordinance will require they have free air, and the dumpster enclosure will match the building. He also verified that neither Wayne County nor MDOT will have to review the plans since it is under the city's jurisdiction.

    Councilmember Toy offered an approving motion for the Regular Agenda.

    DIRECTION APPROVING REGULAR

    President McCullough resumed the chair at 10:12 p.m.

LETTER TO THE LIVONIA CITY COUNCIL

12.

Planning
April 24, 2024

MEETING DATE	PRESENTED BY
S05024/R060324	

AGENDA ITEM

WAIVER PETITION: Planning Commission, re: Petition 2024-02-02-05 submitted by N.C. Designers & Contracting Inc., on behalf of Mike Alcodray, requesting waiver use approval to re-develop the existing gas station site, including constructing a new building with a drive-up window for a food-service operation, at 34901 Ann Arbor Trail, located on the southwest corner of Ann Arbor Trail and Wayne Road in the Southwest ¼ of Section 33.

BACKGROUND DETAILS

April 26, 2024

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2024-02-02-05 - NC Designers

Dear Council Members:

At the 1,212th Public Hearings and Regular Meeting held by the City Planning Commission on April 23, 2024, the following resolution was adopted:

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

#04-15-2024 RESOLVED, That the City Planning Commission does hereby recommend to the City Council that Petition 2024-02-02-05 submitted by N.C. Designers & Contracting Inc., on behalf of Mike Alcodray, requesting waiver use approval under Sections 6.26 and 6.51 of the City of Livonia Zoning Ordinance, as amended, to re-develop the existing gas station site, including constructing a new building with a drive-up window for a food-service operation, at 34901 Ann Arbor Trail, located on the southwest corner of Ann Arbor Trail and Wayne Road in the Southwest ¼ of Section 33, be approved subject to the following conditions:

1. The Site Plan identified as Sheet Number SP-103, dated September 13, 2023, prepared by N.C. Designers & Contracting Inc. is hereby approved and shall be adhered to.

2. Approval is subject to the City Council waiving the minimum sixty-foot (60') setback requirement from Ann Arbor Trail.

3. A perpetual cross-access and parking agreement with the adjacent parcel shall be recorded with the Wayne County Register of Deeds. The agreement shall be submitted to the Inspection Department as part of the building permit application process.

4. All parking spaces, except the required handicapped spaces, shall be double-striped at ten feet (10') wide by twenty feet (20') in length as required by the Zoning Ordinance.

5. The submitted Landscape Plan, Sheet SP-201, dated September 13, 2024, is approved in concept. A final landscape plan with the species types, quantities, and sizes of all plant materials shall be submitted to the Planning Department for approval before the issuance of any building permits.

6. All disturbed lawn areas shall be sodded instead of hydroseeding.

7. 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 permanently maintained in a healthy condition.

8. That the Elevations Plan identified as Sheet Number A-402, dated September 13, 2023, prepared by N.C. Designers & Contracting Inc. is hereby approved and shall be adhered to.

9. All rooftop mechanical equipment shall be concealed from public view on all sides by screening, which shall be compatible with the materials and colors of the other exterior materials on the building.

10. The three walls of the trash dumpster area shall be constructed out of building materials that complement the building. The enclosure gates shall be solid steel or durable, long-lasting panel fiberglass.

11. That any illumination of the pump island canopy shall be restricted to the undercarriage, and all light fixtures shall be recessed and made flush with the established ceiling; provided, however, that this section shall not apply to those specified signs which are expressly allowed by the district regulations of the Zoning Ordinance.

12. The gas pump island canopy shall not exceed eighteen feet (18') in height, and its support columns shall be covered with the same brick used in the construction of the building.

13. All light fixtures shall not exceed twenty feet (20') in height and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways.

14. No outside storage, placement, or merchandise display shall be permitted at any time on this site.

15. Under Section 6.26 of the Zoning Ordinance, free air shall be provided whenever this station is open for business. The free air shall be dispensed at the point of service without entering the station or performing any extra action to obtain the air without charge.

16. There shall be no vehicle vacuum equipment or outdoor storage of propane cylinders on the site.

17. The sale of ice shall be restricted to the inside of the building.

18. 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.

19. No LED lightband or exposed neon shall be permitted on this site, including, but not limited to, the pump island canopy, building, or around the windows.

20. Any type of exterior advertising, such as promotional flags, streamers, or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited unless approved by the proper local authority.

21. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and

22. 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.

ATTACHMENTS

1. 2024-02-02-05_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development Director — Date: April 25, 2024



Maureen Miller Brosnan, Mayor — Date: May 02, 2024

Petition 2024-02-02-05 submitted by N.C. Designers & Contracting Inc., on behalf of Mike Alcodray, requesting waiver use approval under Sections 6.26 and 6.51 of the City of Livonia Zoning Ordinance, as amended, to re-develop the existing gas station site, including constructing a new building with a drive-up window for a food-service operation, at 34901 Ann Arbor Trail, located on the southwest corner of Ann Arbor Trail and Wayne Road in the Southwest ¼ of Section 33.

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: 2/29/2024 Petition 2024-02-02-05

Site Address: 34601 ANN ARBOR TRAIL Sidwell _____ Zoning of Property C-2

Requesting Approval To Newbuild

Applicant: NASSER CHOUCAIR Business/Company: N.C. Designers INC.

Applicant's Address: 3241 S. TELEGRAPH City: Dearborn State: MI Zip Code: 48124

Applicant's Phone # (313) 986-8381 Applicant's Email NC.Designers@yahoo.com

Contact Person: Same above Business/Company: /

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

Contact's Phone # ( ) / Contact's Email/ /

Please provide the following information:

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

RECEIVED
MAR 01 2024
CITY OF LIVONIA
PLANNING COMMISSION

STEPHANIE K. REECE
Notary Public, State of Michigan
County of Wayne
My Commission Expires Sep. 28, 2027
Acting in the County of Wayne

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 $ _____

Owner of Property: MIKE ALCODRAY

Owner's Address: 6060 N. ELIZABETH City: DBN State: MI Zip Code: 48127

Owner's Phone # (313) 779-7005 Owner's Email MALCODRAY@hotmail.com

Signature of Owner: _____ Print Name: MIKE ALCODRAY.

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

on this 29th day of February 20 24.

Signature of Notary Stephanie K Reece My commission expires Sep 28, 2027

Acting in the County of Wayne.

UNAPPROVED MINUTES

MINUTES OF THE 1,212th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, April 23, 2024, the City Planning Commission of the City of Livonia held its 1,212th 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, Peter Ventura, Ian Wilshaw

Members absent: Wafa Dinaro

Mr. Jacob Uhazie, Assistant Planning Director, Scott Miller, Planner IV, 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 2024-02-02-05 NC Designers

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2024-02-02-05 submitted by N.C. Designers & Contracting Inc., on behalf of Mike Alcodray, requesting waiver use approval under Sections 6.26 and 6.51 of the City of Livonia Zoning Ordinance, as amended, to re-develop the existing gas station site, including constructing a new building with a drive-up window for a food-service operation, at 34901 Ann Arbor Trail, located on the southwest corner of Ann Arbor Trail and Wayne Road in the Southwest ¼ of Section 33.

Mr. Uhazie: This is a request to redevelop the existing gas station site including constructing a new building with drive up window for a foodservice operation. It is currently zoned C-2 (General Business). The subject site measures approximately 160 feet by 160 feet for a total lot area of about 25,600 square feet or 0.59 acres. Currently vehicles enter or exit the site using four drive approaches, two from Ann Arbor Trail and two from Wayne Road. The existing building will be demolished and replaced. The surrounding neighborhoods to the north, east, south and west are all zoned C-2. The new building would be one story with about 3,800 square feet, which is approximately 50% larger than the current building. The main entrance would be facing east towards Wayne Road. The drive-thru would be located at the south end of the building. The plan appears to have provided ample stacking space between the window and the main menu board. The restaurant would not have any indoor seating. The location and layout of the pumps and canopy would change, but capacity would remain the same. Vehicles would enter and exit the site using two driveways on Wayne Road, but only one off of Ann Arbor Trail. The driveway closest to the intersection of Ann Arbor Trail would be removed and replaced with landscaping. It would contain four dual sided pumps with a canopy measuring 24 feet by 97 feet. The exterior finish would consist of brick limestone and composite siding. The minimum setback is 60 feet, which is required from any right of way. However, under Section 13.13, any special requirement of a waiver for this use can be waived or modified by a separate resolution from City Council in which two thirds of the council concurs. The new gas station convenience store would be approximately 100 feet from Wayne road, but only 50 feet from Ann Arbor Trail, thus requiring the council modify the setback. Abutting C-2 districts to the west and south. The ordinance allows zero setback subject to applicable building codes and fire codes. The proposed building would be 36 feet from the western property and 30 feet from the southern property line. Parking for the gas station requires a total of eight parking spaces and the proposed restaurant would require seven, for the total required parking and 15 spaces. The site plan shows seven striped parking spaces and eight more at the pumps. Cross access and parking will be available on the adjacent property to the south. Dumpster enclosures are shown in the southwest corner. Design of the enclosure gates is consistent with the city's policy of requiring long lasting solid panel material. Stormwater detention would be managed using an underground system and for signage, the plans do not

indicate any type of proposed signage for the site or building. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Uhazie: The first item is from the Engineering Division, dated March 8, 2024, 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, but would like to note the following items: 1. The subject parcel is assigned the address of #34901 Ann Arbor Trail. Should additional addresses be needed, the Owner will need to contact this Department once permitting has been completed. 2. The legal descriptions submitted with the drawings appears to be correct and should be used for the parcels should the waiver-use be granted. 3. Any disturbances with the Wayne Road right-of-way will require permits through the Wayne County Department of Public Service, including drive approach and sidewalk removals and placements."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated March 18, 2024, 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: 1. Maintain appropriate access way measurements for emergency vehicles. 2. Follow through with State of Michigan inspections if required. A further detailed plan review will take place when this division receives an official plan set."* The letter is signed by Brian Kukla, Fire Marshal. The next letter is from the Division of Police, dated March 11, 2024, 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 April 3, 2024, which reads as follows: *" Pursuant to your request, the above-referenced Petition has been reviewed. 1. Parking spaces shall be 10' wide and 20' deep and double striped. 2. The van-accessible barrier-free parking space shall be sized, signed, and marked in accordance with the Michigan Barrier-Free Code. 3. The proposed plan does not provide provisions for a bypass lane for the drive-up window as required. 4. The proposed plan does not provide parking spaces designated for drive-up window patrons as required. 5. Signage has not been reviewed. All signage must be in accordance with*

the sign ordinance or a variance from the Zoning Board of Appeals would be required. 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 Mach 7, 2024, 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. We received an email from Susie Nash, Treasurer, stating that there are no taxes or water due. That is the extent of the correspondence.

Mr. Bongero: On Mr. Hanna's review of the plan, it said that there's no provisions for a bypass lane for the drive-up window as required, and then he said no parking spaces designated for the drive up window, is that been handled or is that still outstanding?

Mr. Miller: The bypass lane, because the property owner owns the adjacent property. So that…

Mr. Bongero: He's okay, you can get around it.

Mr. Miller: Yes. Yes.

Mr. Bongero: Okay. Because then Jerome doesn't understand.

Mr. Miller: Right. Okay, because it isn't really on the property but they can do cross access and then the parking is same.

Mr. Bongero: Okay. Okay. Thank you.

Mr. Wilshaw: Thank you. Any other questions for our planning staff? If not, our petitioner is in the audience. Feel free to come forward. Good evening, sir.

Nasser Choucair, NC Designers, 3241 South Telegraph, Dearborn MI.

Mr. Wilshaw: Thank you for being here, Nasser. Was there anything that you'd like to tell us about your redevelopment of this parcel?

Mr. Choucair: I mean, you guys explained and you said enough about the site but the main purpose of this is to redevelop the site, get better circulation and to get a drive thru restaurant in there and serve that community better.

Mr. Wilshaw: The team really does steal the thunder when it comes to these presentations, don't they? All right. Let's see if there's any questions from any of the commissioners for you. Okay. Any questions for our petitioner?

Mr. Ventura: Thank you, Mr. Wilshaw. You're gonna add food to your gas station that you don't have now?

Mr. Choucair: Yes.

Mr. Ventura: Can you tell us…is this gonna be a brand? Is it gonna be a national brand that somebody would recognize or you're going to be cooking this food yourself? Or how's this going to be handled?

Mr. Choucair: So, the owner is working with a franchise and we're not sure 100% iIf they're coming in or not? I'm not sure if he's gonna get that or not yet, but there is a franchise that is going to be probably taking that space as a drive thru.

Mr. Ventura: Okay, and Did I understand correctly from the study session that you'll have the same number of pumps that you have today, buth they are gonna be located in front of the building instead of on both sides?

Mr. Choucair: Yes, a canopy with four dispensaries.

Mr. Ventura: Thank you very much. Thank you.

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

Mr. Caramagno: I see that the columns are going to be bricked going up in the approval of minutes. And my question for you is, where the parking lot is going to share property with the property to the south, you're going to open that up? Is that going to be free flowing traffic both ways, in and out of the gas station property?

Mr. Choucair: That's the purpose of it. I mean, to help both sites to have shared access.

Mr. Caramagno: Did I hear that the same owner owns both properties?

Mr. Choucair: Yes.

Mr. Caramagno: Okay. The next question I've got is, I don't see the free air on this.

Mr. Choucair: We'll do that. No problem.

Mr. Caramagno: Where will that be located?

Mr. Choucair: I mean, it wouldn't be next to the…it should be on one of the ends. I mean, that one, it would be a handicap and we'll put it on the other end, I believe.

Mr. Caramagno: I'm sorry, what?

Mr. Choucair: We can put it on the front of the building on the other end.

Mr. Caramagno: The other end of what?

Mr. Choucair: Towards where we have shared access. That's where it is now.

Mr. Caramagno: Okay, so that'll remain the same. There'd be no change with that.

Mr. Choucair: No.

Mr. Caramagno: Okay. I just didn't see it on here. Thank you.

Mr. Wilshaw: You stole my thunder. That's what I was gonna ask. So it's going to be near the south end of the property, Nasser, that's what you're saying?

Mr. Choucair: Yes.

Mr. Wilshaw: Okay. Where the cut through is? Okay. All right. Any other questions for our petitioner?

Mr. Wilshaw: I don't see any other questions from any of our commissioners. Is there anyone in the audience wishing to speak for or against this petition? I thought they were all here for you, Nasser.

Mr. Choucair: I guess not.

Mr. Wilshaw: Okay. If there's no other questions for any of our commissioners, then, is there anything else you'd like to tell us before we make our decision?

Mr. Choucair: Thank you.

Mr. Wilshaw: Okay, that's fair enough. Let's see if you'll thank us after. I'll close the public hearing at this time and a motion is an order.

On a motion by Ventura, seconded by Long, and unanimously adopted, it was

#04-15-2024 ***RESOLVED***, That the City Planning Commission does hereby recommend to the City Council that Petition 2024-02-02-05 submitted by N.C. Designers & Contracting Inc., on behalf of Mike Alcodray, requesting waiver use approval under Sections 6.26 and 6.51 of the City of Livonia Zoning Ordinance, as amended, to re-develop the existing gas station site, including constructing a new building with a drive-up window for a food-service operation, at 34901 Ann Arbor Trail, located on the southwest corner of Ann Arbor Trail and Wayne Road in the Southwest ¼ of Section 33, be approved subject to the following conditions:

1. The Site Plan identified as Sheet Number SP-103, dated September 13, 2023, prepared by N.C. Designers & Contracting Inc. is hereby approved and shall be adhered to.

2. Approval is subject to the City Council waiving the minimum sixty-foot (60') setback requirement from Ann Arbor Trail.

3. A perpetual cross-access and parking agreement with the adjacent parcel shall be recorded with the Wayne County Register of Deeds. The agreement shall be submitted to the Inspection Department as part of the building permit application process.

4. All parking spaces, except the required handicapped spaces, shall be double-striped at ten feet (10') wide by twenty feet (20') in length as required by the Zoning Ordinance.

5. The submitted Landscape Plan, Sheet SP-201, dated September 13, 2024, is approved in concept. A final landscape plan with the species types, quantities, and sizes of all plant materials shall be submitted to the Planning Department for approval before the issuance of any building permits.

6. All disturbed lawn areas shall be sodded instead of hydroseeding.

7. 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 permanently maintained in a healthy condition.

8. That the Elevations Plan identified as Sheet Number A-402, dated September 13, 2023, prepared by N.C. Designers & Contracting Inc. is hereby approved and shall be adhered to.

9. All rooftop mechanical equipment shall be concealed from public view on all sides by screening, which shall be compatible with the materials and colors of the other exterior materials on the building.

10. The three walls of the trash dumpster area shall be constructed out of building materials that complement the building. The enclosure gates shall be solid steel or durable, long-lasting panel fiberglass.

11. That any illumination of the pump island canopy shall be restricted to the undercarriage, and all light fixtures shall be recessed and made flush with the established ceiling; provided, however, that this section shall not apply to those specified signs which are expressly allowed by the district regulations of the Zoning Ordinance.

12. The gas pump island canopy shall not exceed eighteen feet (18') in height, and its support columns shall be covered with the same brick used in the construction of the building.

13. All light fixtures shall not exceed twenty feet (20') in height and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways.

14. No outside storage, placement, or merchandise display shall be permitted at any time on this site.

15. Under Section 6.26 of the Zoning Ordinance, free air shall be provided whenever this station is open for business. The free air shall be dispensed at the point of service without entering the station or performing any extra action to obtain the air without charge.

16. There shall be no vehicle vacuum equipment or outdoor storage of propane cylinders on the site.

17. The sale of ice shall be restricted to the inside of the building.

18. 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.

19. No LED lightband or exposed neon shall be permitted on this site, including, but not limited to, the pump island canopy, building, or around the windows.

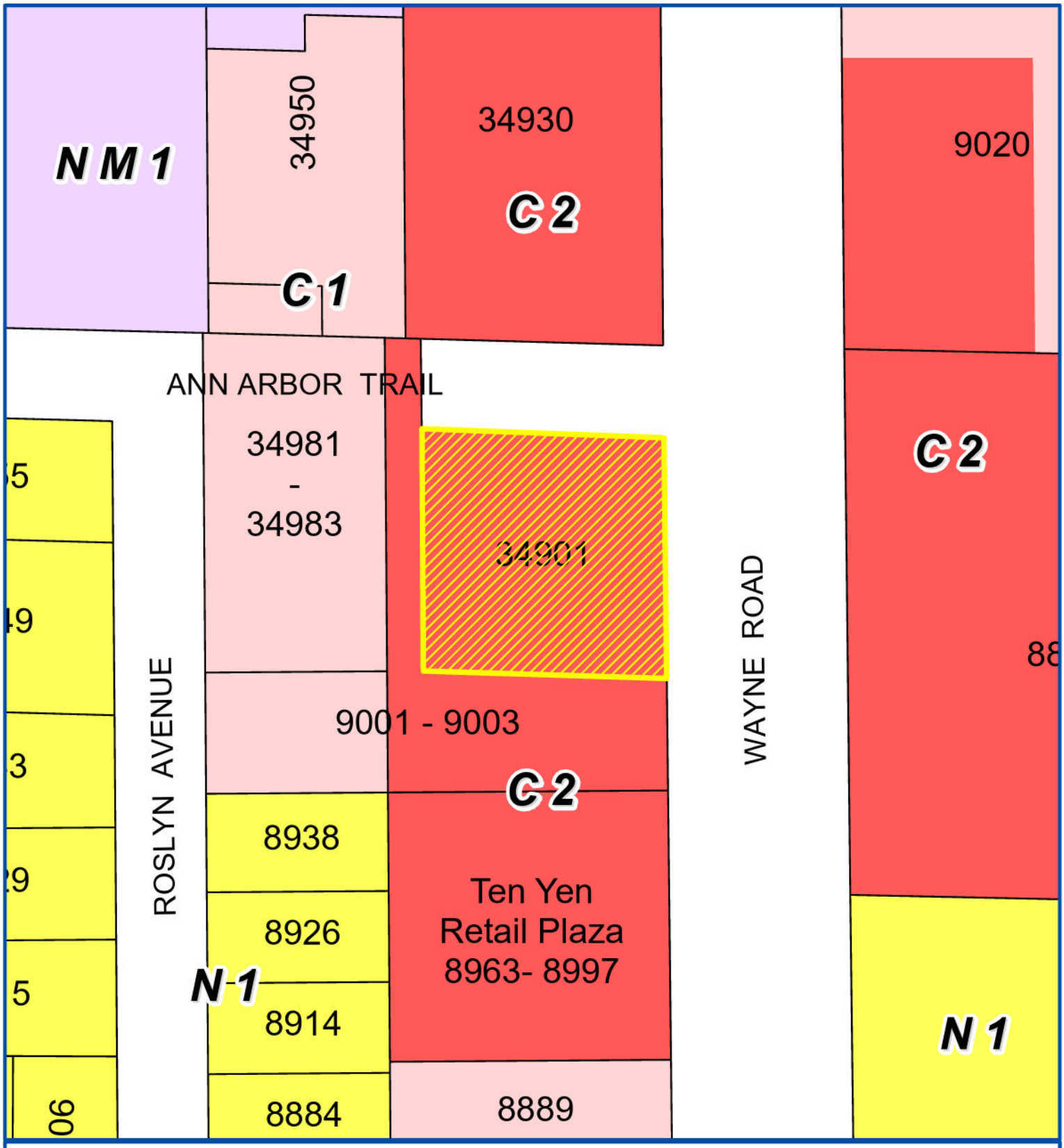
20. Any type of exterior advertising, such as promotional flags, streamers, or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited unless approved by the proper local authority.

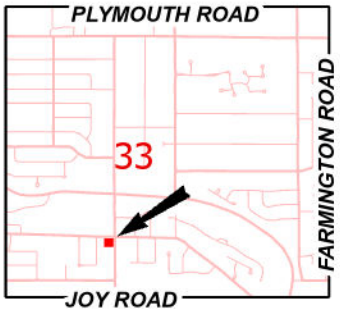
21. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and

22. 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.

Mr. Wilshaw: Is there any discussion?

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to the City Council with an approving resolution.





Address & Zoning Map

Petition 2024-02-02-05
N.C. Designers & Contracting Inc.
34901 Ann Arbor Trail

Not to Scale

City of Livonia
Planning Department





Aerial Map

Petition 2024-020205
N.C. Designers & Contracting Inc.
34901 Ann Arbor Trail

N

Not to Scale

City of Livonia
Planning Department

P□ANNING COMMISSION STAFF NOTES

PU□□IC □EARING

ITEM 4

Petition 2024-02-02-05 submitted by N.C. Designers □ Contracting Inc., on behalf of Mike Alcodray, requesting waiver use approval under Sections 6.26 and 6.51 of the City of Livonia □oning Ordinance, as amended, to re-develop the existing gas station site, including constructing a new building with a drive-up window for a food-service operation, at 34901 Ann Arbor Trail, located on the southwest corner of Ann Arbor Trail and Wayne Road in the Southwest □ of Section 33.

April 16, 2024, Study Meeting:

This petition involves redeveloping an existing gas station property at the southwest corner of Ann Arbor Trail and Wayne Road. The existing station would be demolished and replaced with a new building with a drive-up window for food-service operations. The existing gas pumps and overhead canopy would also be removed and reconfigured as part of the project. The subject property is zoned C-2 (General Business).

The square-shaped parcel measures 159.97 feet along Ann Arbor Trail by 159.96 feet along Wayne Road for a total land area of 25,589 square feet, or 0.59 acres. The existing one-story building sits near the middle of the site and measures approximately 2,043 square feet. The existing fueling operation consists of four (4) dual-sided pumps, including two (2) on the north side of the building and two (2) on the south side, with the capacity to accommodate eight (8) vehicles. A single canopy extends over the pumps and building. Currently, vehicles enter or exit the site using four (4) drive approaches: two (2) from Ann Arbor Trail and two (2) from Wayne Road.

The new building would be one-story in height and approximately 3,800 square feet□ roughly 50□ larger than the existing building. The proposed building would be positioned on the west side of the property, with the storefront and main entrance facing east in the direction of Wayne Road. Specific to gas station buildings, a special requirement under Section 6.26 is that a minimum setback of sixty feet (60□) shall be maintained from any road right-of-way. □owever, under Section 13.13(6), any special requirement of a waiver of use can be waived or modified by a separate resolution from the City Council in which two-thirds (2/3) of the City Council concur. The new gas station/convenience store would be approximately 100□from Wayne Road but only fifty feet (50□) from Ann Arbor Trail, thus requiring that the Council modify the setback. Abutting C-2 districts to the west and south, the Ordinance allows zero setbacks subject to applicable building and fire codes. The proposed building would be thirty-six feet (36□) from the west property line and thirty feet (30□) from the south property line.

□ehicles would continue to enter and exit the site using the two (2) driveways on Wayne Road but only one (1) off Ann Arbor Trail. The driveway closest to the intersection on Ann Arbor Trail would be removed and replaced with landscaping.

The exterior finish of the new building would consist of brick, limestone, and composite siding. The building□s main entrance would be on the east side, facing Wayne Road. The one-story structure would have a typical height to the top of the parapet of 16□-8□. Over the main entrance, the parapet extends an additional three feet (3□-0□).

The interior of the new station would include a display area for merchandise, walk-in coolers, storage rooms, and a cashier station. The drive-thru food operation would be at the south end of the building. It would consist of a kitchen-cook prep room, a cashier counter, and a drive-thru pick-up window area. The restaurant would not have any indoor seating.

Drive-up window service is planned along the south side of the building. The traffic lane serving the drive-thru would commence on the north side of the building, loop around the back of the building (west side), and then turn east to the pick-up window. Restaurants with drive-thru services must provide sufficient waiting (stacking) space for each drive-up service facility, including at the pick-up window. The plan appears to provide ample stacking space between the window and the menu board. Service lanes for drive-up windows must be at least ten feet (10□) wide. The width of the service lane shown on the plans measures approximately eleven feet (11□). Drive-thru operations also require a bypass lane. In this case, because the gas station owner also owns the adjacent site that borders along the west and south property lines, a bypass lane would be available from an existing driveway that extends from Ann Arbor Trail along the west property line, providing access to the commercial property to the south. Not including the stacking lane, the driveway on the adjacent property measures over twenty-four feet (24□) wide, sufficient for two-way traffic.

The location and layout of the pumps and canopy would be changed, but not the vehicle capacity. Four (4) dual-sided fuel pumps would be positioned in a single row (referred to as a □dive-in□configuration) along Wayne Road. The new canopy measures 24□x 97□. Section 6.26 requires that all gasoline pumps be no closer than twenty feet (20□) to any lot line. At the nearest points, the proposed pumps would be approximately forty feet (40□) from the right-of-way of Wayne Road and fifty-five feet (55□) from the right-of-way of Ann Arbor Trail.

The required amount of parking for gas stations is one (1) space for each fuel pump, which in this case equals eight (8). For drive-thru restaurants, the required parking is one (1) space for each one hundred twenty-five (125) square feet of floor area, plus one (1) space for each employee. Based on the floor area of the proposed restaurant and the number of employees (545 □125 + 2), seven (7) parking spaces are required. Therefore, the two uses combined require fifteen (15) parking spaces. The site plan shows seven (7) striped parking spaces along the front of the building, with eight (8) more spaces available at the gas pumps. Usually, the spaces at the pumps do not count towards the required parking, even though operators of these businesses point out that at least 75□ of their customers inside the building are parked at the gas pumps. Cross access and parking will be available on the adjacent property to the south. The site plan shows that

an opening would be created between the properties. According to the owner, the parking lot of the adjacent property is not fully utilized and would provide additional parking for the gas station if needed.

The dumpster enclosure is shown in the southwest corner, with the access gates facing east towards Wayne Road. The enclosure walls would be six feet (6□) tall and constructed of brick to match the building. The swing gates would be built out of metal. The design of the enclosure gates is consistent with the City□s policy of requiring a long-lasting solid panel material.

The landscape plan shows plantings along both street frontages. With 125 feet of road frontage along Ann Arbor Trail (not including the driveway), the Ordinance requires no fewer than three (3) full-size deciduous or evergreen trees, one (1) ornamental (flowering) tree, and twenty-five (25) shrubs. For Wayne Road, the requirement is three (3) full-size trees, one (1) ornamental tree, and twenty (20) shrubs. The submitted landscape plan appears to meet these requirements.

Stormwater detention would be managed using an underground system.

Gas stations are permitted one (1) ground sign not to exceed forty (40) square feet in area, twelve feet (12□) in height, and a minimum setback of five feet (5□) from any right-of-way line. Signs are also allowed to be attached either to the wall of the building or the canopy fascia, based on two (2) square feet for each one (1) lineal foot of building frontage, with the maximum sign area not exceeding 100 square feet. The plans do not indicate any type of proposed signage for the site or building (except a generic wall sign on the front of the building)□therefore, signage was not reviewed as part of this petition.

April 23, 2024, Public □earing:

Approving Resolution: The request to re-develop the existing gas station site, including constructing a new building with a drive-up window for a food-service operation, at 34901 Ann Arbor Trail is hereby approved, subject to City Council approval and the following conditions:

1. The Site Plan identified as Sheet Number SP-103, dated September 13, 2023, prepared by N.C. Designers □ Contracting Inc. is hereby approved and shall be adhered to.

2. Approval is subject to the City Council waiving the minimum sixty-foot (60□) setback requirement from Ann Arbor Trail.

3. A perpetual cross-access and parking agreement with the adjacent parcel shall be recorded with the Wayne County Register of Deeds. The agreement

shall be submitted to the Inspection Department as part of the building permit application process.

4. All parking spaces, except the required handicapped spaces, shall be double-striped at ten feet (10□) wide by twenty feet (20□) in length as required by the □oning Ordinance.

5. The submitted Landscape Plan, Sheet SP-201, dated September 13, 2024, is approved in concept. A final landscape plan with the species types, quantities, and sizes of all plant materials shall be submitted to the Planning Department for approval before the issuance of any building permits.

6. All disturbed lawn areas shall be sodded instead of hydroseeding.

7. 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 permanently maintained in a healthy condition.

8. That the Elevations Plan identified as Sheet Number A-402, dated September 13, 2023, prepared by N.C. Designers □ Contracting Inc. is hereby approved and shall be adhered to.

9. All rooftop mechanical equipment shall be concealed from public view on all sides by screening, which shall be compatible with the materials and colors of the other exterior materials on the building.

10. The three walls of the trash dumpster area shall be constructed out of building materials that complement the building. The enclosure gates shall be solid steel or durable, long-lasting panel fiberglass.

11. That any illumination of the pump island canopy shall be restricted to the undercarriage, and all light fixtures shall be recessed and made flush with the established ceiling□provided, however, that this section shall not apply to those specified signs which are expressly allowed by the district regulations of the □oning Ordinance.

12. The gas pump island canopy shall not exceed eighteen feet (18□) in height, and its support columns shall be covered with the same brick used in the construction of the building.

13. All light fixtures shall not exceed twenty feet (20□) in height and shall be aimed and shielded to minimize stray light trespassing across property lines and glaring into adjacent roadways.

14. No outside storage, placement, or merchandise display shall be permitted at any time on this site.

15. Under Section 6.26 of the □oning Ordinance, free air shall be provided whenever this station is open for business. The free air shall be dispensed at the point of service without entering the station or performing any extra action to obtain the air without charge.

16. There shall be no vehicle vacuum equipment or outdoor storage of propane cylinders on the site.

17. The sale of ice shall be restricted to the inside of the building.

18. Only conforming signage is approved with this petition, and any additional signage shall be separately submitted for review and approval by the □oning Board of Appeals.

19. No LED lightband or exposed neon shall be permitted on this site, including, but not limited to, the pump island canopy, building, or around the windows.

20. Any type of exterior advertising, such as promotional flags, streamers, or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited unless approved by the proper local authority.

21. That the specific plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for□and

22. Under Section 13.13 of the Livonia □oning 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.

NEW ADDITION -GAS STATION

34901 ANN ARBOR TR — LIVONIA, MI



NC.DESIGNERS

N.C. DESIGNERS
& CONTRACTING INC.

EMAIL : NC.DESIGNERS@YAHOO.COM
MOBILE : (313) 986-8381

CODE INFORMATION - APPLIED ON SITE

1. BUILDING DESCRIPTION: ONE STORY COMMERCIAL BUILDING
2. APPLICABLE CODE:
   - BUILDING: 2015 MICHIGAN BUILDING CODE.
   - ACCESSIBILITY: ANSI 117.1–2003 ACCESSIBILITY.
   - ENERGY: 2015 MICHIGAN ENERGY CODE–ASHRAE 90.1–2007
   - FIRE: 2015 INTERNATIONAL FIRE CODE
   - PLUMBING: 2018 MICHIGAN PLUMBING CODE.
   - MECHANICAL: 2015 MICHIGAN MECHANICAL CODE.
   - ELECTRICAL: 2018 MICHIGAN ELECTRIC CODE.
3. OCCUPANCY/ USE CLASSIFICATION: COMMERCIAL 2
4. CONSTRUCTION TYPE: TYPE III-B
   TOTAL AREA: 3800 SQ FT
5. GROSS AREA SUMMARY:

AREAS		OCCUPANT LOAD
GAS STATION: RETAIL: 3800	SQ. FT.	X 0.8 / 100 = 36 (1 PER 100 SF GROSS)

6. ALLOWABLE BLDG. HEIGHT (504.3):

ALLOWED	EXISTING
35.0 FT.	20 FT

7. NUMBER OF REQUIRED EXITS: (2) REQUIRED MIN. (3) PROVIDED
8. 1 H.C. TOILET ROOM REQUIRED OCCUPANT LOAD LESS THAN 50 1 IS PROVIDED.
9. EXTERIOR WALLS CMU W/ BRICK VENEER (2 HR. FIRE RATING)

BUILDING DETAILS

Address:
34901 ANN ARBOR TR, LIVONIA, MI 48150
Sewer
Public Sewer (Sewer-Sanitary)

Property Type
Commercial

County
WAYNE

Water
Water at Street

LEGAL DESCRIPTION

33U2A1A1 PT OF SW 1/4 SEC 33
T1S R9E BEG S 89D 20M E
1068.69 FT AND DUE N 895.04 FT
AND S 88D 01M 30SBC E 24.03
FT FROM SW COR SEC 33
TH S 88D 01M 30SEC B 159.97 ET
TH S OD 13M 10SEC E 159.96 FT
THN 88D 01M 30SEC W 159.97 FT
TH N OD 13M 10SEC W 159.96 FT
POB 0.59 ACRE

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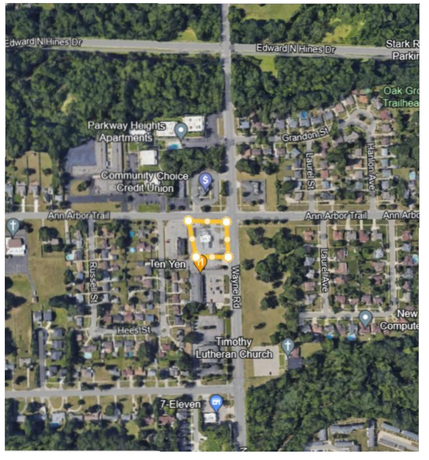
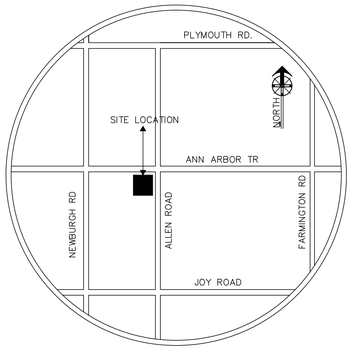
Lot Standards	C-2
Min. Lot Area	(k)
Min. Size of Commercial Buildings	(l)
Front Yard Setback	15 feet (p)
Side Yard Setback	8 feet (p)
Total of two side yard setbacks	16 feet
Rear Yard Setback	8 feet (p)
Max. Building Height	35 feet (2 stories), except as provided in Section 7.17 to Section 7.20

MAP



0 20' 50'

SCALE = 1" =50'-0"



LOCATION MAP

LEGEND

- BOUNDARY LINE
- BUILDING SETBACK LINE
- F — FOUND MONUMENT
- FIR — FOUND IRON ROD
- MEASURED (M)
- OHE — OVER HEAD ELECTRICAL
- G — GAS LINE
- W — SEWER

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BOUNDARIES

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Scale: Noted

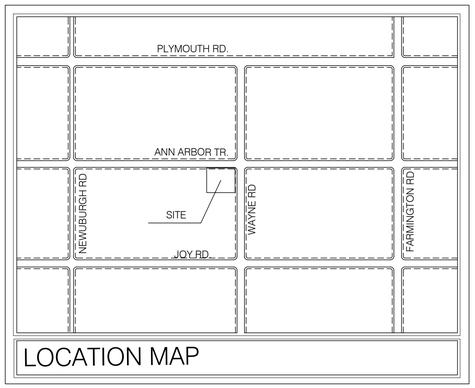
Project Number: 23-035

Sheet Number:

SP-101

0 20' 50'

SCALE = 1" =15'–0"



LOCATION MAP

LEGEND

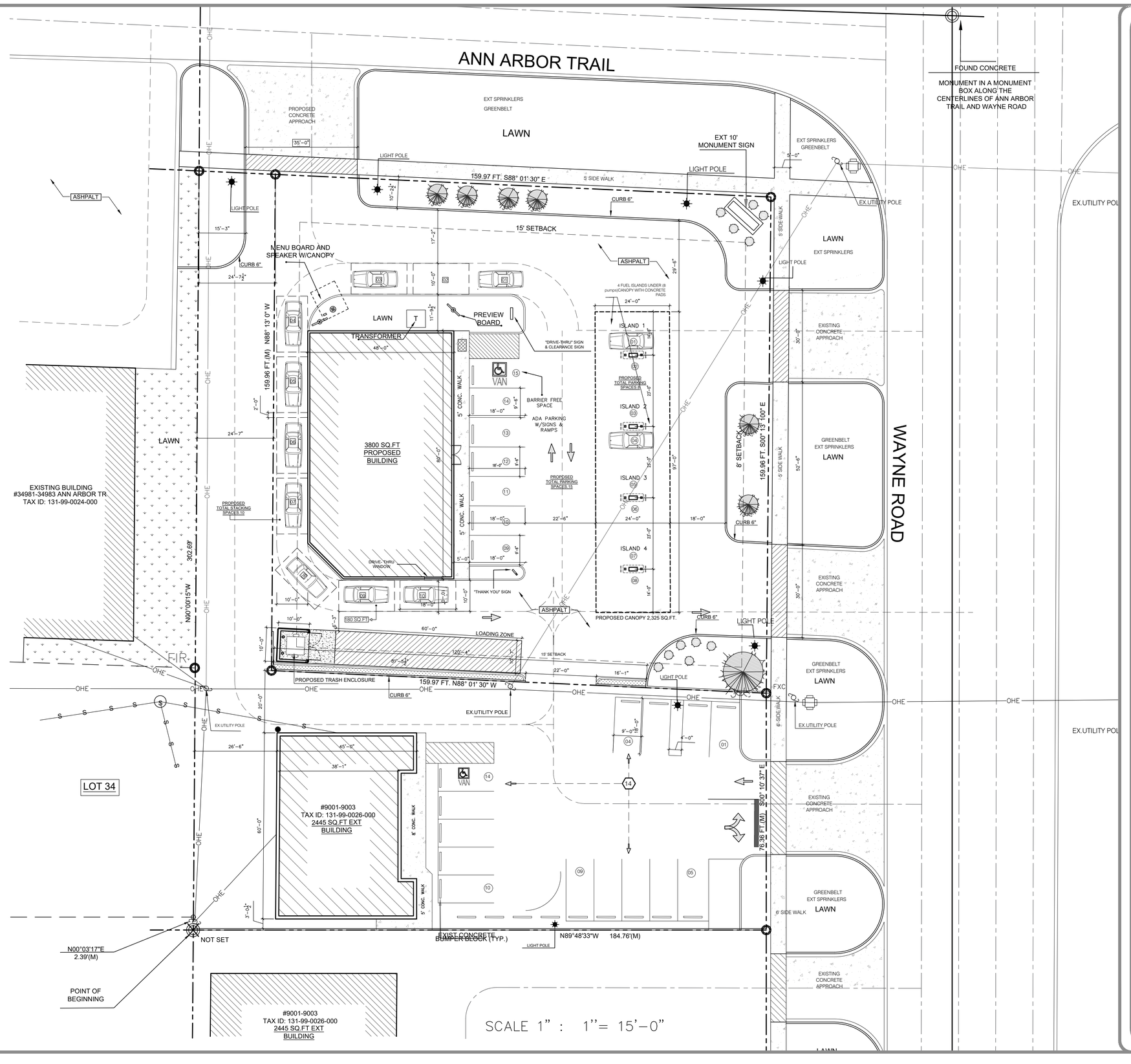
- PROPERTY LINE
- PROPOSED CURB & GUTTER
- EXISTING CURB & GUTTER
- ASPHALT
- CONCRETE SIDEWALK
- CONCRETE ROLLOVER CURB
- OHE OHE — OVERHEAD ELECTRIC
- XX — PROPOSED PARKING COUNT
- CONCRETE
- PAVEMENT MARKINGS
- STOP BAR & SIGN
- SIGN
- ACCESSIBLE PARKING SPA
- EX LIGHT POLE
- EXISTING UTILITY POLE
- MONUMENT SIGN

NOTE:
THE FREE AIR SHALL BE PROVIDED AT ALL TIMES
THIS STATION IS OPEN FOR BUSINESS.

SITE DATA		
PROPERTY AREA= 25589 SQ.FT. (0.587 ACRES)		
PROPOSED & EXISTING USE = FILLING STATION WITH CONVIENENT STORE		
ZONED = C-02		
SURROUNDING ZONED = C-02 (ALL SIDES)		
ITEM	EXISTING	PROPOSED
BUILDING AREA	2044 SQ.FT	3800 SQ.FT
BUILDING HEIGHT	13'-0"	14'-4"
SET BACKS		
FRONT (ANN ARBOR TRAIL)	60.00 FT.	50'-0"
REAR	78.20 FT.	10'-0"
SIDE (WAYNE ROAD)	75.00 FT.	100'-0"
SIDE	40.90 FT.	32'-0"
TOTAL BUILDING AREA= 2044 SQ.FT.		3800 SQ FT
TOTAL SALES AREA= 1000 SQ.FT.		1700 SQ FT

PARKING AND LOADING AREA	REQUIRED	PROPOSED
1 SPACE PER EACH 150 SQ.FT OF SALES AREA PLUS 1 PER EMPLOYEE	1650SQ.FT/150 = 11 + 1 (EMPLOYEE)= 12 SPACES	10 SPACES
1 SPACE PER EACH 125 SQ.FT OF RESTAURANT	545SQ.FT/125 = 4 + 2 EMPLOYEES= 6 SPACES	4 SPACES
BARRIER- FREE	1 SPACE	1 SPACE
LOADING/UNLOADING	10.00' x 60.00'	10.00' x 60.00'
TOTAL	19 SPACES	15 SPACES

ZONING: C-2 PER LIVONIA ORDINANCE	REQUIRED SETBACK	SETBACK PER PROPOSED
FRONT - ANN ARBOR TRAIL	16.00'	50.00'
REAR - LINE ADJACENT TO #9001-9003	8.00'	32.00'
SIDE - WAYNE ROAD	8.00'	100.00'
SIDE	8.00'	12.00'



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PROPOSED SITE PLAN

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Project Number: 23-035

Sheet Number:

SP-103

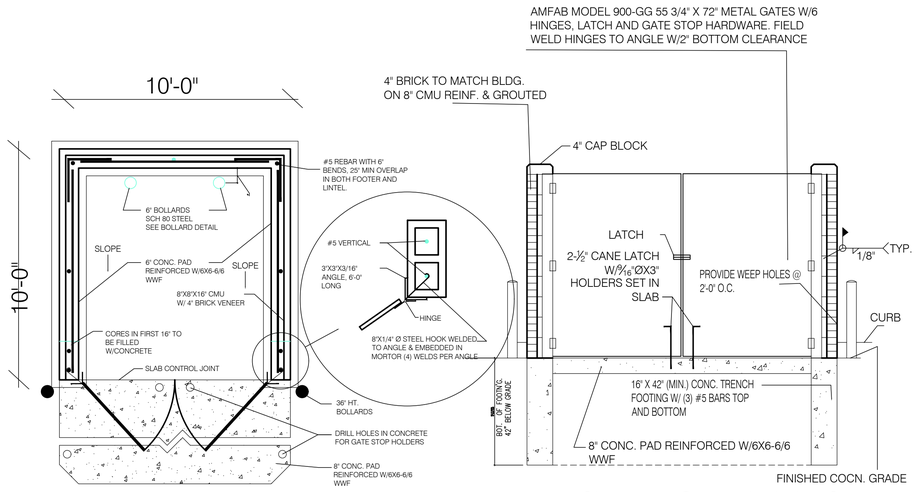
SPRINKLER SYSTEM TO BE INSTALLED FOR THE WATERING LANDSCAPING

LAWN–CUT MAINTENANCE TO BE EVERY WEEK
SEASONAL MAINTENANCE FOR SPRINKLE SYSTEM
SEASONAL MAINTENANCE FOR ALL TREES AND SHRUBS
SEASONAL MAINTENANCE ON MULCH

FRONTAGE LANDSCAPING /REQUIRED NUMBER OF PLANTS		
ROAD	WAYNE ROAD 160'	ANN ARBOR TRAIL
DECIDUOUS OR EVERGREEN TREES	100 FT./ 40 FT. = 3 TREES	130 FT./ 40 FT. = 4 TREES
ORNAMENTAL TREES	100 FT./ 100 FT. = 1 TREE	130 FT./ 100 FT. = 2 TREES
SHRUBS	100 FT./ 40 FT. x 8 = 20 SH	130 FT./ 40 FT. x 8 = 26 SH
SUBTOTAL	3 DECIDUOS/EVGREEN, 1 ORNAMENTAL TREE AND 20 SHRUB	4 DECIDUOS/EVGREEN, 2 ORNAMENTAL TREE AND 26 SHRUB
TOTAL	7 DECIDUOS/EVGREEN, 3 ORNAMENTAL TREE AND 46 SHRUB	

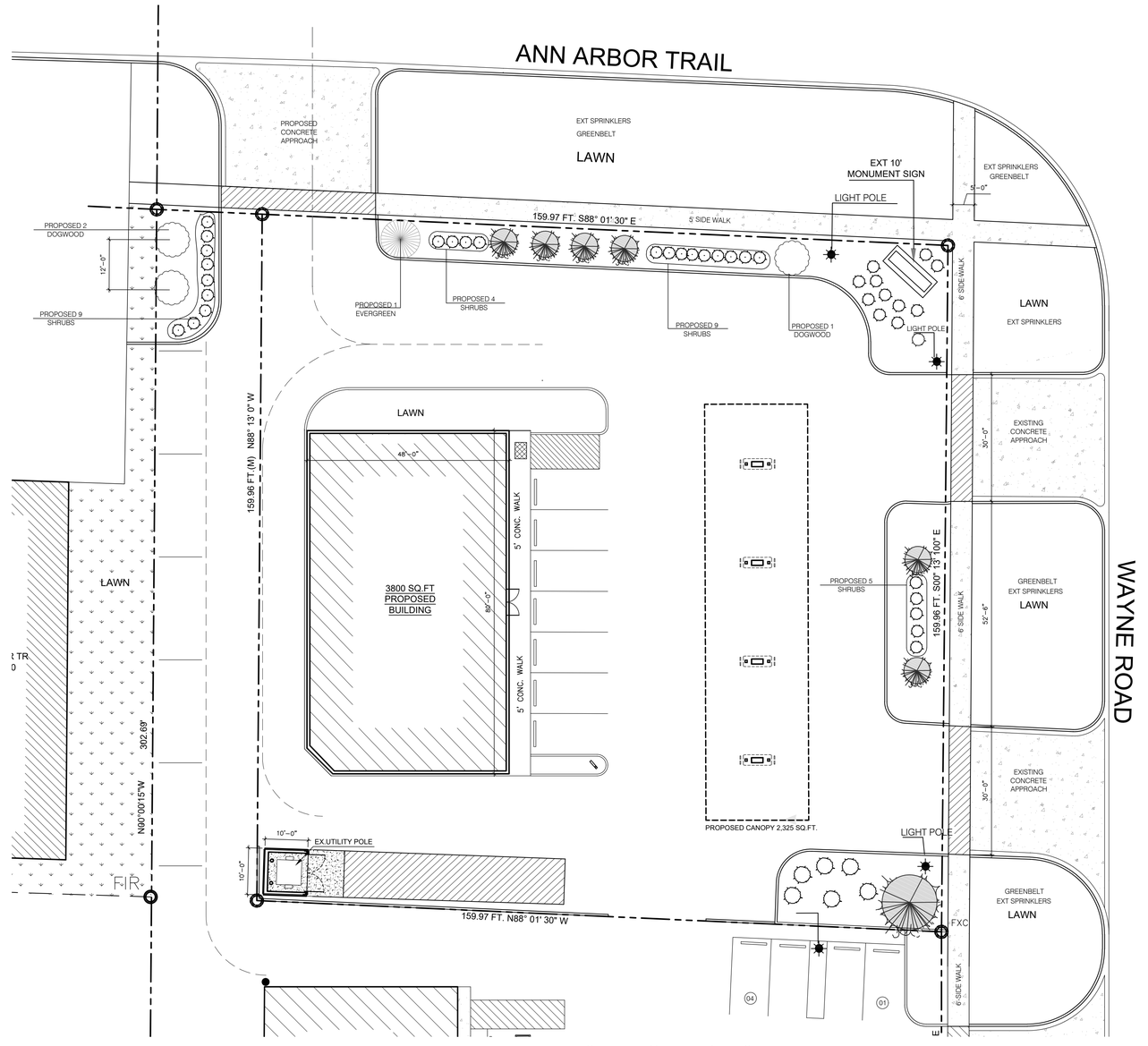
WAYNE ROAD : LENGTH OF ROAD FRONTAGE 160 LINEAR FEET MINUS 60-FOOT (2 DRIVEWAYS 30' EACH) = 100 FEET

ANN ARBOR TRAIL : LENGTH OF ROAD FRONTAGE 160 LINEAR FEET MINUS 30-FOOT DRIVEWAY 30' = 130 FEET



DUMPSTER PAD & ENCLOSURE PLAN

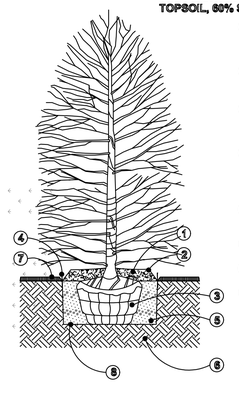
DUMPSTER FRONT ELEVATION
N.T.S.



SCALE 1" : 1''= 15'–0"

NOTE:

- **CONTRACTOR TO VERIFY PERCOLATION OF PLANTING PIT PRIOR TO INSTALLATION.**
- **THE PLANTING MIXTURE SHALL CONSIST OF 20% TOPSOIL, 60% SAND, AND 20% COMPOST.**

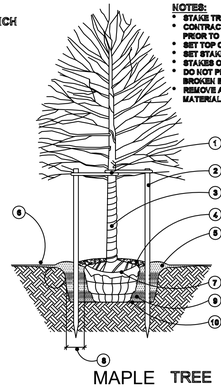


1. **SHREDDED BARK MULCH AT THREE INCH (3") MINIMUM DEPTH. MULCH SHALL BE NATURAL IN COLOR.**
2. **FORM A SAUCER WITH MULCH AND SOIL AROUND SHRUB BED.**
3. **CUT AND REMOVE BURLAP AND BINDINGS FROM THE TOP ONE-THIRD (1/3) OF THE ROOTBALL.**
4. **3/16" x 4" ALUMINUM EDGING (OR APPROVED EQUIVALENT) OR SPADED EDGE.**
5. **EXCAVATE PLANTING BED AND BACKFILL WITH PREPARED PLANTING MIX.**
6. **UNDISTURBED SUBGRADE.**
7. **LAWN.**
8. **SCARIFY SUBGRADE.**

EVERGREEN TREE (6' HEIGHT)

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 ABOVE THE FIRST BRANCH USING TWO INCH TO THREE INCH (2"-3") WIDE BELT-LIKE MATERIAL OF FABRIC. (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. PORTION BY 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 MIXTURE SHALL CONSIST OF 60% TOPSOIL AND 60% SAND.**
10. **SCARIFY BOTTOM AND SIDES OF PLANTING PIT TO FOUR INCH (4") DEPTH.**

MAPLE TREE
PLANTING DETAILS

LANDSCAPE SCHEDULE			EXISITNG TO REMAIN	EXISITNG TO BE REMOVED
TYPE	SYMBOL	SIZE	QUANTITY	QUANTITY
SHRUB		24" MIN HIGH	19	05
DECIDUOUS TREE		6' MIN HIGH	07	00
EVERGREEN TREE		6' MIN HIGH	00	03

PROPOSED SCHEDULE			
TYPE	SYMBOL	SIZE	QUANTITY
SHRUB		24" MIN HIGH	27
FLOWERING DOGWOOD		6' MIN HIGH	03
EVERGREEN TREE		6' MIN HIGH	1

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LANDSCAPE PLAN

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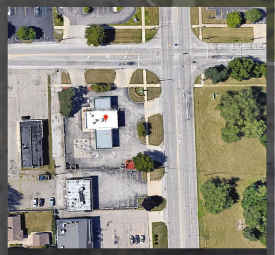




SHRUBS



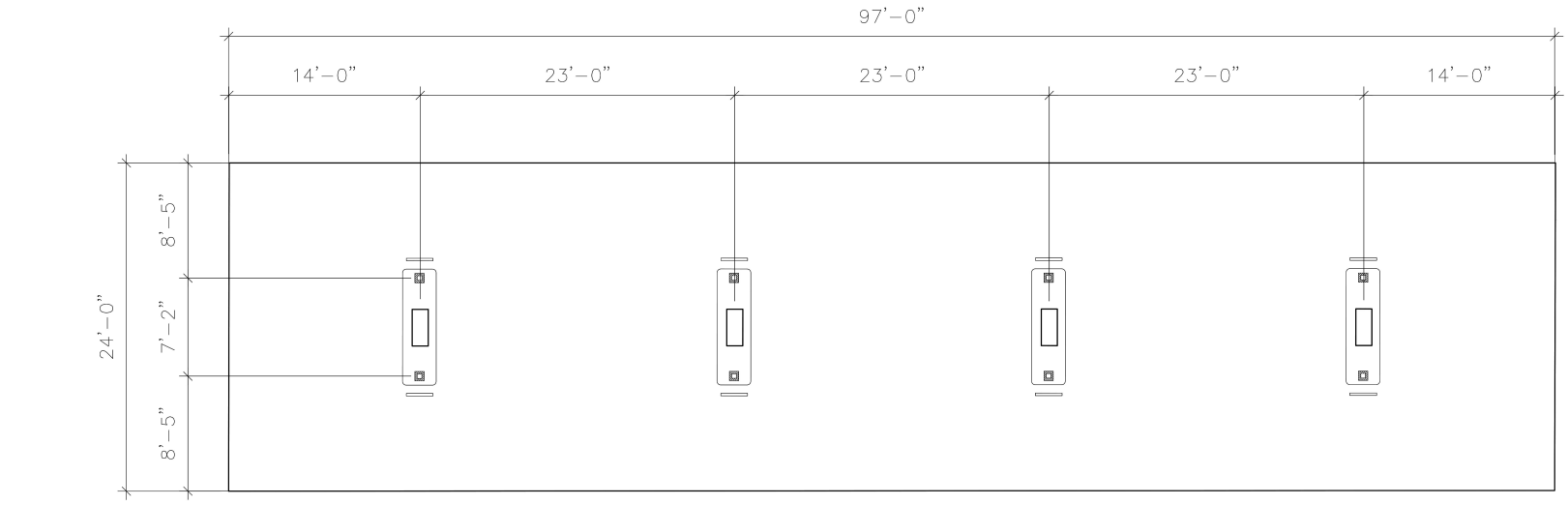
EVERGREEN

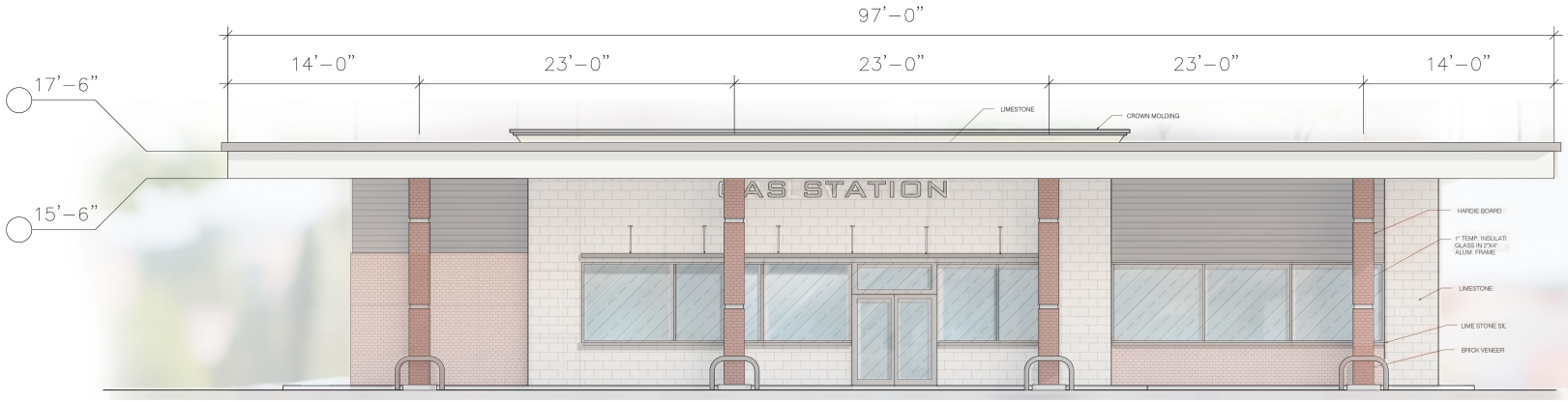


FLOWERING DOGWOD

LANDSCAPE SCHEDULE			EXISITNG TO REMAIN	EXISITNG TO BE REMOVED
TYPE	SYMBOL	SIZE	QUANTITY	QUANTITY
SHRUB		24" MIN HIGH	19	05
DECIDUOUS TREE		6' MIN HIGH	07	00
EVERGREEN TREE		6' MIN HIGH	00	03

PROPOSED SCHEDULE			
TYPE	SYMBOL	SIZE	QUANTITY
SHRUB		24" MIN HIGH	27
FLOWERING DOGWOOD		6' MIN HIGH	03
EVERGREEN TREE		6' MIN HIGH	1







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CANOPY

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Project Number: 23-035

Sheet Number:

A-105



D-Series Size 1
LED Area Luminaire

d-series

Buy American

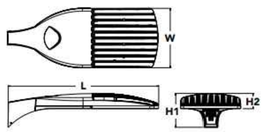
Catalog Number

Notes

Type

Specifications

EPA:	1.01 ft² (0.09 m²)
Length:	33" (83.8 cm)
Width:	13" (33.0 cm)
Height H1:	7-1/2" (19.0 cm)
Height H2:	3-1/2"
Weight (max):	27 lbs (12.2 kg)



Introduction

The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment. The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire.

The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. It is ideal for replacing up to 750W metal halide in pedestrian and area lighting applications with typical energy savings of 65% and expected service life of over 100,000 hours.

Ordering Information

EXAMPLE: DSX1 LED P7 40K T3M MVOLT SPA NLTAIR2 PIRHN DDBXD

DSX1 LED

Series	LEDs	Color temperature	Distribution		Voltage	Mounting
DSX1 LED	**Forward optics** P1 P4[1] P7[1] P2 P5[1] P8 P3 P6[1] P9[1] **Rotated optics** P10[1] P12[1] P11[1] P13[1,2]	30K 3000 K 40K 4000 K 50K 5000 K	T1S Type I short (Automotive) T2S Type II short T2M Type II medium T3S Type III short T3M Type III medium T4M Type IV medium TFTM Forward throw medium	T5VS Type V very short[3] T5S Type V short[3] T5M Type V medium[3] T5W Type V wide[3] BLC Backlight control[4] LCCO Left corner cutoff[4] RCCO Right corner cutoff[4]	MVOLT[5,6] XVOLT (277V-480V)[6,7,8] 120[9] 208[9] 240[9] 277[9] 347[9] 480[9]	**Shipped included** SPA Square pole mounting RPA Round pole mounting[10] WBA Wall bracket[1] SPUMBA Square pole universal mounting adaptor[11] RPUMBA Round pole universal mounting adaptor[11] **Shipped separately** KMA8 DDBXD U Mast arm mounting bracket adaptor (specify finish)[12]

Control options		Other options		Finish (required)	
Shipped installed NLTAIR2 nLight AIR generation 2 enabled[13] PIRHN Network, high/low motion/ambient sensor[14] PER NEMA twist-lock receptacle only (controls ordered separate)[15] PERS Five-pin receptacle only (controls ordered separate)[15,16] PER7 Seven-pin receptacle only (controls ordered separate)[15,16] DMG 0-10v dimming wires pulled outside fixture (for use with an external control, ordered separately)[17] DS Dual switching[18,19,20]	PIR High/low, motion/ambient sensor, 8–15' mounting height, ambient sensor enabled at 3fc[21,22] PIRH High/low, motion/ambient sensor, 15–30' mounting height, ambient sensor enabled at 3fc[21,22] PIR1FC3V High/low, motion/ambient sensor, 8–15' mounting height, ambient sensor enabled at 1fc[21,22] PIRH1FC3V Bi-level, motion/ambient sensor, 15–30' mounting height, ambient sensor enabled at 1fc[21,22] FAO Field adjustable output[19,23]	**Shipped installed** HS House-side shield[24] SF Single fuse (120, 277, 347V)[9] DF Double fuse (208, 240, 480V)[9] L90 Left rotated optics[2] R90 Right rotated optics[2] HA 50°C ambient operations[1] BAA Buy American Act Compliant **Shipped separately** BS Bird spikes[24] EGS External glare shield	DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white	

Ordering Information

Accessories

Ordered and shipped separately.

DLL127F 1.5 JU	Photocell - SSL twist-lock (120-277V)[1]
DLL347F 1.5 CUL JU	Photocell - SSL twist-lock (347V)[1]
DLL480F 1.5 CUL JU	Photocell - SSL twist-lock (480V)[1,25]
DSHORT SBK U	Shorting cap[26]
DSX1HS 30C U	House-side shield for P1, P2, P3, P4 and P5[24]
DSX1HS 40C U	House-side shield for P6 and P7[24]
DSX1HS 50C U	House-side shield for P8, P9, P10, P11 and P12[24]
PUMBA DDBXD U[12]	Square and round pole universal mounting bracket (specify finish)[26]
KMA8 DDBXD U	Mast arm mounting bracket adaptor (specify finish)[12]
DSX1EGS (FINISH) U	External glare shield

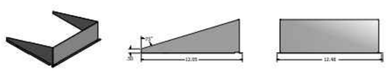
For more control options, visit DTL and ROAM online.

NOTES

1. HA not available with P4, P5, P6, P7, P9 and P13.
2. P10, P11, P12 or P13 and rotated optics (L90, R90) only available together.
3. Any Type 5 distribution with photocell, is not available with WBA.
4. Not available with HS.
5. MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
6. XVOLT only suitable for use with P3, P5, P6, P7, P9 and P13.
7. XVOLT works with any voltage between 277V and 480V.
8. XVOLT not available with fusing (SF or DF) and not available with PIR, PIRH, PIR1FC3V, PIRH1FC3V.
9. Single fuse (SF) requires 120V, 277V or 347V. Double fuse (DF) requires 208V, 240V or 480V. XVOLT not available with fusing (SF or DF.
10. Suitable for mounting to round poles between 3.5" and 12" diameter.
11. Universal mounting brackets intended for retrofit on existing, pre-drilled poles only. 1.5 G vibration load rating per ANSI C136.31. Only usable when pole's drill pattern is NOT Lithonia template #8
12. Must order fixture with SPA option. Must be ordered as a separate accessory; see Accessories information. For use with 2-3/8" diameter mast arm (not included).
13. Must be ordered with PIRHN. Sensor cover available only in dark bronze, black, white and natural aluminum colors.
14. Must be ordered with NLTAIR2. For more information on nLight Air 2 visit this link.
15. Photocell ordered and shipped as a separate line item from Acuity Brands Controls. See accessories. Shorting cap included.
16. If MSM* node required, it must be ordered and shipped as a separate line item from Acuity Brands Controls. Node with integral dimming.
17. DMG not available with PIRHN, PERS, PER7, PIR, PIRH, PIR1FC3V or PIRH1FC3V, FAO.
18. Provides 50/50% fixture operation via (2) independent drivers. Not available with PER, PERS, PER7, PIR or PIRH. Not available P1, P2, P3, P4 or P5.
19. Requires (2) separately switched circuits with isolated neutral.
20. Reference Controls Option Default settings table on page 4.
21. Reference Motion Sensor table on page 4 to see functionality.
22. Not available with other dimming controls options.
23. Not available with BLC, LCCO and RCCO distribution. Also available as a separate accessory; see Accessories information.
24. Must be ordered with fixture for factory pre-drilling.
25. Requires luminaire to be specified with PER, PERS or PER7 option. See Control Option Table on page 4.
26. For retrofit use only. Only usable when pole's drill pattern is NOT Lithonia template #8.

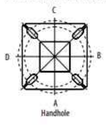
Options

EGS - External Glare Shield

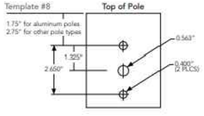


Drilling

HANDHOLE ORIENTATION



Template #8 — Top of Pole



Tenon Mounting Slipfitter

Tenon O.D.	Mounting	Single Unit	2 @ 180	2 @ 90	3 @ 90	3 @ 120	4 @ 90
2-3/8"	RPA	AS3-5 190	AS3-5 280	AS3-5 290	AS3-5 390	AS3-5 320	AS3-5 490
2-7/8"	RPA	AST25-190	AST25-280	AST25-290	AST25-390	AST25-320	AST25-490
4"	RPA	AST35-190	AST35-280	AST35-290	AST35-390	AST35-320	AST35-490

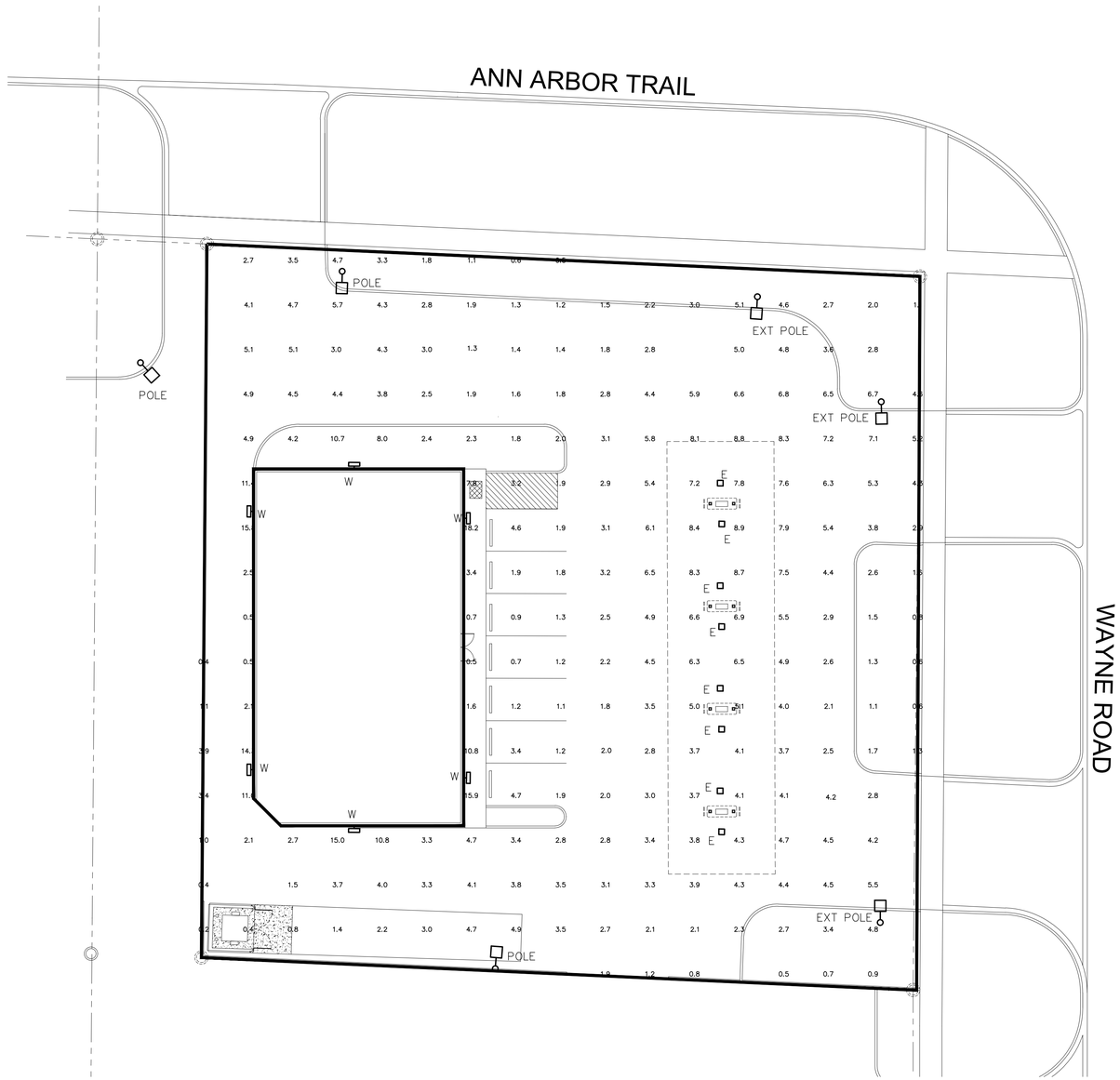
Mounting Option	Drilling Template	Single	2 @ 180	2 @ 90	3 @ 90	3 @ 120	4 @ 90
Head Location		Side B	Side B & D	Side B & C	Side B, C & D	Round Pole Only	Side A, B, C & D
Drill Nomenclature	#8	DM19AS	DM28AS	DM29AS	DM39AS	DM32AS	DM49AS

DSX1 Area Luminaire - EPA

*Includes luminaire and integral mounting arm. Other tenons, arms, brackets or other accessories are not included in this EPA data.

Fixture Quantity & Mounting Configuration	Single DM19	2 @ 180 DM28	2 @ 90 DM29	3 @ 90 DM39	3 @ 120 DM32	4 @ 90 DM49
Mounting Type						
DSX1 LED	1.013	2.025	1.945	3.038	2.850	3.749

	Drilling Template	Minimum Acceptable Outside Pole Dimension				
SPA	#8	2-7/8"	2-7/8"	3.5"	3.5"	3"	3.5"
RPA	#8	2-7/8"	2-7/8"	3.5"	3.5"	3"	3.5"
SPUMBA	#5	2-7/8"	3"	4"	4"	3.5"	4"
RPUMBA	#5	2-7/8"	3.5"	5"	5"	3.5"	5"



SCALE 1" : 1"= 15'-0"

LUMINAIRE SCHEDULE

NOT FOR PRODUCTION USE	SYMBOL	LAMP	DESCRIPTION	BALLAST	MOUNTING	MODEL	VOLTS	NOTE 1	NOTE 2	NOTE 3	QUANTITY
CAMOPY	□	HLM LIGHT ENGINE, LED	ASW1 WALL LIGHT 42 LEDs 350 mA DRIVE CURRENT 30K COLOR TEMP TYPE 2 DISTRIBUTION	ELECTRONIC	CEILING	Lithonia Lighting, ASW1 LED 42C 350 30K SR2 MVOLT	120V 1P 2W	LED Driver,			9
POLE	○— □	(1) LED,	DSX1 LED P3 40K T4M MVOLT with houseside shield	ELECTRONIC	CEILING	Lithonia Lighting, DSX1 LED P3 40K T4M MVOLT HS	120V 1P 2W	LED DRIVER,			6
WALL	⊢	(1)	WLFC-45W-40K-MV-10D-G2	ELECTRONIC	CEILING	Warehouse Lighting	120V 1P 2W				6

N.C. DESIGNERS & CONTRACTING INC.

3241 S. TELEGRAPH
Dearborn, MI 48124
313-986-8381
Email: ncdesigners@yahoo.com

Project Name: ADDITION TO AN EXT GAS STATION

Project Location: 34901 ANN ARBOR TRAIL, LIVONIA, MI

Owner:

3241 S. TELEGRAPH
Dearborn, MI 48124
313-986-8381
Email: ncdesigners@yahoo.com

Seal:



Issued For

09/13/2023 Planning Dept.

Drawn By: N. C.
Checked By: N. C.
Approved By: A. A.

Sheet Title:

PHOTOMETRIC

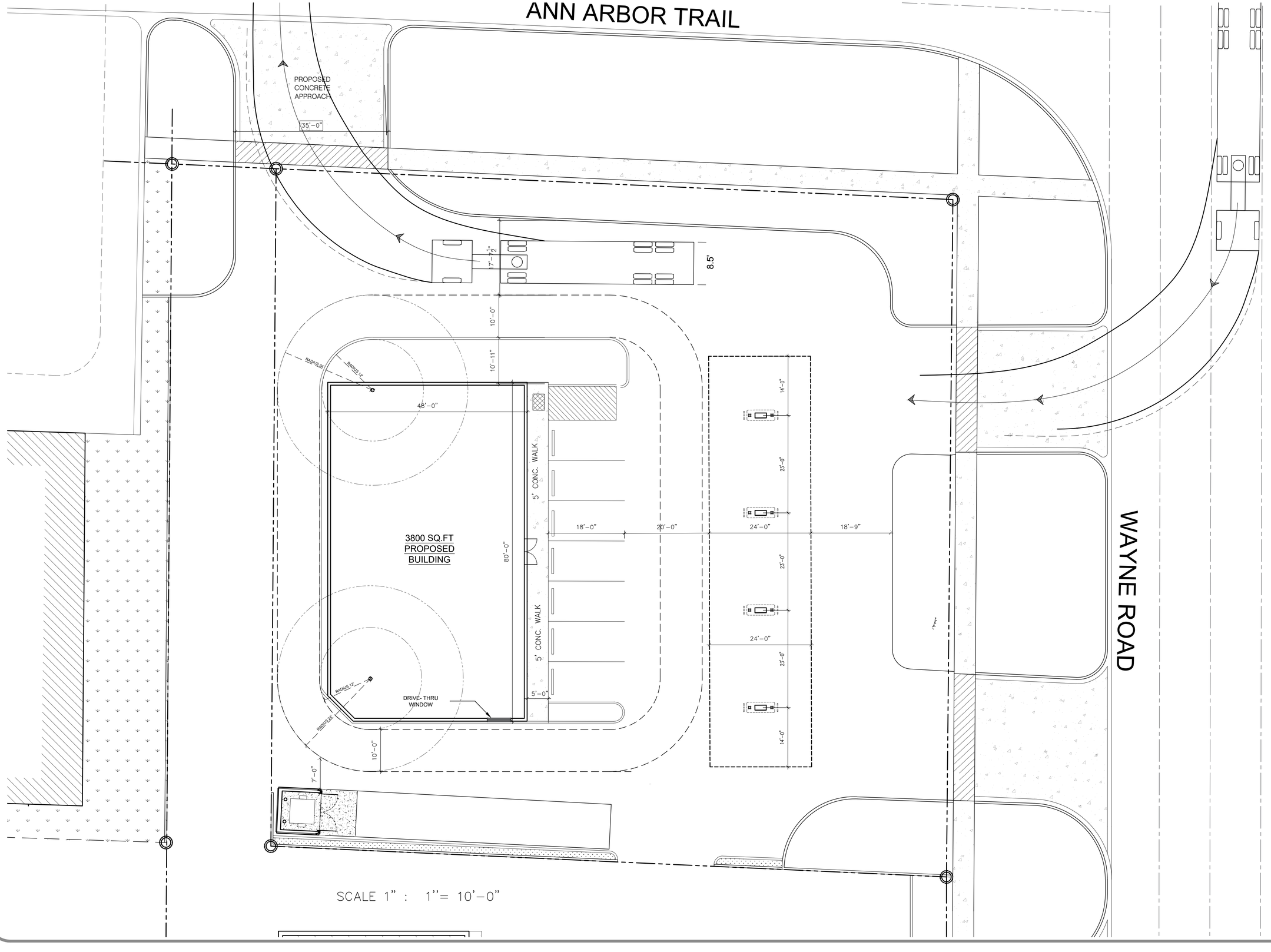
Date: 12/18/2023

Scale: Noted

Project Number: 23-035

Sheet Number:

SP-301



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Owner:

3241 S. TELEGRAPH
Dearborn, MI 48124
313-986-8381
Email: ncdesigners@yahoo.com

Seal:

STATE OF MICHIGAN
ADNAN H AL- SAATI
ENGINEER
No. 6201038126
LICENSED PROFESSIONAL ENGINEER

Issued For

09/13/2023	Planning Dept.

Drawn By:	N. C.
Checked By:	N. C.
Approved By:	A. A.

Sheet Title:

TRUCK

Date:

12/18/2023

Scale:

Noted

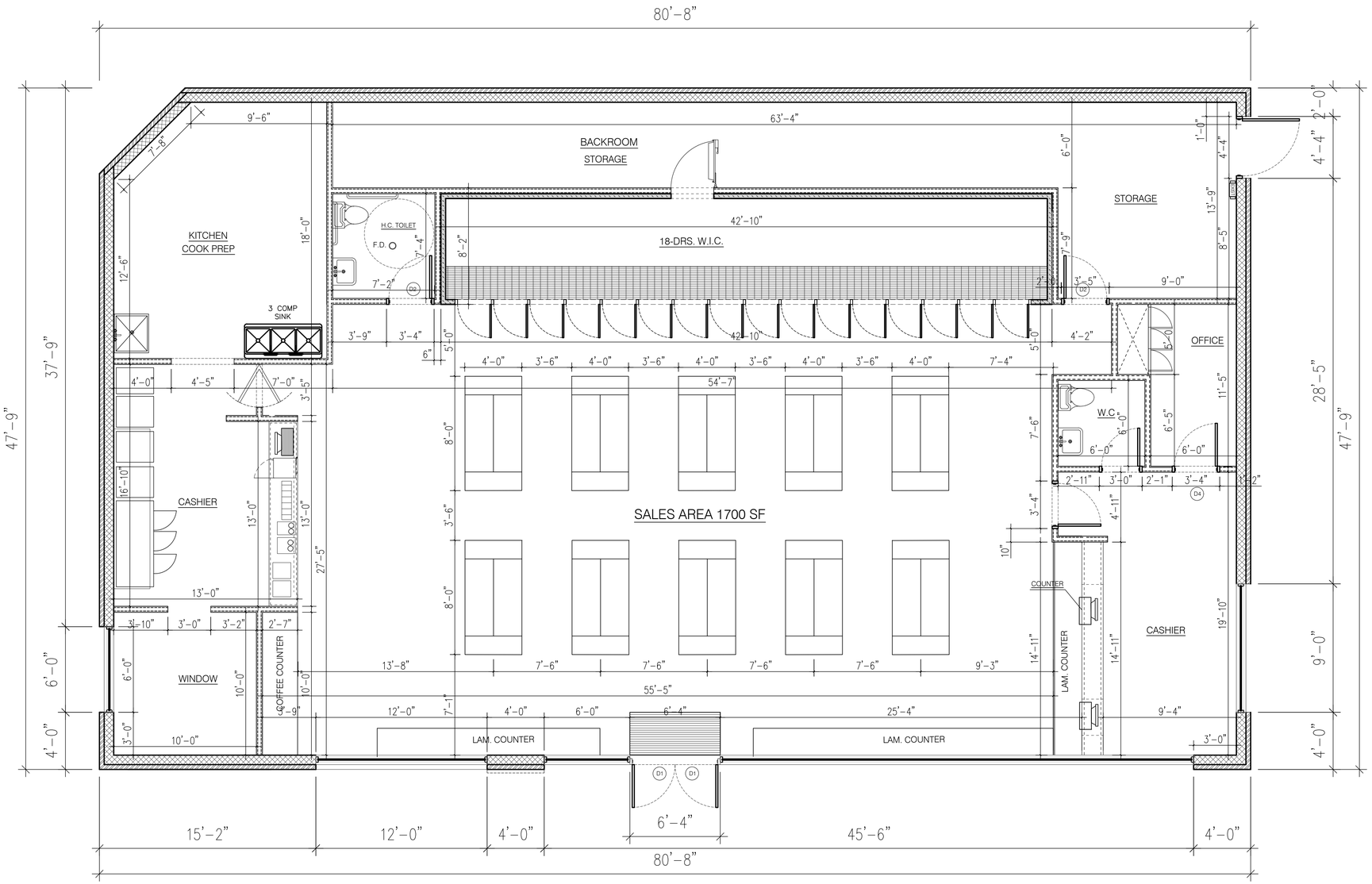
Project Number:

23-035

Sheet Number:

SP-401

1



N

PROPOSED FLOOR PLAN

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

N.C. DESIGNERS
& CONTRACTING INC.

3241 S. TELEGRAPH
Dearborn, MI 48124
313-986-8381
Email: ncdesigners@yahoo.com

Project Name: ADDITION TO AN EXT GAS STATION

Project Location: 34901 ANN ARBOR TRAIL, LIVONIA, MI

Owner:

3241 S. TELEGRAPH
Dearborn, MI 48124
313-986-8381
Email: ncdesigners@yahoo.com

Seal:

STATE OF MICHIGAN
ADNAN H AL-SAATI
ENGINEER
No. E-201026126
LICENSED PROFESSIONAL ENGINEER

Issued For

09/13/2023	Planning Dept.

Drawn By:	N. C.
Checked By:	N. C.
Approved By:	A. A.

Sheet Title:

PROPOSED FLOOR PLAN

Date: 12/18/2023

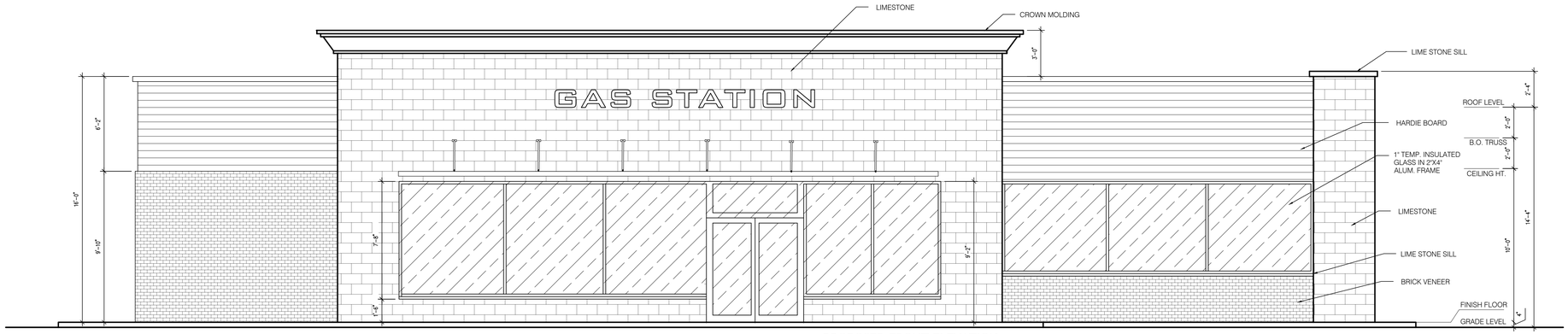
Scale: Noted

Project Number: 23-035

Sheet Number:

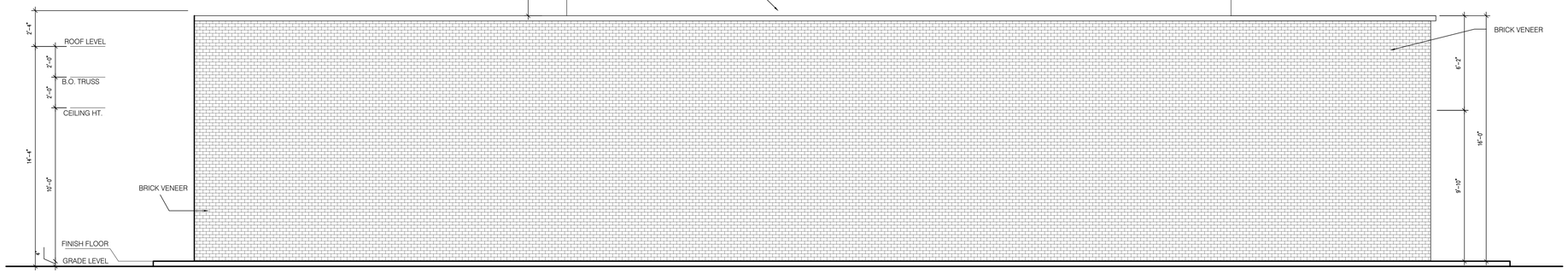
A-201

1



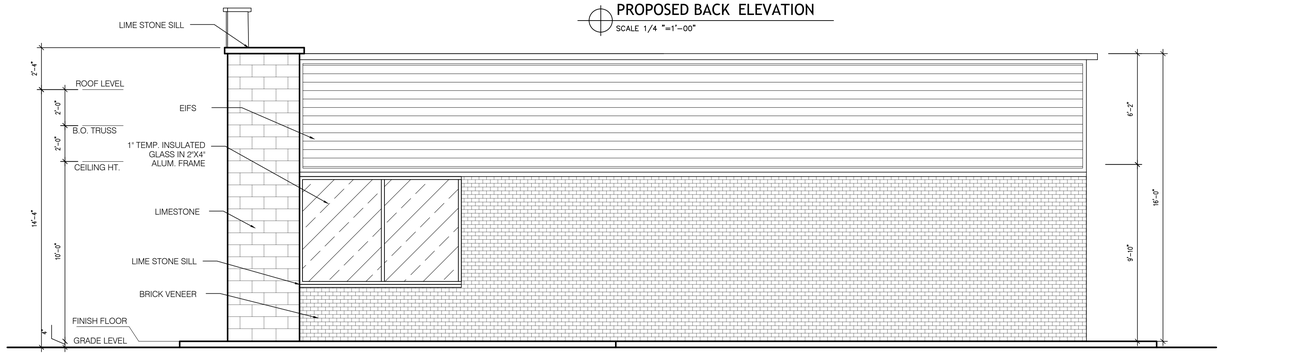
PROPOSED FRONT ELEVATION

SCALE 1/4 "=1'-00"



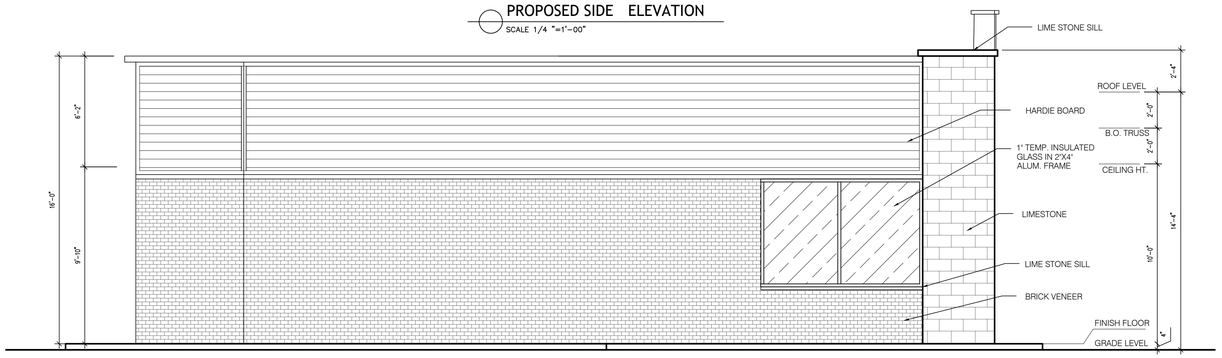
PROPOSED BACK ELEVATION

SCALE 1/4 "=1'-00"



PROPOSED SIDE ELEVATION

SCALE 1/4 "=1'-00"



PROPOSED SIDE ELEVATION

SCALE 1/4 "=1'-00"

N.C. DESIGNERS & CONTRACTING INC.

3241 S. TELEGRAPH
Dearborn, MI 48124
313-986-8381
Email: ncdesigners@yahoo.com

Project Name: ADDITION TO AN EXT GAS STATION

Project Location: 34901 ANN ARBOR TRAIL, LIVONIA, MI

Owner:

3241 S. TELEGRAPH
Dearborn, MI 48124
313-986-8381
Email: ncdesigners@yahoo.com

Seal:

STATE OF MICHIGAN
ADNAN H AL-SAATI
ENGINEER
No. 6201028126
REGISTERED PROFESSIONAL ENGINEER

Issued For

09/13/2023 Planning Dept.

Drawn By: N. C.
Checked By: N. C.
Approved By: A. A.

Sheet Title:

PROPOSED ELEVATIONS

Date:
12/18/2023

Scale:
Noted

Project Number:
23-035

Sheet Number:
A-402



N.C. DESIGNERS
& CONTRACTING INC.

3241 S. TELEGRAPH
Dearborn, MI 48124
313-986-8381
Email: ncdesigners@yahoo.com

Project Name: ADDITION TO AN EXT GAS STATION

Project Location: 34901 ANN ARBOR TRAIL, LIVONIA, MI

Owner:

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Dearborn, MI 48124
313-986-8381
Email: ncdesigners@yahoo.com

Seal:

STATE OF MICHIGAN
ADNAN H AL-SAATI
ENGINEER
No. 6201028126
REGISTERED PROFESSIONAL ENGINEER

Issued For

09/13/2023 Planning Dept.

Drawn By: N. C.
Checked By: N. C.
Approved By: A. A.

Sheet Title:

RENDERING

Date:
12/18/2023

Scale:
Noted

Project Number:
23-035

Sheet Number:

R-1

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

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

MAUREEN MILLER BROSNAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

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

March 8, 2024

Mr. Scott Miller
Assistant Planning Director
City of Livonia

Re: Petition 2024-02-02-05 – #34901 Ann Arbor Trail

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, but would like to note the following items:

1. The subject parcel is assigned the address of **#34901 Ann Arbor Trail**. Should additional addresses be needed, the Owner will need to contact this Department once permitting has been completed.

2. The legal descriptions submitted with the drawings appears to be correct and should be used for the parcels should the waiver-use be granted.

3. Any disturbances with the Wayne Road right-of-way will require permits through the Wayne County Department of Public Service, including drive approach and sidewalk removals and placements.

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: 2024 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: 3-18-2024

TO: Scott O. Miller, Planner IV

FROM: Livonia Fire Prevention Division

SUBJECT: Petition 2024-02-02-05 34901 Ann Arbor Tr. Gas Station

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:

1. Maintain appropriate access way measurements for emergency vehicles.
2. Follow through with State of Michigan inspections if required.

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

March 11th 2024

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

Re: Petition 2024-02-02-05 – 34901 Ann Arbor Trail

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: April 3, 2024

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2024-02-02-05 – 34901 Ann Arbor Trail

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

1. Parking spaces shall be 10’ wide and 20’ deep and double striped.
2. The van-accessible barrier-free parking space shall be sized, signed, and marked in accordance with the Michigan Barrier-Free Code.
3. The proposed plan does not provide provisions for a bypass lane for the drive-up window as required.
4. The proposed plan does not provide parking spaces designated for drive-up window patrons as required.
5. Signage has not been reviewed. All signage must be in accordance with the sign ordinance or a variance from the Zoning Board of Appeals would be required.

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

March 7, 2024

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

2024-02-02-05 - 34901 Ann Arbor Trail

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

FW: Petition 2024-02-02-05 - 34901 Ann Arbor Trail

Reece, Stephanie <SReece@livonia.gov>
Mon 4/15/2024 8:50 AM
To:Goff, Erika <egoff@livonia.gov>

Stephanie Reece
Program Supervisor
City of Livonia | Planning Department
(734) 466-2288
SReece@livonia.gov

From: Nash, Susan M. <snash@livonia.gov>
Sent: Monday, April 15, 2024 8:45 AM
To: Reece, Stephanie <SReece@livonia.gov>
Subject: RE: Petition 2024-02-02-05 - 34901 Ann Arbor Trail

All taxes and water paid

Susan Nash
City Treasurer
City of Livonia | Treasurer's Office
(734) 466-2244
snash@livonia.gov

From: Reece, Stephanie <SReece@livonia.gov>
Sent: Friday, April 12, 2024 3:35 PM
To: Nash, Susan M. <snash@livonia.gov>
Subject: FW: Petition 2024-02-02-05 - 34901 Ann Arbor Trail

Hi,

I have not received your response regarding the attached.
If you can please get that to us by Tuesday, it would be appreciated.
S

Stephanie Reece
Program Supervisor
City of Livonia | Planning Department

NEW DATA RECEIVED FOR THE REGULAR MEETING OF JUNE 3, 2024, ITEM 29

From: Lichtenberg, Debra
To: Kasprowicz, Sara
Cc: Mayor Staff
Subject: Additional info for CC on Tax Admin Fee for 06.30.2024 regular mtg FINAL
Date: Friday, May 31, 2024 10:33:42 AM
Attachments: Additional info for CC on Tax Admin Fee for 06.30.2024 regular mtg FINAL.docx

---

Hi Sara,

Attached is the additional data requested by Council regarding the tax administration fee. Can you please share this with the Council and add to the regular meeting agenda item # 29 for the June 3, 2024 meeting?

Please let me know if you have any questions.

Thank you!
Debbie

Debra Peck Lichtenberg, CPA
Finance Director
City of Livonia | Finance Department
(734) 466-2260
dlichtenberg@livonia.gov

DEPARTMENT OF FINANCE

Debra Peck Lichtenberg, CPA
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

To: The Honorable Council President and Members of the City Council

From: Debra Peck Lichtenberg, Director of Finance

Re: **NEW DATA FOR REGULAR MEETING OF JUNE 3, 2024**
Additional Data on Proposed Tax Administration Fee, as requested by Council.

Date: May 31, 2024

At the Study Meeting held on May 20, 2024, discussion was held on the topic of a proposed limited tax administration fee. Councilmember Morgan requested additional information regarding the impact of this fee on taxpayers at the low, average, and high taxable value ranges of the affected properties. The following information is provided in response.

Tax Administrative Fee on School Operating Millage

The state-wide School Operating Millage is assessed at 18 mills on non-PRE (Principal Residence Exemption) properties. This includes non-primary residential (rental properties, second homes, etc.), commercial and industrial real property and utility personal property. Commercial personal property is assessed at 6 mills. There are 6,463 parcels impacted by the proposed fee.

The median taxable value of these parcels is $84,184. The tax administration fee on this median parcel is $15.15 per year, or $1.26 per month. Fifty percent of the parcels would pay $15.15 per year or less.

At a taxable value of $300,000, the fee would be $54 per year, or $4.50 per month. Eighty percent of the parcels are at or below this level.

At the high end, parcels with taxable value of $750,000 or more represent the top 8%, or 517, of the total property count. That 8% of the properties would pay 61% of the total administration fees. On average, this group would pay $363.86 per year, or $30.32 per

month. The single highest valued parcel, owned by DTE, with a taxable value of $51.1 million would pay $9,200 per year.

Tax Administration Fee on Plymouth Road Development Authority (PRDA) Millage

The PRDA Millage is assessed at 2 mills on the 796 properties in this taxing district.

The median taxable value of these parcels is $205,432. The tax administration fee on this median parcel is $4.11 per year, or $0.34 per month. Fifty percent of the parcels would pay $4.11 per year or less.

At a taxable value of $500,000, the fee would be $10.00 per year, or $0.83 per month. Seventy-three percent of the parcels are at or below this level.

At the high end, parcels with taxable value of $750,000 or more represent the top 16%, or 131, of the total property count. That 16% of the properties would pay 70% of the total administration fees. On average, this group would pay $47.24 per year, or $3.94 per month. The single highest valued parcel, owned by T-Mobile, with a taxable value of $20.9 million, would pay $418.56 per year.

Overlapping Parcel

For a Non-PRE property located within the PRDA boundaries, the total administrative fee would be calculated on both the school operating and PRDA millages.

For the median PRDA parcel mentioned above, with a taxable value of $205,432, the administration fee would include:

Fee on School Operating Millage	$36.98
Fee on PRDA Millage	$ 4.11
Total Fee	$41.09 per year, or $3.42 per month

Please let me know if you have any questions regarding this information.

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

14. REQUEST TO AUTHORIZE THE IMPLEMENTATION AND COLLECTION OF A PROPERTY TAX ADMINISTRATION FEE: City Treasurer, re: in the amount of 1% on the School Operating and Plymouth Road Development Authority (PRDA) tax levies.

Debra Lichtenberg, Finance Director, presented the request to Council.

Vice President Ptashnik verified that this would never affect the residents.

Councilmember Donovic asked what properties fall under the school operating fund.

Ms. Lichtenberg explained they are non-PRE properties which would include rental properties and commercial properties.

Councilmember Donovic and Councilmember Toy are not in favor of this proposal.

Councilmember Budzinski asked how many properties would be impacted by this and how many are in the PRDA.

Ms. Litchenberg said it would be any property that is not homesteaded. She said it would be about 5700 properties which is about 12%.

Mr. Taormina gave the boundaries of the PRDA but didn't have a parcel count.

Vice President Ptashnik asked if this would need to be renewed annually.

Ms. Litchenberg said it would remain until changed by Council.

Councilmember Morgan asked what the dollar amount would be on a tax bill. He said Livonia has the lowest tax rate around, but our buildings are suffering. He feels this doesn't seem like an overreach, but he would like to see a number before deciding.

Ms. Litchenberg explained it would be $10 for a $1000 tax and it isn't a millage. It would be 1% of the school tax and it doesn't apply to their whole tax bill. The majority of communities levy this on all tax bills and we are only applying this on the school tax. She offered to pull the data and bring different examples to the next meeting. The agreement reached on March 8th helped them to contain their expenses. Had that not been reached, the schools would likely have had to ask for more in millages which would have impacted residents.

Councilmember Donovic disagrees with adding any additional tax to the businesses in our community and doesn't support this.

Councilmember Budzinski commented there is a $282,000 shortfall in this year's budget and this proposal doesn't affect the residents.

Councilmember Jolly said 95% plus of Michigan communities do levy 1% on the entire tax bill. This issue has been a struggle for Councils in the past. We find ourselves in this situation because of agreements from the 1990s that have become inappropriate to some degree. If this is not voted for it will leave a hole in the budget. This is a way of trying to affect as little of Livonia as possible. He asked Ms. Lichtenberg to provide the amount paid by the lowest and highest taxpayer as well as the average amount before the next meeting.

Steve King, 33950 Coventry, said he pointed out that the deal in March was blowing a million-dollar hole in the budget and this is what it is all about.

Councilmember Donovic offered a denying motion for the Regular Agenda.

DIRECTION DENYING REGULAR

LETTER TO THE LIVONIA CITY COUNCIL

14.

Finance
April 24, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Debra Peck Lichtenberg, CPA, Finance Director

AGENDA ITEM

REQUEST TO AUTHORIZE THE IMPLEMENTATION AND COLLECTION OF A PROPERTY TAX ADMINISTRATION FEE: City Treasurer, re: in the amount of 1% on the School Operating and Plymouth Road Development Authority (PRDA) tax levies.

BACKGROUND DETAILS

Public Act 206 of 1893, as amended, known as "The General Property Tax Act" (The Act) authorizes a local assessing unit to implement a one percent (1%) administration fee to offset costs incurred in assessing property values, collecting the property tax levies, in the review and appeal processes. The Act also authorizes a local assessing unit to waive all or any part of the administration fee. This allows for the administration fee to be applied toward certain tax millages, without impacting others.

At the March 8, 2024 regular meeting, City Council approved a revised agreement with Livonia Public Schools (LPS) for collection of school taxes (CR 091-24). This agreement reduced the amount charged to LPS for this service, along with adjusting the way interest revenue is shared between the City and LPS. To offset the $282,000 lost revenue, the Mayor and Finance Director propose the implementation of a one percent (1%) administration fee to be applied to two specific millage levies only. Specifically, it is proposed that the administration fee be applied to the School Operating millage and the Plymouth Road Development Authority (PRDA) millage.

It is estimated that this fee will generate approximately $278,000 in general fund revenues each year.

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

WHEREAS Section 44 of the “General Property Tax Act” Public Act 206 of 1893, as amended, authorizes a local assessing unit to implement a one percent (1%) administration fee to offset costs incurred in assessing property values, collecting the property tax levies, in the review and appeal processes, and

WHEREAS Section 44(4) of the General Property Tax Act authorizes a local assessing unit to waive all or any part of the administration fee, and

WHEREAS it is the intention of the local assessing unit in this case to waive the one percent (1%)

administration fee as to properties not subject to the Plymouth Road Development Authority Levy or the School Operating Levy, and

NOW, THEREFORE, BE IT RESOLVED that the Treasurer of the City of Livonia is hereby authorized to implement a property tax administration fee in the amount of 1% on the School Operating Tax Levy and the Plymouth Road Development Authority Tax Levy in accordance with the provisions of Section 44 of the General Property Tax Act, as amended, effective immediately for the 2024 tax season starting with the July 1st summer tax bills. This fee will remain in effect until revised by resolution of the Livonia City Council.

ATTACHMENTS

1. S052024 LTC Tax admin fee

APPROVED BY



Debra Peck Lichtenberg, CPA, Finance Director — Date: April 24, 2024



Paul Bernier, City Attorney — Date: April 25, 2024



Maureen Miller Brosnan, Mayor — Date: May 02, 2024

Meeting was called to order at 9:00 p.m. by Council President McCullough. Present: Laura Toy, Jim Jolly, Vice President Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, and President McCullough. Absent: None

Elected and appointed officials present: Lori Miller, City Clerk; Carter Fisher, City Attorney; Mark Taormina, Planning and Economic Development Director; and Todd Zilincik, City Engineer.

20. AWARD OF BID: Department of Parks and Recreation, re: for Custodial services at the Jack E. Kirksey Recreation Center, from budgeted funds.

Ted Davis, Superintendent of Parks and Recreation, presented the request to Council.

Councilmember Budzinski asked how DPW would handle the loss of revenue.

Mr. Davis said if this is approved the money shouldn't be needed in the DPW budget.

Debbie Lichtenfeldt agreed with Mr. Davis, indicating he is correct.

Councilmember Budzinski asked how many vacancies there are in DPW for this specific job.

Don Rohraff, Director of Public Works, indicated all positions have not been filled more than once or twice in the past fourteen years. The times they have been filled, they only run at full capacity for a couple of weeks. They have continual turnover in these positions. They have tried a number of ways to recruit for these vacancies without success. He indicated they have approximately seven vacancies at this time.

Councilmember Budzinski said she doesn't understand how the city can't provide the service, but a private company can.

President McCullough said he worked with the bid process at the City of Novi, and it was one of the worst bids ever, once you sign a contract you don't get the quoted services. He asked what the starting rate is in Livonia for a custodian.

Mr. Davis said it is $17 or $17.10 per hour.

President McCullough said our neighbor to the west has no issues hiring at $17.50 per hour. When they bumped it up, he had 50 plus applications.

Mr. Davis said this has been an issue for more than three years now and they are open to solutions. He is requesting this as a pilot project. Sterling Heights gave a good recommendation for the company, LCG Global, that cleans their city hall and recreation center.

Councilmember Jolly said he understands the need to provide services at the recreation center and asked if the current custodians affected by this are in Local192 and if the Union is ok with this.

Mr. Rohraff said the Union is aware, and he has spoken with them multiple times over the years. The discussion of Parks and Recreation came up over a year ago. The Recreation Center and Livonia Police Department are the hardest to staff because they always require both a male and female. He said no one would be losing their jobs, it would allow him to put a second person in buildings that now only have one person. Buildings are currently being cleaned at a bare minimum and this will allow his staff to do more thorough jobs.

Councilmember Donovic asked if there are exit clauses in the event that they do not do a good job. He also asked if this would need to be renegotiated to include the new senior wellness center. He also confirmed the idea is not to eliminate any current custodial positions.

Mr. Davis said we can terminate at any time for cause. He feels we may need to renegotiate including the new senior wellness center since we don't know what the full needs at this time.

Councilmember Morgan verified background checks will be done.

Lindsay Szwejkowski, Local 192 President, said it will eventually reduce the number of staff since the plan is to not refill positions as people move on or retire. She feels custodial is a recruitment ground for DPW as nearly half of their staff started in custodial positions. She did agree that it has gotten harder to fill these positions. She asked if our wage is comparable to other communities.

President McCullough said he will not be supporting this.

Thomas Stadler, Livonia resident and employee, indicated he started out as custodial and feels this is a sad situation.

Councilmember Budzinski appreciates this but is frustrated as a taxpayer that the city has the inability to maintain buildings and has staffing issues. She is asking the Administration to propose some lasting long-term solutions for this and other issues throughout the city.

Mr. Davis said the cost difference for one year is one thousand dollars for the proposed contract.

Councilmember Toy offered an approving motion for the Regular Agenda.
DIRECTION APPROVING REGULAR

LETTER TO THE LIVONIA CITY COUNCIL

20.

Parks and Recreation
April 3, 2024

MEETING DATE	PRESENTED BY
S052024/R060324	Ted Davis, CPRP, Superintendent of Parks and Recreation

AGENDA ITEM

AWARD OF BID: Department of Parks and Recreation, re: for Custodial services at the Jack E. Kirksey Recreation Center, from budgeted funds

BACKGROUND DETAILS

The Department of Parks and Recreation has taken bids for custodial services at the Jack E. Kirksey Recreation Center. Staffing challenges within DPW and the Building Maintenance Division have brought about the proposed change. We are not fully staffed several times a week, and overnight cleaning is discontinued. This affects our operation and the satisfaction of members and residents in the Rec Center. The cleanliness of the facility is one of our most common complaints.

We hope contracting custodial services will improve the cleanliness of the Kirksey Recreation Center and allow current custodial staff to focus on other city buildings. Custodial staff that clean the Rec Center will be moved to different locations in the city. Staff members will retain their jobs with this proposed change.

Specifications were prepared in cooperation with DPW and Finance Departments, and an advertisement for bids was placed on the MITN website. Three (3) bids were received and opened in the presence of the Bid Committee at 2 p.m. on March 12, 2024. The bid tabulation is attached for the Council's review.

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

We recommend that LGC Global Facility Management receive the contract, as the low bidder has received favorable references from similar contracts.

We request that the City Council authorize the Mayor and City Clerk to execute a contract in the amount of $555,555 for year one with annual percentage increases as outlined in the attached bid for fiscal years 2025, 2026, and 2027 with LGC Global Facility Management, 7310 Woodward Ave, Suite 500, Detroit, MI 48202 from account 208-755-818-020. The bids are good for 120 days from opening. Our current custodial budget is $554,000 for the Fiscal Year 2024.

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

N/A

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

$555,555 for year one with annual percentage increases of 1% for fiscal year 2025, 1% for fiscal year 2026, and 2% for fiscal year 2027.

DETAILED WORK BEING PERFORMED

Custodial services

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

$555,555 for year one with annual percentage increases of 1% for fiscal year 2025, 1% for fiscal year 2026, and 2% for fiscal year 2027 from account 208-755-818-020.

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

Lowest bid

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

ATTACHMENTS

1. 2024 LGC_s Response to Custodial Services and Cleaning Supplies Bid

APPROVED BY



Ted Davis, CPRP, Superintendent of Parks and Recreation — Date: April 03, 2024



Don Rohraff, Director of Public Works — Date: April 09, 2024



Michael Slater, Finance Director — Date: April 17, 2024



Date: April 19, 2024

Debra Peck Lichtenberg, CPA, Finance Director



Date: April 19, 2024

Maureen Miller Brosnan, Mayor

Bid Opening Sheet

2024 Custodial Service and Supplies– Bid Due Date 3/12/2024 – Page 1 of 12

Custodial Services for Jack E. Kirksey Recreation Center

VENDOR NAME	DetailXPerts Franchise System LLC	Facilities 360	LGC Global
ADDRESS CITY/STATE	625 E. Grand Blvd Detroit, MI 48207	35150 W Michigan Ave. Wayne, MI 48184	7310 Woodward Ave Detroit, MI 48202
Base Bid First-Year Fee	563, 868	773,000	555,555
Bid Bond	Yes	n/a	Yes
Annual Percentage Increases for Budget Years:			
Dec 1 - November 30, 2025	3%	3%	1%
Dec 1 - November 30, 2026	3%	3%	1%
Dec 1 - November 30, 2027	3%	3%	2%
Additional Hourly Charge Job Title	YES	YES	YES
Alternate Leisure/Lap Pool Bid (optional)	$20,000	$25	$52,000

		$ 40.00

Alternate Leisure/Lap Pool Bid (optinal) $ 52,000.00

Company Name LGC Global Energy FM, LLC

Contact Person Tushar Patel

Address 7310 Woodward Avenue, Suite 500A

City Detroit

State Michigan

Zip Code 48.202

Phone 313-263-5020

Fax 313-315-5375

Email tussharnpatel@lgccorp.com

Signature

CUSTODIAL SERVICES

Base Bid First-Year Fee $ 555,555.00

Annual Percentage Increases for Budget Years:
December 1 - November 30

2024	1%
2025	1%
2026	2%
2027	2%

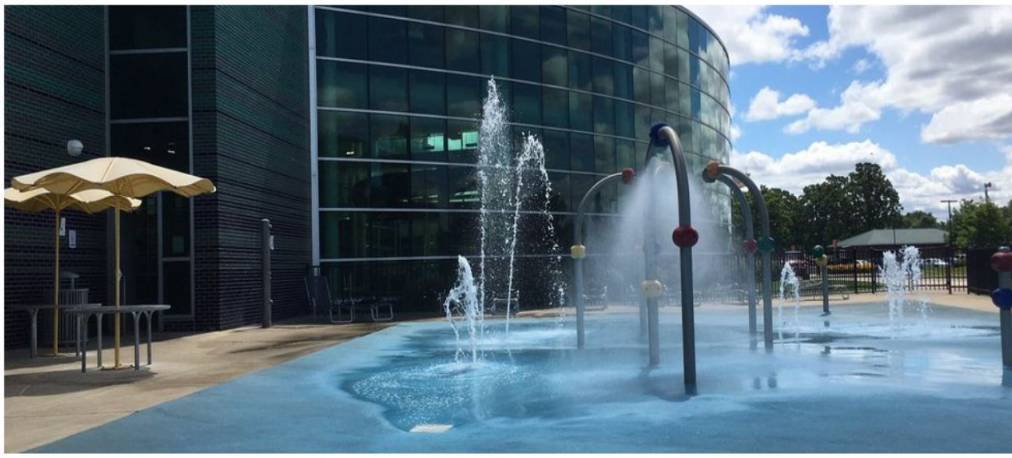
Fee Schedule for Additional Work Outside the Scope of the Contract

Job Title	Description of Duties Performed	Hourly Rate
	Janitorial staff	$ 25.00
	Supervisor	$ 30.00
	Project Manager	















LGC Global
Facility Management

Request for Bid
Custodial Services and Cleaning Supplies at the Jack E. Kirksey Recreation Center

Submitted to Attention:
DeAnne Bates, Program Supervisor Jack E. Kirksey Recreation Center, 15100 Hubbard, Livonia, MI 48154

Date of Submittal:
March 12, 2024
2.00 PM Local Time

CITY OF LIVONIA
IN GOD WE TRUST

We Passionately Create an Environment that Makes Visitors Feel Safe, Comfortable, and Happy!

HEADQUARTERS:
Michigan Office
7310 Woodward Ave.
Suite 500
Detroit, MI 48202

Texas Office
3012 Farrell Rd, Suite A, Houston, TX 77073

Georgia Office
3340 Peachtree Rd, Suite,1800, Atlanta, GA 30326

Texas Office
7047 Twin Hills Ave, Dallas, TX 75231

New Jersey Office
710 Irish Hill Road, Runnemede, NJ 08078

North Carolina Office
500 N. Main Street
Monroe,
NC 28112

Tennessee Office
8001 Volkswagen Dr. Trailer City
Chattanooga,
TN 37416

Illinois Office
55 E. Monroe,
Ste 3800, Chicago, IL 60603

Texas Office
9800 Airport Blvd,
San Antonio,
TX 78216

Missouri Office
12450 Lusher Rd
1013, Saint Louis, MO 63138

Kansas Office 748 Ray Road, Fort Riley,
KS 66442

Florida Office
4730 NW 2nd Avenue,
Suite 100, Boca Raton,
FL 33431

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1. Cover Letter

LGC Global Facility Management

March 4, 2024

City of Livonia, Jack E. Kirksey Recreation Center
15100 Hubbard, Livonia, MI 48154
Attn: DeAnne Bates, Program Supervisor

We would like to thank you for giving LGC Global this opportunity to submit our proposal in response to the Request for Bid 2024 Custodial Bid and Custodial Supplies Bid for Jack E. Kirksey Recreation Center. Our team is one of the only **full-service facility management corporations** with a **dedicated Vertical for Cities & Counties** supporting our customers globally and nationwide.

LGC Global complies fully with the requirements outlined in the Bid Documents and has no exceptions to any of its terms and conditions. We have worked thoroughly to **analyze** and **review** the current Jack E. Kirksey Recreation Center's custodial services to enhance and streamline our service offering. This is accomplished through the application of custodial service best practices and the installation of the newest **state-of-the-art equipment, procedures, and technology**.

Our program is designed to **ensure strict compliance** with the **detailed specifications**, **frequencies, performance requirements,** and **contract terms** contained within the Bid Documents. We have comprehensively addressed the information requested in the Bid Documents while also offering an **innovative solution.** As you review our Pricing Quote, you will find that we have provided a very competitive, cost-effective offering.

Thank you for allowing us to participate in this procurement. With our demonstrated past performance for delivering quality services, competitive pricing, vast custodial services experience, state-of-the-art cleaning programs, and cutting-edge technology, the Jack E. Kirksey Recreation Center will receive **quality service delivery** by LGC year-round. We look forward to presenting our solutions in our detailed proposal.

Sincerely,

Tushar Patel, Chief Operating Officer
tussharnpatel@lgccorp.com
7310 Woodward Avenue, Suite 500A, Detroit, MI 48202

2. Bid Bond

AIA® Document A310™ – 2010

Bid Bond

CONTRACTOR:
(Name, legal status and address)
LGC Global Energy FM, LLC
7310 Woodward Ave., Suite 500
Detroit, MI 48202

SURETY:
(Name, legal status and principal place of business)
Euler Hermes North America
Insurance Company
800 Red Brook Boulevard
Owings Mills, MD 21117

OWNER:
(Name, legal status and address)
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154

BOND AMOUNT: $ Five Percent of Attached Bid (5%)

PROJECT:
(Name, location or address, and Project number, if any)
Custodial Services and Cleaning Supplies at the Jack E. Kirksey Recreation Center

ADDITIONS AND DELETIONS:
The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Init. /

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User Notes: (1177639241)

1

Allianz

Allianz Trade

9572

EULER HERMES NORTH AMERICA INSURANCE COMPANY
800 Red Brook Boulevard * Owings Mills, Maryland 21117

The number of persons authorized by this Power of Attorney is not more than: 4

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That EULER HERMES NORTH AMERICA INSURANCE COMPANY (EULER HERMES), a corporation organized and existing under the laws of the state of Maryland, does hereby nominate, constitute, and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for and in its name, place, and stead to execute on behalf of EULER HERMES, as surety, any and all bonds, undertakings, and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of EULER HERMES on any such bond, undertaking, or contract of suretyship executed under this authority shall not exceed the limit stated below.

NAME	ADDRESS	LIMIT OF POWER
Greg Angel Mark Leskanic Bette Botticello Matthew Leskanic	205 Union Street 2nd floor Natick, MA 01760	Unlimited

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF, EULER HERMES has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunder affixed this 1st day of November, 20 22.

James Daly, President and CEO-The Americas

Nicholas P. Verna II, Senior Vice President and Regional Head of Surety and Guarantee, Americas

State of Maryland, County of Baltimore

On this 1st day of November, 20 22, before me personally appeared Nicholas P. Verna II, to me known, being duly sworn, deposes and says that he resides in Southeastern, PA; that he is Senior Vice President and Regional Head of Surety and Guarantee, Americas of Euler Hermes North America Insurance Company, the Company described herein and which executed the above instrument; that he know the seal of EULER HERMES; that the seal affixed to said instrument is such corporate seal; that it was so affixed by authority of the Board of Directors of EULER HERMES; and that he signed his name thereto by like authority.

Notary Public

Notarial Seal

This Commission Expires February 2, 2026

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of EULER HERMES NORTH AMERICA INSURANCE COMPANY (Company) by unanimous consent on October 1, 2015.

RESOLVED: That the President, Executive Vice President, Senior Vice President, Vice President, Secretary, and Assistant Vice Secretary, be and hereby are authorized from time to time to appoint one or more Attorneys-in-Fact to execute on behalf of the company, as surety, and any and all bonds, undertakings and contracts of suretyship, or other written obligation in the nature thereof; to proscribe their respective duties and all respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and signature of the aforesaid officers and may be affixed by facsimile to any Power of Attorney given for the execution of any bond, undertaking, contract of suretyship, or other written obligations in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as thought manually affixed.

CERTIFICATION

I, Nicholas P. Verna II, Senior Vice President and Regional Head of Surety & Guarantee, Americas of EULER HERMES NORTH AMERICA INSURANCE COMPANY, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of October 1, 2015, have not been revoked and are now in full force and effect.

Signed and sealed this 12th day of March, 20 24.

Nicholas P. Verna II, Senior Vice President and Regional Head of Surety and Guarantee, Americas

Euler Hermes North America Insurance Company and its affiliated debt collection company are part of the Allianz group and market their products and services using the 'Allianz Trade' trademark.

User Notes:

(1177639241)

3. Addendum 1

Date: February 15, 2024

From: DeAnne Bates, Program Supervisor

To: Prospective Bidders

Subject: Addendum No. 1 – 2024 Custodial Bid - Kirksey Recreation Center

Addendum No. 1 is being issued to provide the RSVP form for the mandatory pre-bid meeting.

THE DUE DATE REMAINS THE SAME. All other provisions of the solicitation remain the same. Firms should acknowledge receipt of this addendum with their proposal response.

ADDENDUM NO.1 - 2024 Custodial Bid- Acknowledgement

Company Name: LGC Global Energy FM,LLC

Signature: Tpatel

Title: Chief Operating Officer

Print Name: Tushar Patel Date 3/6/2024

List Any Additional Company Attendees:

4. Addendum 2

Date: March 4, 2024

From: DeAnne Bates, Program Supervisor

To: Prospective Bidders

Subject: Addendum No. 2 - Custodial Cleaning and Cleaning Supplies Bid

Addendum No. 2 is being issued to provide a response to the questions from potential bidders.

THE DUE DATE REMAINS THE SAME. All other provisions of the solicitation remain the same. Firms should acknowledge receipt of this addendum with their proposal response.

ADDENDUM NO. 2 - 2024 Custodial Cleaning and Cleaning Supplies Bid

---

Q: Do vendors wanted to bid on supplies only need to attend the pre-bid meeting?
A: No, vendors do not need to attend the pre-bid if they are providing pricing for supplies only.

Q: Is the bid bond necessary for vendors wanting to bid on supplies only?
A: No bid bond is required for vendors bidding on supplies only.

Q: Is this a new contract or a contract up for renewal?
A: This is a new contract.

Q: Are there specific forms for the employee training program or can the vendor supply their own?
A: The vendor should supply their own forms for the employee training program.

Q: For the alternative bid, what is the square footage of the leisure and lap pool area?
A: Please see attached document. This will be reviewed at the pre-bid meeting.

Q: Page 47,item 9 of the RFP states "clean counters and sinks" but does not mention a frequency. Is this to be cleaned daily or weekly?
A: These will need to be cleaned daily.

Q: The sample checklists on pages 39 - 43 list activities for the nighttime custodial crew. Do you have similiar checklists for the three required daytime staff or at a minimum daytime tasks?
A: This will be reviewed at the pre-bid meeting.

Company Name: LGC Global Energy FM,LLC

Signature: _____

Title: Chief Operating Officer

5. Addendum 3

Date: March 7, 2024

From: Gus Kandah, Purchasing Manager

To: Prospective Bidders

Subject: Addendum No. 3 - Custodial Cleaning and Cleaning Supplies Bid

Addendum No. 3 is being issued to provide a response to the questions from potential bidders.

THE DUE DATE REMAINS THE SAME. All other provisions of the solicitation remain the same. Firms should acknowledge receipt of this addendum with their proposal response.

ADDENDUM NO. 3 - 2024 Custodial Cleaning and Cleaning Supplies Bid

---

Q: Which specific bonds are required?
A: If you are bidding on both janitorial cleaning and supplies, ALL bonds outlined in bid are required. As stated in Addendum No. 2, no bid bonds are required.

Q: What are the payment terms?
A: The standard City of Livonia net 30 payment terms apply.

Q: What is the material quantity list and daily duty list?
A: Please see the two attachments.

Q: What is the hand sanitizer, line 28, current part number and manufacturer?
A: 1) Purell, 800 ml in box hand sanitizer. Fits Gojo dispensers. Part number: 9657-12; 12 - 800ml bottles in a case. 2) Purell 1.5 liter bottles with pumps; 4 bottles per case.

Q: What are the dimensions, thickness and color specs of the trash liners on lines 42, 43, 45, and 47?
A: There are three different trash liners. 1) Large liners are 40" x 48" extra heavy duty black (2.0 or 20.5 mil thick) 150 per case. 2) Medium liners are 33" x 40" extra heavy black, 500 per case (2.0 mil thick). 3) Small liners are 24" x 33" regular black, 1,000 per case (.5 mil thick).

Company Name: LGC Global Energy FM, LLC

Signature: _____

Title: Chief Operating Officer

6. Addendum 4

Date: March 7, 2024

From: Gus Kandah, Purchasing Manager

To: Prospective Bidders

Subject: Addendum No. 4 - Clarification on Large Liners Specification

Addendum No. 4 is being issued to provide a response to the questions from potential bidders.

THE DUE DATE REMAINS THE SAME. All other provisions of the solicitation remain the same. Firms should acknowledge receipt of this addendum with their proposal response.

ADDENDUM NO. 4 - 2024 Custodial Cleaning and Cleaning Supplies Bid

---

Q: Please clarify the thickness on the Large 40" x 48" extra heavy duty black liners.
A: 2.0 or 2.5 mil thick

Company Name: LGC Global Energy FM, LLC

Signature: _____

Title: Chief Operating Officer

7. Insurance

ACORD

LGCGLOB-01 BROBINSON

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 3/7/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
360 Risk Management, Inc. 21500 Haggerty Rd Suite 140 Northville, MI 48167	PHONE (A/C, No, Ext): (248) 360-4100	FAX (A/C, No): (248) 305-5154
	E-MAIL ADDRESS: certs@360rmi.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Valley Forge Insurance Company	20508
INSURED LGC Global, Inc., LGC Global Energy FM, LLC and A&K Equipment, LLC 7310 Woodward Ave Detroit, MI 48202	INSURER B : CNA Insurance	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT LOC OTHER:	X		7037170738	8/7/2023	8/7/2024	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 15,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
A	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY SCHEDULED AUTOS HIRED AUTOS ONLY NON-OWNED AUTOS ONLY			7037170724	8/7/2023	8/7/2024	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
B	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $	X		7037170710	8/7/2023	8/7/2024	EACH OCCURRENCE AGGREGATE	$ 1,000,000 $ 1,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		7037170741	8/7/2023	8/7/2024	X PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

General Aggregate is per project when required by written contract otherwise it is per policy.

Additional Excess Liability - Allied World Assurance Co. (A.M. Best rated A XV), Policy #03139521, 8/7/2023 TO 8/7/2024, Each Occurrence/Aggregate $9,000,000

Cyber Liability - Trisura Specialty Insurance Company, Policy # ATB6612627, 9/1/2023 TO 8/7/2024, Each Occurrence/Aggregate $1,000,000

SEE ATTACHED ACORD 101

CERTIFICATE HOLDER	CANCELLATION
City of Livonia, Jack E. Kirksey Recreation Center 15100 Hubbard Livonia, MI 48154	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE

ACORD 25 (2016/03)

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AGENCY CUSTOMER ID: LGCGLOB-01 BROBINSON

LOC #: 1

ACORD

ADDITIONAL REMARKS SCHEDULE

Page 1 of 1

AGENCY	NAMED INSURED
360 Risk Management, Inc.	LGC Global, Inc., LGC Global Energy FM, LLC and A&K Equipment, LLC 7310 Woodward Ave Detroit, MI 48202
POLICY NUMBER SEE PAGE 1	
CARRIER: SEE PAGE 1 / NAIC CODE: SEE P 1	EFFECTIVE DATE: SEE PAGE 1

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

Description of Operations/Locations/Vehicles:
Pollution Liability - Miller (A Lloyd's of London Carrier) Policy #B0621PLAKE002723 & B0621PLAKE002823, 9/1/2023 TO 8/7/2024, Each Claim/Aggregate $5,000,000

Errors & Omissions - Miller (A Lloyd's of London Carrier) Policy #B0621PLAKE002723 & B0621PLAKE002823, 9/1/2023 TO 8/7/2024, Each Claim/Aggregate $5,000,000

Re: CUSTODIAL SERVICES AND CLEANING SUPPLIES AT THE JACK E. KIRKSEY RECREATION CENTER

The City of Livonia, all elected and appointed officials, all employees and volunteers, all boards, commissions and/authorities and board members, including employees and volunteers thereof are added as additional insured for General Liability and Excess Liability with respect to the insured's operations, where their interests may appear, when required by contract. General liability insurance includes both ongoing and completed operations. The insurance afforded the additional insureds shall be considered primary, and any other collectible insurance is non-contributory, if required by contract. A 30 day notice of cancellation applies.

ACORD 101 (2008/01)

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8. Form of Proposal Pricing Pages

Uploaded an excel sheet along with the proposal.

9. Proposal Form

CUSTODIAL SERVICES AND CLEANING SUPPLY BID FOR JACK E. KIRKSEY RECREATION CENTER

CONTACT PERSON TO WHOM QUESTIONS REGARDING PROPOSAL RESPONSE SHOULD BE DIRECTED:

NAME: Tushar Patel **TITLE:** Chief Operating Officer

PHONE: 313-263-5020

EMAIL: tussharnpatel@lgccorp.com

To be considered for this project, the following forms must be delivered by 2:00 PM on MARCH 12, 2024, via the MITN website only www.mitn.info:

- Bid Bond
- Biohazardous Waste Protocol
- Employee Training Plan
- Form of Proposal Pricing Pages (Uploaded in Excel format provided)
- References
- Proposal for Project Approach at the Recreation Center
- Statement of Qualifications

PF-1

10. Name and Status of Bidder

a. The name and legal status of the bidder, that is, as a corporation, partnership or individual, shall be stated in the proposal.

LGC Global Energy FM is a corporation and has all the necessary legal permits and licenses to conduct business in Livonia and its surrounding areas.

LGC's MBE Certificate



THIS CERTIFIES THAT

LGC Global, Inc.

NMSDC
National Minority Supplier Development Council

* Nationally certified by the: **MICHIGAN MINORITY SUPPLIER DEVELOPMENT COUNCIL**

*NAICS Code(s): 221310; 221320; 236210; 236220; 237110; 237310; 237990; 238910; 561210; 561720

* Description of their product/services as defined by the North American Industry Classification System (NAICS)

07/31/2023		MI03209
Issued Date		**Certificate Number**
09/01/2024	**Ying McGuire** **NMSDC CEO and President**	Michelle Sourie Robinson
Expiration Date		**Michelle Sourie Robinson, President & CEO**

By using your password (NMSDC issued only), authorized users may log into NMSDC Central to view the entire profile: http://nmsdc.org

Certify, Develop, Connect, Advocate.

* MBEs certified by an Affiliate of the National Minority Supplier Development Council, Inc.®

Licenses and Certifications

- Occupational Health & Safety Management Systems 18001: 2007 Certified
- Social Accountability Standards 8000: 2001 Certified
- ISO 14001 Environmental Management Systems Certified Cleaning Management Institute Certified
- International Facility Management Association (IFMA) Certified

b. Anyone signing a proposal as an agent of another or others must submit, with the proposal, legal evidence of his authority to do so.

Below is our Legal Evidence of Authority:

LGC Global Energy FM

March 6, 2024

To Whom it May Concern

Reference: Authority to Sign Contracts on behalf of LGC Global Energy FM LLC

Proposal No: 2024 Custodial Bid and Custodial Supplies Bid for Jack E. Kirksey Recreation Center

This is to certify that Mr. Tushar Patel is the C.O.O and Shareholder of LGC Global Energy FM LLC and have the authority to sign any contract with the City of Livonia on behalf of our company.

If you have any question or desire any additional information, please contact me at 313.215.1669

Sincerely

LGC GLOBAL ENERGY FM, LLC LIMITED LIABILITY COMPANY SEAL 2014 MICHIGAN

Avinash Rachmale, P.E.
Chairman & CEO
7310 Woodward Avenue, Detroit, MI 48202
Office: (313) 989-4141 | Cell: (313) 215-1669 | Fax: (313) 875-2732
LGC Core Values: Client Satisfaction | Positive Can-Do-Attitude | Responsibility | Respect

LGC Global Energy FM LLC
▪ 7310 Woodward Avenue, Suite 500A, Detroit, MI 48202, USA ▪ T: (313) 989-4141 ▪ F: (313) 875-2732

11. Experience & Financial Statement

Transforming your space, one clean at a time an MBE-certified business, LGC has suitable experience in delivering high-quality services to government and commercial facilities. Our ability extends to maintaining and cleaning a vast number of facilities, including recreation centers, administration buildings, activity centers, community centers, district courts, public safety and police departments, government centers, and more. It has a stable, strong financial foundation for continued future growth.
LGC Global continually delivers the best services worldwide. We are now a general contracting leader in the federal and government infrastructure market and operate across many government agencies and regions to provide best-in-class solutions.

We are focused on quality service delivery and a clean, safe, and comfortable environment for the Jack E. Kirksey Recreation Centre's valued stakeholders, staff, visitors, and tenants. We will review all strategic operational plans and cost savings projections with you and, if achievable, will implement them into our option years for the future.

We will mobilize our leadership to execute a customized transition plan upon award. Throughout the transition and the life of the contract, LGC Global will be available and responsive via phone, email, or in person. We have taken special care to design a customized program to ensure that you will obtain the quality, savings, improvements, and efficiencies you need.
LGC Global has provided sustainable Custodial Services for our City/County customers across the globe. These services include:

- Supplies/Equipment Furnished
- Deep Cleaning & Disinfection
- Floor & Carpet Care
- Groundskeeping
- Equipment Maintenance
- Glass and Metal Cleaning
- Dusting & High Area Cleaning
- Pressure Washing
- Trash & Recycling Management

Financial Capability

LGC is a financially strong company with estimated **annual revenues for this year exceeding $150 million**. We maintain substantial operating capital and established lines of credit, enabling us to undertake the responsibility of servicing new customers, regardless of their size. This includes the capacity to manage initial expenses such as equipment procurement, staff recruitment, and more.

To highlight our financial strength, LGC **recently completed Integrated Facility Management transitions at Wayne County Airport Authority - Detroit City of Dallas, TX, and Union County NC.** Additionally, we effectively facilitated significant transitions for IFM contracts involving esteemed clients such as Battle Creek Public Schools and Volkswagen Group of America. Our experience encompasses a wide array of facilities, ranging from public access spaces to educational institutions, healthcare facilities, municipalities, automotive industrial plants, and federal projects.

Our company has steadily grown, **employing over 1,200 professionals** globally. Our growth strategy centers on establishing enduring business relationships both in the United States and worldwide.



Expanding our reach and scope of services

At LGC Global, our commitment to excellence in service delivery, client prioritization, and sustainable practices closely correspond with Jack E. Kirksey Recreation Centre's values of being innovative, welcoming, and active. As a global janitorial company, we have provided exceptional services for various sectors, including City/County, government, education, automotive, and healthcare contracts, with a keen focus on considering the impact on building occupants and the communities we serve, and these are:

City of Ann Arbor	Battle Creek City Hall, and Police Department	Wayne County Airport
City of Inkster	City of Wayne	Lakeshore Healthcare Group
Old Labor Building	Avondale School District	Chicago O'Hare International Airport
City of Farmington Hills	City of Lansing	Battle Creek Public Schools
City of Dearborn	Houston Metro	Detroit Public Library
Chicago Public Schools	Volkswagen Group of America	San Antonio International Airport

Industries We Serve

Cities & Counties

We provide janitorial & building maintenance services to Administration, District Courts, Public Safety, Police Departments, Community Centers, Nature Trails, PWD.

City of Dallas | City of Sterling Heights | Union County 1842 Planned Progress North Carolina | Lansing Michigan | City of Detroit

Federal & Defense

Supporting our heroes with spotless service: Military - grade cleaning and custodial care, Supporting our troops one clean space at a time.

US Army Garrison Fort Riley, Kansas | Transportation Security Administration | Tobyhanna Army Depot | US Army Corps of Engineers | GSA U.S. General Services Administration

Aviation

Trusted facility management partner for more than 20 major airports worldwide, ensuring clean and inviting environments for over 220 million passengers annually

Detroit Metro • Willow Run Wayne County Airport Authority | O'Hare International Airport | Dane County Regional Airport Madison | San Antonio International Airport | Chhatrapati Shivaji International Airport Mumbai

Education

We provide educational institutions with comprehensive facility management and custodial services to maintain a clean and hygienic learning environment.

Healthcare

A specially tailored program to support the cleaning and hygiene needs of medical and healthcare facilities

Automotive

Our cleaning program offers stability, flexibility, & professionalism to the automotive & industrial markets. We Serve customers on 3 continents & offer customers more than they expect.

12. Biohazardous Waste Protocol

Please provide a biohazardous clean-up plan including proper disposal of such waste.

At LGC Global, we pride ourselves on our comprehensive approach to the management of Bio-Hazardous and Bio-Medical waste across all our projects. Our extensive experience encompasses a diverse range of high-traffic public facilities, including transit hubs, airports, hospitals, childcare centers, educational institutions, and automotive industrial plants. At LGC, we prioritize safety and adherence to protocols in the handling and disposal of such hazardous materials.

Our track record speaks volumes about our commitment to excellence in this field. Some of our esteemed clients include Wayne County Airport Authority, Houston Metro, Lakeshore Healthcare, Volkswagen Assembly Plant Chattanooga, as well as numerous city and county public facilities such as those in the City of Sterling Heights, Union County, City of Dallas, and the City of Detroit- Great Lakes Water Authority.

Training: Our team undergoes rigorous training tailored to the specific challenges posed by Bio-Hazardous and Bio-Medical waste. This includes specialized instruction in waste segregation, prevention of bio-medical hazards, and proper procedures for cleaning blood spills and other bodily fluids. Our employees are equipped with the knowledge and skills necessary to handle these materials safely and efficiently. Additionally, we remain current with all relevant regulations and standards governing the management of hazardous waste.

The Biohazard Waste Protocol consists of procedures and guidelines established to safely manage, contain, and eliminate biological materials that pose risks to human health and the environment. These materials encompass biological agents such as bacteria, viruses, toxins, and other microorganisms.

Below outlines LGC's comprehensive protocol for biohazard waste:

Identification: Our team of experts meticulously identifies materials or areas containing biohazards through labeling, signage, or other methods. Clear and visible indicators ensure that all personnel are aware of potential risks.

Containment: We ensure biohazardous materials are securely contained in appropriate containers or storage facilities to prevent accidental exposure or release. These containers are specifically designed to withstand the hazards posed by the materials they hold and are properly sealed to prevent leakage.

Handling: Safety is our top priority. Therefore, LGC strictly adheres to safety measures when handling biohazardous materials. This includes the thorough use of personal protective equipment (PPE) such as gloves, masks, and goggles to minimize the risk of exposure.

Transportation: Biohazardous materials are safely transported within and between facilities using designated containers or vehicles. These transportation methods are specially designed to prevent spills or leaks and are operated by trained personnel well-versed in biohazard safety protocols.

Disposal: Our team ensures the proper disposal of biohazardous waste by regulations and guidelines. This may involve methods such as autoclaving, incineration, or chemical treatment, depending on the nature of the materials. Each disposal method is carefully chosen to effectively neutralize the hazards posed by the waste while minimizing environmental impact.

Our Bio-medical Waste Removal Process:




Waste collection





Waste segregation and color coding




Waste disposal at designated storage areas

13. References Form

2024 CUSTODIAL SERVICES AND CLEANING SUPPLIES

REFERENCE FORM

COMPANY NAME: LGC Global Energy FM,LLC

Reference Company Name: City of Sterling Heights City/State: Sterling Heights, Michigan	
Summary of Work Performed: LGC Global FM provides comprehensive facilities operation management and cleaning services for fifteen city facilities. Our team performs top-quality Custodial Services, including cleaning services, floor tech, trash management, and recycling program management	
Dates of Work: From 2019 to Ongoing	
Company Contact Person: Todd Macovis Title: Building Maintenance Superintendent	
Phone Number: (586) 506-7886	Email: tmacovis@sterling-heights.net

Reference Company Name: City of Inkster City/State: Inkster, Michigan	
Summary of Work Performed: LGC provides comprehensive custodial and cleaning services for a range of City of Inkster buildings.Services include Sanitization of restroom, Restroom supply replenishment, Carpet cleaning, Floor sweeping, Mopping, Trash removal, Furniture dusting and cleaning, Cleaning of glass doors, Kitchen sinks and countertops sanitization, Disinfecting drinking fountains Windowsills cleaning, Elevator cleaning, Stairwells cleaning	
Dates of Work: 2020 to Present	
Company Contact Person: Jerome Bivins Title: Contracting Officer	
Phone Number: (313) 563-9774	Email: jbivins@cityofinkster.com

Reference Company Name: City of Dallas City/State: Dallas, TX	
Summary of Work Performed: LGC provides full Custodial Services for 32 facilities across the city of Dallas, Texas.Buildings served include Park and Recreation Department, libraries, municipal buildings, fire departments, parking garages, city halls, community centers, police departments, and more	
Dates of Work: June 2021 – Present	
Company Contact Person: Armando Rios Title: Facilities Superintendent	
Phone Number: (214) 671-1934	Email: Armando.Rios@dallas.gov

R-1

Project Title: City of Sterling Heights: Managed Custodial Services

Client Location: Sterling Heights, Michigan

4+ years
Date: From 2019 to Ongoing

370,000
Total Square Footage

$736,000
Total Annual Value

Brief Description:
LGC Global FM provides comprehensive facilities operation management and cleaning services for fifteen city facilities. Our team performs top-quality Custodial Services, including cleaning services, floor tech, trash management, and recycling program management. We also provide a detailed report of the work performed daily for comparison with the scheduled requirements, ensuring that all tasks are accomplished to the highest standards.

Types of Facilities:
- Administration building
- Police Department
- District court
- Library
- Community Center
- Nature Trails
- Amphitheatre

Key Services:
- Rooms and office cleaning
- Restroom maintenance
- Cleaning entrances, lobbies, and main corridors
- Cleaning Stairways
- Floor maintenance
- Window cleaning
- Trash management
- Ground maintenance

Point of Contact:
Todd Macovis, Building Maintenance Superintendent
tmacovis@sterling-heights.net
(586) 506-7886

LGC's Value Addition:
- Covid disinfection plan
- Corporate event support





Project Title: Municipal Buildings Custodial Cleaning Services, City of Inkster

Client Location: City of Inkster, Michigan 48141

3+ years
Date: 2020 to Present

91,106 sq. ft.
Total Cleaning Area

$100,000.00
Total Annual Value

Brief Description:
LGC provides comprehensive custodial and cleaning services for a range of City of Inkster buildings. Our team is comprised of competent and dependable janitors and supervisors who are dedicated to delivering quality results. We adhere to the specifications, cleaning standards, and work quality requirements outlined in the contract to achieve the City's desired level of cleanliness.

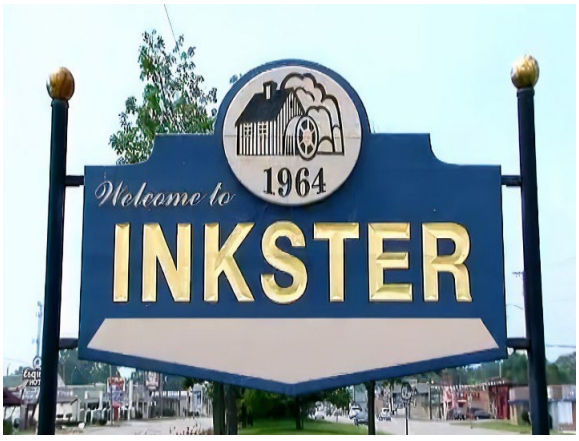
Types of Facilities:
- Recreation Center
- Justice Center
- City Hall
- Libraries
- Department of Public Services

Key Services:
- Sanitization of restrooms
- Restroom supply replenishment
- Carpet cleaning
- Floor sweeping
- Mopping
- Trash removal
- Furniture dusting and cleaning
- Cleaning of glass doors
- Kitchen sinks and countertops sanitization
- Disinfecting drinking fountains
- Windowsills cleaning
- Elevator cleaning
- Stairwells cleaning

Point of Contact:
Jerome Bivins
jbivins@cityofinkster.com
(313) 563-9774

LGC's Value Addition:
- COVID-19 sanitization and disinfection
- Delivering quality results





Project Title: Custodial Services for All Community Centers, Lansing, MI
Client Location: Lansing, MI

4+ Years
Date: 07/01/2019 – Present

$250,000.00
Total Annual Value

86,752 sq ft.
Total Cleaning Area

Brief Description
LGC Global FM provides janitors and supervisors to provide Custodial Services to all Community Centers of the City of Lansing. We provide janitors and supervisors for general cleaning, carpet cleaning, and floor machine operation 8 hours a day, 5 days a week, 52 weeks per year.

Key Services:
- Carpet/Rug Cleaning, including spot cleaning
- Floor Cleaning / Thorough Sweeping
- Damp Mopping and Spray Buffing
- Wet Mopping and Scrubbing
- Stripping and Sealing
- Restroom Cleaning
- Emptying Waste Receptacles
- Cleaning / Disinfecting Drinking Fountains
- Stainless Steel Cleaning (Elevators, Doors, Trims, etc.)
- Cleaning High Traffic Areas
- Spray Buff Hard Floors
- Strip and Refinish (PVC and Stone, not Rubber Floors)
- Wall Spot Cleaning
- Air Vent Cleaning
- Glass Cleaning
- Cleaning the Kitchen Area

Point of Contact:
Emily Stevens, Contract Manager
Emily.Stevens@lansingmi.gov
(517) 483-6074

LGC's Value Addition:
- Covid disinfection plan
- Sustainability Measures





Project Title: City of Detroit-Facility Maintenance, Great Lakes Water Authority

Client Location: Detroit, MI

16+ years
Date: From 2007 to Ongoing

1,985,000 sq. ft.
Total Cleaning Area

$30,000,000
Total Annual Value

Brief Description:
LGC Global provides facility maintenance for 12 Detroit Water and Sewage Department (DWSD/GLWA) facilities. This is a complete facility management contract including Cleaning, O & M, skilled trades, groundskeeping, and snow removal.

Key Services:

- Service, empty, and clean all waste and recycling receptacles; carry trash to pick up area
- High-Touch Disinfection
- Hard floor care
- Glass Cleaning
- Vacuum and clean all carpeted floors
- Cleaning & disinfecting restrooms, plumbing fixtures, toilet handles, toilet partitions, & bright work
- Restocking dispensers, refill soap as needed
- Emptying and disinfecting all sanitary napkin receptacles
- Dust mop hard floors
- Exterior power-washing
- Spot mop stains & spills, clean all mop splatter from all surfaces.

Contact Information:
Biren Saparia, Supervisor and Project Administrator
biren.saparia@glwater.org
(313) 267-8977

LGC's Value Addition:

- Utilization of mobility solutions for employee monitoring and supply tracking
- Autonomous machines for cleaning

- High Dusting





Project Title: Healthcare and Housekeeping Services for Lakeshore Healthcare Group

Client Location: Detroit, MI

12+ Years
Date: 06/2011 – Present

$1,200,000.00
Total Annual Value

335,000 Sq.Ft.
Total Cleaning Area

Brief Description:
Lakeshore Healthcare Group owns and operates three skilled nursing care facilities/rehabilitation centers. LGC's services for Lakeshore Healthcare centers were conducted in patient rooms, restrooms, therapy areas, office/administrative areas, lobbies, cafeterias, shower & locker rooms, exterior grounds, and more. Our company furnishes supplies and labor for all three campuses.

Other Complete Facility Management services included all primary mechanical, electrical, and support systems, structural/carpentry maintenance, painting, roads and grounds services, pest control, athletic field maintenance, and snow/ice control. LGC Global also provided comprehensive inspections of the sites' landscape assets.

Key Services:
- Custodial & Housekeeping
- High-Touch Sanitization & Disinfection
- Graffiti Removal
- Groundskeeping, Pest Control
- Restroom Cleaning
- Glass and Metal Cleaning
- Blood & Body Fluid Cleanup
- Sharps Disposal
- High Area Cleaning & Dusting
- Waste & Recycling Management
- Floor & Carpet Care

Point of Contact:
Robert Whitty, Chief Operating Officer
rob.whitty@lakeshorehealth.com
(248) 225-6088

LGC's Value Addition:
- Using robotic technology to revolutionize our operations.
- Cost-saving through the implementation of advanced technology solutions with the collaboration of our staff





Project Title: Union County, North Carolina – Custodial Services

Client Location: Union County, North Carolina

3+ years
Date: From 2020 to Ongoing

565,410 sq. ft.
Total Cleaning Area

$1,073,730
Total Annual Value

Brief Description:
LGC Global provides comprehensive custodial and day porter services for designated spaces, including halls, restrooms, offices, work areas, entranceways (exterior and interior), lobbies, storage areas, elevators, stairways, and walkways. We take care of all aspects of the service, including providing the necessary labor, supplies, supervision, tools, materials, equipment, and transportation. Our services extend to 21 city facilities, ensuring a clean and well-maintained environment throughout.

Key Services:
- Dusting
- Sweeping and vacuuming
- Damp and dust mopping
- Ground maintenance
- Metal cleaning
- Glass and window cleaning
- Façade cleaning
- Wall washing
- Entrances and vestibules cleaning
- Waste and recycling collection
- Elevators and escalators cleaning
- Cleaning of stairways, food vending areas, and common areas
- Deep cleaning all public and private restrooms

Point of Contact:
Kelli Manczka
Office Manager | Facilities Management
Kelli.Manczka@unioncountync.gov
(704) 430-7661

LGC's Value Addition
- Corporate event support
- Monthly safety training
- Client satisfaction measures
- Environmental Program





Project Title: City of Dallas Citywide Custodial Services

Client Location: Dallas, TX

3+ Years
Date: June 2021 – Present

1,349,837
Square footage

$7,647,822
Total contract value

Brief Description:
LGC provides full Custodial Services for 32 facilities across the city of Dallas, Texas. This includes the management of services, personnel, and equipment/material/supplies needed to deliver Custodial Services to all facilities. Buildings served include libraries, municipal buildings, fire departments, parking garages, city halls, community centers, police departments, and more.

All cleaning and disinfection are conducted in compliance with ISSA (International Sanitary Supply Association), Green Seal, and CDC (Centers for Disease Control) guidelines. All high-touch surface areas are disinfected daily to remove dirt and bacteria from surfaces.

Key Services:
- High-Touch Disinfection
- Restroom cleaning
- Ground Maintenance
- Cleaning Parking garages
- Servicing Municipal areas
- Cleaning City Hall
- Floor Care
- Policing of Grounds
- Trash Collection & Transport
- Glass & Metal Cleaning
- Graffiti Removal
- Air Vent Cleaning
- Power Scrubbing

Point of Contact:
Armando Rios, Facilities Superintendent
Armando.Rios@dallas.gov
(214) 671-1934

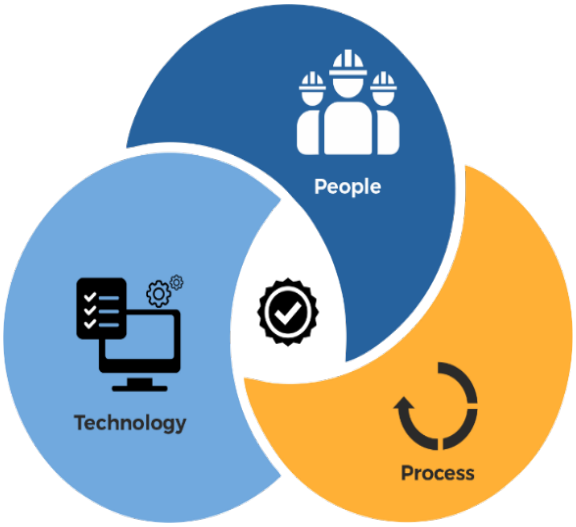
LGC's Value Addition:
- Covid disinfection plan
- Autonomous sweepers and scrubbers
- SWEPT technology is utilized for reporting and monitoring





14. Project Approach

At LGC, we believe that thorough implementation and management are the key to success in every project. Thus, we focus on the core factors that contribute to our desired outcomes – People, Process and Technology.
Our systematic approach and focus on best practices in every aspect of our work means that our team is always operating at peak performance. With LGC Global, you can have confidence that you're partnering with a team that is dedicated to delivering the very best outcomes.



People	Process	Technology
➢ Regular staff training & awareness sessions ➢ Excellent professional skills and qualifications ➢ Competent resources ➢ Accountability of roles and responsibilities ➢ Complete business process understanding	➢ Modern management system ➢ Governance frameworks ➢ Best practices in all solutions ➢ Regular audits and reviews ➢ Efficient policies, procedures, and reporting with clients	➢ Seamless CMMS implementation ➢ Mobility Solutions for quality monitoring ➢ Autonomous equipment ➢ Predictive maintenance system ➢ KPI tracking and analysis

Methodology - Our People

People are our most vital assets and an integral part of our service. The number one cost factor of delivering services to our customers is the cost of our people.

Our Recruitment Process

Our recruitment process is designed to identify the best candidates who possess the right attitude and skills for the job. We believe that by hiring locally, we can benefit from the unique perspectives of individuals who understand the local culture and community.

Our commitment to retaining knowledge and skills is reflected in our onboarding process, which is carefully curated by our HR team.

Key steps involved in our recruitment process are:

- Identifying the right candidates
- In-person interviews to assess their skills and attitude
- Offer-letter based on their experience.
- Onboarding process by the HR team
- On-Site training on health and safety, LGC's policies, and job-related solutions

Equal Employment Opportunities

We connect with industry-specific talent using social media, job boards, resume databases, corporate websites, and employee referrals. In addition, we ensure equal employment opportunities by enforcing federal Affirmative Action policies in our hiring and advancement processes.

Retention of Quality Staff:

At LGC, we recognize that competitive compensation and benefits are crucial for attracting and retaining top talent. We prioritize creating a thriving work environment that encourages professional development, offers valuable learning opportunities, fosters work-life balance, and fosters a sense of camaraderie among our employees.

That is why we strive to create a workplace culture that fosters professional growth, learning opportunities, work-life balance, and a sense of community. We offer regular training programs, mentorship opportunities, and flexible work arrangements to help our employees achieve their personal and professional goals. In addition, we encourage team-building activities and community outreach programs.

Key Features:

- Annual performance review to determine changes to compensation packages
- Healthcare benefits for prescription drugs, dental, vision, disability, life insurance, and educational assistance
- PTO for full-time employees, including five vacation days every year
- Hourly 401 (k) Plan for all non-union hourly employees
- 24/7 employee benefits portal
- Mobile devices to all staff members for more accessible communication with IoT solutions

Additionally, creating an environment where staff members feel valued boosts retention and motivation. To thank them for their hard work, we celebrate their efforts.

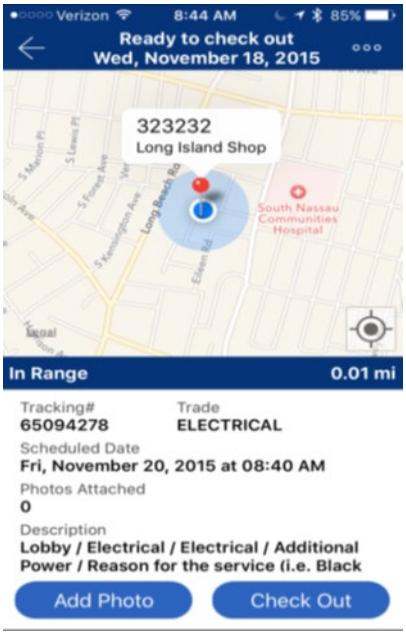
Hiring the Best Professionals

We make sure that the selected candidates fit with our service culture. We additionally consider multiskilled candidates, candidates with technical knowledge, and consistent experience in facilities management.

Employee Attendance Management

At LGC, we incorporate a comprehensive system for managing employee attendance, which includes geo-fenced attendance monitoring through our customized mobile application. It tracks the GPS log-in and log-out times of employees at specific locations and provides real-time visibility of the deployment of employees and work order status at each designated site.

Additionally, we seamlessly integrate with our customers' clock-in systems, enabling employees to conveniently record their attendance using the machines installed at designated locations.



Onboarding Methodology

Our onboarding begins with a thorough orientation that covers all the basics, from our policies and procedures to our systems and processes. We then offer ongoing training and support, including regular check-ins with a mentor, opportunities for continuing education and professional development, and access to a network of experienced colleagues.

Rigorous Background Check

To ensure the safety and security of our clients, our employees go through a rigorous background check process. We will provide the employees' full name, social security number, and any other relevant information needed to conduct the background check upon award. The background check will include searches of local, state, and federal criminal records, as well as verification of their education, employment history, and references.

Once the background check is completed, we will review the results to ensure that the potential employee meets our high standards for safety and professionalism. We will only hire individuals who have a clean criminal history and meet our rigorous screening criteria.

Employee Uniform

We comply with City of Livonia's policy, and our employees will wear a distinctive uniform for easier identification with our logo and a photo ID badge. Additionally, we believe that personal grooming is important to maintain a professional appearance, and our staff is expected to maintain a clean, well-groomed, and presentable appearance while on duty.



Addressing Short and Long-Term Unscheduled Absences

Short-Term Absences

- Ongoing recruiting for part-time and full-time staff
- An extension of shifts to cover absences
- Use the call-in roster
- Using the team of pre-qualified, approved, and on-call employees

Long-Term Absences

- Immediate screening of candidates in the pipeline
- Get support from recruiting partners
- Temporarily fill vacancies till permanent replacements done
- Stimulate the interest of new candidates through advertising

Safety Plan

Our Occupational Safety and Health Measures

OSHA® Occupational Safety and Health Administration www.osha.gov

LGC Global ensures compliance with OSHA and other regulatory

requirements. Our occupational safety and health tools and systems include:

- Safe STEP (Slip, Trip, Elimination Process) to avoid a hazardous scene or injuries
- TEC (Targeted Exposure Control) process to reduce exposure to the ergonomic risks leading to musculoskeletal injuries
- Proprietary 5S Process (Sort, Set in Order, Shine, Standardize, Sustain)
- SOPs, checklists, training processes, quick start guides, and self-assessment processes
- 5-Whys process of incident investigation as a simple root cause analysis tool. The process involves defining a problem and questioning the cause until it is resolved. Locations must report accidents within 48 hours and managers must complete the '5-Whys' Analysis.

Three Checks for Safety

All LGC Global employees must stop and think:







Approach to Meeting and Guaranteeing Safety Compliance

Team LGC has achieved a remarkable safety record with zero work-related injuries and illnesses in the past five years. This is a testament to our unwavering commitment to maintaining a safe and healthy work environment for all employees. LGC has implemented a range of workplace safety strategies including:

- Conducting regular safety training sessions for all employees to ensure that they are equipped with the necessary knowledge and skills to work safely and avoid workplace injuries and illnesses.
- Providing employees with the appropriate personal protective equipment (PPE) to mitigate the risk of workplace hazards and injuries.
- Maintaining a robust safety management system that promotes proactive hazard identification, risk assessment, and control measures.
- Conducting regular safety audits to evaluate the effectiveness of the safety management system and identify areas for improvement.

Safety Management System

At LGC we take the safety of our employees and clients seriously. We have a comprehensive Safety Management System (SMS) that focuses on various aspects of safety, including management/leadership involvement, employee involvement, hazard prevention, hazard control, worksite analysis, and safety and health training.

Our SMS is benchmarked against the Occupational Safety and Health Administration (OSHA) regulations, and we ensure compliance with these standards. Our approach to implementing and executing the SMS includes the following:

- **Management/Leadership Involvement:** Our management team is actively involved in the development and implementation of our SMS. They provide leadership, set goals and expectations, and allocate necessary resources to ensure the success of the SMS

- **Active employee Involvement:** We make sure that our employees actively

participate in the SMS, by reporting any potential hazards, providing feedback, and suggesting improvements.

- **Site-specific Analysis:** We conduct regular worksite analysis to identify potential hazards, and we implement preventive and corrective actions to mitigate risks.

Team LGC Safety and Health Training

Our training program includes basic, safety, and site-specific training, which is designed to meet the learning needs of each participant. Our training methods and delivery systems are carefully selected to meet the learning needs of each participant, ranging from traditional classroom techniques to the use of audio-visual aids. Our team undergoes a comprehensive training program that helps to minimize risk and keep everyone involved safe. Our safety training program includes:

- First Aid/CPR
- OSHA 10 & 30-hour training
- Operational Security (OPSEC)
- Lead Awareness
- Ladder Safety
- Scaffolding Safety
- Accident Prevention Plan (APP)
- Hazardous Material Safety
- Infection Control
- Basic General Cleaning Procedures
- Material Safety Data Sheets
- Hard Floor Care
- Lock-out/Tag-out
- Methicillin-resistant Staphylococcus Aureus (MSRA) Sanitizing
- Personal Grooming
- Sexual Harassment
- Cleaning Standards
- Confined Spaces
- Handbook/Policy Review
- Hazardous Substances
- Slips/Trips/Falls

Personal Protective Equipment

LGC provides the following PPE for our employees at work:



Gloves



Masks



Safety Goggles



Safety Harness



Anti-skid Shoes



Boots

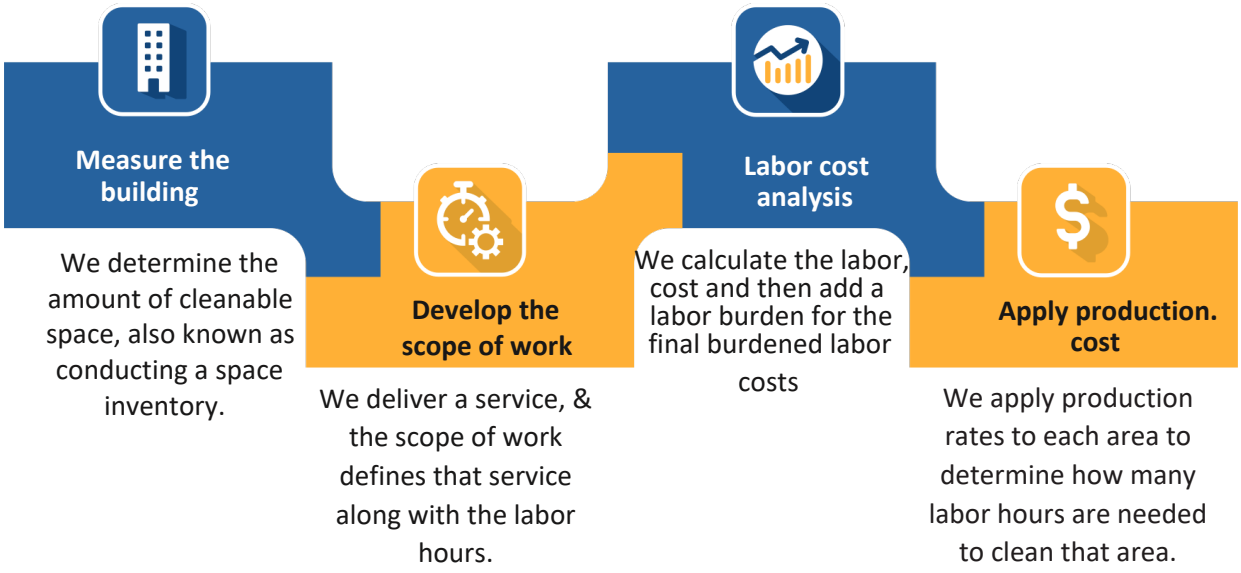


Reflective Jackets



Safety Hat

Our Strategic Staffing Plan



LGC's staffing plan is designed to ensure that we have the right people with the right skills in the right places at the right times. Our goal is to provide the Jack E. Kirksey Recreation Center with high-quality services that are dependable, efficient, and cost-effective. To achieve this goal, we employ a multi-tiered staffing strategy that includes a mix of full-time and part-time employees, as well as temporary staff when necessary. We also maintain a pool of trained and experienced substitute employees to cover any absences or unforeseen events.

Our project management strategy bolsters our ability to complete projects on time, within the budget established, and with excellent results. Our approach ensures communication with the city of Livonia throughout the project duration to mitigate performance and scheduling issues.

First, LGC will assume the role of overall project management, starting with the Project Manager. We construct a schedule that is structured to account for unplanned incidents. The Project Manager works with custodians to ensure that all work is compliant with the contract timelines.

Our management team has years of employee management, problem resolution, and leadership experience. Our Project Manager acts as a source of advice, information, and support staff; at the same time, they are responsible for ensuring crews are performing work correctly and maintaining quality.

The chain of authority is as follows:

- Our Project Manager delivers reports directly to the City of Livonia Authority.
- The Project Manager directly oversees their assigned custodial staff.
- Create custom inspections and reports using a smartphone.

This allows us to quickly report problems, making sure the team gets in front of issues that worsen if left unaddressed.

Managers conduct unannounced audits to verify the quality of services is met at each location. Random inspections are conducted by the Project Manager, after which they generate performance reports. It is the responsibility of our Project Manager to interface with our on-site cleaning staff on a day-to-day basis and communicate with them any performance or attendance problems

that occur (Complete SLA and Procurement Compliance Matrix).

Employee Training Plan

Learning is an ongoing process, especially in today's fast-changing environment. At Team LGC, we prioritize the professional development and growth of our employees. We offer a comprehensive range of training programs to equip our team with the knowledge and skills needed to excel in their roles. Our Training is provided through our LMS Industry Best Practice Training Program:

- Cleaning for Infection Prevention
- Monitoring Compliance with Infection Control
- Cleaning Spills or Splashes of Blood or Body Fluids
- Cleaning and Disinfection of Environmental Surfaces
- QAPI – Role of Environmental Services (Maintenance, Housekeeping, and Laundry Services)
- All Custodial Operations Training
- Emergency Security Protocols and Procedures



The training program includes:

- Basic training
- Safety training
- Site-specific training

Basic Training

This program includes:

- Asbestos awareness
- Blood-borne Pathogens
- Biohazard Management Plan
- Confined Space Awareness
- Ergonomics Awareness
- Fall Hazard
- Fire Safety and system Protection and Prevention
- Hazardous Material Communication
- Lockout Electrical Safety, OSHA Hazard Communication Standard (The Right to Know) Fact Sheet, Working Over 10 Feet Aerial Lift, Boom lift, Scissor lifts, Ladder Safety, Supervisory.
- Personal Protective Equipment
- Resource Conservation Recovery Act (RCRA Hazardous Waste) Awareness
- Environmental Awareness
- Maintenance Identification and Reporting -Work Orders

Safety Training

This program includes:

- First Aid/CPR
- OSHA 10 & 30-hour training
- Lead Awareness
- Ladder Safety
- Scaffolding Safety
- Infection Control
- Basic General Cleaning Procedures
- Material Safety Data Sheets
- Hard Floor Care
- Lock-out/Tag-out
- Methicillin-resistant Staphylococcus Aureus (MSRA) Sanitizing
- Personal Grooming
- Sexual Harassment
- Cleaning Standards

- Confined Spaces
- Handbook/Policy Review
- Hazardous Substances
- Slips/Trips/Falls

Site-Specific Training

In every facility we manage, we collaborate with the client to comprehend their distinct safety requirements and concerns.
We then implement necessary measures to address them, including adhering to designated safety protocols and procedures, performing periodic safety evaluations, and furnishing routine reports to the client on safety-related matters.

The safety of all individuals, including employees and visitors, and facilities under our management, is of utmost importance. We strive to proactively align with the Jack E. Kirksey Recreation Center safety instructions and concerns.

LGC's Exclusive Training Program: Elevating Employee Skills and Services

LGC provides employees with the necessary tools and resources to succeed in their roles, including development opportunities. In addition to our baseline training in customer service and quality control, we offer specialized training in various areas, depending on their position.

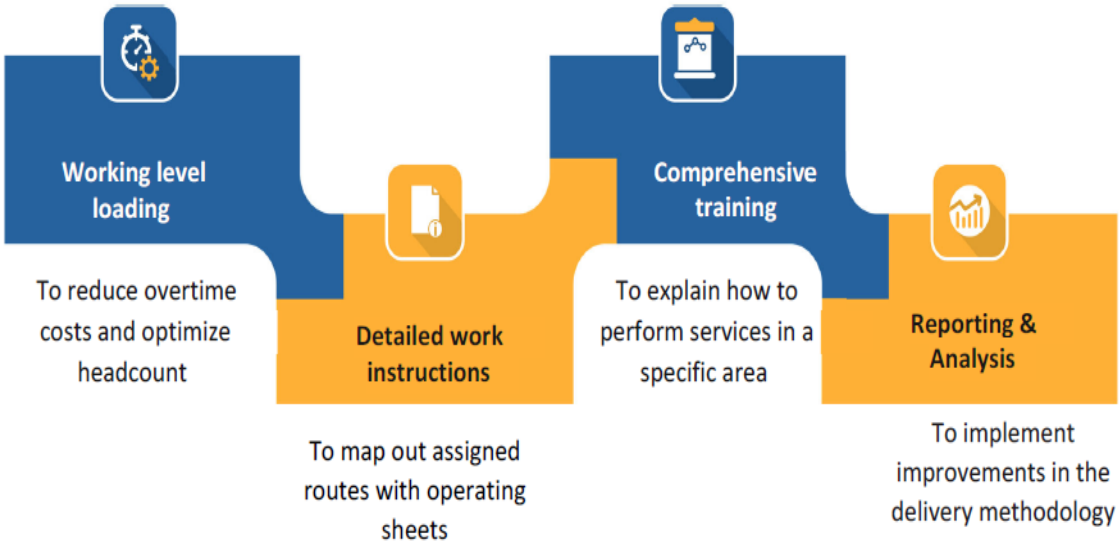
Divided into four key steps, the program includes:

- Orientation Training: Introducing new employees to LGC's culture, values, and policies.
- Tool Talks: Regular safety and efficiency training to maintain a safe work environment.
- Quarterly Reviews: Regular assessments to track employee progress and identify areas for improvement.
- Vocational Training Programs: Specialized training opportunities for existing staff to expand their skill set and improve their value to the company.

Our Training is provided through our LMS, which includes but is not limited to:

Basic Training	Safety Training	Security Training	Custodial Training
Asbestos awareness Bloodborne Pathogens Biohazard Management Plan Confined Space Awareness Ergonomics Awareness Fall Hazard Fire Safety & System Protection and Prevention Hazardous Material Communication Lock-out Personal Protective Equipment Resource Conservation Recovery Act (RCRA Hazardous Waste) Awareness Environmental Awareness Identification and Reporting - Work Orders	Safety & Crisis Response/Management Proper use of PPE Proper Use of Signage, Equipment Slip and Fall Danger Accident Prevention Signs and Tags - Lockout/Tagout Proper Used Rag Storage/Disposal/Recycle Hazard Identification and Hazardous Waste Removal Mechanical and Electrical Safety OSHA Hazard Communication Standard (The Right to Know) Fact Sheet Working Over 10 Feet – Aerial Lift, Boom lift, Scissor lifts Ladder Safety Supervisory	Client's Security Policies and Procedures Authorized Personnel Authority, Clearances Pass and Badge Procedures Interfacing with Security Personnel Security and Life/Safety/Emergency Response Integration Emergency Plans/Procedures Disaster Recovery / Storm Water Management	Restroom Cleaning Floor Care, Terrazzo, Ceramic Tile, Asbestos Floor Tile Care, Rubberized, Carpet, VCT & Nora Flooring, etc. Auto Scrubbing, stripping, and Waxing Proper Use of Green Chemicals Inside and Outside Window Washing Glass, Entranceway, Seating, Waste and Recycling container cleaning and maintaining Mechanized equipment uses and maintenance Material Ordering and Inventory Control Proper Use of Cleaning Material Maintaining proper mixing Procedure Elevator cleaning High-Touch Disinfecting

Methodology - Our Process



Streamlined and Well-Strategized Delivery Models

By implementing solid processes, we ensure the delivery and maintenance of best-in-class services with quality and consistency, allowing our new employees to be successful from their very first day. As part of our strategic approach, we also integrate efficient cleaning task schedules to optimize productivity and ensure effective utilization of resources.

Demand-Driven Approach: We employ a demand-driven approach by closely monitoring customer activity levels, foot traffic patterns, and other relevant factors to accurately anticipate cleaning requirements and adjust schedules accordingly.

Customized Cleaning Plans for the Jack E. Kirksey Recreation Center: We tailor our cleaning plans to the specific needs of Jack E. Kirksey Recreation Center, conducting thorough assessments to determine the cleaning frequency, intensity, and duration required for different spaces.

Real-Time Monitoring and Communication: We utilize advanced monitoring and communication systems to stay informed about real-time customer demand and activity levels, quickly identifying areas requiring immediate attention and adjusting cleaning schedules accordingly.

Flexible Workforce Management: Our flexible and scalable workforce management system allows us to adjust staffing levels based on customer demand and activity, optimizing productivity and responsiveness while maintaining high cleaning standards.

Efficient Coordination of Corporate, On-Site Labor, and Other Resources

LGC prudently manages the deployment of on-site and corporate staff, ensuring efficient coordination and support across all levels. We prioritize efficient coordination between corporate, on-site labor, and other resources for successful project completion.

Our managers and custodians diligently oversee day-to-day operations, ensuring high quality and safety standards. However, we understand that unforeseen circumstances may require additional support. That is why our corporate team and managers are prepared to travel to project locations,

providing prompt assistance to minimize downtime and maximize productivity. Equipped with the necessary resources, our corporate team ensures seamless collaboration and communication between all stakeholders, enabling effective problem-solving and successful outcomes.

Our Communication Process

We facilitate clear, open communication regarding employees' questions and concerns. Our managers proactively address these with transparency to boost trust and retention.

At LGC, we have established a robust 24/7 direct communication framework that seamlessly connects our key personnel with City of Livonia's representatives. Our comprehensive communication system encompasses the following elements:

Mobile-Based Solution: We employ a mobile-based solution that ensures real-time access to critical information and facilitates instant updates, enhancing our agility and responsiveness.

List of Key Personnel: We maintain a meticulously curated list of key personnel who can be readily contacted, ensuring that the right individuals are accessible when needed.

Telephone Availability: Our commitment to uninterrupted communication includes continuous telephone availability, guaranteeing that queries, concerns, or urgent matters can be addressed promptly.

Emergency Response: Our communication strategy incorporates an emergency response mechanism, enabling rapid and effective responses to unforeseen circumstances.

These emergencies have encompassed situations involving chemical spills, natural disasters like storms and cyclones, as well as instances of burst water pipes. In response to these critical situations, our on-site team has consistently demonstrated a rapid and effective response, mobilizing within a matter of minutes upon receiving a phone call from our clients.

Through our mobile app, custodial staff, and managers have unrestricted access to communication channels around the clock. This accessibility equips us to respond swiftly to unplanned cleaning requests or schedule adjustments, ensuring that all additional services are promptly addressed.

Using our mobile app, custodial staff and managers have open lines of communication 24/7. If unplanned cleaning requests or schedule changes are approved, we will be prepared to fulfill all additional services.

What makes our management strategy successful?

- **Preparedness**
- **Open Communication**
- **Documentation**
- **Communication Plan**

We have integrated a comprehensive documentation process into our operations. Scope of Work and schedule changes can be meticulously documented within our CMMS via our user-friendly mobile dashboard. For tasks that demand rapid responses, our mobile app empowers custodial staff to capture time-stamped photos of work sites and relay progress updates to their supervisors. Furthermore, Team LGC provides an online support system accessible through Swept, catering to our client's stakeholders.

What does this mean for the city and its stakeholders?

It signifies that all stakeholders can engage with our staff members in real-time, 24/7/365. They can initiate work requests, address emergencies promptly, and monitor project progress at their convenience. Our recording and reporting procedures are

characterized by their precision, detail, and transparency.

We ensure that you are kept fully informed. In addition to promptly forwarding all reports to the Contracting Officer, we have made all documentation, reports, and records accessible on our CMMS dashboard, enabling 24/7 review from the palm of your hand.

We provide all our staff with mobile devices (e.g., tablets or cell phones) for ease of communication and for use in uploading time-stamped photos of completed work. These devices use an IOT and our mobility solution, which allows all stakeholders from our customers and both our onsite and offsite staff to monitor activities and implement any changes required instantaneously. Whether reporting, taking pictures (before and after), and monitoring each trash can, cleaning and maintaining restrooms, or doing daily deep cleaning or floor maintenance, all our employees use these devices as a regular part of the job.

Stakeholder	Method of Communication	Frequency of Communication
City of Livonia	Email/Phone	Daily or as needed 24/7
Project Manager	Email/Phone	Daily 24/7
Supervisors	Email/Phone	Daily 24/7
Custodians	Phone	Daily 24/7

Methodology - Our Technology

We implement a top-tier CMMS system to make Data-Driven Decisions that improve our service. This informs us if there is a crisis to manage or just a new request to fulfill. All staff, from custodians to management, carry a company-provided smart mobile device to enter data as they are performing their daily tasks.

- Best-in-Class CMMS system
- Data-Driven Decisions
- Smart Phones
- Real Time Dashboard & Monitoring

Technology to Monitor Absenteeism

Through our customized mobility solution, we offer accurate time tracking down to the minute. Our mobile app is GPS-enabled and payroll-ready, allowing employees to easily clock in and out. All recorded time is logged in our dashboard for approval, and supervisors and HR personnel can access this data to effectively monitor and manage absenteeism, identify patterns, and take necessary actions to ensure optimal staffing levels and productivity. With this streamlined attendance tracking process, we enhance efficiency and provide accurate records for payroll management.

Revolutionizing Cleanliness: LGC's Innovative Automated Machines

Over the past decade, facility management has emerged as a pivotal element in visitors' experience at federal or commercial establishments. The COVID-19 crisis has propelled cleanliness to the forefront, compelling us to continuously optimize the operational efficiency of the facilities we serve. During this period, the facility management industry encountered significant challenges, including:

- Higher cleaning demands
- Rising labor challenges
- Overextended cleaning teams
- Absenteeism and turnover

To effectively address these challenges, LGC introduced cleaning robots and automated cleaning machines as a game-changing solution. Our robotic technology has revolutionized our operations, effectively tackling operational challenges associated with cleaning, logistics, and costs. We don't want to replace our people; instead, we aim to help free up their time to focus on other high-level cleaning activities.

Here's how our cutting-edge robotic technology has transformed our operations:



Focus staff on high-touch cleaning: Automated machines relieve staff, allowing focus on critical tasks like disinfection. Optimization of resources leads to increased productivity and better utilization of staff skills, ultimately enhancing the overall efficiency of the cleaning operations.



Clean more frequently and consistently: Our cleaning robots enhance cleaning frequency, ensure consistent performance, and foster client confidence in maintaining meticulous facility cleanliness.



Provide proof of coverage: Real-time performance data from our state-of-the-art machines underscores our proactive measures to mitigate health and safety risks, bolstering client trust.

From advanced sensors for precise navigation to smart algorithms that optimize cleaning patterns, our machines are equipped with innovative features that deliver exceptional results. By programming our machines to operate during off-peak hours, we ensure that

your facility receives efficient cleaning without disrupting normal operations, offering you the utmost flexibility.

The following are some of the automated machines LGC provides.

Touchless Cleaning Technology: Introducing Kaivac Mini for Efficient Restroom Cleaning

LGC implements Kaivac Mini, the cutting-edge touchless cleaner utilized by LGC in our restroom cleaning services. By leveraging touchless cleaning technology and automated disinfectant application, Kaivac Mini streamlines our cleaning process, reducing manpower needs and cleaning times.

With an integrated interior power washer, Kaivac Mini ensures thorough cleaning of faucets, sinks, and other fixtures. Kaivac Mini ensures the dignity of our cleaning personnel by providing a highly effective and efficient solution for restroom cleaning, eliminating the need for manual scrubbing and mopping.



Jingwu 3D Cleaning Robot

LGC deploys the Jingwu 3D Cleaning Robot, equipped with self-developed cleaning tools and innovative self-washing/disinfecting features. From mirrors and washbasins to floors and countertops, the Jingwu 3D Cleaning Robot autonomously tackles each task, meticulously sanitizing every surface it encounters. Its adaptability and customization options allow for seamless integration with our specific workflow.

Equipped with intelligent sensors, the robot intelligently assesses the initial conditions, autonomously performing a comprehensive cleaning of the entire restroom area, leaving no corner untouched. It then evaluates the results, addressing any remaining stains or debris through spot cleaning, ensuring an impeccable finish. With its ability to handle disturbances and obstacles seamlessly, the Jingwu 3D Cleaning Robot operates with unmatched reliability, eliminating the need for human intervention.

Implementation of Jingwu 3D robots results in:

5 mins

to finish cleaning and disinfecting one single toilet bowl

99.5%

the success rate of cleaning



Cobi 18

At LGC, we recognize the importance of efficiently utilizing advanced cleaning technology to maintain the historic brilliance of county buildings while ensuring impeccable cleanliness for the comfort and enjoyment of visitors.

With its compact design, Cobi 18 can navigate and effectively eliminate dirt, grime, and stubborn stains even in tight spaces, reaching every corner of the facility. This ensures that no area is left untouched, guaranteeing comprehensive cleaning on a wide range of hard flooring surfaces, including hardwood, ceramic, concrete, PVC, marble, granite, and more. It operates safely around these elements, ensuring that they remain protected during the cleaning process.

In conjunction with Ice Robotics, LGC has implemented Cobi at Detroit Public Library's locations, which gave us:

80%
Improvement in cleanliness

2 Hours
are saved by the cleaning team each day

24 Hours
Uninterrupted Cleaning Services



Autonomous Floor Sweeper

Whiz is a cutting-edge autonomous vacuum sweeper, that offers increased cleaning frequency, enhanced staff efficiency and productivity, and the maintenance of consistent cleaning routes. Equipped with HEPA filters, Whiz also improves indoor air quality, providing a healthier atmosphere.

The advanced safety features of Whiz, including cameras, sensors, and alerts, enable precise navigation, ensuring optimal safety by avoiding obstacles and protecting our employees and visitors. Whiz is programmed to follow a set route, minimizing the likelihood of missing spots that human operators might overlook. With its meticulous cleaning approach, Whiz covers more area in quicker timeframes, significantly increasing the floor space cleaned each day.
LGC has successfully implemented Whiz at locations such as the Detroit Public Library, City of Sterling Heights, and San Antonio Airport, which resulted in:

10 Hours
are saved per week

90%
Cleanliness Score

+1
Minute/room gained in cleaning time



Autonomous Floor Scrubber

LGC uses EMMA, the RS26-AU Scrubber, an advanced autonomous and ride-on machine that transforms the way commercial and industrial cleaning is done. Designed to simplify cleaning operations and deliver remarkable outcomes, EMMA is equipped with state-of-the-art technology to ensure efficient and safe navigation in even the most complex environments.

EMMA's user-friendly interface and intuitive controls make it a seamless addition to our cleaning team. With EMMA's data-driven approach, we can proactively identify areas that require attention, allocate resources efficiently, and create a healthier and more comfortable environment for everyone.

One of the standout features of EMMA is its ability to fully disinfect floor surfaces, effectively reducing the amount of toxins that are typically stirred up into the air during the cleaning process. By killing germs and removing dirt and debris through its scrubbing mechanism, EMMA not only achieves cleaner floors but also contributes to fresher and healthier air.

EMMA delivers consistent cleaning outcomes every time, as it follows predefined routes, ensuring that every inch of your facility receives thorough cleaning, without any variations or missed spots.



Autonomous UV Light Disinfection Unit

In conjunction with ALTA Equipment and Aitheon Robotics, we introduced a UV Light Disinfection Unit to two of our current clients, the City of Sterling Heights, and Avondale Schools. UV Light eradicates airborne germs and effectively fights pathogens in indoor spaces without chemicals.

By implementing this, we aim to provide a safe and hygienic environment by effectively eliminating airborne germs and combating pathogens without the use of chemicals, ensuring the well-being of employees and visitors.



Mobile-Centric Supplies & Consumables Management

- Helps to control, manage, restock, and dispense materials for on-site and off-site inventory.
- Mobility solutions provided to all custodial staff members
- Supply tracking enables cleaners to keep track of supplies per location
- On-the-go orders for any urgent supplies
- Elimination of zero-stock scenarios
- Automated ordering also saves time

Tracking which locations need what supplies can be a full-time job. The right supplies can make the difference between doing a good job, or a great job. With our supply tracking, cleaners can use the mobile app to keep track of supplies per location, and even let us know when something is running low, and how urgent it is Order on-the-go

Managers can use the web app, or mobile app to get a real-time update on what is required, and where. This will even generate an order list and send it to our Inventory Control staff and to our Suppliers to keep them updated and always manage orders and inventory levels.

Restroom Alert System

Our Restroom Alert System allows visitors to provide anonymous feedback via SMS. It also offers cleaning checklists and reference cards. This system notifies our cleaning staff and management immediately when visitors send comments, and they receive an instant acknowledgment and apology from our front-line staff for the inconvenience.



Equipment in Our Warehouse



T3 Auto scrubber: 20 inches with EC-H2O



T7 ride on Auto scrubber: 26 & 32 inch EC-H2O



S9 Large battery walk- behind sweeper



Chariot I Vac ATV stand-on vacuum



6100 rider sweeper



7 3/4" Motor scrubber, Mini battery roto



17" & 20" E-Glide Electric roto



KaiVac No touch cleaning system



Jet Vac Jr. steam vacuum



Bulldog micro floor scrubber



Scissor lift



Articulating Z-Booms

Quality Control

Quality Assurance – We Get it Right the First Time!

We ensure quality control through the following factors:

- Contractual alignment of the interests of Team LGC with the City of Livonia interests.
- Understanding the City of Livonia's strategic priorities
- Apply solid and centralized direction to manage all contract areas.
- An account executive with the ability to act
- Investment in the technology and skills necessary to deliver a high-quality program

Technology-Mediated Quality Control

Our information system, SWEPT, can be utilized by the City of Livonia officials to assess the work orders we have received and their present state. These reports enable LGC and the City of Livonia to:

- Pinpoint improvement areas
- Monitor the operations carried out at the various sites.
- Assist management in estimating costs, gauging continuity, and upholding service efficiency.

If deficiencies are noted that cannot be swiftly corrected by custodial staff, team LGC will implement our problem resolution process, which includes issue investigation, analysis, and a response plan for action. Subsequently, our follow-up audits will be completed to ensure- a satisfactory resolution of the problem.

Quality Control at Jack E. Kirksey Recreation Center

We encourage our employees to look beyond forms, checklists, and specifications: to treat every facility as if it was their own. Although it's no easy task, our Quality Assurance Manager is trained to devise solutions that help our clients, to challenge the operational norms and give clients what they need.

Our quality control is defined by the leaders, but it is executed every day by our amazing team members.

- **Listen** to clients' needs.
- **Plan** strategies per the scope of work
- **Act** with diligence and dedication
- **Evaluate** our performance with inspections and feedback.
- **Adjust** per the peak seasons, emergency needs, and daily traffic

Auditing

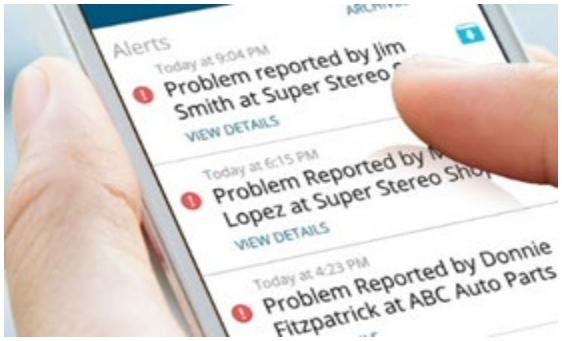


The Project Manager performs internal evaluations daily to ensure there are no gaps in service. When a problem occurs, Project Manager:

1. Seeks City of Livonia's input
2. Investigates the severity of the problem.
3. Research available resources
4. Identifies appropriate solutions.
5. Set timeline for implementation.

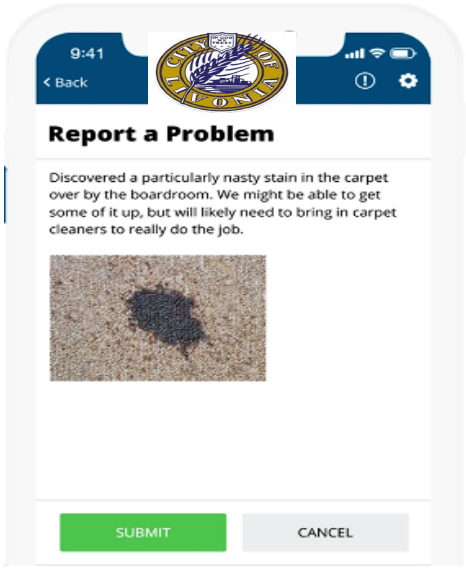
6. Informs customer of the solution
7. Documents solution and implementation
8. Follows-up

Measure Performance



Our managers can evaluate each cleaning task through SWEPT. Janitorial crews take real-time images from the site, upload them on SWEPT, and the managers rate the quality of work while leaving feedback and comments.

Problem Reporting for Janitorial Crews



Better communication means less fires to fight. Our Swept mobile app makes it easy to identify problems in real time.

Identify issues fast

Our mobile app allows staff to quickly report problems so that we tackle issues that worsen if left unaddressed. Once reported, managers will know immediately. This makes it easy to manage, track, and resolve problems.

How do you communicate quality?

Although all staff must know English, it might not be their first language. Within our app, employees can choose from over 100 languages. Once set, they can view client messages, read problem reports, and see cleaning instructions in their native language. Thank you! Salamat! Gracias!

In collaboration with the City of Livonia, we will conduct an initial asset condition assessment to set a benchmark prior to the implementation of our services, followed by a roadmap of where we would like to improve, and how to do so.

We thoroughly compare the costs and performance quality of supplies to determine what the best option is for the City of Livonia.

To manage the quality and quantity of our supplies, we utilize our best-in-class Computerized Maintenance Management System (CMMS) to use data-driven decisions regarding our services and supplies.

- From the award, through the transition and thereafter, we implement technology such as our CMMS dashboard and our Swept mobile app
- These ensure that our team identifies what minimum-inventory levels for supplies, equipment, etc., can be, and guarantees zero-stock scenarios never happen.

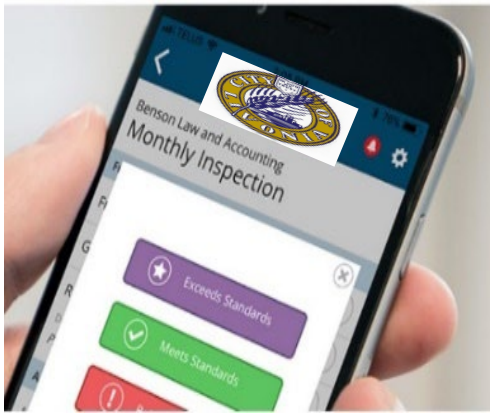
Service Quality & Quantity

By using biometric time and attendance on our Swept mobile app, we can pinpoint the location of all staff on client sites, and easily log their attendance.

Inspections

Unplanned inspections are performed sporadically, while inspections are also scheduled on at least a monthly basis to ensure we are continuously monitoring performance quality. Inspections are conducted for each task we perform, analyzing:

- How it is performed
- Quality of the performance
- Efficiency of the performance
- Facility Cleanliness
- Customer Satisfaction



Deficiencies are identified through the Swept app or during inspections. With regular inspections and ensuring our staff take time-stamped photos for review.

We document all instances of deficient service or customer complaints and note a rectification process. Service that doesn't meet contract requirements is reported.

Mobile Customized Cleaning Inspections

Our managers can create custom inspection plans and cleaning inspection reports using any smartphone. The plans can include unlimited inspection points that are organized to make sure every area is inspected thoroughly.

Sample Inspection Form

LGC Global Energy FM

Powered by swept

CLEANING INSPECTION

INSPECTION PLAN:
City of Sterling Heights

COMPLETED BY:
Jonathon Crosby

COMPLETED FOR:
Amanda Opalewski

21.33% Exceeds Standard	38.66% Meets Standard	0.00% Below Standard	40.01% Not Inspected

Front Entrance:

Inspection Point	Exceeds	Meets	Below	N/A
Vacuum Carpet	★			
Clean doors (both sets, inside and out)	★			
Wipe handles	★			
Dust (High/Low)	★			

Lobby:

Inspection Point	Exceeds	Meets	Below	N/A

15. Work Plan

Our custodial program is designed to provide daily, weekly, monthly, seasonal, and as-needed cleaning services. We not only meet the visual standards for cleaning inspections but also utilize quantitative standards to measure cleanliness, ensuring that the facility is a healthy and safe environment for everyone.

To achieve this, we have established a cleaning Standard Operating Procedure (SOP) that adheres to the required frequencies and utilizes our mobile app to identify additional cleaning needs.

Our approach to Custodial Services involves:

Establishing a daily cleaning schedule:

- Develop a comprehensive cleaning plan that covers all important areas of the Jack E. Kirksey Recreation Center.
- Assigning specific tasks and responsibilities to our team to ensure that all areas are cleaned thoroughly and regularly.
- Ensuring that the cleaning schedule is flexible and responsive to changing needs and circumstances.

Developing comprehensive training programs:

- Providing regular training sessions for custodial staff on proper cleaning techniques, chemical handling, and equipment use.
- Ensuring that all staff members receive training of a high standard and that their skills are regularly updated.
- Encouraging staff members to provide feedback on the training program and suggesting areas for improvement.

Implementing a quality control system:

- Establishing cleaning standards and ensuring that all work meets these standards.
- Conducting regular quality checks to ensure that cleaning is consistent and effective.
- Providing feedback to staff members on their performance and encouraging them to improve

Ensuring the provision of adequate supplies and equipment:

- Providing all necessary cleaning supplies and equipment to custodial staff
- Ensuring that equipment is maintained and repaired regularly to prevent breakdowns
- Ensuring that custodial staff members can access the tools and resources needed to perform their work effectively.

For reporting, our custodial staff will use the Swept mobile application. Our procedure for reporting includes:

- Inspect and rate the quality of individual cleaning tasks.
- Take photos.
- Record comments
- Create custom inspections and reports using a smartphone.

We also aim to reduce operational costs by eliminating the need to hire and manage full-time cleaning staff, optimizing cleaning schedules, and streamlining cleaning processes. In doing so, the Jack E. Kirksey Recreation Center will achieve cost savings while still maintaining high-quality cleaning standards. Additionally, our aim is to improve efficiency by using the latest cleaning technologies and equipment and optimizing staffing levels to create a more productive work environment.

Meanwhile, promoting environmental sustainability is another important objective of ours. Finally, the contract includes proper reporting and quality control measures to

ensure that the Custodial Services team is providing the best possible service.

Energy Conservation

We are committed to practical and sustainable practices for a greener environment and reduced energy consumption. To achieve this, we:

- Encourage energy-saving actions, like turning off lights and equipment when not in use.
- Encourage our staff to actively participate in energy conservation and suggest ideas for improvement.
- Strictly comply with the guidelines for air conditioning and heating control settings.
- Utilize only necessary lights for work tasks and promptly turn them off in completed areas.

Our Cleaning Approach

To ensure optimal cleaning services, we categorize each building within the project based on size and specific cleaning requirements. Our experienced team conducts thorough assessments of each building to determine appropriate cleaning frequencies and standards, tailoring our approach to suit the unique needs of each facility.

Once classifications are completed, our dedicated personnel strategically deploy our skilled employees to their designated locations. This ensures that every area receives the necessary attention and cleaning services according to the designated frequencies and standards. Our team's expertise and attention to detail guarantee that your facilities consistently maintain a clean and inviting environment.

To ensure a well-coordinated workflow and adequate coverage throughout the day, our employees strictly adhere to the outlined shifts. Additionally, we maintain a pool of trained workers available for immediate mobilization in case of emergencies or events.

Floor Care

Our team comprises several 3M-certified associates, and all members are well-trained in floor maintenance equipment. This same level of proficiency extends to our Floor Technician responsible for servicing the city and county buildings.

To ensure optimal cleaning efficiency, our automated scrubbing machines are equipped with variable-speed feed pumps and on-board chemical metering systems. This technology allows us to judiciously utilize cleaning fluids. Moreover, our equipment is ergonomically designed to minimize user fatigue while reducing vibration and noise.



Through rigorous training, state-of-the-art Quality Control (QC) technology, and meticulously crafted Standard Operating Procedures (SOPs), our comprehensive floor care program guarantees the following:

- All types of floors are consistently free from debris, spills, litter, and gum, and are sanitized or disinfected as needed.
- Non-carpeted surfaces undergo regular damp and dust-mopping and sweeping to maintain cleanliness.
- Carpeted areas receive thorough vacuuming, pile-lifting, and spot-cleaning to uphold their pristine condition.

- Additional cleaning procedures, such as pile-lifting, encapsulation, power-scrubbing, shampooing, and more, are executed upon request according to the approved frequency during low-traffic periods.
- Spills and stains are promptly and efficiently addressed to prevent any lasting damage.

Our floor cleaning schedule is thoughtfully structured to offer routine cleaning procedures on a nightly basis, encompassing activities like scrubbing, mopping, sweeping, vacuuming, and more. Furthermore, our program includes deep cleaning sessions, such as stripping, buffing, waxing, burnishing, and recoating, scheduled monthly, quarterly, semi-annually, and annually. This schedule is flexible and can be easily adjusted to accommodate your specific needs or requests.



For each type of flooring material, be it granite, wood, marble, or cement/concrete, we rely on industry standards and manufacturers' specifications to formulate our floor care strategy. This ensures that our methods are tailored to the unique requirements of each surface.

Carpet Care

We employ the Tennant R14 ReadySpace® in conjunction with daily vacuuming and a spot cleaner as a strategic approach to prolonging the effectiveness of deep extraction cleaning on carpets and mats. The ReadySpace® technology revolutionizes carpet cleaning by expediting drying times and ensuring lasting cleanliness.

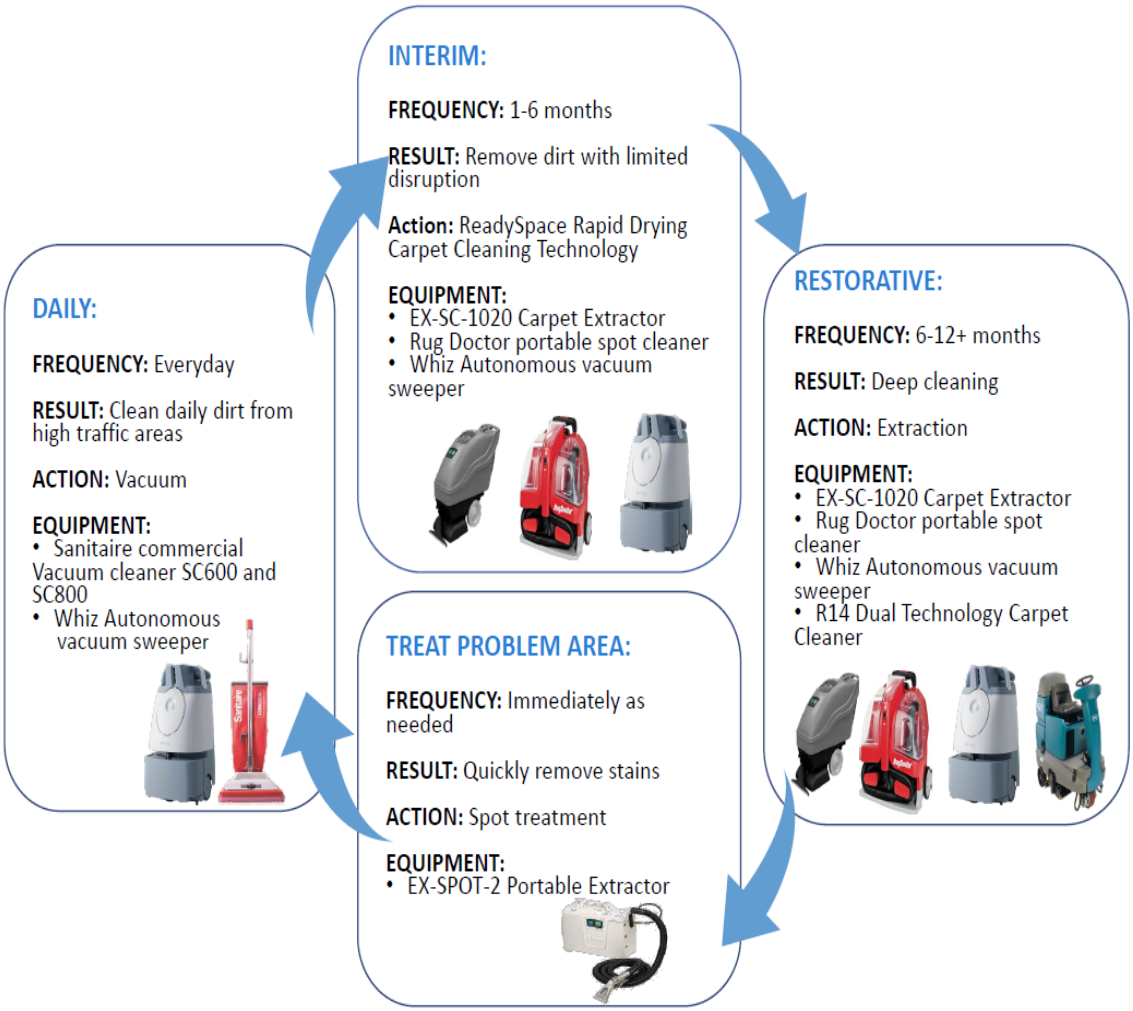


The ReadySpace® system utilizes rapid-drying carpet cleaning technology, featuring soil-transfer rollers that are sprayed with a cleaning solution. These rollers effectively capture dirt from carpet fibers and transfer it into the machine. Within the machine, sprayers rinse the soil from the rollers. A notable advantage of the ReadySpace® method is its avoidance of carpet saturation. This means that rooms and hallways can return to regular use in as little as 30 minutes, minimizing disruption. In our maintenance routine, carpets and mats undergo nightly vacuuming and spot-cleaning. Our vacuum cleaners are equipped with HEPA filtration, enhancing the removal of soil and debris for improved air quality and cleanliness.

Regarding carpeted areas, we offer a range of cleaning methods in addition to shampooing. These options include:

- Hot Water Extraction Cleaning
- Dry Cleaning
- Dry Foam
- Preconditioning
- Encapsulation

It is important to note that our extraction activities will not exceed 10 square feet in tenant areas, ensuring minimal disruption while effectively maintaining cleanliness. By combining innovative technologies like ReadySpace® with our comprehensive cleaning methods, we ensure that your carpets and mats receive the care they deserve, resulting in a clean and inviting environment for your facility.

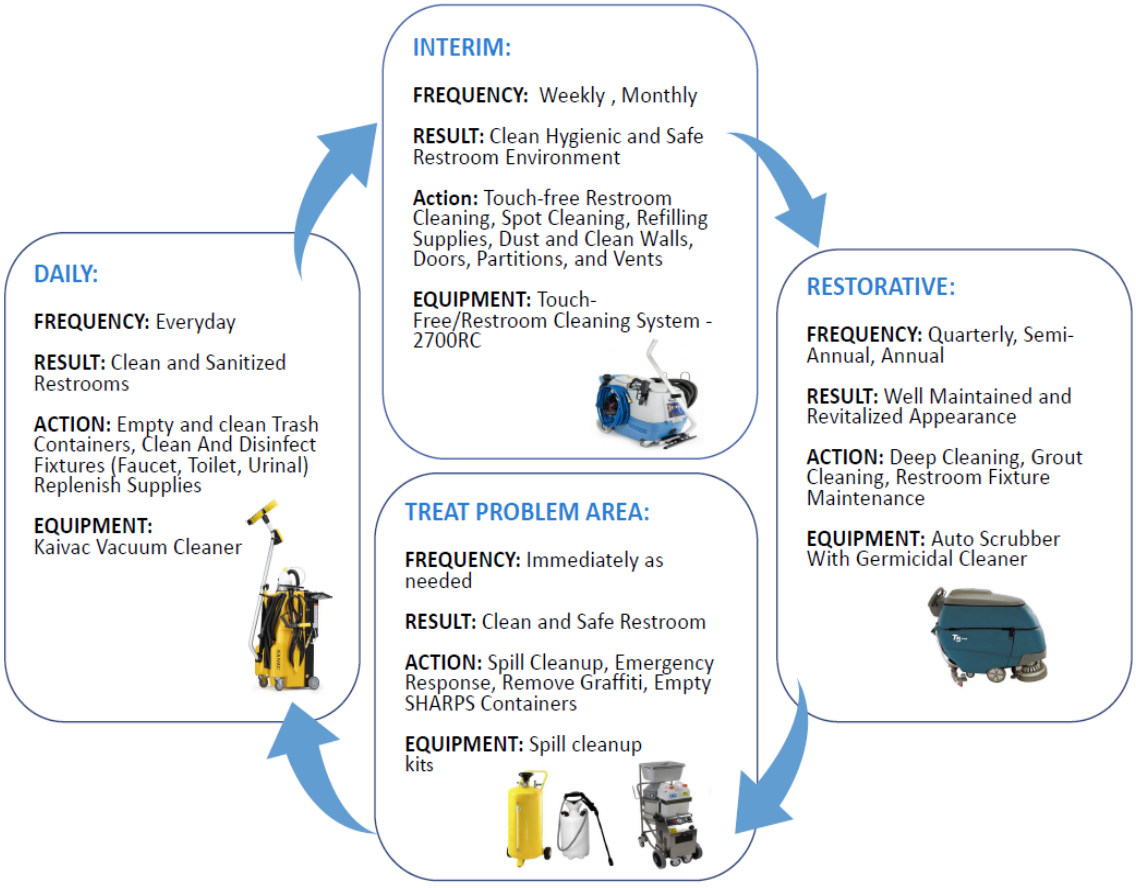


Restrooms

Restrooms are integral high-traffic areas that leave a lasting impression on visitors, as they are encountered by most individuals onsite. Moreover, they present a potential risk for the spread of germs and must be meticulously maintained. To achieve this, our custodial team undergoes rigorous training and adheres to a comprehensive schedule that includes frequent tasks such as:

- Disinfection of toilets, urinals, surfaces, and fixtures using germicidal disinfectant.
- Regular replenishment of restroom supplies.
- Efficient trash removal and liner replacement.
- Cleaning of mirrors and furniture.
- Dusting, mopping, or sweeping to maintain overall cleanliness.
- We guarantee that restroom servicing will result in no more than 10 minutes of downtime, ensuring minimal disruption to facility occupants.

Restroom floors are subjected to a meticulous cleaning process, including thorough damp-mopping, and sweeping. This ensures that no residual water, scum, mildew, or residue remains on any tiles, preserving a pristine appearance. Additionally, our restroom cleaning checklist encompasses all surfaces and fixtures, ensuring the removal of stains, smudges, streaks, films, buildup, and any other removable matter. Trash receptacles within restrooms are diligently maintained to be both clean and odor-free.



Process for Cleaning Water Fountains

Our team begins by gathering necessary supplies, turning off the water supply by unplugging the fountain if applicable, and wiping down the exterior to remove surface debris. The next steps involve disassembling components such as bubblers or nozzles, cleaning the interior surfaces thoroughly using a mild detergent solution, and addressing any mineral deposits. Removable components are cleaned and sanitized separately, while the drip tray is cleaned and regularly sanitized to prevent bacterial growth. Later, mold and mildew are checked and cleaned if necessary. After rinsing and drying all components, reassembly, and functionality testing follow. Finally, the exterior is wiped down, and a regular maintenance schedule is established while keeping records to track cleaning activities and ensure accountability.



Process for Empty Trash Receptacles

There is a systematic process that begins with waste segregation into categories like recyclables, non-recyclables, hazardous waste, and organics. After proper collection and storage in designated containers, waste is safely transported by authorized carriers to treatment facilities. Treatment methods vary, including recycling, composting, incineration, or landfill disposal, each adhering to environmental regulations. Recycling maximizes resource recovery, while organic waste can be composted. Hazardous waste undergoes specialized treatment, and non-recyclable, non-hazardous waste is sent to sanitary landfills. Throughout the process, safety measures, regulatory compliance, and environmental responsibility are paramount, with documentation of activities and regular audits to ensure efficiency and reduce environmental impact. Educating communities about responsible waste disposal fosters sustainability and public health.

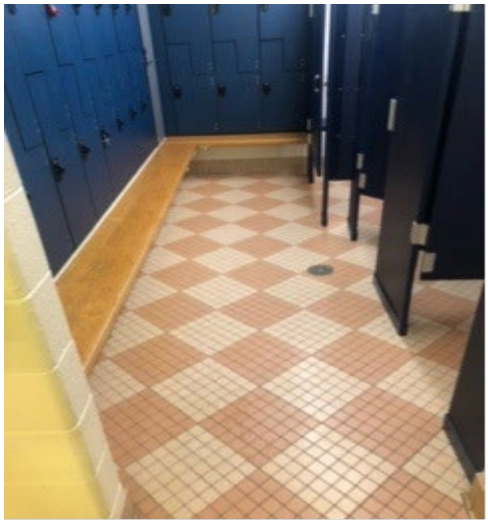
Our waste management procedures include:

- Regular emptying of ash receptacles, placing cigarette debris in nonflammable containers, and sand refilling as needed.
- Emptying waste receptacles when full or in case of odors, with replacement of liners when necessary.
- Keeping trash collection dumpsters/containers closed when not in use to maintain cleanliness.
- Ensuring the separation of recyclable materials and their transport to designated areas without mixing them with non-recyclables.

Locker Rooms

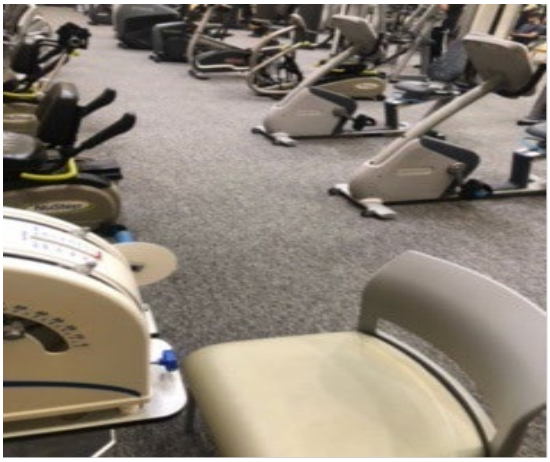
Cleaning locker rooms is crucial to maintain a hygienic and pleasant environment. We begin by ventilating the area and wearing the necessary personal protective equipment. Later, we remove dust and debris by sweeping the floors, and then empty trash cans. Our team then disinfects high-touch surfaces, including benches, lockers, and showers, allowing sufficient contact time. They also clean and disinfect toilets, urinals, and sinks. Lastly, they mop the floors, paying attention to corners, and ensure they air dry and clean mirrors with glass cleaner or a water and vinegar mixture for streak-free

results. We also organize locker areas and conduct a final inspection.



Breakrooms, Gymnasiums

When it comes to break rooms, the process starts with emptying trash cans and replacing liners. High-touch surfaces like tables, countertops, and appliance handles are wiped down and disinfected. Appliances, including microwaves and refrigerators, are cleaned, and dishes and utensils are washed and sanitized. The floor is mopped and supplies like paper towels and soap are replenished. In conference rooms, similar steps are followed, with a focus on disinfecting tables, chairs, and frequently touched surfaces. Audio-visual equipment, remote controls, and whiteboards are also cleaned and disinfected. For training rooms, trash cans are emptied, and surfaces are wiped down and disinfected. High-touch areas like tables and chairs are cleaned, and audio-visual equipment and training materials are disinfected. Proper arrangement of furniture and materials is ensured, and the room undergoes a final inspection to maintain cleanliness and organization. Regular cleaning routines and safety precautions are crucial to upholding a clean and secure environment in these spaces.



Activity Room

Our Activity Room Cleaning Process is a meticulous approach aimed at maintaining the integrity and efficiency of these vital spaces. Beginning with thorough dust and particle removal from equipment surfaces, we ensure optimal performance and prevent debris accumulation. Regular air filter maintenance guarantees proper airflow and minimizes dust infiltration within computer systems. Organized cable management prevents hazards and facilitates hassle-free maintenance. We sanitize high-touch surfaces using approved disinfectants, promoting a hygienic setting. Our commitment extends to electrostatic discharge prevention through proper grounding and safeguarding sensitive electronic equipment. Frequent equipment inspections detect potential issues promptly, and strict adherence to security protocols ensures data and equipment integrity. With this comprehensive approach, we uphold the reliability and functionality of your activity room, fostering a secure and high-performing technological environment.

Deep Cleaning Programs

Our custodial crew will perform a deep cleaning whenever requested by Jack E. Kirksey Recreation Center Team. The team will include **Certified Project Specialists for:**

- Advanced Floor Care
- Advanced Carpet Care
- Using Specialty Equipment
- Equipment Maintenance and Minor Repair

Our cleaning procedure for the office:

- Remove all the items from the table and put them in a safe place.
- Dust all surfaces including the table, chairs, and other furniture with a microfiber cloth.
- Vacuum the carpet or sweep and mop the hard floors to remove any dirt and debris.
- Clean the windows, blinds, and windowsills with a window cleaner and a clean cloth.
- Disinfect all high-touch areas such as door handles, light switches, and conference phones with a suitable disinfectant cleaner

Dusting, Mopping, and Sweeping

High and low-level dusting will be conducted regularly. Air vent returns will be cleaned and kept dust-free. Our staff will sweep the entire floor to dispose of dirt, trash, and debris.

Lobby and Entrance

Dust and clean all surfaces, including chairs, tables, and reception desk. Sweep and mop the floors. Restock any supplies. Empty and disinfect trash bins.

Glass, Mirrors, Windows

The glass will be spot cleaned using the appropriate window or glass cleaner and a microfiber cloth or squeegee where applicable. If necessary, cream paste cleaner will be used to remove marks on the surface. cleaning.



16.Summary


Clients for Life
People focus & Diversification
Financial Strength & Stability
Self-Performing Service Delivery Model
Best in class Technology
Safety Credentials
WCM Model understanding

LETTER TO THE LIVONIA CITY COUNCIL

31.

Engineering
May 16, 2024

MEETING DATE	PRESENTED BY
R060324	Todd Zilincik, P.E., City Engineer

AGENDA ITEM

REQUEST TO AMEND THE CONTRACT WITH ANDERSON, ECKSTEIN AND WESTRICK, INC. FOR CONSTRUCTION ENGINEERING SERVICES FOR THE WEST CHICAGO RECONSTRUCTION PROJECT, HARRISON ROAD TO INKSTER ROAD: Engineering Division, for same. (CR 336-21)

BACKGROUND DETAILS

The City Council approved Qualification Based Selection (QBS) firms pursuant to Council Resolution No. 336-21, adopted November 22, 2021 to perform all professional engineering services on various federal, state and locally funded projects through fiscal year 2026. Under this procedure we are recommending that Anderson, Eckstein and Westrick, Inc. (AEW) be authorized to enter into a third party agreement with the Michigan Department of Transportation (MDOT) for the Construction Engineering (CE) Services for the West Chicago Reconstruction Project, Harrison Road to Inkster Road.

The Engineering Division has reviewed the agreement and is recommending the acceptance of same. The City is eligible for reimbursement of 81.85% of the Construction Engineering Cost (CE). Please note that the Construction Engineering amount is $224,556.18.

The West Chicago Reconstruction Project easterly from Harrison Road to approximately 125 feet west of Inkster Road will include concrete pavement reconstruction with integral curb, along with grading and subgrade undercutting, aggregate base, concrete sidewalk and curb ramps, underdrain, permanent signing and pavement markings; and all together with necessary related work.

In order to proceed with this project, we are further recommending that the Council take the following actions:

- Authorize an expenditure of $224,556.18 for Construction Engineering to Anderson, Eckstein and Westrick, Inc. from funds budgeted for this project in Account No. 202-463-818-125.

- Authorize the Mayor and the City Clerk to execute the third party agreement with MDOT, including any minor revisions as required by them to allow approval for AEW to provide Construction Engineering (CE) Services in an effort to obtain reimbursement for 81.85% of the costs on behalf of the City of Livonia for the West Chicago Reconstruction Project from Harrison easterly to approximately 125 west of Inkster Road.

- Authorize the City Engineering to make minor adjustment to the work, as needed.

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

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- Authorize the City Engineering to make minor adjustment to the work, as needed.

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

n/a

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

$224,556.18

DETAILED WORK BEING PERFORMED

Construction Engineering for the West Chicago Reconstruction Project, Harrison Road to Inkster Road

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

$224,556.18 from Account No. 202-463-818-125

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

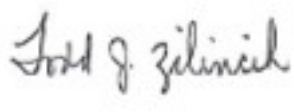
n/a

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

ATTACHMENTS

1. Third-Party-Agreement for West Chicago, Harrison to Inkster 5-17-24
2. CR 336-21

APPROVED BY



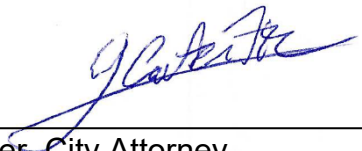
Todd Zilincik, P.E., City Engineer — Date: May 17, 2024



Don Rohraff, Director of Public Works — Date: May 17, 2024



Debra Peck Lichtenberg, CPA, Finance Director — Date: May 22, 2024



Carter Fisher, City Attorney — Date: May 22, 2024



Maureen Miller Brosnan, Mayor — Date: May 22, 2024

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ANDERSON, ECKSTEIN & WESTRICK, INC.
CIVIL ENGINEERS - SURVEYORS - ARCHITECTS
Shelby Township - Roseville - Livonia
586.726.1234 | www.aewinc.com

May 17, 2024

Todd Zilincik, P.E.
City Engineer
City of Livonia
12973 Farmington Road
Livonia, Michigan 48150

Reference: Agreement for Professional Services - Construction Engineering
West Chicago Road Reconstruction (Harrison to Inkster)
City of Livonia

Dear Mr. Zilincik:

Thank you for considering our firm to provide engineering services on the project referenced above. Attached is the Third Party Agreement with Exhibit A – Scope of Services between the City of Livonia and Anderson, Eckstein and Westrick, Inc. Please let us know if you have any questions regarding the enclosed.

We are very grateful to be considered to participate in this project.

Sincerely,

Anderson, Eckstein and Westrick, Inc.

DocuSigned by:
00EA6E3BDABE4DB...

Scott Lockwood, Exec. Vice President

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SUBCONTRACT NO.
CONTROL SECTION NO. STU 82000
JOB NO. 215726

THIRD PARTY AGREEMENT

CONSTRUCTION ENGINEERING

LOCAL AGENCY CONTRACT

THIS CONTRACT, made and entered into as of this date, _____, by and between Anderson, Eckstein and Westrick, Inc. 51301 Schoenherr Road, Shelby Township, MI 48315, hereinafter referred to as the "CONSULTANT," and the City of Livonia, 33000 Civic Center Drive, Livonia, MI 48154 hereinafter referred to as the "LOCAL AGENCY"

WITNESSETH:

WHEREAS, the LOCAL AGENCY is planning to reconstruct West Chicago Road from Harrison Street to Inkster Road, a S/TIP project within its limits; and

WHEREAS, the LOCAL AGENCY has assigned Todd Zilincik, PE, City Engineer to be the designated full-time public employee to be in Responsible Charge in accordance with 23 CFR 172.9 (d)

WHEREAS, the LOCAL AGENCY desires to engage the professional services and assistance of the CONSULTANT to perform certain construction engineering and other related work, said work to be hereinafter referred to as the "SERVICES," required in connection with the construction of the following West Chicago Reconstruction, said improvements to be hereinafter referred to as the "PROJECT:"

> 0.46 mi of concrete pavement with integral curb, curb ramps, signing and pavement markings on West Chicago Road from Harrison Street easterly to west of Inkster Road in the city of Livonia.

WHEREAS, the LOCAL AGENCY has programmed the PROJECT with the Michigan Department of Transportation, hereinafter referred to as the "MDOT," for the use of Surface Transportation Program Funds administered by the United States Department of Transportation, Federal Highway Administration, hereinafter referred to as the "FHWA;" and

WHEREAS, the CONSULTANT is willing to render the SERVICES desired by the LOCAL AGENCY for the considerations hereinafter expressed; and

WHEREAS, the CONSULTANT was selected utilizing a qualifications based selection (QBS) process, as applicable; and CONSULTANT performance evaluations will be completed, as defined in Exhibit D.

WHEREAS, the terms and conditions of the PRIME CONTRACT between the MDOT and the LOCAL AGENCY for the PROJECT shall be incorporated by reference as part of this SUBCONTRACT to ensure that if any discrepancies occur between the PRIME CONTRACT and SUBCONTRACT, the PRIME CONTRACT shall prevail; and

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WHEREAS, the parties hereto have reached an understanding as to the scope of the work and the performance of the SERVICES on the PROJECT and desire to set forth this understanding in the form of a written contract;

NOW THEREFORE, it is hereby agreed by and between the parties hereto that:

The CONSULTANT will:

1. Perform the work set forth in Exhibit A, attached hereto and made a part hereof (SERVICES). The LOCAL AGENCY specifically agrees that it will not perform SERVICES that are not included in the scope of SERVICES in Exhibit A.

2. Perform all SERVICES by the applicable codes, laws, and standards of the LOCAL AGENCY and the MDOT and the FHWA.

3. During the performance of the SERVICES herein provided for, be responsible for any loss or damage to the documents, owned by the LOCAL AGENCY while they are in its possession. Restoration of lost or damaged documents shall be at the CONSULTANTS expense.

4. Furnish qualified personnel, as per 23 CFR Part 172, to assist the PROJECT Engineer/Supervisor in solving problems, when so requested.

5. Attend conferences and make such trips as necessary to the LOCAL AGENCY'S offices and to the site of the work to confer with representative of the LOCAL AGENCY and the MDOT or the FHWA as may be necessary in the carrying out of the work under THIS CONTRACT.

6. Provide and maintain public liability, property damage, and workers' compensation insurance, insuring as they may appear the interests of all parties to THIS CONTRACT against any and all claims that may arise out of the LOCAL AGENCY'S operation hereunder. In addition, provide professional liability insurance, as further defined in Exhibit B, attached hereto and made a part hereof.

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7. Commence work on the PROJECT as set forth in and following execution of THIS CONTRACT only upon receipt of written notice from the PROJECT Engineer/Supervisor.

8. Submit billings to the LOCAL AGENCY as set forth in Section 17.

9. Perform all PROJECT work under the direction of the PROJECT Engineer who will be assigned by the LOCAL AGENCY as provided in Section 14.

10. Provide such reports and maintain such records of the PROJECT as are required to document the work to the satisfaction of the PROJECT Engineer, the LOCAL AGENCY, the MDOT, and the FHWA.

11. Permit the LOCAL AGENCY, the MDOT, the FHWA, and other public agencies interested in the plans and designs for the PROJECT to have full access thereto during the progress of the SERVICES being performed thereon.

12. Have their professional endorsement upon all plans, specifications, estimates, and engineering data furnished to the LOCAL AGENCY.

13. Follow standard accounting practices and permit representatives of the LOCAL AGENCY and MDOT, FHWA, U.S. DEPARTMENT OF Transportation's Inspector General, and the Controller General of the United States to audit and inspect its PROJECT books and records at any reasonable time.

    a. Such records are to be kept available for three (3) years from the date of the final payment for work conducted under THIS CONTRACT.

    b. In the event of a dispute with regard to the allowable expenses or any other issue under THIS CONTRACT, the CONSULTANT shall thereafter continue to maintain the records at least until that dispute has been finally decided and the time for all available challenges or appeals of that decision has expired.

    c. In the event of a dispute with regard to the allowable expenses or any other issue under THIS CONTRACT, the CONSULTANT shall thereafter continue to maintain the records at least until that dispute has been finally decided and the time for all available challenges or appeals of that decision has expired.

    d. If any part of the work is subcontracted, the conditions for the responsibilities of the CONSULTANT apply to the CONSULTANT and their SUBCONSULTANTS (or affiliates).

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The LOCAL AGENCY shall:

14. Assign a PROJECT Engineer/Supervisor in responsible charge of the PROJECT.

15. For and in consideration of the SERVICES rendered by the CONSULTANT as set forth in THIS CONTRACT, pay the CONSULTANT on the basis of the actual cost plus a fixed fee (profit) amount which shall not exceed two hundred twenty-four thousand five hundred fifty-six dollars and 18 cents ($224,556.18). The fixed fee (profit) shall be the amount of twenty-one thousand nine hundred seventy-two dollars and eighty-one cents ($21,972.81), which amount is included in the total amount of two hundred twenty-four thousand five hundred fifty-six dollars and 18 cents ($224,556.18) as shown in Exhibit "A," attached hereto and made part hereof.

16. Pay for actual costs for SERVICES. Work required and performed will be determined in accordance with the following terms, subject to the cost criteria set forth in the Federal Acquisition Regulations, 48 CFR, Part 31.

    a. Direct Salary Costs: Actual labor costs of personnel performing the SERVICES work. This cost will be based on the employees' actual hourly rate of pay and the actual hours of performance on the PROJECT as supported by employee time records.

    b. Direct Costs: Actual costs of materials and SERVICES, other than salaries, as may be required hereunder but which are not normally provided as a part of the overhead of the CONSULTANT. All actual costs shall be itemized and certified as paid to specifically named firms or individuals, and shall be supported by proper receipts.

Overhead (Indirect Costs): For A pro-rated portion of the actual overhead incurred by the CONSULTANT during performance of the PROJECT work shall be computed as set forth in 48 CFR, Federal Acquisition Regulations, Part 31, see Attachment C. The amount of overhead payment, including payroll overhead, will be calculated as a percentage of all direct labor costs related to staff personnel and members of the firm. Overhead shall include those costs, which because of their incurrence for common or joint objectives, are not readily subject to treatment as a direct cost. If a certified overhead rate, attachment C, has not been established, a provisional overhead rate, which will be applied to direct labor costs for progress payments, is set forth in Exhibit A. Use the provisional overhead rate until the actual overhead rate has been determined.

    c. Non MDOT Pre-Qualified CONSULTANT:
    It is agreed that the use of the provisional overhead rate set forth in Exhibit A sets neither a minimum nor maximum to the actual overhead costs to be paid the CONSULTANT. Any overpayments or underpayments made to the CONSULTANT for SERVICES performed resulting from usage of the provisional overhead rate, will be corrected in the first billing submitted subsequent to the CONSULTANT'S calculations of an actual overhead rate for the financial year end applicable to the reported direct labor cost. The audit at the completion of THIS CONTRACT or at such time as THIS CONTRACT is terminated, will verify the propriety of reporting overhead.

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MDOT Pre-Qualified CONSULTANT:
When work occasioned at the LOCAL AGENCY'S request is contracted with the CONSULTANT to perform the SERVICES, the actual overhead costs incurred by the CONSULTANT at the MDOT-accepted rate during work, computed as set forth in 48 CFR, Federal Acquisition Regulations, Part 31, The amount of overhead payment, including payroll overhead, will be calculated as applied rates to direct labor costs. Overhead costs will include those costs that, because of their incurrence for common or joint objectives, are not readily subject to treatment as direct costs. The MDOT-accepted overhead rate is not subject to adjustment for overhead costs, but the LOCAL AGENCY and MDOT retains the right to audit the records of the CONSULTANT at any reasonable time.

Contract LOCAL AGENCY Work:
When work occasioned at the LOCAL AGENCY'S request is contracted with another LOCAL AGENCY to perform the SERVICES, the actual overhead costs incurred by the LOCAL AGENCY shall be computed as set forth in 2 CFR 200.414. The LOCAL AGENCY must submit a 2 CFR 200.414 compliant overhead (indirect) cost rate proposal/plan to MDOT, prior to claiming any overhead (indirect) costs. The LOCAL AGENCY and MDOT retains the right to audit the records of the CONSULTANT at any reasonable time.

Reimbursement for costs incurred is subject to the cost criteria set forth in 48 CFR Part 31, and/or 2 CFR 200Subpart E-Cost Principles as applicable, is incorporated herein by reference as if the same were repeated in full herein.

d. Facilities Cost of Capital: A pro-rated portion of the actual facilities costs of capital incurred by the CONSULTANT during work is reimbursable only if the estimated facilities cost of capital was specifically identified in the cost proposal, included in the Scope of Services for this work (Exhibit A).

e. Travel and Subsistence: Actual costs in accordance with and not to exceed the amounts set forth in the State of Michigan Standardized Travel Regulations, incorporated herein by reference as if the same were repeated in full herein.

f. Fixes Fee (Profit): In addition to the payments for direct and overhead costs as hereinbefore provided, the LOCAL AGENCY agrees to pay the CONSULTANT a fixed amount for profit for the SERVICES performed. It is agreed and understood that such amount constitutes full compensation to the CONSULTANT for profit and will not vary because of any differences between the estimated cost and the actual cost for work performed, except that in the event THIS CONTRACT is terminated, payment of a fixed fee (profit) in respect to the PROJECT shall be in an amount which can be established by the CONSULTANT from its accounts and records and subject to the provisions of Section 30.

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g. SUBCONSULTANT Costs: Actual costs of SUBCONSULTANTS performing SERVICES under THIS CONTRACT. Amounts for fixed fees paid by the CONSULTANT to the SUBCONSULTANT will not be considered an actual cost of the CONSULTANT, but will be considered a part of the fixed fee of the CONSULTANT.

17. Make payments to the CONSULTANT in accordance with the following procedures:

    a. Progress payments may be made for reimbursement of amounts earned to date and shall include direct costs, other direct costs, calculated amounts for overhead using overhead, and facilities cost of capital using applied rates, set forth hereinbefore, plus a portion of the fixed fee. The portion of the fixed fee which may be included in progress payments shall be equal to the total fixed fee multiplied by the percentage of the work which has been completed to date of billing.

    b. Partial payments will be made upon the submission by the CONSULTANT of a billing, accompanied by properly completed reporting forms and such other evidence of progress as may be required by the LOCAL AGENCY. Partial payments shall be made only one a month.

    c. Final billing under THIS CONTRACT shall be submitted in a timely manner but not later than three (3) months after completion of the SERVICES. Billing for work submitted later than three (3) months after completion of SERVICES will not be paid. Final payment, including adjustments of direct salary costs, other direct costs and overhead costs, will be made upon completion of audit by the LOCAL AGENCY and/or as appropriate, by representatives of the MDOT and the FHWA.

       In the event such audit indicates an overpayment, the CONSULTANT will repay the LOCAL AGENCY within 30 days of the date of the invoice.

It is further agreed that:

18. Upon completion or termination of THIS CONTRACT, all documents prepared by the CONSULTANT, including tracings, drawings, estimates, specifications, field notes, investigations, studies, etc., as instruments of SERVICE, shall become property of the LOCAL AGENCY.

19. No portion of the PROJECT work, hereto before defined, shall be sublet, assigned, or otherwise disposed of except as herein provided or with the prior written consent for the LOCAL AGENCY and approval by MDOT and the FHWA. Consent to sublet, assign or otherwise dispose of any portion of the SERVICES shall not be construed to relieve the CONSULTANT of any responsibility for the fulfillment of THIS CONTRACT.

20. All questions which may arise as to the quality and acceptability of work, the manner of performance and rate of progress of the work, and the interpretation of plans and

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specifications shall be decided by the LOCAL AGENCY'S PROJECT Engineer/Supervisor. All questions as to the satisfactory and acceptable fulfillment of the terms of THIS CONTRACT shall be decided by the LOCAL AGENCY.

21. This agreement is to be governed by the laws of the State of Michigan. All disputes between the LOCAL AGENCY and CONSULTANT shall be resolved per the Dispute Resolution in Appendix C.

22. Any change in SERVICES to be performed by the CONSULTANT involving extra compensation must be authorized in writing by the LOCAL AGENCY and approved by the MDOT and the FHWA prior to the performance thereof by the CONSULTANT and requires an amendment to THIS CONTRACT.

23. The CONSULTANT and the LOCAL AGENCY specifically agree that in the event problems arise that may be the result of errors and/or omissions by the CONSULTANT or due to a failure of the CONSULTANT to otherwise perform in accordance with THIS CONTRACT, the CONSULTANT will be held responsible with no cost to the LOCAL AGENCY or in accordance with Dispute Resolution in Appendix C.

24. In addition, the CONSULTANT shall comply with, and shall require any CONTRACTOR or SUBCONTRACTOR to comply with, the following:

    a. In connection with the performance of the PROJECT under THIS CONTRACT, the CONSULTANT (hereinafter in Appendix "A" referred to as the "CONTRACTOR") agrees to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts," as set forth in Appendix "A," attached hereto and made a part hereof and will require a similar covenant on the part of any CONTRACTOR or SUBCONTRACTOR employed in the performance of THIS CONTRACT.

    b. During the performance of THIS CONTRACT, the CONSULTANT, for itself, its assignees, and its successors in interest (hereinafter in Appendix B referred to as the "CONTRACTOR"), agrees to comply with the Civil Rights Act of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 USC Sections 1971, 1975a-1975d, and 2000a-2000h-6, and the Regulations of the DEPARTMENT of Transportation (49 CFR Part 21) issued pursuant to said Act, including Appendix B, dated June 2011, attached hereto and made a part hereof. This provision will be included in all subcontracts relating to THIS CONTRACT.

    c. The parties hereto further agree that they accept the MDOT'S Minority Business Enterprises/Women's Business Enterprises (MBE/WBE) Program with respect to the PROJECT and will abide by the provisions set forth in Appendix C, dated October 1, 2005, attached hereto and made a part hereof, being an excerpt from Title 42 C.F.R. Part 23, more specifically 23.43(a)(1) and (2) thereof.

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25. The CONSULTANT warrants that it has not employed or retained any company or person other than bona fide employees working solely for the CONSULTANT to solicit or secure THIS CONTRACT and that it has not paid or agreed to pay any company or person other than bona fide employees working solely for the CONSULTANT any fee, commission, percentage, brokerage fee, gift, or other consideration contingent upon or resulting from the award or making of THIS CONTRACT. For breach or violation of this warranty, the LOCAL AGENCY will have the right to annul THIS CONTRACT without liability or, at its discretion, to deduct from the contract price or consideration or otherwise recover the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

26. The CONSULTANT specifically agrees that in the performance of the SERVICES herein enumerated, by itself, by an approved SUBCONTRACTOR, or by anyone acting on its behalf, it will comply with any and all state, federal, and local statutes, ordinances, and regulations and will obtain all permits applicable to the entry into the performance of THIS CONTRACT.

27. No charges or claims for damages shall be made by the CONSULTANT for delays or hindrances from any cause whatsoever during the progress of any portions of the SERVICES specified in THIS CONTRACT, except as hereinafter provided.

    In case of a substantial delay on the part of the LOCAL AGENCY in providing to the CONSULTANT either the necessary information or approval to proceed with the work, resulting, through no fault of the CONSULTANT, in delays of such extent as to require the CONSULTANT to perform its work under changed conditions not contemplated by the parties, the LOCAL AGENCY will consider supplemental compensation limited to increased costs incurred as a direct result of such delays. Any claim for supplemental compensation must be in writing and accompanied by substantiating data. Authorization of such supplemental compensation shall be by an amendment to THIS CONTRACT subject to prior approval by the MDOT.

    When delays are caused by circumstances or conditions beyond the control of the CONSULTANT, as determined by the LOCAL AGENCY, the CONSULTANT may be granted an extension of time for such reasonable period as may be mutually agreed upon between the parties. However, that permitting of the CONSULTANT to proceed to complete the SERVICES, or any part of them, after the date through which the time of completion may have been extended, will in no way operate as a waiver on the part of the LOCAL AGENCY of any of its rights herein set forth.

28. In case the CONSULTANT deems extra compensation will be due it for work or materials not clearly covered in THIS CONTRACT, or not ordered by the LOCAL AGENCY as a change, or due to changed conditions, the CONSULTANT shall notify the LOCAL AGENCY in writing of its intention to make claim for such extra compensation before beginning such work. Failure on the part of the CONSULTANT to give such notification will constitute a waiver of the claim for such extra compensation. The filing of such notice by the CONSULTANT shall not in any way be construed to establish the validity of the claim. Such

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extra compensation shall be provided only by amendment to THIS CONTRACT with approval of the MDOT and the FHWA.

29. In addition to the protection afforded by any policy of insurance, the CONSULTANT agrees to indemnify and save harmless the State of Michigan, the Michigan State Transportation Commission, LOCAL AGENCY, the FHWA, and all officers, agents, and employees thereof:

    a. From any and all claims by persons, firms, or corporations for labor, materials, supplies, or services provided to the CONSULTANT in connection with the CONSULTANT'S performance of the SERVICES; and

    b. From any and all costs or claims for additional compensation or damages, or injuries to or death of any and all persons, for loss of or damage to property, for environmental damage, degradation, response and cleanup cost, including attorney fees and related costs, caused by errors and/or omissions attributable to the CONSULTANT'S performance of the SERVICES under THIS CONTRACT unless the CONSULTANT proves that notwithstanding the error or omission, the CONSULTANT met generally accepted standards of care. In addition to excusing consultants from liability for errors or omissions that the CONSULTANT proves occurred despite its compliance with generally accepted standards of care, the CONSULTANT will only be responsible for the percentage of the damages and costs that corresponds to the proportion of the total damages and costs caused by the errors and/or omissions attributable to the CONSULTANT for which the CONSULTANT is otherwise liable under this subparagraph.

    LOCAL AGENCY will not be subject to any obligations or liabilities by CONTRACTORS of the CONSULTANT or their SUBCONTRACTORS or any other person not a party to THIS CONTRACT without its specific consent and notwithstanding its concurrence in or approval of the award of any contract or subcontract or the solicitation thereof.

    It is expressly understood and agreed that the CONSULTANT will take no action or conduct that arises either directly or indirectly out of its obligations, responsibilities, and duties under THIS CONTRACT that results in claims being asserted against or judgments being imposed against the State of Michigan, the Michigan State Transportation Commission, LOCAL AGENCY, and/or the FHWA, as applicable. In the event that the same occurs, it will be considered as a breach of THIS CONTRACT, thereby giving the State of Michigan, the Michigan State Transportation Commission, LOCAL AGENCY, and/or the FHWA, as applicable, a right to seek and obtain any necessary relief or remedy, including, but not limited to, a judgment for money damages.

30. LOCAL AGENCY may terminate THIS CONTRACT and/or any AUTHORIZATION(S) under THIS CONTRACT for convenience or cause, as set forth below, before the SERVICES are completed. Written notice of termination will be sent to the CONSULTANT. The CONSULTANT will be reimbursed in accordance with the following:

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a. Termination for Convenience:
FOR COSTS TO BE REIMBURSED ON AN ACTUAL COST PLUS FIXED FEE BASIS: The CONSULTANT will be reimbursed for all costs incurred up to the termination date set forth in the notice of termination. Such reimbursement will be as set forth in Sections 16 and 17. The CONSULTANT will be reimbursed a proportionate share of the fixed fee based on the portion of the project that is complete as determined by LOCAL AGENCY. LOCAL AGENCY will receive the work product produced by the CONSULTANT under THIS CONTRACT up to the time of termination, prior to the CONSULTANT being reimbursed. In no case will the compensation paid to the CONSULTANT for partial completion of SERVICES exceed the amount the CONSULTANT would have received had the SERVICES been completed.

b. Termination for Cause:
The LOCAL AGENCY may terminate this CONTRACT whenever the CONSULTANT causes any of the following events to occur: fails to complete any of the SERVICES in a manner satisfactory to LOCAL AGENCY, and/or discloses LOCAL AGENCY'S confidential information, and/or replaces any Key People without prior written approval from LOCAL AGENCY, and/or fails to find an acceptable replacement to the Project Team within thirty (30) days, (or within the extension of time granted by LOCAL AGENCY, if any), and/or makes any public relations communications, (and/or products) that are intended for external audience without prior written approval from the LOCAL AGENCY.

AUTHORIZATION(S) pursuant to THIS CONTRACT for cause. Written notice of termination will be sent to the CONSULTANT. The CONSULTANT will be reimbursed as follows:

FOR COSTS TO BE REIMBURSED ON AN ACTUAL COST PLUS FIXED FEE BASIS: The CONSULTANT will be reimbursed for SERVICES completed up to receipt of the notice of termination. LOCAL AGENCY may pay a proportionate share for a partially completed work product. The value of such partially completed work product will be determined by LOCAL AGENCY based on actual costs incurred up to the estimated value of the work product received by LOCAL AGENCY, as determined by LOCAL AGENCY. Such actual costs will be as set forth in Section 16.

The CONSULTANT will be reimbursed a proportionate share of the fixed fee based on the portion of the project that is complete, as determined by LOCAL AGENCY. LOCAL AGENCY will receive the work product produced by the CONSULTANT under THIS CONTRACT up to the time of termination, prior to the CONSULTANT being reimbursed. In no case will the compensation paid to the CONSULTANT for partial completion of the SERVICES exceed the amount the CONSULTANT would have received had the SERVICES been completed.

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The value of such partially completed work product will be determined by LOCAL AGENCY based on actual costs incurred up to the estimated value of the work product received by LOCAL AGENCY as determined by LOCAL AGENCY.

In the event that termination by LOCAL AGENCY is necessitated by any wrongful breach, failure, default, or omission by the CONSULTANT, LOCAL AGENCY will be entitled to pursue whatever remedy is available to it, including, but not limited to, withholding funds or off-setting against funds owed to the CONSULTANT under THIS CONTRACT, as well as any other existing or future contracts between the CONSULTANT and LOCAL AGENCY, for any and all damages and costs incurred or sustained by LOCAL AGENCY as a result of its termination of THIS CONTRACT due to the wrongful breach, failure, default, or omission by the CONSULTANT.

In the event of termination of THIS CONTRACT and/or any AUTHORIZATION(S), LOCAL AGENCY may procure the professional SERVICES from other sources and hold the CONSULTANT responsible for any damages or excess costs occasioned thereby.

In the event that the CONSULTANT disagrees with LOCAL AGENCY regarding a determination of the completeness or value of SERVICES performed or the amount of reimbursement for which the CONSULTANT is eligible under the provisions of this section, the CONSULTANT may invoke the dispute process defined in Exhibit C.

31. The CONSULTANT'S signature on THIS CONTRACT constitutes the CONSULTANT'S certification of "status" under penalty of perjury under the laws of the United States with respect to 49 CFR Part 29, as amended and as relocated to 2 CFR Part 1200, pursuant to Executive Order 12549.

    The certification included as a part of THIS CONTRACT as Attachment A is Appendix A of 49 CFR Part 29 and applies to the CONSULTANT (referred to in Appendix A as "the prospective primary participant").

    The CONSULTANT is responsible for obtaining the same certification from all SUBCONTRACTORS under THIS CONTRACT by inserting the following paragraph in all subcontracts:

    "The SUBCONTRACTOR'S signature on THIS CONTRACT constitutes the SUBCONTRACTOR'S certification of 'status' under penalty of perjury under the laws of the United States with respect to 49 CFR Part 29, as amended and as relocated to 2 CFR Part 1200, pursuant to Executive Order 12549. The certification included as a part of THIS CONTRACT as Attachment B is Appendix B of 49 CFR Part 29."

    This certification is required of all SUBCONTRACTORS, testing laboratories, and other lower tier participants with whom the CONSULTANT enters into a written arrangement for the procurement of goods or services provided for in THIS CONTRACT.

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32. The CONSULTANT'S signature on THIS CONTRACT constitutes the CONSULTANT'S certification that to the best of his or her knowledge and belief no federal appropriated funds have been paid or will be paid by or on behalf of the undersigned to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, or the extension, continuation, removal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

    The CONULTANT will require that the language of this certification be included in the award documents for all third-party agreements (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients will certify and disclose accordingly.

    This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification will be subject to a civil penalty of not less than Ten Thousand Dollars ($10,000.00) and not more than One Hundred Thousand Dollars ($100,000.00) for each such failure.

33. The CONSULTANT agrees to pay each SUBCONTRACTOR for the satisfactory completion of work associated with the subcontract no later than ten (10) calendar days from the receipt of each payment the CONSULTANT receives from MDOT. This requirement is also applicable to all sub-tier SUBCONTRACTORS and will be made a part of all subcontract agreements.

    This prompt payment provision is a requirement of 49 CFR Part 26, as amended, and does not confer third-party beneficiary right or other direct right to a SUBCONTRACTOR against MDOT. This provision applies to both DBE and non-DBE SUBCONTRACTORS.

    The CONSULTANT further agrees that it will comply with 49 CFR Part 26, as amended, and will report any and all DBE SUBCONTRACTOR payments to MDOT semi-annually in the format set forth in Appendix G, dated July 2015, attached hereto and made a part hereof, or any other format acceptable to MDOT.

34. The CONSULTANT agrees that the costs reported to LOCAL AGENCY for THIS CONTRACT will represent only those items that are properly chargeable in accordance with THIS CONTRACT. The CONSULTANT also certifies that it has read the Contract terms and has made itself aware of the applicable laws, regulations, and terms of THIS CONTRACT that apply to the reporting of costs incurred under the terms of THIS CONTRACT.

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35. The following exhibits, appendices, and attachments are included as part of THIS CONTRACT:

List of Exhibits/Appendixes/Attachments

Exhibit A – Scope of Services

Exhibit B – Professional Liability Insurance

Exhibit C – The Dispute Resolution Process

Exhibit D – Consultant Performance Evaluations

Appendix A – Prohibition of Discrimination in State Contracts

Appendix B – TITLE VI Assurance

Appendix C – Assurances that Recipients and Contractors Must Make

Appendix D – Local Consultant Conflict of Interest

Appendix E – Public Relations Communications, and Use of Project Information for External Audiences

Appendix G – Prime Consultant State of DBE Sub-Consultant Payments

Attachment A – Certification Regarding Debarment, Suspension, and Other Responsibility Matters – Primary Covered Transactions

Attachment B – Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusions-Lower Tier Covered Transactions

Attachment C – Transportation Certification of Indirect Rate

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IN WITNESS WHEREOF, the parties hereto have set their hands and seals by their duty authorized agents and representative the day and year first above written.

In the Presence of:

CITY OF LIVONIA, a Michigan Municipal Corporation

_____

By:_____
Maureen Miller Brosnan, Mayor

_____

_____

By:_____
Lori L. Miller, City Clerk

_____

In the Presence of:

Anderson, Eckstein and Westrick, Inc.

DocuSigned by:
Ross T. Wilberding
205B23CECB0242B...

By: DocuSigned by:
00EA6F3BDABF4DB...
Scott P. Lockwood, P.E.

Ross T. Wilberding

Its: Executive Vice President

Approved:

_____
Donald R. Rohraff
Director of Public Works

Approved:

_____
Todd J. Zilincik, P.E.
City Engineer

Pursuant to Council Resolution:

Approved:

No.:_____

_____
Debra A. Lichtenburg
Director of Finance

Adopted on:_____

Approved as to form:

_____
Carter Fisher
Department of Law

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EXHIBIT A

Scope of Services

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Fore this Scope of Services, the CONSULTANT will provide construction engineering services for the work as described below.

1. **Construction Staking Services** during the construction phase shall consist of the required staking for line and elevation of specific contract items such as pavement replacement, curb and gutter replacement, and sidewalk ramp replacement.

2. **Contract Administration Services** shall consist of the general assistance with the CITY's administration of the construction contracts, including payment, contract modifications, schedule enforcement and project documentation. A detailed list of tasks includes the following:

    a. Preparation of periodic pay estimates based on quantities provided with the inspector daily reports to meet CITY and/or MDOT deadlines for payment purposes.

    b. MDOT's Field Manager software shall be used to generate pay estimates and project pay quantities, materials used and testing results.

    c. Provide an experienced office technician knowledgeable in aspects of the Field Manager system, and procedures regarding project record documentation. Provide administrative support and provide computer equipment necessary to run Field Manager system. MDOT filing nomenclature and hierarchy must be followed.

    d. Perform Davis Bacon Wage Rate Interviews and review contractor payrolls and resolve payroll issues with the contractor or their subcontractors.

    e. CONSULTANT will assist with the resolution of claims and/or contract document interpretation.

    f. CONSULTANT will review contractors progress relative to approved project schedules to monitor compliance with contract deadlines.

    g. Notify the CITY and the MDOT LAP Engineer immediately of any unanticipated project conditions and any changes, extras, or adjustments to the contract before processing a Work Order and/or Recommendation.

    h. Collect properly label or identify, and deliver to the CITY original logs, records, reports, other documents, and project files prepared by the CONSULTANT in the performance of services, upon completion or termination of the services.

    i. CONSULTANT will lead project closeout, consisting of final pay estimate preparation, obtaining closeout documents required from the contractor and a balancing change order reflecting increases, decreases, credits and/or extras to the contract.

    j. Coordination with MDOT as needed to comply with MDOT and Federal Aid process.

    k. Prepare such periodic, intermediate and final reports and records as may be required by the MDOT in a format acceptable to MODT, and as are applicable to the Project, which as a minimum shall include:

        i. Inspector's Daily Reports
        ii. Work Orders
        iii. Construction Item and Tested Material Records using Field Manager
        iv. Transfer of Tested Materials
        v. Moisture and Density Determination Reports (FORM 582BM)
        vi. Inspector's Report of Concrete Placed (1174A-M)
        vii. NPDES Storm Water Operator Reports
        viii. Labor Compliance, such as the Weekly Employment and O□T Report (Form 1199)
        ix. Construction Estimate Bi-Weekly Report
        x. Force Accounts
        xi. Contract Modifications (Recommendations and Authorizations)
        xii. Extensions of Time and Liquidated Damages
        xiii. Contractor Evaluation (Form 1182)

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xiv. Other records and/or reports as required for the individual project by the CITY and/or as required by Specifications, Plans, Proposal, the Michigan Construction Manual, the Material Sampling Guide, and other applicable references, guidelines and/or procedures manuals.

l. Review, process, and/or approve construction Contractor submittal of records and reports required by MDOT as applicable to the Project, which as a minimum include:

i. Working Drawings
ii. Weekly Employment Reports and Certified Payrolls
iii. Contractor's claims for additional compensation and extension(s) of time
iv. Other reports and records as required for the individual Project by the CITY

m. Maintain project files in accordance with the MDOT Office Manual and Procedures. Provide copies of select correspondence and documentation to the MDOT LAP Project Engineer, as required

n. Finalizing Project Documentation

i. Field measure applicable items of work. Prepare final summaries for applicable items of work. Prepare as-built record drawings showing as constructed information for underground work. Record plans will be delivered electronically in PDF format as well as hard copy. As built drawings shall include all drawing sheets except the Maintenance of Traffic sheets.
ii. Participate in and resolve items determined to be insufficient during MDOT'S review(s) of project records prior to submitting the Final Estimate. Within 45 calendar days of the actual project completion date, the project records shall be ready for the Final Records Review.
iii. Prepare and submit the Final Estimate, Final Quantity Sheets, and Final Marked As-Constructed Plans. The Final Estimate Package shall be submitted to the CITY within 30 days of the Final Records Review.

3. **Construction Engineering Services** shall generally consist of supervision of the CONSULTANT'S Field staff to provide appropriate project staffing and project documentation, manage shop drawing review process, resolution of construction issues/problems which may arise, review and recommendations to the CITY regarding claims from the contractor(s) including preparation of change orders if required, prompt complaint resolution, review of project progress for compliance with approved schedule and recommendations to the CITY for penalties and/or changes in the time of completion of projects. A detailed description of these services is as follow:

a. CONSULTANT will assign a Project Engineer to the project who will work day to day with the contractor, resolving issues noted above.

b. The CONSULTANT shall lead the preconstruction meeting and the weekly progress meetings.

c. Perform services as the Project Engineer for the Project consistent with the CITY/MDOT'S practice and in accordance with the Specifications, Plans, Proposal, the Michigan Construction Manual, the Materials Sampling Guide, and other applicable references, guidelines, and/or procedures manuals.

d. Arrange and conduct Progress Meetings required to carry out the Services or as required by the CITY. These meetings are anticipated be held weekly at first and then transition to bi-weekly. CONSULTANT will prepare and distribute minutes of meetings

e. Provide appropriate coordination with affected local, state, and/or federal agencies, other Consultants, Contractors, the public, utilities, local police, fire, and emergency services, and the Public-School system(s), which may be affected by the Project.

f. The CONSULTANT will develop and coordinate with the CITY, draft letters/notices to the area businesses and residents, as needed, at the start of construction and when needed, send out letters when there are changes in construction sequences or schedule. Notifications will be handled by door hangars handed out by CONSULTANT, or by using electronic communication,

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such as an e-mail blast. If requested, the CONSULTANT will participate in other CITY business/resident communication initiatives.

g. Keep daily diaries, sketches, logs, and records consistent with CITY/MDOT practices as may be needed to record the Contractor's progress. Notify the CITY of any anticipated Contractor's requests for extensions of time. Notify the CITY upon receipt of any Contractor's requests for extensions of time. CONSULTANT will work with the CITY to resolve these issues.

h. Resolve problems, issues, discrepancies, or other items brought to the attention of the CONSULTANT by the Contractor based on industry standards. Provide written documentation of the resolution of such issues. Keep the CITY informed of such issues. Time and effort is not included to resolve issues contractor claims that go to the Taylor TSC, Region Office, or Lansing. If these types of claims arise, a separate cost will be negotiated.

i. Represent the CITY as the Project Engineer on claims for extra compensation and denied extensions of time requests filed on behalf of the Construction Contractor and/or Subcontractor on the Project against the CITY. The CONSULTANT, in accordance with Section 104.10 of the 2012 Standard Specification, shall represent these claims for Construction and follow MDOT'S Written Claim Procedures in affect at the time the Construction Contractor files the claim.

4. **Construction Inspection/Observation Services** shall consist of full-time inspection of the work progress by the contractor(s) on days when work is performed to monitor progress and compliance of the work with the plans and specifications.

a. The CONSULTANT shall assign a sufficient number of qualified and experienced technicians to this Project to perform the Services in a quality manner to avoid any delay to the Construction Contractor. Personnel performing inspection on bituminous, Portland cement, and aggregate will have the appropriate certification level for the inspection that is being performed.

b. Daily field reports (IDR’s) will be prepared by CONSULTANT (electronically) documenting pay item quantities, contractor man-hours, equipment and the general work progress for the day.

c. Measure and compute quantities, and provide appropriate documentation of materials incorporated in the work and items of work completed, and maintain an item record account using Field Manager software.

d. Track insufficient tested materials and notify the Contractor on a bi-weekly basis.

e. The CONSULTANT will answer business’ and residents’ questions and attempt to resolve complaints on a daily basis, which may arise during the course of construction.

f. Provide inspection of Contractor field construction work, and confirm substantial conformance with the Specifications, Plans, and Proposal. Arrange for non-compliant work to be made whole by the Contractor or to find the non-compliant work acceptable to the CONSULTANT and, where necessary, to the CITY. Inform the CITY of non-compliant work and trends toward borderline compliance.

g. Complete a final inspection of work included in the Project, or such portions thereof eligible for acceptance, after notification by the Contractor that the work is completed or after the CONSULTANT'S records show the work is completed. The final inspection shall include notifying the Contractor in writing of particular defects to be remedied if work is not acceptable to the CONSULTANT.

h. Perform inspection to assure that proper soil erosion and sedimentation controls are in place. A MDEQ certified NPDES Stormwater Operator will be assigned by the CONSULTANT to the project to review and document the project, per the NPDES requirements. Any violation of the NPDES permit by the construction contractor must be immediately reported to the Contractors Foreman or Superintendent.

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i. Ascertain that the Project has been performed in accordance with the plans and specifications, or such modifications thereof as may have been approved, and accept the Project. Invite the CITY and appropriate MDOT personnel, as directed by current MDOT policy, to participate in the final acceptance.

5. **Materials Testing** by CONSULTANT'S sub-consultant, G2 Consulting Group, shall provide the following:

a. Attend preconstruction meeting and perform review of mix designs

b. Site visits for material testing and/or sampling of soil, aggregate, concrete or other construction materials

c. Concrete cylinder compressive strength tests

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Exhibit A

Proposal Cost Summary

West Chicago Road Reconstruction

Control Section: STU 82000

Job Number: 215726

Anderson, Eckstein and Westrick	**$**	**195,039.19**
Fixed Fee (included in total above)	$	19,328.35
G2 Consulting	**$**	**29,516.99**
Fixed Fee (included in total above)	$	2,644.46
Total	**$**	**224,556.18**
Fixed Fee (included in total above)	$	21,972.81

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DERIVATION OF COST PROPOSAL

CONTROL SECT.-JOB NUMBER

Control Section: STU 82000
Job Number: 215726

PROJECT DESCRIPTION:
W. Chicago Road- Harrison Street to 125' west of Inkster
Pavement reconstruction with necessary related work.

CONSULTANT NAME
Anderson, Eckstein and Westrick, Inc.

DIRECT LABOR: Classification	Person Hours	x	Hourly Rate	=	Labor Cost Per Hour
Construction Serv Off Manager	30.00		$38.25		$1,147.50
Construction Serv Off Admin	180.00		$34.50		$6,210.00
Construction Serv Off Assist	80.00		$25.25		$2,020.00
Graduate Engineer	80.00		$33.00		$2,640.00
Principal Engineer	40.00		$82.00		$3,280.00
Principal Engineer	60.00		$72.12		$4,327.20
Project Manager	180.00		$55.29		$9,952.20
Construction Serv Field Manager	30.00		$44.25		$1,327.50
Construction Serv Field Super	120.00		$42.00		$5,040.00
Construction Serv Field Super	24.00		$37.00		$888.00
Construction Observer- EA III	400.00		$34.00		$13,600.00
Construction Observer- EA III	190.00		$33.00		$6,270.00
Project Manager- Survey	20.00		$59.13		$1,182.60
Team Lead- Survey	40.00		$40.50		$1,620.00
Crew Chief	80.00		$42.25		$3,380.00
Graduate Surveyor	80.00		$26.00		$2,080.00
Total Hours	1634.00		Total Labor		$64,965.00

OVERHEAD:

(Total Labor)	x	169.32%	=	Total Overhead	$109,998.74

FACILITIES COST OF CAPITAL:

(Total Labor)	x	1.15%	=	Total F.C.C.	$747.10

DIRECT EXPENSES:

Total Direct Expenses: $0.00

CONSULTANT FEES Total Consultant Cost $175,710.84

FIXED FEE:

(Total Labor + Total Overhead) x 11% = Total Fixed Fee $19,328.35

SUBCONSULTANT FEES

Total Subconsultant Fees: $29,516.99

TOTAL COSTS $224,556.05

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Livonia LAP 82000 215726 - West Chicago Road Harrison to Inkster

Derivation of Cost

G2 Consulting Group, LLC.

Direct Labor:

Classification	Person Hours	Hourly Rate	Labor Costs
Project Manager	30.0	96.16	2884.80
Staff Engineer	20.0	36.00	720.00
Senior Engineering Technician	15.0	30.00	450.00
Engineering Technician	120.00	25.00	3000.00
HMA QC/QA Technician	5.0	33.00	165.00
Adminstrative	15.00	22.50	337.50
Total Hours	205.0		7557.30
Overhead			
Total Labor Costs x	218.11%	= Total Overhead	16483.23
Facilities Cost of Capital			
Total Labor x	0%	= Total F.C.C.	0.00
Direct Expenses:			
Compressive Strength Test Specimens			
4x8	120.0	18.00	2160.00
6x12	24.0	28.00	672.00
Total Direct Costs:			2832.00
Subconsultant Fees	Total Subconsultant Costs:		0.00
Fixed Fee:			
Total Labor + Total Overhead x	11%	Total Fixed Fee	2644.46
	Total Invoice:		29516.99

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EXHIBIT B

PROFESSIONAL LIABILITY INSURANCE
June 27, 1996

The CONSULTANT specifically agrees to maintain professional liability insurance for protection from claims arising out of the performance of SERVICES under THIS CONTRACT.

This insurance will be maintained in an amount not less than One Million Dollars ($1,000,000.00) per claim and annual aggregate. Such insurance will be in effect for the life of THIS CONTRACT and for the period through the construction and DEPARTMENT acceptance of such construction, resulting from the SERVICES provided by THIS CONTRACT, whichever is later.

As evidence of said coverage, the CONSULTANT will submit to the DEPARTMENT certificates of insurance. All required insurance will be in effect and all documents required by this section will be submitted to the DEPARTMENT prior to the commencement of the SERVICES. All such approvals will include a provision for a cancellation notice of not less than thirty (30) days, directed to the DEPARTMENT. The CONSULTANT specifically agrees to immediately provide written notification of any change to its professional liability insurance coverage.

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THE DISPUTE RESOLUTION PROCESS
November, 2015

BACKGROUND

During the design and construction phases of projects, there are quality assurance and quality assessment procedures required of CONSULTANTS and the LOCAL AGENCY that are intended to minimize the occurrence of errors and/or omissions. Even so, there are often valid changes required during construction in order to complete the project. These changes may or may not be the result of the Design or Construction Engineering Consultant's errors or omissions.

Some of the changes may be due to errors and/or omissions in the Design Plans or Construction Engineering Services resulting in cost increases to the project or degradation of quality of the road project. When changes to a project result in errors or omissions and cause additional costs or reduction in quality, an assessment must be made to determine the extent of the Design and/or Construction Engineering consultant's responsibility for the errors and/or omissions, including the CONSULTANT'S share of the additional costs.

LOCAL AGENCY personnel must keep in mind that Design Plans and Construction Engineering Services will normally contain minor deficiencies that do not materially (*an issue is considered material when the perceived cost of the error and/or omission is greater than the administrative cost of the dispute resolution process)* affect the cost or quality of the project. The steps to assign responsibility are intended to be used in those cases where LOCAL AGENCY personnel have reason to believe that, in their professional judgment, a Design and/or Construction Engineering CONSULTANT did not adhere to recognized professional standards of care in the performance of its duties, resulting in substantial additional costs to the LOCAL AGENCY.

It is also important to understand that the cost of correcting an error and/or omission should be compared to the estimated first-time cost that would have been incurred had the services or contract documents been correct to begin with. For example, the omission of a pay item that has to be added during construction will cause an increase in the construction cost, but the cost would have been higher had the pay item been included from the beginning. In this case, the cost of the omission depends on how much more it costs to include the item during construction than it would have cost had the item been included when the project was bid. This is known as premium cost. Premium costs are the additional cost of a contract that would not have been incurred if the work had been included in the original contract. More specifically, premium costs are dollar amounts paid for non value added work. Delays, inefficiencies, rework, or extra work as shown below, other than those caused by the CONTRACTOR or his or her SUBCONTRACTORs or suppliers, will be considered as non-value added work. Non-value added work can occur in three distinct situations.

- Work delays or inefficiencies. The premium costs are the total delay/ inefficiencies damages paid to the CONTRACTOR.
- Rework. The premium costs are the dollar amounts paid for the original items of work that have to be removed plus the costs to remove these items.
- Extra work. The premium costs are the net difference between the final, agreed-upon price paid to the CONTRACTOR and the Engineer's Estimate i.e., what the cost would have been had the extra work been included in the original bid at letting.

Premium costs associated with Errors and Omissions shall be Federal-aid Non-Participating.

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Another example is improper or missing testing documentation. In this case, the cost of the omission depends on whether or not the Federal Aid or State participation will remain as the quality of the construction may not be able to be determined and was affected by the missing or improper acceptance documentation to support payment.

THE PROCESS – OVERVIEW

PROJECTS will be built as designed and let. Furthermore, field staff will not revise the design for purposes of enhancement or personal choice. In the event the PROJECT cannot be practically built or let as designed, due to omissions or errors, then the steps of this procedure will govern.

There are three (3) possible categories of potential errors, omissions, or questions of a material nature.

Category 1 – Design Issues The first category is when potential errors, omissions, or questions of a material nature are related to the Design Plans only. These events will be referred to as "Design Issues" until such time as the cause, effect, and responsibility have been determined. *[Any issue is material when the cost of the error and/or omission is perceived to be greater than the administrative cost of the dispute resolution process.]*

Category 2 – Design/Construction Engineering Issues The second category is when it cannot be determined whether the potential errors, omissions, or questions of a material nature are encountered in the Construction Engineering Services or in the Design Plans.. These events will be referred to as "Construction Engineering/Design Issues" until such time as the cause, effect, and responsibility have been determined.

Category 3 – Construction Engineering Issues The third category is when the potential errors, omissions, or questions of a material nature are encountered in Construction Engineering Services and not related to the Design Plans. These events will be referred to as "Construction Engineering Issues" until such time as the cause, effect, and responsibility have been determined.

In the event that t**he MDOT TSC Construction Engineer** decides that the Design and/or Construction Engineering Issue is not material, the Local Agency Project Supervisor will proceed unilaterally. A copy of the Design Issue decision, changes, and/or other relevant documents must be sent immediately to the **LOCAL AGENCY**, and the Construction Engineering CONSULTANT, if applicable. Typically, this will be a e-mail of the work order. The LOCAL AGENCY will forward these decisions, changes, and/or other documents to the Design Consultant. This step is important for two reasons. First, the Design CONSULTANT, and/or the **LOCAL AGENCY** will have an opportunity to review the change and take action if they disagree. Second, this will give an opportunity for everyone to learn of the deficiencies in order to improve the product in the future.

In the event that the MDOT **TSC Construction Engineer** is uncertain regarding the designer's intent, he/she must contact the **LOCAL AGENCY** to determine the intent. The **LOCAL AGENCY** will contact the CONSULTANT staff when appropriate.

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The process will initially focus on solving the problem with the objective of minimizing the impact on construction. After that, the process will focus on responsibility according to the multi-step procedure that follows. The step of determining responsibility must be taken any time the Design and/or Construction Engineering CONSULTANT is brought into the process and incurs costs. These steps must also be taken any time errors and/or omissions in consultant prepared Design Plans or Construction Engineering Services result in increased cost during construction or decrease in the quality of the project.

The determination of the degree of responsibility for substandard work must include a review of the CONSULTANT'S scope of work, the standards in effect when the work was done, design information provided to the CONSULTANT, and directions provided by the LOCAL AGENCY. In making this determination, the LOCAL AGENCY must discuss the error and/or omission with the CONSULTANT and any involved LOCAL AGENCY personnel to obtain all information and points of view. The LOCAL AGENCY is to make a record of conversations and other documentation that support whatever determination is made and then place copies of those records in the project files. Separate budgets will be created for payment to Design and Construction Engineering CONSULTANTS for their correction of Design or Construction Engineering Issues that are judged not to be their responsibility and for changes by the LOCAL AGENCY for their activities during this process.

PROCESS – DISPUTE RESOLUTION

For levels one and two of these proceedings, the first focus should be on resolving the Design or Construction Engineering Issue in order to minimize the impact on construction. The LOCAL AGENCY and the consultant will attempt to jointly determine the solution. In the event that such agreement cannot be reached, the LOCAL AGENCY alone will decide on the appropriate solution. In the event that the Design and/or Construction Engineering CONSULTANT does not agree with any of these decisions, it may appeal its financial responsibility to the next level. After the Design or Construction Engineering Issue is resolved, the focus shifts to responsibility and financial implications. All decisions must be completely agreed upon by the representatives of the LOCAL AGENCY.

Level 1 – Omissions and Errors Identification and Correction

Step A – Notify the Design or Construction Engineering CONSULTANT of the first notice of the issue in either design or construction.

Step B – The LOCAL AGENCY and CONSULTANT personnel will collaborate on the safest, cost efficient solution to construct the project within the character of the scope of work. If consensus cannot be reached the LOCAL AGENCY is then charged with determining the appropriate resolution to the issue to get the project back under design or construction. This issue resolution should be discussed with the MDOT TSC Construction Engineer with regards to appropriateness and potential project financial participation implications prior to any final decisions being made.

Step C – Issue Work Order/Contract Modification that resolves issue so that design or construction work may continue. Processes for contract modifications will follow those

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set forth in the MDOT Construction Manual or other guidance documents pertaining to revisions to the contract.

Level 2 – Cost Responsibility Determination

Step A – Mutually determine, between the LOCAL AGENCY and the CONSULTANT, if the issue was caused by a plan error or omission.
If it is determined that a plan error created the issue, the financial responsibility for the correction and associated design and construction costs will be borne 100% by the CONSULTANT.

If it is determined that an omission created the issue, only the premium cost above what the LOCAL AGENCY would have expected to pay, if the work was included in the original bid construction documents, will be borne by the CONSULTANT.

Step B – If the CONSULTANT disagrees with the determination in Step 2 A, then the disputed items are sent to the mutually agreed upon review PANEL for a recommendation of cost responsibility. The LOCAL AGENCY will facilitate the development of the members of the review PANEL.

The LOCAL AGENCY and the CONSULTANT will each select a member of their choosing, the two selected members will then mutually agree to select one more member. The review PANEL will be made up of three members. The LOCAL AGENCY will then notify, a PANEL of impartial and non-interested individuals to mediate a resolution to the issue. The cost for the PANEL members should be shared between the LOCAL AGENCY and the CONSULTANT. Example participants could be members ACEC, CRA, MML, etc. The PANEL will guide the LOCAL AGENCY and the CONSULTANT toward an agreement. The staff from MDOT may also be present as observers. At such time as the PANEL determines that the LOCAL AGENCY and the CONSULTANT are not making reasonable progress toward resolving one or more issues, the PANEL will render a non-binding written decision of those issues. In the event the non-binding written decision is not acceptable to either party, then other legal remedies may be sought.

Level 3 – Cost Recovery or Payment

Upon the conclusion of the level 2 process, the LOCAL AGENCY will do one of the following in accordance with the results of this process:

Cost Recovery The LOCAL AGENCY will prepare a billing to the Design or Construction Engineering Consultant for its share of the costs incurred for work performed during this process plus its share of any increased costs of construction, in accordance with the Design Consultant's determined share of responsibility; or

Payment The LOCAL AGENCY will prepare a payment to the Design or Construction Engineering Consultant for a share of its costs incurred for work performed during this process in accordance with its determined share of responsibility.

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Upon the conclusion of this process, the LOCAL AGENCY will do one of the following in accordance with the results of this process:

a. The LOCAL AGENCY will prepare a billing to the Design or Construction Engineering Consultant for its share of the costs incurred for work performed during this process plus its share of any increased costs of construction, in accordance with the Design Consultant's determined share of responsibility; or

b. The LOCAL AGENCY will prepare a payment to the Design or Construction Engineering Consultant for a share of its costs incurred for work performed during this process in accordance with its determined share of responsibility.

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EXHIBIT D

CONSULTANT PERFORMANCE EVALUATIONS

May 20, 2015

The purpose of the Consultant Performance Evaluation process is to: provide CONSULTANTS documented feedback of their performance on local federal-aid projects; promote project management/consultant communication; identify and document areas of potential improvements of CONSULTANT performance, improve the overall quality of local projects, and to obtain ratings for use in future project selections.

The performance evaluation process is required for all types of CONSULTANT services utilizing federal-aid. An evaluation must be prepared for the prime vendor, as well as separate evaluations for each sub-vendor. Evaluations of both prime and SUB-CONSULTANTS are critical because their evaluation scores affect future selection scoring and ranking. The performance evaluation should include, but not be limited to, an assessment of timely completion of work, adherence to contract scope and budget, and the quality of the work conducted. .

The LOCAL AGENCY specifically agrees to complete and maintain CONSULTANT performance evaluations at the end of THIS CONTRACT and submit them to MDOT before the final reimbursement will be processed in LARS.

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APPENDIX A

PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under THIS CONTRACT; the CONTRACTOR agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the CONTRACTOR shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of THIS CONTRACT. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the CONTRACTOR shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of THIS CONTRACT.

2. The CONTRACTOR hereby agrees that any and all subcontracts to THIS CONTRACT, whereby a portion of the work set forth in THIS CONTRACT is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.

3. The CONTRACTOR will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

4. The CONTRACTOR shall, in all solicitations or advertisements for employees placed by or on behalf of the CONTRACTOR, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.

5. The CONTRACTOR or its collective bargaining representative shall send to each labor union or representative of workers with which the CONTRACTOR has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the CONTRACTOR'S commitments under this Appendix.

6. The CONTRACTOR shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

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7. The CONTRACTOR shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each SUBCONTRACTOR, as well as the CONTRACTOR itself, and said CONTRACTOR shall permit access to the CONTRACTOR'S books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under THIS CONTRACT and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.

8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a CONTRACTOR has not complied with the contractual obligations under THIS CONTRACT, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the Contract found to have been violated and/or declare the CONTRACTOR ineligible for future contracts with the state and its political and civil subdivisions, DEPARTMENTs, and officers, including the governing boards of institutions of higher education, until the CONTRACTOR complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the CONTRACTOR is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.

9. The CONTRACTOR shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each SUBCONTRACTOR or supplier.

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APPENDIX B TITLE VI

ASSURANCE

During the performance of THIS CONTRACT, the CONTRACTOR, for itself, its assignees, and its successors in interest (hereinafter referred to as the "CONTRACTOR"), agrees as follows:

1. **Compliance with Regulations**: For all federally assisted programs, the CONTRACTOR shall comply with the nondiscrimination regulations set forth in 49 CFR Part 21, as may be amended from time to time (hereinafter referred to as the Regulations). Such Regulations are incorporated herein by reference and made a part of THIS CONTRACT.

2. **Nondiscrimination**: The CONTRACTOR, with regard to the work performed under THE CONTRACT, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of SUBCONTRACTORs, including procurements of materials and leases of equipment. The CONTRACTOR shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the CONTRACTOR covers a program set forth in Appendix B of the Regulations.

3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment**: All solicitations made by the CONTRACTOR, either by competitive bidding or by negotiation for subcontract work, including procurement of materials or leases of equipment, must include a notification to each potential SUBCONTRACTOR or supplier of the CONTRACTOR'S obligations under the Contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4. **Information and Reports**: The CONTRACTOR shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined to be pertinent by the DEPARTMENT or the United States DEPARTMENT of Transportation (USDOT) in order to ascertain compliance with such Regulations or directives. If required information concerning the CONTRACTOR is in the exclusive possession of another who fails or refuses to furnish the required information, the CONTRACTOR shall certify to the DEPARTMENT or the USDOT, as appropriate, and shall set forth the efforts that it made to obtain the information.

5. **Sanctions for Noncompliance**: In the event of the CONTRACTOR'S noncompliance with the nondiscrimination provisions of THIS CONTRACT, the DEPARTMENT shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to, the following:

    a. Withholding payments to the CONTRACTOR until the CONTRACTOR complies; and/or b.

    b. Canceling, terminating, or suspending THE CONTRACT, in whole or in part.

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6. **Incorporation of Provisions**: The CONTRACTOR shall include the provisions of Sections (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The CONTRACTOR shall take such action with respect to any subcontract or procurement as the DEPARTMENT or the USDOT may direct as a means of enforcing such provisions, including sanctions for non-compliance, provided, however, that in the event a CONTRACTOR becomes involved in or is threatened with litigation from a SUBCONTRACTOR or supplier as a result of such direction, the CONTRACTOR may request the DEPARTMENT to enter into such litigation to protect the interests of the state. In addition, the CONTRACTOR may request the United States to enter into such litigation to protect the interests of the United States.

Revised June 2011

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APPENDIX C

Assurances that Recipients and CONTRACTORs Must Make

(Excerpts from US DOT Regulation 49 CFR § 26.13)

1. Each financial assistance agreement signed with a DOT operating administration (or a primary recipient) must include the following assurance:

   The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any US DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of US DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26 and as approved by US DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the DEPARTMENT may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

2. Each contract MDOT signs with a CONTRACTOR (and each subcontract the prime CONTRACTOR signs with a SUBCONTRACTOR) must include the following assurance:

   The CONTRACTOR, subrecipient or SUBCONTRACTOR shall not discriminate on the basis of race, color, national origin, or sex in the performance of THIS CONTRACT. The CONTRACTOR shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT-assisted contracts. Failure by the CONTRACTOR to carry out these requirements is a material breach of THIS CONTRACT, which may result in the termination of THIS CONTRACT or such other remedy as the recipient deems appropriate.

(Revised October 1, 2005)

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APPENDIX D

LOCAL CONSULTANT CONFLICT OF INTEREST

The CONSULTANT and its Affiliates agree not to have any public or private interest, and shall not acquire directly or indirectly any such interest in connection with the project, that would conflict or appear to conflict in any manner with the performance of SERVICES under THIS CONTRACT. "Affiliate" means a corporate entity linked to the CONSULTANT through common ownership. The CONSULTANT and its Affiliates agree not to provide any services to a construction CONTRACTOR or any entity that may have an adversarial interest in a project for which it has provided services to the MDOT OR LOCAL AGENCY. The CONSULTANT and its Affiliates agree to disclose to the LOCAL AGENCY and the MDOT all other interests that the prime or SUBCONSULTANT have or contemplate having during each phase of the project. The phases of the PROJECT include, but are not limited to, planning, scoping, early preliminary engineering, design engineering, real estate acquisition, and construction engineering. In all situations, the MDOT will decide if a conflict of interest exists. If the MDOT concludes that a conflict of interest exists, it will inform the LOCAL AGENCY and CONSULTANT and its Affiliates. If the CONSULTANT and its Affiliates choose to retain the interest constituting the conflict, the MDOT may require the LOCAL AGENCY to terminate the Contract for cause if a conflict of interest finding is upheld.

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Appendix E

Public Relations Communications, and Use of Project Information for External Audiences

Any public relations communications and/or products pertaining to this CONTRACT or the SERVICES hereunder that are intended for an external audience will not be made without prior written approval from LOCAL AGENCY, and then only in accordance with explicit instructions from LOCAL AGENCY. Examples of public relations communications and/or products may include the following:

Use of the LOCAL AGENCY logo;

Brochures, flyers, invitations, programs, or any other printed materials intended for external audiences;

Posting on social media sites or web sites;

New or updated video, digital versatile disk (DVD), or video sharing productions;

Exhibits or presentations.

A violation of this provision will be considered a breach of this CONTRACT, and LOCAL AGENCY may terminate this CONTRACT under provisions of Section 30(b).

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Appendix G

Prime Consultant State of DBE Sub-Consultant Payments

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ATTACHEMENT A

(This is a reproduction of Appendix A of 49 CFR Part 29)
Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the DEPARTMENT or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the DEPARTMENT or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the DEPARTMENT or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the DEPARTMENT or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the DEPARTMENT or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the DEPARTMENT or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transaction,” provided by the DEPARTMENT or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

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8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the DEPARTMENT or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

    a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal DEPARTMENT or agency;

    b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

    c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

    d. Have not within a three year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

[60 FR 33042, 33064, June 26, 1995]

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ATTACHMENT B

[This is a reproduction of Appendix B of 49 CFR Part 29]
CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION--LOWER TIER COVERED TRANSACTIONS

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the DEPARTMENT or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded", as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the DEPARTMENT or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion--Lower Tier Covered Transaction", without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification

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is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List (Telephone No. (517) 335-2513 or (517) 335-2514).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the DEPARTMENT, or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion--Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal DEPARTMENT or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

[Federal Register Doc. 88-11561 Filed 5-25-88; 8:45 a.m.] March 9, 1989

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Attachment C
Transportation Certification of Indirect Rate

Michigan Department
Of Transportation
5108L (01111)

CERTIFICATION OF INDIRECT □O□ER□EAD□RATE

This Certification is required according to U.S. Department of Transportation Federal □ighway Administration (F□WA) Order 4470.1A, dated October 27, 2010. F□WA has issued this new policy to be effective □anuary 1, 2011. This policy requires consultants to certify that costs used to establish indirect (overhead) cost rates applicable to Federal-aid engineering and design related services contracts do not include any costs which are expressly unallowable, and that the indirecl (overhead) rate was established based only on anc□weble costs.

This certificationiis to provide assurance that the indirect (overhead) cost rate was calculated in accordance with the applicable cost principles contained in tlhe Federal Acquisition Regulations (FAR) of Title 48, Code of Federal Regulations (CFR) Part 31.

This form shall be completed and submitted by the prime consultant, forthe prime contract as well as for each subcontract (first and second tier subconsuiitant(s)) proposed to be included as part of this priced proposal, where an indirect (overhead) rate is proposed. Please notethat the Certifying Official is defined as the firm's Execut ve (□11ce President. President or equivalent) or Chief Financiall Officer.

PRO□ECT INFORMATION

MOOT CONTROL SECTION(S)-□OB NUMBERS(S): CONTRACT / AUT□ORI□ATION NUMBER:

LOCAL AGENCY:

PRO□ECT DESCRIPTION:

DECLARATION OF CERTIFICATION

INDIRECT (O□ER□EAD) COST RATE: _____

DATE OF INDIRECT (O□ER□EAD) COST RATE DETERMINATION (mm/ddlyyyy): _____

FISCAL PERIOD CO□ERED (mm/ddlyyyy to mm/dd/yyyy): _____ to _____

I, the undersigned, certify that I have reviewed the indirect (overhead) rate calculation for the fiscalperiod as specified above and to the best of my knowledge and belief:

1) All costsiincluded to establish the above rate are allowableiin accordance with the cost principles of the Federal Acquisihon Regulation (FAR) of Title 48, Code of FederalRegulation (CFR), part 31.

2) This indirect (overhead) cost rate does not include any costs which are expressly unallowable under the oost principles of the FAR of 48 CFR 31.

All known material transactions or events that have occurred affecting the firm's ownership, organization, and indirect (overhead) cost rates have been disclosed.

CONSULTANT INFORMATION

ROLE
D Prime D Tier 1 Sub □ Tier 2 Sub

LEGAL BUSINESS NAME:		FEDERAL ID NUMBER (Must match prequalificatior file):	
COMPANY ADDRESS:	CITY:	STATE:	ZIP CODE:
EMAL ADDRESS:	P□ONE NO.:		

CERTIFYNG OFFICIAL

NAME OF CERTIFYING OFFICIAL (Print Name and Title): SIGNATURE OF CERTIFYING OFFICIAL:

Clear Form

DocuSign

Certificate Of Completion

Envelope Id: 733D1341E21D4ABF9F4ACAF99C0ECEE1
Status: Completed
Subject: Third-Party-Agreement 5.17.24
Source Envelope:
Document Pages: 43
Signatures: 3
Certificate Pages: 5
Initials: 0
AutoNav: Enabled
EnvelopeId Stamping: Enabled
Time Zone: (UTC-05:00) Eastern Time (US & Canada)

Envelope Originator:
Michelle Ankawi
51301 Schoenherr Road
Shelby Township, MI 48315
mankawi@aewinc.com
IP Address: 50.231.116.222

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Scott P. Lockwood slockwood@aewinc.com Security Level: Email, Account Authentication (None)	DocuSigned by: 00EA6F3BDABF4DB...	Sent: 5/17/2024 7:20:19 AM Viewed: 5/17/2024 10:04:14 AM Signed: 5/17/2024 10:04:27 AM
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Electronic Record and Signature Disclosure: Accepted: 11/16/2023 11:14:08 AM ID: 7d708873-68dd-445e-bd32-1508f703ff93		
Ross T. Wilberding rwilberding@aewinc.com Anderson, Eckstein & Westrick, Inc. Security Level: Email, Account Authentication (None)	DocuSigned by: 205B23CECB0242B...	Sent: 5/17/2024 10:04:30 AM Viewed: 5/17/2024 10:05:01 AM Signed: 5/17/2024 10:05:14 AM
	Signature Adoption: Pre-selected Style Using IP Address: 24.192.111.34	
Electronic Record and Signature Disclosure: Accepted: 5/17/2024 10:05:01 AM ID: 80b19ef2-22fc-4652-b7ed-d98bb5a54638		

In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp

Agent Delivery Events	Status	Timestamp

Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp
Todd Zilincik tzilincik@livonia.gov Security Level: Email, Account Authentication (None)	COPIED	Sent: 5/17/2024 10:05:17 AM
Electronic Record and Signature Disclosure: Accepted: 12/5/2023 12:16:43 PM ID: f3151b2c-af9d-420b-8be1-1a76e2478b6b		

Carbon Copy Events	Status	Timestamp
Karen Worley KWorley@livonia.gov Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: 5/17/2024 10:05:18 AM Viewed: 5/17/2024 10:06:13 AM

Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	5/17/2024 7:20:19 AM
Certified Delivered	Security Checked	5/17/2024 10:05:01 AM
Signing Complete	Security Checked	5/17/2024 10:05:14 AM
Completed	Security Checked	5/17/2024 10:05:18 AM

Payment Events	Status	Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Anderson, Eckstein & Westrick, Inc. (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

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At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a $0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Anderson, Eckstein & Westrick, Inc.:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:
To contact us by email send messages to: aewadmin@aewinc.com

To advise Anderson, Eckstein & Westrick, Inc. of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at aewadmin@aewinc.com and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from Anderson, Eckstein & Westrick, Inc.

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to aewadmin@aewinc.com and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Anderson, Eckstein & Westrick, Inc.

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to aewadmin@aewinc.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: https://support.docusign.com/guides/signer-guide-signing-system-requirements.

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Anderson, Eckstein & Westrick, Inc. as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Anderson, Eckstein & Westrick, Inc. during the course of your relationship with Anderson, Eckstein & Westrick, Inc..

AND BE IT FURTHER RESOLVED THAT the street is an approved public street and is open for public purposes; and FURTHER, that said street is accepted into the City's local street system and is located within a right-of-way under the control of the City of Livonia and that said street was open to the public as of December 31, 2021.

#336-21 RESOLVED, that having considered the report and recommendation of the City Engineer, dated October 26, 2021, submitted pursuant to Council Resolution No. 365-16, 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, requesting to extend the Qualification-Based Selection (QBS) contracts with OHM Advisors, Hubbell, Roth and Clark, Inc., Spalding Dedecker Associates, Inc. and Anderson, Eckstein and Westrick, Inc., for a period of five (5) years, for future proposals relating to professional engineering consulting services, the Council does hereby accept the proposal to extend the qualification based-selection (qbs) contracts with OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150, Hubbell, Roth and Clark, Inc., 555 Hulet Drive, Bloomfield Hills, MI 48303-0824, Spalding Dedecker Associates, Inc., 905 South Boulevard East, Rochester Hills, MI 48307-5358, and Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Road, Shelby Township, mi 48315, for a five (5) year period ending November 30, 2026, to perform Professional Engineering Services on various Federal, State and Locally funded roads, bridges, storm sewers, sanitary sewers, water mains, traffic signal modernization and pedestrian signal upgrades and other related projects; FURTHER, the Mayor and City Clerk are hereby authorized to execute contracts for and on behalf of the City of Livonia with the aforesaid companies and to do all other things necessary or incidental to the full performance of this resolution; and all QBS contracts based on scope and contract amount for each future individual project will be brought before the City Council for funding approval.

#337-21 RESOLVED, that having considered the report and recommendation of the City Engineer, dated October 29, 2021, 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 approve the proposed 2022 Road Repair Program as proposed by the Department of Public Works and as reviewed by the Citizens Advisory Committee on Roads for the tenth year of the ten-year road paving millage approved by Livonia residents, as shown in the attachment to that report.

#338-21 WHEREAS, the Mayor and City Council of the City of Livonia believe quality roads are a vital part of any community; and

WHEREAS, the City of Livonia has a Citizens Advisory Committee on Roads which identifies City streets most in need of repair in order to