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

OFFICE OF THE COUNCIL

**ELECTRONIC MEETING PACKET FOR
THE PUBLIC HEARING OF
MONDAY, JULY 22, 2024
7:00 P.M.***

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

PUBLIC HEARING AGENDA OF THE LIVONIA CITY COUNCIL

Monday, July 22, 2024

7:00 P.M.

Livonia City Hall Auditorium

33000 Civic Center Drive, Livonia, Michigan

AGENDA ITEM(S)

1. [Appeal of the denial of the Planning Commission regarding Petition 2024-04-02-07 submitted by Health Vista L.L.C. requesting waiver use approval under Section 6.37 of the Livonia Zoning Ordinance, as amended, to operate a massage establishment at 33242 Seven Mile Road, located on the north side of Seven Mile Road between Farmington Road and Mayfield Avenue in the Southwest ¼ of Section 3.](#)
2. [TO CONSIDER THE APPROVAL OF THE ISSUANCE OF REFUNDING BONDS: Economic Development Corporation of the City of Livonia, re: for Madonna University, pursuant to the requirements of Act 338, Public Acts of Michigan of 1974, as amended and the Internal Revenue Code of 1986, as amended.](#)

AUDIENCE COMMUNICATION

For the Regular meeting of August 7, 2024

LORI L. MILLER, CITY CLERK

In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the City Clerk's Office of the City of Livonia, upon adequate notice, will make reasonable accommodations for persons with 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 Government, City Council, Agendas.**



LETTER TO THE LIVONIA CITY COUNCIL

1.

Planning
May 29, 2024

MEETING DATE

PRESENTED BY

AGENDA ITEM

Appeal of the denial of the Planning Commission regarding Petition 2024-04-02-07 submitted by Health Vista L.L.C. requesting waiver use approval under Section 6.37 of the Livonia Zoning Ordinance, as amended, to operate a massage establishment at 33242 Seven Mile Road, located on the north side of Seven Mile Road between Farmington Road and Mayfield Avenue in the Southwest ¼ of Section 3.

BACKGROUND DETAILS

May 29, 2024

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2024-04-02-07 – Health Vista, L.L.C.

Dear Council Members:

At the 1,213th Public Hearing and Regular Meeting held by the City Planning Commission on May 14, 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)

#05-18-2024 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on May 14, 2024, on Petition 2024-04-02-07 submitted by Health Vista L.L.C. requesting waiver use approval under Section 6.37 of the Livonia Zoning Ordinance, as amended, to operate a massage establishment at 33242 Seven Mile Road, located on the north side of Seven Mile Road between Farmington Road and Mayfield Avenue in the Southwest ¼ of Section 3, the Planning Commission does hereby recommend to the City Council that Petition 204-04-02-07 be denied for the following reasons:

1. The petitioner has failed to comply with all general standards and requirements outlined in Sections 1.02 and 13.13 of the Livonia Zoning Ordinance.
2. The petitioner has not adequately established a need for the proposed use in this shopping center or the immediate area.

3. The petitioner has not sufficiently demonstrated that the proposed use would be compatible with and in harmony with the surrounding uses in the area; and

4. The proposed use is contrary to the goals and objectives of the Zoning Ordinance, which, among other things, are intended to ensure the suitability and appropriateness of uses.

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

A roll call vote on the foregoing resolution resulted in the following:

AYES: Bongero, Caramagno, Ventura, Wilshaw

NAYS: Dinaro

ABSENT: Long

ABSTAIN: None

ATTACHMENTS

1. 2024-04-02-07_E-COUNCIL Pkt for appeal

APPROVED BY



Mark Taormina, Planning and Economic Development Director

Date: May 29, 2024



Maureen Miller Brosnan, Mayor

Date: June 03, 2024

Petition 2024-04-02-07 submitted by Health Vista L.L.C.
requesting waiver use approval under Section 6.37 of the Livonia Zoning Ordinance, as amended, to operate a massage establishment at 33242 Seven Mile Road, located on the north side of Seven Mile Road between Farmington Road and Mayfield Avenue in the Southwest ¼ of Section 3.

To whom it may concern,

I am writing to formally appeal the decision to deny Petition 2024-04-02-07 submitted by Health Vista L.L.C. to operate a massage establishment at 33242 Seven Mile Road. We respectfully request reconsideration of our proposal based on the following points:

1. Demonstrating Need for the Proposed Use

While acknowledging the presence of 6 other massage businesses within close proximity, we wish to emphasize the distinctive nature of our services. Our business specializes in traditional Chinese massage techniques and services, including Acupressure, Moxibustion, Reflexology, Muscular, GuaSha, and Cupping therapy, which are key components of holistic healing and wellness in traditional Chinese massage. These techniques, coupled with the expertise of the owner with 14 years of experience, will offer a unique therapeutic experience.

Furthermore, we observe that while the other 6 massage businesses offer a variety of massage services, only one of them provides acupressure and cupping service. However none of them are specialized in traditional Chinese massage. Here are the key services offered by 5 businesses for your reference:

- Michigan Therapeutic Massage and Spa: Swedish, deep tissue, prenatal massage, chair massage, facials, waxing, manicures, pedicures
- Omorfia Massage: deep tissue, acupressure, cupping, reflexology
- Hand and Stone Massage and Facial Spa: Swedish, deep tissue, hot stone, facials, sports massage, prenatal, salt stone. Besides that, they provide facial, spa, hair removal, and cryoskin.
- Massage Intuitive Hands / Pure Harmony Massage (same store): Swedish, deep tissue, hot stone, prenatal, Lomi, oil, stretch
- Taichi: no official website

2. Compatibility and Harmony with Surrounding Uses

The location at 33242 Seven Mile Road is situated close to sports parks, golf courses, fitness centers, and dance studios. Our services can complement these establishments by providing relaxation services that promote recovery and enhance overall well-being. Additionally, we offer a more affordable alternative to expensive physical therapy services typically found in hospital/clinic settings, catering to individuals who may not have access to or afford such services. Notably, while there are 6 massage stores within two blocks in the southeast direction, there are only two other massage stores within three blocks to the north and west direction, further emphasizing the demand and need for our services in these areas.

RECEIVED
MAY 23 2024
CITY OF LIVONIA
PLANNING COMMISSION

In conclusion, we have meticulously ensured that our proposal meets the requirements set forth in CHAPTER 5.49 of the Code of Ordinances and ARTICLE VI Section 6.37 of the zoning ordinance. While we recognize the existing presence of similar businesses in the area, we firmly believe that our focus on traditional Chinese massage techniques, together with our owner's extensive experience, offers a distinct and complementary service. We earnestly request the opportunity to revisit our proposal, our ultimate goal is to collaborate effectively towards a solution that serves the best interests of the community while adhering to all relevant regulations.

Thank you for your consideration. We look forward to hearing back from you.

Sincerely,
Changrui Wang
Health Vista L.L.C.

Changrui Wang.
Changrui Wang, Owner

23 05 2024
Date

UNAPPROVED MINUTES

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MINUTES OF THE 1,213th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, May 14, 2024, the City Planning Commission of the City of Livonia held its 1,213th Public Hearing and Regular Meetings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

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

Members present: Wafa Dinaro David Bongero Sam Caramagno
 Peter Ventura Ian Wilshaw

Members absent: Glen Long

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 #1 PETITION 2024-04-02-07

Health Vista LLC

Mr. Caramagno, Secretary, announced the first item on the agenda, Petition 2024-04-02-07 submitted by Health Vista L.L.C. requesting waiver use approval under Section 6.37 of the Livonia Zoning Ordinance, as amended, to operate a massage establishment at 33242 Seven Mile Road, located on the north side of Seven Mile Road between Farmington Road and Mayfield Avenue in the Southwest ¼ of Section 3

Mr. Uhazie: Good evening. Thank you. This request to operate and massage establishment at 33242 Seven Mile Road. The property is currently zoned C-2 and is located in the Westmore Shopping Plaza. The plaza is a multi-tenant retail building located on the northeast corner of Seven Mile Road and Westmore Avenue. Westmore Plaza was approved in 1984. Currently the building is divided into two units. One is the Genesis Hair Salon, and the other is the petition site, which is currently vacant. The proposed massage establishment would occupy the eastern unit of the shopping center. The unit contains a floor plan area of approximately 1,100 square feet and the unit storefront faces south towards Seven Mile with parking directly in front of the business. For massage establishments are permitted with waiver approval in a C-2 district under the provisions outlined in Section 6.37 of the zoning ordinance. Stipulated in this section are several requirements including: the establishment must be at least 400 feet from another massage establishment, it also must be at least 400 feet from any school, place of worship, state licensed daycare facility, public library, playground or public park and the operating hours are limited to 8am to 10pm. Under the separation requirements for this petition Health Vista would comply with the requirements since no other massage establishments are within 400 feet of the proposed location. The site also meets separation requirements from state licensed daycare facilities, public libraries, playgrounds, public parks, or places of worship. There are no building or other site modifications proposed under this petition. The petitioner is allowed one wall sign based on the unit's frontage and parking is based on the overall requirement of the entire center. Because the users are retail, the required parking for the center is based on the parking schedule for group commercial centers. The existing parking lot at Westwood Plaza Shopping Center is sufficient to handle the parking needs of the proposed massage establishment. The floorplan shows the general layout of the interior, which includes a waiting area, several individual rooms, a laundry room and a unisex bathroom. 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 April 4, 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. The address of #33240 Seven Mile Road has been assigned for the overall parcel, although additional addresses for the individual suites may in use. The legal description submitted with the petition appears to be correct, and should be used should the waiver use be granted. The existing parcel is*

currently served by public water main and sanitary sewer, as well as private storm sewer. The submittal does not indicate any changes to the existing utility leads, so we do not believe there will be any additional impacts to the public utilities with this proposal. Should changes to the existing building leads be needed, the owner shall submit proposed drawings to this Department to determine if permits will be required. Also, should any work be required within the Seven Mile Road right-of-way, The owner may be required to obtains permits from 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 Livonia Fire & Rescue Division, dated April 25, 2024, which reads as follows: *“ This office has reviewed the site plan submitted in connection with a request to modify a commercial building on the property located at the above referenced address. We have no objections to this proposal. 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 April 9, 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 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. We have verbal confirmation from Susan Nash, Treasurer, that there are no taxes or water due. That is the extent of the correspondence.

Mr. Wilshaw: Okay, thank you., Mr. Uhazie. Is there any questions for our planning staff? I don't see any questions from anybody. We'll go to the petitioner. Feel free to come forward to our podium. We're going to ask that you start with your name and business address for our records. You have some handouts? You can hand them to Stephanie There she will pass them along to us. That way you don't have to. Niihau. I'm good. Thank you. We will ask you start with your name and address for our records.

Lisa Wang, 332427 Mile Road, Livonia, MI. My name is Elaine and I'm the translator.

Mr. Wilshaw: Thank you. Is there anything that you would like to tell us about the business that hasn't been mentioned already?

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(Petitioner and translator speaking to each other in foreign language)

Elaine (Translator): She said she has 14 years of experience and is a certified massage therapist. This is her first attempt at a store. She's trying to be an owner. She doesn't have any experience with hearing, so she doesn't know really, but she's open to the questions though.

Mr. Wilshaw: Okay. Okay. Let's see what questions we have for you. Is there any questions for our petitioner?

Ms. Dinero: Thank you for being here. Just a couple of questions. It says you have 14 years of experience, anything local in Michigan?

Elaine: She's been in New Jersey before and also in Michigan as well, as a staff though.

Ms. Dinero: Great, what's the plan for how many massage therapists will be there at a time? What's the business going to look like?

Elaine: She said she's wanting to hire another therapist, so we'll start with two therapists, and the goal was about a three to four.

Ms. Dinero: And what are the hours gonna look like?

Elaine: She said about 930 in the morning till 9pm. Not necessarily will there be two therapists there all the time. Maybe morning will be less staff and busy hours she might have more.

Ms. Dinero: Thank you.

Mr. Wilshaw: Thank you, Ms. Dinero. Any other questions for petitioner?

Mr. Ventura: In considering your petition for tonight, one of the things that I took some time to do was to go on the internet, to the Yellow Pages and look up massage services in Livonia available and I was surprised to find that I got a quick answer of 35. There are already 35 massage places to get a massage in Livonia, and so I went from there to say how many are around the location that on Seven Mile Road that you're planning on leasing, and there are seven or so, I'm sorry, six of them. So, yours would be the seventh in the area from Middle Belt Road over to Gill Road, roughly. They're represented by chiropractic offices that offer all kinds of physical therapy and massage too. Some of them offer a stone massage and heated massage and some of them offer

acupuncture. I'm not sophisticated in the different kinds of massage, but it appears, in looking at the ads for these already there establishments, that there are lots of ways to get a massage already. And so my question to you is, after telling you all of that, is what kind of massage can you bring to the market that's not already here? In other words, what's going to help your business be successful? Why will people come to your establishment to get a particular kind of massage, as opposed to one of the ones that are already here? I'm assuming that because these ones are already here, and they're established, they already have customers. So how will you draw those customers away? Or how will you draw new customers?

Elaine: So, first of all, she was not aware there were already six stores around and she said in massage therapy, massage is like a very highly specialist skill, so there's like a Thai massage and like you said, there's hot stones. She said she would start posting her website as a new customer discount to draw some customer here. And now she believes that with her technique, with her experience, you know, the people would love to come to her.

Mr. Ventura: Okay, thank you for that answer.

Mr. Wilshaw: Thank you, and any other questions for our petitioner? I don't see any other questions from anyone? Is there anyone in the audience wishing to speak on this item? I don't see anyone else wishing to speak on this item. Is there anything else that you'd like to tell us before we make our decision tonight?

Elaine: So, she does believe that there are a lot of population suffer with a chronic pain. And she believes that through her massage therapists that then they will be like a further general well being for the population. There'll be a reduce of the pharmaceutical use of the pain medications. She believed that's good for the community.

Mr. Wilshaw: I appreciate those comments. Thank you. If there's nothing else on this item from anyone, I think I can close the public hearing. And a motion will be an order. And again, thank you for coming tonight and helping translate as well to make this an easier process. So, thank you. I'll close the public hearing and a motion will be an order.

On a motion by Dinaro,

That the City Planning Commission does hereby recommend to the City Council that Petition 2024-04-02-07 submitted by Health Vista L.L.C. requesting waiver use approval under Section 6.37 of the Livonia Zoning Ordinance, as amended, to operate a massage establishment at 33242 Seven Mile Road, located on the north side of Seven Mile Road between Farmington Road and Mayfield Avenue in the Southwest ¼ of Section 3, be approved for the following reasons:

1. The massage treatment rooms shall not have doors, as shown on the submitted floor plan dated March 24, 2024, as revised.
2. This waiver is limited to this petitioner and can only be transferred to another user with approval by the City Council.
3. The petitioner shall comply with all other special waiver use standards and requirements outlined in Section 6.37 of the Zoning Ordinance and Chapter 5.49 of the Livonia Code of Ordinances, and
4. The Petitioner shall not engage in any form of solicitation for business within the public right-of-way of Seven Mile Road or Mayfield Avenue.

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

The motion failed due to lack of support.

On a motion by Caramagno, seconded by Ventura, and adopted, it was:

#05-18-2024 ***RESOLVED***, That pursuant to a Public Hearing having been held by the City Planning Commission on May 14, 2024, on Petition 2024-04-02-07 submitted by Health Vista L.L.C. requesting waiver use approval under Section 6.37 of the Livonia Zoning Ordinance, as amended, to operate a massage establishment at 33242 Seven Mile Road, located on the north side of Seven Mile Road between Farmington Road and Mayfield Avenue in the Southwest ¼ of Section 3, the Planning Commission does hereby recommend to the City Council that Petition 204-04-02-07 be denied for the following reasons:

1. The petitioner has failed to comply with all general standards and requirements outlined in Sections 1.02 and 13.13 of the Livonia Zoning Ordinance.
2. The petitioner has not adequately established a need for the proposed use in this shopping center or the immediate area.
3. The petitioner has not sufficiently demonstrated that the proposed use would be compatible with and in harmony with the surrounding uses in the area; and
4. The proposed use is contrary to the goals and objectives of the Zoning Ordinance, which, among other things, are intended to ensure the suitability and appropriateness of uses.

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

A roll call vote on the foregoing resolution resulted in the following:

AYES:	Bongero, Caramagno, Ventura, Wilshaw
NAYS:	Dinaro
ABSENT:	Long
ABSTAIN:	None

Mr. Wilshaw: Is there any discussion?

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

Mr. Wilshaw: This is a waiver-use request. So, you will have 10 days in which to appeal our decision in writing to City Council if you'd like to continue on to the City Council process, but because we're recommending a denial, you'll have to submit that appeal to City Council if you wish to do that.

Elaine: So because you guys talk a lot about the codings and stuff, so the main reason for the denial is that failed to demonstrate the competition around the area is the main thing. Is that correct, from my understanding?

Mr. Wilshaw: Well, it's difficult for me to try to say why everybody voted the way they did, but there was four reasons given as part of the

UNAPPROVED MINUTES

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denying resolution, that it failed to comply with the requirements of the zoning ordinance and that there was not an established... you didn't effectively establish or show a need for that in this area. So, that is one of the factors that was used in that process. If that answers your question.

Elaine: So, if we decided to appeal there'll be another hearing or how does it go?

Mr. Wilshaw: Yeah, so if you submit an appeal, and our planning staff will be able to help you with that, you can contact our Planning Department. You need to submit in writing a letter to City Council stating that you'd like to appeal our decision and then it will go to the City Council, which is a level above us and they will then put it on their agenda for consideration. And it'll be a similar kind of group of people, and you can give a presentation I see and then they can make their decision okay. And their decision beats ours. Whatever they decide.

Elaine: We get it.

Mr. Wilshaw: Thank you for coming tonight.

**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: 4-3-24 Petition 2024-04-02-07

Site Address: 33242 Seven Mile Rd Sidwell _____ Zoning of Property _____

Requesting Approval To _____

Applicant: Chang Rui Wang Business/Company: Health Vista LLC

Applicant's Address: 1880 Rochester Rd City: Royal Oak State: MI Zip Code: 48073

Applicant's Phone # (917) 7178192 Applicant's Email dangyin89@yahoo.com

Contact Person: Yin Dang Business/Company: _____

Contact's Address: 1880 Rochester Rd City: Royal Oak State: MI Zip Code: 48073

Contact's Phone # (248) 2069906 Contact's Email dangyin89@yahoo.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. 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	\$ <u>700.00</u>

Owner of Property: Westmore Plaza, LLC

Owner's Address: 33240 Seven Mile Road City: Livonia State: MI Zip Code: 48152

Owner's Phone # 248 476-5122 Owner's Email TONY.SOAVE@VILLANOVA CONSTRUCTION.COM

Signature of Owner: Mafalda Soave Print Name: Mafalda Soave

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

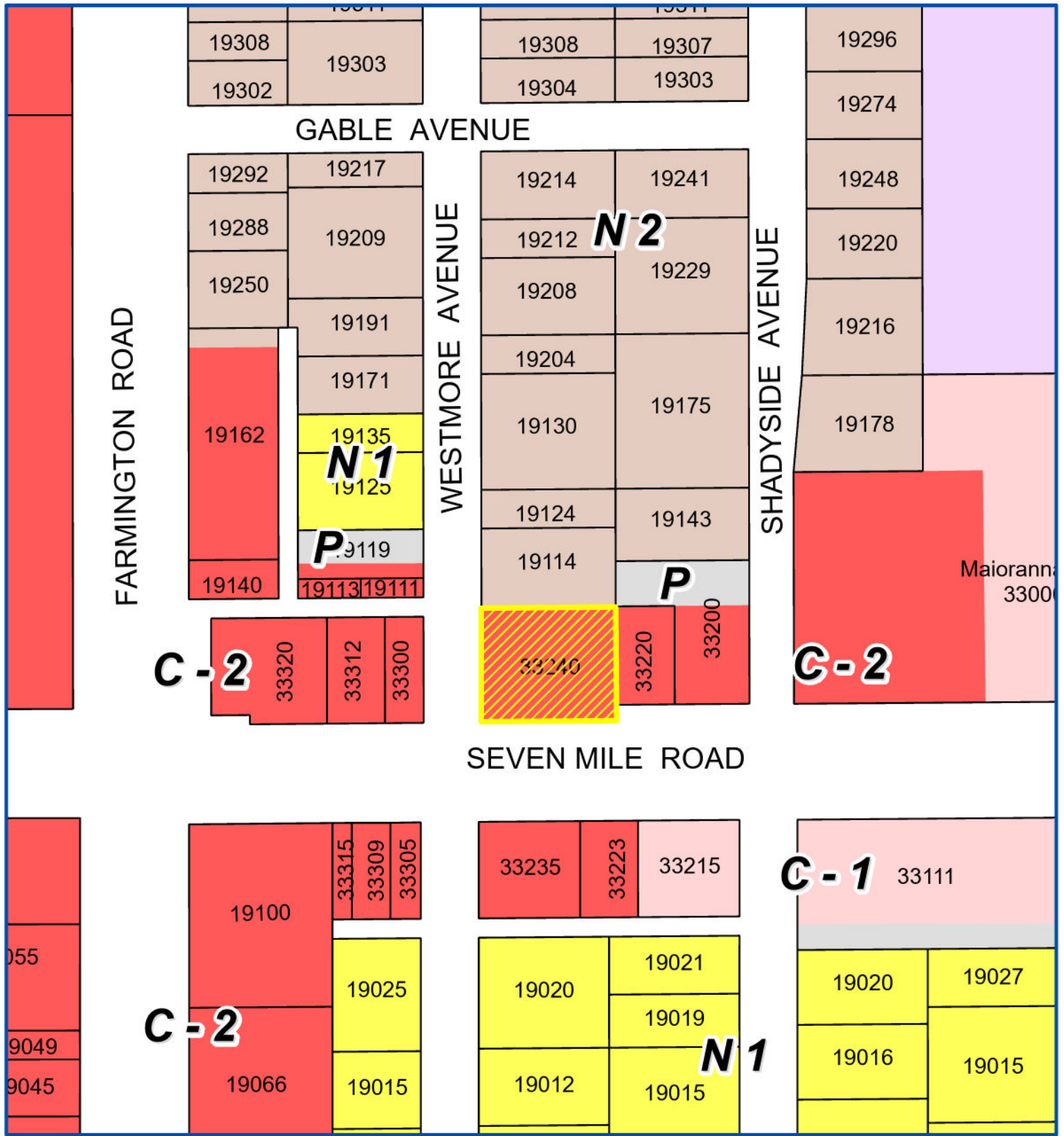
on this 2ND day of APRIL 20 24

Signature of Notary [Signature] My commission expires 10/4/2029

Acting in the County of OAKLAND

RECEIVED
APR 03 2024
CITY OF LIVONIA
PLANNING COMMISSION

RECEIVED
OFFICE OF THE CITY CLERK
2024 MAR 31 AM 11:35



Address & Zoning Map

Petition 2024-04-02-07
Health Vista
33242 Seven Mile Road



Not to Scale

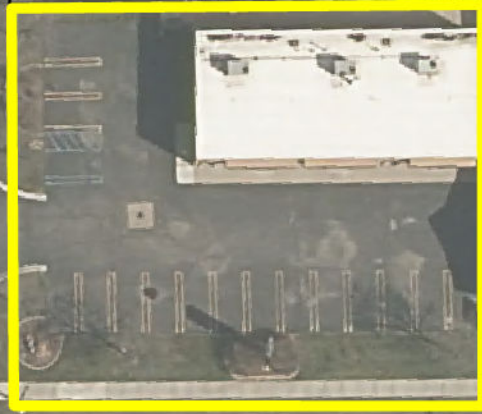


City of Livonia
Planning Department

WESTMORE AVENUE

SHADYSIDE AVENUE

SEVEN MILE ROAD



Aerial Map

Petition 2024-04-02-07
Health Vista
33242 Seven Mile Road



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PUBLIC HEARING

ITEM 1

Petition 2024-04-02-07 submitted by Health Vista L.L.C. requesting waiver use approval under Section 6.37 of the Livonia Zoning Ordinance, as amended, to operate a massage establishment at 33242 Seven Mile Road, located on the north side of Seven Mile Road between Farmington Road and Mayfield Avenue in the Southwest ¼ of Section 3.

April 30, 2024, Study Meeting:

This request to operate a massage establishment (Health Vista) is at the Westmore Plaza shopping center. Westmore Plaza is a multi-tenant retail building located on the northeast corner of Seven Mile Road and Westmore Avenue. Currently this building is divided into two (2) units, one being occupied by Genesis Hair Salon and the other the subject unit.

The subject site is zoned C-2 (General Business). Massage establishments are permitted with waiver use approval in a C-2 District under the provisions outlined in Section 6.37 of the Zoning Ordinance. Stipulated in this section are several requirements, including 1) the establishment must be at least 400 feet from another massage establishment, 2) it also must be at least 400 feet from any school, place of worship, state-licensed daycare facility, public library, playground, or public park, and 3) the operating hours are limited to 8:00 am to 10:00 pm.

According to the submitted plans, the proposed massage establishment would occupy the eastern unit of the shopping center. This unit contains a floor area of approximately 1,100 square feet (31'-7" x 35'-9"). The unit's storefront faces south towards Seven Mile Road, with parking directly in front of the business. The submitted floor plan shows the general layout of the interior, which includes a waiting area, several individual massage rooms, a laundry room, and a unisex restroom.

As mentioned, a massage establishment cannot be located within 400 feet of another massage establishment. Health Vista would comply with this requirement since no other massage establishments are within 400 feet of the proposed location.

Health Vista would also meet the separation requirement from a state-licensed daycare facility, public library, playground, or public park. There are none of these uses within 400 feet of the proposed location.

No modifications to the building exterior are planned in connection with the proposed massage establishment. The unit is allowed one wall sign based on the frontage of the unit.

PUBLIC HEARING

ITEM Petition 2024-04-02-07 – Health Vista

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Parking is based on the overall requirement for the entire center. Because the users are retail, the required parking for the center is based on the parking schedule for group commercial centers. The existing parking lot at Westmore Plaza shopping center is sufficient to handle the parking needs of the proposed massage establishment.

May 14, 2024, Public Hearing:

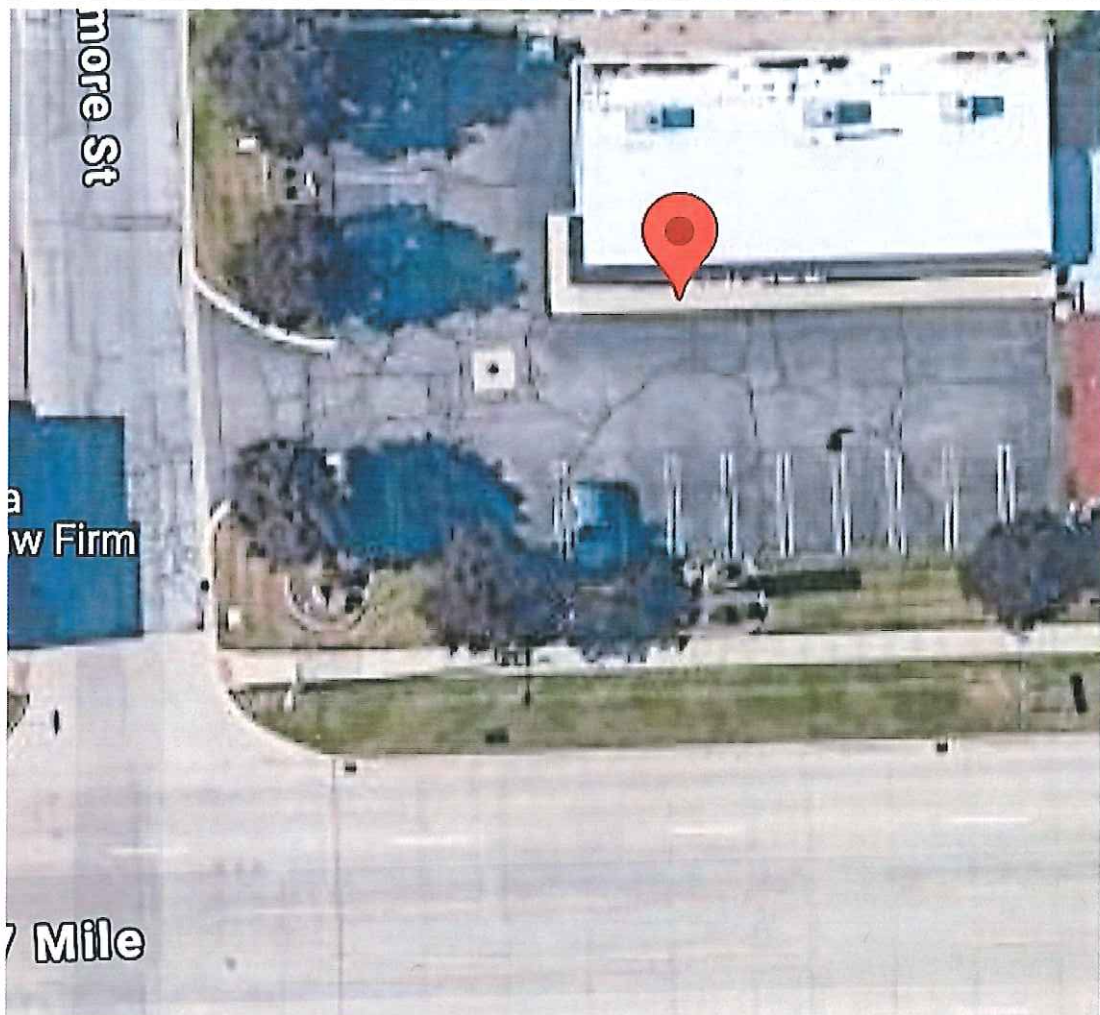
Approving Resolution: This request to operate a massage establishment at 33242 Seven Mile Road is hereby approved, subject to City Council approval and the following conditions:

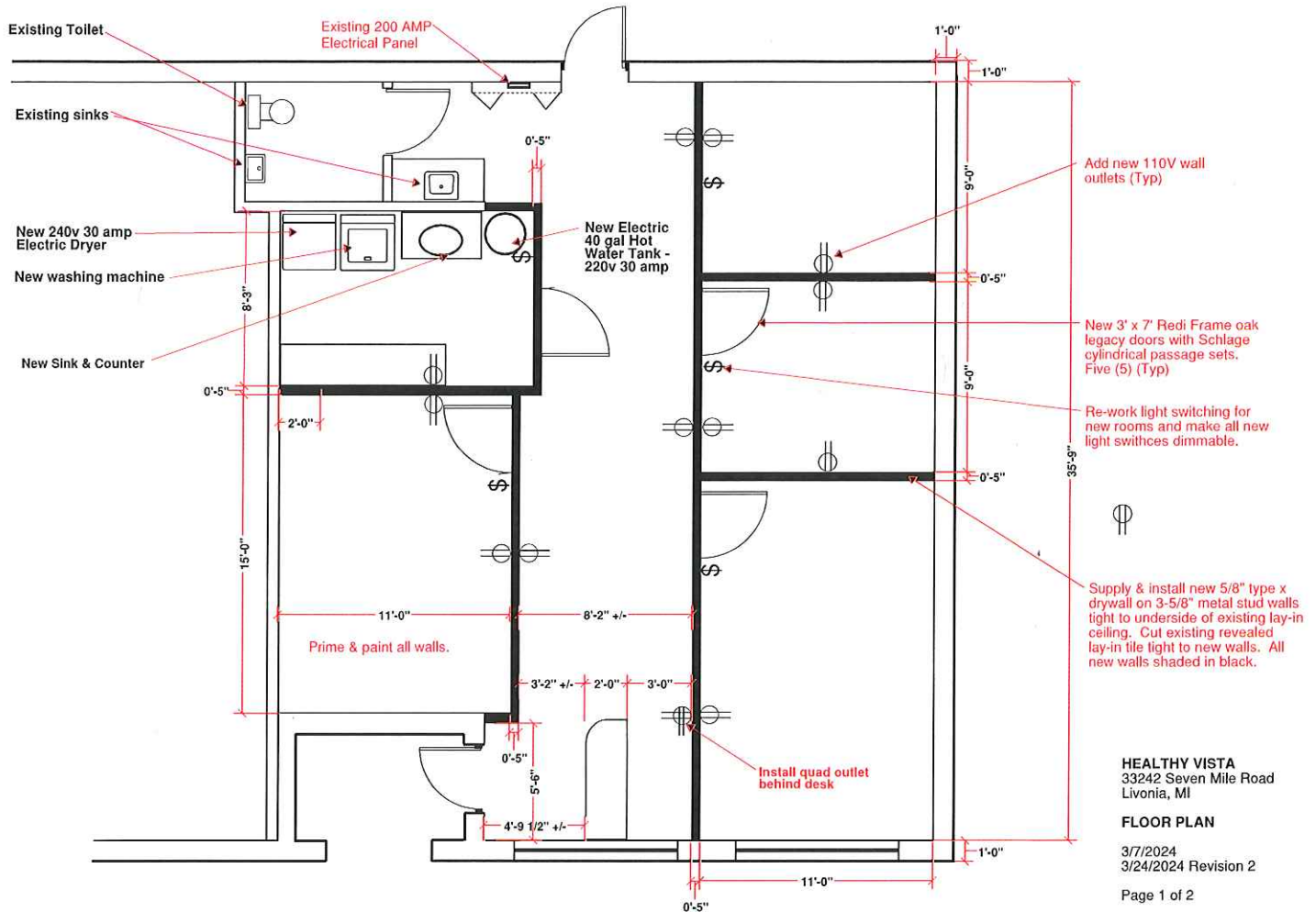
1. The massage treatment rooms shall not have doors, as shown on the submitted floor plan dated March 24, 2024, as revised.
2. This waiver is limited to this petitioner and can only be transferred to another user with approval by the City Council.
3. The petitioner shall comply with all other special waiver use standards and requirements outlined in Section 6.37 of the Zoning Ordinance and Chapter 5.49 of the Livonia Code of Ordinances, and
4. The Petitioner shall not engage in any form of solicitation for business within the public right-of-way of Seven Mile Road or Mayfield Avenue.

Denying Resolution: This request to operate a massage establishment at 33242 Seven Mile Road is denied for the following reasons:

1. The petitioner has failed to comply with all general standards and requirements outlined in Sections 1.02 and 13.13 of the Livonia Zoning Ordinance.
2. The petitioner has not adequately established a need for the proposed use in this shopping center or the immediate area.
3. The petitioner has not sufficiently demonstrated that the proposed use would be compatible with and in harmony with the surrounding uses in the area; and
4. The proposed use is contrary to the goals and objectives of the Zoning Ordinance, which, among other things, are intended to ensure the suitability and appropriateness of uses.

Site Image





HEALTHY VISTA
33242 Seven Mile Road
Livonia, MI

FLOOR PLAN

3/7/2024
3/24/2024 Revision 2

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

April 4, 2024

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2024-04-02-07 – #33240 Seven Mile Road

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed waiver use at this time. The address of **#33240 Seven Mile Road** has been assigned for the overall parcel, although additional addresses for the individual suites may in use. The legal description submitted with the petition appears to be correct, and should be used should the waiver use be granted.

The existing parcel is currently served by public water main and sanitary sewer, as well as private storm sewer. The submittal does not indicate any changes to the existing utility leads, so we do not believe there will be any additional impacts to the public utilities with this proposal.

Should changes to the existing building leads be needed, the owner shall submit proposed drawings to this Department to determine if permits will be required. Also, should any work be required within the Seven Mile Road right-of-way, The owner may be required to obtains permits from 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: 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: 4/25/2024
TO: Scott O. Miller, Planner IV
FROM: Livonia Fire Prevention Division
SUBJECT: Petition # 2024-04-02-07 33242 Seven Mile Rd. Health Vista

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

We have no objections to this proposal.

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

Sincerely,

Brian R. Kukla

Brian R. 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

April 9th 2024

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

Re: Petition 2024-04-02-07 – 33242 Seven Mile 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,

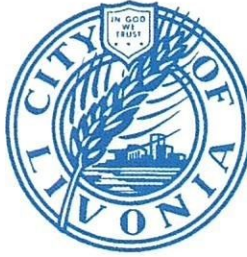
Paul Walters, Sergeant
Traffic Bureau
(734) 466-2107

INSPECTION

DEPARTMENT 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 2024-04-02-07 - 33242 Seven Mile 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,

A handwritten signature in blue ink, appearing to read "Connie Kumpula", is written over a faint, larger version of the same signature.

Connie Kumpula
Chief Accountant

CK: jw

TREASURER

**OTHER ITEMS
RELATED TO THE
PETITION**

Business: Health Vista L.L.C.
Address: 33242 Seven Mile Road, Livonia
Owner: Changrui (Lisa), Wang



Introduction

Lisa is a licensed massage therapist with 14 years of experience, she has worked across different states before returning to Michigan recently to establish her business. After exploring multiple retail locations, she has chosen 33242 Seven Mile Road as the perfect spot for her massage therapy venture.

Specializing in Chinese Traditional Massage, Lisa emphasizes the therapeutic aspects of her practice. Beyond offering relaxation and rejuvenation, she focuses on aiding in muscle and fascia repair for her clients.

The business will provide a variety of massage treatments, including head, facial, neck, shoulder, arm and hand, back, waist, sciatic nerve, piriformis muscle, leg, knee, ankle, and foot massage therapy. Each treatment works towards promoting overall body wellness and healing.

We believe that by establishing our massage therapy business in the community, we can make a positive impact on the health and well-being of our fellow residents. Thank you for your time and consideration!

More about Massage therapy

Massage therapy is a traditional and widely used healing method, because of its great effects. Many athletes also opt for massage therapy sessions after training or use tools like foam rollers to relax their muscles. Scientists from Harvard University have found scientific explanations for the previously unknown relationship between massage therapy and the immune system. By clearing immune cells and inflammatory factors causing inflammation in muscle tissues, massage therapy can help damaged muscle tissues recover faster and stronger, thereby reducing people's reliance on painkillers. Data also indicates that the mechanical stimulation provided by massage therapy is beneficial for repairing damaged muscles and fascia, and the greater the force applied during massage therapy, the stronger and healthier the recovery of damaged muscles. Scientists believe that this discovery of massage therapy is significant, as it demonstrates that humans can influence the function of the immune system in a non-drug, non-invasive manner.

Q067588

GRETCHEN WHITNER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BOARD OF MASSAGE THERAPY
MASSAGE THERAPIST LICENSE

CHANG RUI WANG

LICENSE NO.
7501009722

EXPIRATION DATE
08/30/2025

212333020801

THIS DOCUMENT IS DULY
ISSUED UNDER THE LAWS OF
THE STATE OF MICHIGAN

RECEIVED
MAY 14 2024
CITY OF LIVONIA
PLANNING COMMISSION



LETTER TO THE LIVONIA CITY COUNCIL

2.

Council Office
June 11, 2024

MEETING DATE

PRESENTED BY

Mark Taormina, Planning and Economic Development Director

AGENDA ITEM

TO CONSIDER THE APPROVAL OF THE ISSUANCE OF REFUNDING BONDS: Economic Development Corporation of the City of Livonia, re: for Madonna University, pursuant to the requirements of Act 338, Public Acts of Michigan of 1974, as amended and the Internal Revenue Code of 1986, as amended.

BACKGROUND DETAILS

The Economic Development Corporation of the City of Livonia (the "EDC") previously issued its \$22,245,000 Variable Rate Demand Limited Obligation Revenue Refunding Bonds (Madonna University Project), Series 2009 (the "Series 2009 Bonds") for the benefit of Madonna University, a Michigan nonprofit corporation (the "Borrower"). Proceeds of the Series 2009 Bonds were used to (i) refund the EDC's Variable Rate Demand Limited Obligation Revenue Bonds (Madonna University Project), Series 2007 (the "Series 2007 Bonds"), (ii) pay the costs of terminating an interest rate hedge agreement related to the interest payable on the Series 2007 Bonds, and (iii) pay costs incidental to the issuance of the Series 2009 Bonds.

The proceeds from the Series 2007 Bonds were used, together with other available funds of the Borrower, to fund a portion of the costs of the following project (collectively, the "Project"): (i) the acquisition, construction, furnishing and equipping of a new Science and Media Building and improving and developing the site therefor; (ii) the acquisition of telephone, computer, information system and communications equipment replacements and upgrades and related work; (iii) upgrading certain electrical distribution systems on the campus of the Borrower; (iv) the acquisition of classroom furniture and equipment; and (v) miscellaneous site improvements, all on the Borrower's main campus in the City of Livonia, County of Wayne, State of Michigan (the "City").

The Series 2009 Bonds were sold to Stern Brothers & Co. pursuant to a negotiated sale and are secured by a direct pay letter of credit issued by First American Bank. The Series 2009 Bonds are additionally secured by a confirming letter of credit issued by the Federal Home Loan Bank of Chicago.

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

The Borrower has requested that the EDC issue a series of limited obligation revenue refunding bonds on behalf of the Borrower in the approximate amount of \$15,830,000 (the "Series 2024 Bonds"), for the purpose of refunding the Series 2009 Bonds and paying costs associated with the

issuance of the Series 2024 Bonds. The Series 2024 Bonds are expected to be purchased by Horizon Bank. The Series 2024 Bonds will be secured by the pledge of certain revenues and accounts of the Borrower.

It is proposed that Miller, Canfield, Paddock and Stone, P.L.C. will serve as bond counsel to the EDC in connection with the proposed issuance of the Series 2024 Bonds.

In order for the Series 2024 Bonds to be issued on a tax-exempt basis, the EDC and the Borrower must comply with the “public approval” requirements of the Internal Revenue Code of 1986, as amended (the “Code”). To satisfy these requirements, a public hearing must be held on the issuance of the Series 2024 Bonds in each jurisdiction in which any of the property to be financed or refinanced with the proceeds of the Series 2024 Bonds is located. Following the public hearing, the issuance of the Series 2024 Bonds must be “approved” by the EDC and by each jurisdiction in which any of the property to be financed or refinanced with the proceeds of the Series 2024 Bonds is located. Because the proceeds of the Series 2024 Bonds will be used to refinance the costs of the Project, which is located in the City, the issuance of the Series 2024 Bonds must be approved by City Council following a public hearing in order for the Series 2024 Bonds to be issued on a tax-exempt basis.

Public Hearing on Bond Issue

In order to enable the EDC and the Borrower to satisfy the public approval requirements of the Code and to permit the EDC to issue the Series 2024 Bonds on a tax-exempt basis, the Borrower is requesting that City Council conduct a public hearing on the issuance of the Series 2024 Bonds.

The purpose of the public hearing is to provide a reasonable opportunity for interested persons to express their views, both orally and in writing, on the proposed issuance of the Series 2024 Bonds by the EDC for the benefit of the Borrower. A representative of Miller Canfield and the Borrower would be in attendance to answer any questions that may arise.

City Council Adoption of Resolution Approving Bond Issue

Following the public hearing, City Council is requested to consider a resolution (to be prepared by Miller Canfield) granting public “approval” of the issuance of the Series 2024 Bonds as required by the public approval requirements of the Code. It is important to note that this “approval” does not obligate the City in any manner with respect to the Series 2024 Bonds but is granted solely for purposes of fulfilling the public approval requirements of the Code.

The Series 2024 Bonds will be limited obligations of the EDC payable solely and only from moneys and other security provided by the Borrower. The City will not be liable under any circumstance for repayment of the Series 2024 Bonds.

EDC Adoption of Resolution Approving Bond Issue

Following the public hearing and the granting of public “approval” by City Council of the issuance of the Series 2024 Bonds, the EDC is requested to consider a resolution (to be prepared by Miller Canfield) approving the issuance, sale and delivery of the Series 2024 Bonds.

1. PH072224 (Madonna) Public Notice
2. Memo to Livonia re Madonna University Refinancing(42367551.1)

APPROVED BY

**NOTICE OF PUBLIC HEARING BEFORE THE
THE CITY OF LIVONIA**

**ON THE ISSUANCE OF LIMITED OBLIGATION REVENUE REFUNDING BONDS
BY THE ECONOMIC DEVELOPMENT CORPORATION
OF THE CITY OF LIVONIA FOR THE BENEFIT OF MADONNA UNIVERSITY**

The City Council of the City of Livonia, Wayne County, Michigan (the “City”) will hold a public hearing at 7:00 p.m., prevailing Eastern Time, on July 22, 2024, at City Hall located at 33000 Civic Center Drive, Livonia, Michigan, on the proposed issuance by The Economic Development Corporation of the City of Livonia (the “EDC”) of limited obligation revenue refunding bonds (the “Bonds”) for the benefit of Madonna University (the “University”). The EDC proposes to issue the Bonds in the aggregate principal amount of not to exceed Seventeen Million Dollars (\$17,000,000).

The proceeds of the Bonds will be used by the EDC to make one or more loans to the University. The University will use the proceeds of the loan from the EDC, together with other available funds, to (i) refund all of the outstanding The Economic Development Corporation of the City of Livonia Variable Rate Demand Limited Obligation Revenue Refunding Bonds, Series 2009 (Madonna University Project) (the “Prior Bonds”), (ii) pay the costs of issuing the Bonds, and (iii) pay the costs of terminating the interest rate swap agreement integrated with the Prior Bonds, if any. The proceeds of the Prior Bonds were used to refinance all of The Economic Development Corporation of the City of Livonia Variable Rate Demand Limited Obligation Revenue Bonds, Series 2007 (Madonna University Project) (the “2007 Bonds”). The proceeds of the 2007 Bonds were used to finance the acquisition and construction of a new Science and Media Building and the acquisition and construction of certain modifications, improvements and renovations of educational facilities on the main campus of Madonna University located at 36600 Schoolcraft Road in the City of Livonia, Michigan.

The foregoing projects refinanced with the proceeds of the Bonds have been and will continue to be owned and operated by the University.

The Bonds will be limited obligations of the EDC, payable only from loan repayments to be made by the University to the EDC. The Bonds will not constitute an indebtedness of the EDC, the City, the State of Michigan or any political subdivision thereof within the meaning of any constitutional or statutory provision and will not constitute or give rise to a charge against the general credit of the EDC or the credit or taxing power of the City or the State of Michigan or any political subdivision thereof. The EDC has no taxing power. The hearing shall provide the fullest opportunity for expression of opinion, for arguments on the merits and for introduction of documentary evidence pertaining to the proposed issuance of the Bonds. Written comments may also be submitted to the City Clerk at the City offices located at 33000 Civic Center Drive, Livonia, Michigan, but must be received on or before the date and time of the hearing.

Dated: July __, 2024



MEMORANDUM

TO: Mark Taormina, Planning and Economic Development Director
City of Livonia

FROM: Thomas D. Colis, Esq.
Miller, Canfield, Paddock and Stone, P.L.C.

RE: The Economic Development Corporation of the City of Livonia/Madonna
University Refinancing

DATE: July 2, 2024

Background

The Economic Development Corporation of the City of Livonia (the “EDC”) previously issued its \$22,245,000 Variable Rate Demand Limited Obligation Revenue Refunding Bonds (Madonna University Project), Series 2009 (the “Series 2009 Bonds”) for the benefit of Madonna University, a Michigan nonprofit corporation (the “Borrower”). Proceeds of the Series 2009 Bonds were used to (i) refund the EDC’s Variable Rate Demand Limited Obligation Revenue Bonds (Madonna University Project), Series 2007 (the “Series 2007 Bonds”), (ii) pay the costs of terminating an interest rate hedge agreement related to the interest payable on the Series 2007 Bonds, and (iii) pay costs incidental to the issuance of the Series 2009 Bonds.

The proceeds from the Series 2007 Bonds were used, together with other available funds of the Borrower, to fund a portion of the costs of the following project (collectively, the “Project”): (i) the acquisition, construction, furnishing and equipping of a new Science and Media Building and improving and developing the site therefor; (ii) the acquisition of telephone, computer, information system and communications equipment replacements and upgrades and related work; (iii) upgrading certain electrical distribution systems on the campus of the Borrower; (iv) the acquisition of classroom furniture and equipment; and (v) miscellaneous site improvements, all on the Borrower’s main campus in the City of Livonia, County of Wayne, State of Michigan (the “City”).

The Series 2009 Bonds were sold to Stern Brothers & Co. pursuant to a negotiated sale and are secured by a direct pay letter of credit issued by First American Bank. The Series 2009 Bonds are additionally secured by a confirming letter of credit issued by the Federal Home Loan Bank of Chicago.

Requested Actions

The Borrower has requested that the EDC issue a series of limited obligation revenue refunding bonds on behalf of the Borrower in the approximate amount of \$15,830,000 (the “Series 2024 Bonds”), for the purpose of refunding the Series 2009 Bonds and paying costs associated with the issuance of the Series 2024 Bonds. The Series 2024 Bonds are expected to be purchased by Horizon Bank. The Series 2024 Bonds will be secured by the pledge of certain revenues and accounts of the Borrower.

It is proposed that Miller, Canfield, Paddock and Stone, P.L.C. will serve as bond counsel to the EDC in connection with the proposed issuance of the Series 2024 Bonds.

In order for the Series 2024 Bonds to be issued on a tax-exempt basis, the EDC and the Borrower must comply with the “public approval” requirements of the Internal Revenue Code of 1986, as amended (the “Code”). To satisfy these requirements, a public hearing must be held on the issuance of the Series 2024 Bonds in each jurisdiction in which any of the property to be financed or refinanced with the proceeds of the Series 2024 Bonds is located. Following the public hearing, the issuance of the Series 2024 Bonds must be “approved” by the EDC and by each jurisdiction in which any of the property to be financed or refinanced with the proceeds of the Series 2024 Bonds is located. Because the proceeds of the Series 2024 Bonds will be used to refinance the costs of the Project, which is located in the City, the issuance of the Series 2024 Bonds must be approved by City Council following a public hearing in order for the Series 2024 Bonds to be issued on a tax-exempt basis.

Public Hearing on Bond Issue

In order to enable the EDC and the Borrower to satisfy the public approval requirements of the Code and to permit the EDC to issue the Series 2024 Bonds on a tax-exempt basis, the Borrower is requesting that City Council conduct a public hearing on the issuance of the Series 2024 Bonds.

The purpose of the public hearing is to provide a reasonable opportunity for interested persons to express their views, both orally and in writing, on the proposed issuance of the Series 2024 Bonds by the EDC for the benefit of the Borrower. A representative of Miller Canfield and the Borrower would be in attendance to answer any questions that may arise.

City Council Adoption of Resolution Approving Bond Issue

Following the public hearing, City Council is requested to consider a resolution (to be prepared by Miller Canfield) granting public “approval” of the issuance of the Series 2024 Bonds as required by the public approval requirements of the Code. It is important to note that this “approval” does not obligate the City in any manner with respect to the Series 2024 Bonds but is granted solely for purposes of fulfilling the public approval requirements of the Code.

The Series 2024 Bonds will be limited obligations of the EDC payable solely and only from moneys and other security provided by the Borrower. The City will not be liable under any circumstance for repayment of the Series 2024 Bonds.

EDC Adoption of Resolution Approving Bond Issue

Following the public hearing and the granting of public “approval” by City Council of the issuance of the Series 2024 Bonds, the EDC is requested to consider a resolution (to be prepared by Miller Canfield) approving the issuance, sale and delivery of the Series 2024 Bonds.