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

OFFICE OF THE COUNCIL

**ELECTRONIC AGENDA PACKET FOR
THE PUBLIC HEARING OF
MONDAY, SEPTEMBER 27, 2021
7:00 P.M.**

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

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

PUBLIC HEARING AGENDA OF THE LIVONIA CITY COUNCIL
Monday, September 27, 2021
Livonia City Hall Auditorium
33000 Civic Center Drive
Livonia, Michigan
7:00 PM

AGENDA ITEM(S)

1. [Petition 2021-07-01-06 submitted by LAG Development, to rezone the property at 34801 Plymouth Road, located on the south side of Plymouth Road between Stark and Wayne Roads in the Northwest ¼ of Section 33, from C-1, Local Business to C-2, General Business.](#)
2. [Appeal of the denial of the Planning Commission regarding Petition 2021-07-02-12 submitted by Quik Stop, Inc. requesting waiver use approval to add fuel pumps and operate a gasoline service station at 37405 Ann Arbor Road, located at the southwest corner of Ann Arbor and Newburgh Roads in the Northeast ¼ of Section 31.](#)

AUDIENCE COMMUNICATION

SUSAN M. NASH, CITY CLERK

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



LETTER TO THE LIVONIA CITY COUNCIL

1.

Planning
August 23, 2021

MEETING DATE

September 27, 2021

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

Petition 2021-07-01-06 submitted by LAG Development, to rezone the property at 34801 Plymouth Road, located on the south side of Plymouth Road between Stark and Wayne Roads in the Northwest ¼ of Section 33, from C-1, Local Business to C-2, General Business.

BACKGROUND

RECOMMENDATION

At the 1,174th Public Hearing and Regular Meeting held by the City Planning Commission on August 17, 2021, the following resolution was unanimously adopted:

#08-40-2021 RESOLVED, That pursuant to a Public Hearing having been held by the City Planning Commission on August 17, 2021, on Petition 2021-07-01-06 submitted by LAG Development pursuant to Section 23.01 of the City of Livonia Zoning Ordinance #543, as amended, requesting to rezone the property at 34801 Plymouth Road, located on the south side of Plymouth Road between Stark and Wayne Roads in the Northwest ¼ of Section 33, from C-1, Local Business to C-2, General Business, the Planning Commission does hereby recommend to the City Council that Petition 2021-09-01-07 be approved for the following reasons:

1. That a change of zoning to C-2, General Business is compatible to and in harmony with the surrounding land uses and zoning districts in the area.
2. That the proposed change of zoning would allow the property owner to seek waiver use approval to utilize the property for the storage and display of vehicles in connection with an automobile dealership operation.
3. That the proposed change of zoning is consistent with the developing character of the area.
4. That the proposed change of zoning represents a reasonable and logical zoning plan for the subject property which adheres to the principles of sound land use planning, and
5. That the proposed change of zoning is supported by The Livonia Vision 21 (LV21) Future Land Use map which shows the subject area of the rezoning as Corridor Commercial.

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.

FISCAL CONSIDERATION

ATTACHMENTS

1. 2021-07-01-06_LAG_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development
Director

Date: August 25,
2021



Maureen Miller Brosnan, Mayor

Date: August 26,
2021

Petition 2021-07-01-06 submitted by LAG Development
pursuant to Section 23.01 of the City of Livonia Zoning Ordinance #543, as amended, requesting to rezone the property at 34801 Plymouth Road, located on the south side of Plymouth Road between Stark and Wayne Roads in the Northwest ¼ of Section 33, from C-1, Local Business to C-2, General Business.

REZONING APPLICATION
CITY OF LIVONIA, MICHIGAN

All applications must be presented in quadruplicate to the City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097. Applications **must** include property owner's name, address and notarized signature. You are invited and encouraged to review your proposal with the Planning Department staff.

Date Filed: 7-1-21 Petition 2021-67-01-06
Site Address: 34801 Plymouth Rd Sidwell 130-01-0007-001
Requesting To Rezone Property From C1 To C2

For the Following Reason (s) To allow for future development.
proposed new vehicle storage.

Applicant: Taylor Lin Business/Company: LAG Development
Applicant's Address: 4000 W Highlnd City: Highlnd State: MI Zip Code: 48357
Applicant's Phone # (248) 714-1504 Applicant's Email tlin@lafontsine.com

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@ci.livonia.mi.us

RECEIVED
JUL 16 2021
PLYMOUTH ROAD
DEVELOPMENT AUTHORITY

RECEIVED
OFFICE OF THE CITY CLERK
2021 JUL 16 PM 3:28

Owner of Property: LAG Livonia, LLC
Owner's Address: 4000 W Highlnd Rd City: Highlnd State: MI Zip Code: 48357
Owner's Phone # (248) 714-1502 Owner's Email glaundroche@lafontsine.com
Signature of Owner: [Signature] Print Name: Ryan Lafontsine
Subscribed and sworn to before me, a Notary Public in and for the County of Wayne State of MI
on this First day of July 20 21
Signature of Notary [Signature] My commission expires 7/30/2023

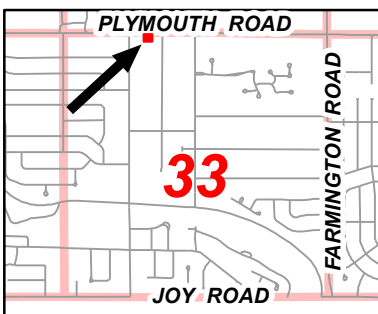
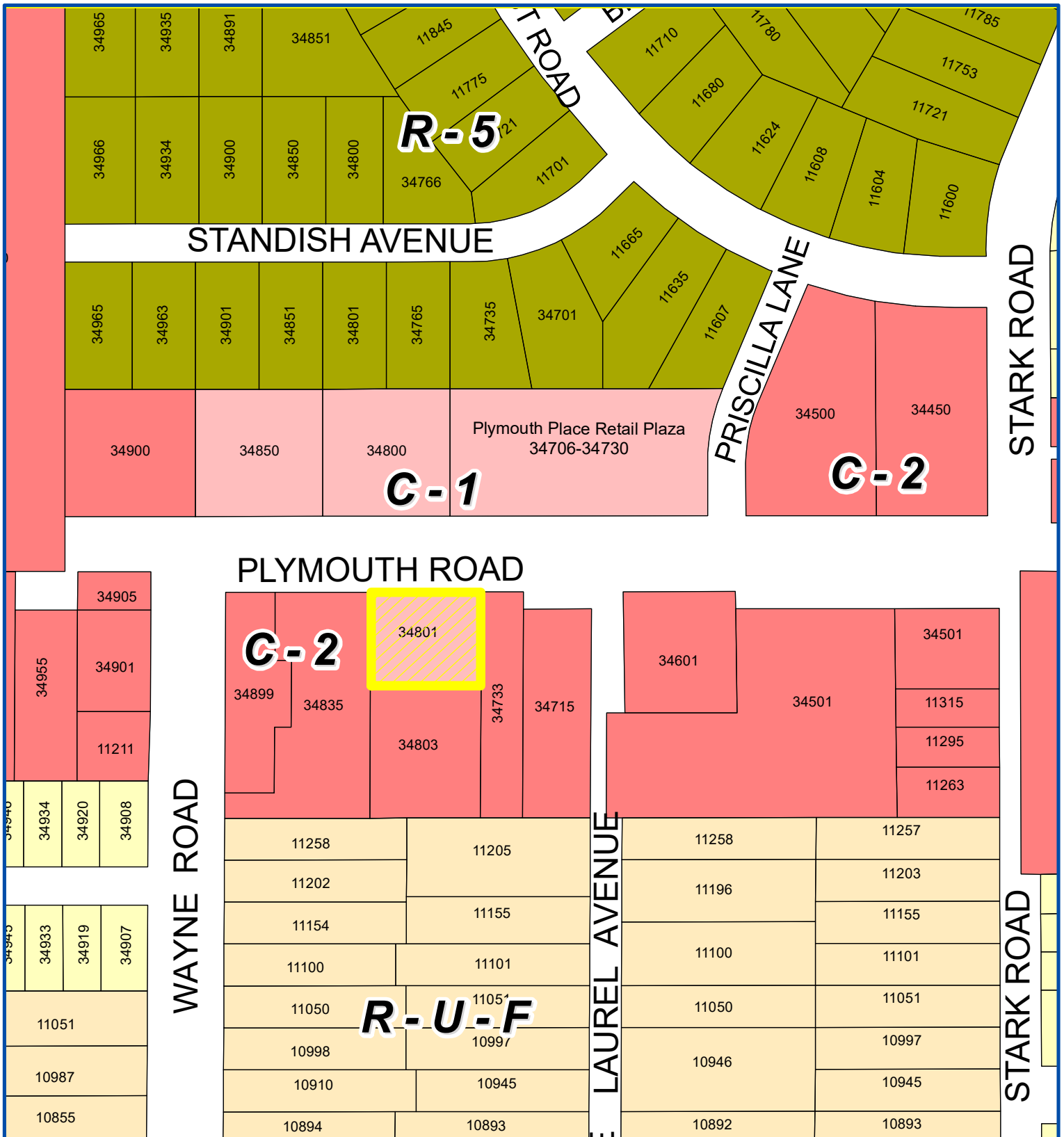
APPROVED AS FORM
Department of Law

By: Michael E. Fisher

Date: 7/1/2021

NICOLE SENG
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Commission Expires July 30, 2023
Acting in the County of Wayne





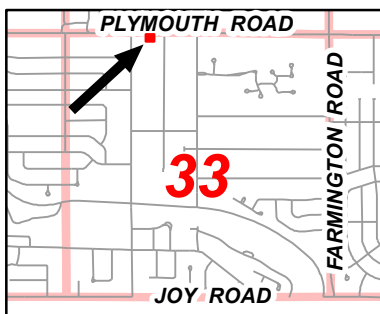
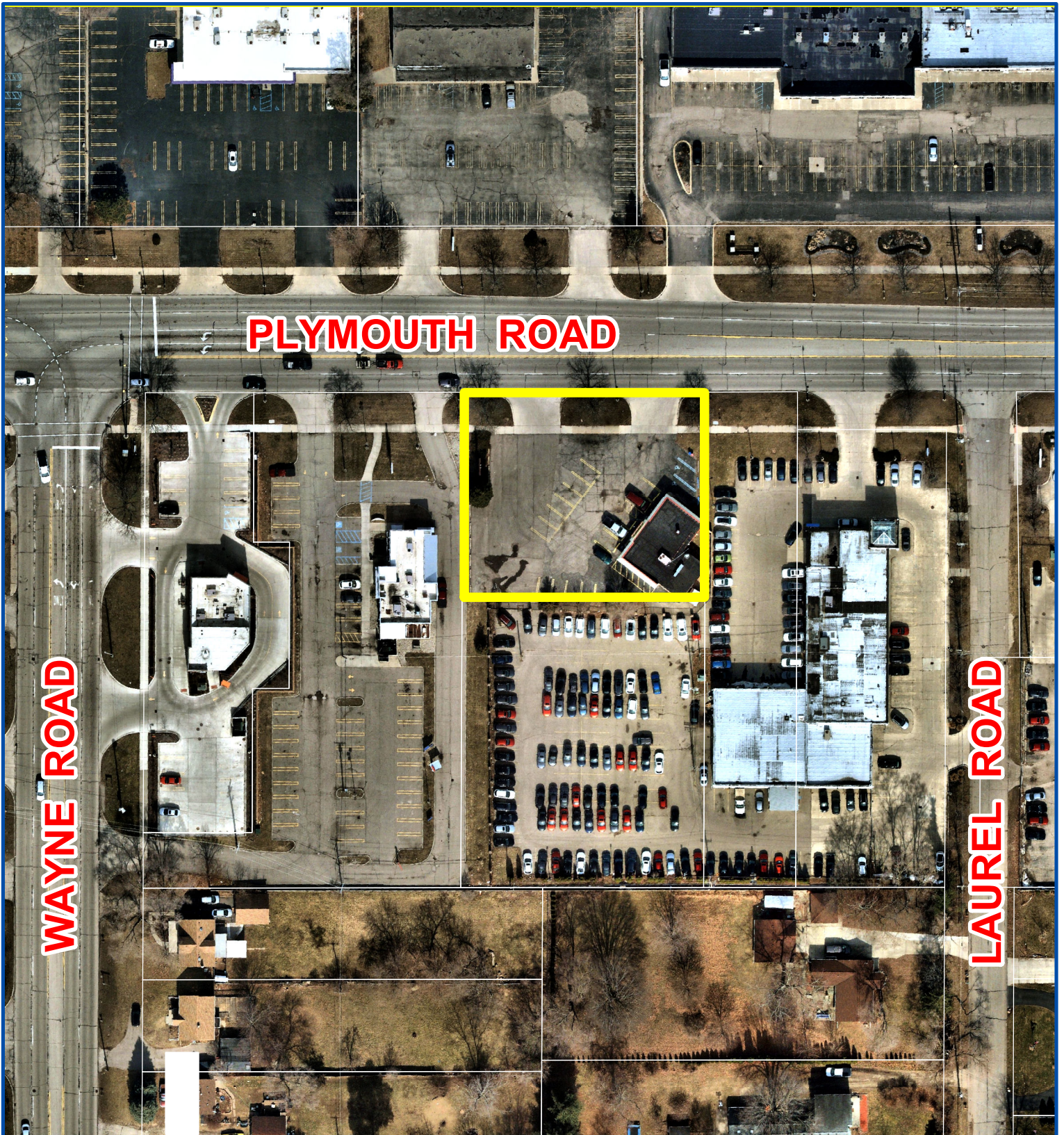
Address & Zoning Map

Petition 2021-07-01-06
LAG Development
34801 Plymouth Road
C-1 to C-2



Not to Scale

City of Livonia
Planning Department



Aerial Map

Petition 2021-07-01-06
LAG Development
34801 Plymouth Road
C-1 to C-2



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PUBLIC HEARING

ITEM 1

Petition 2021-07-01-06 submitted by LAG Development pursuant to Section 23.01 of the City of Livonia Zoning Ordinance #543, as amended, requesting to rezone the property at 34801 Plymouth Road, located on the south side of Plymouth Road between Stark and Wayne Roads in the Northwest ¼ of Section 33, from C-1, Local Business to C-2, General Business.

August 10, 2021: Study Meeting:

This petition seeks to rezone the property at 34801 Plymouth Road, located on the south side of Plymouth Road between Laurel and Wayne Roads, from C-1 (Local Business) to C-2 (General Business). The site is the former Dough Boy Donut shop, which closed last year, and was recently acquired by LAG Livonia, LLC, which is part of the Lafontaine Auto Group. The parcel has approximately 173 feet of road frontage and a depth of 147 feet for a total lot area of 25,431 square feet, or 0.58 acre. The building, which measures 2,150 square feet, was originally built as a gas station, and was converted to a donut shop in 1975.

Commercial land uses surround the subject property, including the Lafontaine Hyundai of Livonia auto dealership (formerly Ralph Thayer) to the east and south and Burger King and Dunkin Donuts restaurants to the west.

In an email received on July 23, 2021, from the Petitioner, it is explained that the objective of Lafontaine Hyundai of Livonia is to square-off the dealership's parking lot and use the subject 0.58-acre parcel for additional vehicle inventory. If the rezoning is approved, the existing building would be demolished. However, to use the property for the storage and display of vehicles in connection with an automobile dealership operation, first requires approval of a waiver use.

The Livonia Vision 21 (LV21) Future Land Use map shows the subject area as a *Corridor Commercial* which is suitable for the proposed rezoning and use.

August 17, 2021: Public Hearing:

Approving Resolution: That the request to rezone the property at 34801 Plymouth Road from C-1 to C-2 is hereby approved, subject to City Council approval, for the following reasons:

1. That a change of zoning to C-2, General Business is compatible to and in harmony with the surrounding land uses and zoning districts in the area.
2. That the proposed change of zoning would allow the property owner to seek waiver use approval to utilize the property for the storage and display of vehicles in connection with an automobile dealership operation.
3. That the proposed change of zoning is consistent with the developing character of the area.

PUBLIC HEARING

ITEM 1 Petition 2021-07-01-06 – 34801 Plymouth Road

Page 2

4. That the proposed change of zoning represents a reasonable and logical zoning plan for the subject property which adheres to the principles of sound land use planning, and
5. That the proposed change of zoning is supported by The Livonia Vision 21 (LV21) Future Land Use map which shows the subject area of the rezoning as *Corridor Commercial*.



ZONING INFORMATION

CURRENT ZONING: C-1

PROPOSED ZONING: C-2

EXISTING LAND USE: GENERAL BUSINESS

FRONT YARD SETBACK: 75 FEET (C-1), 60 FEET (C-2)

SIDE YARD SETBACK: 0 FEET (C-1), 0 FEET (C-2)

REAR YARD SETBACK: 0 FEET (C-1), 0 FEET (C-2)

Map showing the site location for the proposed development. The site is located in the ZONING C-1 district, adjacent to PLYMOUTH ROAD and WAYNE ROAD. The map also shows surrounding zoning districts: ZONING R-5, ZONING C-2, ZONING R-2, and ZONING R-1. The site location is marked with a black circle and labeled "SITE LOCATION".

1	CONCEPTUAL SITE PLAN	LAFONTAINE AUTOMOTIVE GROUP 34801 PLYMOUTH ROAD LIVONIA, MICHIGAN 48150	PREPARED FOR: LAFONTAINE AUTOMOTIVE GROUP 4000 W. HIGHLAND ROAD HIGHLAND, MICHIGAN 48357	 Mannik Smith GROUP www.MannikSmithGroup.com	1771 NORTH DIME HIGHWAY MONROE, MI 48162 TEL: 734-288-2200 FAX: 734-288-2345 PROJECT DATE: 7/2/2021 PROJECT NO.: L3470008 DRAWN BY: JAL CHECKED BY: MJM	NO. 1 DATE 7/2/2021 BY MJM DESCRIPTION CITY OF LIVINGSTON REVIEW
1						



Google



Google





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

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2571
FAX: (734) 466-2195

July 20, 2021

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2021-07-01-06 – #34801 Plymouth 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 parcel is assigned the address of **#34801 Plymouth Road**.

The existing building is currently serviced by public water main and sanitary sewer. Should the owner wish to redevelop the site, there is public storm sewer available to the site, however the developer may need to cross Plymouth Road to tie into the system. The developer will need to meet current Engineering requirements for the proposed project, including storm water detention per the Wayne County Storm Water Ordinance.

It should be noted that the developer may be required to obtain a permit from the Michigan Department of Transportation should any work occur within the Plymouth Road right-of-way.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "David W. Lear", is written over a horizontal line.

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

cc: 2021 Petition File

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSAN
MAYOR

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

July 28, 2021

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

Petition 2021-07-01-06 - 34801 Plymouth Road LAG Development

Dear Mr. Miller,

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

Unpaid water and sewer charges: (past due as of 7/19/21)	\$ 85.29
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Total Due City of Livonia	\$ 85.29
---------------------------	----------

Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

Transaction Statement

Service Address

34801 PLYMOUTH
LIVONIA, MI 48150

Mailing Address

Occupant - 34801 PLYMOUTH
34801 PLYMOUTH
LIVONIA, MI 48150

Account Number

014206400-001

Amount Due

\$85.29

Account Number

014206400-001

From - Through

01/19/2021 - 07/19/2021

Services

Water & Sewer - Metered

Service Address

34801 PLYMOUTH
LIVONIA, MI 48150

Beginning Balance

\$111.29

Date	Type	Amount	Description
02/02/2021	Payment	(\$111.29)	Check
04/14/2021	Bill	\$85.29	Due Date 05/10/2021
04/28/2021	Payment	(\$85.29)	Check
06/18/2021	Out of Cycle Bill	\$85.29	Due Date 07/19/2021

Total Due

\$85.29

Transaction Statement

Account Number

014206400-001

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



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

July 21, 2021

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

Re: Petition 2021-07-01-06 34801 Plymouth Road
LAG Development

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are taxes due, but they are not delinquent, therefore I have no objections to the proposal.

Sincerely,


Lynda L. Scheel
Treasurer, City of Livonia

**OTHER ITEMS
RELATED TO THE
PETITION**

UNAPPROVED MINUTES

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MINUTES OF THE 1,174th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, August 17, 2021, the City Planning Commission of the City of Livonia held its 1,174th Public Hearing and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

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

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

Members absent: None

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

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

ITEM #1 PETITION 2021-07-01-06

LAG Development

Mr. Caramagno, Secretary, announced the first item on the agenda, Petition 2021-07-01-06 submitted by LAG Development pursuant to Section 23.01 of the City of Livonia Zoning Ordinance #543, as amended, requesting to rezone the property at 34801 Plymouth Road, located on the south side of Plymouth Road between Stark and Wayne Roads in the Northwest ¼ of Section 33, from C-1, Local Business to C-2, General Business.

Mr. Taormina: This a request to rezone property from C-1 (Local Business) to C-2 (General Business). The property is on the south side of Plymouth Road between Wayne Road and Laurel Ave. The size of the property is roughly 0.6 acre. It includes 173 feet of frontage on Plymouth Road with a depth of 147 feet. This is the former Dough Boy Doughnut shop. The existing building on this property measures approximately 2,150 square feet. It was originally built as a gas station and later converted to a doughnut shop in 1975. As you can see from the zoning map, the site is surrounded by commercial land uses. To the east and to the south is the LaFontaine Hyundai of Livonia Auto Dealership. It was formerly Ralph Thayer. To the west is the Burger King and Dunkin' Donuts. The site was recently acquired by LAG of Livonia L.L.C., with is part of the LaFontaine Auto Group. The objective is to expand the dealership operations, presumably for vehicle display purposes. If the zoning is approved, then the existing building, as we understand it, would be demolished. The use of the property for the storage and display of vehicles in connection with the dealership operation will require waiver-use approval. If this rezoning petition moves forward, the second step of the process would be to file a waiver-use application for the use of the property for auto dealership purposes. The Livonia Vision 21 Future Land Use Map does show the subject area as corridor commercial. The site is suitable for the proposed rezoning and use. 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 July 20, 2021, 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 parcel is assigned the address of #34801 Plymouth Road. The existing building is currently serviced by public water main and sanitary sewer. Should the owner wish to redevelop the site, there is public storm sewer available to the site, however the developer may need to cross Plymouth Road to tie into the system. The developer will need to meet current Engineering requirements for the proposed project, including storm water detention per the Wayne County Storm Water Ordinance. It should be noted that the developer may be required to obtain a permit from the Michigan Department of Transportation should any work occur within the Plymouth Road right-of-way."* The letter is signed by David W. Lear, P.E.,

Assistant City Engineer. The next letter is from the Finance Department, dated July 28, 2021, which reads as follows: *"I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia: Unpaid water and sewer charges: \$ 85.29 (past due as of 7/19/21) Total Due City of Livonia \$ 85.29"* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer's Department, dated July 21, 2021, which reads as follows: *"In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are taxes due, but they are not delinquent, therefore I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. That is the extent of the correspondence.

Mr. Wilshaw: Are there any questions of the Planning Director? I don't see any. I believe our petitioner is here. We will need your name and address for the record please.

Taylor Lin, LaFontaine Automotive Group, 4000 West Highland Road, Highland, MI, 48357. Bear with me here guys, I am a little nervous as this is my first time I am speaking for LaFontaine. As you know, we recently acquired the Thayer Group dealerships. The doughnut shop's owner had approached us and made an offer. We had thought it would be a good idea. It could potentially compliment the westerly property. As you guys know, it is the only C-1 zoning on the strip with everything surrounding it being C-2. We currently have no plans for the building at the moment. We would currently be using parcel for inventory parking. We have plans to take down the doughnut shop sign, increase landscaping, restripe the lot, and we have already removed some of the weeds on the site. We are willing to install a brick pier wrought iron wall, as well. Regarding it previously being a gas station, we have extensive environmental studies. There are no environmental concerns and there are currently no underground storage tanks. I did also want to address that the monies that were due to the city have been paid since July.

Mr. Wilshaw: Thank you, Ms. Lin. We appreciate your presentation and just for everyone's benefit, this is a rezoning request from C-1 to C-2. Most of the discussion tonight is going to focus on the zoning and if that use is appropriate. You will have to come back of course as you know for a site plan or waiver-use if that is approved. We may possibly get more into the details of layout of parking and so forth at that stage. I just wanted to set everyone's expectations. We may have some questions

UNAPPROVED MINUTES

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regarding the use of the property, and we will see how this goes. Is there any questions for our petition from any of our commissioners?

Mr. Long: I wanted to be clear. I am not sure I understood properly. Is the building staying or is the building coming down?

Ms. Lin: At the moment we don't have any plans for it. It could potentially be demolished in the future, or we could repurpose it. At the moment we are unsure what we would be doing. It would remain standing as it is.

Mr. Long: So, if we rezone it, obviously, they will have to come back with a site plan down the road and have an idea of what the disposition would be at that time, correct? Mr. Chair?

Mr. Wilshaw: I believe their intended use would require a waiver-use. Is that correct, Mr. Taormina?

Mr. Taormina: That is correct.

Mr. Wilshaw: So, yeah, they would have to come back for that. We could get into the details at that stage.

Mr. Long: Okay. I won't take this any further then. Thank you.

Mr. Wilshaw: Thank you, Mr. Long. Any other questions from any of our commissioners?

Mr. Caramagno: I heard you are going to make some improvements to the property if this goes through, and I think it's a good thing. I noticed the fencing along the Burger King western side of the property. Some of it has been knocked down and in disrepair. What is the plan for that to maintain your current property? What is the plan there?

Ms. Lin: Yeah, absolutely. We want to make this site presentable and obviously if there was any fencing issue thing or in disrepair, we would go ahead and correct that.

Mr. Caramagno: Fix it all up at the same time?

Ms. Lin: Yes.

UNAPPROVED MINUTES

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Mr. Caramagno: It looks like someone might have drove through that. I don't know if someone got wild in the Burger King property lot. It loos like someone drove right through the fence.

Ms. Lin: Maybe.

Mr. Caramagno: Thank you. You will take care of it. Thank you.

Ms. Lin: Thank you.

Mr. Wilshaw: That could have been one heck of a test drive there.

Mr. Caramagno: Yeah. (laughs)

Mr. Wilshaw: Any other questions for our petitioner? I don't see any. Is there anybody in the audience that wishes to speak for or against this item? You can come forward. We will let you speak. Thank you, Ms. Lin.

James Arnold, 11205 Laurel, Livonia, MI. I have 288 length of frontage. I live right behind 34803. Basically, that is a dump right there. The Thayer Group got it from Al Tanski, which put a commercial wall in and put in Arbor Vitae in all around it and it is terrible. Like Sam was saying, I don't know how to say your last name. There are nine sections of fence down in 3408, nine sections of fence that are tore up. It looks pretty bad. There is a pile of tires that is probably 40 feet wide, 30 feet deep, and probably 10 feet tall. There is two coaxial cables, one that is on my property 11205 in the very south or the very northeastern corner and there is one down in the Burger King parking lot that goes across. The parking lot wraps around coaxial cable, probably like the cable stuff. It's not powered, so...the grass is unkept. They have just purchased this property and I understand that they are just staring, but they basically weed wacked a little bit and tore a little bit out compared to what hasn't been done in the last 20 years. I do give them commendment to do that, you know? There is probably hundreds of feet that are overgrown of property line. I only own two hundred, three hundred feet, but it is just overgrown. I walked the whole thing looking at it. There is metal boxes in the back on 34803. Metal boxes. Fencing. It is on the commercial wall. The cap is basically torn off on the commercial wall. So, there is quite a lot of upkeep to get this place up before you can even think about...God says you have to take care of what I give you before I can give you more. There is mulch that they have just basically piled and there is a pile of cement that they have just torn out, just piles. If I lived

UNAPPROVED MINUTES

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that way, I know you guys would be knocking on my door saying pick it up, please. So, that is all I have to say. Thank you for your time.

Mr. Wilshaw: Thank you for your comments, Mr. Arnold. We appreciate that. Is there anyone else who wishes to speak for or against this petition? Good evening, sir.

Matt Chambleau, LaFontaine Group. We are working on all of these issues. We have already mowed the grass by the Burger King. We know that the gate is in disarray. We have a bunch of junk. A forty-yard dumpster was delivered today. We are in the process of throwing all the stuff that has accumulated over years and getting all the pavement done. All that done. All the trees trimmed. All the brush picked up. We are working on all of this stuff. We literally just took ownership of that facility and this current facility. We are working on cleaning and addressing all of these issues. I have my card here and I can give it to you. You can reach out to me directly.

Mr. Wilshaw: Great. Thank you. Excellent. We appreciate those comments.

Mr. Chambleau: Anything...anything the neighbors need; we want to reach out to the neighbors, and we are working on all that stuff. It's only been 40 or 45 days, so it is a work in progress. We have been improving...obviously, we started on the front. If you have driven by on Plymouth Road, we have trimmed up all that brush. We have done a bunch of landscaping and wood chips upfront. We are working our way back. So, we are working on it, sir. If anyone else has any concerns, we are working on landscaping extensively in all departments and every facility we have, including the rezoning one.

Mr. Wilshaw: Sure. Thank you, sir, for your comments.

Ms. Smiley: First of all, thank you. Secondly, did you talk to PRDA? Is that where you got your landscape ideas from? The Plymouth Road Development Authority.

Mr. Chambleau: We have not talked to them yet. It was brought up, obviously, in last weeks meeting. We made note of it with LAG Development.

Ms. Smiley: I heard her talk about he wrought iron fences and what you are doing in front, I just wondered. Thank you.

Mr. Wilshaw: Thank you. Anyone else wishing to speak to this item? If not, we always give our petitioner the last word. Is there anything else, Ms. Lin, that you wanted to mention. Your good, alright. If there is no other questions or comments, I can close the public hearing at this time. I will go to my fellow commissioners and ask for a motion.

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

#08-40-2021 **RESOLVED**, That pursuant to a Public Hearing having been held by the City Planning Commission on August 17, 2021, on Petition 2021-07-01-06 submitted by LAG Development pursuant to Section 23.01 of the City of Livonia Zoning Ordinance #543, as amended, requesting to rezone the property at 34801 Plymouth Road, located on the south side of Plymouth Road between Stark and Wayne Roads in the Northwest ¼ of Section 33, from C-1, Local Business to C-2, General Business, the Planning Commission does hereby recommend to the City Council that Petition 2021-09-01-07 be approved for the following reasons:

1. That a change of zoning to C-2, General Business is compatible to and in harmony with the surrounding land uses and zoning districts in the area.
2. That the proposed change of zoning would allow the property owner to seek waiver use approval to utilize the property for the storage and display of vehicles in connection with an automobile dealership operation.
3. That the proposed change of zoning is consistent with the developing character of the area.
4. That the proposed change of zoning represents a reasonable and logical zoning plan for the subject property which adheres to the principles of sound land use planning, and
5. That the proposed change of zoning is supported by The Livonia Vision 21 (LV21) Future Land Use map which shows the subject area of the rezoning as *Corridor Commercial*.

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.

UNAPPROVED MINUTES

8

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.



LETTER TO THE LIVONIA CITY COUNCIL

2.

Planning
August 25, 2021

MEETING DATE

September 27, 2021

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

Appeal of the denial of the Planning Commission regarding Petition 2021-07-02-12 submitted by Quik Stop, Inc. requesting waiver use approval to add fuel pumps and operate a gasoline service station at 37405 Ann Arbor Road, located at the southwest corner of Ann Arbor and Newburgh Roads in the Northeast ¼ of Section 31.

BACKGROUND

RECOMMENDATION

At the 1,174th Public Hearing and Regular Meeting held by the City Planning Commission on August 17, 2021, the following resolution was adopted:

#08-42-2021 RESOLVED, That the City Planning Commission does hereby deny Petition 2021-07-02-12 submitted by Quik Stop, Inc. requesting approval of all plans required by Sections 11.03(a) and 18.58 of the City of Livonia Zoning Ordinance #543, as amended, in connection with a proposal to add fuel pumps and operate a gasoline service station at 37405 Ann Arbor Road, located at the southwest corner of Ann Arbor and Newburgh Roads in the Northeast ¼ of Section 31, for the following reasons:

1. That the petitioner has failed to comply with all general standards and requirements as set forth in Sections 11.03 and 19.06 of the Zoning Ordinance.
2. That the petitioner has failed to demonstrate the need in the area for the type of commercial service proposed to be operated on the subject site.
3. That the petitioner has failed to adequately demonstrate that the site has the capacity to accommodate the proposed use.
4. That the operation of a gasoline service station on this site would have a negative effect upon the neighboring properties.
5. That the proposed use would unduly tax and conflict with the established and normal traffic flow of the area.
6. That the proposal creates significant adverse impacts on adjoining parcels, public services, and community planning efforts.

7. That the petitioner has not sufficiently demonstrated that the operation of a gasoline service station would be compatible to and in harmony with the surrounding uses in the area, and
8. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

FISCAL CONSIDERATION

ATTACHMENTS

1. 2021-07-02-12_Quik Stop_Appeal letter
2. 2021-07-02-12_Quik Stop_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development
Director

Date: August 25,
2021



Maureen Miller Brosnan, Mayor

Date: August 26,
2021



DEMOREST LAW FIRM



PHONE: 248.723.5500
FAX: 248.723.5588
WEB: WWW.DEMOLAW.COM

August 27, 2021

VIA HAND-DELIVERED

Susan M. Nash
City Clerk
City of Livonia
33000 Civic Center Drive
Livonia, MI 48154

**RE: Petition 2021-07-02-12 – Quik Stop, Inc. – Appeal
37405 Ann Arbor Road, Livonia, MI 48150**

RECEIVED
OFFICE OF THE CITY CLERK
2021 AUG 27 AM 10:24

Dear Ms. Nash:

Our client, Jameel Alhadiss, hereby appeals to the City Council from the Planning Commission's denial of his request for approval to add fuel pumps and operate a gasoline service station at 37405 Ann Arbor Road. Our client's petition (EX 1) was denied at the Planning Commission meeting on August 17, 2021. Also enclosed is our check for \$300.00 to pay the appeal filing fee.

The property at issue, 37405 Ann Arbor Road, Livonia, MI 48150 is located at the southwest corner of Ann Arbor Road and Newburgh Road. It is currently occupied by a building approximately 16,500 square feet in area. The only current tenant in the building is a Biggby Coffee located on the east side of the building. The gas service station and convenience store in question would occupy the northeast section of the building, approximately 4,000 square feet in area. This area was most recently occupied by a Family Video that has since closed and gone out of business. The Biggby Coffee has also notified the owner that they will be closing that location and ceasing operations soon. That would leave this building vacant, a bad situation for both the owner of the building and the City. Our client is attempting to put the property to productive use.

On August 19, 2021, our client received the attached letter from the Planning Commission detailing several reasons his petition was denied (EX 2). Based on a review of the video of the Planning Commission's meeting and their vague reasons for denial of the petition, the Planning Commission had no legitimate grounds to deny the petition. It apparently did so based purely on the few opinions of those who spoke at that meeting.



Several residents and, notably, another gas station owner who doesn't want the competition, voiced their concerns over the petition at the August 17 Planning Commission meeting. However, all of the residents' concerns would relate to any business that operated in that location, not specifically a gas station. Noise, light, and increased traffic will result from any business that operates there. The residents would rather that corner remain vacant. But these residents have no right to demand that the property remain vacant. This property is zoned for commercial use and our client has every right to use it.

In the appeal, our client will address each of the reasons stated by the Planning Commission and why they should not prevent him from opening and operating his business.

1. **That The Petitioner Has Failed To Comply With All General Standards And Requirements As Set Forth In Sections 11.03 And 19.06 Of The Zoning Ordinance**

Response: Section 11.03(a) Gasoline Service Station contains 13 subsections and Section 19.06(1) General Waiver Requirements and General Standards contains 9 subsections. The Planning Commission's reason for denial is vague, and it fails to identify which of these subsections our client has allegedly failed to comply with. Of the subsections we reviewed for possible failure to comply, all were either addressed by our client's engineer with proposed solutions or will be removed from the Zoning Ordinance when the City votes on and approves the new Livonia Vision 21 Zoning Ordinance.

2. **That The Petitioner Has Failed To Demonstrate The Need In The Area For The Type Of Commercial Service Proposed To Be Operated On The Subject Site**

Response: While it is true that there are other gas stations in the general area, there are no existing gas stations at the intersection of Ann Arbor and Newburgh Roads, which are both major roads (two lanes each way plus turn lanes). Additionally, the residents' claims that there are several gas stations in the area are misleading. The nearest gas station is a Mobil station approximately 2,000 feet southwest along Ann Arbor Road. The two next closest gas stations are approximately a half a mile to the northeast. Any other gas stations are at least a mile away.

The price of gas is often driven down by competition. Gas-powered automobiles continue to be the primary method of transportation and other gas equipment, including boats, lawn equipment, etc., are still incredibly popular. People, including the local residents, will continue to need gas and will continue to shop at convenience stores.



Providing them another option to do so, which will help keep prices down in the area, certainly would be beneficial to the community.

3. That The Petitioner Has Failed To Adequately Demonstrate That The Site Has The Capacity To Accommodate The Proposed Use

Response: The Planning Commission is once again vague in their reason for denial, without any specifics how the property does not have capacity. At the Commission meeting held on August 17, 2021, the building owner and our client's engineer showed the Commissioners the plan for the gas service station with the only capacity issue being that there would only be 81 parking spaces instead of the required 89, based on the calculations described in Zoning Ordinance Section 11.03(a)(12)(d). Our client may reduce the amount of retail floor space, which would correspondingly reduce the required number of parking spaces, or request a waiver of that requirement, which he did at the meeting. This was not addressed by the Planning Commission.

4. That The Operation Of A Gasoline Service Station On This Site Would Have A Negative Effect Upon The Neighboring Properties

Response: In what is becoming a recurring theme, the Planning Commission once again does not provide any details on how a gasoline service station would have a negative effect upon the neighboring properties. It seems this reason is based solely on the statements from several neighbors that the Commissioners heard on August 17. There are more residents and other businesses, none of whom raised any objection to the project.

Further, our client's engineer provided substantial certainty that any effect from the gas station, be it environmental, noise, or light, would be mitigated by design. The building has been mostly vacant since the Family Video store closed. Further, the Biggby Coffee occupying that building now is planning to leave. Clearly some of the neighboring businesses are not having success and a new, successful gas station and convenience store could help provide more traffic to neighboring businesses.

5. That The Proposed Use Would Unduly Tax And Conflict With The Established And Normal Traffic Flow Of The Area

Response: As one of the residents pointed out, the Commission did not perform a traffic study. The Commission has no proof to support this claim and should not deny our client's petition based on it. The Commission noted that they had received a letter of no objection from the City's Department of Public Safety and another from the Police



Department. These organizations would be responsible for any accidents or harm that would result from an increased traffic flow. Further, the owner of the building gave testimony that at its peak, the Family Video (and other businesses sharing the building) were successful and busy. Traffic was not an issue then, nor will it be an issue now.

6. That The Proposal Creates Significant Adverse Impacts On Adjoining Parcels, Public Services, And Community Planning Efforts

Response: This reason is no different than reason 4 addressed above. The Planning Commission states that the proposal has adverse impacts on adjoining parcels (neighbors), public services, and community planning efforts but doesn't specify what those adverse impacts are, or specifically which adjoining parcels, public services, or community planning efforts would be impacted. Once again, the Engineering Division, the Department of Public Safety, the Police Department, Department of Finance (provided the water bill is paid), and Office of the Treasurer all filed letters of no objection to the proposal. It seems as if a few neighbors opposed the project, and the Planning Commission is reaching for ways to deny the proposal for them.

7. That The Petitioner Has Not Sufficiently Demonstrated That The Operation Of A Gasoline Service Station Would Be Compatible To And In Harmony With The Surrounding Uses In The Area

Response: This reason contradicts the Planning Commission's reasoning in reason number 2. How can it argue that another gas station is not compatible to or in harmony with the surrounding uses in the area? Clearly the other gas stations are compatible to and in harmony with the surrounding uses in the area. Another should be as well. The same can be said about the convenience store. One resident pointed out that a 7-Eleven already exists down the road. It cannot be said that another convenience store goes against that use. Additionally, as previously stated, gas powered transportation and equipment are still incredibly popular. It is likely that almost every homeowner in that area owns and drives one or more cars and use some equipment (such as a boat or lawnmower) that uses gas. A gas station is clearly in harmony with that usage.

8. That The Petitioner Has Failed To Comply With All The Concerns Deemed Necessary For The Safety And Welfare Of The City And Its Residents

Response: Not to sound like a broken record, but the Planning Commission once again provides no details on this issue. And once again, the Planning Commission fails to acknowledge that the Department of Public Safety and Police Department submitted letters of no objection to the project, indicating that they have reviewed the project and



assessed its safety concerns and risk, and that they do not object to the project. The Commission has no grounds for this reason.

In addition to all of the above responses, it is worth noting that there is a proposed (and likely to be approved) new Zoning Ordinance for the City of Livonia. This new Ordinance completely removes the parking space requirement calculation and the requirement for written consent of 65% of residents when a gas service station is to be erected within a 400-foot radius of a residential district. Our client was aware of this provision but soliciting signatures from residents and neighbors is not prudent during the evolving COVID-19 pandemic. Further, it is not reasonable to deny our client's petition based on provisions that will soon not be part of the Zoning Ordinance.

For the reasons stated above, we request that the City Council reject the recommendation of the Planning Commission and grant our client's petition to operate a gas service station and convenience store at 37405 Ann Arbor Road. This will prevent the City from having a vacant building at a major intersection, and it will provide a productive use for the building.

Sincerely,

DEMOREST LAW FIRM, PLLC

Mark S. Demorest
mark@demolaw.com

MSD/rn

cc: Jameel Alhadiss (via email)
Dennis Banaszak (via email)

Alhadiss, Jameel/City of Livonia (1392)/Correspondence/2021 08 25 sl Planning Commission Appeal.docx

EXHIBIT 1

CITY OF LIVONIA, MICHIGAN
APPLICATION FOR WAIVER USE APPROVAL

All applications must be presented in triplicate to the City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097. Applications must include property owner's name, address and notarized signature.
Filing fee = \$600.00 plus \$20.00 for each 1,000 sq. ft. of gross floor area of new construction.

Date Filed: 19 July 2021 Petition 2021-07-02-12
 Site Address: 3705 Ann Arbor Road Sidwell 121-01-0001-003 Zoning of Property C-2
 Requesting Approval To 37405 Redevelop part of a former Family Video as a gas station
 Applicant: Jameel Alhadiss Business/Company: Quik Stop, Inc.
 Applicant's Address: 3215 Flushing Road City: Flint State: MI Zip Code: 48504
 Applicant's Phone #: 810, 288-5822 Applicant's Email: jameelalhadiss@gmail.com
 Contact Person: Dennis W. Banaszak Business/Company: D&M Site, Inc.
 Contact's Address: 401 Balsam P.O.Box 159 City: Carrollton State: MI Zip Code: 48724
 Contact's Phone #: 989, 752-6500 Contact's Email: dbanaszak@dandmsite.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.B.)
 - all visible rooftop mechanical equipment and how they will be screened
- 4) **General Floor Plan** showing:
 - floor layout
 - entrances & exits
 - restaurants are required to illustrate seating arrangement & capacity
- 5) **One (1) set of reduced plans** (i.e. site, landscape, elevation, floor), a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to smiller@ci.livonia.mi.us
- 6) **Legal Description** of the property to be considered (Clearly Printed)
- 7) **Three (3) completed application forms & three (3) sets of full-size drawings**

RECEIVED
 OFFICE OF THE CITY CLERK
 2021 JUL 19 PM 2:37

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

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

Owner of Property: Family Video Movie Club, Inc.
 Owner's Address: 2701 Lawrence Ave. City: Springfield State: IL Zip Code: 62704
 Owner's Phone #: 419, 306-8472 Owner's Email: jason.yuhasz@legacypro.com
 Signature of Owner: [Signature] Print Name: Jason Yuhasz
 Subscribed and sworn to before me, a Notary Public in and for the County of Saginaw State of MI
 on this 19th day of July 2021
 Signature of Notary: [Signature] My commission expires 05/30/27
 Acting in the County of Saginaw

3705 ANN ARBOR ROAD

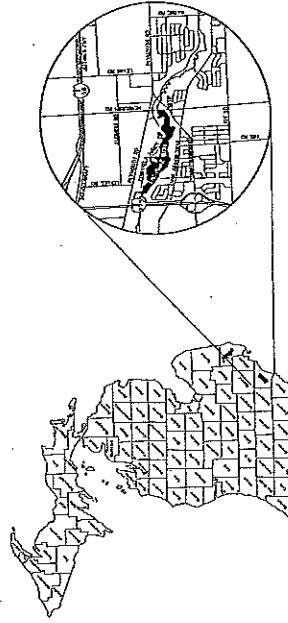
SECTION 31, T.1S-R.9E
CITY OF LIVONIA
WAYNE, MICHIGAN

CLIENT:

JAMEEL ALHADISS
3125 FLUSHING ROAD
FLINT, MI 48504

ENGINEER:

D AND M SITE, INC
P.O. BOX 159
CARROLLTON, MICHIGAN 48724
(989) 752-6500



LOCATION MAP
NOT TO SCALE

SHEET INDEX

- C1.0 - COVER SHEET
- C2.0 - SURVEY DRAWING
- C3.0 - DEMOLITION PLAN
- C4.0 - SITE PLAN
- A-1 - ARCHITECTURAL FLOOR PLAN
- A-2 - BUILDING ELEVATIONS

DESCRIPTION OF THE PROJECT AND THE PROJECT SITE
THE PROJECT SITE IS A 1.5 ACRE PARCEL OF LAND
LOCATED IN SECTION 31, T.1S-R.9E, CITY OF LIVONIA,
WAYNE COUNTY, MICHIGAN. THE PROJECT SITE IS
CURRENTLY OCCUPIED BY A BUILDING AND IS TO BE
DEMOLISHED AND REDEVELOPED. THE PROJECT SITE
IS ADJACENT TO ANN ARBOR ROAD TO THE NORTH
AND FLUSHING ROAD TO THE EAST. THE PROJECT
SITE IS SURVEYED AND SHOWN ON THE ATTACHED
SITE PLAN. THE PROJECT SITE IS TO BE REDEVELOPED
FOR RESIDENTIAL USE. THE PROJECT SITE IS TO BE
REDEVELOPED FOR RESIDENTIAL USE.

COVER SHEET		SECTION 31, T.1S-R.9E WAYNE COUNTY, MICHIGAN CITY OF LIVONIA 1002 LAPEER AVENUE	
JAMEEL ALHADISS 3125 FLUSHING ROAD FLINT, MICHIGAN 48504		D AND M SITE, INC P.O. BOX 159 CARROLLTON, MICHIGAN 48724 (989) 752-6500	
PROJECT NO. 2021-01A		PROJECT NO. 2021-01A	
DATE: 10-10-2021		DATE: 10-10-2021	
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SHEET NO. 1 OF 8		SHEET NO. 1 OF 8	

3705 ANN ARBOR ROAD

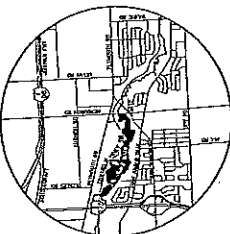
WAYNE COUNTY, MICHIGAN

JAMIEL ALHABISS
3215 FLUSHING ROAD
FLMT, MICHIGAN 48504

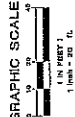
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LOCATION MAP



LEGEND

LEGEND	
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4	4. AIR FREQUENCY (km)
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PAGE 1 - SOUTHWESTERN UPPER FLAIZE BOX 011 NVD ON
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NAVJAG JUDGE

2025 RELEASE UNDER E.O. 14176

FLOODPLAIN INFORMATION

FLOODPLAIN INFORMATION

CITY OF LIVERIA
KANE COUNTY, ILLINOIS
SWP NUMBER 288-32286
EFFECTIVE DATE 02-01-2012
FLOOD ZONE X (PER FIRM)
AREA OF MINIMAL FLOOD HAZARD

UTILITY CONTRACTS

UTILITY CONTACTS	DAY AND EVENING
TOLLFREE	N/A

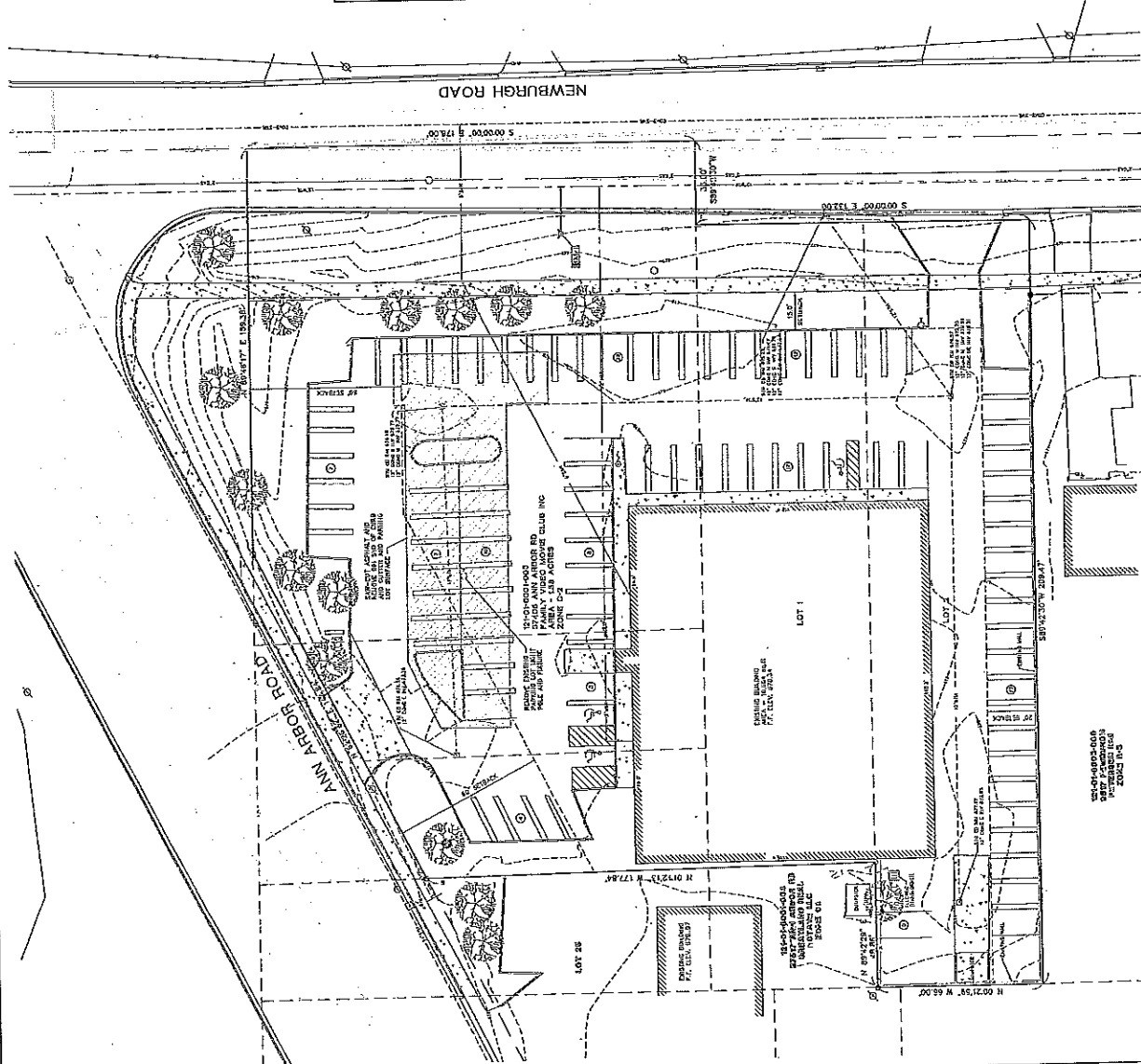
RESEARCH REPORT

WATER/SEWER
CITY ENGINEERING
3000 CHIEF OFTEN DR.
CITY HALL ANNEX
LIVESTOCK DIVISION
LIVESTOCK DIVISION

UTILITY NOTE

[illegible]

LEGAL DESIGNS

[illegible][illegible]

U.S. GOVERNMENT PRINTING OFFICE: 1964

PROPOSED EXISTING RENOVATED BUILDING FLOOR PLAN

CONVENIENCE STORE / GAS STATION

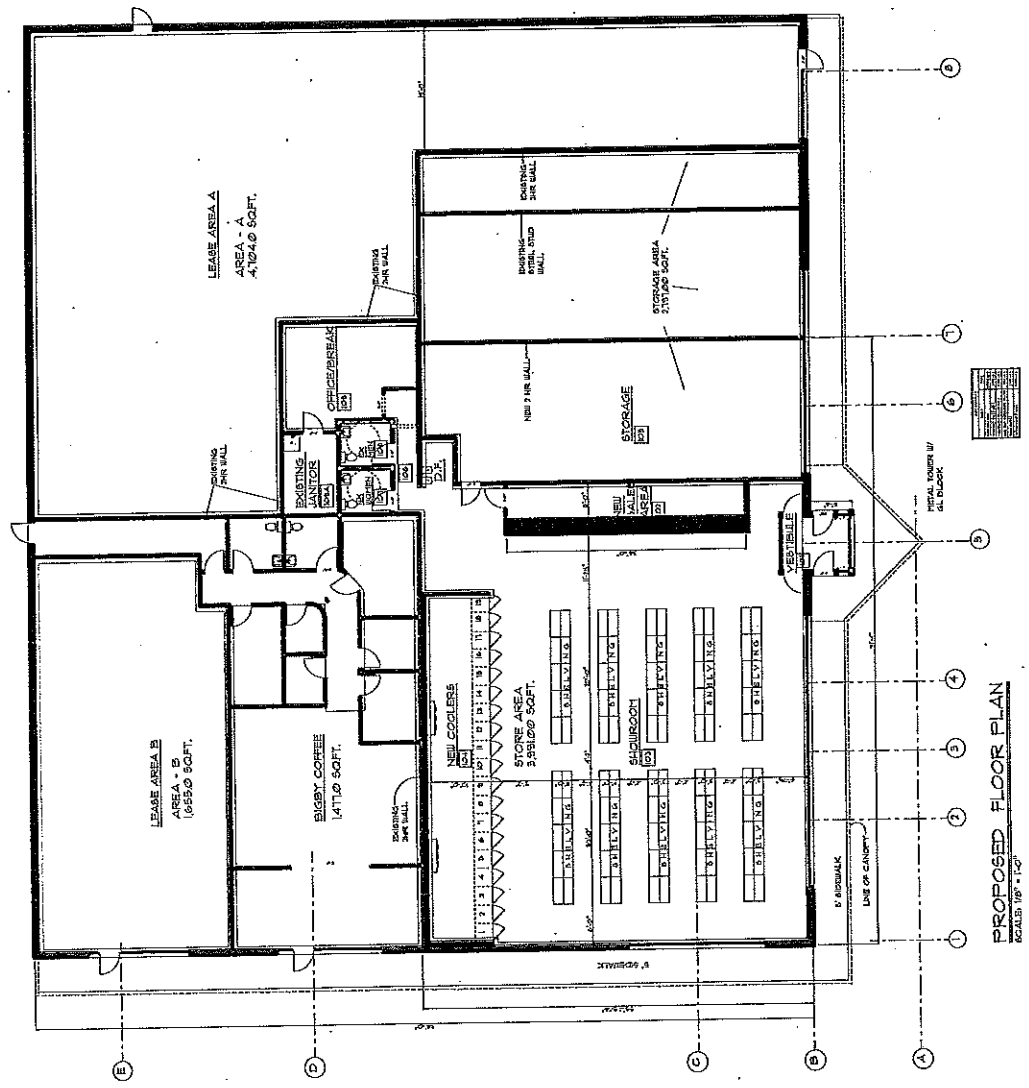
LYNN H 48150
5105 AMERSON RD.
LYNN, MA 01903

DATE: 1/25/2021
SCALE: 1/8" = 1'-0"
JOB # 202119
BRANN, RW
LEAST RENTED DATE
CANNON, RW 1/25/2021
PHONE: 978/799-1135



AUSTIN AND ASSOCIATES
ARCHITECTS AND PLANNERS

8020 AUSTIN & ASSOCIATES ARCHITECTS & PLANNERS THESE DRAWINGS AND SPECIFICATIONS ARE THE CONFIDENTIAL AND PROPRIETARY PROPERTY OF AUSTIN & ASSOCIATES AND SHALL NOT BE COPIED OR REPRODUCED WITHOUT WRITTEN AUTHORIZATION. THE CONTRACT DOCUMENTS WERE PREPARED FOR USE ON THE SPECIFIC SITE IN CONNECTION WITH THIS BUILDING AND ARE NOT SUITABLE FOR USE ON A DIFFERENT SITE OR AT A LATER TIME. USE OF THESE DRAWINGS FOR REFERENCE OR FOR REUSE ON ANOTHER PROJECT REQUIRES THE SERVICES OF PROPERLY LICENSED ARCHITECTS AND ENGINEERS. REPRODUCTION OF THE CONTRACT DOCUMENTS FOR REUSE ON ANOTHER PROJECT IS NOT AUTHORIZED.



PROPOSED FLOOR PLAN
SCALE: 1/8" = 1'-0"

2020 AUSTIN & ASSOCIATES ARCHITECTS & PLANNERS THESE DRAWINGS AND SPECIFICATIONS ARE THE CONVEGENTIAL AND PROPRIETARY PROPERTY OF AUSTIN & ASSOCIATES AND SHALL NOT BE COPIED OR REPRODUCED WITHOUT WRITTEN AUTHORIZATION. THE CONTRACT DOCUMENTS WERE PREPARED FOR USE ON THE SPECIFIC SITE IN CONNECTION WITH ITS ISSUE DATE AND ARE NOT SUITABLE FOR USE ON A DIFFERENT SITE OR AT A LATER TIME. USE OF THESE DRAWINGS FOR REFERENCE OR EXAMPLE ON ANOTHER PROJECT REQUIRES THE SERVICES OF PROPERLY LICENSED ARCHITECTS AND ENGINEERS. REPRODUCTION OF THE CONTRACT DOCUMENTS FOR REUSE ON ANOTHER PROJECT IS NOT AUTHORIZED.

PROPOSED EXISTING BUILDING RENOVATION: BUILDING ELEVATIONS

CONVENIENCE STORE / GAS STATION

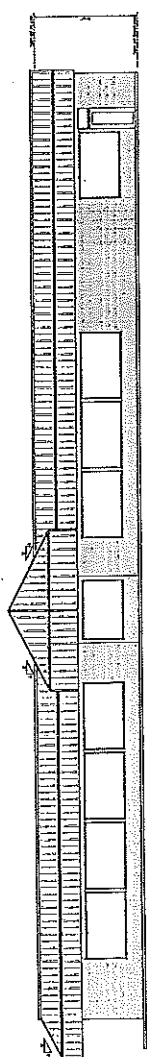
27005 NEILSON RD.
LATHAM, NY 14853

A-2
SHEET 2 OF 2

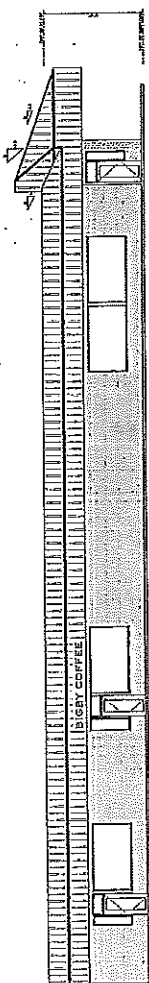
AUSTIN AND ASSOCIATES
ARCHITECTS AND PLANNERS
1005 EAST MAIN STREET
SUITE 200
LATHAM, NY 14853
PHONE: 607.799.1900

DATE: 7/15/2021
JOB #: 202178
DRAWN: JNY
SCALE: 1/8" = 1'-0"

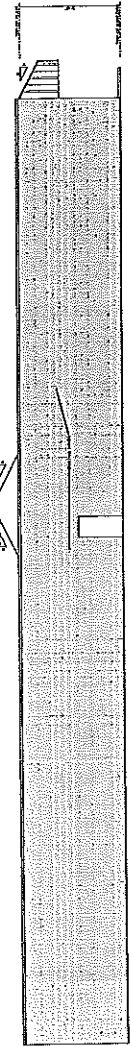
DATE	REVISION / RELEASE	DATE	REVISION / RELEASE



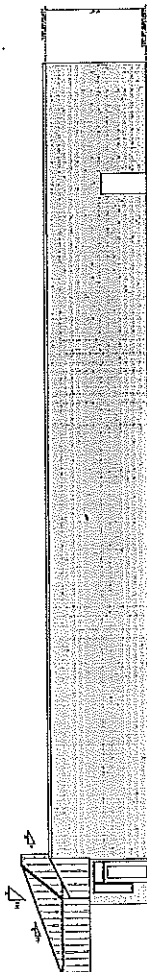
NORTH ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

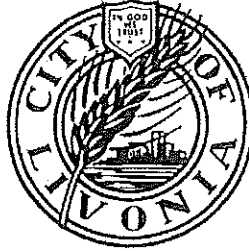


WEST ELEVATION
SCALE: 1/8" = 1'-0"

EXHIBIT 2

PLANNING COMMISSION

IAN WILSHAW, Chairman
GLEN W. LONG, JR., Vice Chairman
SAM CARAMAGNO, Secretary
DAVID BONGERO
ELIZABETH McCUE
CAROL A. SMILEY
PETER H. VENTURA



33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2290 Fax (734) 466-2108

MAUREEN MILLER BROSNAN
MAYOR

MARK TAORMINA
PLANNING & ECONOMIC
DEVELOPMENT DIRECTOR

JACOB UHAZIE
PLANNING & ECONOMIC DEVELOPMENT
COORDINATOR

SCOTT O. MILLER
PLANNER IV

August 19, 2021

Quik Stop, Inc.
Jameel Alhadiss
3215 Flushing Road
Flint, MI 48504

Re: Petition 2021-07-02-12 – Quik Stop, Inc.

Dear Mr. Alhadiss:

At the 1,174th Public Hearings and Regular Meeting held by the City Planning Commission on August 17, 2021, in the Livonia City Hall, the following resolution was adopted:

#08-42-2021 **RESOLVED**, That the City Planning Commission does hereby deny Petition 2021-07-02-12 submitted by Quik Stop, Inc. requesting approval of all plans required by Sections 11.03(a) and 18.58 of the City of Livonia Zoning Ordinance #543, as amended, in connection with a proposal to add fuel pumps and operate a gasoline service station at 37405 Ann Arbor Road, located at the southwest corner of Ann Arbor and Newburgh Roads in the Northeast ¼ of Section 31, for the following reasons:

1. That the petitioner has failed to comply with all general standards and requirements as set forth in Sections 11.03 and 19.06 of the Zoning Ordinance.
2. That the petitioner has failed to demonstrate the need in the area for the type of commercial service proposed to be operated on the subject site.
3. That the petitioner has failed to adequately demonstrate that the site has the capacity to accommodate the proposed use.
4. That the operation of a gasoline service station on this site would have a negative effect upon the neighboring properties.

To: Mr. Jameel Alhadiss
Re: 2021-07-02-12 – Quik Stop, Inc.

August 19, 2021
Page 2

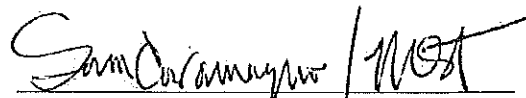
5. That the proposed use would unduly tax and conflict with the established and normal traffic flow of the area.
6. That the proposal creates significant adverse impacts on adjoining parcels, public services, and community planning efforts.
7. That the petitioner has not sufficiently demonstrated that the operation of a gasoline service station would be compatible to and in harmony with the surrounding uses in the area, and
8. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

Please be advised that the petitioner has 10 days to appeal the decision in writing to the Livonia City Council, pursuant to Section 19.08 of the Zoning Ordinance No 543, as amended. The fee for an appeal is \$300.00.

Very truly yours,

CITY PLANNING COMMISSION


Sam Caramagno, Secretary

cc: D & M Site, Inc., Dennis Banaszak, 401 Balasam, PO Box 159, Carrollton, MI 48724
Family Video Movie Club, Inc., 2701 Lawrence Ave., Springfield, IL 62704

Petition 2021-07-02-12 submitted by Quik Stop, Inc. requesting approval of all plans required by Sections 11.03(a) and 18.58 of the City of Livonia Zoning Ordinance #543, as amended, in connection with a proposal to add fuel pumps and operate a gasoline service station at 37405 Ann Arbor Road, located at the southwest corner of Ann Arbor and Newburgh Roads in the Northeast ¼ of Section 31.

fee # 71515
\$600.00
Planning
Waiver Use
Pet-2021-07-02-12

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

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

Date Filed: 19 July 2021 Petition 2021-07-02-12
Site Address: 3705 Ann Arbor Road Sidwell 121-01-0001-003 Zoning of Property C-2
Requesting Approval To 37405 Redevelop part of a former Family Video as a gas station
Applicant: Jameel Alhadiss Business/Company: Quik Stop, Inc.
Applicant's Address: 3215 Flushing Road City: Flint State: MI Zip Code: 48504
Applicant's Phone # (810) 288-5822 Applicant's Email jameelalhadiss@gmail.com
Contact Person: Dennis W. Banaszak Business/Company: D&M Site, Inc.
Contact's Address: 401 Balsam P.O.Box 159 City: Carrollton State: MI Zip Code: 48724
Contact's Phone # (989) 752-6500 Contact's Email dbanaszak@dandmsite.com

Please provide the following information:

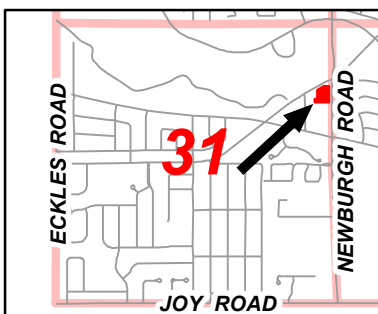
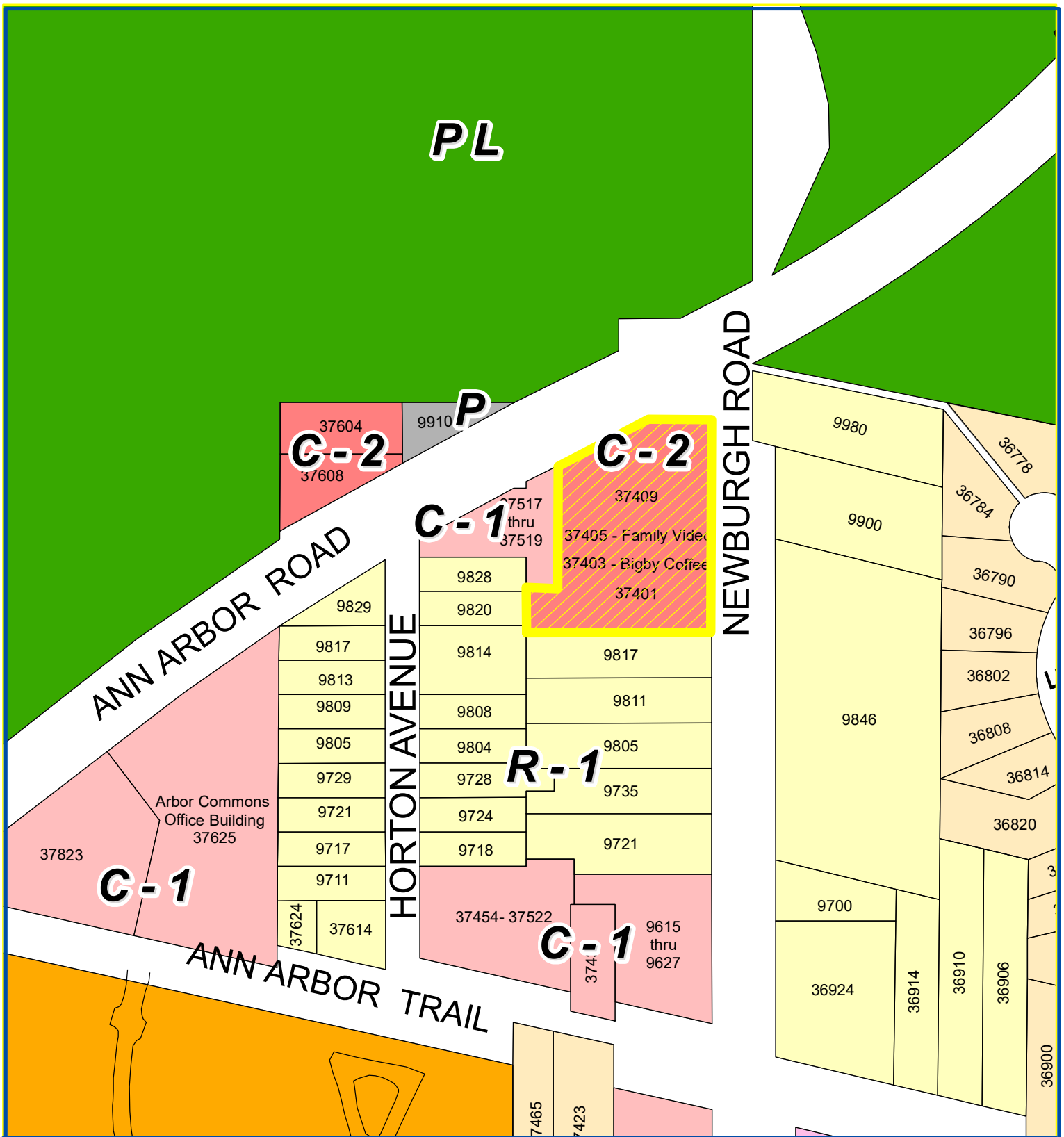
- 1) **Site Plan** showing:
 - property dimensions, including road right-of-way & building setback lines
 - foot print of building(s), including dimensions & square footage
 - all easements, protective walls, sidewalks & existing trees
 - any significant topographic features (existing or proposed)
 -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

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

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

Owner of Property: Family Video Movie Club, Inc.
Owner's Address: 2701 Lawrence Ave. City: Springfield State: IL Zip Code: 62704
Owner's Phone # (419) 306-8472 Owner's Email jason.yuhasz@legacypro.com
Signature of Owner: [Signature] Print Name: Jason Yuhasz
Subscribed and sworn to before me, a Notary Public in and for the County of Saginaw State of MI
on this 19th day of July 20 21
Signature of Notary [Signature] My commission expires 5/26/2027
Acting in the County of Saginaw

RECEIVED
JUL 19 2021
CITY OF LIVONIA
PLANNING COMMISSION
RECEIVED
OFFICE OF THE CITY CLERK
2021 JUL 19 PM 2:37



Address & Zoning Map

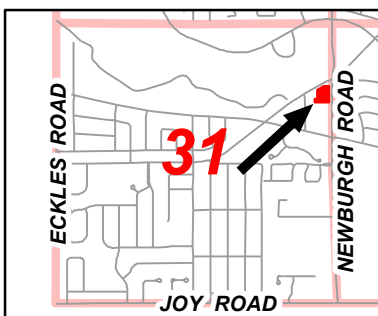
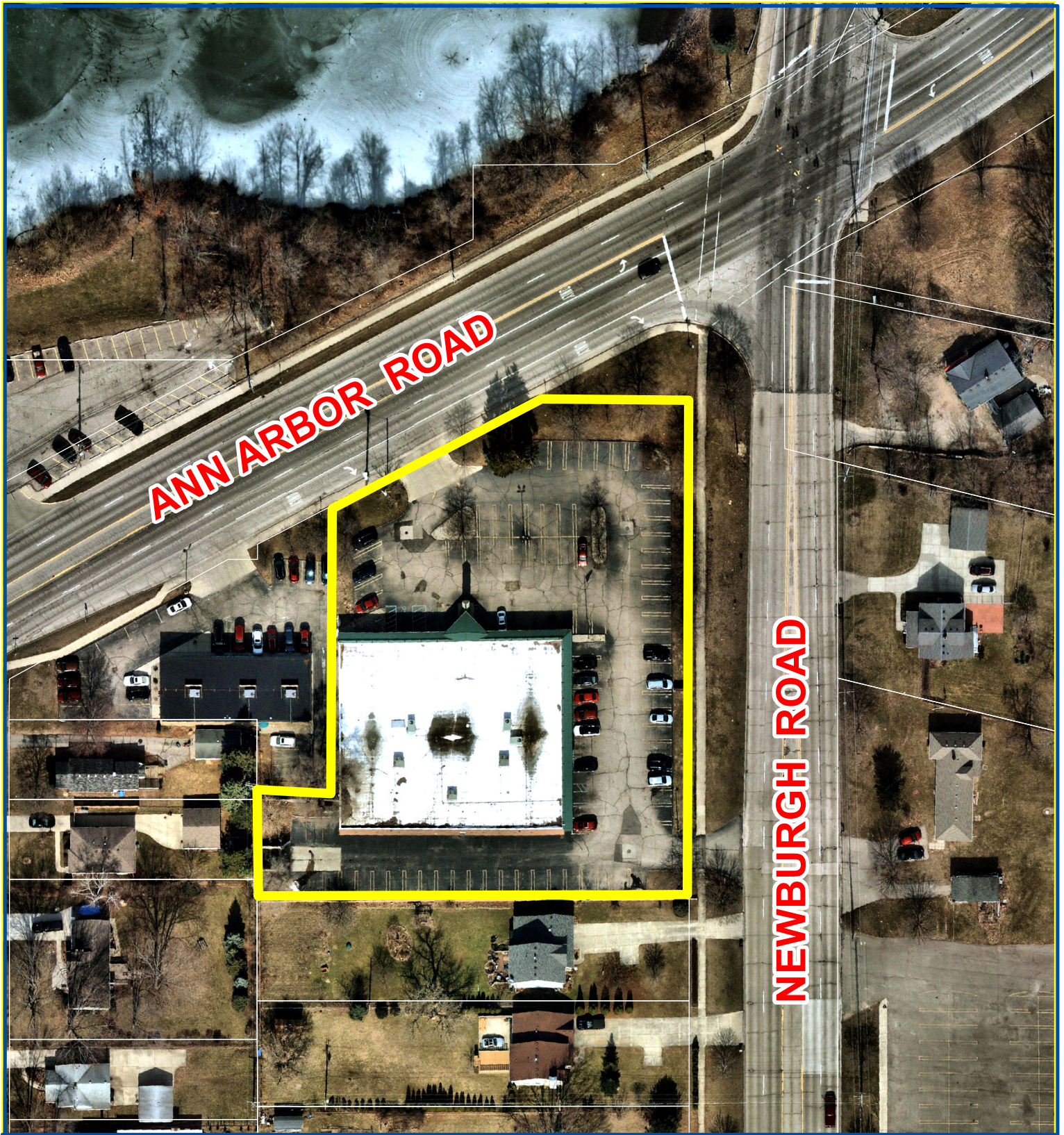
Petition 2021-07-02-12
 Quik Stop, Inc.
 37405 Ann Arbor Road
 operate a gasoline service station



Not to Scale



City of Livonia
 Planning Department



Aerial Map

Petition 2021-07-02-12
Quik Stop, Inc.
37405 Ann Arbor Road
operate a gasoline service station



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PUBLIC HEARING

ITEM 3

Petition 2021-07-02-12 submitted by Quik Stop, Inc. requesting approval of all plans required by Sections 11.03(a) and 18.58 of the City of Livonia Zoning Ordinance #543, as amended, in connection with a proposal to add fuel pumps and operate a gasoline service station at 37405 Ann Arbor Road, located at the southwest corner of Ann Arbor and Newburgh Roads in the Northeast $\frac{1}{4}$ of Section 31.

August 10, 2021: Study Meeting:

This petition involves a request for waiver use approval to add fuel pumps and operate a gas station within an existing multi-tenant retail building located at the southwest corner of Ann Arbor and Newburgh Roads. The existing building contains a gross floor area of approximately 16,520 square feet and is divided into four (4) leasable retail tenant spaces. The unit where the gas station would operate was most recently occupied by a Family Video. It measures 3,991 square feet and is located in the northeast corner of the building. Biggby Coffee is a tenant in a 1,477 square foot unit on the east side of the building. Two (2) units identified as Lease Area A and Lease Area B totaling approximately 6,360 square feet are currently vacant. In the northwest corner of the building, the floor plan shows three (3) separate spaces totaling approximately 2,800 square feet being used for storage.

The property involved in this request is zoned C-2, General Business. The operation of a gasoline service station is allowed with waiver use approval in the C-2 District under the provisions set forth in Section 11.03(a) of the Zoning Ordinance.

South and partially to the west of the subject site are developed single family homes zoned R-1, One Family Residential. Also to the west is a three-unit retail building zoned C-1, Local Business. To the north, across Ann Arbor Road, is Newburgh Lake. And to the east, across Newburgh Road, are residential homes and a large parking lot for the church located on the northeast corner of Newburgh Road and Ann Arbor Trail.

The only change to the site would be the addition of the fuel pumps and an overhead canopy. The five (5) proposed pumps would eliminate approximately twenty-six (26) parking spaces. Vehicles would continue to enter or exit the site using the existing driveways off Ann Arbor and Newburgh Roads.

The submitted floor plan shows the interior of the new station would consist of a large display/sales area, coolers, a sales counter, men's and women's bathrooms, an office, and a utility room/janitor's closet.

The storefront and main entrance would face north towards Ann Arbor Road. Five (5) gasoline pumps are shown between the building and Ann Arbor Road. The pumps would be covered by a freestanding canopy that measures 28'-0" x 129'-0". In a C-2 zoning district, pump island canopies cannot exceed a height of eighteen feet (18'). A

note on the plans indicates that the height of the proposed canopy would not exceed eighteen feet (18') in height. Canopies must be at least ten feet (10') from any property line. At its closest point, the proposed canopy is approximately thirty-three feet (33') from the right-of-way of Ann Arbor Road and forty feet (40') from the right-of-way of Newburgh Road. A cutsheet of the canopy and its support columns has not been submitted at this time, so building materials for these features are unknown.

Required parking for general retail, including gas stations, is based on a ratio of one (1) space for each 150 square feet of usable floor space. Based on the usable floor area of the entire building ($16,520 \times 80\% \div 150$), no fewer than eighty-nine (89) parking spaces are required. With the elimination of the parking spaces needed for the gasoline pumps, the site would have eighty-one (81) spaces available, which is a deficiency of eight (8) parking spaces. A variance for deficient parking would be required by the Zoning Board of Appeals.

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. Also allowed are signs 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 to exceed one hundred (100) square feet. The plans do not indicate any type of proposed signage for the site or building; therefore, signage was not reviewed as part of this petition.

No other site changes or improvements, including to the elevations of the building or the site's landscaping, are proposed as part of this petition.

August 17, 2021: Public Hearing:

Denying Reasons: That the request to operate a gasoline service station at 37400 Ann Arbor Road is hereby denied for the following reasons:

1. That the petitioner has failed to comply with all general standards and requirements as set forth in Sections 11.03 and 19.06 of the Zoning Ordinance.
2. That the petitioner has failed to demonstrate the need in the area for the type of commercial service proposed to be operated on the subject site.
3. That the petitioner has failed to adequately demonstrate that the site has the capacity to accommodate the proposed use.
4. That the operation of a gasoline service station on this site would have a negative effect upon the neighboring properties.

PUBLIC HEARING

ITEM 3 Petition 2021-07-02-12 – Quik Stop

Page 3

5. That the proposed use would unduly tax and conflict with the established and normal traffic flow of the area.
6. That the proposal creates significant adverse impacts on adjoining parcels, public services, and community planning efforts.
7. That the petitioner has not sufficiently demonstrated that the operation of a gasoline service station would be compatible to and in harmony with the surrounding uses in the area, and
8. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

Approving Resolution: That the request to operate a gasoline service station at 37400 Ann Arbor Road is hereby approved, subject to City Council approval and the following conditions:

1. This approval is subject to City Council waiving the requirement in Section 11.03(a)(10) that specifies no gasoline service station be allowed within a 400 feet radius of any residential district without written consent of at least 65% of those residential property owners.
2. That the Site Plan identified as C4.0, dated July 16, 2021, as revised, prepared by D&M Site Inc. is hereby approved and shall be adhered to.
3. That this approval is subject to the petitioner being granted a variance from the Zoning Board of Appeals for deficient parking and any conditions related thereto.
4. That the gas pump island canopy shall not exceed eighteen feet (18') in height and its support columns shall be covered with brick or another masonry material that compliments the building.
5. 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.
6. That 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 roadway.

7. No outside storage, placement or display of merchandise shall be permitted at any time on this site; however, the foregoing prohibition shall not apply to the display, on the pump islands only, of oil-based products as permitted in Section 11.03(a)(12) of the Zoning Ordinance.
8. Pursuant to Section 11.03(a)(13), free air shall be provided at all times this station is open for business. The free air shall be dispensed at the point of service without having to enter the station or perform any extra action to obtain the air without charge.
9. That there shall be no vehicle vacuum equipment or outdoor placement/storage of propane cylinder storage units on the site.
10. That the sale of ice shall be restricted to the inside of the building.
11. 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.
12. That no part of the pump island canopy fascia, except for signage, shall be illuminated.
13. That 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.
14. That unless approved by the proper local authority, any type of exterior advertising, such as promotional flags, streamers or sponsor vehicles designed to attract the attention of passing motorists, shall be prohibited.
15. 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,
16. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

SECTION 31, T.1S-R.9E
CITY OF LIVONIA
WAYNE, MICHIGAN

**JAMEEL ALHADISS
3125 FLUSHING ROAD
FLINT, MI 48504**

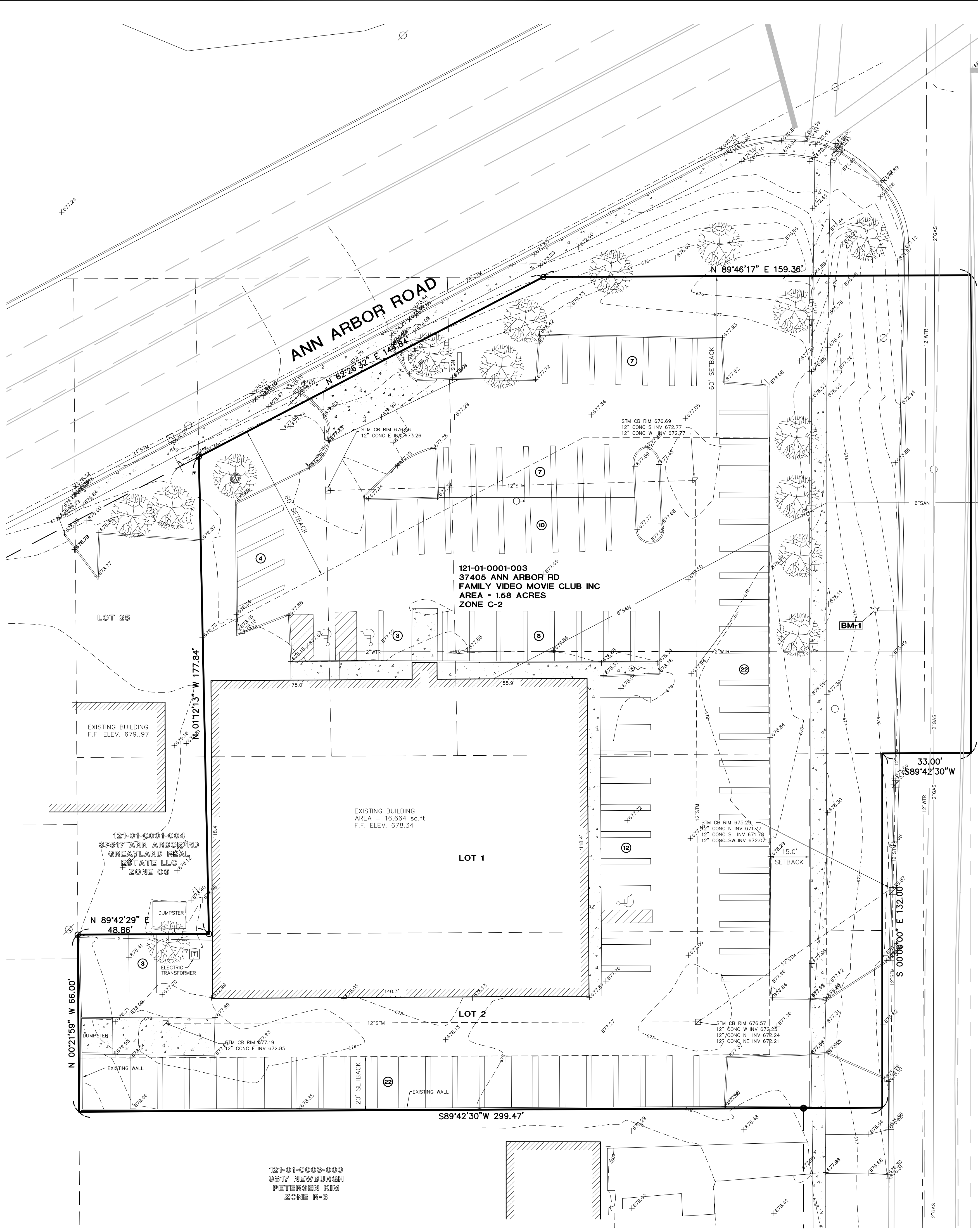
**D AND M SITE, INC
P.O. BOX 159
CARROLLTON, MICHIGAN 48724
(989) 752-6500**



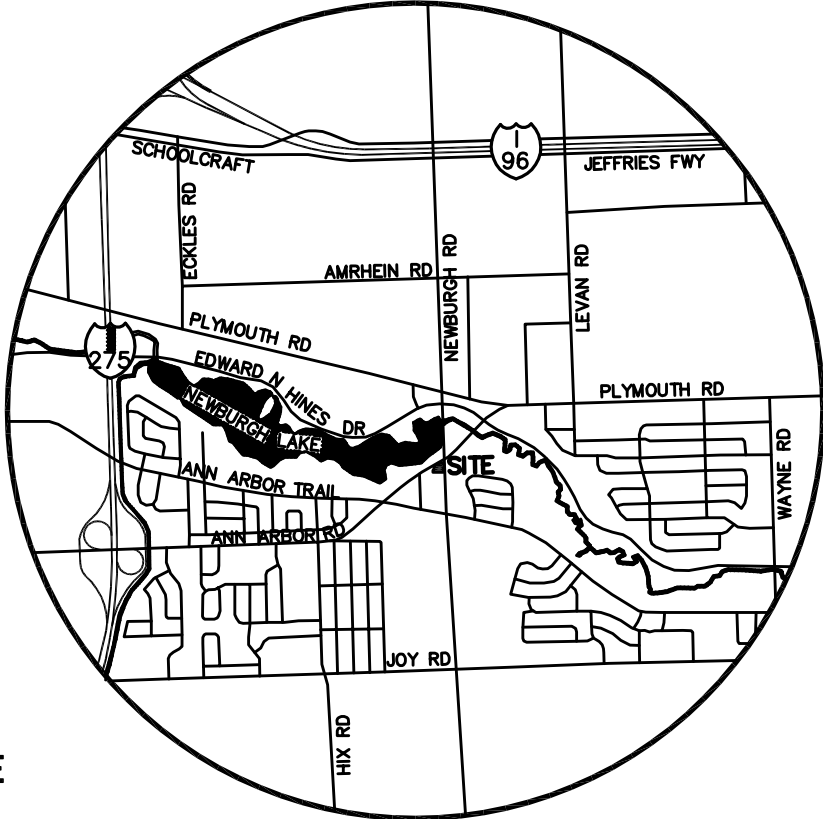
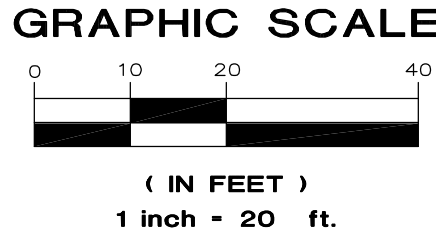
SHEET INDEX

- C1.0 - COVER SHEET
C2.0 - SURVEY DRAWING
C3.0 - DEMOLITION PLAN
C4.0 - SITE PLAN
A-1 - ARCHITECTURAL FLOOR PLAN
A-2 - BUILDING ELEVATIONS

**D&M SITE INC.**
Surveying • Inspection • Testing • Engineering
401 BALSAM STREET PO BOX 159, CARROLLTON, MICHIGAN 48724
PHONE (989) 752-4500 • FAX (989) 752-4600



NEWBURGH ROAD



LOCATION MAP
NOT TO SCALE

LEGEND

	MONUMENT / SECTION CORNER
	FOUND PROPERTY IRON
	SET PROPERTY IRON
	EXISTING CATCHBASIN
	EXISTING MANHOLE/CATCHBASIN
	EXISTING MANHOLE
	EXISTING HYDRANT
	EXISTING VALVE
	EXISTING SANITARY SEWER
	EXISTING STORM SEWER
	EXISTING WATERMAIN
	EXISTING FENCE LINE
	EXISTING UNDERGROUND ELECTRIC LINE
	EXISTING UNDERGROUND GAS LINE
	EXISTING UNDERGROUND TELEPHONE LINE
	EXISTING CENTERLINE
	EXISTING OVERHEAD ELECTRICAL WIRES
	EXISTING MAILBOX / NEWSPAPER BOX
	EXISTING SIGN
	EXISTING DECIDUOUS TREES
	EXISTING CONIFEROUS TREES
	EXISTING UTILITY POWER POLE
	EXISTING TELEPHONE RISER

BENCHMARKS

B.M. #1 - SOUTHWESTLY UPPER FLANGE BOLT ON HYD ON WEST SIDE OF NEWBURGH RD. 677.41 NAVD 88

ZONING INFORMATION

ZONED- C-2 GENERAL BUSINESS
SETBACKS:
FRONT: 60 FEET
REAR: 10 FEET
SIDE: AT LEAST ONE SIDEYARD, MIN. 20 FEET

FLOODPLAIN INFORMATION

CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN
MAP NUMBER: 28163221E
EFFECTIVE DATE: 02-02-2012
FLOOD ZONE: X (PER FIRM)
AREA OF MINIMAL FLOOD HAZARD

UTILITY CONTACTS

TELEPHONE	GAS AND ELECTRIC
N/A	N/A
ZONING	
CITY OF LIVONIA 33000 CIVIC CENTER DR. CITY HALL, 3RD FLOOR LIVONIA, MI 48154, MICHIGAN (734) 466-2290	
WATER/SEWER	
CITY ENGINEERING 33000 CIVIC CENTER DR. CITY HALL ANNEX LIVONIA, MI 48154, MICHIGAN (734) 466-2570	

UTILITY NOTE

THE UTILITY LOCATIONS AS HEREON SHOWN ARE BASED ON FIELD OBSERVATIONS AND A CAREFUL REVIEW OF MUNICIPAL AND UTILITY RECORDS. HOWEVER, IT IS NOT POSSIBLE TO DETERMINE THE PRECISE SIZE, LOCATION, DEPTH, PRESSURE, OR ANY OTHER CHARACTERISTICS OF UNDERGROUND UTILITIES, TANKS OR SEPTIC FIELDS WITHOUT EXCAVATION. THEREFORE, WE CANNOT GUARANTEE THE ACCURACY OF COMPLETENESS OF THE BURIED UTILITY INFORMATION HEREON SHOWN. THE CONTRACTOR SHALL CALL MISS DIGG (1-800-482-7171) A MINIMUM OF THREE WORKING DAYS PRIOR TO ANY EXCAVATION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THESE UTILITY LOCATIONS PRIOR TO CONSTRUCTION AND MAKE EVERY EFFORT TO PROTECT AND/OR RELOCATE THEM AS REQUIRED. THE CONTRACTOR SHALL NOTIFY THE ENGINEER/SURVEYOR AS SOON AS POSSIBLE IN THE EVENT A DISCREPANCY IS FOUND.

CERTIFICATION

I, BRIAN D FERGUSON, A PROFESSIONAL SURVEYOR, BEING DULY LICENSED BY THE STATE OF MICHIGAN, DO HEREBY CERTIFY THAT I HAVE CAUSED THE PROPERTY HEREON SHOWN TO BE SURVEYED AND MAPPED IN ACCORDANCE WITH ALL LOCAL AND STATE ACCEPTED PRACTICES FOR THE ACCURACY OF A SURVEY OF THIS TYPE. I ALSO CERTIFY THAT THE EXISTING CONDITIONS OF THE PROPERTY ARE AS SHOWN HEREON.

BRIAN D FERGUSON, PS #401026454 DATE

PREPARED UNDER THE SUPERVISION OF:

PROJECT LOG

FILE:	2021-259
PROJECT MGR:	JDM
DESIGNED BY:	
DRAWN BY:	ZAA
CHECKED BY:	
SCALE:	1" = 20'
SHEET:	2 OF 4

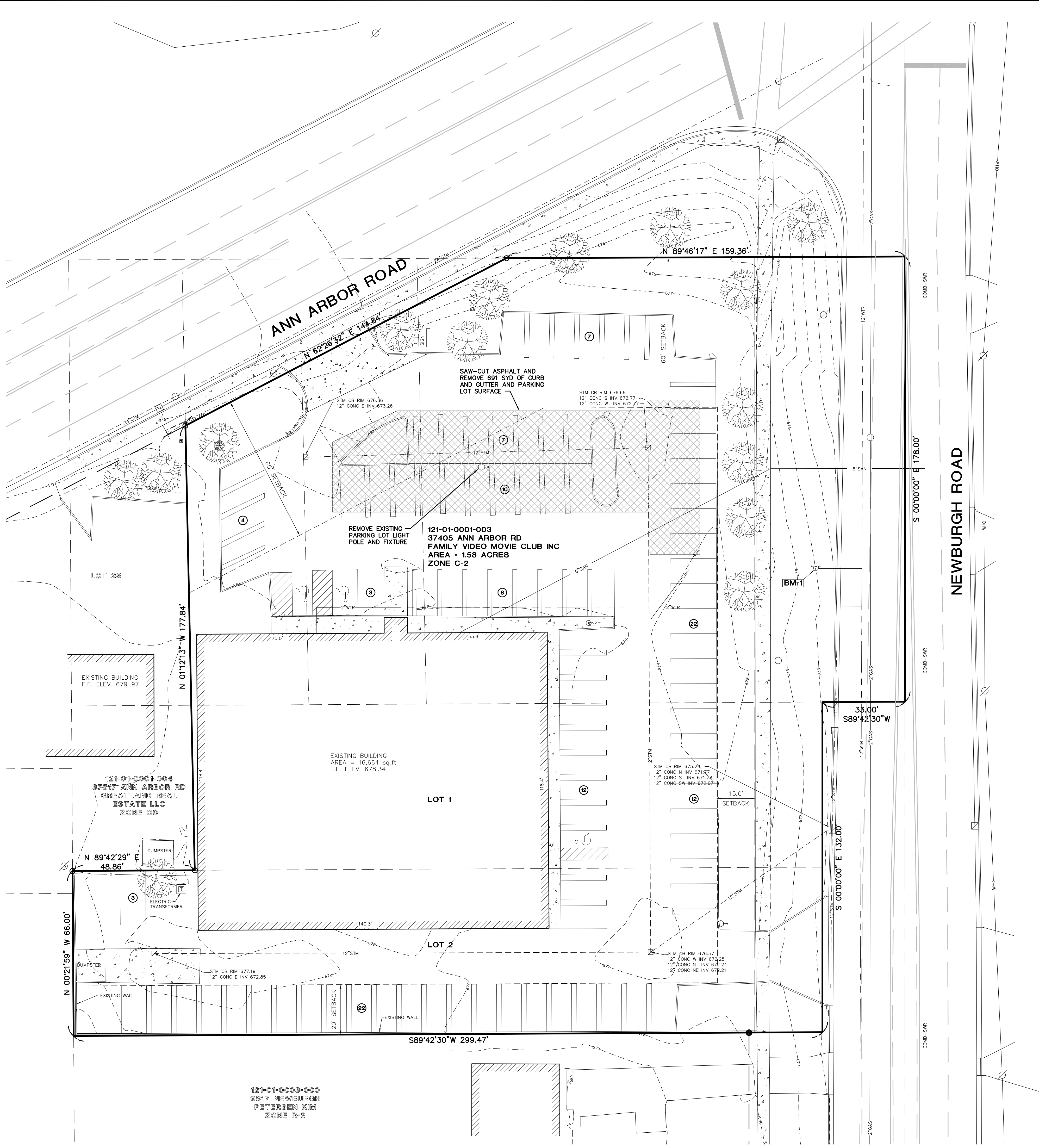
3705 ANN ARBOR ROAD

SECTION 31, T1S-R4E
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

ALTA/NSPS LAND TITLE SURVEY

D&M SITE INC.
Surveying • Inspection • Testing • Engineering
401 BALSAM STREET PO BOX 159, CARROLLTON, MICHIGAN 48724
PHONE (989) 752-6500 • FAX (989) 752-6600

C2.0
2021.259



LEGAL DESCRIPTION

LOT #1 (EXCEPT THE WEST 46 FEET THEREOF) AND LOT #2 OF HORTON'S SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 31, LIVONIA TOWNSHIP (NOW CITY OF LIVONIA), WAYNE COUNTY, MICHIGAN, AS RECORDED IN LIBER 32 OF PLATS, PAGE 24, WAYNE COUNTY RECORDS; ALSO LOTS 26 AND 27, EXCEPT THAT PART TAKEN FOR THE OPENING OF ANN ARBOR ROAD, OF HORTON'S NEWBURGH SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 31, TOWN 1 SOUTH, RANGE 9 EAST, LIVONIA TOWNSHIP (NOW CITY OF LIVONIA), WAYNE COUNTY, MICHIGAN, AS RECORDED IN LIBER 37 OF PLATS, PAGE 67, WAYNE COUNTY RECORDS; ALSO PART OF THE NORTHEAST 1/4 OF SECTION 31, TOWN 1 SOUTH, RANGE 9 EAST, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN, AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID HORTON'S SUBDIVISION LIBER 32 PLATS, PAGE 24, WAYNE COUNTY RECORDS WITH THE EAST LINE OF SECTION 31, TOWN 1 SOUTH, RANGE 9 EAST, SAID POINT BEING DUE NORTH A MEASURED DISTANCE OF 1,265.73 FEET; AS MEASURED ALONG THE EAST LINE OF SECTION 31, (SAID LINE BEING ALSO THE CENTER LINE OF NEWBURGH ROAD, 66 FEET WIDE) FROM THE EAST 1/4 CORNER OF SAID SECTION 31; PROCEEDING THENCE FROM SAID POINT OF BEGINNING, SOUTH 89 DEGREES 42 MINUTES 30 SECONDS WEST ALONG THE NORTH LINE OF SAID HORTON'S SUBDIVISION A DISTANCE OF 33.00 FEET TO THE NORTHEAST CORNER OF LOT 1 OF SAID SUBDIVISION; THENCE DUE SOUTH ALONG THE WEST LINE OF NEWBURGH ROAD (66 FEET WIDE) SAID LINE BEING ALSO THE EAST LINE OF LOTS #1 AND #2 OF HORTON'S SUBDIVISION, A DISTANCE OF 132.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT #2; THENCE SOUTH 89 DEGREES 42 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT #2 A MEASURED DISTANCE OF 299.47 FEET (RECORDED 297.00 FEET) TO THE SOUTHWEST CORNER OF SAID LOT #2; THENCE NORTH 00 DEGREES 22 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF LOT #2 (SAID LINE BEING ALSO THE WEST LINE OF HORTON'S SUBDIVISION A DISTANCE OF 66.00 FEET TO THE NORTHWEST CORNER OF SAID LOT #2; THENCE NORTH 89 DEGREES 42 MINUTES 30 SECONDS EAST ALONG THE NORTH LINE OF LOT #2 A MEASURED DISTANCE OF 48.86 FEET (DESCRIBED 46.00 FEET) TO A POINT; THENCE NORTH 01 DEGREES 12 MINUTES 14 SECONDS WEST ACROSS LOT #1 OF HORTON'S SUBDIVISION AND ALONG PART OF THE WEST LINE OF LOT 26 OF SAID HORTON'S NEWBURGH SUBDIVISION LIBER 37, PAGE 67, PLATS, WAYNE COUNTY RECORDS) AS OCCUPIED, A DISTANCE OF 177.84 FEET TO A POINT ON THE SOUTHERLY LINE OF ANN ARBOR ROAD (106 FEET WIDE AT THIS POINT) AS OPENED THROUGH HORTON'S NEWBURGH SUBDIVISION, THENCE NORTH 62 DEGREES 26 MINUTES 31 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID ANN ARBOR ROAD, A DISTANCE OF 144.84 FEET TO A POINT ON THE SOUTHERLY LINE OF FORMER RIVERVIEW AVENUE, AS PLATTED IN SAID HORTON'S NEWBURGH SUBDIVISION; THENCE NORTH 89 DEGREES 46 MINUTES 17 SECONDS EAST ALONG THE SOUTH LINE OF FORMER RIVERVIEW AVENUE (NOW ANN ARBOR ROAD) A MEASURED DISTANCE OF 159.36 FEET (DESCRIBED 155.42 FEET) TO A POINT ON THE EAST LINE OF SAID SECTION 31; THENCE DUE SOUTH ALONG THE EAST LINE OF SAID SECTION 31 (SAID LINE BEING ALSO THE CENTERLINE OF NEWBURGH ROAD) A DISTANCE OF 178.00 FEET TO THE POINT OF BEGINNING, EXCEPTING:

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LEGEND	
	MONUMENT / SECTION CORNER
	FOUND PROPERTY IRON
	SET PROPERTY IRON
	EXISTING CATCHBASIN
	EXISTING MANHOLE/CATCHBASIN
	EXISTING VALVE
	EXISTING HYDRANT
	EXISTING SANITARY SEWER
	EXISTING STORM SEWER
	EXISTING WATERMAIN
	EXISTING FENCE LINE
	EXISTING UNDERGROUND ELECTRIC LINE
	EXISTING UNDERGROUND GAS LINE
	EXISTING UNDERGROUND TELEPHONE LINE
	EXISTING CENTERLINE
	EXISTING OVERHEAD ELECTRICAL WIRES
	EXISTING MAILBOX / NEWSPAPER BOX
	EXISTING SIGN
	EXISTING DECIDUOUS TREES
	EXISTING CONIFEROUS TREES
	EXISTING UTILITY POWER POLE
	EXISTING TELEPHONE RISER
	BITUMINOUS PAVEMENT REMOVAL

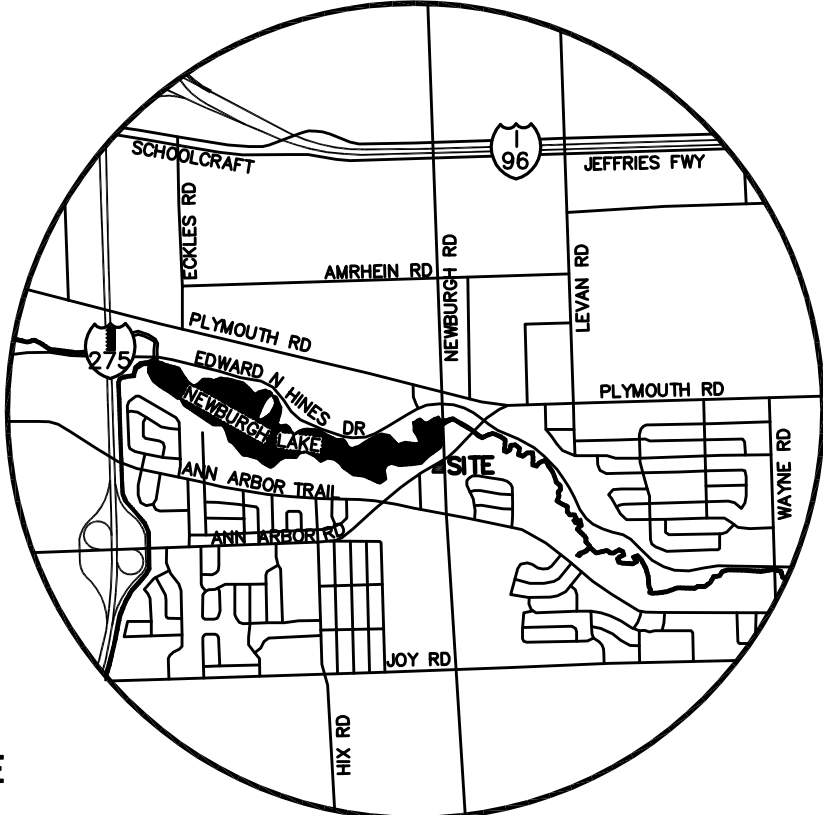
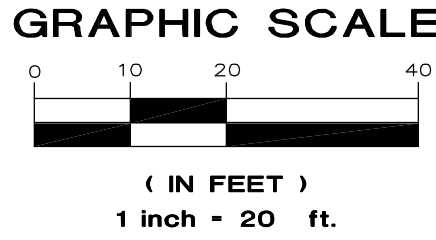
BENCHMARKS	
B.M. #1 - SOUTHWESTLY UPPER FLANGE BOLT ON HYD ON WEST SIDE OF NEWBURGH RD.	677.41 NAVD 88

ZONING INFORMATION	
ZONED- C-2 GENERAL BUSINESS	
SETBACKS:	
FRONT: 60 FEET	
REAR: -	
SIDE: AT LEAST ONE SIDEYARD, MIN. 20 FEET	

FLOODPLAIN INFORMATION	
CITY OF LIVONIA	
WAYNE COUNTY, MICHIGAN	
MAP NUMBER: 28163CZ0E	
EFFECTIVE DATE: 02-02-2012	
FLOOD ZONE: X (PER FIRM)	
AREA OF MINIMAL FLOOD HAZARD	

UTILITY CONTACTS	
TELEPHONE	GAS AND ELECTRIC
N/A	N/A
ZONING	WATER/SEWER
CITY OF LIVONIA	CITY ENGINEERING
33000 CIVIC CENTER DR.	33000 CIVIC CENTER DR.
CITY HALL, 3RD FLOOR	CITY HALL, 3RD FLOOR
LIVONIA, MI 48154, MICHIGAN	LIVONIA, MI 48154, MICHIGAN
(734) 466-2290	(734) 466-2570

UTILITY NOTE	
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PREPARED UNDER THE SUPERVISION OF:

PROJECT LOG

FILE: 2021-259

PROJECT MGR: JDM

DESIGNED BY: DMB

DRAWN BY: DMB

CHECKED BY: 1" = 20'

SHEET: 3 OF 4

JAMEEL ALHADISS

3215 FLUSHING ROAD
FLINT, MICHIGAN 48604

3705 ANN ARBOR ROAD

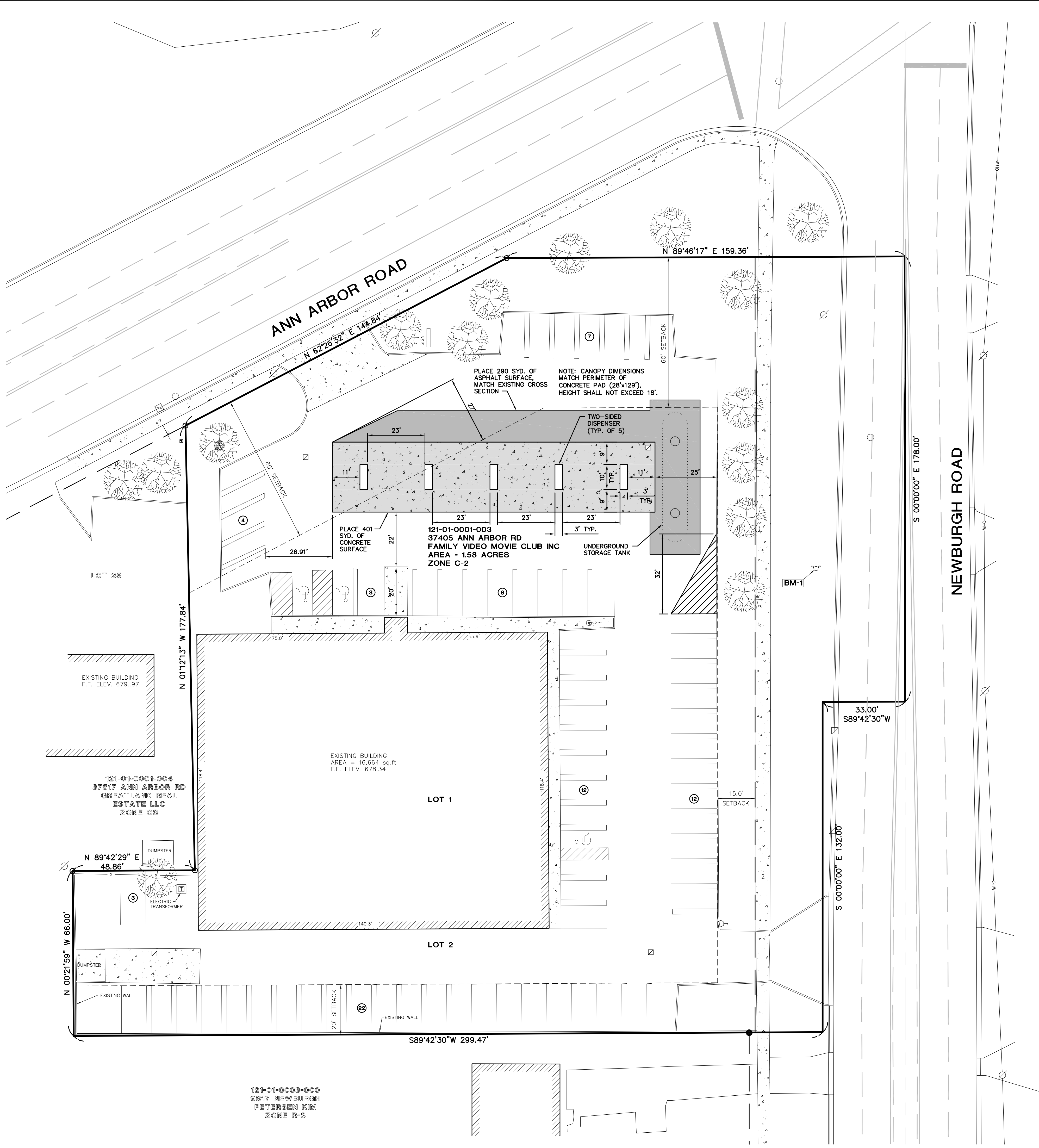
SECTION 31, T1S-R9E
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

DEMOLITION PLAN

D&M SITE INC.
Surveying • Inspection • Testing • Engineering
401 BALSAM STREET PO BOX 159, CARROLLTON, MICHIGAN 48724
PHONE (889) 752-6500 • FAX (889) 752-6600

C3.0

2021.259



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ZONING INFORMATION

ZONED- C-2 GENERAL BUSINESS

SETBACKS:

FRONT: 60 FEET

REAR: -

SIDE: AT LEAST ONE SIDEYARD, MIN. 20 FEET

BENCHMARKS

B.M. #1 - SOUTHWESTLY UPPER FLANGE BOLT ON HYD ON WEST SIDE OF NEWBURGH RD. 677.41 NAVD 88

PARKING CALCULATIONS

PARKING REQUIRED-

OFFICE: 6359 SFT/200 = 32 SPACES

CAFE: 1477 SFT/100 = 15 SPACES

RETAIL: 3991 SFT/150 = 27 SPACE

EMPLOYEE: 4 @ MAX. SHIFT = 4 SPACES

78 SPACES

PARKING PROVIDED-

81 PARKING SPACES WITH

2 VAN ACCESSIBLE AND

1 STANDARD BARRIER FREE

LEGEND	
	MONUMENT / SECTION CORNER
	FOUND PROPERTY IRON
	SET PROPERTY IRON
	EXISTING CATCHBASIN
	PROPOSED CATCHBASIN
	EXISTING MANHOLE/CATCHBASIN
	PROPOSED MANHOLE/CATCHBASIN
	EXISTING MANHOLE
	PROPOSED MANHOLE
	EXISTING HYDRANT
	PROPOSED HYDRANT
	EXISTING VALVE
	PROPOSED VALVE
	EXISTING SANITARY SEWER
	PROPOSED SANITARY SEWER
	EXISTING STORM SEWER
	PROPOSED STORM SEWER
	EXISTING WATERMAIN
	PROPOSED WATERMAIN
	EXISTING FENCE LINE
	UNDERGROUND ELECTRIC LINE
	UNDERGROUND GAS LINE
	UNDERGROUND TELEPHONE LINE
	UNDERGROUND CABLE T.V. LINE
	OVERHEAD ELECTRICAL WIRES
	EXISTING MAILBOX / NEWSPAPER BOX
	EXISTING SIGN
	EXISTING LANDSCAPING
	EXISTING DECIDUOUS TREES
	EXISTING CONIFEROUS TREES
	EXISTING UTILITY POWER POLE
	EXISTING UTILITY POWER POLE w/LIGHT
	EXISTING UTILITY POLE w/TRANSFORMER
	EXISTING LIGHT POLE
	EXISTING TELEPHONE RISER
	EXISTING TRANSFORMER PAD
	SPILL CURB
	EXISTING BITUMINOUS SURFACE
	PROPOSED BITUMINOUS SURFACE
	EXISTING CONCRETE SURFACE
	PROPOSED CONCRETE SURFACE
	EXISTING HIGH POINT
	EXISTING OVERLAND FLOW
	PROPOSED WALL PACK
	PROPOSED TOP OF WALK ELEVATION
	PROPOSED TOP OF CURB ELEVATION
	PROPOSED FINISH SURFACE ELEVATION

FLOODPLAIN INFORMATION

CITY OF LIVONIA

WAYNE COUNTY, MICHIGAN

MAP NUMBER: 28163C-1E

EFFECTIVE DATE: 02-02-2012

FLOOD ZONE: X (PER FIRM)

AREA OF MINIMAL FLOOD HAZARD

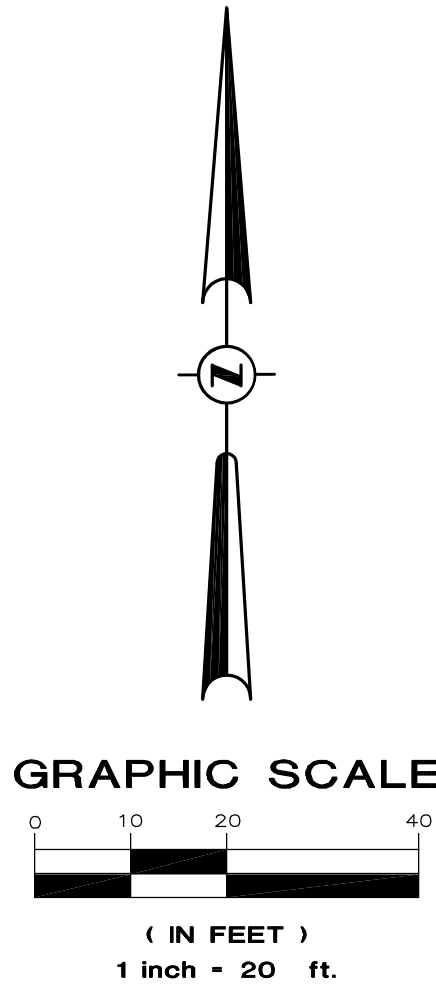
UTILITY CONTACTS

TELEPHONE	GAS AND ELECTRIC
N/A	N/A

ZONING	WATER/SEWER
CITY OF LIVONIA	CITY ENGINEERING
33000 CIVIC CENTER DR.	33000 CIVIC CENTER DR.
CITY HALL, 3RD FLOOR	CITY HALL, 3RD FLOOR
LIVONIA, MI 48154, MICHIGAN	LIVONIA, MI 48154, MICHIGAN
(734) 466-2290	(734) 466-2570

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PREPARED UNDER THE SUPERVISION OF:

PROJECT LOG

FILE: 2021-259

PROJECT MGR: JDM

DESIGNED BY: DMB

DRAWN BY: DMB

CHECKED BY: 1" = 20'

SHEET: 4 OF 4

JAMEEL ALHADISS

3215 FLUSHING ROAD
FLINT, MICHIGAN 48604

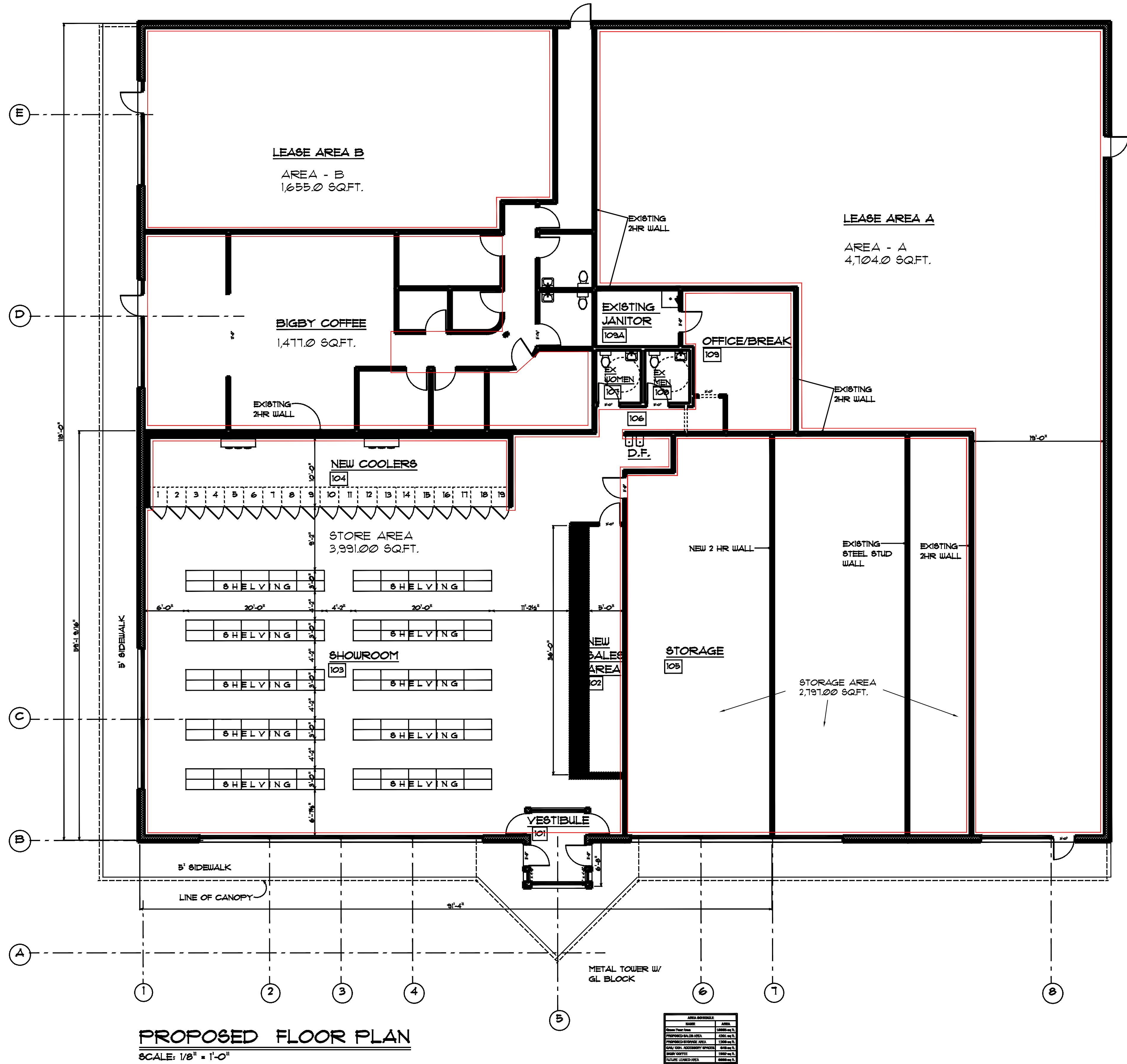
3705 ANN ARBOR ROAD

SECTION 31, TOWNSHIP
CITY OF LIVONIA
WAYNE COUNTY, MICHIGAN

SITE PLAN

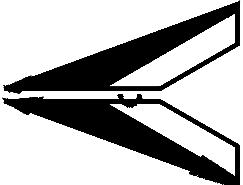
D&M SITE INC.
Surveying • Inspection • Testing • Engineering
401 BALSAM STREET PO BOX 159, CARROLLTON, MICHIGAN 48724
PHONE (889) 752-6500 • FAX (889) 752-6600

C4.0
2021.259



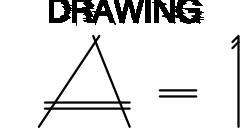
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DATE: 7/15 / 2021
SCALE: 1/8" = 1'-0"
DRAWN: RW
JOB #: 202173



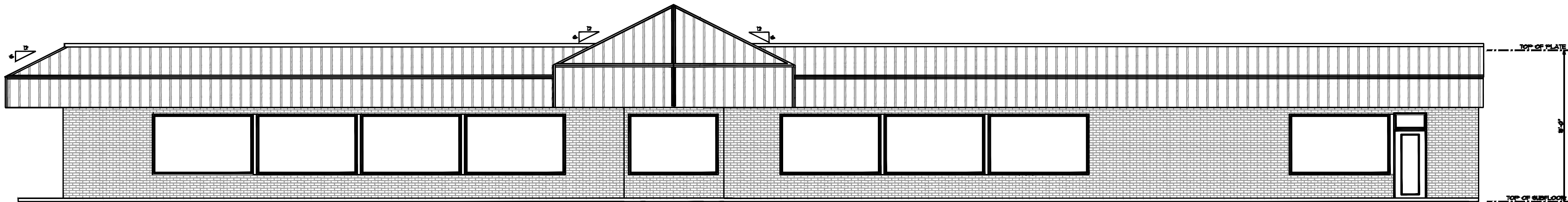
AUSTIN AND ASSOCIATES
ARCHITECTS AND PLANNERS
LEE AUSTIN
3006 BAY ROAD SUITE 5
SAGINAW, MICHIGAN 48603
PHONE: (989) 799-1885

PROPOSED EXISTING RENOVATED: BUILDING FLOOR PLAN
CONVENIENCE STORE / GAS STATION
37405 ANN ARBOR RD.
LIVONIA MI 48150

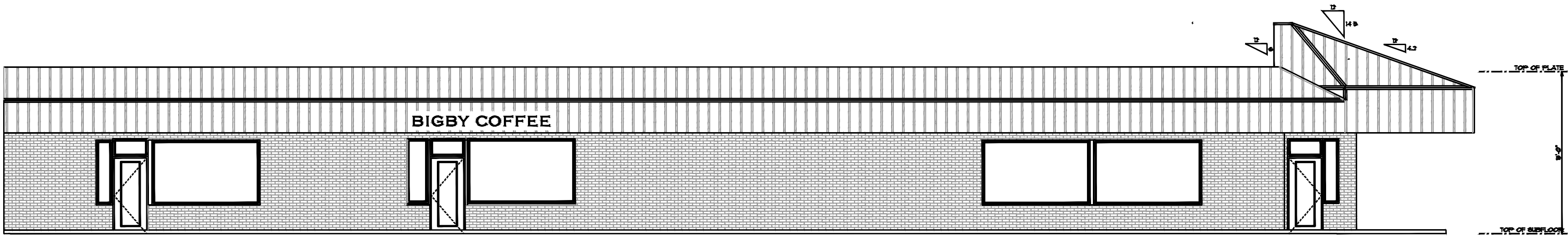


DRAWING
SHT 1 OF 2

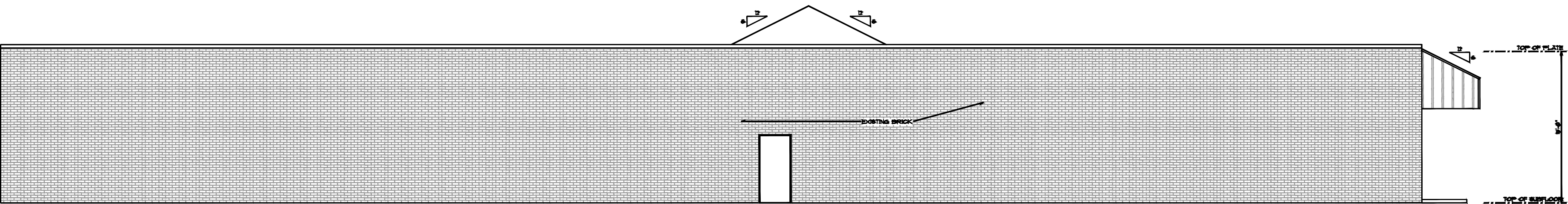
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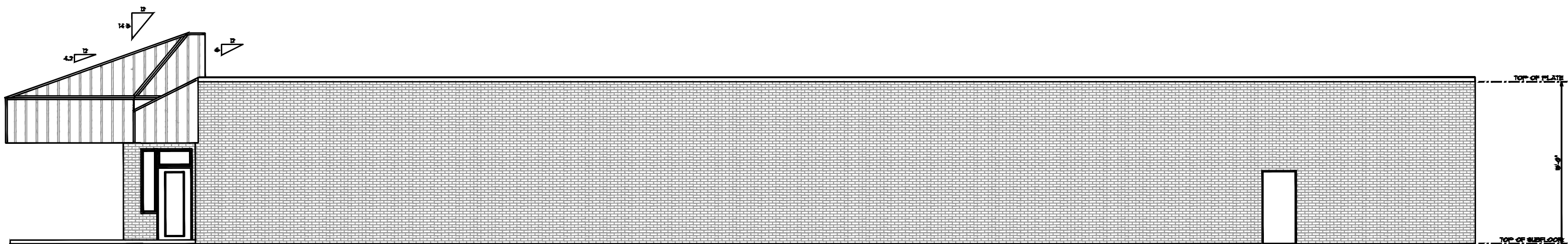
NORTH ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"

DATE: 7/15/2021
SCALE: 1/8" = 1'-0"
DRAWN: RW
JOB #: 202179

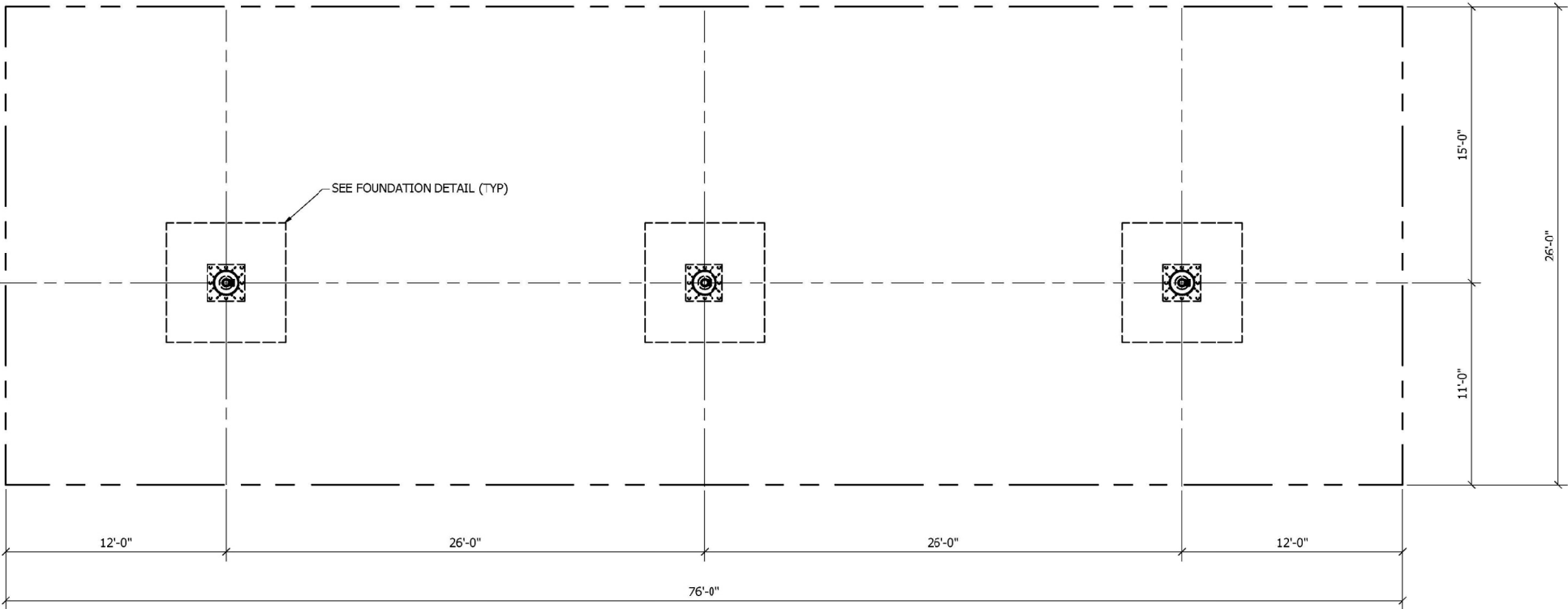
AUSTIN AND ASSOCIATES
ARCHITECTS AND PLANNERS
LEE AUSTIN
3005 BAY ROAD SUITE 5
SAGINAW, MICHIGAN 48603
PHONE: (989) 798-1985

PROPOSED EXISTING BUILDING RENOVATION: BUILDING ELEVATIONS
CONVENIENCE STORE / GAS STATION
37405 ANN ARBOR RD.
LIVONIA MI 48150

DRAWING
A-2
SHT 2 OF 2

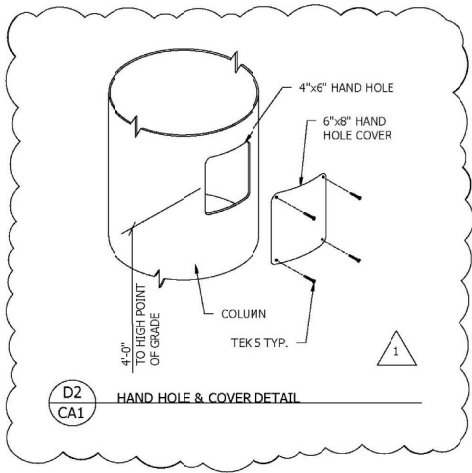
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BUILDING

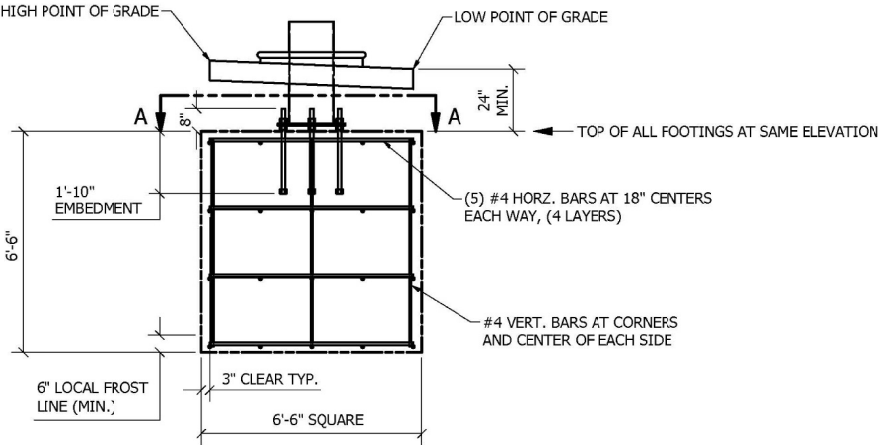


FOUNDATION PLAN

SCALE : /4"=1'-0"

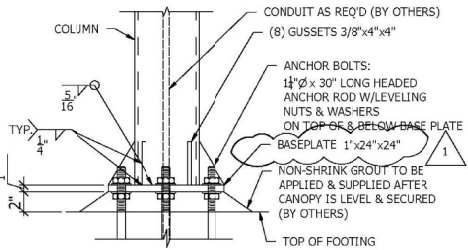


SECTION A-A

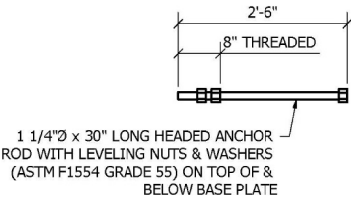


FOUNDATION DETAIL

SCALE 3/8"=1'-0"

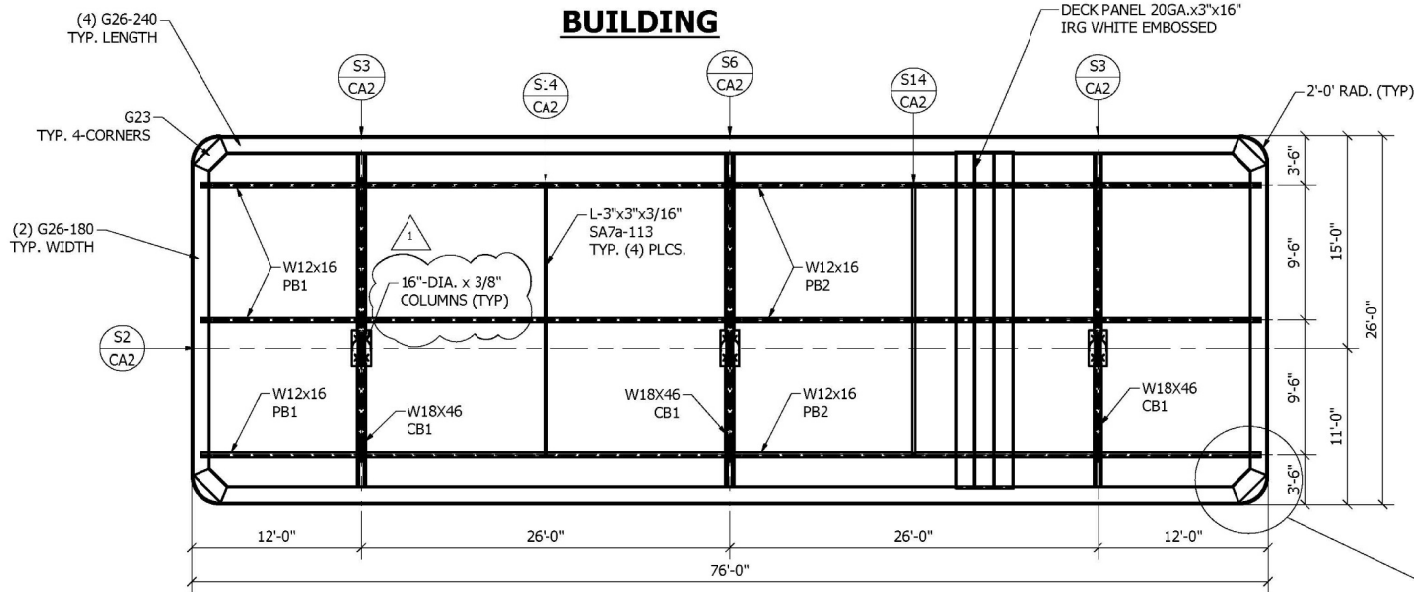


- FOOTING NOTES
1. OWNER / GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR FOOTING AND ANCHOR BOLT INSTALLATION.
 2. ALL FOOTINGS SHALL BE CAST ON LEVEL UNDISTURBED SOIL, ROCK OR PROPERLY COMPACTED SUBGRADE. FOOTING SIZE BASED ON MINIMUM 1500 PSF SOIL BEARING AT BASE AND 150 PSF PER FOOT OF DEPTH LATERAL BEARING CAPACITY. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL SOIL PARAMETERS.
 3. FOOTING CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3000 PSI.
 4. FOOTING DESIGN BASED ON AN ASSUMED 1'-0" BURY OF THE COLUMNS FROM THE BOTTOM OF BASEPLATE TO FINISHED GRADE. ANY AMOUNT OF BURY LESS THAN 1'-0" WILL RESULT IN A LARGER FOOTING SIZE.
 5. TOPS OF ALL FOOTINGS ARE ASSUMED TO BE AT SAME ELEVATION. OWNER / GENERAL CONTRACTOR SHALL PROVIDE BURIAL DEPTH FROM HIGH GRADE UNDER CANOPY, WHERE TOPS OF FOOTINGS ARE AT DIFFERENT ELEVATIONS, THE OWNER / GENERAL CONTRACTOR SHALL PROVIDE THE CANOPY MANUFACTURER WITH ALL FOOTING AND GRADE ELEVATION PRIOR TO CANOPY FABRICATION. VARIATIONS FROM DESIGN ELEVATIONS MAY RESULT IN INADEQUATE CLEARANCE AND UNDER SIZED FOOTINGS.
 6. OWNER / GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR PLACING NON-SHRINK GROUT UNDER ALL COLUMN BASES AFTER CANOPY IS LEVELED AND SECURED.
 7. FOOTING REINFORCING STEEL SHALL BE ASTM A615 GRADE 60 DEFORMED BILLET STEEL BARS WITH SPACING AS SHOWN ON DRAWING.
 8. FOOTINGS ARE ASSUMED TO BE CONSTRAINED BY FUEL ISLAND AND DRIVE MAT CONCRETE. WHERE THIS CONDITION DOES NOT EXIST, THE OWNER SHALL NOTIFY CANOPY MANUFACTURER.
 9. ANCHOR BOLTS SHALL BE PLACED IN ACCORDANCE WITH THIS DRAWING. TEMPLATES SHALL BE USED TO ENSURE PROPER PLACEMENT OF ANCHOR BOLTS. ANCHOR BOLTS ARE TO BE INSTALLED SUCH THAT A MINIMUM OF 8" OF THREAD IS EXPOSED ABOVE TOP OF FOOTING. BOTTOM OF THREADS SHALL NOT END MORE THAN 3/4" ABOVE TOP OF FOOTING.
 10. ANY DISCREPANCIES BETWEEN THE ABOVE NOTES AND LOCAL BUILDING CODE REQUIREMENTS SHALL BE REPORTED TO THE CANOPY MANUFACTURER IMMEDIATELY. COMMENCEMENT OF FOOTING INSTALLATION SHALL INDICATE THAT THE ABOVE NOTE MEET LOCAL BUILDING CODE REQUIREMENTS.

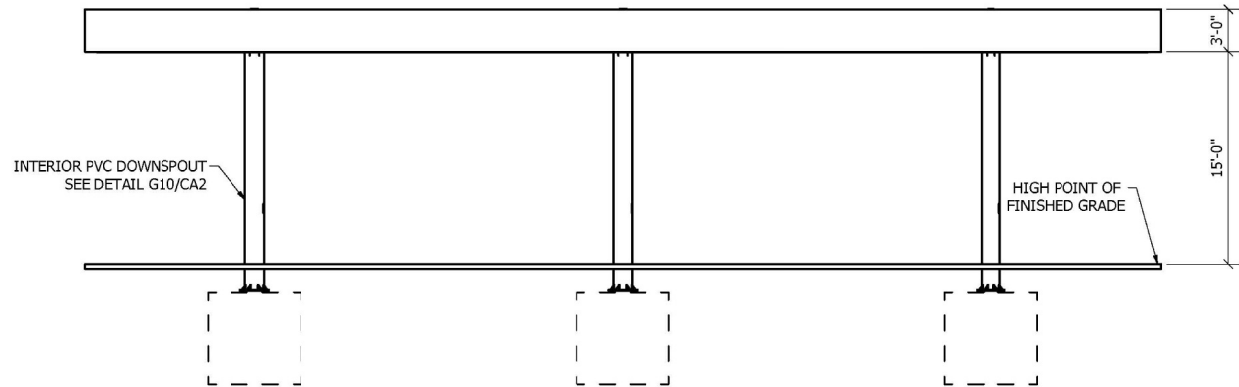


ANCHOR BOLTS
(8) REQ'D. PER FOOTING

FOR ANCHOR BOLT SHIPMENT	
24	1 1/4" x 30" ANCHOR BOLT
3	WOOD TEMPLATE



FRAMING PLAN
SCALE 5/32"=1'-0"



ELEVATION
SCALE 5/32"=1'-0"

STEEL NOTES
1. DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL SHALL CONFORM TO THE LATEST AISC SPECIFICATIONS. DESIGN, FABRICATION AND ERECTION OF COLD FORMED STEEL SECTIONS SHALL CONFORM TO THE LATEST AISI SPECIFICATIONS.
2. STRUCTURAL MATERIALS:
WIDE FLANGE SECTIONS - ASTM A992 OR A572 GRADE 50 (F_y = 50 KSI)
ANGLES / CHANNELS - ASTM A36 (F_y = 36 KSI)
HOLLOW STRUCTURAL SECTIONS (TUBE) - ASTM A500 GRADE B (F_y = 46 KSI)
PIPE SECTIONS - ASTM A53, GRADE B (F_y = 35 KSI)
PLATE - ASTM A36 (F_y = 36 KSI)
ROOF DECK - ASTM A653, GRADE 50 (F_y = 50 KSI), GALVANIZED (Z60) WITH BAKED ENAMEL FINISH
STEEL OUTRIGGERS - ASTM A653 GR. C5 (F_y = 25 KSI), GALVANIZED (G90) PER ASTM 924
STRUCTURAL BOLTS - ASTM A325
ANCHOR BOLTS - ASTM F1554 GR. 36;
3. WELDING OF STRUCTURAL STEEL SHALL BE IN ACCORDANCE WITH LATEST ANSI / AWS D1.1
4. FIELD CONNECTIONS SHALL BE BOLTED CONNECTIONS UNLESS SPECIFIED ON DRAWING.
5. ALL STRUCTURAL BOLTED CONNECTIONS SHALL USE ASTM A325 BOLTS. BOLTED JOINTS SHALL BE TIGHTENED TO SNUG TIGHT PER LATEST RCSC SPECIFICATION.
6. STRUCTURAL STEEL SHALL BE SHOP COATED WITH A RED-OXIDE RUST INHIBITIVE PRIMER. FIELD TOUCH-UP, FINISH PAINTING, AND MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE OWNER (UNLESS OTHERWISE SPECIFIED).
7. DESIGN LOADS PER INTERNATIONAL BUILDING CODE & LOCAL BUILDING CODE REQUIREMENTS:

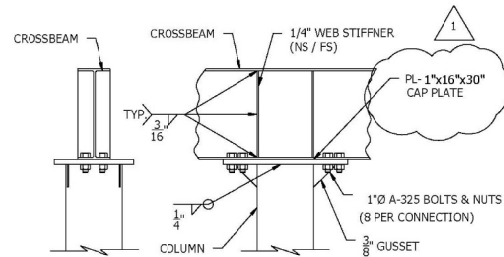
ROOF LIVE LOAD = 20 PSF

FLAT ROOF SNOW LOAD = 35
BASED ON GROUND SNOWLOAD = 35 PSF

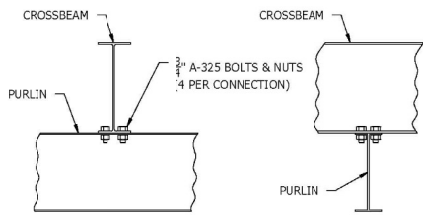
WIND LOADS:
LATERAL = 25 PSF
UPLIFT = 20 PSF
BASED ON 120 MPH, EXPOSURE "B" - ULTIMATE WIND SPEED PER ASCE 7-10.

SEISMIC LOADS:
SEISMIC RISK CATEGORY 1, SITE CLASS "D" ASSUMED, SEISMIC DESIGN CATEGORY "A"
S_{ds} = 0.111 g, S_{d1} = 0.07 g
SEISMIC FORCE RESISTING SYSTEM IS INVERTED PENDULUM - CANTILEVERED COLUMN, R = 2.0
C_s = 0.055 DESIGN BASE SHEAR = C_s x N = 0.56 K/COL USING EQUIVALENT LATERAL FORCE PROCEDURE

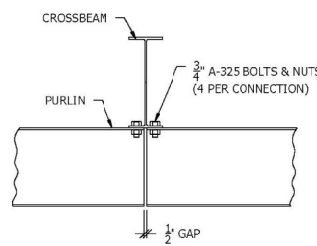
DEAD LOADS:
DECK / GUTTER / LIGHTS - 5 PSF
FASCIA - 20 PLF (PER DESIGN)
STRUCTURAL STEEL - SELF WT
CONCRETE - 150 PCF



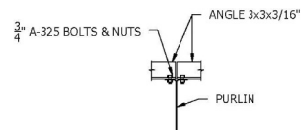
CROSSBEAM TO COLUMN CONNECTION



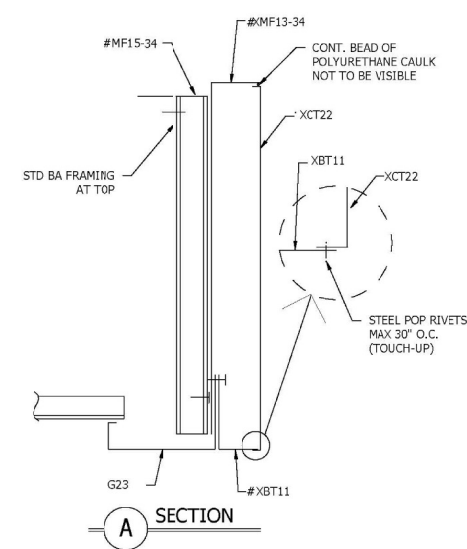
CROSSBEAM TO PURLIN CONNECTION



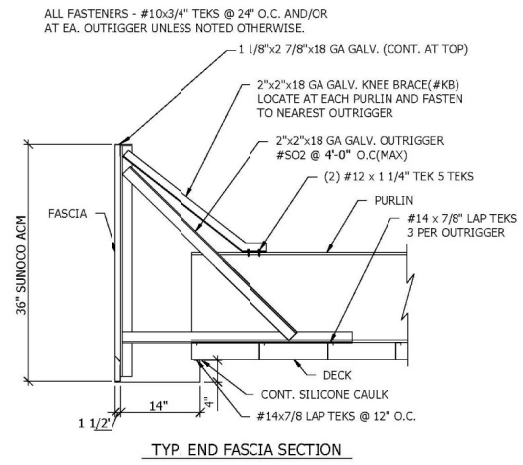
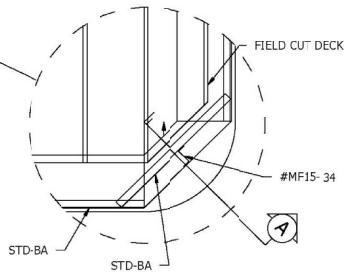
PURLIN JOINT



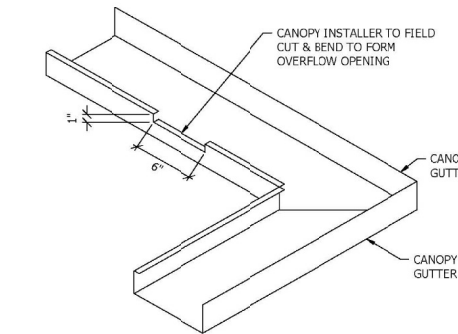
ANGLE LATERAL BRACE



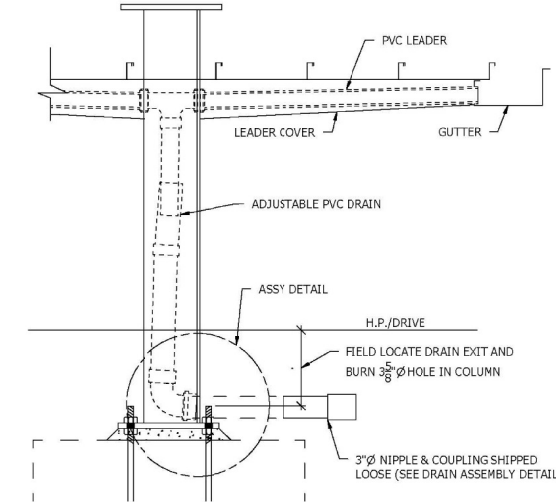
SECTION A



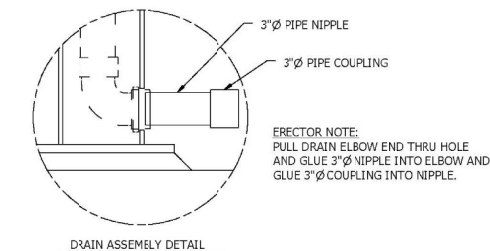
TYP END FASCIA SECTION



FIELD CUT GUTTER OVERFLOW DETAIL



ADJUSTABLE DRAIN DETAIL



DRAIN ASSEMBLY DETAIL



Google





Google



Google

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

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2571
FAX: (734) 466-2195

July 20, 2021

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2021-07-02-12 – Quik Stop

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed project at this time. The subject parcel is assigned the range of addresses of #37401 thru #37409 Ann Arbor Road, with the overall parcel being assigned the address of **#37405 Ann Arbor Road**.

The existing building is currently serviced by public water main, sanitary sewer and storm sewer. The submitted drawings do not show any proposed changes to the service leads, so we cannot comment on impacts to the existing systems at this time. It should be noted that the developer will need to meet current Engineering requirements for the proposed project, including storm water detention per the Wayne County Storm Water Ordinance. This Department will be able to make a formal review of the proposed improvements, when detailed Engineering plans are submitted for permitting.

Also, the developer may be required to obtain a permit from the Michigan Department of Transportation should any work occur within the Ann Arbor Road right-of-way.

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: 2021 Petition File

DEPARTMENT OF PUBLIC SAFETY
LIVONIA FIRE & RESCUE

DAVE HEAVENER
FIRE CHIEF



MAUREEN MILLER BROSNAN
MAYOR

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

DATE: July 20, 2021
TO: Scott O. Miller, Planner IV
FROM: Livonia Fire Prevention Division
SUBJECT: Petition 2021-07-02-12, Quick Stop, 37405 Ann Arbor Rd.

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

We have no objections to this proposal.

Sincerely,

Greg Thomas

Greg Thomas
Fire Marshal

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

CURTIS CAID
CHIEF OF POLICE



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

MAUREEN MILLER BROSNAN
MAYOR

RECEIVED
JUL 26 2021
CITY OF LIVONIA
PLANNING COMMISSION

July 23, 2021

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

Re: Petition 2021-07-02-12 - Quik Stop

Dear Mr. Miller,

I have reviewed the plans in connection with the petitions. I have no objections to the proposals.

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

Sincerely,

FOR THE CHIEF OF POLICE

Sgt. Scott Sczepanski #543

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

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
SANITATION
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

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

Date: August 16, 2021

To: Scott O. Miller

From: Jerome Hanna

RE: Petition 2021-07-08-04 – 33523-33751 Eight Mile Road – Northridge Commons
Shopping Center

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

This Department has no objections to this Petition. I trust this provides the requested information.

Jerome Hanna
Director of Inspection

JH/kdt

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSNAN
MAYOR

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

July 28, 2021

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

Petition 2021-07-02-12 - 37405 Ann Arbor Road Quik Stop

Dear Mr. Miller,

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

Unpaid water and sewer charges: (currently due on 8/10/21)	\$ 625.22
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Total Due City of Livonia	\$ 625.22
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Please contact me if you have any further questions.

Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

Transaction Statement

Service Address

37405 ANN ARBOR RD
LIVONIA, MI 48150

Mailing Address

FAMILY VIDEO #362
PO BOX 35291
CHARLOTTE, NC 28235

Account Number

015314350-001

Amount Due

\$625.22

Account Number

015314350-001

From - Through

01/20/2021 - 07/20/2021

Services

Water & Sewer - Metered

Service Address

37405 ANN ARBOR RD
LIVONIA, MI 48150

Beginning Balance

\$634.32

Date	Type	Amount	Description
02/10/2021	Bank Draft	(\$634.32)	Recurring Bank Draft
04/14/2021	Bill	\$658.35	Due Date 05/10/2021
05/13/2021	Penalty	\$65.84	
06/09/2021	Payment	(\$724.19)	Check
07/15/2021	Bill	\$625.22	Due Date 08/10/2021

Total Due

\$625.22

Transaction Statement

Account Number

015314350-001

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



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

July 21, 2021

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

Re: Petition 2021-07-02-12

37405 Ann Arbor Road
Quik Stop

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are taxes due, but they are not delinquent, therefore I have no objections to the proposal.

Sincerely,


Lynda L. Scheel
Treasurer, City of Livonia

**OTHER ITEMS
RELATED TO THE
PETITION**

From: [Theresa McEwen](#)
To: [Planning](#)
Subject: No thanks to another gas station
Date: Thursday, July 29, 2021 3:09:27 PM

To Whom it May Concern,

It was brought to my attention that there is a planning meeting to discuss a possible gas station being allowed at the Ann Arbor rd and Newburgh area in place of the former Family Video. As a resident in the nearby neighborhood, I would like you to know that our family objects to this proposal.

This area of Livonia has enough gas stations. We don't need another business that will pollute our watershed. The proximity to Hines and Rouge River is too close. In addition to the pollution to water, gas stations bring noise pollution. Our residents deserve a peaceful living environment.

Thank you for your time.

Theresa McEwen
38824 Orangelawn St.

From: [Adams, Kathy](#)
To: [Planning](#)
Subject: Newburgh Road / Ann Arbor Road Vacant Family Video Proposal
Date: Friday, July 30, 2021 12:57:22 PM
Attachments: [image001.png](#)

I will not be able to attend the next planning commission meeting on 8/17/2021. I am writing to state my opposition regarding the proposed conversion of the vacated Family Video location on Newburgh and Ann Arbor Rd to a gas station. I live at Ann Arbor Trail and Newburgh. Other than the obvious traffic nightmare a new gas station would bring, I am more concerned about the environmental effect on Newburgh Lake which is right across the street. As you are aware there are vents on the underground storage tanks that leak many dangerous chemicals, one being Benzene, which is most harmful to human life. I don't need to go into all the conditions these chemicals cause, as they are all documented and with the commissions commitment and obligation for their due diligence, I am sure this concern will be addressed.

In addition, the proposed 24 hour operation would most likely be associated with more crime in the area. I think you would all agree.

Furthermore, there is already a gas station located ¼ mile away at Ann Arbor Trail and Newburgh. The traffic is already horrible in this area as well as the road conditions. I moved to Livonia in 1997 and I have seen too many gas stations, strip malls, dollar stores and way too many retail establishments. I think another gas station right across the street from the bar is a bad idea as well. With working in a government setting I understand the City of Livonia wants tax money instead of vacant buildings but please, lets look at how all this "convenient type" of new infrastructure is making our city look, cheap and more trashy every year. Livonia can and should be better than this. Thank you for addressing my concern.

Best Regards,
Kathy A. Adams
Treasury Department
Phone (734) 699-8903
Fax (734) 699-8955
kadams@vanburen-mi.org



"It is not the most talented person that necessarily has success--but the most disciplined."

From: [MARIA Grantham](#)
To: [Planning](#)
Subject: Petition 2021 07 02 12 quik stop gas station
Date: Friday, August 6, 2021 2:14:54 PM

August 6, 2021

Dear Members of Livonia Planning Commission.

I am writing in regard to Petition 2021-07-02-12 that has been submitted by Quik Stop, Inc. I am asking that the members of the planning commission please deny this request to allow this property located at the corner of Ann Arbor and Newburgh Roads to allow for the addition of fuel pumps and operate as a gas station at 37405 Ann Arbor Road.

My name is Maria Grantham and I live on Horton Street which is behind the proposed building site. I am opposed to this property being used in this capacity for many reasons.

1. The corner of Ann Arbor Road and Newburgh Road is a very heavy traffic intersection and already used as a route for many trucks including Amazon when the trucks exit or are headed toward the 275 Ann Arbor Road exit/entrance ramps. Any traffic exiting the site of this proposed gas station site would more than likely not be able to turn left out of the gas station to avoid traffic therefore creating many automobiles to use Horton Street as a way to loop around and make a left hand turn back to Ann Arbor road. This block is already used as a cross through by many trucks and cars to access Ann Arbor Trail or Ann Arbor Road. Many cars already use Horton to access the Yacht Club across Ann Arbor Road. We have a significant number of children on our small block.

2. The proximity of a gas station on this property to the homes on Horton Street and Newburgh could be detrimental to the values of the homes. This gas station would not allow for the buffer that the majority of gas stations in the city of Livonia have to neighboring homes. I drove through the city and the majority of gas stations in our city have a considerable corner lot along with businesses behind the gas station and a wall that keep a distance to the residential neighborhoods. The placement of this gas station would create more noise and light pollution to the neighborhood. I ask that people on the planning commission take note of how other gas stations in the city are placed in proximity of residential homes

In the Livonia Vision 21 plan section 6.26 there are guidelines for gas stations it states that there are guidelines that regulate the placement of gas stations siting " in order to regulate and control the problems of noise , color, light, fumes, dust, fire and explosion and traffic congestion" . These are factors considered along with the" possible control the adverse effects which these factors and other

characteristics incident to the gasoline service station may have upon adjacent and surrounding land and uses." In this case the homes on Horton street would suffer from adverse effects if a gas station were allowed to be placed on this site. A recent proposal to add a car wash to an empty business site located on 6-mile near Newburgh Road has been recommended denial by the planning commission. It is said that there are already 6 other car washes in the city of Livonia. Well, there is a gas station approximately 1/4 of a mile from this proposed site along with others all within a short distance. On August 6, 2021 i spoke with Jacob U in your planning and economic development department and I mentioned this recommended denial of the car wash. He mentioned that one of the reasons of this recommended denial is due to the city's plans for walkable areas within the city of Livonia.

3. Walkable areas within the city of Livonia? This area near the proposed gas station site is truly a walkable , jogging/running and bicycling area in our beautiful city. It is within walking distance of Hines Park and it trails. The county has 2 areas for pedestrian /bicycling entrances to Hines Park which would be very close to this business. On a beautiful Michigan day there are many people in this area and more traffic can create great danger to these people. Along with the outdoor enthusiasts, our local high school uses this area as their practice route for cross country and track. Is the city ready to create more traffic to this busy area and possibly endanger our local high school students?

Our great city of Livonia has adopted many ideals to protect its citizens. The zoning ordinance Section 1.02 Purpose states that the plan of the ordinance is for the purpose of promoting public health, safety, morals, convenience, comfort, amenities, prosperity, and general welfare of the community and of a wholesome, serviceable and attractive municipality. these purposes are attained by having regulations and restrictions that increase the safety and security of home life that preserve and create a more favorable environment in which to rear children that develop permanent good citizenship that stabilize and enhance property and civic values... I guess what I am asking after reading this and many other sections of the Vision 21 plan and the ordinance is does the planning commission feel that placing a gas station in this property is beneficial to the families in this immediate area?

I ask if the proposed owners of this gas station or people on the planning commission or even our mayor would like one of these huge gas stations placed around the corner from one of their biggest investments...their home?
thank you for your time and I hope that you consider my concerns in this matter and that you deny the use of this property as a gas station.

sincerely,

Maria Grantham

Horton Street resident

Confidentiality Notice:

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Nothing in this message is intended to constitute an electronic signature unless a specific statement to the contrary is included in this message.

From: [Sarah Juntunen](#)
To: [Planning](#)
Subject: Concerns Against Petition 2021-07-02-12
Date: Tuesday, August 10, 2021 12:33:08 AM

August 10th, 2021

Dear Members of Livonia Planning Commission,

I am writing in regard to Petition 2021-07-02-12 that has been submitted by Quik Stop, Inc. with a public hearing scheduled to take place on 17th August, 2021. I would like to take this opportunity to present my thoughts and arguments against the proposal. I am requesting that the members of the planning commission please review the points made in this email carefully and decide against approval of yet another gas station at 37405 Ann Arbor Rd.

My name is Sarah Juntunen, and I am a resident at 9817 Horton St, Livonia MI 48150. Our home is within ¼ mile proximity to the proposed build site so we have strong reservations and concerns regarding the plan. My arguments against it are as follows:

1. **Traffic at Newburgh & Ann Arbor Rd:** As you may already be aware, North-bound Newburgh Rd does not have a dedicated left turn lane or turning light at the intersection of Newburgh & Ann Arbor Rd. Having a gas station on the left side of the road will create a lot of stopped cars and backed up traffic due to people trying to turn left into the property. This is a busy intersection, especially at rush hour, and this will create even more traffic congestion, noise and emissions pollution close to our home. Churchill High school is just 1 minute drive down from the proposed location, adding even more to traffic during the school year.
2. **Too many existing gas stations within close proximity:** A simple drive through the neighborhood or a Google maps study will reveal that there are at least 7 gas stations within 5 minutes of drive time from this proposed address. There is already a Mobil gas station less than 2 minutes away - 2 blocks over on Ann Arbor Trail & Ann Arbor Rd. I can assure you, people are not running out of gas in this neighborhood! There are no supply and demand bottlenecks that suggest there is a genuine business case to have yet another gas station so close to the others.
3. **Proximity to Hines Park, trails and animal crossings:** This intersection is not only busy with car traffic but also a lot of pedestrians cross Ann Arbor Rd and Newburgh Rd to gain access to the Hines Park trails on either side. There are bicycle enthusiasts, families enjoying evening and morning walks, children riding their bikes, and the local high schools also use this route for their cross country and track conditioning. Lastly, but definitely not the least, even though they are a nuisance at times, there is a significant geese and duck population that cross these roads and side streets. I hope you are starting to get a feel for how busy this intersection can be.
4. **Environmental Concerns:** There is significant work required to meet standards required

for gas stations, most significant of which is digging up the earth to install fire safe tanks. The construction of these pits and the installation of the tanks alone pose many environmental hazards to the local sewer, water and underground water table systems that empty into Newburgh Lake and rivers that also feed into people's wells. Tanks are known to decay over time and there is also a more immediate risk of chemical poisoning, dust, fire and fume pollution within a ¼ block radius that my home currently falls within.

5. **Increased through traffic:** We already experience more than enough traffic that includes loud bikes and cars with no exhaust mufflers that cut through Horton St in order to bypass the light signal at Newburgh & Ann Arbor and also to get easy access to the Lake Point Yacht Club parking lot. We have children playing on our street, and as a parent it is sometimes scary to see such vehicles drive fast whilst cutting through the street. Adding a gas station is only going to compound this problem and increase the density of people thinking the same idea.
6. **Impact to Real Estate Values:** There is plenty of literature and research available that document the negative impact caused to home values due to construction of Gas stations within close proximity. Such impacts are long term to permanent and greatly influence the ability of both people trying to sell their current house and also those who want to move to Livonia for their school districts. The city of Livonia has several guidelines in place that aim to promote safety, security and enhance property and civic values. Approval of yet another gas station does not support these values in the slightest.
7. **Prior Refusal of similar Car Wash petition by Council:** The planning commission has recently denied zoning request for a Tommy's Express car wash that was planned to be constructed on 6 Mile & Newburgh Rd. It is believed a main factor in your decision to deny that petition was increased proximity of nearby car washes to the location and secondly, the use of the site as a walking area with the close proximity to Hines Park Dr. I feel the arguments made against this resonate strongly with the concerns I have listed against the gas station.

I know I am not the only one in my immediate neighborhood that has shared similar concerns about the community impact that the gas station would cause to our street alone. I implore the council to carefully consider my concerns and deny petition 2021-07-02-12 submitted by Quik Stop, Inc.

Sincerely,
Sarah Juntunen
9817 Horton St Livonia MI 48150

From: [Kim Eberitzsch](#)
To: [Planning](#)
Subject: Re petition 2021-07-02-12 - Request to deny Quik Stop behind my home
Date: Friday, August 13, 2021 1:45:05 PM

From:
Kim Eberitzsch
9820 Horton
Livonia, Mi
[734-536-9322](tel:734-536-9322)

Re Petition [2021-07-02-12](#)

Dear members of the Livonia planning committee

I am writing this as a request to deny the petition to put a Quik Stop convenience/gas station on the corner of Newburgh and Ann Arbor Rd. which is directly behind my home.

Main concerns:

-Property values-This will have a negative impact on property values due to lighting, pollution, noise, unsafe traffic conditions.

- Safety- This corner is already congested with traffic and sporadic driving from the VERY BUSY Lakepoint Yatch Club, which is across from proposed Quik Stop location.

-Necessity- there's already a Mobil gas station 1 block west and a 7-11 convenience store 1 block south. Not to mention a gas station & separate grocery (Jonna's) at Joy and Newburgh. A Quik stop is simply not needed.

-Safety again- This is too close to Hines Park and major geese crossing. Hundreds of geese cross Ann Arbor rd to Horton st. May-Oct. Additional traffic disruptions will result in additional geese deaths. This is also an area frequented by hikers and bicyclist'. Adding a Quik Stop will make this corner less safe for them too.

-Property appearance- Parking lot already not kept up (overgrowth by dumpster) and another occupant discarding food will only add to the problem with mice crawling over wall from garbage dumpster in back of lot. (Back of my property) and several other properties. Letters already written to the city about this.

I hope you will consider the Livonia residents, especially those on Horton St., when making your decision. Please deny request to allow for a Quik Stop as it will reduce property values and make the corner of Newburgh and Ann Arbor rd less safe. It's is also not needed due to the other gas stations a convenience stores just blocks away to the west and south. I'm sure those of you on commission would not want this in your back yard.

Thank you
Kim Eberitzsch

From: [David Holgate](#)
To: [Planning](#)
Subject: Proposed gas station at site of Family video at Ann Arbor Trail and Newburgh
Date: Sunday, August 15, 2021 8:22:16 AM

To whom it may concern,

I am writing to voice my concern for the proposed gas station at the old Family video site. Rumor has it this would be a 24 hour operation. I can think of dozens of other types of businesses that would be far better-suited for this site. I live on Horton street just around the corner from the proposed gas station and it is bad-enough we have the Yacht club bar in our area which gives us enough issues of drunken people and noise in the area at all times of the night. If the proposed gas station is considering selling alcohol, it would just make things worse because our backyards on Horton street are literally right next to the place. Here are my reasons why this gas station shouldn't be allowed:

1. Another gas station isn't needed for the area. There are already 10 gas stations within a 3 mile radius of the proposed site, yes, 10. Do we truly need another one.
2. A 24 hour gas station will bring the wrong element to the area at all times of the night. The proposed station is going to be too close to families in the area. The gas station will literally be right next to households on Horton Street.
3. The underground gas tanks will be far too close to Newburgh lake. The area is beginning to finally have cleaner water and now we will run the risk of gasoline leaking into the groundwater and the lake. The Ford plant down the street is already polluting things and we don't need another possible mishap with businesses allowed to pollute the area.

My hope is that you take a look at the negatives versus the positives and make the correct decision. Often times cities look at the potential tax revenues instead of considering the fallout to the local citizens. There are many other businesses that would serve the area better.

Thank you for your time.

Dave Holgate
9804 Horton Street
Livonia, MI 48150
517-290-3051

From: [Rachel Holgate](#)
To: [Planning](#)
Subject: Proposed Gas Station at Newburgh and Ann Arbor Rd
Date: Monday, August 16, 2021 7:44:46 AM

Hello,

I wanted to share my thoughts about the gas station that is being considered for the corner of Newburgh and Ann Arbor Rd. This is a really poor idea and I hope you consider voting against it. We already have way too many gas stations in the area. This area is saturated with them. There are seven gas stations in a two mile radius. I would hate for that to become the look of Livonia.

Not only is the area saturated with gas stations, it just isn't the right kind of business for this corner. Hines Park just did improvements installing a sign and parking lot and making the bike/walking trails directly across the street more visible and accessible. This corner has an increased number of adults and kids, biking and walking, across this intersection for these trails and getting over to Hines Drive, a block over. To have a business with such a high frequency of vehicles going in and out would create a safety hazard for these people.

Please also consider the future of Livonia and what will attract new residents. Gas stations on every corner is not appealing at all. It is bad enough that we have the bar across the street from the proposed site. Adding a gas station will just bring it down further. We want every part of Livonia to be appealing.

I also worry about the environmental impact of the gas station being so close to Newburgh Lake and the Rouge River. I'm sure that someone can argue the gas tanks are inspected, but how about people filling their tanks? There are always drips and spills that go on to the concrete. Any big rain will naturally run off to these bodies of water adding to the contamination.

I'm urge you to vote against putting in this gas station. The property owners just closed during the pandemic, which probably isn't a good time to lease or sell since a lot of small business are still trying come back. With a little more patience though, I'm know a better opportunity will present itself for the neighborhood and Livonia as a whole.

Thank you for your consideration and taking the time to read my thoughts. Have a wonderful day!

Kind regards,

Rachel Holgate (517) 420-2352

From: teidson@mi.rr.com
To: [Planning](#)
Subject: Petition 2021-07-02-12
Date: Saturday, August 14, 2021 11:37:44 AM

Devon and I along with our neighbors are opposed to approving the request for a Quick Stop, fuel pumps, gas station, or anything that will cause harm to Newburgh Lake or Edward Hines Park.

Please present our concerns at the Public Hearing of the Planning Commission on August 17, 2021 at 7 PM.

Thank You

Tom Eidson
9721 Newburgh Rd
Livonia

From: [MARIA Grantham](#)
To: [Planning](#)
Subject: Proposed gas station Ann Arbor Rd/ Newburgh
Date: Tuesday, August 17, 2021 12:13:15 AM

Dear Members of the planning commission ,

I am writing again in hopes that you will deny the proposed use for a gas station to be opened in the old family video site on Ann Arbor Road and Newburgh. I am not sure where you live in Livonia but I do hope that as members of this commission that each one if you did your due diligence and visited this site and the neighborhood.

if this proposed gas station is approved it will have an impact on long standing businesses in this area. The Mobil gas station that is less than a quarter of a mile away. I spoke with the owner about the possibility of this station opening so close to his business. His look of concern for the possibility of losing business to a Quik Stop, a non Michigan company was very sad. This business has been in our community for a while. They have updated the property and keep it very clean and appealing to our neighborhood. He has plenty to offer to his customers and allowing another gas station to be opened would be a great disservice to him.

If this proposed gas station with it's convenient store is approved it will also have an impact on 7 eleven which has also been a long standing business in our community.

There is also a cute little yarn shop that will be right next door to this gas station. Will the added traffic become a deterrent to the customers that visit and take classes at this quaint little neighborhood store?

When I did a search for the parent company for Quik Stop I found that this is not a local company. Their home corporation is not even in the United States. I also found information that stated that this company has other small businesses located inside of their stores such as Subway and Coffee shops. An approval of this business would affect the Bigby coffee shop that was just approved for a new site also less than a quarter of a mile away.

Has the planning commission asked what secondary business will be located inside of this proposed gas station?

It is my understanding that the two existing driveways and the tree lined berms will not change. I don't understand how the planning commission can not foresee that being true.

Once gas pumps are placed there will be no turning back and the need to relocate driveways and lower the tree lined berms will be inevitable. If each of you did your due diligence you will have noted that this site is more elevated than the main roads. The light fixtures and gas station sign will be taller than normal thus creating light pollution to the neighboring houses on Horton Street and Newburgh.

I wonder if any of you have seen those signs in neighborhoods that say Please drive like your children live here? Well I am asking that each of you to Please vote like you are a homeowner in our neighborhood ? Our neighborhood , especially the little triangle that includes Newburgh , Ann Arbor Trail, and Ann Arbor Road is a good example of Livonia vision 21.

We have neighborhood shops , homes with neighbors that house children of various ages to

senior citizens. We have a variety of houses on our block with neighbors that take pride with green lawns and flowering plants. Please don't upset the balance of our community and the nature of the surrounding park and nature. I have taken note of the stakes that have been put in place in the immediate area and I believe that lines will need to be placed to allow for the huge gas tanks needed for a gas station. These will be disruptive to Newburgh Lake.

One last thought, do we really need another gas station in Livonia with the future of electric cars?

thank you,
Maria Grantham
Horton Street resident
3135152776

From: [Jim Saidla](#)
To: [Planning](#)
Subject: Regarding: PETITION 2021-07-02-12
Date: Tuesday, August 17, 2021 12:47:33 PM

My name is Jim Saidla and I reside at 9724 Horton Street, Livonia, MI.

I have resided in Livonia at this address for the past 28 years. My home is located approx. one half block from 37405 Ann Arbor Road, Livonia , MI.

I am OPPOSED to Petition 2021-07-02-12 for the the following reasons:

- * Anticipated constant outdoor activity at the location
- * Increased vehicle traffic in the area, and on the adjoining streets, especially the potential for increased traffic on Horton Street, as vehicles travel to and from the business
- * Increased parking lot lighting at the gas station, which will cascade into the surrounding residential area
- * Increased outdoor noise levels from the business' activity, negatively impacting the surrounding neighborhood
- * Potential smells of gasoline and exhaust fumes from increased vehicular traffic impacting the area
- * Potential increased criminal activity due to the nature of the business
- * Dramatic negative impact to the surrounding neighborhood, especially if the business is open late or for 24 hours a day
- * Increased negative safety impact to the surrounding neighborhood from a potential emergency incident (gasoline explosion / vehicle fire)

With all due respect, we do not "need" another gas station in this area. There are already twelve (12) gas stations within a one mile radius of this location.

This particular site is located in a beautiful area, with partial views of Hinds Park and the Lake. This location, the surrounding existing established community, as well as the City of Livonia, would derive far greater benefit from having a nice, high quality restaurant located at this site.

As previously stated, I am OPPOSED to this Petition, granting Quik Stop, Inc. with the requested proposal for approval to proceed with their plans for this business at this site. This is really not the most beneficial business for this location.

I respectfully request that the planning commission deny this petition request.

Thank you.

Jim Saidla
9724 Horton Street
Livonia, MI 48150

From: [Whitney Bucher](#)
To: [Planning](#)
Subject: Petition 2021-07-02-12 Quik Stop, Inc. Requested Rezoning
Date: Tuesday, August 17, 2021 3:40:05 PM

Hi,

My name is Whitney Bucher and I live right on Horton street. The proposed site for a gas station would be visible from my backyard. I have lived in Livonia my entire life, and 4 years ago bought my first house right on Horton street. I enjoy being able to walk to Hines to take my dog on a walk or go mountain biking.

I fear that putting in a gas station would have numerous negative effects on the residents located near the proposed gas station. I have determined that the following negative effects are likely:

1. Jeopardize the health of those living in numerous homes located within 500 feet of the proposed gas station site.
2. Jeopardize the economic viability of at least eight gas stations serving the 1.5 mile area, including the gas station 0.3 miles away.
3. The closure of one or more of the existing stations could cause a blighting effect due to the difficulty of redeveloping gas stations.
4. Lighting of 5000K is essential for the safety at gas stations, but this bright lighting cause nearby homes to have glares in their bedroom windows and lose their view of the nighttime sky.
5. Increased noise to the surrounding area, and traffic to an already busy intersection.
6. Lower nearby homes property value.
 - a. The Federal Housing Administration insured mortgages are not even available for properties located within 300 feet of tanks capable of storing 1,000 gallons.
 - b. NFPA (National Fire protection Association estimates that US Fire Departments responded to an average of 5,020 fires in service or gas station properties per year in 2004-2008.
7. Gas stations pose a severe threat to ground and surface waters, due to high traffic volume and refueling. Spillage at the pump is a likely source of fuel that could release into the river and Newburgh Lake, which our city has worked hard to clean up over the years.
8. Convenience store hold ups account for about 6% of all robberies in the nation ([Study](#)), which also decreases property value.

There is a large body of scientific evidence showing that those spending extended periods of time near a gas station poses a health threat particularly for the young and elderly. There are a number of compounds released from gas stations during vehicle fueling and from the underground storage tank vents that are harmful to human health. These compounds include: benzene, toluene, ethyl benzene and xylene. A [2001 study](#) found that median ambient benzene levels of 1.9 ppb in houses up to 328 feet from a service station. There was also a study in [2019](#) US gas stations that found that benzene emissions from underground gasoline storage tanks were sufficiently high to constitute a health concern at a distance of up to 518 ft. Benzene is the constituent most harmful to human health. Adverse health effects of benzene include nausea, cancer, anemia and increased susceptibility to infections, and low birth weight. According to the WHO Guidelines for Indoor Air Quality, **there is no safe level for benzene**. Despite the two control measures, Stage II Vapor Recovery and Onboard Refueling Vapor Recovery (ORVR), a study done in 2020, researchers

found that 88% of vehicles monitored released vapors during refueling despite the presence of ORVR. The control measures unfortunately would not resolve the health and safety threat to those living in the vicinity of the proposed gas station.

Besides all of the health risks, property home values, noise, traffic, and pollution to the lake and surrounding area this proposed gas station could cause, I really don't want to see the character of Livonia decline. When I drive to other cities that are not as nice, they have gas stations at every corner. It really deteriorates the appeal of this area. I want to highlight the character of Livonia, and attract people to Hines Park to go on walks around Newburgh lake, or go mountain biking around the Rouge River. This would only take away the character for the quaint Yarn store that has been there since 2010. I really hope that you take my points into consideration about how this would negatively affect those that surround this area.

Thanks,

Whitney Bucher

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MINUTES OF THE 1,174th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, August 17, 2021, the City Planning Commission of the City of Livonia held its 1,174th Public Hearing and Regular Meeting in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

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

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

Members absent: None

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

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

ITEM #3 PETITION 2021-07-02-12

Quik Stop Inc.

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2021-07-02-12 submitted by Quik Stop, Inc. requesting approval of all plans required by Sections 11.03(a) and 18.58 of the City of Livonia Zoning Ordinance #543, as amended, in connection with a proposal to add fuel pumps and operate a gasoline service station at 37405 Ann Arbor Road, located at the southwest corner of Ann Arbor and Newburgh Roads in the Northeast ¼ of Section 31.

Mr. Taormina: This is a request to add fuel pumps and operate a gasoline station at an existing retail plaza located at the southwest corner of Ann Arbor Road and Newburgh Road. The zoning of the property in question is C-2 (General Business), which does allow for gas stations, however, subject to waiver-use approval under the provisions set forth under Section 11.03(a) of the zoning ordinance. The existing multi-tenant retail building on this property measures roughly 16,500 square feet in size. The unit where the gas station would operate was most recently occupied by a Family Video. This space measure roughly 4,000 square feet. It is located in the northeast corner of the building. Biggby Coffee is the other main tenant. They are on the east side of the building in a space that is about 1,477 square feet in size. There are two other units identified as Lease Area A and Lease Area B, which are currently vacant. Those combined measure roughly 6,360 square feet. In the northwest corner of the building, the plans show three separate spaces totaling about 2,800 square feet being used for storage purposes. Going back to the map, the surrounding neighborhood includes, to the south and west, single-family homes that are zoned R-1 (Single-family residential). To the west is another retail building zoned C-1 (Local Business). To the north across Ann Arbor Road is Newburgh Lake. To the east across Newburgh Road are residential homes and a church along with the parking lot for the church. This is the proposed site plan. The only real change would be the addition of the fuel pumps, as well as an overhead canopy. The storefront as well as the main entrance would face north toward Ann Arbor Road. There are five fuel pumps shown on the plan. These would be located between the building and Ann Arbor Road. The pumps would impact roughly 26 parking spaces. Vehicles would continue to enter and exit the site using the existing driveways on both Ann Arbor and Newburgh Roads. The pumps would be covered by a canopy that measures roughly 28 feet by 129 feet. The height of the canopy would be 18 feet and it would be located roughly 33 feet from the right-of-way of Ann Arbor Road and 40 feet from the right-of-way of Newburgh Road. The floor plan included with the application shows that the unit that would be used for the gas station convenience store would be subdivided into several spaces, including a large display and sales area. It also includes coolers, a sales counter, restrooms, as well as an office, utility room, and janitor's closet. Required parking is based on the size of the retail area at a ratio of 1 space for every 150 square feet of usable floor area. Based on the overall building size, 89 parking spaces are required. With the

elimination of the parking spaces needed for the fuel pumps, the site would only have 81 spaces remaining. This would represent a deficiency of roughly 8 spaces and would therefore require Zoning Board of Appeals approval. We have not reviewed this petition relative to signage. There are special signage requirements afforded to gasoline stations. There are no other site changes or improvements that are proposed as part of this petition. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: I will read out the departmental correspondence, but I will note we received several letters of objection, 11 in total, and each of the Planning Commissioners should have copies of all of those letters. I will not read all of those, but I will read out the departmental correspondence.

Mr. Wilshaw: Yes, we do have those and those will be included in our packets and in our minutes.

Mr. Taormina: Yes, that is correct. They will be a part of the record. The first item is from the Engineering Division, dated July 20, 2021, 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 project at this time. The subject parcel is assigned the range of addresses of #37401 thru #37409 Ann Arbor Road, with the overall parcel being assigned the address of #37405 Ann Arbor Road. The existing building is currently serviced by public water main, sanitary sewer and storm sewer. The submitted drawings do not show any proposed changes to the service leads, so we cannot comment on impacts to the existing systems at this time. It should be noted that the developer will need to meet current Engineering requirements for the proposed project, including storm water detention per the Wayne County Storm Water Ordinance. This Department will be able to make a formal review of the proposed improvements, when detailed Engineering plans are submitted for permitting. Also, the developer may be required to obtain a permit from the Michigan Department of Transportation should any work occur within the Ann Arbor Road right-of-way."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Livonia Fire & Rescue Division, dated July 20, 2021, 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.” The letter is signed by Greg Thomas, Fire Marshal. The next letter is from the Division of Police, dated July 23, 2021, which reads as follows: *“I have reviewed the plans in connection with the petition. I have no objections to the proposal.”* The letter is signed by Scott Sczepanski, Sergeant, Traffic Bureau. The next letter is from the Finance Department, dated July 28, 2021, which reads as follows: *“I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia: \$625.22 Unpaid water and sewer charges. (currently due on 8/10/21)”* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer’s Department, dated July 21, 2021, which reads as follows: *“In accordance with your request, the Treasurer’s Office has reviewed the name and addresses connected with the above noted petition. At this time there are taxes due, but they are not delinquent, therefore I have no objections to the proposal.”* The letter is signed by Lynda Scheel, Treasurer. That is the extent of the correspondence.

Mr. Wilshaw: Are there any questions of the Planning Director?

Mr. Ventura: Mr. Taormina, if there were no gas pumps associated with this petition and they wanted to operate a Quik Stop there, they could do that without showing up here. Is that correct?

Mr. Taormina: Yes. The convenience store would be treated as a permitted use with no need to come before this body or City Council. It is strictly the fueling operation that requires the special approval.

Mr. Ventura: There is no operational Quik Stop there now? It is just an empty building?

Mr. Taormina: I am not aware of any operation out of there. I believe that space is currently unoccupied.

Mr. Wilshaw: Thank you. Any other questions for the planning staff? If not, is the petitioner here this evening? Good evening, sir. We will need your name and address for the record please.

Dennis Banaszak, D & M Site, 401 Balsam Ave., Carrollton, MI. I am here asking for a waiver-use approval. The drawing shows pretty much what we intend to do. It is a relatively simple reuse of the property in terms of the engineering that I typically do.

Basically, if you look at the plan, what looks like concrete in the drawing is actually concrete pad that goes directly under the canopy. It represents the extent of the canopy. We will have to take a bit out in order to do our regrade of the parking lot and on the right-hand side there, that big rectangle is where the tank is scheduled to go. The underground tank. Currently we are in discussion with LARA in Lansing, the Licensing Regulation Bureau. The catch basin in that area, we don't know if we are going to be able to leave the tank where we have it. We might have to push it over to the setback line in order to make sure we have enough clearance for all of our lines. In terms of what is there, we really aren't going to be changing much. Obviously, the canopy is going to be a big change, but physically altering the parking lot...you can see what the extent is going to be. We are looking for engineering to give us a little bit of time to get everything in place once we figure out where we are going to go with our catch basins. We will take care of the storm water requirements at that time. As far as signage, we are going to utilize the existing sign and I am sure that will come up when we apply for the sign permit and what we will be allowed to do. The remaining businesses that are there are going to stay. As far as the floor plan goes, the architect was a bit hasty and the coolers...I don't know if the coolers...do you know, Mr. Taormina, if the coolers were removed from the floor space count for determining parking?

Mr. Taormina: The answer to that, if I may Mr. Chairman, is no. The usable floor area is factored as a percentage of the gross floor area. We take 80% of the gross in calculating parking. Thus, we typically don't look at the cooler area and other similar spaces. We factor in the 20% area for non-useable floor area.

Mr. Banaszak: Thank you, I didn't realize you use the 80% formula. That makes it a lot easier. If you have any questions...

Mr. Wilshaw: Alright. You are the...are you the engineer for this?

Mr. Banaszak: Yes I am.

Mr. Wilshaw: We will see what questions we have for you. I am guessing there may be some operational questions and so on along the way, so if you need to get some of your other companions up here, we will get to the plan when we get there.

Mr. Bongero: So, the businesses that are there are staying? Biggby and the other one?

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Mr. Banaszak: As far as I know, yes.

Mr. Bongero: There was some confusion about that last week. They weren't going to be there. I don't know if someone has an answer to that.

Mr. Wilshaw: I am seeing one nodding. Please.

Jason Uhaz, 500 Snapdragon Ln., DeWitt, MI. We own the building, and we were just given notice this week...actually, I think it came up last week and so we looked into. Biggby is vacating so that will leave it fully vacant.

Mr. Bongero: Thanks.

Mr. Wilshaw: Any other questions for our petitioner?

Mr. Caramagno: At the study session, if I remember last week, as these video stores went out of business, your company owned the buildings or purchased the buildings. What has happened to other Family Video stores throughout the state?

Mr. Uhaz: Yeah, so, we have approximately 750 buildings that we own and operate. The video industry did not survive COVID and so they are all gone now. One family owns all the buildings, hence the name Family Video, so we are re-leasing them and looking for new tenants. This building in particular is significantly larger than our average. If you have seen them around the metro area, they are generally 6,000 or 7,000 square feet. This one is significantly larger than our other ones. Many of them are being filled by dollar stores. Similar use that came up a minute ago saying retail to retail. They come in there...we have filled over 150, closer to 175 of our buildings, with straight Dollar Generals. Your run of the mill dollar stores that are taking the buildings and opening up because it is straight retail to retail use. We have some medical that is going in that will take maybe 2,500 square feet. We are seeing a lot of what Jameel is proposing here where we are demising the video space. The 7,000 square feet is not ideal for a lot of candidates, so they will take 2,000 or 4,000 square feet and will create some other suites, which is what we intend to do here. He will have as proposed, a little storage area but that will actually create another suite. Then there is another...if I look at it, Retail Area B and A are actually not separated. Right now that is one open big L-shaped space. They are not two separate suites in there. It is

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all one big open space currently. We have not had any tenants in there and it is all undeveloped, just raw space in there. Biggby and Family Video were the only ones that...the only tenants we had in there and they are vacating as well.

Mr. Caramagno: Thank you.

Mr. Wilshaw: Thank you, Mr. Caramagno. Any other questions for our petitioners?

Ms. McCue: I don't know who would be the one to answer this, but I think this was touched on in the last study session. Can you confirm that you are going to be selling beer and wine?

Jameel Alhadiss, 3169 Halloway Ave., Flint, MI No, we won't. We don't sell beer and wine at any other locations.

Ms. McCue: Okay, so no alcohol?

Mr. Alhadiss: No.

Ms. McCue: Thank you.

Mr. Wilshaw: Thank you, Ms. McCue. Any other questions or comments?

Ms. McCue: I am sorry. I could have caught you when you were up there. I was just waiting until you sat down to ask. I don't think we are overly familiar with Quik Stop and how that works. Is it a brand? Are you having a different brand of gas there? How is that signage work? The titling?

Mr. Alhadiss: It is like Marathon. Marathon gas with just selling cigarettes, some pop and just convenience store.

Ms. McCue: So, it will be a Marathon station is what you are saying?

Mr. Alhadiss: Marathon or Sunoco. Depends. Hours of operation if you need...that area is just traffic...I think it is just working people just traveling on those roads, so I am just assuming just 5 to 11.

Ms. McCue: Thank you.

Mr. Wilshaw: Any other questions for any of our petitioners here? If not, we will give you a moment to sit down and we will hear from our audience members. Is there anybody in the audience that wishes to speak for or against this item? You are welcome to

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come forward to the podium so we can hear you. You are welcome to line up. Again, because there are a number of folks waiting to speak...again, just start with your name and address.

Rick Bazzi, 37921 Ann Arbor Road, Livonia, MI. I am the dealer, the Mobil dealer on Ann Arbor Road and Ann Arbor Trail. I have been there for about 20 years. This addition it is just way too close to my gas station. It has been tough staying in business and staying in business the last 20 years. There is gas stations within a half-mile in every direction there. Too many. Approving this one could just mean another one going out of business. That is all I had to say.

Mr. Wilshaw: Thank you. Appreciate that. We will let the person behind you speak.

Tom Eidson, 9721 Newburgh, Livonia, MI. In response to what he said, we have also sent an email to the Council asking you to reject this request. Adding to that is, our driveway is a half-mile to Joy Road. There is a Marathon station there. To the west is a Mobil station next to McDonald's. To the east there is a Shell and a Sunoco. There are four gas stations within a half-mile radius of our house. We would like to see the project...the property developed, but we believe that a gas station is not needed in this area. Please reject this request.

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

Kim Peterson, 9817 Newburgh, Livonia, MI I live directly next door to the property in question. We don't need a Quik Stop. We don't need a gas station. We have 7-11 on the other corner for convenience store. We don't need any more traffic on that corner. We don't need anymore criminal activity in our neighborhood or trash on our lawns to be picked up. Most of all, the most important thing to me, besides these issues and the inconvenience that we have and all the traffic, the underground gas tanks will be put in less than a couple...a few hundred feet from Newburgh Lake. Newburgh Lake has been in trouble for years. Our...the Friends of Newburgh, I mean the Friends of Rouge and our own Parks and Recreation, and other environmental groups have been working tirelessly for years and investing money in cleaning up the lake and it is working. Our wildlife is coming back. These tanks...any spillage from the gas station and any leaks from the tanks will go directly into Newburgh Lake and the Rouge River. Everything is coming back. We don't want to disturb this. I am afraid of what we are

going to do...I even have a female pheasant that took up residence in my backyard this year. She is getting very big. It is like having a huge chicken in your backyard. When I first moved into the house some 20 some odd years ago, it was the IRS that owned the building. They were mean but they were quiet. So, our trash and the criminal element a couple months ago, we had a police chase and a crash in the parking lot next door and across the street. The two people that were driving the stolen truck that the police were chasing jumped out and ran through our backyards. We have enough activity going on in the neighborhood. This is mainly a residential neighborhood. We are tired of the mess. We really are concerned about the effects on the lake, the potential effects, on the lake. Besides the spillage and everything, there is also the question of air quality in and around a gas station. We have to worry about the wildlife for our future. Thank you.

Mr. Wilshaw: Thank you, ma'am.

Rachel Holgate, 9804 Horton, Livonia, MI. I am roughly four houses, but I am kiddy-corner to where this is...mine is...I can't tell...I actually go all the way to Newburgh, so that other lot is mine as well. When I was thinking about this going in and I really do try to look at both sides, one common theme that kept returning to me was the future and the future of this corner. One of the things that they have done, like she mentioned about Newburgh Lake, they have put in a new fishing dock there. So, there is a lot more fisherman. I am seeing more kayaker's there, as well as...this wasn't mentioned, but there is a bike trail that Hines has improved. They have added a parking lot there and the bike trail goes right along the Rouge River. One of the things when I think of the future of this property is pollution. I don't know if it true or if it is going to be 24-hours or not, but I think of noise pollution, odor pollution, and light pollution, especially for people that are really close to it. When I think of...I know I can't speak on tanks. I don't know how long they last, but one thing I do know is people aren't necessarily the neatest when they are pumping gas. You are going to have some type of spillage on the ground and we have been having such heavy rains that I am concerned because this site is very high. If you look at the surrounding areas, the homes, and businesses. It is very high and the lake being directly across and then the Rouge being across the other street, across Newburgh, those are the low-lying areas. If we get those heavy rains, any spillage will naturally get to go over there. I am also concerned about the traffic. With a video store or just some other small business,

you don't have such a high frequency of cars going in and out. This corner, and to correct the gentleman, the traffic is much later than the time he was saying because we have the Yacht Club bar across the street, and we already get a lot of noise pollution from that and a lot of traffic. I don't think that this is going to be as late as they say or 24-hours, it is not going to help our situation at all. Also, just to add to the crime element. She is right. I actually have on camera...the police were searching my backyard, so that kind of freaked me out a little bit at first. Then just the corner itself is high-traffic corner. You have turns from every direction and then with it being such...so close to Hines Drive, we have a lot of bikers, and we have a lot of walkers going to both the bike trail and to Hines Drive. It is a very hard corner to cross. There is a lot of just physical fitness enthusiasts trying to cross that corner on their bike. They don't necessarily get off their bike. It is going to be a tough situation if we have a business that has a high frequency of in and out cars within three to five minutes every single car is going to be going in and out. I don't think it is going to help that corner. Thank you.

Mr. Wilshaw: Thank you for coming tonight. Good evening, ma'am.

Maria Grantham, Horton Street, Livonia, Mi. I fondly call that area the Bermuda Triangle because we are encountered by the three roads. I don't know if all of you got a chance to visit the site or even to read the emails that were sent to you.

Mr. Wilshaw: We did.

Ms. Grantham; Everybody did a get a chance to read the emails. I actually sent two. I have some concerns. Last night at about...I don't know it was very late when I sent my last one, but was there a traffic study done on this in this area?

Mr. Wilshaw: There was not.

Ms. Grantham: There was not. You did a traffic study for a road that is not even nearly as busy for the veterinarian place, but you didn't do it for that corner? For that intersection? I really think that should have been considered. I mean I don't understand why one wasn't done. Another thing. If they are going to use those existing driveways, are you going to have no left turns? Where in turn if there are no left turns, they are going to use Horton St. as they already do as a turn-around.

Mr. Wilshaw: A cut-through.

Ms. Grantham: A cut-through. There is traffic...we have a small block there, but we have a large variety of people on there. We have babies to senior citizens. We take care of our block. Any given day, there is somebody out there cutting their grass, there is flowers, there is gardens in the back. Rachel has her property that goes all the way to Newburgh. Her backyard is full of garden. I just think that this is not planned. I believe this goes against Livonia's Vision 21 plan. I understand that you were in the process of denying a carwash to be put on Six Mile and Newburgh. That area is probably better set for a carwash, and it was denied based on the fact that it doesn't fit the plan for Vision 21 for that to be a walkable area. Well, our area is more walkable than Six Mile and Newburgh. As Rachel said, we have people the bicycle. We have people that run. We have the high school down the street, Churchill. They use that as a route to run for their cross-country and track practices. None of this is being considered. I really think...and as you stated also that those two drives are going to stay. I don't think that is going to be a possibility. You will approve this gas station and those driveways will have to be changed eventually because of the fact that the property is elevated. Because it is elevated, the signage, the lights and everything else will create light pollution for that area. Also, I really think it would be a poor choice to allow...I am not against a business being there, but I think it would be a poor choice to have a gas station. The Family Video people, they do not care for this property as it should be. One of the women...one of the neighbors that are directly there, her backyard, she...I don't know if she sent pictures in her email or explained, she has...there is a mess back there. This gentleman here has spoken about the traffic and the only traffic there is business traffic. Well, no, there is a lot more than business traffic and like I said, our street...we have children that ride their bicycles in there...there in no parking on the streets, so it is a very narrow road. I really hope and wish that you guys will take this into consideration and deny the use of a gas station. I don't know...there are signs that people put in their neighborhoods, drive like your children live here. I ask the Planning Commission to please vote as if you live on our block. Thank you.

Mr. Wilshaw: Thank you, ma'am. Good evening.

Whitney Bucher, 9808 Horton, Livonia, MI. I don't know why I am up here because I think everyone covered everything I was going to say.

I was going to talk about the pollution and like the concern for me is health risk, because like I from the kitchen window I can literally see the Family Video and that whole area. I just redid a lot of my backyard so I can finally enjoy it and now I am like...the fumes alone from a gas station being there, it is really unfortunate. Again, people cut through our neighborhood all the time. Just because how chaotic that whole area is and there is no parking, so it is super narrow and like I already have concerns about my dog getting out and like...Tom actually saved my dog at one point because he did get out. Again, it was my first home. When I heard about the gas station, and I was super bummed, and I really hope that you guys don't approve it. Anyways, thank you very much.

Mr. Wilshaw: Thank you for coming. We appreciate your comments. Anyone else in our audience wishing to speak?

Ms. Peterson: I want to speak in proxy for my husband. He was out of town for work. One thing that I do want to mention is the saturation for the businesses. I would like to see...I don't know if the gentleman is still here, but the Marathon station has been there for 20 years. My husband did a search and within two miles there is actually seven gas stations. If you go three miles, there is 10 gas stations. Just thinking of the vision of Livonia, when we think of the future we want to think of who is going to come to our area when people like...I am 51 and I probably got 30 more years to go. What is it going to look like in 30 years? We want to be able to attract new young people and I think having gas stations on every single corner is not the appeal that we should be going for. I think that is my final thing I have.

Mr. Wilshaw: Thank you. We certainly hope you are going to have more than 30 years to go. We have to be positive. You have one more thought?

Ms. Grantham: The proximity of this gas station goes against all of what Livonia has...about 90% of the gas stations in Livonia have some kind of barrier to the neighborhoods. There are high walls. They are usually surrounded by big parking lots and businesses behind those parking lots and then the residential. This will go against probably 90% of the gas stations that are in the City of Livonia. I do really hope you take that into consideration.

Mr. Wilshaw: Thank you for your comment. Is there anybody else? If not, we will go back to our petitioner and you can make your final address to us.

- Mr. Uhaz: From a landlord standpoint...a couple things that I just want to mention. I know some of the residents mentioned criminal activity and trash and things. I oversee approximately 145 former vacant Family Video stores. Every week I am encountering homeless people that are breaking in and sleeping in front of the building. Sleeping behind them. Sleeping in the dumpster enclosures. A large amount of trash that publicly dump. We are also up against that, whether he is denied or is not there and Biggby moves, we are going to have a vacant building and I think you will actually see more crime, more...there will be homeless. I am seeing them every single week at the former video stores where there is a big vacant building and there is nothing going on there. With regard to the amount of traffic that Mr. Alhadiss will have there, the video stores were printing cash for many years, and we were averaging like 600 to 1,500 customer tickets, individual sales receipts, a day. The video business was a very very strong business from the mid-90's until the mid-2000's and my conversations with him...he can speak to that when he talks, but we were doing way more tickets...much more car traffic and customer traffic in the video business than he sees in his gas station. I just wanted to clarify some of those points.
- Mr. Wilshaw: Okay, thank you, Mr. Uhaz. If there is no other questions or comments, is there anyone else from your team that you would like to present before we close?
- Mr. Banaszak: I don't mean to downplay the issue of pollution, but these fiberglass tanks that are used in these gas stations, they are double walled tanks with very long-life spans. They are approved by Eagle and by EPA, so in terms of pollution issues caused by the tank is almost non-existent in today's tanks. The old metal tanks that we used to have, yeah, I did enough tank replacements or replacements to know that they were a problem for a long time, but currently the new tanks don't really have that problem. As far as spills in the parking lot, we will probably be forced to install a stormceptor which is an oil separator system that will trap up to about 150 gallons of any hydrocarbons that end up in the storm sewer system. I expect this to be discussed with your engineering when we go through the storage. We will also have the underground storage so that if there is a leak it will stay in the system on the site, as opposed to going out. I don't see that much of an issue for those two items. In terms of the VS for pedestrians and for bicyclists that is a signalize intersection. I don't know how much safer it can be made. I

imagine that there are push buttons there. I would have to apologize. I haven't gone out and looked at the signalization myself, but in terms of what is going on there, if there is a concern it should be addressed with MDOT as opposed to the developer because the driveways are there, and they are going to be used as they were intended. We don't want to change them because we don't want to have to deal with MDOT ourselves. I don't see any change there unless it is being forced. In terms of what we are doing, it is something that I wasn't expecting a whole bunch of people coming up and saying that they didn't want it. The way the building is sited, the canopy would be out front, and it is completely shielded from the neighborhood behind it. Putting up a canopy shading those lights, we can put on cut-offs so that the light does not go off site. We want to be a good neighbor. Is there anything else?

Mr. Wilshaw: is there any other questions from any of the commissioners for our petitioner? I don't think so.

Mr. Banaszak; Thank you.

Mr. Wilshaw: Thank you, sir. With that, that will be the final word and I will close the public hearing and a motion would be in order.

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

#08-42-2021 **RESOLVED**, That the City Planning Commission does hereby deny Petition 2021-07-02-12 submitted by Quik Stop, Inc. requesting approval of all plans required by Sections 11.03(a) and 18.58 of the City of Livonia Zoning Ordinance #543, as amended, in connection with a proposal to add fuel pumps and operate a gasoline service station at 37405 Ann Arbor Road, located at the southwest corner of Ann Arbor and Newburgh Roads in the Northeast ¼ of Section 31, for the following reasons:

1. That the petitioner has failed to comply with all general standards and requirements as set forth in Sections 11.03 and 19.06 of the Zoning Ordinance.
2. That the petitioner has failed to demonstrate the need in the area for the type of commercial service proposed to be operated on the subject site.

3. That the petitioner has failed to adequately demonstrate that the site has the capacity to accommodate the proposed use.
4. That the operation of a gasoline service station on this site would have a negative effect upon the neighboring properties.
5. That the proposed use would unduly tax and conflict with the established and normal traffic flow of the area.
6. That the proposal creates significant adverse impacts on adjoining parcels, public services, and community planning efforts.
7. That the petitioner has not sufficiently demonstrated that the operation of a gasoline service station would be compatible to and in harmony with the surrounding uses in the area, and
8. That the petitioner has failed to comply with all the concerns deemed necessary for the safety and welfare of the City and its residents.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 19.05 of Zoning Ordinance #543, as amended.

Mr. Wilshaw: Is there any discussion?

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

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

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