



## LINCOLN PARK PLANNING COMMISSION

City Hall – Council Chambers  
1355 Southfield Road | Lincoln Park, MI

**SPECIAL MEETING**  
**March 23, 2022 at 7 p.m.**

### AGENDA

- I. Call to Order**
- II. Roll Call**
- III. Approval of Previous Minutes**
- IV. Approval of Agenda**
- V. Old Business**
- VI. New Business**
  - A. Site Plan Review: 4089 Dix – Auto Service
  - B. Public Hearing: 4089 Dix – Auto Service
  - C. Special Land Use: 4089 Dix – Auto Service
- VII. Policy Review and Discussion**
- VIII. Education and Training**
- IX. Reports from Department and Other Boards and Commissions**
- X. Public Comments**
- XI. Comments from Planning Commissioners**
- XII. Adjournment**

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**CITY OF LINCOLN PARK  
COUNTY OF WAYNE, STATE OF MICHIGAN  
PLANNING COMMISSION MEETING OF MARCH 9, 2022**

A Planning Commission meeting of March 9, 2022, Lincoln Park City Hall at 1355 Southfield, Lincoln Park Michigan was called to order at 7:03 p.m. Mr. Persinger, Commencing with the Pledge of Allegiance.

**PRESENT:** Palmer, Kissel, Horvath, Persinger, Loduca, Duprey

**ABSENT:**

**EXCUSED:**

**ALSO PRESENT:** Elizabeth Gunden, John Meyers, Maureen Tobin, Gregory Nycz, Thomas Welsman, Larry Kelsey, Said Arbid, Michael Higgins, Lylia Ross, Steven Legel, Jamal Mawri, Bibiana Ruiz, Andres Vazquez, Aoudi Aoudi

**APPROVAL OF MINUTES AS CORRECTED**

Moved by: Persinger

Supported by: Duprey

**MOTION CARRIED unanimously**

**APPROVAL OF AGENDA**

Moved by: Persinger

Supported by: Duprey

**MOTION CARRIED unanimously**

**OLD BUSINESS**

**(A) REZONING – 1522 DIX**

The applicant wishes to rezone the property at 1522 Dix Highway, located on the west side of Dix Highway between Russell Avenue to the north and Euclid Street to the south, from Neighborhood Business District (NBD) to Municipal Business District (MBD). The site was previously used a parking for the PNC Bank to the south, but it has been vacant for some time.

The City believes the current zoning designation (NBD) to be an error, and the site should be commercially zoned. The proposed zoning is Municipal Business District and is requested in conjunction with a proposed automobile sales use, which is permitted after special approval in the MBD. It is important to note that the rezoning, once accomplished, means that all principally permitted uses and those permitted after special approval could occupy the site, and therefore important for the Planning Commission and, later, City Council to approve this zoning amendment only if it finds the entire range of uses acceptable.

Recommendation for the Lincoln Park City Council approval of the proposed rezoning from Neighborhood Business District (NBD) to Municipal Business District (MBD) for the property located

at

1522 Dix Highway.

Moved by: Loduca

Supported by: Palmer

Yay's: Palmer, Kissel, Horvath, Persinger, Duprey, Loduca

Nay's: None

Motion Approved to recommend approval to council

## **NEW BUSINESS**

### **A. SITE PLAN REVIEW 3535 FORT – RETAIL**

The proposed project is a retail establishment to include truck, bus, and trailer parts and supplies. The site consists of an existing building that is currently vacant. The previous use of the building was a plumbing repair and services establishment.

The 0.09-acre site is located at the northeast corner of Fort Street and New York Avenue. The existing building covers the entirety of the site. There is an existing 18-ft. concrete sidewalk along Fort Street and a 6-ft. concrete sidewalk along New York Avenue. The rear of the property abuts a public alley and then a residential neighborhood to the east. Ingress to the site is one-way via Fort Street, and egress is via the public alley. The proposed parking is on the adjacent lot to the north.

Recommended that City of Lincoln Park Planning Commission approve the site plan numbered PPC22-0004, proposing a retail establishment at 3535 Fort Street and consisting of the pages and revision dates found under 'Site Plan Documents' above, based on the finding that the proposal substantially complies with the requirements of §1296.01. This approval is conditional upon the submittal, within 45 days of the date of this report, of a revised Site Plan resolving the items noted above and subject to administrative review and approval.

### **(B) SITE PLAN REVIEW 3955 DIX – RETAIL**

The proposed project is a therapy center with associated parking. The proposed therapy center (Applied Behavior Analysis therapy for children with Autism) falls under the category of "medical offices" in the Lincoln Park Zoning Ordinance, and the proposed parking lot would be located across the public alley on a currently vacant lot. The previous use of the building was an auto parts store, but it is currently vacant. This review considers the two lots as a single site.

The 0.39-acre site consists of two lots and is located at the southeast corner of Dix Highway and Leblanc Street. The existing building sits along Dix Highway, and the proposed parking area is on the east side of the alley that bisects the two lots. There is an existing concrete sidewalk along Dix Highway and Leblanc Street. There are two points of vehicular ingress to the site: one from Dix Highway to a small parking area on the south side of the existing building, and the other via the public alley, which provides access to the proposed off-street parking lot.

Recommended that the City of Lincoln Park Planning Commission approve the site plan numbered PPC22-0039, proposing a medical office (therapy center) at 3955 Dix Highway and consisting of the pages and revision dates found under 'Site Plan Documents' above, based on the finding that the proposal substantially complies with the requirements of §1296.01. This approval is

conditional upon the submittal, within 45 days of the date of this report, of a revised Site Plan resolving the items noted above and subject to administrative review and approval.

**(C) SITE PLAN REVIEW 1378 DIX – RETAIL**

The proposed project is a cell phone retail and service establishment. The site was last used as a copy/print shop. The site is zoned Neighborhood Business District.

The 0.12-acre site is located along Dix Highway at the northwest corner of Hanford Ave. There is an existing concrete sidewalk along both rights-of-way, and the rear (west) side of the property is separated from a residential neighborhood by an alley. Vehicular access to the site is only via the alley, which leads to an asphalt parking lot. There is a concrete pedestrian walkway to the main entrance into the site facing Dix Highway. A lawn panel between Dix Highway and the sidewalk, and a smaller lawn panel between that sidewalk and the building, are the only landscaped areas on the site.

Recommended that the City of Lincoln Park Planning Commission approve the site plan numbered PPC21-0055, proposing an equipment services and retail establishment at 1378 Dix Highway and consisting of the pages and revision dates found under ‘Site Plan Documents’ above, based on the finding that the proposal substantially complies with the requirements of §1296.01. This approval is conditional upon the submittal, within 45 days of the date of this report, of a revised Site Plan resolving the items noted above and subject to administrative review and approval.

**(D) SITE PLAN REVIEW 4030 FORT – RETAIL**

The proposed project is a dance studio. The building is a commercial duplex that previously housed a financial services establishment; both units will be part of the new business. The site is zoned Municipal Business District.

The 2,567-acre site is located along Fort Street between Ford Blvd. to the north and St. John’s Blvd. to the south. There is an existing widened concrete sidewalk that extends from the front doors to the Fort Street right-of-way, and the rear (west) side of the property abuts a residential neighborhood. Vehicular access to the site is via the rear alley.

Recommended that that the City of Lincoln Park Planning Commission approve the site plan numbered PPC21-0062, proposing a dance studio at 4030 Fort Street and consisting of the pages and revision dates found under ‘Site Plan Documents’ above, based on the finding that the proposal substantially complies with the requirements of §1296.01. This approval is conditional upon the submittal, within 45 days of the date of this report, of a revised Site Plan resolving the items noted above and subject to administrative review and approval.

**POLICY REVIEW AND DISCUSSION**

**EDUCATION AND TRAINING**

A. See March Planning Report

**REPORTS FROM DEPARTMENTS AND OTHER BOARDS AND COMMISSIONS**

Approval of a special DBA meeting coming on the 14<sup>th</sup>.

**PUBLIC COMMENTS**

**COMMENTS FROM PLANNING COMMISSIONERS**

Comments from members on the status of Moses Roses Temporary Occupancy Status, about Captain Jay's, and Taco Bell.

**ADJOURNMENT**

Moved by: Persinger

Supported by: Duprey

**MOTION CARRIED unanimously**

Meeting adjourned at 8:10 p.m.

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MICHAEL HORVATH, Secretary

4089 Dix – Automotive Service Station

## Site Plan Review

Applicant	DM Investments 26, LLC, represented by Architectural Intelligence LLC
Project	Automotive Service Station
Address	4089 Dix Highway, Lincoln Park, MI 48146
Date	March 23, 2022
Request	Site Plan Review

### GENERAL

All elements of the site plan shall be designed to take into account the site's topography, the size and type of plot, the character of adjoining property, and the traffic operations of adjacent streets. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Zoning Code. The site plan shall conform with all requirements of this Zoning Code, including those of the applicable zoning district(s).

### Project and Site Description



Figure 1: Aerial View

The proposed project is an automotive service station, to include the installation of automotive window tinting, car alarms, remote car starters, and car audio equipment, at 4089 Dix Highway. The Planning Commission reviewed and approved a site plan for a shopping center at this site in 2018; however, the existing building is currently vacant.

#### Site Conditions

The 1.029-acre site consists of an existing building and parking lot and is located at the northeast corner of Dix Highway and Goddard Road. Ecorse Creek borders the property to the north.

There is an existing concrete sidewalk along both Dix Highway and Goddard Road, and there is vehicular access to the site from both roads. There is an existing one-story building on the property that is currently designed as a shopping center with several separate units.

**Master Plan**

*Future Land Use Classification*

The future land use classification for the site is General Commercial. The proposed use of an automotive service station is consistent with the designation. The Future Land Use Map also designates an "Auto Service Overlay," which are areas that were determined during the Master Plan process to have been historically used for auto-related businesses or which have specific characteristics that support such businesses. The purpose of designating this area on the Future Land Use Map is to control the proliferation of auto-related businesses in the City. The site is not located within the "Auto Service Overlay."

*Intent, Desirable Uses, and Elements*

The General Commercial land use is intended to provide retail goods and services on a city-wide scale as well as a regional scale that draw customers from within and outside the City. This is a suitable location for automobile-oriented uses that are not appropriate in pedestrian-oriented City areas such as the downtown, including as restaurants with car service, gas stations with or without convenience stores, minor auto repair shops, and car washes that comply with special design standards.

**Land Use and Zoning**

*Zoning*

The site is zoned Municipal Business District (MBD). The proposed use of an automotive service station is permitted within the MBD after Special Land Use approval under §1276.03(e) via §1278.03(a) of the Lincoln Park Zoning Code.

Additionally, the Lincoln Park Zoning of Appeals approved a request for a dimensional variance from the requirement that a new automotive service station may not be located within 5,000 feet of an existing automotive fueling station, service station, or repair center (§1294.14(c)) on March 17, 2022.



Figure 2: Zoning Map

*Proposed and Existing Uses*

Site	Vacant & Commercial – Municipal Business District (MBD)
North	Commercial & Residential – Municipal Business District (MBD), Single Family Residential District (SFRD)
East	Residential – Multiple Family Residential District (MFRD)
South	ROW then Commercial & Residential – Municipal Business District (MBD), Single Family Residential District (SFRD)
West	ROW then Commercial – Municipal Business District (MBD)

**Site Plan Documents**

The following site plan drawings have been used to perform this review and are part of the public record.

Page	Sheet Title	Original Date	Last Revision
A-01	Existing Architectural Site Plan – New Work	01/13/2022	02/04/2022
A-1.1	Proposed Tenant Floor Plan	02/04/2022	–
A-4	Exterior Bldg. Elevations – New Work	02/04/2022	–

**Dimensional Standards**

The dimensional requirements of the Municipal Business District (MBD) district are described in the chart below. (§1294.32, except where noted)

	Required	Provided	Compliance
<b>Lot Width</b>	Min. 40	261.3 ft.	<b>Met</b>
<b>Street Frontage</b> (§1294.09)	Shrubbery and low retaining walls maximum 2 ½' < height < 8'	No shrubbery or retaining wall proposed at intersections	<b>N/A</b>
<b>Lot Area</b>	Min. 4,000 sq. ft.	~44,820 sq. ft.	<b>Met</b>
<b>Lot Coverage</b>	Max. 50%	~11,950/44,820 = 27%	<b>Met</b>
<b>Height</b>	2-Story Building; 25 ft	1 story; 19' 8"	<b>Met</b>
<b>Setback – Front</b>	0	0' (Dix & Goddard)	<b>Met</b>
<b>Setback – Sides</b>	0	~30'	<b>Met</b>
<b>Setback – Rear</b>	0	~95'	<b>Met</b>

**Items to be addressed**



*None*

**BUILDING DESIGN**

*The building design shall relate to the surrounding environment in regard to texture, scale, mass, proportion, and color. High standards of construction and quality materials will be incorporated into the new development. In addition to following design guidelines adopted in specific district or sub-area plans, the building design shall meet the requirements of Section 1296.04, Standards for Architecture and Building Materials.*

Required	Compliance
<ul style="list-style-type: none"> <li>Building mass, height, bulk and width-to-height ratio within 50-150% of buildings within 500'</li> </ul>	<b>Met</b>



Required	Compliance
<ul style="list-style-type: none"> <li>Architectural variety</li> <li>Similar materials and entrances to buildings within 500'</li> </ul>  <p>1 block north on Dix Hwy. – single-story, square, auto-oriented.</p>  <p>1 block west on Goddard Rd. – single-story, square, flat roofs, auto-oriented.</p>	<p><b>Met</b></p>
<ul style="list-style-type: none"> <li>Building materials: primarily natural products conveying permanence (brick, decorative masonry block, stone, or beveled wood siding) = 75% of each façade (industrial districts, 50% if facing ROW)  <u>North Elevation: 63% masonry (2,074/3,294)</u> <ul style="list-style-type: none"> <li>Block masonry: ~2,074 sf</li> <li>E.I.F.S.: ~1,094 sf</li> <li>Metal door: ~126 sf</li> <li>Glass (exempt): ~651 sf</li> <li>Total Area: ~3,945 sf</li> </ul> <u>West Elevation (Dix): 77% masonry (781/1,014)</u> <ul style="list-style-type: none"> <li>Block masonry: ~781 sf</li> <li>E.I.F.S.: ~233 sf</li> <li>Glass (exempt): ~210 sf</li> <li>Total Area: ~1,224 sf</li> </ul> <u>South Elevation (Goddard): 71% masonry (3,198/4,482)</u> <ul style="list-style-type: none"> <li>Block masonry: ~3,198 sf</li> <li>E.I.F.S.: ~1,116 sf</li> <li>Metal doors: ~168 sf</li> <li>Glass (exempt): ~84 sf</li> <li>Total Area: ~4,566 sf</li> </ul> <u>East Elevation: 87% masonry (1,310/1,507)</u> <ul style="list-style-type: none"> <li>Block masonry: ~1,310 sf</li> <li>E.I.F.S.: ~197 sf</li> <li>Total Area: ~1,507 sf</li> </ul>                     25% may be glass, exterior insulation finish systems (EIFS), vinyl, aluminum, or steel siding; or similar synthetic or highly reflective materials (industrial districts not facing public streets or freeways, these and pre-cast concrete or plain masonry block)                 </li> <li>Natural colors (bright for decorative features only) <i>Natural block, tans, and beiges</i></li> </ul>	<p><b>NOT MET</b></p>
<ul style="list-style-type: none"> <li>Façade: &lt;100' uninterrupted</li> <li>If &gt;100' = recesses, off-sets, angular forms, arches, colonnades, columns, pilasters, detailed trim, brick bands, contrasting courses of material, cornices or porches</li> <li>All sides similar</li> </ul>	<p><b>Met</b></p>

Required	Compliance
<ul style="list-style-type: none"> <li>• Windows: vertical, recessed, visually obvious sills</li> <li>• Spaces between windows = columns, mullions, or material found elsewhere on the façade</li> <li>• Front facades &gt; 25% windows <i>Dix: ~17% transparency (210/1,224); Goddard: ~2% transparency (84/4,566)</i></li> <li>• Size, shape, orientation, spacing to match buildings within 500'</li> </ul>	NOT MET
<ul style="list-style-type: none"> <li>• Main entrances: doors larger</li> <li>• Framing devices (overhangs, recesses, peaked roof forms, porches, arches, canopies, parapets, awnings, display windows, accent colors, tile work, moldings, pedestrian-scale lighting, distinctive door pulls) <i>Existing awnings, distinctive door pulls, lighting</i></li> </ul>	Met
<ul style="list-style-type: none"> <li>• Pitched / shingled roof forms suggested; overhanging eaves with slope of 0.5 to 1 <i>Existing flat roof</i></li> <li>• Rooflines &gt;100' = roof forms, parapets, cornice lines</li> <li>• Roof-top mechanical equipment screened by roof form. <i>No roof-top mechanical equipment</i></li> </ul>	NOT MET

This is an existing building that does not meet the requirements for building materials, transparency, and roof form. The only change to the existing façade is to add an overhead door to the north side of the building. Because there are no changes proposed to the south and east sides of the building, the building elevations from the 2018 site plan review for a shopping center were used for the review of those two facades. The City has historically permitted existing façade conditions to remain.

**Items to be addressed**

*None*

**PRESERVATION OF SIGNIFICANT NATURAL FEATURES**

*Judicious effort shall be used to preserve the integrity of the land, existing topography, and natural, historical, and architectural features as deemed in this Zoning Code, in particular flood hazard areas and wetlands designated/regulated by the Michigan Department of Environmental Quality, and, to a lesser extent, flood hazard areas and wetlands which are not regulated by the Department.*

The Ecorse Creek forms the northern boundary of the site, and a small portion of the parcel falls within the Flood Hazard Overlay Zone. The small portion that falls within the floodplain is proposed to remain natural and vegetated. Any development within the floodplain is subject to regulation by the Michigan Department of Environment, Great Lakes, and Energy (EGLE).

**Items to be addressed**

- Applicant shall ensure that all EGLE requirements are met for development in and/or near the flood hazard area.*

**SIDEWALKS, PEDESTRIAN AND BICYCLE CIRCULATION**

*The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and sidewalks/ pedestrian or bicycle pathways in the area. There shall be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of primary and secondary schools, playgrounds, local shopping areas, fast food/ service restaurants and other uses which generate a considerable amount of pedestrian or bicycle traffic.*

The site is served by public sidewalks along Goddard Road and Dix Highway. Additionally, there is a concrete path that extends from the sidewalk to a bus stop along Dix highway. A concrete sidewalk lining the middle of the north edge of the building provides access separated from vehicular circulation. There are no bicycle lanes on the ROW or bicycle parking facilities proposed. Any broken, cracked, or unsafe sidewalks in the Dix Highway and Goddard Road rights-of-way must be repaired.

**Items to be addressed**

- Applicant shall ensure that concrete sidewalks are brought up to City standards.

**PARKING**

*The number and dimensions of off-street parking [spaces] shall be sufficient to meet the minimum required by this Zoning Code. However, where warranted by overlapping or shared parking arrangements, the Planning Commission may reduce the required number of parking spaces, as provided in this Zoning Code.*

Use	Required	Proposed	Compliance
Automotive Service Station	One (1) for each employee, plus one (1) for the owner and/or manager, plus two (2) for each service bay.  <i>7 employee spaces + 1 owner space + 2 service bay spaces (1 service bay) = 10 spaces</i>	50 existing parking spaces	<b>Met</b>
Retail	One (1) for every two-hundred-fifty (250) square feet of gross floor area.  <i>~4,681 sf of GFA for retail portion 4,681 / 250 = 18.7 = 19 spaces</i>		
TOTAL	29 spaces		

	Required	Proposed	Compliance
<b>Parking Area Type B §1290.05</b>	Adequate means of ingress and egress shall be provided and shown	Ingress and egress provided on Dix Hwy & Goddard Rd.	<b>Met</b>
	Parking facilities, access drives, and maneuvering aisles shall be hard surfaced with concrete or plant-mixed bituminous material, maintained in a usable dustproof condition and graded and drained appropriately	Parking area has existing asphalt. Engineering comments state that the existing asphalt parking lot shall be crack sealed.	<b>Met</b>
	Concrete curbs and gutters	Existing concrete curbs and gutters.	<b>Met</b>
	When adjoining residential property and/or a residential street or alley: 6' solid masonry wall, ornamental on both sides, with bumper guards	There is no wall existing or proposed on the east side of the parking lot adjoining residential property.	<b>NOT MET</b>

	Required	Proposed	Compliance
	All street boundaries of such parking facilities, where residential property is located on the opposite side of the street, shall be treated the same as set forth in Section 1290.04, Off-Street Parking A Areas; Residential Districts Adjoining Business or Industrial Districts.	There is no wall existing or proposed on the east side of the parking lot adjoining residential property.	NOT MET
	Entrance only from the adjoining principal use or adjoining alley; no use of street for backing or maneuvering	There is ample space for maneuvering.	Met
	In all cases where such parking facilities abut public sidewalks, a wall or curb at least six (6) inches high, or steel posts twenty-four (24) to thirty (30) inches high and not more than five (5) feet apart, set three (3) feet in concrete, shall be placed thereon so that a motor vehicle cannot be driven or parked with any part thereof extending within two (2) feet of a public sidewalk.	No parking facilities abut public sidewalks.	N/A

**Items to be addressed**

- Applicant shall crack seal the existing asphalt parking lot.
- Applicant shall provide the required 6' solid masonry wall, ornamental on both sides, with bumper guards, on the east property line abutting the residential use.

**BARRIER-FREE ACCESS**

*The site has been designed to provide barrier-free parking and pedestrian circulation.*

Required Spaces	Required Barrier-Free Spaces	Proposed Barrier-Free Spaces	Compliance
26 to 50	2	2	Met

**Items to be addressed**

*None*

**LOADING**

*All loading and unloading areas and outside storage areas, including refuse storage stations, shall be screened in accordance with this Zoning Code.*

Gross Floor Area	Loading Spaces – Required	Loading Spaces – Provided	Compliance
5,001 to 20,000	1	No loading space shown.	INQUIRY

**Items to be addressed**

- Applicant shall provide the required loading and unloading space in accordance with §1290.09 of Lincoln Park Zoning Code.

**ACCESS, DRIVEWAYS, AND VEHICULAR CIRCULATION**

*Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within and to the site shall be provided. Drives, streets, parking and other elements shall be designed to discourage through traffic, while promoting safe and efficient traffic operations within the site and at its access points. All driveways shall meet the design and construction standards of the City. Access to the site shall be designed to minimize conflicts with traffic on adjacent streets, particularly left turns into and from the site. For uses having frontage and/or access on a major traffic route, as defined in the City of Lincoln Park Comprehensive Development Plan, the number, design, and location of access driveways and other provisions for vehicular circulation shall comply with the provisions of Section 1290.10, Access Management Standards.*

The standards of this section shall be applied to the following major traffic routes (arterials) identified in the City of Lincoln Park Comprehensive Development Plan: Southfield Rd., Fort St., Dix Ave., and Outer Dr.

Required	Provided	Compliance
<ul style="list-style-type: none"> <li>• Single two-way driveway or pair of one-way driveways</li> <li>• Two-way: 25' &lt; throat width &lt; 30' (face to face of curb). One-way paired: each 20' measured perpendicularly. May be separated by 10' median; sidewalks shall be continued or maintained</li> <li>• 25' radii; 30' radii where daily truck traffic expected</li> <li>• Corner lots: one access point per street with &gt;100' frontage</li> <li>• If frontage &gt;300' and documented need (ITE), may allow additional access with design restrictions</li> <li>• If frontage &gt;600', max of 3 drives may be allowed; one with design restrictions</li> </ul>	<ul style="list-style-type: none"> <li>• Single two-way driveway.</li> <li>• 29'; Sidewalk continues</li>   <li>• Estimated radii of 25'</li> <li>• One access point</li>   <li>• Not Applicable</li>   <li>• Not Applicable</li> </ul>	<p><b>Met</b></p> <p><b>Met</b></p> <p><b>Met</b></p> <p><b>Met</b></p> <p><b>N/A</b></p> <p><b>N/A</b></p>
<ul style="list-style-type: none"> <li>• Shared access: driveways along property lines, connecting parking lots, on-site frontage roads, rear service drives. Encouraged and may be required for sites within 1/4 mile of major intersections; having dual frontage; with &lt;300' frontage; with sight distance problems; along congested or accident-prone roadway segments</li> <li>• Connection to adjacent facilities may be required; site accommodation may be required for future connection to undeveloped adjacent property</li> <li>• Letters of agreement or access easements required</li> </ul>	<p>Not applicable</p>	<p><b>N/A</b></p>
<ul style="list-style-type: none"> <li>• Triangular unobstructed view areas: from corner of two ROWs, 25' along each; from corner of ROW and driveway, 10' along driveway and 5' along ROW</li> <li>• Grass / groundcover only in 3' strip abutting driveway and ROW</li> <li>• Trees permitted if trimmed between 30" and 6' from ground level</li> </ul>	<p>No obstructed view in the triangular area.</p>	<p><b>Met</b></p>

Required	Provided	Compliance
<ul style="list-style-type: none"> <li>• May require drive to be located on the far side of the property from congested intersections</li> <li>• &gt;150' from signalized intersection or 4-way stop, or right-turn-only at 75' from intersection</li> <li>• &gt;100' otherwise</li> <li>• &gt;200' from centerline of I-75 access ramps</li> </ul>	<p>Drive is about 80 ft. from nearest signalized intersection at Dix and Goddard but is existing.</p>	<b>NOT MET</b>
<ul style="list-style-type: none"> <li>• Same side of street: Driveway spacing determined by speed limits in §1290.10.</li> <li>• Across the street: Driveways directly aligned or &gt;150' offset (excludes right-turn-only)</li> <li>• Directional driveways, divided driveways, and deceleration tapers and/or by-pass lanes may be required by the Planning Commission where they will reduce congestion and accident potential</li> </ul>	<ul style="list-style-type: none"> <li>• Not applicable</li> </ul>	N/A
	<ul style="list-style-type: none"> <li>• Driveways are &lt;150' offset</li> </ul>	NOT MET
	<ul style="list-style-type: none"> <li>• Not Applicable</li> </ul>	N/A

The existing driveway does not meet the standards for location. Because the project is redeveloping an existing site, the Planning Commission has the authority to apply the standards to the maximum extent possible if it determines that compliance with all the standards of this section is unreasonable.

(4) For expansion and/or redevelopment of existing sites where the Planning Commission determines that compliance with all the standards of this section is unreasonable, the standards shall be applied to the maximum extent possible. In such situations, suitable alternatives which substantially achieve the purpose of this section may be accepted by the Planning Commission, provided that the applicant demonstrates that all of the following apply:

- A. The size of the parcel is insufficient to meet the dimensional standards.
- B. The spacing of existing, adjacent driveways or environmental constraints prohibit adherence to the access standards at a reasonable cost.
- C. The use will generate less than five hundred (500) total vehicle trips per day or less than seventy-five (75) total vehicle trips in the peak hour of travel on the adjacent street, based on rates developed by the Institute of Transportation Engineers (ITE).
- D. There is no other reasonable means of access.

**Items to be addressed**

*None*

**EMERGENCY VEHICLE ACCESS**

*All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire Department and Police Department.*

Emergency vehicles may access the building via either Dix Hwy. or Goddard Rd. The Police Department has indicated that it has no concerns with the proposal.

**Items to be addressed**

*None*

**STREETS**

All streets shall be developed in accordance with the City of Lincoln Park Subdivision Control Ordinance and construction standards, unless developed as a private road in accordance with the requirements of the City.

No new streets are proposed.

**Items to be addressed**

None

**LANDSCAPING, SCREENING, AND OPEN SPACE**

The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this Zoning Code. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property. Landscaping, landscape buffers, greenbelts, fencing, walls and other protective barriers shall be provided and designed in accordance with the provisions of Section 1296.03, Landscaping Standards. Recreation and open space areas shall be provided in all multiple-family residential and educational developments.

	Required	Proposed	Compliance
Street Landscaping	Greenbelt, 10' width minimum with groundcover	~30' greenbelt on Dix ~20' greenbelt on Goddard	Met
	1 tree and 4 shrubs per 40' of street frontage = 175' of frontage on Dix + 261' of frontage on Goddard = 436 lineal feet 11 trees and 44 shrubs 30% = 3 trees and 13 shrubs	There appear to be 40 existing evergreen trees along Goddard. and 7 existing evergreen shrubs in an above-ground planter box on Dix. The extra trees compensate for the shrubs.	Met
	Where headlights from parked vehicles will shine into the ROW, may require a totally obscuring hedge	No parked cars face ROW.	N/A
Interior Landscaping	10% of total lot area landscaped, including groundcover $(44,820\text{ sf} * 0.1) = 4,482\text{ sf landscaping}$ 30% redevelopment standard: 1,345 sf	There appears to be about 5,620 sf of interior landscaped area, which includes the vegetated area by Ecorse Creek.	Met
	Interior landscaping to be grouped near entrances, foundations, walkways, service areas	Interior landscaping grouped near walkways and parking.	Met
	1 tree per 400 sf of required landscaping and 1 shrub per 250 sf of required landscaping $1,345\text{ sf (30% redevelopment standard)} = 3\text{ trees and }5\text{ shrubs}$	The vegetated area of trees and shrubs by Ecorse Creek provides required interior landscaping.	Met
Parking Lot	1 deciduous or ornamental tree per 10 parking spaces $50\text{ parking spaces} = 5\text{ trees}$ 30% = 2 trees	There appear to be 4 existing deciduous trees in the existing parking islands.	Met

	Required	Proposed	Compliance
	100 sf of planting area per tree	~150 sf of planting area per tree provided	Met
Screening	Waste receptacle: Decorative masonry wall of at least 6' with solid or impervious gate	Existing dumpster and enclosure.	Met
	Abutting residential: greenbelt, 15' with 5' evergreens (PC may waive), and/or solid 6' masonry wall ornamental on both sides	There is no wall existing or proposed on the east side of the parking lot adjoining residential property.	NOT MET

No landscaping details have been provided; however, the site is existing and has existing landscaping. Based on the landscaping plan from the 2018 site plan review and a review of the site via Google Earth, it is apparent that the site exceeds the 30% landscaping redevelopment standard for the redevelopment of an existing site, except for the required screening wall adjacent to a residential property.

**Items to be addressed**

- Applicant shall provide the required 6' solid masonry wall, ornamental on both sides, with bumper guards, on the east property line abutting the residential use.

**SOIL EROSION CONTROL**

*The site shall have adequate lateral support so as to ensure that there will be no erosion of soil or other material. The final determination as to adequacy of, or need for, lateral support shall be made by the Building Superintendent or City Engineer.*

All erosion and sedimentation measures are under the jurisdiction of Wayne County.

**Items to be addressed**

- Applicant shall work with the building superintendent, City Engineer, and Lincoln Park Department of Public Services to comply with soil erosion control standards.
- A Soil Erosion and Sedimentation permit must be obtained from Wayne County.

**UTILITIES**

*Public water and sewer facilities shall be available or shall be provided for by the developer as part of the site development, where such systems are available.*

The site is served by public water and sewer. No new water line or sanitary sewer systems are proposed for the site. Engineering comments state that if the existing sanitary sewer is going to be reused, the architect should verify that the existing sanitary service is adequate to handle the required flows for the building's use. If it is being reused, it is important that the developer realize this existing sanitary service is old and may have reached its life expectancy. It is highly recommended that the existing sanitary sewer service be videotaped to determine the condition of the service lead. If the existing water service is being reused, it is important that the developer realize this existing water service is also old and may have reached its life



expectancy. If the existing service is a lead-type service or undersized, it will be required to be removed and replaced. The design professional must verify the existing water service type, size, and lead capacity and should verify that the existing service is adequate to handle the required flows.

#### Items to be addressed

- Applicant shall work with the City Engineer to verify the existing water service and sanitary service type, size, and determine the lead capacity for the proposed building use.*
- It is highly recommended that the existing sanitary service be videotaped to determine the condition of the service lead.*

### STORMWATER MANAGEMENT

*Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate stormwater which complements the natural drainage patterns and wetlands, prevent erosion and the formation of dust. Sharing of stormwater facilities with adjacent properties shall be encouraged. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water.*

Stormwater management is under the jurisdiction of Wayne County.

#### Items to be addressed

- Applicant shall work with the City Engineer to review stormwater system to determine the appropriate permitting process.*

### LIGHTING

*Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.*

There is existing and downward facing lighting on the building. If the applicant intends to add new lighting to the site, lighting details must be provided.

#### Items to be addressed

- If new lighting is proposed, applicant shall provide manufacturer specifications to ensure that lighting is arranged to deflect away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets.*

### NOISE

*The site has been designed, buildings so arranged, and activities/equipment programmed to minimize the emission of noise, particularly for sites adjacent to residential districts.*

No indication of adverse noise impacts are anticipated from the development.

#### Items to be addressed

None

**MECHANICAL EQUIPMENT**

*Mechanical equipment, both roof and ground mounted, shall be screened in accordance with the requirements of this Zoning Code.*

No mechanical equipment shown.

**Items to be addressed**

None

**SIGNS**

*The standards of the City's Sign Code are met.*

Signs shall be permitted by the Building Department in accordance with the Lincoln Park Sign Ordinance.

**Items to be addressed**

- Applicant shall work with the Building Department to ensure signs comply with the Lincoln Park Sign Ordinance.*

**HAZARDOUS MATERIALS OR WASTE**

*For businesses utilizing, storing or handling hazardous material such as automobile service and automobile repair stations, dry cleaning plants, metal plating industries, and other industrial uses, documentation of compliance with state and federal requirements shall be provided.*

The proposed use is expected to generate some quantity of hazardous materials or waste. Applicant shall provide documentation of compliance with State and Federal standards for storage, use, handling, and disposal.

**Items to be addressed**

- Applicant shall provide documentation of compliance with State and Federal standards for storage, use, handling, and disposal of hazardous materials and waste.*

**SITE DESIGN STANDARDS FOR USES PERMITTED AFTER SPECIAL APPROVAL**

*All applicable standards for uses permitted after special approval are met.*

	Required	Proposed	Compliance
Area and Frontage	Frontage on principal street >150'	Dix: ~175'; Goddard: ~261'	Met
	Minimum area of 15,000 sf	~44,820 sf	Met

	Required	Proposed	Compliance
Setbacks	Building >40' from street lot line Building >15' from side or rear lot line adjoining residential zoning (may abut open alley)	0' from Dix & Goddard; ~30' side setback; ~95' rear setback; building is existing.	Partially Met
	>5,000' from existing similar use from lot line to lot line	ZBA approved dimensional variance request	Met
Drives and Curbs	<30' wide at lot line	<30' drives at lot lines	Met
	1 curb cut per street	1 curbcut per street	Met
	>20' from corner or exterior lot line	~0' to east lot line >20' to north lot line	Partially Met
	>30' from other driveway	Both drives >30' to another driveway	Met
	6" curb along all street lot lines	Existing curbs	Met
Paved Areas	Hard surfaced; curbs along landscape	Hard surfaced, though needs to be crack sealed; existing curbs along landscaping	Met
Equipment Locatoin	Lubrication equipment, motor vehicle washing equipment, hydraulic hoists and pits enclosed entirely within a building	No proposed equipment outside.	Met
	Gasoline and fuel pumps >15' from any lot line	Not applicable	N/A
	Vehicles shall not be serviced while overhanging public sidewalk, street, or right of way.	No proposed outdoor service area.	Met
Number of Pumps	Max of 4 double gasoline and fuel pumps or 8 single gasoline and fuel pumps and 2 enclosed stalls for service	Proposed use does not include fuel sales. Not applicable.	N/A
	2 additional gasoline and fuel pumps and/or 1 enclosed stall for each additional 2,000 sf of lot area over 15,000		
Walls	Where adjoining residential district: 6' solid, ornamental, masonry wall along interior or alley lot line	There is no wall existing or proposed on the east side of the parking lot adjoining residential property.	NOT MET
	Trash areas, tires, parts, etc. enclosed on all sides by 6' masonry wall	Existing dumpster enclosure.	Met
	Walls: same materials as principal building; brick, decorative block, pre-cast concrete with decorative pattern; painted principal building color scheme	Existing dumpster enclosure matches building.	Met
	Protected by curb or vehicle barrier	There is no wall existing or proposed.	NOT MET
	May be required adjoining nonresidential use, e.g. office, clinic, day care, or landscaped area	N/A	N/A

	Required	Proposed	Compliance
	May be stepped down 25' from ROW	N/A	N/A
Prohibited	>200' from school, playground, church, hospital, or other congregating use, property line to property line	>200'	Met
Outdoor Storage and Parking	All work conducted completely within enclosed building	No proposed outdoor service area.	Met
	No storage of parts, trash, supplies, or equipment outside of a building	No proposed outdoor storage area.	Met
	Vehicle storage generally limited to private passenger automobiles between 10pm-7am; see 1294.14 for exceptions	No proposed vehicle storage.	Met

The site meets all of the standards outlined in §1294.14, except for the front setback on Dix Hwy. and Goddard Rd. and the drive distance to the east property line. The building and driveways are existing, however, and the City has historically permitted existing conditions to remain. The only element that must be provided is the required screening wall adjacent to the residential property to the east.

**Items to be addressed**

- Applicant shall provide the required 6' solid masonry wall, ornamental on both sides, with bumper guards, on the east property line abutting the residential use.

**OTHER AGENCY REVIEWS**

*The applicant has provided documentation of compliance with other appropriate agency review standards, including, but not limited to, the Michigan Department of Natural Resources, Michigan Department of Environmental Quality, Michigan Department of Transportation, Wayne County Drain Commission, Wayne County Health Department, and other federal and state agencies, as applicable.*

**Items to be addressed**

- Work in the Dix Highway right-of-way requires a permit from the Wayne County Road Commission.
- Applicant to secure all appropriate agency reviews as needed.

**VARIANCES**

The Lincoln Park Zoning Board of Appeals approved a request for a dimensional variance from the requirement that a new automotive service station may not be located within 5,000 feet of an existing automotive fueling station, service station, or repair center (§1294.14(c)) on March 17, 2022.

**Items to be addressed**

*None*

## RECOMMENDATIONS

### Findings

The information submitted with this proposal is substantially in compliance with §1296.01, Site Plan Review.

### Conditions of Approval

#### Conditions to be Addressed Before Approval Letter is Issued

- Applicant shall provide the required 6' solid masonry wall, ornamental on both sides, with bumper guards, on the east property line abutting the residential use.
- Applicant shall provide the required loading and unloading space in accordance with §1290.09 of Lincoln Park Zoning Code.
- If new lighting is proposed, applicant shall provide manufacturer specifications to ensure that lighting is arranged to deflect away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets.

#### Conditions of Approval

- Applicant shall ensure that all EGLE requirements are met for development in and/or near the flood hazard area.
- Applicant shall ensure that concrete sidewalks are brought up to City standards.
- Applicant shall crack seal the existing asphalt parking lot.
- Applicant shall work with the building superintendent, City Engineer, and Lincoln Park Department of Public Services to comply with soil erosion control standards.
- A Soil Erosion and Sedimentation permit must be obtained from Wayne County.
- Applicant shall work with the City Engineer to verify the existing water service and sanitary service type, size, and determine the lead capacity for the proposed building use.
- It is highly recommended that the existing sanitary service be videotaped to determine the condition of the service lead.
- Applicant shall work with the City Engineer to review stormwater system to determine the appropriate permitting process.
- Applicant shall work with the Building Department to ensure signs comply with the Lincoln Park Sign Ordinance.
- Applicant shall provide documentation of compliance with State and Federal standards for storage, use, handling, and disposal of hazardous materials and waste.
- Work in the Dix Highway right-of-way requires a permit from the Wayne County Road Commission.
- Applicant to secure all appropriate agency reviews as needed.

**Proposed Motion**

I move that the City of Lincoln Park Planning Commission **approve** the site plan numbered PPC22-0003, proposing an automotive service station at 4089 Dix Highway and consisting of the pages and revision dates found under 'Site Plan Documents' above, based on the finding that the proposal substantially complies with the requirements of §1296.01. This approval is conditional upon the submittal, within 45 days of the date of this report, of a revised Site Plan resolving the items noted above and subject to administrative review and approval.

4089 Dix – Automotive Service Station  
Special Land Use Review

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<b>Applicant</b>	DM Investments 26, LLC, represented by Architectural Intelligence LLC
<b>Project</b>	Automotive Service Station
<b>Address</b>	4089 Dix Highway, Lincoln Park, MI 48146
<b>Date</b>	March 23, 2022
<b>Request</b>	Special Land Use

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**REQUEST**

The applicant proposes to obtain Special Land Use approval to allow for an automotive service station, to include the installation of automotive window tinting, car alarms, remote car starters, and car audio equipment, at 4089 Dix Highway. The Planning Commission reviewed and approved a site plan for a shopping center at this site in 2018; however, the existing building is currently vacant. The 1.029-acre site consists of an existing building and parking lot and is located at the northeast corner of Dix Highway and Goddard Road. The proposed use of an automotive service station is permitted within the Municipal Business District after Special Land Use approval under §1276.03(e) via §1278.03(a) of the Lincoln Park Zoning Code, and subject to §1294.14. Additionally, the Lincoln Park Zoning of Appeals approved a request for a dimensional variance from the requirement that a new automotive service station may not be located within 5,000 feet of an existing automotive fueling station, service station, or repair center (§1294.14(c)) on March 17, 2022.

The property is legally described as:

QK77A-81A,82-84 QM96B-107A LOTS 77 TO 81 INCL EXC THE S 10 FT THEREOF ALSO LOTS 82 TO 84 INCL ALSO W 1/2 VAC COOLIDGE AVE ADJ TO LOTS 82 AND 83 ALSO ADJ VAC ALLEY 16 FT WIDE ALSO ADJ VAC ALLEY 8 FT WIDE DIX AVE MANOR SUB FRAC SEC 24 L 47 P 29 WCR. ALSO LOT 96 EXC THE N 242; THEREOF, ALSO LOTS 97 TO 107 COMBINED EXC THE S 10 FT THEREOF, ALSO EXC THE WLY PT; THEREOF, MEAS 60.70 FT ON THE S LINE OF LOT 99 AND 55.42 FT ON THE N LINE OF LOT 107 ALSO, ADJ VAC ALLEY 8 FT WIDE; ALSO ADJ VAC ALLEY 16 FT ALSO, E 1/2 VAC ALLEY ADJ TO SLY 74.60 FT OF LOT 98, DIX AVE MANOR NO 1 SUB FRAC SEC 24 L 47 P 38 WCR. DIX AVENUE MANOR SUB FRAC SEC 24 L47 P29 WCR

**CRITERIA FOR REVIEW**

The following conditions are all required to be met before a Special Land Use approval may be granted:

- 1) The special use will promote the use of land in a socially and economically desirable manner for persons who will use the proposed land use or activity, for landowners and residents who are adjacent thereto and for the City as a whole;

*The proposed use will occupy a building that has been vacant for quite some time.*

*This condition is MET.*

- 2) The special use is compatible and in accordance with the goals, objectives and policies of the City's Comprehensive Development Plan;

*The Future Land Use classification for the site is General Commercial.*

*The General Commercial land use is intended to provide retail goods and services on a city-wide scale as well as a regional scale that draw customers from within and outside the City. This land use is appropriate location for automobile-oriented uses such as restaurants, gas stations with or without convenience stores, minor auto repair shops, and car washes that comply with special design standards that are not appropriate in other City areas such as the downtown.*

*The Future Land Use plan also identifies areas that are suitable for automotive-related uses in the "automotive service overlay zone." The site is not located in one of these areas.*

*This condition is PARTIALLY MET.*

- 3) The special use is necessary for the public convenience at that location;

*The site has adequate parking and vehicular access.*

*This condition is MET.*

- 4) The special use is compatible with adjacent uses of land, and can be constructed, operated and maintained so as to continue to be compatible with the existing or intended character of the general vicinity and so as not to change the essential character of the area in which it is proposed;

*The Lincoln Park Zoning Board of Appeals approved a dimensional variance request from the 5,000-ft. setback from a similar use request, indicating that the proposed use is compatible.*

*This condition is MET.*

- 5) The special use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected;

*The site has adequate parking and vehicular access.*

*This condition is MET.*

- 6) The special use can be adequately served by public services and facilities without diminishing or adversely affecting public services and facilities to existing land uses in the area;

*The proposed use is existing will re-use existing services and facilities.*

*This condition is MET.*



- 7) The special use will not cause injury to the value of other property in the neighborhood in which it is to be located;

*The Lincoln Park Zoning Board of Appeals approved a dimensional variance request from the 5,000-ft. setback from a similar use request, indicating that the proposed use is compatible with other uses in the neighborhood.*

*This condition is MET.*

- 8) The special use will protect the natural environment, help conserve natural resources and energy, and will not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to the natural environment, public health, safety or welfare by reason of excessive production of traffic, noise, smoke, odors or other such nuisance;

*The proposal does nothing to protect the natural environment; however, it will preserve the existing landscaping on the site as well as the natural vegetated area adjacent to Ecorse Creek.*

*This condition is PARTIALLY MET.*

- 9) The special use is within the provisions of uses requiring special approval as set forth in the various zoning districts herein, is in harmony with the purposes and conforms to the applicable regulations of the zoning district in which it is to be located, and meets applicable site design standards for use in Section 1296.02; and

*With the approved dimensional variance and pending the installation of a screening wall, the site design conforms with the requirements of §1294.14 of the Lincoln Park Zoning Ordinance.*

*This condition is MET.*

- 10) The special use is related to the valid exercise of the City's police power and purposes which are affected by the proposed use or activity.

*This condition is MET.*

## PROPOSED MOTION

I move that the Lincoln Park Planning Commission grant Special Land Use **Approval** for an automotive service station at 4089 Dix Highway, as requested in PPC 22-0003, based on an affirmative finding of compliance with the criteria set forth in Section 1262.08 of the Lincoln Park Zoning Code.

**SITE DATA**

**SITE AREA:** APPROX. 44,820 S.F. (EXISTING), +/-1.029 ACRES  
**ZONING:** MUNICIPAL BUSINESS DISTRICT (Chapter 1278)  
**BUILDING AREA:** EXISTING (APPROX. 45'-0" x 225'-0")  
= 11,950 G.S.F.  
**LEASEABLE AREA:** 85% OF GROSS BUILDING AREA  
11,950 G.S.F. x 0.85 = 10,158 S.F.

**PARKING CALCULATIONS:**  
**REQUIRED:**  
10,158 S.F. LEASEABLE / 250 S.F. = 41 SPACES (EXISTING CALCULATION)  
**PROVIDED:**  
48 SPACES + 1 HDCP + 1 VAN ACCESSIBLE HDCP = 50 SPACES (EXISTING)

**CODE COMPLIANCE**

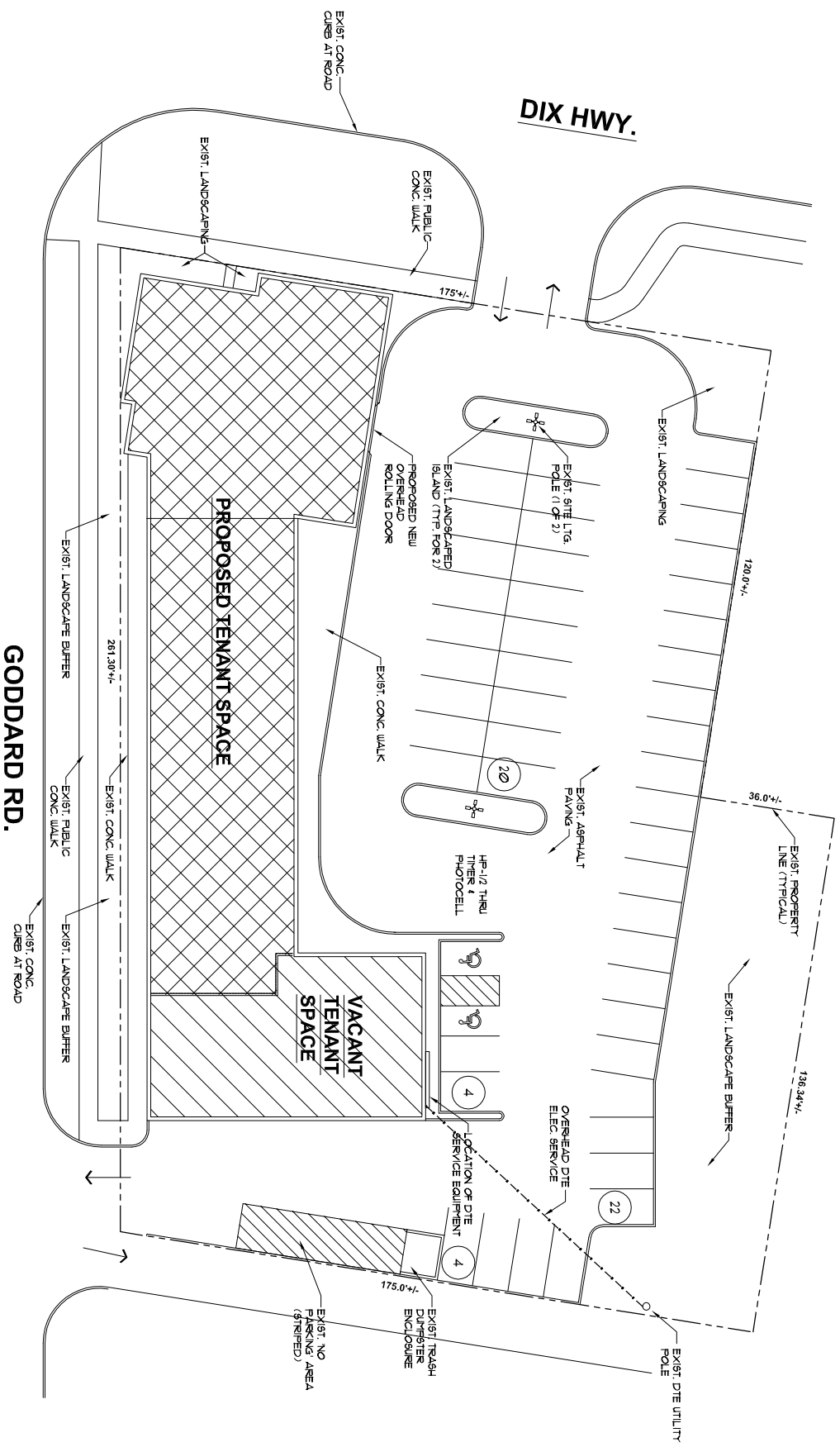
<b>BUILDING CODE:</b>	2015 MICHIGAN REHABILITATION CODE FOR EXISTING BUILDINGS
<b>ACCESSIBILITY:</b>	ICC/ANSI A117.1-2009 NATIONAL STANDARDS FOR ACCESSIBILITY
<b>PLUMBING:</b>	2018 MICHIGAN PLUMBING CODE
<b>MECHANICAL:</b>	2015 MICHIGAN MECHANICAL CODE
<b>ELECTRICAL:</b>	2014 NATIONAL ELECTRIC CODE W/ STATE OF MICHIGAN AMENDMENTS
<b>USE GROUP:</b>	(SECTION 303.1) M - MERCANTILE or B - BUSINESS
<b>CONSTRUCTION CLASSIFICATION:</b>	TYPE 2B
<b>OCCUPANCY:</b>	11,950 BUILDING G.S.F. (Per Table 1004.14.2) 11,950 G.S.F. x 80% (MERCANTILE) = 9,560 S.F. / 60 G.S.F. = 160 OCC. 11,950 G.S.F. x 20% (STORAGE) = 2,390 S.F. / 300 G.S.F. = 8 OCC. <b>TOTAL BLDG. OCCUPANCY = 168 OCCUPANTS</b>

**HAMOOD COSTR. SERVICES;  
SUNSHINE PLAZA  
PROPOSED TENANT  
CONSTR.**

**4089 DIX HWY.  
LINCOLN PARK, MI 48146**

**ARCHITECTURAL INTELLIGENCE LLC**  
Architecture ♦ Planning ♦ Interiors  
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PLAN NORTH

**EXIST. ARCHITECTURAL SITE PLAN**

SCALE: 1" = 20'-0"  
0' 5' 10' 20' 40'

**LEGAL DESCRIPTION:**  
PARCELS 1, 2, AND 3 ARE TOGETHER DESCRIBED AS FOLLOWS:  
LOTS 71 THROUGH 81 INCLUSIVE EXCLUDING THE SOUTH 10 FEET THEREOF, ALSO LOTS 82 THROUGH 84 INCLUSIVE, ALSO 1/2 ADJACENT GODDARD AVENUE, 150 FEET THEREOF, DO NOT BE SUBJECT TO A SUBDIVISION. ALSO LOTS 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 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1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008



**HAMOOD COSTR. SERVICES  
SUNSHINE PLAZA  
PROPOSED TENANT  
CONSTR.**

**4089 DIX HWY.  
LINCOLN PARK, MI 48146**

**ARCHITECTURAL INTELLIGENCE LLC**

Architecture • Planning • Interiors

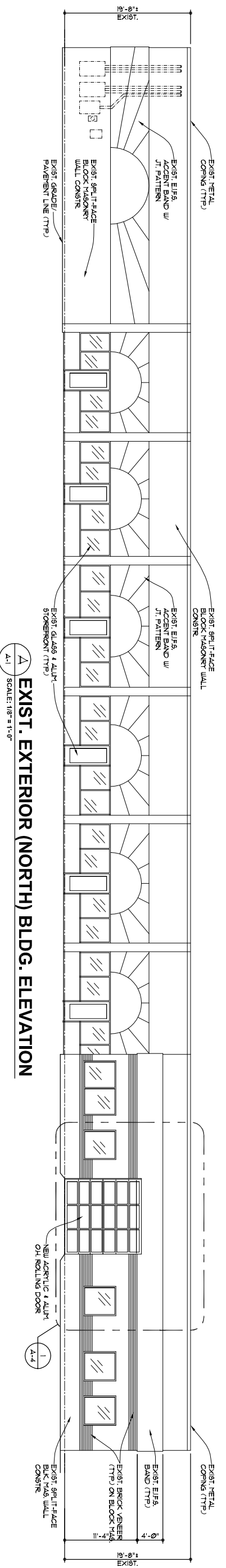
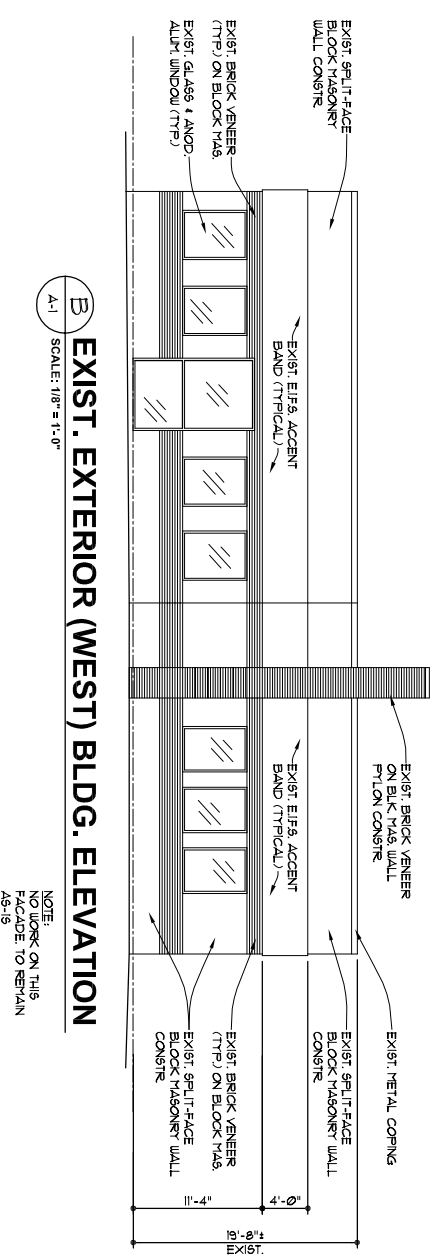
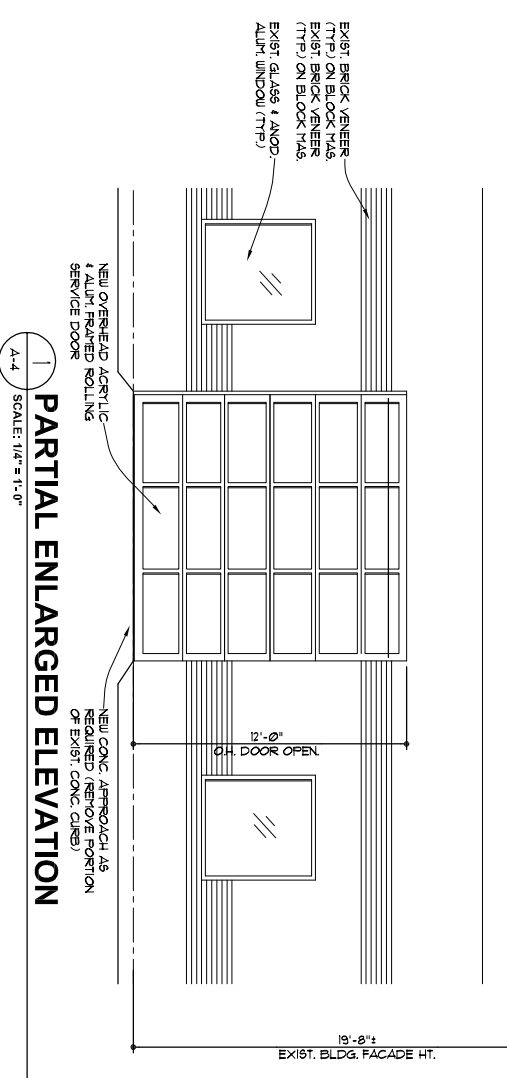
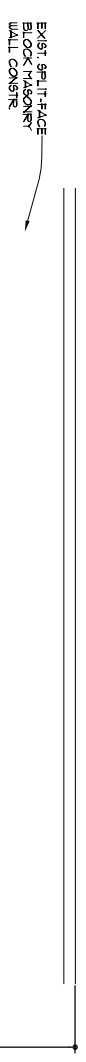
905 W. 11 Mile Rd Madison Heights, MI 48071

(248) 229-2273 Fax (248) 677-3727

E-Mail: [archintelligence@yahoo.com](mailto:archintelligence@yahoo.com)

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DATE: 02-04-22	PLANNING COMMISSION
ISSUED FOR: (NO) NOT SCALE DRAWINGS - USE FIGURED DIMENSIONS	
DRAWING TITLE: EXTERIOR BLDG. ELEVATIONS - NEW WORK	
CAD DRAWINGS FILE: 2101-A-4.dwg	
DRAWN BY: SAK	APPROVED BY: SAK
PROJECT NO: 2101	
<b>A-4</b>	SHEET NO.



March 1, 2022

Ms. Liz Gunden, AICP  
Beckett & Raeder, Inc.  
535 West William St. Suite 101  
Ann Arbor, MI 48103-4978

Re: Auto Repair  
4089 Dix Highway  
City of Lincoln Park, MI  
Hennessey Project #72166

Dear Ms. Gunden:

Hennessey Engineers, Inc. completed our first review of the plans for the Planning Commission review and received via email from your office on February 11, 2022.

The project consists of reoccupying an existing 11,950 square foot building.

Listed below are some comments which are recommended to be addressed in the Preliminary Plan approval but would not be grounds for a reason for denial from an engineering feasibility standpoint:

1. Based on the site plan submitted, the existing utilities and utility leads for the commercial site are being reused. It is important that the developer realize these existing utilities are old and may have reached their life expectancy. It is our strong recommendation for the developer to at least videotape the existing sewer lead to determine its condition prior to performing any new renovation on or around the building. If the service lead needs to be replaced the installation of the new service will need to be inspected by our office.
2. The developer should verify with the City the existing water service type and size. If the water service is a lead service, it will have to be replaced. The developer's engineer or architect shall determine the water service lead type and capacity.
3. Any work proposed in the Dix Highway right-of-way will require a County permit. This would include any utility connections and pavement repairs.
4. All existing pavement, within or adjacent to the site including sidewalks and drive approaches, that is not in good condition will have to be replaced or repaired. Some of the sidewalk adjacent to Dix Highway and abutting the front of building will need to be replaced.
5. The existing asphalt parking lot shall be crack sealed.

Auto Repair  
4089 Dix Highway  
Hennessey Engineers #72166

March 1, 2022  
Page 2 of 2

From an engineering feasibility standpoint, our office has no objection to the Preliminary Site Plan. Therefore, it's our recommendation for preliminary site plan approval.

Prior to the start of any construction, a permit from the City must be obtained. A detailed engineering review and approval of the construction plans will be required prior to permit issuance.

If you have any questions, please do not hesitate to contact me.

Sincerely,

HENNESSEY ENGINEERS, INC



Richard J. McCarty, P.E.  
Project Manager

RJM/rjm

cc: John Kozuh, DPW Director, City of Lincoln Park  
John Meyers, Building Official, City of Lincoln Park  
Laura Passalacqua (D'Onofrio), Commercial Business Assistant, City of Lincoln Park  
Montserrat Contreras, Permit Clerk, City of Lincoln Park  
James Hollandsworth, Lincoln Park Project Manager, Hennessey Engineers

R:\Municipalities\70000's Lincoln Park\72000's\72170 Applied Behavior & Therapy 3955 Dix\2022-3-1\_3955 dix 1st PC Review\_72170.docx

## Elizabeth Gunden

---

**From:** Ray Watters <RWatters@citylp.com>  
**Sent:** Monday, February 14, 2022 11:21 AM  
**To:** Elizabeth Gunden  
**Subject:** Re: Site Plan Review Request: 4089 Dix - Auto Service

The police department has no issues with the auto service moving forward.

Chief R.Watters

---

**From:** Elizabeth Gunden <egunden@bria2.com>  
**Sent:** Friday, February 11, 2022 9:04 AM  
**To:** Fire Chief <FChief@citylp.com>; Irenda Lockhart <ILockhart@citylp.com>; Robert Wright <RWright@citylp.com>; Ray Watters <RWatters@citylp.com>; Krystina Erdos <KErdos@citylp.com>; John Kozuh <JKozuh@citylp.com>; jdhollandsworth@engineers.com <jdhollandsworth@engineers.com>  
**Subject:** Site Plan Review Request: 4089 Dix - Auto Service

Hello!

Please find attached a set of plans for an automotive service use at 4089 Dix. Comments are appreciated by reply to this email by Friday, February 18<sup>th</sup>. Thank you!

Liz Gunden. AICP  
Project Planner  
**Beckett&Raeder, Inc.**  
*Making Great Places for over 50 Years*  
535 West William St Suite 101  
Ann Arbor, MI 48103

Office: 734.663.2622  
Direct Line: 734.239.6615

Petoskey, MI 231.347.2523  
Traverse City, MI 231.933.8400  
Toledo, OH 419.242.3428

Please visit us at [www.bria2.com](http://www.bria2.com)

RECEIVED

FEB 08 2022

SLU - 4089 DIX

Case No. PPC22-0003

Date Submitted 2-8-22 (9)

CITY OF LINCOLN PARK BUILDING DEPARTMENT

City of Lincoln Park APPLICATION FOR SPECIAL USE APPROVAL

NOTICE TO APPLICANT: Applications for Special Use review by the Planning Commission must be submitted to the City in substantially complete form at least thirty (30) days prior to the Planning Commission's meeting at which the proposal will be considered. The application must be accompanied by six (6) individual folded copies of the site plan, plus the required review fees. Regular meetings of the Planning Commission are held on the second Wednesday of each month at 7:00 p.m. All meetings are held at the Lincoln Park City Hall, 1355 Southfield Road, Lincoln Park, Michigan 48146. Phone number (313) 386-1800; Fax (313) 386-2205.

Special Uses shall comply with the standards in Section 1262.08 of the Zoning Ordinance. Accordingly, a public hearing shall be held by the Planning Commission before a decision is made on any Special Use request. Furthermore, a site plan shall be required, which shall be prepared in accordance with Section 1294.01 of the Ordinance.

TO BE COMPLETED BY APPLICANT:

I (we) the undersigned do hereby respectfully request Special Use Review and provide the following information to assist in the review:

Applicant: STEPHEN KWASNIK % ARCHITECTURAL INTELLIGENCE LLC

Mailing Address: 905 W. 11 MILE RD MADISON HTS., MI 48071

Email Address: archintelligence@yahoo.com

Telephone: 248.229.7273 Fax:

Property Owner(s) (if different from Applicant): DM INVESTMENTS 26, LLC

Mailing Address: 645 CRAWFORD AVE BROOKLYN, N.Y. 11223

Telephone: (718) 510-6352 Fax:

Applicant's Legal Interest in Property: OWNER'S ARCHITECT & REPRESENTATIVE

Location of Property: Street Address: 4089 DIX HWY

Nearest Cross Streets: DIX & GODDARD RD

Sidwell Number: Parcel No 4502204007731

Property Description:

If part of a recorded plat, provide lot numbers and subdivision name. If not part of a recorded plat (i.e., "acreage parcel"), provide metes and bounds description. Attach separate sheets if necessary.

LOTS 77 THRU 81, EXCLUDING SOUTH 10 FEET, LOTS 82-84 INCLUSIVE ALSO 1/2 VACATED COOLIDGE AVE ALLEY, ADJ. TO LOTS 82 & 83 DIX MANOR SUBDIVISION. LOTS 96, EXCEPT NORTH 242', ALSO LOTS 97-107

Property Size (Square Ft): (Acres): Present Use of Property: COMMERCIAL RETAIL

Proposed Use of Property: COMMERCIAL RETAIL / AUTO PERSONAL SERVICES



Existing Zoning (please check):

- |   |  |
|---|--|
| <input type="checkbox"/> SFRD Single Family Residential District    | <input type="checkbox"/> RBD Regional Business District  |
| <input type="checkbox"/> MFRD Multiple Family Residential District  | <input type="checkbox"/> CBD Central Business District   |
| <input type="checkbox"/> MHRD Mobile Home Park District             | <input type="checkbox"/> GID General Industrial District |
| <input type="checkbox"/> NBD Neighborhood Business District         | <input type="checkbox"/> LID Light Industrial District   |
| <input checked="" type="checkbox"/> MBD Municipal Business District | <input type="checkbox"/> CSD Community Service District  |
| <input type="checkbox"/> PUD Planned Unit Development District      |  |

Please Complete the Following Chart:

Type of Development	Number of Units	Gross Floor Area	Number of Employees on Largest Shift
Detached Single Family			
Attached Residential			
Office			
Commercial	2	11,942	10
Industrial			
Other			

**ATTACH THE FOLLOWING:**

1. Six (6) individually folded copies of the site plan, sealed by a registered architect, engineer, landscape architect or community planner.
2. Proof of property ownership.
3. A brief written description of the proposed use.

**PLEASE NOTE:** The applicant or a designated representative **MUST BE PRESENT** at all scheduled review meetings or the site plan may be tabled due to lack of representation.

**APPLICANT'S ENDORSEMENT:**

All information contained herein is true and accurate to the best of my knowledge. I acknowledge that the Planning Commission will not review my application unless all information required in this application and the Zoning Ordinance have been submitted. I further acknowledge that the City and its employees shall not be held liable for any claims that may arise as a result of acceptance, processing, or approval of this application.

*Stephen Karesnik* \_\_\_\_\_ Date 2/4/2022  
 Signature of Applicant \_\_\_\_\_ Date

\_\_\_\_\_  
 Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_  
*[Signature]* \_\_\_\_\_ Date 2/4/2022  
 Signature of Property Owner Authorizing this Application \_\_\_\_\_ Date

*To be completed by City:*

Date Submitted: \_\_\_\_\_ Fee Paid: \_\_\_\_\_  
 Received By: \_\_\_\_\_ Date of Public Hearing: \_\_\_\_\_

**PLANNING COMMISSION ACTION (RECOMMENDATION)**

To Approve: \_\_\_\_\_ To Deny: \_\_\_\_\_ Date of Action: \_\_\_\_\_  
 Reasons for Action Taken: \_\_\_\_\_

**CITY COUNCIL ACTION**

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Date of Action: \_\_\_\_\_  
 Reasons for Action Taken: \_\_\_\_\_

# RECEIVED

FEB 08 2022

CITY OF LINCOLN PARK  
BUILDING DEPARTMENT

Lincoln Park  
Beckett & Raeder

FOR OFFICE USE ONLY
CASE # <u>PPC 22-0003</u>
DATE SUBMITTED <u>2-8-2022</u>

## APPLICATION FOR SITE PLAN REVIEW

CITY OF LINCOLN PARK  
1355 SOUTHFIELD RD. LINCOLN PARK, MI 48146  
PH: (313) 386-1800 | FAX: 313-386-2205

### NOTICE TO APPLICANT:

Applications for Site Plan Review by the Planning Commission must be submitted to the City in complete form at least thirty (30) days prior to the Planning Commission's meeting at which the proposal will be considered. City Staff will review the application for completeness. The application must be accompanied by the data specified in the Zoning Ordinance and Site Plan Review Guidelines, including fully dimensioned site plans, plus the required review fees. Regular meetings of the Planning Commission are held on the second Wednesday of each month at 7:00 pm. All meetings are held at the Lincoln Park City Hall.

### APPLICANT INFORMATION

NAME <u>STEPHEN KWASNICK % ARCHITECTURAL INTELLIGENCE, LLC</u>			ADDRESS <u>905 W. 11 MILE RD</u>	
CITY <u>MADISON HTS.</u>	STATE <u>MI</u>	ZIP CODE <u>48071</u>	PHONE <u>248.229.7273</u>	EMAIL <u>archintelligence@yahoo.com</u>

### PROPERTY OWNER (if different from Applicant)

NAME <u>DM INVESTMENTS 26</u>			ADDRESS <u>645 CRAWFORD AVE</u>	
CITY <u>BROOKLYN</u>	STATE <u>NY</u>	ZIP CODE <u>11223</u>	PHONE <u>718.510.6352</u>	EMAIL <u>mhasbani@lmcfopartners.com</u>

Attached written consent of property owner or lessee of property, if different than applicant.

### PROPERTY INFORMATION

PROPERTY ADDRESS <u>4089 DIX HWY.</u>	NEAREST CROSS STREETS <u>DIX &amp; GODDARD</u>
PROPERTY DESCRIPTION (If part of a recorded plat, provide lot numbers and subdivision name. If not part of a recorded plat (i.e. acreage parcel), provide a metes and bounds description. Attach separate sheets if necessary.) <u>LOTS 77 THRU 81, EXCLUDING SOUTH 10 FEET THEREOF, ALSO LOTS 82-84 INCLUSIVE, ALSO 1/2 VACATED COOLIDGE AVE ADJ. TO LOTS 82 AND 83, ALSO ADJ. VACATED ALLEY 16 FT WIDE, ALSO VACATED ADJ. ALLEY 8 FT WIDE, DIX AVENUE MANOR SUB.</u>	
PROPERTY SIZE (square feet and acres) <u>44,820 ± SF (1.029 ACRES)</u>	ZONING DISTRICT <u>MUNICIPAL</u>

### PROPOSED DEVELOPMENT

Present Use of Property: EXIST COMMERCIAL RETAIL. NO CHANGE OTHER THAN "SPECIAL LAND USE" APPROVAL REQUIRED.

Proposed Use of Property: EXIST. COMMERCIAL/RETAIL.  
PROPOSED AUTO TINTING & CAR STEREO INSTALLATION  
BUSINESS

Please complete the following chart:

TYPE OF DEVELOPMENT	NUMBER OF UNITS	GROSS FLOOR AREA	NUMBER OF EMPLOYEES ON LARGEST SHIFT
Detached Single Family			
Attached Residential			
Office			
Commercial	2	11,942	10
Industrial			
Other			

PROFESSIONALS WHO PREPARED THE PLANS:

NAME <u>STEPHEN KWASNIAK /o</u> <u>ARCHITECTURAL INTELLIGENCE</u>			ADDRESS <u>905 W. 11 MILE RD</u>	
CITY <u>MADISON HTS.</u>	STATE <u>MI</u>	ZIP CODE <u>48071</u>	PHONE <u>248.229.7273</u>	EMAIL <u>archintelligence@</u> <u>yahoo.com</u>
PRIMARY DESIGN RESPONSIBILITY <u>ARCHITECT</u>				

NAME			ADDRESS	
CITY	STATE	ZIP CODE	PHONE	EMAIL
PRIMARY DESIGN RESPONSIBILITY				

NAME			ADDRESS	
CITY	STATE	ZIP CODE	PHONE	EMAIL
PRIMARY DESIGN RESPONSIBILITY				

NAME			ADDRESS	
CITY	STATE	ZIP CODE	PHONE	EMAIL
PRIMARY DESIGN RESPONSIBILITY				

**ATTACH THE FOLLOWING:**

<input checked="" type="checkbox"/>	Eight (8) individually folded copies of the site plan (24" x 36"), sealed by a registered architect, engineer, landscape architect, or community planner as well as ONE (1) electronic copy in PDF format.						
<input type="checkbox"/>	A brief written description of the existing and proposed uses as identified in the "Narrative" section of the Site Plan Application Requirements Table, including but not limited to hours of operation, number of employees, number of employees on largest shift, number of company vehicles, etc.						
<input checked="" type="checkbox"/>	Proof of property ownership or lease agreement.						
<input type="checkbox"/>	Review comments of approval received from County, State, or Federal agencies that have jurisdiction over the project, including but not limited to: <table border="0" style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 50%;">Wayne County Road Commission</td> <td style="width: 50%;">Wayne County Drain Commission</td> </tr> <tr> <td>Wayne County Health Division</td> <td>Michigan Department of Natural Resources</td> </tr> <tr> <td>Michigan Department of Transportation</td> <td>Michigan Department of Environment, Great Lakes, &amp; Energy</td> </tr> </table>	Wayne County Road Commission	Wayne County Drain Commission	Wayne County Health Division	Michigan Department of Natural Resources	Michigan Department of Transportation	Michigan Department of Environment, Great Lakes, & Energy
Wayne County Road Commission	Wayne County Drain Commission						
Wayne County Health Division	Michigan Department of Natural Resources						
Michigan Department of Transportation	Michigan Department of Environment, Great Lakes, & Energy						

**IMPORTANT**

The applicant or a designated representative **MUST BE PRESENT** at all scheduled review meetings or the site plan may be tabled due to lack of representation.

Failure to provide true and accurate information on this application shall provide sufficient grounds to deny approval of a site plan application or to revoke any permits granted after the site plan approval.

**APPLICANT ENDORSEMENT**

All information contained herein is true and accurate to the best of my knowledge. I acknowledge that the Planning Commission will not review my application unless all information required in this application and the Zoning Ordinance have been submitted. I further acknowledge that the City and its employees shall not be held liable for any claims that may arise as a result of acceptance, processing, or approval of this site plan application. Finally, I acknowledge that part of the site plan review process includes City staff entering the exterior of the property for site visits.

Signature of Applicant: Stephen Kwasmile

Date: 2/4/22

Signature of Applicant: [Signature]

Date: 2/4/22

Signature of Property Owner: [Signature]  
Authorizing this Application

Date: 2/4/22

**TO BE COMPLETED BY THE CITY**

DATE SUBMITTED:	FEE PAID:
BY:	DATE OF PUBLIC HEARING:
<b>PLANNING COMMISSION ACTION</b>	DATE OF ACTION:
<input type="checkbox"/> APPROVED	
<input type="checkbox"/> DENIED	

## WARRANTY DEED

The Grantor(s), AB Property Management, LLC, a Michigan Limited Liability Company whose address is 601 Centralia St., Dearborn Heights, MI 48127, convey(s) and warrant(s) to DM Investments 26, LLC, a Michigan Limited Liability Company, Grantee(s), whose address is 2285 South Michigan Road, Eaton Rapids, MI 48827, the following described premises:

Land situated in the City of Lincoln Park, County of Wayne, State of Michigan, described as follows:

**Parcel 1:**

Lots 99 through 104, inclusive, except the West part thereof measuring 60.70 feet on the South line of Lot 99 and 56.92 feet on the North line of Lot 104; also except the South 10 feet of Lot 99; also the West 1/2 of the vacated alley adjacent Lots 99 through 102 and the Southerly 8 feet of Lot 103, Dix Manor Subdivision of Private Claim No. 116, according to the plat thereof as recorded in Liber 47, Page 38 of Plats, Wayne County Records.

**Parcel 2:**

Lots 77 through 81, inclusive, except the South 10 feet thereof; Lots 82 through 84, inclusive; also vacated alley 16 feet wide adjacent to Lots 77 through 83, inclusive; also vacated alley 8 feet wide adjacent to the West line of Lot 83; also that part of the West 1/2 of the vacated street adjacent to Lots 82 through 84, Inclusive, Dix Avenue Manor Subdivision of fractional Section 24, according to the plat thereof as recorded in Liber 24, Page 47 of Plats, Wayne County Records. Also Lot 96 except the North 242 feet thereof; also Lots 97 and 98, except the South 10 feet thereof; also the adjacent vacated alley 16 feet wide; also except the vacated alley adjacent to the Southerly 74.6 feet of Lot 98, Dix Avenue Manor No. 1, Subdivision of fractional Section 24, Liber 47, Page 38, Wayne County Records.

**Parcel 3:**

Lots 105 through 107, inclusive, except the West part measuring 56.92 feet on the South line and 55.42 feet on the North line of Lot 107, Dix Avenue Manor No. 1 Subdivision of Private Claim 116, according to the plat thereof as recorded in Liber 47, Page 38 of Plats, Wayne County Records.

Parcels 1, 2 and 3 are together described as follows:

Lots 77 through 81, inclusive, excluding the South 10 feet thereof, also Lots 82 through 84, inclusive, also 1/2 vacated Coolidge Avenue adjacent to Lots 82 and 83, also adjacent vacated alley 16 feet wide, also adjacent vacated alley 8 feet wide, Dix Avenue Manor Subdivision, fractional Section 24, according to the plat thereof as recorded in Uber 47, Page 29 of Plats, Wayne County Records. Also Lot 96, except the North 242 thereof, also Lots 97 through 107, inclusive, combined except the South 10 feet thereof, also except the Westerly point; thereof, measured 60.70 feet on the South line of Lot 99 and 55.42 feet of the North line of Lot 107, also adjacent vacated alley 8 feet wide; also adjacent alley 16 feet also East 1/2 of vacated alley adjacent to Southerly 74.60 feet of Lot 98, Dix Avenue Manor No. 1 Subdivision, fractional Section 24, as recorded in Liber 47, Page 38 of Plats, Wayne County Records.

**COMMONLY KNOWN AS: 4089 Dix Ave., Lincoln Park, MI 48146**

Commonly known as: 4089 Dix Ave., Lincoln Park, MI 48146  
Parcel ID No(s): 45-022-04-0077-301

For the Full Consideration of Seven Hundred Seventy-Five Thousand And No/100 Dollar(s) (\$775,000.00) subject to building and use restrictions and easements of record, if any.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto.

SUBJECT to easements and restrictions of record, zoning laws and ordinances affecting the premises, and rights of the public and of any governmental entity in any part thereof taken, used or deeded for street, road, right of way, or highway purposes, and subject to taxes and future installments of special assessments payable hereafter.

1. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.

Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.

Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.



- 2.
3. Easement for public utilities located in the vacated public alley adjacent to subject property.

Covenants, conditions, and restrictions and other provisions but omitting those restrictions, if any, based on race, color, religion, sex, handicap, familial status or national origin as contained in instrument(s) recorded in Liber 1235, Page 259 and Liber 2260, Page 507 and Liber 2478, Page 327 and Liber 2485, Page 264 and Liber 2838, Page 441 and Liber 3091, Page 533 and Liber 3303, Page 84 and Liber 3324, Page 387 and Liber 3457, Page 35 and Liber 3647, Page 293 and Liber 3824, Page 447 and Liber 5431, Page 430 and Liber 8430, Page 112 and Liber 9235, Page 218 and Liber 9285, Page 184 and Liber 9394, Page 241 and Liber 9520, Page 204 and Liber 10125, Page 518 and Liber 12654, Page 557 and Liber 10719, Page 70 and Liber 10599, Page 482, Wayne County Records.

Terms, conditions and provisions pursuant to adopted Resolution recorded in Liber 15437, Page 169.

Terms, conditions and provisions pursuant to adopted Resolution recorded in Liber 17018, Page 294.

Terms, conditions and provisions pursuant to adopted Resolution recorded in Liber 25167, Page 317.

Easement pursuant to instrument recorded in Liber 20161, Page 284.

Terms, conditions and provisions of Confirmation pursuant to instrument recorded in Liber 20171, Page 635.

Terms, conditions and provisions of Confirmation pursuant to instrument recorded in Liber 20446, Page 697.

Permanent Easement Agreement (Commercial) as disclosed in instrument recorded in December 5, 2006 in Liber 45689, Page 275.

Dated this 30th day of April, 2018.

AB Property Management, LLC, a Michigan Limited Liability Company

BY: *Ali Beydoun*  
 Ali Beydoun  
 ITS: President/Member

STATE OF Michigan

County OF Wayne

I, *Lola Elzein*, a Notary Public for the County of *Wayne* and State of Michigan, do hereby certify that AB Property Management, LLC, a Michigan Limited Liability Company by: Ali Beydoun, Member, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 2nd of May, 2018.

Notary Public

My Commission Expires:

(SEAL)

*Lola Elzein*  
 LOLA ELZEIN  
 Notary Public, State of Michigan  
 County of Wayne  
 My Commission Expires 10-01-2019  
 Acting in the County of *Wayne*

Prepared by:  
 Ali Beydoun  
 601 Centralia St.  
 Dearborn Heights, MI 48127

Assisted by:  
 Venture Title Agency  
 22174 Michigan Avenue  
 Dearborn, MI 48124

When recorded mail to:  
 DM Investments 26, LLC, a Michigan  
 Limited Liability Company  
~~2280 South Michigan Road~~  
~~Eaton Rapids, MI 48827~~

*645 Crawford Ave.  
 Brooklyn, NY 11223*

