



## LINCOLN PARK PLANNING COMMISSION

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

January 11, 2023 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. Election of Officers
  - B. Conceptual Site Plan Review: 2375-2379 Dix – Auto Service
  - C. 2022 Planning Commission Annual Report
- VII. Policy Review and Discussion
- VIII. Education and Training (see January Planning Report)
- IX. Reports from Department and Other Boards and Commissions
- X. Public Comments
- XI. Comments from Planning Commissioners
- XII. Adjournment

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The City of Lincoln Park will provide necessary reasonable auxiliary aides and services, such as signers for the hearing impaired and audio tapes of printed material being considered at the meeting to individuals with disabilities at the meeting/hearing upon seven (7) days prior notice to the City of Lincoln Park. Individuals with disabilities requiring auxiliary aides or services should contact the City of Lincoln Park by writing or calling the following: The Building Department, 1355 Southfield Road, Lincoln Park MI 48146; 313-386-1800 ext. 1296

**CITY OF LINCOLN PARK  
COUNTY OF WAYNE, STATE OF MICHIGAN  
PLANNING COMMISSION MEETING OF DECEMBER 14, 2022**

A Planning Commission meeting of December 14, 2022, Lincoln Park City Hall at 1355 Southfield, Lincoln Park Michigan was called to order at 7:00 p.m. Mr. Persinger, Commencing with the Pledge of Allegiance.

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

**ABSENT:**

**EXCUSED:**

**ALSO PRESENT:** John Meyers, Kyles Wilkes, Christian Mura, David Allen, Ahmed Safadi, Zak Massiri, Michael Higgins

**APPROVAL OF MINUTES AS CORRECTED**

Moved by: Duprey

Supported by: Persinger

**MOTION CARRIED unanimously**

**APPROVAL OF AGENDA**

Moved by: Palmer

Supported by: Duprey

**MOTION CARRIED unanimously**

**OLD BUSINESS**

NONE.

**NEW BUSINESS**

**A. SITE PLAN REVIEW 2178 FORT – OFFICE**

The proposed project is a professional services establishment (accounting, tax preparation and insurance office). The site was previously used as a medical (chiropractic) office and the proposed professional services facility will reoccupy entirety of the existing building.

The site comprises an existing building and associated parking lot on the corner of Fort Street and Garfield Avenue. The entire site is approximately 0.14 acres, and the existing building is 1,284 sq. ft. in floor area. The site fronts Fort Street and has vehicular access via Front Street to the east and vehicular egress to the south along Garfield Avenue. There is an existing 20-ft. concrete sidewalk along Fort Street and eight parking spaces for the building in an adjacent surface lot to the south. There are existing raised planter boxes in front of the building containing trees.

Recommended that the City of Lincoln Park Planning Commission approve the site plan numbered PPC22-0011, proposing an office at 2178 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.

Moved by: Persinger  
Supported by: Palmer

Yay's: Palmer, Kissel, Horvath, Persinger, Duprey, LoDuca  
Nay's: None  
Motion Approved

**B. SITE PLAN REVIEW 625 SOUTHFIELD – CABINET ASSEMBLY**

The proposed project is a “service” establishment of a workshop nature to include the assembly and sale of cabinetry. The existing site is currently vacant and was previously used for an ambulance company.

The 0.26-acre site consists of two parcels located on Southfield Road between Applewood and Washington Avenues. The parcel to the west of the subject site contains a vacant, 2,692 sq. ft. building and two concrete parking areas, while the other (easternmost) parcel is currently vacant. There is an existing five-foot public sidewalk along Southfield Road as well as a public alleyway to the rear of the property. Access to the site is via Southfield Road in the front, where there is also a proposed small loading area.

Recommended that the City of Lincoln Park Planning Commission **approve** the site plan numbered PPC22-0012, proposing a cabinet assembly service establishment at 625 Southfield Road and consisting of the pages and revision dates found under ‘Site Plan Documents’ above, based on the finding that the proposal **does** substantially comply with the requirements of §1296.01.

Moved by: Loduca  
Supported by: Persinger

Yay's: Palmer, Kissel, Horvath, Persinger, Duprey, LoDuca  
Nay's: None  
Motion Approved

**POLICY REVIEW AND DISCUSSION**

**EDUCATION AND TRAINING**

A. See December Planning Report

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

**PUBLIC COMMENTS**

**COMMENTS FROM PLANNING COMMISSIONERS**

Comments on name plates for Palmer and Persinger

**ADJOURNMENT**

Moved by: Palmer

Supported by: LoDuca

**MOTION CARRIED unanimously**

Meeting adjourned at 8:00 p.m.

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MICHAEL HORVATH, Secretary

2375-2379 Dix – Auto Service

## Conceptual Site Plan Review

<b>Applicant</b>	Adam Nehme, represented by Ziad Albaba
<b>Project</b>	Automotive Service Establishment
<b>Address</b>	2375-2379 Dix Highway, Lincoln Park, MI 48146
<b>Date</b>	January 11, 2023
<b>Request</b>	Conceptual 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 Map

The proposed project is the partial demolition and redevelopment of an existing structure to accommodate the office and parking needs of an existing automotive service establishment. The site and use are existing; however, there is no history of planning approvals. The site consists of two parcels: the southern parcel will be the office and parking area, and the northern parcel is the existing automotive service use. The entire site will be considered for this review.

#### Site Conditions

The 0.44-acre site is located on the east side of Dix Highway between Mill Street to the north and McClain Avenue to the South. There is an existing building that covers almost the entirety of the southern parcel, and about two-thirds of this building will be demolished. The existing rear parking area on the southern parcel will remain as well as the existing building and front parking area on the northern parcel. There is an existing public sidewalk along Dix Highway and McClain Avenue as well as a public alleyway to the rear of the property. Access to the rear parking area is via the rear alley, and access to the front of the site is via the existing curb cut on Dix Highway.

## Master Plan

### *Future Land Use Classification*

The future land use classification for the site is General Commercial. The proposed retail use is consistent with the designation.

### *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 Neighborhood Business District (NBD). “Automotive service centers without fueling stations, provided that no outside storage of vehicles shall exceed a period of twenty-four (24) hours” are permitted after Special Approval in the district per §1276.03(e) of the Lincoln Park Zoning Ordinance.



Figure 2: Zoning Map

### *Proposed and Existing Uses*

<b>Site</b>	Commercial (Auto Service) – Neighborhood Business District (NBD)
<b>North</b>	ROW, then Commercial – Neighborhood Business District (NBD)
<b>East</b>	ROW, then Residential – Single Family Residential District (SFRD)
<b>South</b>	ROW, then Commercial – Neighborhood Business District (NBD)
<b>West</b>	ROW, then Commercial – Neighborhood Business District (NBD)

## 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-1	Floor Plans	12/10/2022	–
A-2	Elevations	12/10/2022	–
SP-1	Existing Site Plan	12/10/2022	–
SP-2	Modified Site Plan	12/10/2022	–

**Dimensional Standards**

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

	Required	Provided	Compliance
<b>Lot Width</b>	Min. 40	~250 ft.	<b>Met</b>
<b>Street Frontage</b> (§1294.09)	Shrubbery and low retaining walls maximum 2 ½' < height < 8'	No proposed or existing shrubbery / walls at corners	<b>N/A</b>
<b>Lot Area</b>	Min. 4,000 sq. ft.	~19,904 sq. ft.	<b>Met</b>
<b>Lot Coverage</b>	Max. 50%	~7,028/19,904 = 35%	<b>Met</b>
<b>Height</b>	2-Story Building; 25 ft	1 story; 18 ft.	<b>Met</b>
<b>Setback – Front</b>	0	Dix: ~40 ft. Mill St.: ~18 ft. McClain Ave.: 0 ft.	<b>Met</b>
<b>Setback – Sides</b>	0	N/A	<b>N/A</b>
<b>Setback – Rear</b>	0	0 ft.	<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><i>1 block north on Dix Hwy – single-story, square, flat roofs</i></p>  <p><i>1 block south on Dix Hwy – single-story, square, brick, flat roofs</i></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>West Elevation (front on Dix Hwy.): cannot determine material percentages</u> <ul style="list-style-type: none"> <li>Block: ~1,038 sf</li> <li>Unknown Material: ~1,868 sf</li> <li>Glass Windows &amp; Doors (exempt): ~364 sf</li> <li>Metal Doors: ~672 sf</li> <li>Total Area: ~3,642 sf</li> </ul> <u>East Elevation (rear on alley): 90% block (2,964/3,281)</u> <ul style="list-style-type: none"> <li>Block: ~2,964 sf</li> <li>Metal Doors: ~317 sf</li> <li>Total Area: ~3,281 sf</li> </ul> <u>North Elevation (front on Mill St.): cannot determine material percentages</u> <ul style="list-style-type: none"> <li>Unknown Material: ~548 sf</li> <li>Glass windows (exempt): ~127 sf</li> <li>Total Area: ~675 sf</li> </ul> <u>South Elevation (front on McClain Ave.): cannot determine material percentages</u> <ul style="list-style-type: none"> <li>Block: ~330 sf</li> <li>Unknown Material: ~262 sf</li> <li>Glass windows (exempt): ~23 sf</li> <li>Total Area: ~615 sf</li> </ul> </li> <li>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>Painted tan with red accents</i></li> </ul>	<p><b>INQUIRY</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 Hwy: 364/3,642 = 10%, Mill St.: 127/675 = 19%, McClain Ave.: 23/615 = 4%</i></li> <li>• Size, shape, orientation, spacing to match buildings within 500'</li> </ul>	<b>NOT MET</b>
<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)</li> </ul>	<b>Met</b>
<ul style="list-style-type: none"> <li>• Pitched / shingled roof forms suggested; overhanging eaves with slope of 0.5 to 1 <i>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 existing or proposed mechanical equipment. Any future mechanical equipment shall be screened by room form.</i></li> </ul>	<b>Met</b>

The proposed project will modify an existing building. More details on building materials are needed to determine compliance with the building material requirements. Additionally, the building has three facades that front public rights-of-way, and none of the sides meet the 25% transparency requirement. The proposed modification to the existing building will reduce the number of windows on the facades facing Dix Highway (west) and McClain Avenue (south). When there are proposed changes to existing facades, it is typically an opportunity to bring a building into compliance with the Zoning Ordinance.

**Items to be addressed**

- Applicant shall provide building material details.
- Applicant shall add windows on the west and south sides of the building to meet the 25% transparency requirement for a façade facing a public right-of-way.

**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.*

There are no significant natural features to preserve.

**Items to be addressed**

*None*

**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 a public sidewalk on three sides (Dix Highway, Mill Street, and McClain Avenue), which provides pedestrian circulation separated from the vehicular circulation. There are no bicycle lanes on the ROW or bicycle parking facilities proposed. Any broken, cracked, or unsafe sidewalks in the right-of-way must be repaired. Engineering comments indicate that the flat work around the building looks to be in poor condition, and it should be replaced.

**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 Stations	One (1) for each employee, plus one (1) for the owner and/or manager, plus two (2) for each service bay. <i>5 services bays x 2 = 10 spaces</i> <i>No employee or owner/manager details provided.</i> <i>Total: Unable to determine</i>	7 spaces shown in rear parking area; No parking spaces shown on plan in front of building	<b>INQUIRY</b>

	Required	Proposed	Compliance
<b>Parking Area Type B</b> §1290.05	Adequate means of ingress and egress shall be provided and shown	Two existing access points on Dix Hwy.; one access point on Mill St.; access to rear parking alley via alley. There appear to be parked vehicles blocking access on Dix Hwy.	<b>INQUIRY</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	Asphalt surface, though it appears to be in poor condition.	<b>INQUIRY</b>
	Concrete curbs and gutters	No details provided.	<b>INQUIRY</b>
	When adjoining residential property and/or a residential street or alley: 6' solid masonry wall, ornamental on both sides, with bumper guards	The property is separated by an alley and residential district to the east. The building serves as the screening wall.	<b>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.	The property is separated by an alley and residential district to the east. The building serves as the screening wall.	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 details or parking layout provided for the area in front of the building.	INQUIRY

No details have been provided regarding employees or management, which are needed to determine parking requirements. With the proposed building modification, there will be a significant amount of space added to the front of the site, which will presumably be used for parking. No layout or details have been provided for this area. Additionally, it appears as though cars are routinely parked on the sidewalk and blocking the ingress and egress points to the site.

**Items to be addressed**

- Applicant shall provide the employee and owner / manager details to determine parking requirements.
- Applicant shall show parking spaces and layout in front of the building on the site plan.
- Applicant shall not park vehicles in driveways and no outside storage of vehicles shall exceed a period of twenty-four (24) hours.
- Applicant shall provide details on parking surface material and ensure that it is brought up to City Standards.
- Applicant shall provide details on concrete curbs and gutters.

**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
1 to 25	1	1	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 provided.	<b>NOT MET</b>

**Items to be addressed**

- Applicant shall provide a loading space in compliance with §1290.09.

**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> </ul>	<ul style="list-style-type: none"> <li>• Two existing drives on Dix; directional details not provided.</li> </ul>	<b>INQUIRY</b>
<ul style="list-style-type: none"> <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> </ul>	<ul style="list-style-type: none"> <li>• Existing widths appear to be ~35' indicating a two-way drive; however, ingress/egress and entry width is not clear. Sidewalk proposed to be continued / maintained.</li> </ul>	<b>INQUIRY</b>
<ul style="list-style-type: none"> <li>• 25' radii; 30' radii where daily truck traffic expected</li> </ul>	<ul style="list-style-type: none"> <li>• No radii provided</li> </ul>	<b>INQUIRY NOT MET</b>
<ul style="list-style-type: none"> <li>• Corner lots: one access point per street with &gt;100' frontage</li> </ul>	<ul style="list-style-type: none"> <li>• Two access points on Dix.</li> </ul>	<b>N/A</b>
<ul style="list-style-type: none"> <li>• If frontage &gt;300' and documented need (ITE), may allow additional access with design restrictions</li> </ul>	<ul style="list-style-type: none"> <li>• Not Applicable</li> </ul>	<b>N/A</b>
<ul style="list-style-type: none"> <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>• Not Applicable</li> </ul>	<b>N/A</b>
<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> </ul>	Not Applicable	<b>N/A</b>

Required	Provided	Compliance
<ul style="list-style-type: none"> <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>		
<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>	Nothing is proposed in triangular unobstructed view area.	Met
<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>	Not Applicable	N/A
<ul style="list-style-type: none"> <li>• Same side of street: Driveway spacing determined by speed limits in §1290.10. <i>Speed limit is 40 mph = 185' driveway spacing</i></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>• Nearest driveway on Dix is ~144 ft. to the north.</li> <li>• Directly aligned</li> <li>• Not Applicable</li> </ul>	<p>NOT MET</p> <p>Met</p> <p>N/A</p>

The driveways are existing; therefore, the City has traditionally allowed these conditions to remain. 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

- Applicant shall provide details on the existing driveways, including directions and dimensions.
- Applicant shall provide radii details.

**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 Dix Highway, Mill Street, or the rear allwy. The Police Department has indicated no concerns with the proposed project.

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	Existing 10-ft. greenbelt on Dix Hwy. and McClain Ave. No greenbelt on Mill St.	<b>Met as Possible</b>
	1 tree and 4 shrubs per 40' of street frontage <i>250' (Dix) + 82' (Mill) + 82' (McClain) = 414' total frontage = 10 trees and 41 shrubs</i> <i>30% redevelopment standard = 3 trees + 12 shrubs</i>	No existing or proposed landscaping. No landscaping plan provided.	<b>INQUIRY</b>
	Where headlights from parked vehicles will shine into the ROW, may require a totally obscuring hedge	No existing or proposed landscaping. No landscaping plan provided.	<b>INQUIRY</b>

	Required	Proposed	Compliance
Interior Landscaping	10% of total lot area landscaped, including groundcover <i>(19,904 sf * 0.1) = 1,990 sf landscaping</i> <i>30% redevelopment standard = 597 sf</i>	No existing or proposed landscaping. No landscaping plan provided.	INQUIRY
	Interior landscaping to be grouped near entrances, foundations, walkways, service areas	No existing or proposed landscaping. No landscaping plan provided.	INQUIRY
	1 tree per 400 sf of required landscaping and 1 shrub per 250 sf of required landscaping <i>30% redevelopment standard = 1 tree + 2 shrubs</i>	No existing or proposed landscaping. No landscaping plan provided.	INQUIRY
Parking Lot	1 deciduous or ornamental tree per 10 parking spaces < 10 parking spaces	Unable to determine parking requirements.	INQUIRY
	100 sf of planting area per tree		
Screening	Waste receptacle: Decorative masonry wall of at least 6' with solid or impervious gate	No details or location provided for waste receptacle or screening.	INQUIRY
	Abutting residential: greenbelt, 15' with 5' evergreens (PC may waive), and/or solid 6' masonry wall ornamental on both sides	The property is separated by an alley and residential district to the east. The building serves as the screening wall.	Met

No landscaping plan has been provided for this review. With the proposed building modification, there will be a significant amount of space added to the front of the site, which will allow for more space to add landscaping.

**Items to be addressed**

- Applicant shall provide a landscaping plan that meets the requirements of §1296.03.
- Applicant shall provide a waste management plan. If a dumpster is proposed, applicant shall provide the dumpster location and screening wall and enclosure details.

**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.*

No lighting details 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 is 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 location or details on mechanical equipment provided.

### Items to be addressed

- *Applicant shall provide the location and screening details for proposed mechanical equipment.*

## 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'	~250' on Dix Hwy.	Met
	Minimum area of 15,000 sf	~19,904 sf	Met
Setbacks	Building >40' from street lot line Building >15' from side or rear lot line adjoining residential zoning (may abut open alley)	Dix: ~40 ft. Mill St.: ~18 ft. McClain Ave.: 0 ft. Rear alley: 0 ft.	Partially Met
	>5,000' from existing similar use from lot line to lot line	Existing automotive service establishment	N/A
Drives and Curbs	<30' wide at lot line	Two drives on Dix: ~35' wide One drive on Mill St.: ~25' wide	Partially Met
	1 curb cut per street	2 existing curb cuts on Dix	NOT MET
	>20' from corner or exterior lot line	Drive on Mill St. and northern drive on Dix Hwy. are <20' from corner.	NOT MET
	>30' from other driveway	~19' between Mill St. and northern Dix Hwy drive; ~70' between Dix Hwy. drives	Partially Met
	6" curb along all street lot lines	No curb details provided.	INQUIRY
Paved Areas	Hard surfaced; curbs along landscape	Hard surfaced with asphalt, though appears to need repair; no surface or curb details provided	INQUIRY
Equipment Location	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; however, it appears that vehicles are routinely parked on sidewalks and possibly in ROW.	INQUIRY
Number of	Max of 4 double gasoline and fuel pumps or 8 single gasoline and fuel pumps and 2 enclosed stalls for service	Not applicable.	N/A

	Required	Proposed	Compliance
	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	The property is separated by an alley and residential district to the east. The building serves as the screening wall.	<b>Met</b>
	Trash areas, tires, parts, etc. enclosed on all sides by 6' masonry wall	No details or location provided for waste receptacle or screening.	<b>INQUIRY</b>
	Walls: same materials as principal building; brick, decorative block, pre-cast concrete with decorative pattern; painted principal building color scheme	Not applicable.	<b>N/A</b>
	Protected by curb or vehicle barrier	Not applicable.	<b>N/A</b>
	May be required adjoining nonresidential use, e.g. office, clinic, day care, or landscaped area	Not applicable.	<b>N/A</b>
	May be stepped down 25' from ROW	Not applicable.	<b>N/A</b>
Prohibited	>200' from school, playground, church, hospital, or other congregating use, property line to property line	>200'	<b>Met</b>
Outdoor Storage and Parking	All work conducted completely within enclosed building	No proposed outdoor service area; however, it appears that vehicles are routinely parked on sidewalks and possibly in ROW.	<b>INQUIRY</b>
	No storage of parts, trash, supplies, or equipment outside of a building		
	Vehicle storage generally limited to private passenger automobiles between 10pm-7am; see 1294.14 for exceptions		

The site does not meet the standards for setbacks and driveways. Because this is an existing site, the City has historically permitted these conditions to remain.

**Items to be addressed**

- Applicant shall not park vehicles in driveways and no outside storage of vehicles shall exceed a period of twenty-four (24) hours.
- Applicant shall provide details on parking surface material and ensure that it is brought up to City Standards.
- Applicant shall provide details on concrete curbs and gutters.
- Applicant shall provide a waste management plan. If a dumpster is proposed, applicant shall provide the dumpster location and screening wall and enclosure details.

## 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

No variances are anticipated from this proposal.

### Items to be addressed

- None

## RECOMMENDATIONS

### Findings

There are several items that need to be addressed before this proposal is substantially in compliance with §1296.01, Site Plan Review.

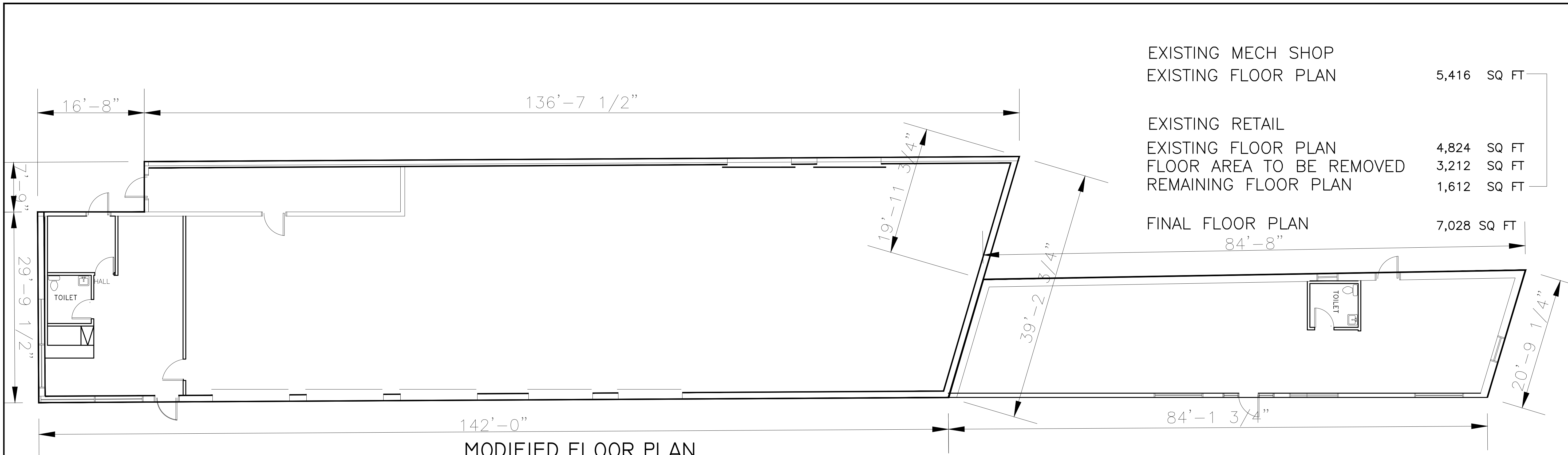
### Conditions & Waivers

- Applicant shall provide building material details.
- Applicant shall add windows on the west and south sides of the building to meet the 25% transparency requirement for a façade facing a public right-of-way.
- Applicant shall ensure that concrete sidewalks are brought up to City standards.
- Applicant shall provide the employee and owner / manager details to determine parking requirements.
- Applicant shall show parking spaces and layout in front of the building on the site plan.
- Applicant shall not park vehicles in driveways and no outside storage of vehicles shall exceed a period of twenty-four (24) hours.
- Applicant shall provide details on parking surface material and ensure that it is brought up to City Standards.
- Applicant shall provide details on concrete curbs and gutters.
- Applicant shall provide a loading space in compliance with §1290.09.
- Applicant shall provide details on the existing driveways, including directions and dimensions.
- Applicant shall provide radii details.
- Applicant shall provide a landscaping plan that meets the requirements of §1296.03.

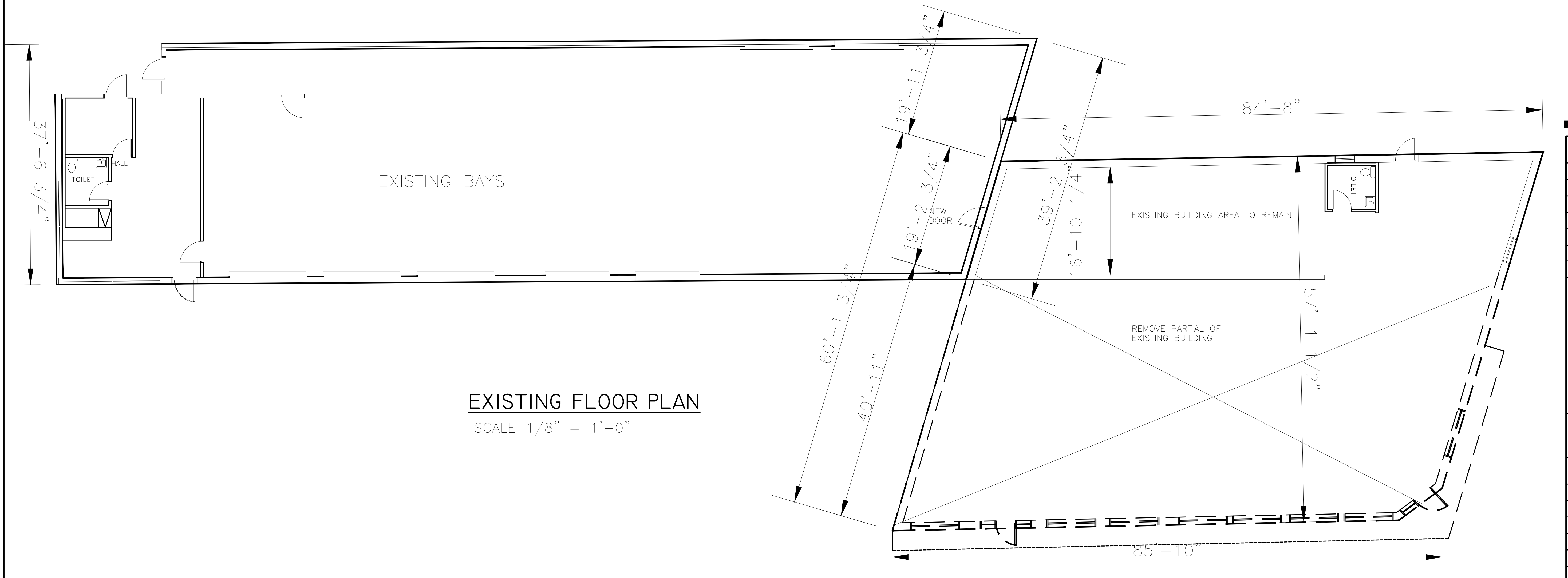
- Applicant shall provide a waste management plan. If a dumpster is proposed, applicant shall provide the dumpster location and screening wall and enclosure details.
- Applicant shall work with the building superintendent, City Engineer, and Lincoln Park Department of Public Services to comply with soil 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.
- 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.
- Applicant shall provide the location and screening details for proposed mechanical equipment.
- 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.

### **Recommendations**

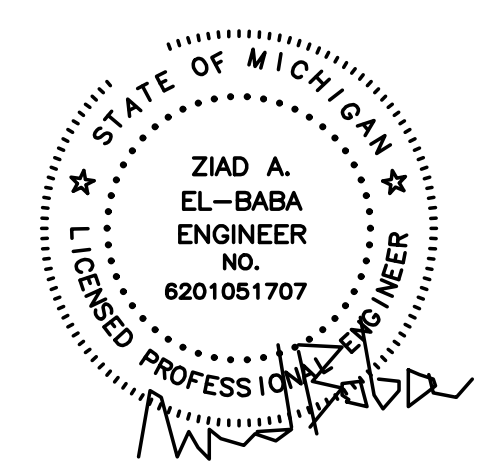
None – advisory only.



**MODIFIED FLOOR PLAN**  
SCALE 1/8" = 1'-0"



**EXISTING FLOOR PLAN**  
SCALE 1/8" = 1'-0"



**ZIAD EL-BABA ENGINEERING**

674 GAUTHIER  
TECUMSEH ONTARIO  
N8N3P8 CANADA  
CELL: 313-938-8767  
CELL: 519-796-9882

DATE	REV. NO.	ISSUED FOR
DEC.10.22		SITE PLAN

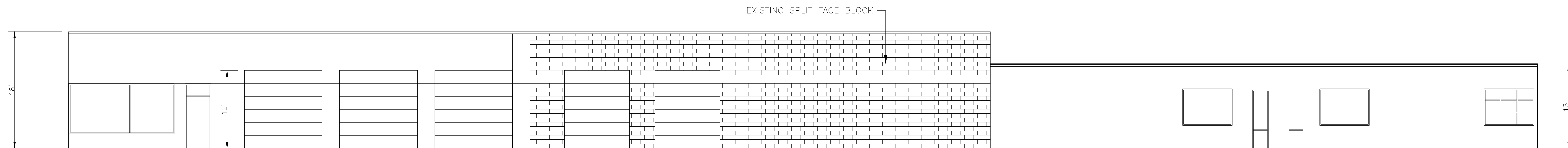
**Project:**  
BUILDING RENOVATION  
2379 DIX  
LINCOLN PARK MI

**OWNER**  
2379 DIX  
LINCOLN PARK MI

**Drawing Title:**  
FLOOR PLANS

<b>Project Number</b>	
<b>Scale</b>	AS NOTED
<b>Date</b>	
<b>Drawn By</b>	
<b>Checked By</b>	

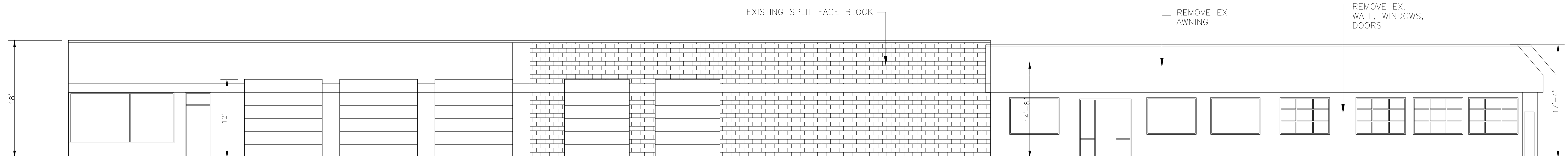
**Drawing No.**  
A-1



142'-1 3/4"

**MODIFIED WEST ELEVATION**

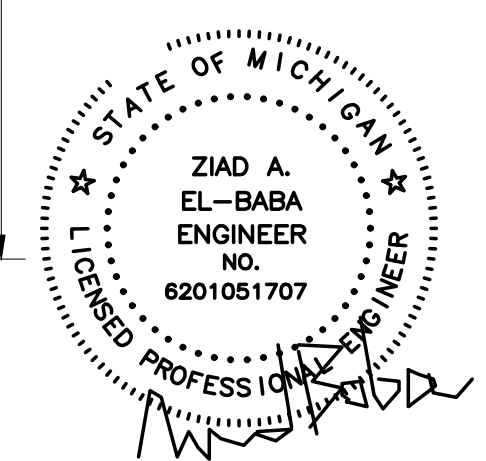
SCALE 1/8" = 1'-0"



142'-1 3/4"

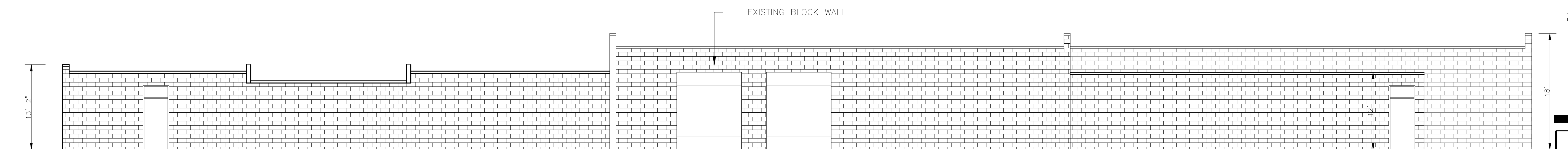
**EXISTING WEST ELEVATION**

SCALE 1/8" = 1'-0"



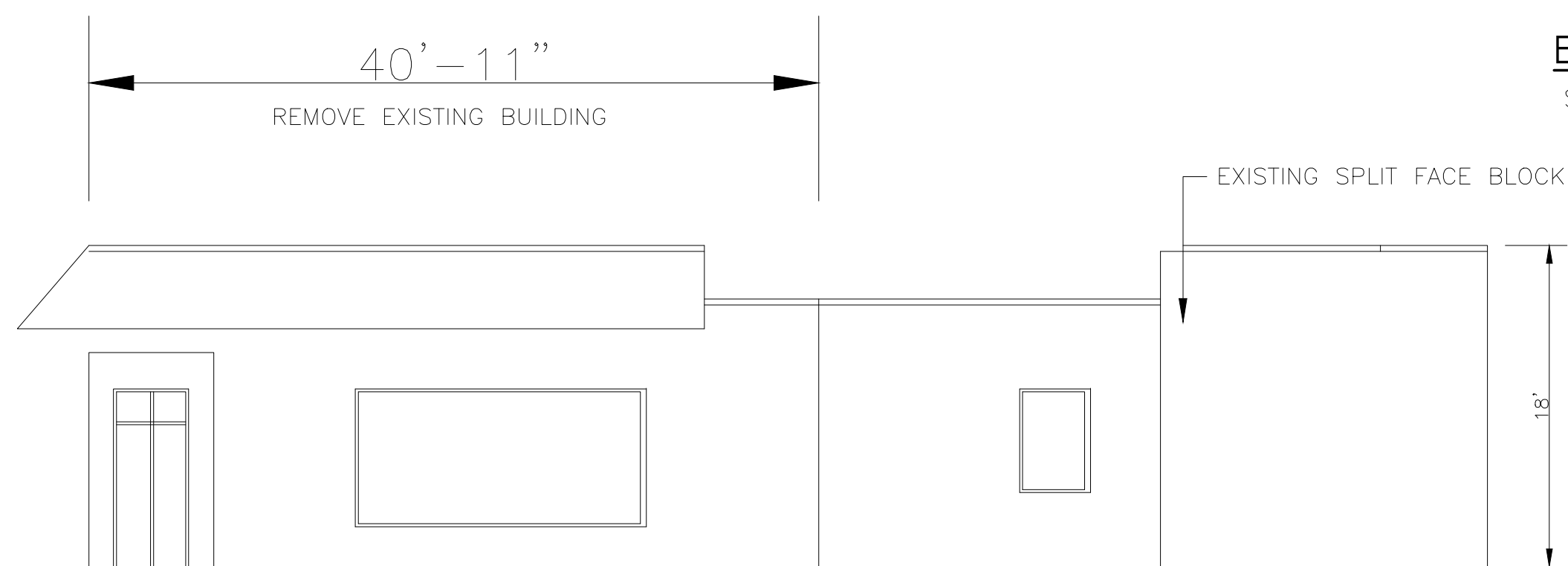
**ZIAD EL-BABA ENGINEERING**

674 GAUTHIER  
TECUMSEH ONTARIO  
N8N3P8 CANADA  
CELL: 313-938-8767  
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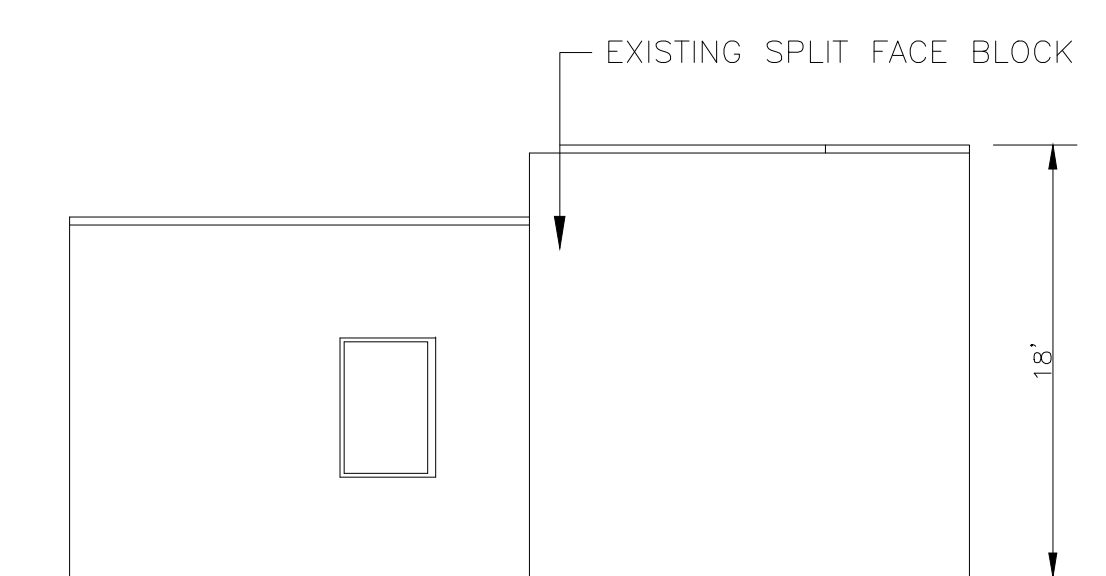


**EXISTING EAST ELEVATION**

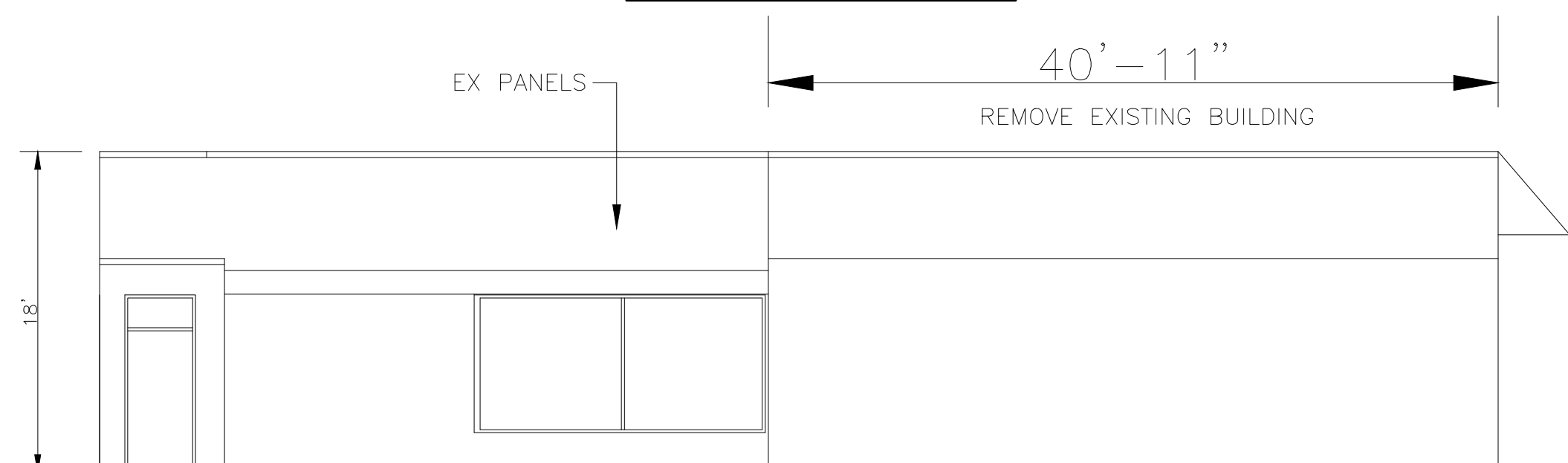
SCALE 1/8" = 1'-0"



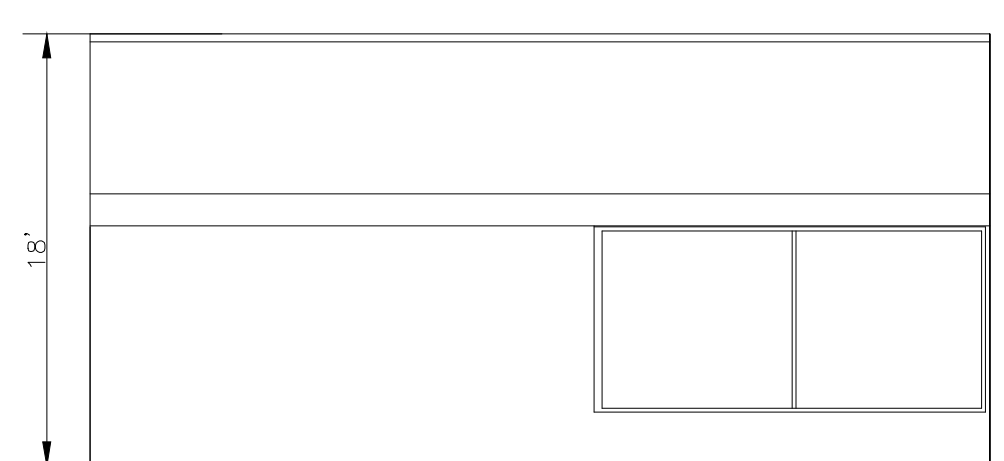
**EXISTING SOUTH ELEVATION**



**MODIFIED SOUTH ELEVATION**



**EXISTING NORTH ELEVATION**



**MODIFIED NORTH ELEVATION**

DATE	REV. NO.	ISSUED FOR
DEC.10.22		SITE PLAN

**Project:**  
BUILDING RENOVATION  
2379 DIX  
LINCOLN PARK MI

**OWNER**  
2379 DIX  
LINCOLN PARK MI

**Drawing Title:**  
ELEVATIONS

<b>Project Number</b>	
<b>Scale</b>	AS NOTED
<b>Date</b>	
<b>Drawn By</b>	
<b>Checked By</b>	

**Drawing No.**

A-2

Floor Area 3,338 sq ft  
 Occupancy Garages - Service/Fleet Service Facility

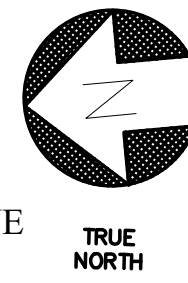
2357 DIX LINCOLN PARK, MI 48146 (Property Address)  
 Parcel Number: 45 010 07 1162 301 Account Number: 611180

-Legal Description  
 GN1162A TO 1169A LOTS 1162 TO 169 EXC THE WLY 7 FT THEREOF.  
 LINCOLNSHIRE NO. 3 SUB PC 48,86,95 L49 P86 WCR

**LEGAL DESCRIPTION**  
 LOTS 1170 TO 1173 INCLUSIVE EXCEPT THE WESTERLY 7 FEET THEREOF,  
 LINCOLNSHIRE NO. 3 SUBDIVISION AS RECORDED IN L. 49 OF PLATS P. 86 WAYNE  
 COUNTY REOCRDS.

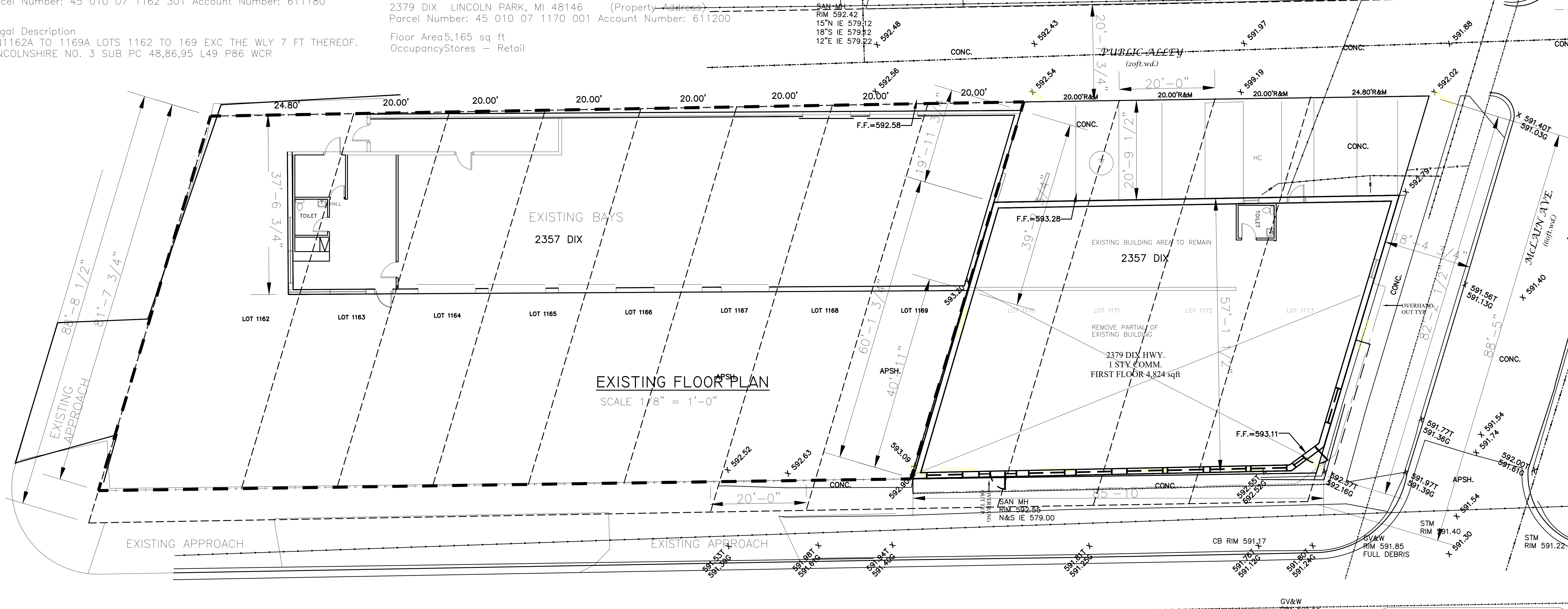
GN1170A TO 1173A LOTS 1170 TO 1173 INCL EXC THE WLY 7 FT THEREOF LINCOLNSHIRE NO. 3 SUB PC 48,86,95 L49 P86 WCR  
 2379 DIX LINCOLN PARK, MI 48146 (Property Address)  
 Parcel Number: 45 010 07 1170 001 Account Number: 611200

Floor Area 5,165 sq ft  
 Occupancy Stores - Retail

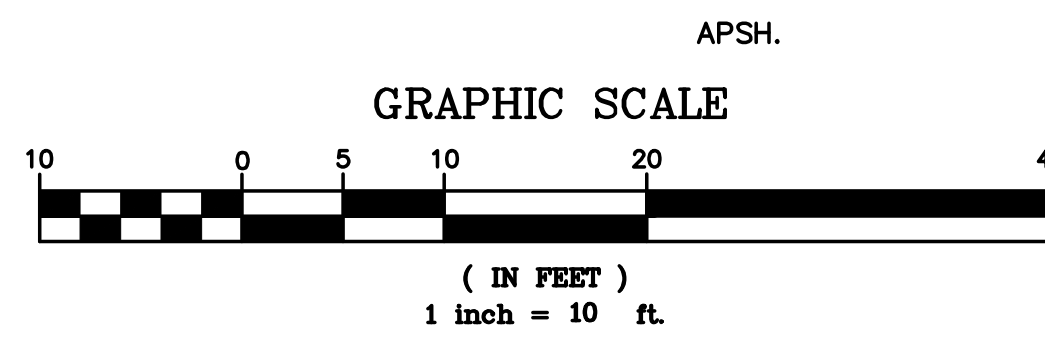


SITE 2379 DIX  
 SITE AREA = 13,263 SQ FT  
 EXISTING FLOOR PLAN 5,416 SQ FT  
 F.F.=593.04

SITE 2379 DIX  
 SITE AREA = 6,641 SQ FT  
 EXISTING FLOOR PLAN 4,824 SQ FT  
 FLOOR AREA TO BE REMOVED 3,212 SQ FT  
 REMAINING FLOOR PLAN 1,612 SQ FT



**EXISTING SITE PLAN**  
 SCALE 1" = 1'-0"



**DIX HWY.**  
 (1/2 60ft.wd.)

**MISS DIG**  
 3 WORKING DAYS BEFORE YOU DIG  
 CALL MISS DIG  
 (CALL FREE) 1-800-482-7171 OR 811  
 FOR LOCATIONS OF:  
 OIL + GAS, WATER, TELEPHONE, ELECTRIC, CABLE TV, SEWER/STORM DRAIN, CABLE TV.  
 IF YOU ARE GOING TO WORK NEAR OVERHEAD WIRES... CALL MISS DIG

**LEGEND**

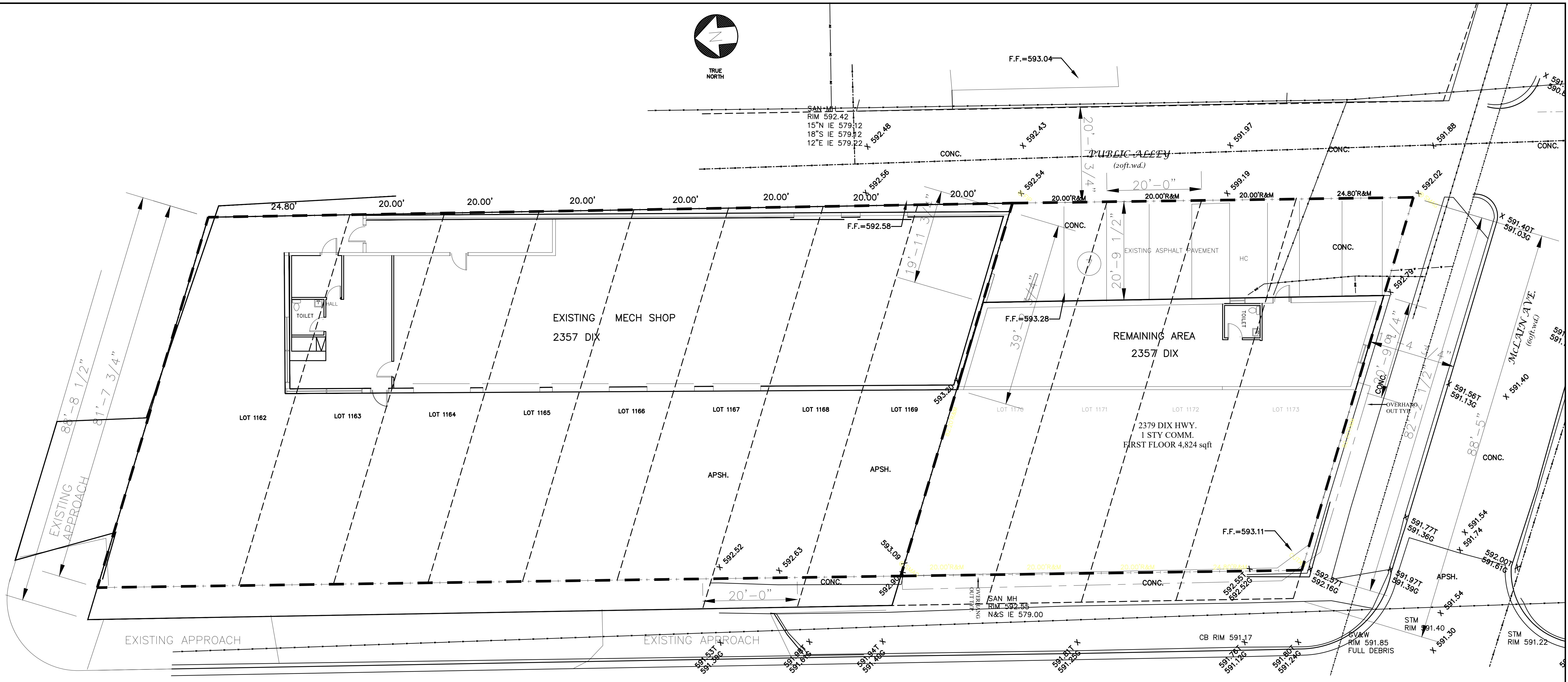
	EXIST. SANITARY SEWER		EXIST. LIGHT POLE
	EXIST. SANITARY MANHOLE		EXIST. UTILITY POLE
	EXIST. WATER MAIN		EXIST. POLE W/ ANCHOR
	EXIST. GATE VALVE AND WELL		EXIST. SIGN
	EXIST. HYDRANT		DECIDUOUS TREE
	EXIST. WATER VALVE		EXIST. CONTOUR
	EXIST. WATER METER		EXIST. ELEVATION
	EXIST. WATER SHUT-OFF		EXIST. FENCE
	EXIST. STORM SEWER		EXIST. GUARD POST
	EXIST. STORM MANHOLE		EXIST. SAN CLEANOUT
	EXIST. STORM CATCH BASIN		SOIL BORING LOCATION
	EXIST. OVERHEAD WIRE		
	EXIST. UNDERGROUND CABLE		
	EXIST. GAS LINE		
	EXIST. GUARDRAIL		
	BENCHMARK		
	MAIL BOX		
	EXIST. ELEC. MANHOLE		

Drawing No. SP-1		Project: BUILDING RENOVATION	
2379 DIX		2379 DIX	
LINCOLN PARK MI		LINCOLN PARK MI	
OWNER: 2379 DIX LINCOLN PARK MI		Project Title: EXISTING SITE PLAN	
Date	Scale	Project Number	AS NOTED
Checked By	Drawn By		
DATE	REV.	ISSUED FOR	
DEC.10.22		SITE PLAN	

**ZIAD EL-BABA ENGINEERING**  
 674 GAUTHIER  
 TECUMSEH-ONTARIO  
 N8N3P8 CANADA  
 CELL: 3139388767  
 CELL: 5197969882

STATE OF MICHIGAN  
 ZIAD A. EL-BABA  
 ENGINEER  
 630109707





**MODIFIED SITE PLAN**  
SCALE 1" = 1'-0"

**DIX HWY.**  
(1/2 60ft.wd.)

**MISS DIG**

**BEFORE YOU DIG CALL MISS DIG**

(TOLL FREE) 1-800-482-7171 OR 811

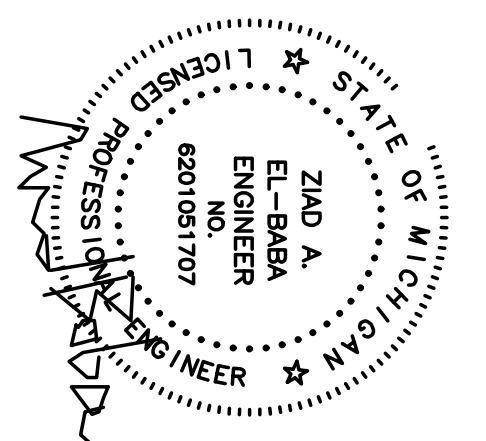
FOR LOCATIONS OF:

- OIL + GAS
- TELEPHONE
- ELECTRIC
- WATER
- SEWER/STORM DRAIN
- CABLE TV

IF YOU ARE GOING TO WORK NEAR OVERHEAD WIRES... CALL MISS DIG

X 591.99 X 591.90 X 591.74 X 591.64 X 591.58

**ZIAD EL-BABA ENGINEERING**  
674 GAUTHIER  
TECUMSEH ONTARIO  
N8N3P8 CANADA  
CELL: 3139388767  
CELL: 5197969882



DATE	REV.	ISSUED FOR
DEC.10.22		SITE PLAN
Project: BUILDING RENOVATION 2379 DIX LINCOLN PARK MI		
OWNER: 2379 DIX LINCOLN PARK MI		
Drawing Title: MODIFIED SITE PLAN		
Project Number	AS NOTED	
Scale	AS NOTED	
Date		
Drawn By		
Checked By		
Drawing No.	SP-2	



December 28, 2022

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

Re: Partial Redevelopment of 2357-2379 Dix –Auto Service  
City of Lincoln Park, MI  
**Hennessey Engineers Project #72189**

Dear Ms. Gunden:

Hennessey Engineers, Inc. completed our first review of the plans for the Planning Commission review for the above-mentioned project.

The project consists of a partial demolition and redevelopment of existing structure to accommodate the office and parking needs of an existing automotive service establishment. 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 Street right-of-way will require a Wayne County Department of Public Services (WCDPS) permit. This would include any utility connections and pavement repairs.
4. Any pavement, including sidewalk, adjacent to this site that is poor condition must be replaced/repaired.

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 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  
Monserrat Contreras, Permit Clerk, City of Lincoln Park  
James Hollandsworth, Lincoln Park Project Manager, Hennessey Engineers

R:\Municipalities\70000's Lincoln Park\72000's\72189 Auto Service 2375-2379 Dix\2022-12-28\_2357-2379 Dix 1st PC Review\_72189.docx

## Elizabeth Gunden

---

**From:** Ray Watters <RWatters@citylp.com>  
**Sent:** Monday, December 19, 2022 1:26 PM  
**To:** Elizabeth Gunden  
**Subject:** Re: Conceptual Site Plan Review Request: 2375-2379 Dix - Auto Service

The police department has no issue with the auto repair shop moving forward.

Chief R.Watters

---

**From:** Elizabeth Gunden <egunden@bria2.com>  
**Sent:** Monday, December 19, 2022 9:10 AM  
**To:** Fire Chief <FChief@citylp.com>; Irenda Lockhart <ILockhart@citylp.com>; Mike Prinz <MPrinz@citylp.com>; Sam Norton <SNorton@citylp.com>; Ray Watters <RWatters@citylp.com>; Krystina Erdos <KErdos@citylp.com>; John Kozuh <JKozuh@citylp.com>; jdhollandsworth@hengineers.com <jdhollandsworth@hengineers.com>; Richard McCarty <rjmccarty@hengineers.com>  
**Cc:** Kyle Wilkes <kwilkes@bria2.com>; John Meyers <JMeyers@citylp.com>  
**Subject:** Conceptual Site Plan Review Request: 2375-2379 Dix - Auto Service

Good morning!

Please find attached a set of plans for an office at 2375-2379 Dix for the partial demolition and redevelopment of an existing structure to accommodate the office and parking needs of an existing automotive service establishment. The attached plans are for conceptual review only at this point. Comments are appreciated by reply to this email by Tuesday, January 3<sup>rd</sup>. Thank you!

Liz Gunden, AICP  
Project Planner

**Beckett&Raeder, Inc.**

*Making Great Places for over 55 Years*

535 West William St., Suite 101  
Ann Arbor, MI 48103

Office: 734.663.2622  
Direct Line: 734.239.6615

Grand Rapids, MI 616.585.1295  
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)

FOR OFFICE USE ONLY	
CASE #	PPC22-0015
DATE SUBMITTED	12/14/22

## APPLICATION FOR SITE PLAN REVIEW

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

**RECEIVED**  
DEC 14 2022 

CITY OF LINCOLN PARK  
BUILDING DEPARTMENT

### 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 ADAM <i>Nehme</i>			ADDRESS 2357 DIX HWY <i>6947 N. Charlesworth</i>	
CITY LINCOLNPARK <i>Dearborn</i>	STATE MI	ZIP CODE <del>48146</del> <i>48127</i>	PHONE (313)999-6123	EMAIL Metrosales-service@hotmail.com

### PROPERTY OWNER (if different from Applicant)

NAME TOUFIK GOMAH			ADDRESS 2357 DIX HWY	
CITY: LINCOLN PARK	STATE MI	ZIP CODE 48146	PHONE (313)999-6123	EMAIL Metrosales-service@hotmail.com

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

### PROPERTY INFORMATION

PROPERTY ADDRESS 2375-2379 Dix Hwy	NEAREST CROSS STREETS McLain st
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.)  Lots # 1170 to 1173 LINCOLNSHIRE SUBDIVISION #3	
PROPERTY SIZE (square feet and acres) APP. <del>6900</del> <i>6641</i> SQ. FT. OR 0.15 ACRE	ZONING DISTRICT NEIGHBORHOOD BUSINESS DISTRICT

PROPOSED DEVELOPMENT

Present Use of Property: **VACANT**

Proposed Use of Property: **OFFICES AND PARKING**

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	1	1680 SQ. FT.	4
Industrial			
Other			

PROFESSIONALS WHO PREPARED THE PLANS:

NAME ZIAD ALBABA			ADDRESS  674 Gauthier	
CITY TEANMSEH	STATE Ontario	ZIP CODE N8N3P8	PHONE 313 938-8767	EMAIL Zelbabaeng@gmail.com
PRIMARY DESIGN RESPONSIBILITY ZIAD ALBABA				

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 checked="" 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: Wayne County Road Commission Wayne County Health Division Michigan Department of Transportation Wayne County Drain Commission Michigan Department of Natural Resources 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:  \_\_\_\_\_

Date: 12-09-2022

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Property Owner:  \_\_\_\_\_  
Authorizing this Application

Date: 12-09-2022

**TO BE COMPLETED BY THE CITY**

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



2357 DIX HWY

LINCOLN PARK, MI 48146

(734)283-3348

We currently own 2357 dix hwy, Lincoln Park MI 48146, this building resides directly beside 2375-2379 dix hwy Lincoln park MI 48146. We are looking to use this property for extra parking for the mechanic shop as well as office space for customer waiting area. Furthermore, we are looking to demolish two thirds of the existing building. Our plans will show what we have stated above.

Manager

ADAM Nehme

(313)999-6123



Date of this notice: 12-14-2021

Employer Identification Number:  
87-3971375

Form: SS-4

Number of this notice: CP 575 G

DIX INVESTMENT LLC  
TOUFIK H GOMAH SOLE MBR  
15020 MICHIGAN AVE  
DEARBORN, MI 48146

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB AT THE END OF THIS NOTICE.

**WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER**

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 87-3971375. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at [www.irs.gov](http://www.irs.gov). If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

**IMPORTANT REMINDERS:**

- \* Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- \* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- \* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is DIXI. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.





# A. Settlement Statement (HUD-1)

<b>B. Type of Loan</b>							
1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> RHS	3. <input checked="" type="checkbox"/> Conv. Unins.	6. File Number: BT-9794	7. Loan Number:	8. Mortgage Insurance Case Number:		
4. <input type="checkbox"/> VA	5. <input type="checkbox"/> Conv. Ins.						
C. Note: <i>This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.</i> (BT-9794/9)							
D. Name and Address of Buyer: Dix Investment, LLC 15020 Michigan Avenue Dearborn, MI 48126			E. Name and Address of Seller: Central Dwellings Corporation 2475 Chicago Boulevard Detroit, MI 48206			F. Name and Address of Lender:	
G. Property Location: 2375-2379 Dix Highway Lincoln Park, MI 48146 Wayne County, Michigan			H. Settlement Agent: Birmingham Title Agency (248)633-2737 26000 W. 12 Mile Rd. Southfield, MI 48034		I. Settlement Date: January 21, 2022		
			Place of Settlement: 26000 W. 12 Mile Rd. Southfield, MI 48034		Disbursement Date: January 21, 2022		

<b>J. Summary of Buyer's Transaction</b>	
<b>100. Gross Amount Due from Buyer</b>	
101. Contract sales price	250,000.00
102. Personal property	
103. Settlement charges to buyer (line 1400)	665.00
104.	
105.	
Adjustments for items paid by seller in advance	
106. City/Town taxes 01/21/22 to 07/01/22	3,076.82
107. County taxes 01/21/22 to 12/01/22	931.65
108. Assessments	
109.	
110.	
111.	
112.	
120. Gross amount due from Buyer	254,673.47
<b>200. Amounts Paid by or in Behalf of Buyer</b>	
201. Deposit or earnest money	10,000.00
202. Principal amount of new loan(s)	
203. Existing loan(s) taken subject to	
204.	
205.	
206.	
207.	
208.	
209.	
Adjustments for items unpaid by seller	
210. City/Town taxes	
211. County taxes	
212. Assessments	
213.	
214.	
215.	
216.	
217.	
218.	
219.	
220. Total paid by/for Buyer	10,000.00
<b>300. Cash at Settlement from/to Buyer</b>	
301. Gross amount due from Buyer (Line 120)	254,673.47
302. Less amount paid by/for Buyer (Line 220)	( 10,000.00)
<b>303. CASH FROM BUYER</b>	<b>244,673.47</b>

<b>K. Summary of Seller's Transaction</b>	
<b>400. Gross Amount Due to Seller</b>	
401. Contract sales price	250,000.00
402. Personal property	
403.	
404.	
405.	
Adjustments for items paid by seller in advance	
406. City/Town taxes 01/21/22 to 07/01/22	3,076.82
407. County taxes 01/21/22 to 12/01/22	931.65
408. Assessments	
409.	
410.	
411.	
412.	
420. Gross amount due to Seller	254,008.47
<b>500. Reductions in Amount Due to Seller</b>	
501. Excess deposit (see instructions)	
502. Settlement charges to seller (line 1400)	17,386.28
503. Existing loan(s) taken subject to	
504. Payoff of first mortgage loan	
505. Payoff of second mortgage loan	
506.	
507. Dep. disbursed as proceeds	
508.	
509.	
Adjustments for items unpaid by seller	
510. City/Town taxes	
511. County taxes	
512. Assessments	
513.	
514.	
515.	
516.	
517.	
518.	
519.	
520. Total reduction amount due Seller	17,386.28
<b>600. Cash at Settlement from/to Seller</b>	
601. Gross amount due to Seller (Line 420)	254,008.47
602. Less reductions due Seller (Line 520)	( 17,386.28)
<b>603. CASH TO SELLER</b>	<b>236,622.19</b>

The Public Reporting Burden for this collection of information is estimated at 35 minutes per response for collecting, reviewing, and reporting the data. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. No confidentiality is assured; this disclosure is mandatory. This is designed to provide the parties to a RESPA covered transaction with information during the settlement process.

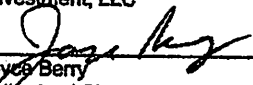
L. Settlement Charges				Paid From Buyer's Funds at Settlement	Paid From Seller's Funds at Settlement
<b>700. Total Real Estate Broker Fees</b>	<b>\$12,500.00</b>				
<i>Division of commission (line 700) as follows:</i>					
701. \$ 6,250.00	to Keller Williams Home				
702. \$ 6,250.00	to NAI Farman				
703. Commission paid at settlement					
704. Compliance fee to Keller Williams Home					12,500.00
<b>800. Items Payable in Connection with Loan</b>					295.00
801. Our origination charge	(from GFE #1)				
802. Your credit or charge (points) for the specific interest rate chosen	(from GFE #2)				
803. Your adjusted origination charges	(from GFE #A)				
804.	(from GFE #3)				
805.	(from GFE #3)				
806.	(from GFE #3)				
807.	(from GFE #3)				
808.	(from GFE #3)				
<b>900. Items Required by Lender to be Paid In Advance</b>					
901. Interest from 01/21/22 to 02/01/22 to @ \$ /day (11 days @ %)	(from GFE#10)				
902. Mortgage insurance premium for month to	(from GFE #3)				
903. Homeowner's insurance for year to	(from GFE #11)				
904. for year to					
<b>1000. Reserves Deposited with Lender</b>					
1001. Initial deposit for your escrow account	(from GFE #9)				
1002. Homeowner's insurance Months @ \$ per Month					
1003. Mortgage insurance Months @ \$ per Month					
1004. Property taxes Months @ \$ per Month					
1005. Months @ \$ per Month					
1006. Months @ \$ per Month					
1007. Months @ \$ per Month					
<b>1100. Title Charges</b>					
1101. Title services and lender's title insurance	(from GFE #4)				
1102. Settlement or closing fee					
1103. Owner's title insurance to Birmingham Title Agency	(from GFE #5)				1,438.00
1104. Lender's title insurance					
1105. Lender's title policy limit					
1106. Owner's title policy limit	\$250,000.00				
1107. Agent's portion of the total title insurance premium to Birmingham Title Agency	\$1,222.30				
1108. Underwriter's portion of the total title insurance premium to First American Title Agency	\$215.70				
1109. Commercial Processing Fee to Birmingham Title Agency		600.00		600.00	
1110. Wire Fee to Birmingham Title Agency		25.00		25.00	
1111. E-Recording Fee to Birmingham Title Agency		5.00			
<b>1200. Government Recording and Transfer Charges</b>					
1201. Government recording charges to Birmingham Title Agency	(from GFE #7)		35.00		
1202. Deed \$ 35.00; Mortgage \$ ; Releases \$					
1203. Transfer taxes to Birmingham Title Agency	(from GFE #8)				
1204. City/County tax/stamps Deed \$ 275.00; Mortgage \$					275.00
1205. State tax/stamps Deed \$ 1,875.00; Mortgage \$					1,875.00
<b>1300. Additional Settlement Charges</b>					
1301. Required services that you can shop for	(from GFE #6)				
1302. Outstanding water to Lincoln Park (City) Treasurer					128.28
1303. Water escrow to Birmingham Title Agency					250.00
1304.					
1305.					
<b>1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)</b>			685.00		17,386.28

The undersigned hereby acknowledge receipt of a completed copy of this statement and any attachments referred to herein.

Buyer

Seller

Dix Investment, LLC

BY:   
Joyce Berry  
Authorized Signatory

Central Dwellings Corporation

BY:   
Martin Leger  
President and Sole Shareholder

**RESOLUTION**

The undersigned, being the sole shareholder of Central Dwellings Corp., a Michigan corporation, being first duly sworn, deposes and says as follows:

1. That at a meeting of the Shareholders of the Company, held on January 21, 2022, the following resolution was duly adopted:

Upon motion duly made and seconded, it was unanimously RESOLVED that MARTIN LEGER be and is hereby authorized and directed to sign, execute and subscribe on behalf of said limited liability company, any and all papers and documents as shall be necessary for the sale of the real property located at 2379 Dix, Lincoln Park, MI 48146, in accordance with the terms of the Purchase Agreement, dated January 10, 2022, and any amendments thereto.

2. That said Resolution as adopted remains in full force and effect.

CENTRAL DWELLINGS CORP.,  
a Michigan Corporation

By: \_\_\_\_\_

MARTIN LEGER

Date: \_\_\_\_\_

1 | 21 | 22



Birmingham Title Agency  
26000 W. 12 Mile Rd., Southfield, MI 48034  
T: (248)633-2737 F: (248)268-8168

### CLOSING AND COMPLIANCE AGREEMENT

File BT-9794, 2375-2379 Dix Highway, Lincoln Park, MI 48146. Dated January 21, 2022.

WHEREBY, the undersigned Seller and Buyer hereby consent, agree, and represent as follows:

1. That the Property is being transferred in AS-IS condition.
2. That the parties' purchase and sale agreement will be fulfilled by signature of the closing documents executed by them herewith, and that the terms of the purchase and sale agreement are superseded to the extent contradicted by the terms of the closing documents, but otherwise remain in full force and effect and are incorporated herein by reference.
3. That they have reviewed, understood, verified, and approved the settlement statement and/or disclosure statement being executed herewith, and hereby direct that funds be obtained and disbursed in compliance therewith, and agree to indemnify Escrow Agent from any damage or liability resulting therefrom.
4. That the closing documents were prepared by Escrow Agent as an independent and impartial third party, at the direction and request of all parties to the transaction and/or their agents, and that Escrow Agent is not the attorney or agent of any party herein, and is not providing legal or tax advice.
5. That they will fully and promptly cooperate to correct any errors in the closing process, documentation, or funding, including but not limited to missing signatures, incorrect or missing figures on the settlement statement and/or disclosure statement, problems arising from documents being rejected for recording by the Register of Deeds, lost or destroyed documents, legal compliance matters, and incorrect payment of funds at or after closing; and that they each indemnify and hold harmless Escrow Agent for their failure to so cooperate, and will reimburse Escrow Agent for all actual expenses incurred as a result thereof.

**Buyer:**

Dix Investment, LLC

BY: \_\_\_\_\_

Joyce Berry  
Authorized Signatory

**Seller:**

Central Dwellings Corporation

BY: \_\_\_\_\_

Martin Leger  
President and Sole Shareholder

## WARRANTY DEED

The Grantor(s), Central Dwellings Corporation, a Michigan Corporation whose address is 2475 Chicago Boulevard, Detroit, MI 48206, convey(s) and warrant(s) to Dix Investment, LLC, Grantee(s), whose address is 15020 Michigan Avenue, Dearborn, MI 48126, real property in the City of Lincoln Park, County of Wayne, State of Michigan, described as follows:

Lots 1170 through 1173, both inclusive, except the Westerly 7 feet, Lincolnshire Subdivision No. 3 according to the recorded plat thereof as recorded in Liber 49, Page 86 of Plats, Wayne County Records.

Commonly known as: 2375-2379 Dix Highway, Lincoln Park, MI 48146

Tax parcel no. Parcel ID No(s): 45-010-07-1170-000

For the Full Consideration of Two Hundred Fifty Thousand And No/100 Dollar(s) (\$250,000.00), together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto, and together with the right to make all available divisions under Section 108 of the Land Division Act., Act No. 288 of the Public Acts of 1967.

And subject to building and use restrictions and easements of record, if any, 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.

Dated this 21st day of January, 2022.

Central Dwellings Corporation

BY: 

Martin Leger

President and Sole Shareholder





**Property Transfer Affidavit**

This form is issued under authority of P.A. 415 of 1994. Filing is mandatory.

This form must be filed whenever real estate or some types of personal property are transferred (even if you are not recording a deed). The completed Affidavit must be filed by the new owner with the assessor for the city or township where the property is located within 45 days of the transfer. The information on this form is NOT CONFIDENTIAL.

1. Street Address of Property 2375-2379 Dix Highway		2. County Wayne	3. Date of Transfer (or land contract signed) January 21, 2022
4. Location of Real Estate (Check appropriate field and enter name in the space below.) <input checked="" type="checkbox"/> City <input type="checkbox"/> Township <input type="checkbox"/> Village  Lincoln Park		5. Purchase Price of Real Estate \$250,000.00	
7. Property Identification Number (PIN). If you don't have a PIN, attach legal description. <b>PIN.</b> This number ranges from 10 to 25 digits. It usually includes hyphens and sometimes includes letters. It is on the property tax bill and on the assessment notice.  45-010-07-1170-000		6. Seller's (Transferor) Name Central Dwellings Corporation	
		8. Buyer's (Transferee) Name and Mailing Address Dix Investment, LLC 15020 Michigan Avenue Dearborn, MI 48126	
		9. Buyer's (Transferee) Telephone Number 313-574-2571	

Items 10-15 are optional. However, by completing them you may avoid further correspondence.

10. Type of Transfer. <u>Transfers</u> include, but are not limited to, deeds, land contracts, transfers involving trusts or wills, certain long-term leases and business interest. See Page 2 for list. <input type="checkbox"/> Land Contract <input type="checkbox"/> Lease <input checked="" type="checkbox"/> Deed <input type="checkbox"/> Other (specify) _____			
11. Was property purchased from a financial institution? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	12. Is the transfer between related persons? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	13. Amount of Down Payment 250,000	
14. If you financed the purchase, did you pay market rate of interest? <input type="checkbox"/> Yes <input type="checkbox"/> No		15. Amount Financed (Borrowed) - 0 -	

**EXEMPTIONS**

Certain types of transfers are exempt from uncapping. If you believe this transfer is exempt, indicate below the type of exemption you are claiming. If you claim an exemption, your assessor may request more information to support your claim.

- Transfer from one spouse to the other spouse.
- Change in ownership solely to exclude or include a spouse.
- Transfer between certain family members \*(see page 2).
- Transfer of that portion of a property subject to a life lease or life estate (until the life lease or life estate expires).
- Transfer between certain family members of that portion of a property after the expiration or termination of a life estate or life lease retained by transferor \*\* (see page 2)
- Transfer to effect the foreclosure or forfeiture of real property.
- Transfer by redemption from a tax sale.
- Transfer into a trust where the settlor or the settlor's spouse conveys property to the trust and is also the sole beneficiary of the trust.
- Transfer resulting from a court order unless the order specifies a monetary payment.
- Transfer creating or ending a joint tenancy if at least one person is an original owner of the property (or his/her spouse).
- Transfer to establish or release a security interest (collateral).
- Transfer of real estate through normal public trading of stock.
- Transfer between entities under common control or among members of an affiliated group.
- Transfer resulting from transactions that qualify as a tax-free reorganization under Section 368 of the Internal Revenue Code.
- Transfer of qualified agricultural property when the property remains qualified agricultural property and affidavit has been filed.
- Transfer of qualified forest property when the property remains qualified forest property and affidavit has been filed.
- Transfer of land with qualified conservation easement (land only - not improvements).
- Other, specify: \_\_\_\_\_

**CERTIFICATION**

I certify that the information above is true and complete to the best of my knowledge.

Printed Name Dix Investment, LLC	File Number BT-9794
Signature Peter Halabi	Date January 21, 2022
Name and title, if signer is other than the owner PETER HALABI, Closing Agent	Daytime Phone Number E-mail Address



Birmingham Title Agency  
26000 W. 12 Mile Rd., Southfield, MI 48034  
T: (248)633-2737 F: (248)268-8168

### PROPERTY TRANSFER AFFIDAVIT (& HOMESTEAD) RECEIPT

File BT-9794, 2375-2379 Dix Highway, Lincoln Park, MI 48146. Dated January 21, 2022.

WHEREBY, the undersigned Buyer hereby acknowledges receipt of the Property Transfer Affidavit form (Form L-4260) and the Michigan Department of Treasury Homestead Exemption Updated Form (No. T-1058) (if and as applicable).

The original, completed, executed Property Transfer Affidavit form must be filed with the appropriate municipal assessor's office within 45 days of the date of the transfer. Failure to file the form timely can result in the following penalties (per MCLA 211.34c):

1. For industrial or commercial real property, \$20 per day, up to a \$1,000 maximum (or up to a \$20,000 maximum if the sale price is over \$100 million).
2. For all other property, \$5 per day up to a \$200 maximum.

The Buyer further acknowledges that Birmingham Title Agency is under no obligation to provide said forms, or file said forms on their behalf, or to ensure that the forms are properly received and filed by the Assessor. The Buyer accepts sole responsibility to comply with the Act and, accordingly, holds Birmingham Title Agency harmless from and against any liability relative thereto.

**Buyer:**

Dix Investment, LLC

BY: 

Joyce Berry  
Authorized Signatory



Birmingham Title Agency  
26000 W. 12 Mile Rd., Southfield, MI 48034  
T: (248)633-2737 F: (248)268-8168

### OWNER'S AFFIDAVIT

File BT-9794, 2375-2379 Dix Highway, Lincoln Park, MI 48146. Dated January 21, 2022.

WHEREBY the undersigned Affiant, being first duly sworn, now deposes, states and warrants as follows:

1. That Affiant is either the Property owner individually, and makes this Affidavit in an individual capacity, or is (and makes this Affidavit as) a duly authorized representative of the Property owner; and that in either case Affiant has personal knowledge of the facts that relate to the matters attested to herein.
2. That Affiant is a citizen of the United States, of legal age, and has never been known by any other name other than that used herein, except as follows: n/a
3. That Owner has held an ownership interest in the Property, entitling it to possession and occupancy thereof, continuously since DEC. 2017, and that Owner's possession of the Property during that time has been peaceable and undisturbed, and its title has never been disputed or questioned, except as follows:  
n/a
4. That there is no pending bankruptcy, receivership, probate, or divorce involving either the Owner or the Property, and the Owner has not made an assignment for the benefit of creditors, except as follows:  
n/a
5. That there is not any action or proceeding now pending in any Court, nor any State or Federal lien of any kind or nature against the Owner, which could constitute a lien or charge upon the Property, except as follows:  
n/a
6. That there are not any outstanding and unpaid special assessments, taxes, tax liens, water bills, tap-in fees, nuisance, blight, or other municipal charges of any kind against the Property, except as follows:  
n/a
7. That there are no conveyances, easements, agreements, covenants, liens, encumbrances, mortgages, options, adverse claims or other title matters known to Owner, concerning or affecting the Property, that are unrecorded, or were recorded with the Register of Deeds after the effective date of the commitment for title insurance covering the Property, i.e. 12/10/2021, except as follows:  
n/a

8. That no individual, to Owner's knowledge, has entered into a written agreement with any "Broker" as defined in the Commercial Real Estate Broker's Lien Act, (Michigan Public Act 201 of 2010), for the purpose of selling, leasing or otherwise conveying an interest in the Property, except as follows:

AS SHOWN ON HUD

9. That Owner has not conveyed or negotiated to convey any gas, mineral, or oil rights, and there has been no activity involving extraction of minerals, oil or gas, upon or under the Property, nor is Affiant aware of any intent to conduct any such activity, except as follows:

N/A

10. That there has not been any construction or repair work performed on the Property since \_\_\_\_\_, and that there are not any unpaid bills or claims for labor, services, or material; nor any recorded or unrecorded mortgage, construction or improvement loans, chattel mortgages, conditional bills of sale, retention of title agreements, security agreements, agreements not to sell or encumber, financing statements, or personal property leases; which affect the real estate or which affect any fixtures, appliances, or equipment now installed in or on the real estate, except as follows:

ALL PAID

11. That Owner is in sole possession of the real estate, and that no other party has or claims a right of possession, except as follows:

N/A

Owner agrees to hold Birmingham Title Agency and its Underwriter, First American Title Insurance Company, harmless from any loss or claim, arising from title insurance protection provided by Agent and/or Underwriter in reliance, in whole or in part, on the completeness and correctness of the representations or attestations made herein.

Central Dwellings Corporation

BY:



Martin Leger  
President and Sole Shareholder

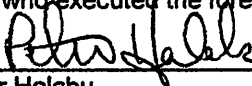
STATE OF MICHIGAN }

} ss

COUNTY OF Oakland }

On this 21st day of January, 2022, before me personally appeared Martin Leger as President and Sole Shareholder of Central Dwellings Corporation, a Michigan Corporation, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged the same.

Notary Public:



Printed Name: Peter Halabu

Oakland County, Michigan

My Commission Expires: August 12, 2024

Acting in the County of Oakland

**SUBSTITUTE FORM 1099-S**  
**PROCEEDS FROM REAL ESTATE TRANSACTIONS**  
**FOR THE TAX YEAR: 2022**  
 OMB No. 1545-0997

**SETTLEMENT AGENT/FILER'S NAME AND ADDRESS**  
 Clear Title Assurance Agency, Inc.  
 26000 W. 12 Mile Road  
 Southfield, MI 48034  
 248-633-2737

Filer's Federal Tax ID Number: 47-1405196  
 Order Number: BT-9794

**SELLER/TRANSFEROR'S NAME AND ADDRESS**  
 Central Dwellings Corporation  
 2475 Chicago Boulevard  
 Detroit, MI 48206

Transferor's Federal Tax ID Number: 30-0913230


1) Date of Closing:  01/21/22	2) Gross Proceeds:  250,000.00	4) X here if property or services received:	5) X here if foreign person:	6) Buyer's part of real estate tax:  4,008.47
3) Address or Legal Description: 2375-2379 Dix Highway/Lincoln Park MI				

THIS IS IMPORTANT TAX INFORMATION AND IS BEING FURNISHED TO THE INTERNAL REVENUE SERVICE. IF YOU ARE REQUIRED TO FILE A RETURN, A NEGLIGENCE PENALTY OR OTHER SANCTION MAY BE IMPOSED ON YOU IF THIS ITEM IS REQUIRED TO BE REPORTED AND THE IRS DETERMINES THAT IT HAS NOT BEEN REPORTED.

YOU ARE REQUIRED BY LAW TO PROVIDE CLEAR TITLE ASSURANCE AGENCY, INC. WITH YOUR CORRECT TAXPAYER IDENTIFICATION NUMBER. IF YOU DO NOT PROVIDE CLEAR TITLE ASSURANCE AGENCY, INC. WITH YOUR CORRECT TAXPAYER IDENTIFICATION NUMBER, YOU MAY BE SUBJECT TO CIVIL OR CRIMINAL PENALTIES IMPOSED BY LAW.

UNDER PENALTIES OF PERJURY, I CERTIFY THAT THE NUMBER SHOWN ABOVE ON THIS STATEMENT IS MY CORRECT TAXPAYER IDENTIFICATION NUMBER.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.

  
 \_\_\_\_\_  
 Central Dwellings Corporation

1 | 21 | 22  
 \_\_\_\_\_  
 Date

**INSTRUCTIONS FOR TRANSFEROR:**

You MUST enter your Federal Tax Identification Number Above.

Sign and return a copy of this form immediately to Clear Title Assurance Agency, Inc..

For sales or exchanges of certain real estate, the person responsible for closing a real estate transaction must report the real estate proceeds to the Internal Revenue Service and must furnish this statement to you. To determine if you have to report the sale or exchange of your main home on your tax return, see the instructions for Schedule D (Form 1040). If the real estate was not your main home, report the transaction on Form 4797, Form 6252, and/or the Schedule D for the appropriate income tax form. If box 4 is checked and you received or will receive like-kind property, you must file Form 8824.

**Federal mortgage subsidy.** You may have to recapture (pay back) all or part of a federal mortgage subsidy if all the following apply:

- You received a loan provided from the proceeds of a qualified mortgage bond or you received a mortgage credit certificate.
- Your original mortgage loan was provided after 1990.
- You sold or disposed of your home at a gain during the first 9 years after you received the federal mortgage subsidy.
- Your income for the year you sold or disposed of your home was over a specified amount.

This will increase your tax. See Form 8828, and Pub. 523.

**Transferor's taxpayer identification number.** For your protection, this form may show only the last four digits of your TIN (social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN)). However, the issuer has reported your complete TIN to the IRS.

**Account number.** May show an account or other unique number the filer assigned to distinguish your account.

**Box 1.** Shows the date of closing.

**Box 2.** Shows the gross proceeds from a real estate transaction, generally the sales price. Gross proceeds include cash and notes payable to you, notes assumed by the transferee (buyer), and any notes paid off at settlement. Box 2 does not include the value of other property or services you received or will receive. See Box 4.

**Box 3.** Shows the address or legal description of the property transferred.

**Box 4.** If marked, shows that you received or will receive services or property (other than cash or notes) as part of the consideration for the property transferred. The value of any services or property (other than cash or notes) is not included in box 2.

**Box 5.** If checked, shows that you are a foreign person (nonresident alien, foreign partnership, foreign estate, or foreign trust).

**Box 6.** Shows certain real estate tax on a residence charged to the buyer at settlement. If you have already paid the real estate tax for the period that includes the sale date, subtract the amount in box 6 from the amount already paid to determine your deductible real estate tax. But if you have already deducted the real estate tax in a prior year, generally report this amount as income on the "Other income" line of the appropriate income tax form. For more information, see Pub. 523, Pub. 525, and Pub. 530.



Birmingham Title Agency  
26000 W. 12 Mile Rd., Southfield, MI 48034  
T: (248)633-2737 F: (248)268-8168

### CERTIFICATE OF NON-FOREIGN STATUS

File BT-9794, 2375-2379 Dix Highway, Lincoln Park, MI 48146. Dated January 21, 2022.

Section 1445 of the Internal Revenue Code provides that transferee of a U. S. real property interest must withhold tax if the transferor is a foreign person. To assure the Buyer, Dix Investment, LLC, that the withholding of tax is not required on the disposition of the above described U.S. real property interest, the undersigned Seller hereby certifies as follows:

1. Transferor is not a foreign individual, foreign corporation, foreign partnership, foreign trust, or foreign estate (as those terms are defined in the Internal Revenue Code and Income Tax Regulations);
2. Transferor's U. S. taxpayer identification number (Social Security Number) is:
3. Transferor's address is: 2475 Chicago Boulevard, Detroit, MI 48206

Transferor understands that this certification may be disclosed to the Internal Revenue Service by transferee and that any false statement contained herein could be punished by fine, imprisonment, or both.

Under penalties of perjury, I declare that I have examined this certification and to the best of my knowledge and belief it is true, correct and complete, and I further declare that I have authority to sign this document on behalf of the Transferor.

WITNESS my hand and seal this 21st day of January, 2022

Central Dwellings Corporation

BY:   
\_\_\_\_\_  
Martin Leger  
President and Sole Shareholder



Birmingham Title Agency  
26000 W. 12 Mile Rd., Southfield, MI 48034  
T: (248)633-2737 F: (248)268-8168

### MUNICIPAL CHARGES AGREEMENT

File BT-9794, 2375-2379 Dix Highway, Lincoln Park, MI 48146. Dated January 21, 2022.

WHEREBY, the undersigned Seller and Buyer acknowledge and agree as follows:

1. That it is the Seller's and Buyer's responsibility to investigate, confirm, and obtain bills for outstanding municipal charges, and adjust and arrange payment for them in accordance with their purchase and sale agreement; or, in the event any municipal charges are the responsibility of any tenant or other third party, it is the Seller's and Buyer's responsibility to adjust and arrange payment for them as between all the parties; and, in any event, to properly inform Birmingham Title Agency thereof.
2. That these charges (unless they appear on the tax rolls for the Property or are otherwise recorded as a lien against the Property) do not affect the Property's title, and therefore are not Birmingham Title Agency's responsibility to ensure payment, and that Seller and Buyer agree to hold Birmingham Title Agency harmless therefor.
3. That Birmingham Title Agency is not responsible for any difference between any amounts collected at closing for payment of municipal charges, and the actual amounts due therefor as may thereafter appear.
4. That Seller is responsible for municipal charges up to the date of this Agreement, and the Buyer for all future bills, except as may be otherwise agreed between the parties in writing.

Seller:

Central Dwellings Corporation

BY: 

Martin Leger

President and Sole Shareholder

Buyer:

Dix Investment, LLC

BY: 

Joyce Berry

Authorized Signatory



Birmingham Title Agency  
26000 W. 12 Mile Rd., Southfield, MI 48034  
T: (248)633-2737 F: (248)268-8168

### WATER ESCROW AGREEMENT

File BT-9794, 2375-2379 Dix Highway, Lincoln Park, MI 48146. Dated January 21, 2022.

WHEREBY, the undersigned Seller and Buyer agree and acknowledge as follows:

1. That \$250.00 is being deducted from the Seller's closing proceeds and held by Birmingham Title Agency as Escrow Agent, towards payment of water charges up to the closing date.
2. That either party may request and provide Escrow Agent with the water bill ending on the above-specified date (or alternatively, a water bill for a range of dates containing the above-specified date). The presenting party may pay the bill themselves, providing proof thereof, and request reimbursement by Escrow Agent, or may request payment by Escrow Agent to the appropriate municipal authority. Upon presentation of the bill, Escrow Agent shall and is authorized to pay the amounts due to Buyer, Seller, and/or the municipal authority, including proration as necessary, as appears proper from the documents and proofs presented.
3. That if the Final Bill amount is greater than the escrowed funds, it shall be Seller's sole responsibility to cure the deficiency.
4. That in the event Escrow Agent shall be in possession of funds hereunder, on the six (6) month anniversary hereof, Escrow Agent shall be entitled to convert the remaining escrowed funds.
5. That Escrow Agent shall not be liable for any act or omission done in good faith under this Agreement. Buyer and Seller agree to, jointly and severally, hold Escrow Agent harmless for all reasonable actions taken by Escrow Agent in accordance with this Agreement. In addition, Buyer and Seller further agree to pay all expenses of Escrow Agent, including reasonable attorneys' fees, which may arise pursuant to or out of a dispute hereunder.

Seller:

Central Dwellings Corporation

BY: \_\_\_\_\_

Martin Leger  
President and Sole Shareholder

Buyer:

Dix Investment, LLC

BY: \_\_\_\_\_

Joyce Berry  
Authorized Signatory





Birmingham Title Agency  
26000 W. 12 Mile Rd., Southfield, MI 48034  
T: (248)633-2737 F: (248)268-8168

### ELECTRONIC STORAGE AGREEMENT

File BT-9794, 2375-2379 Dix Highway, Lincoln Park, MI 48146. Dated January 21, 2022.

WHEREBY, the undersigned Seller and Buyer acknowledge and agree as follows:

1. That Birmingham Title Agency is providing the parties with paper and/or electronic copies of the closing documents, per each party's directions.
2. That all documents relating to the above-referenced transaction, including but not limited to closing documents, applications, financial statements, account statements, instruments, resolutions, loan commitments, promissory notes, allonges, owner's affidavits, indemnity agreements, closing statements, loan extensions, assignments, security agreements, and all records and correspondence relating thereto, whether now existing or created hereafter, may be stored as electronic images, and their originals may be destroyed.
3. That notwithstanding the foregoing, in the event the parties have escrowed any document with Birmingham Title Agency pursuant to a separate escrow agreement, then the terms of that agreement control.
4. That as between the undersigned, a printed reproduction of the electronically stored document may be used in place of the original in any litigation, correspondence or other proceeding requiring production of the original.
5. That the paper original of the electronically stored document shall be deemed to have been destroyed on the date the document was electronically imaged and stored, and that Birmingham Title Agency is entitled to enforce the paper instrument at the time the paper instrument was destroyed.

SELLER(S):

Central Dwellings Corporation

BY: \_\_\_\_\_

Martin Leger  
President and Sole Shareholder

BORROWER/BUYER(S):

Dix Investment, LLC

BY: \_\_\_\_\_

Joyce Berry  
Authorized Signatory



Birmingham Title Agency  
26000 W. 12 Mile Rd., Southfield, MI 48034  
T: (248)633-2737 F: (248)268-8168

### CONTACT FORM

Please review the following information, and contact us  
with any changes, additions, or deletions at (248)633-2737.

FILE NO.: BT-9794

ADDRESS: 2375-2379 Dix Highway, Lincoln Park, MI  
48146

SELLER: Central Dwellings Corporation

ADDRESS: 2475 CHICAGO, DETROIT

PHONE: 419-705-4544 EMAIL: martinlegera@protonmail.com

BUYER/  
BORROWER: Dix Investment, LLC

ADDRESS: 15020 Michigan Ave. Dearborn MI 48126

PHONE: 313-574-2571 EMAIL: Jbercy0126@yahoo.com

Case No. PPC22-0015

Date Submitted 12/14/22

**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: Toufik Gomah

Mailing Address: 2357 Dix Hwy, Lincoln Park MI 48146

Email Address: MetroSales-Service@hotmail.com

Telephone: (313) 999-6123 Fax: 734-283-3302

Property Owner(s) (if different from Applicant): \_\_\_\_\_

Mailing Address: N/A

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Applicant's Legal Interest in Property: Garage Office / Customer Waiting Room

Location of Property: Street Address: 2375-2379 Dix Hwy, Lincoln Park 48146

Nearest Cross Streets: McLain Ave.

Sidwell Number: 45010071170001

**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.

Lot, 1170, 1171, 1172, 1173

Property Size (Square Ft): 5165 (Acres): \_\_\_\_\_

Present Use of Property: Currently Vacant

Proposed Use of Property: Garage Office / Customer Waiting Room

Existing Zoning (please check):

- |   |                                   |
|---|-----------------------------------|
| G SFRD Single Family Residential District   | G RBD Regional Business District  |
| G MFRD Multiple Family Residential District | G CBD Central Business District   |
| G MHRD Mobile Home Park District            | G GID General Industrial District |
| G NBD Neighborhood Business District ✓      | G LID Light Industrial District   |
| G MBD Municipal Business District           | G CSD Community Service District  |
| G 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	1	~ 1700'	84
Industrial			
Other			

**ATTACH THE FOLLOWING:**

- Six (6) individually folded copies of the site plan, sealed by a registered architect, engineer, landscape architect or community planner.
- Proof of property ownership.
- 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.

Signature of Applicant \_\_\_\_\_ Date 10-18-2022

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Signature of Property Owner Authorizing this Application \_\_\_\_\_ Date 10-18-2022

*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: \_\_\_\_\_

City of Lincoln Park Planning and Development

## 2022 Annual Report: City of Lincoln Park Planning Commission

January 11, 2023

The following report is based on the requirements in §1220.08 of the Lincoln Park Zoning Ordinance.

### SUMMARY OF ACTIVITIES

*The Planning Commission shall make an annual written report to the City Council concerning its operations and the status of the planning activities, including recommendations regarding actions by the City Council related to planning and development. The City Manager shall prepare the Capital Improvements Program Plan.*

#### Administration

Officer Elections. The following officers were elected in January 2022: Kevin Kissel, Chair; Joseph Palmer, Vice Chair; Mike Horvath, Secretary.

Member Appointment to Zoning Board of Appeals. Commissioner Horvath was appointed to serve on the Zoning Board of Appeals. It is important for the Planning Commission to have representation on this board in order to inform the ZBA proceedings with the PC's intent, and to report back to the PC on issues of appeal which should be addressed through regulatory adjustments.

Annual Review of the Development Review Process. In compliance with the Redevelopment Ready Communities program with which the City of Lincoln Park is engaged, the Commission set aside time at its January meeting to consider its development review process. Commission members had minimal comment on the development review process this year.

#### Development Review

Site Plan Review. The following site plans were approved in the City in 2022.

- 3535 Fort – Retail
- 3955 Dix – Retail
- 1378 Dix – Retail
- 4030 Fort – Retail
- 4089 Dix – Automotive Service
- 3719 Fort – Office
- 1522 Dix – Office (Automotive Sales)
- 1132 Southfield – Retail
- 2121 Dix – Drive-Thru Restaurant
- 2472 Dix – Automotive Fueling Station (Expansion)
- 2178 Fort – Office
- 625 Southfield – Cabinetry Assembly

Special Land Use. The following Special Land Uses were approved in the City in 2022.

- 4089 Dix – Automotive Service
- 1522 Dix – Automotive Sales

Rezoning. There were two (2) rezoning requests in the City of Lincoln Park in 2022, both of which the Planning Commission recommended approval to City Council, and City Council approved.

- 1522 Dix – SFRD to MBD
- 2121 Dix – SFRD & MBD to MBD to correct split zoning

### Zoning Amendments

Training Facilities. This addressed the fact that training/education facilities were not listed as a permitted use in the Neighborhood Business District (NBD), although such uses are appropriate in the district. The text amendment added “schools or training facilities” as a principally permitted use in the NBD, limited to 20,000 sq. ft., which is consistent with the building size limitation for retail uses in the district.

Residential Group Homes. This amendment addressed the following sections of the Lincoln Park Zoning Code: §1260.08 to correct the name of the state-licensed residential facility; §1268.02 to add “Group Child Care Homes, subject to State licensing requirements” as a principally permitted use in the Single Family Residential District; and §1296.02(Q) to remove the section on Group Day Care homes.

E-Commerce. This amendment addresses requests for “e-commerce uses, typically referring to the use of an existing commercial building for the storage of products to be sold online, often with accompanying office space. “E-commerce” is non-customer-facing, which is inherently different than retail in traditional customer-facing commercial districts. The Zoning Ordinance does not currently have a definition for an “e-commerce” use; however, due to the changing retail realities of increased online shopping, exacerbated by the Covid-19 pandemic, it has become apparent that this use should be considered for incorporation into the Zoning Ordinance. The Planning Commission held policy discussions on this subject in both March, April, and July of 2021 – as well as reviewed the proposed standards in January and February 2022 – and concluded that “e-commerce” is a use that should be incorporated into the Zoning Ordinance but should be kept out of the Central Business District and should have standards for development. This amendment amends nine sections of the Lincoln Park Zoning Code: §1260.08, §1276.03, §1278.02, §1280.02, §1280.03, §1282.02, §1290.02, and §1296.02 to allow for e-commerce uses, as described in the memo titled “Zoning Text Amendment: E-Commerce,” dated April 13, 2022.

### Policy Review and Study

E-Commerce. The City is increasingly getting requests for “e-commerce” uses, typically referring to the use of an existing commercial building for the storage of products to be sold online, often with accompanying office space.

Southfield Road Corridor Study & Fort Street Transportation Equity Study. The City conducted two separate yet integrally related corridor studies. The Cities of Lincoln Park and Ecorse jointly conducted a corridor study of Southfield Road from the western border of Lincoln Park to the Detroit River. The purpose of the plan was to increase consistency of the built environment along the corridor, to improve its economic return, and to facilitate nonmotorized access to its business and recreation assets. In a closely related and parallel effort, The City of Lincoln Park conducted a Transportation Equity Study for Fort Street between Champaign Road and Outer Drive. The purpose of the Fort Street study was to develop multi-modal transportation options that reduce longstanding social and economic inequities experienced by

underserved and underrepresented populations. The Planning Commission provided input and guidance in the form of joint City Council and Planning Commission meetings for both projects. Final drafts of both Plans were completed in fall of 2022.

### Implementation of the Master Plan

The City adopted its updated Master Plan in November 2019. The Master Plan has a robust action plan, and the City has made progress on implementing the following action items:

- *Remove parking minimums downtown and replace with accommodation based on evidence of demand* – businesses downtown are exempt from minimum parking requirements.
- *Tweak DDA facade program to accommodate sign improvements in addition to larger projects* – the DDA tweaked the façade program this year.
- *Maintain sidewalks so that they are safe and clean for all users* – all site plan reviews require that City sidewalks be brought up to City standards and the City adopted a zoning text amendment in 2021 that clarifies flat work replacement criteria.
- *Continue to work with MDOT to bring the speed limit on Fort Street back down* – the City conducted the Fort Street Transportation Equity Study, which will aid in the effort to bring speed limits back down and improving access for multiple modes of transportation.
- *Host regular food truck events downtown* – the City adopted a food truck ordinance.
- *Use Mellus Park as a test ground to experiment with new events, “pop up” businesses, public recreation facilities, and community ideas* – the City is in the planning phase to use Mellus Park as the Farmers’ Market site.
- *Adjust the zoning ordinance to permit ultralight-impact manufacturing in commercial zones (“maker spaces”)* – the Planning Commission held a policy discussion on this topic in 2020, and this was a topic of relevance and importance for the Southfield Road Corridor Study.
- *Adopt and use a public participation plan that identifies a diverse group of stakeholders that meets regularly and review the results of community engagement efforts* – the City adopted a public participation plan in 2022.
- *Provide weekly updates on city matters on social media platforms* – the City has increased its social media presence significantly this year.

### Regional Correspondence

No requests were received.

### Zoning Board of Appeals

The Zoning Board of Appeals reviewed five (5) dimensional variance requests in 2022. A dimensional (non-use) variance allows for a deviation from the dimensional (i.e. height, bulk, setback) requirements of the Zoning Ordinance. In order to grant a dimensional (non-use) variance, proof of practical difficulties must exist, and the request must meet all of the required standards outlined in the Zoning Ordinance.

#### 1. 4089 Dix Highway

- Request: 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)).

- Rule being deviated from: 5,000. ft. distance separation between an existing automotive fueling station, service station, or repair center (§1294.14(c)).
  - Number of standards met: 3 of the 12 required standards were met.
  - Outcome: Approved
- 2. 1126 Fort Street**
- Request: 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.
  - Rule being deviated from: 5,000. ft. distance separation between an existing automotive fueling station, service station, or repair center (§1294.14).
  - Number of standards met: 3 of the 12 required standards were met.
  - Outcome: Denied
- 3. 1024 LeBlanc Street**
- Request: A dimensional variance to allow for greater height for an accessory structure than permitted by Ordinance (maximum height for an accessory structure is 16 ft. per §1294.13(a)(6)).
  - Rule being deviated from: 16 ft. maximum height for an accessory structure (§1294.13(a)(6)).
  - Number of standards met: 5 of the 12 required standards were met
  - Outcome: Denied
- 4. 1526 Fort Street**
- Request: A dimensional variance from the standards for wall signs in the Central Business District (§1276.05: Standards According to Sign Type) to allow for a 527 sq. ft. painted wall sign.
  - Rule being deviated from: Standards for wall signs in the Central Business District (§1276.05).
  - Number of standards met: 5 of the 12 required standards were met
  - Outcome: Denied
- 5. 1648 John A. Papalas Drive**
- Request: 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)).
  - Rule being deviated from: : 5,000. ft. distance separation between an existing automotive fueling station, service station, or repair center (§1294.14(c)).
  - Number of standards met: 5 of the 12 required standards were met
  - Outcome: Approved

The Zoning Board of Appeals reviewed two (2) use variance requests in 2022. A use variance allows for a use of land that is otherwise prohibited in a zoning district. In order to grant a use variance, proof of an unnecessary hardship must exist, and the request must meet all of the required standards outlined in the Zoning Ordinance. Approval of use variance requests is typically quite rare as a use variance realistically functions as a rezoning request that avoids going before both the Planning Commission and City Council.



**1. 2075 Fort Street**

- Request: A use variance to allow for a residential use in the basement of a commercial property in the Central Business District.
- Rule being deviated from: Residential use below a commercial use (§1280.02)
- Number of standards met: 1 of the 4 required standards were met
- Outcome: Denied

**2. 2472 Dix Highway**

- Request: A use variance to allow for the expansion of a non-conforming use.
- Rule being deviated from: Residential use below a commercial use (§1280.02)
- Number of standards met: 1 of the 4 required standards was met
- Outcome: Approved

**REPORT ON OPERATION OF THE ZONING ORDINANCE**

*In accordance with Section 308 of Michigan Public Act 110 of 2006, as amended, the Planning Commission shall prepare an annual report to the City Council on the administration and enforcement of the Zoning Ordinance including recommendations as to the enactment of amendments or supplements to the Ordinance.*

The City is in the process of updating its Zoning Ordinance. With funding assistance from the Redevelopment Ready Communities program, the City has hired a planning consultant to re-write the entire Zoning Ordinance. Anticipated completion date is fall of 2023.

## Planning Report

Serving & Planning Communities Throughout Michigan

January 2023

### Top Story

#### Domino's Pizza EV vehicle fleet takes transportation change seriously

*The first company to deliver pizzas does it differently.*

The Detroit Free Press reports that Domino's Pizza—the national chain that introduced the world to the concept of pizza delivery using a Volkswagen Beetle in Ypsilanti, Michigan—has invested in over 800 custom Chevy Bolt electric vehicles to be deployed by the end of 2023. This will be about an eight-fold increase in the number of Domino's EVs on the road today, 12 of which are operating in Michigan. The move is designed to help the company meet its 2050 carbon neutrality target, and joins ebikes and scooters in its portfolio of alternative delivery modes. But the EVs hold another appeal in a competitive labor market for service workers: a company spokeswoman notes that it's an appealing option for drivers who don't have a car of their own (or, for that matter, those who don't think the mileage reimbursement is a good business deal).

*Detroit Free Press.* <https://www.freep.com/story/money/cars/general-motors/2022/11/21/dominos-pizza-chevy-bolt-electric/69667368007/>

### Conference

#### National Brownfield Conference calls for ideas to present in Detroit

*The organization working to restore and reuse contaminated land asks for submittals*

The National Brownfield Conference is headed to Detroit August 8-11, 2023, and organizers are seeking session proposals to share successes and address land reuse hurdles. Seven educational tracks include financing, housing equity, resiliency, economic transformation, environmental justice, cleanup approaches, and tribal partnerships. The Call for Ideas will close on February 6, 2023. For inspiration, EGLE presents a series of videos titled "Brownfield Flip," showing projects revitalized with the assistance of funds captured through the program.

*Environmental Protection Agency, International City/County Management Association.* <https://brownfields2023.org/call-for-ideas/> EGLE. Brownfield Flip video series, <https://www.youtube.com/playlist?list=PLXCrWyRfRQVVqTNGlpQ00qu3qnKWcKJfS>

### Tools

#### "State of the Great Lakes" report issued by EGLE

*Annual report focuses on economy, technology, and ecosystems.*

Each year, the Office of the Great Lakes prepares a report to the Legislature on the state of the lakes and related ecosystems, addressing accomplishments, challenges, and initiatives. The 2022 report is a "guide to stewardship" that focuses on three main themes: building a water-driven "blue economy" through Great Lakes education and career pathways; advancing technology, scientific research, and data sharing around water issues; and restoring and protecting ecosystems.

*Office of the Great Lakes.* <https://www.michigan.gov/egle/about/organization/office-of-the-great-lakes>  
*Report:* <https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Reports/OGL/State-of-the-Great-Lakes/Report-2022-Widescreen.pdf?rev=495bfe3e9e3945148a7d8ee799559a56>



## SEMCOG establishes Carbon Reduction Program with IJA funds

*Agency will receive \$9.5M in 2023-2026, conduct periodic calls for projects*

The Carbon Reduction Program (CRP) provides funding to develop projects and strategies to reduce carbon dioxide emissions from on-road vehicles. Eligible applicants are those the State of Michigan classifies as “Act-51 agencies,” including county road commissions, incorporated villages, incorporated cities, and public transit agencies. Other public or private entities may apply for funding if they have assigned a Sponsorship Agreement with an Act-51 eligible agency located in Southeast Michigan which will be legally responsible for the project. The FY 2024-2026 Carbon Reduction Program call for projects is now open until February 10, 2023. Eligible projects include, but are not limited to:

- *Transit.* Bus replacement with clean efficient vehicles, alternative fueling infrastructure;
- *Highway.* Traffic signal interconnection, roundabouts, traffic monitoring and management, intersection improvements; and
- *Non-motorized.* On-road and off-road trail facilities, replacement of streetlighting and traffic control devices with energy-efficient alternatives, travel demand management programs

**SEMCOG.** <https://semcog.org/cmaq#5066690-carbon-reduction-program>



## Change to MZEA: treatment centers as a residential use of property

*Foster care package includes zoning support for qualified residential treatment programs*

A package of bills passed in fall 2022 aimed at the foster care system touched on land use with an amendment to the Michigan Zoning Enabling Act, the main legislation that governs zoning (PA 110 of 2006). House Bill 5981 requires “a qualified residential treatment center that provides services for 10 or fewer individuals” to be considered “a residential use of property for the purposes of zoning and a permitted use in all residential zones and is not subject to a special use or conditional use permit or procedure different from those required for other dwellings of similar density in the same zone.” The same section applies this requirement to state-licensed residential facilities and licensed adult foster care facilities. A residential treatment center has a trauma-informed program, 24-hour nursing or clinical staff, aftercares services, family integration, and independent accreditation.

**Michigan Legislature. MZEA:** [http://www.legislature.mi.gov/\(x3eqqx2ix0ez34nsk1zysl45\)/documents/mcl/pdf/mcl-Act-110-of-2006.pdf](http://www.legislature.mi.gov/(x3eqqx2ix0ez34nsk1zysl45)/documents/mcl/pdf/mcl-Act-110-of-2006.pdf) **Bill analysis and summary:** <http://www.legislature.mi.gov/documents/2021-2022/billanalysis/House/pdf/2021-HLA-5974-3E08124B.pdf>



### MAP Transportation Bonanza

*9am-4:30pm, February 22. Cost: \$55*

14th annual event emphasizes community building for health and accessibility. In partnership with Safe Routes to School and MDOT.

**More information:** <https://www.planningmi.org/transportation-bonanza>

### Downtown Management Training Series

*On demand. Cost: \$35 per webinar*

Michigan Downtown Association’s 10-part webinar series dedicated to educating downtown managers and boards of directors.

**More information:** [https://www.memberleap.com/members/evr/reg\\_event.php?orgcode=MDTA&evd=29892243](https://www.memberleap.com/members/evr/reg_event.php?orgcode=MDTA&evd=29892243)