PUBLIC NOTICE

City of Berkley, Michigan Regular Meeting of the Zoning Board of Appeals Monday, July 14, 2025 7:00 PM - City Hall Council Chambers Information: (248) 658-3320

Notice: Official Minutes of the Zoning Board of Appeals are stored and available for review at the Office of the City Clerk. The City of Berkley will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon four working days notice to the city. Individuals with disabilities requiring auxiliary aids or services should contact the city by writing or calling: City Clerk, ADA Contact, Berkley City Hall, 3338 Coolidge, Berkley, Michigan 48072, (248) 658-3300.

You can watch the meeting on Channel 10 for both Comcast and WOW, or http://www.youtube.com/CityofBerkley.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CONFIRMATION OF A QUORUM

APPROVAL OF AGENDA

APPROVAL OF MINUTES - Meeting Minutes of January 13, 2025

OLD BUSINESS - None

NEW BUSINESS

1. Application Number PBA-03-25

Bradley DeVries on behalf of Damsel LLC, 3020 Coolidge Hwy., parcel 04-25-17-107-031, on the East side of Coolidge Highway, between Earlmont Road and Edgewood Blvd., is requesting a variance to waive on-site parking requirements.

 <u>Application Number PBA-04-25</u> Salwan Shina, on behalf of Jamil Realty, LLC and Gevalin Gegaj for 4162 Twelve Mile Rd., 4150 Twelve Mile Rd., 4138 Twelve Mile Rd., Parcels 04-25-07-355-039, 04-25-07-355-038 and 04-25-07-355-040, North side of Twelve Mile Rd., between Greenfield Rd. and Ellwood Ave., is requesting a variance for the location of a trash enclosure.

3. Application Number PBA-05-25

Salwan Shina, on behalf of Jamil Realty, LLC and Gevalin Gegaj for 4162 Twelve Mile Rd., 4150 Twelve Mile Rd., 4138 Twelve Mile Rd., Parcels 04-25-07-355-039, 04-25-07-355-038 and 04-25-07-355-040, North side of Twelve Mile Rd., between Greenfield Rd. and Ellwood Ave., is requesting a variance for the Southeastern driveway entrance.

OTHER BUSINESS:

- 1. Rules of Procedure
- 2. Election of Officers

STAFF / BOARD MEMBER REPORT:

LIAISON REPORT

PUBLIC COMMENTS

ADJOURN

THE REGULAR MEETING OF THE BERKLEY CITY ZONING BOARD OF APPEALS WAS CALLED TO ORDER AT 7:00 PM, MONDAY, January 13, 2025 BY CHAIR MCALPINE

The minutes from this meeting are in summary form capturing the actions taken on each agenda item. To view the meeting discussions in their entirety, this meeting is broadcasted on the city's government access channel, WBRK, every day at 9AM and 9PM. The video can also be seen on-demand on the city's YouTube channel: <u>https://www.youtube.com/user/cityofberkley</u>

PRESENT:	Sue McAlpine Joseph Krug Joann Serr Lorene Branch, Alternate	Kevin Wilner Steve Allen
ABSENT:	Andrew Creal Eric McDonald	
ALSO, PRESENT:	Kim Anderson, Zoning Adminis Dennis Hennen, Liaison	strator

CONFIRMATION OF QUORUM MET

APPROVAL OF AGENDA

Motion to approve the agenda as presented by Allen, and supported by Krug.

Voice vote to approve the agenda.

AYES: 6 NAYS: 0 ABSENT: 2

MOTION CARRIED

* * * * * * * * * *

APPROVAL OF MINUTES

Motion to approve the minutes of the October 14, 2024 regular meeting by Krug and supported by Serr.

Voice vote to approve minutes

AYES: 6 NAYS: 0 ASBENT: 2

MOTION CARRIED

OLD BUSINESS

None

NEW BUSINESS

1. Application Number PBA-01-25

Green Electrical Systems, representing Salon Legato 3176 Twelve Mile Rd, Parcel # 25-07-453-036, North side of Twelve Mile Rd., between Griffith Ave and Gardner Ave., in the Downtown District is requesting a Sign variance.

The applicant, Michael Stephens of Signarama for Salon Legato is requesting a non-use sign variance to allow for additional signage in the rear of the building. Per *Berkley City Code*, Chapter 94 Signs: 94-7 (a) *Number permitted.* For each side of street frontage, one sign requiring a permit shall be permitted. Signage at the rear of the building is permitted to be an identification sign per City Code Chapter 94 Signs: 94-4 (7) Exempt Signs.

Zoning Administrator, Kim Anderson provided the Zoning Board of Appeals background on 3176 Twelve Mile Rd, Parcel # 25-07-453-036 That there is no permit on record for the existing rear sign nor any variance on record to be allowed. The rear sign at 3176 Twelve Mile Rd. is considered an illegal non-conforming sign. There are permits and documentation on record, that were included in the meeting packet, for the different businesses at this parcel for front signage along with the two that have identification signs showing the rear signs meet the exempt sign ordinance, six square feet or less.

The proposed wall sign is:

Rear wall sign: 1.23' x 6.53' totaling 8.03 square feet.

Allen, confirmed rear signs are permitted but cannot exceed six square feet under the exempt sign ordinance.

Wilner asked questions to clarify the exempt sign ordinance and the framing currently there. Anderson explained the exempt signs that are permitted; identification, markers, etc. and that the text inside the frame is to be six square feet or less can include the address or the name of the business to be an identification sign. Wilner asked about the other businesses at the parcel and meeting the exempt signage per ordinance. Anderson explained that included in the packet showing that the rear signage at the rear for the other businesses meeting the ordinance as exempt.

Chair McAlpine explained that the Board has five standards that are to be met to grant a variance and listed the five standards.

APPLICANT PRESENTATION

Applicant Mike Stephens of Signarama and Green Electrical Systems representing Salon Legato at 3176 Twelve Mile Rd., Berkley presented the request for the rear signage as a face change to the existing cabinet. Indicated that the signs at other businesses appear not to be six square feet in the back. Feels that with the parking in the rear that a second sign in the back is needed.

Serr asked why the sign was replaced with a sign larger than six square feet. The applicant explained that the cabinet has one panel inside the frame that slides out.

Wilner asked why the rear sign was replaced with no permit. The applicant confirmed that they did not do any work yet on the rear signage that it is a temporary banner.

Diane Cassidy representing Salon Legato approached the podium explained the banner is temporary.

Chair McAlpine opened the floor for the public hearing at 7:13 p.m.

PUBLIC COMMENT

No public correspondence:

Chair McAlpine closed the floor for the public hearing at 7:13 p.m.

Zoning Board of Appeals discussion:

Wilner stated that the text can be reduced to six square feet and does not feel it meets all the criteria for a variance. Does not meet Strict compliance and minimum variance necessary.

Chair McAlpine confirmed Wilner was indicating that it does not meet all five standards necessary to approve the variance.

Members Serr and Branch agree.

Chair McAlpine asked for a Motion to deny given that the board has found that the five standards necessary have not been met and the text for the rear sign would need to meet the ordinance in place of six square feet.

Motion to deny by Wilner and supported by Serr.

<u>Denial</u>

In the matter of PBA-01-25, 3176 Twelve Mile Rd., parcel # 04-25-07-453-036, motion to deny the requested variance from City Code Chapter 94 Signs: Section 94-7 (a) of the City of Berkey City Codes to grant the allowance of additional signage where for each side of street frontage, one sign requiring a permit shall be permitted, as required, that does not conform to the applicable City Code regulations, based on the following findings:

1. The requested variance is not the minimum variance necessary to do substantial justice to the application as well as other property owners.

AYES: Members: Branch, Krug, Serr, Wilner, Allen and Chair McAlpine NAYS: 0 ABSENT: Creal and McDonald

MOTION CARRIED

OTHER BUSINESS

1. 2025 ZBA Meeting Dates – Amend August/September

August 12, 2025 can be put to Monday, August 11, 2025 September 08, 2025 needs to be moved to Tuesday, September 09, 2025

Zoning Administrator, Anderson explained to the board that upon City Council approving their 2025 calendar that the August and September dates for the Zoning Board of Appeals calendar had to be rearranged.

Motion to approve the proposed 2025 Zoning Board of Appeals meeting dates by Allen and supported by Krug.

Voice vote to approve minutes

AYES: 6 NAYS: 0 ASBENT: 2

MOTION CARRIED

STAFF/BOARD MEMBER REPORT

Community Development Monthly Report for October and November 2024

Zoning Ordinance Rewrite update: Final draft will be submitted to the Planning Commission public hearing on January 28, 2025 and then council for adoption – looking at April to be adopted and in effect.

Alternates – still need one more alternate.

Next meeting – February 10, 2025 – no cases.

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LIAISON REPORT

Dennis Hennen – No report

PUBLIC COMMENT

NONE * * * * * * * * * * *

With no further business, the meeting was adjourned at 7:20 p.m.

Motion by Serr and support by Wilner

Voice vote to adjourn

AYES: 6 NAYS: 0 ABSENT: 2

MOTION CARRIED

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ZONING BOARD OF APPEALS APPLICATION

The Zoning Board of Appleals (ZBA) meets the second Monday of the month. The meetings are held in the Council Chambers at City Hall, 3338 Coolidge Highway, Berkley, Michigan 48072.

The ZBA shall hear requests for use and dimensional variances, appeals of administrative decisions, interpretation of zoning map and text, and interpretations of commercial message for proposed murals.

****Please be advised:** The ZBA may grant a variance where undue hardship or practical difficulty for the property exist. A want or desire (bigger structure, more profit, etc.) is not sufficient grounds for a variance. The ZBA does not have the power to legislate or create new regulations. The Board's purpose is to provide some relief from the Zoning Ordinance depending on the unique circumstances of the property.

APPLICANT	INFORMATION	
Name:	Bradley DeVries	Phone
Address:	220 S Main Street, Royal Oak MI 480	67
Email:		
Relationship	to Property (current tenant, representative, fu	ture tenant, current owner, future owner):
Architect		
	,	
PROPERTY	OWNER INFORMATION (if different from A	pplicant)
Name: <u> </u>	hristine Sheridan	Phone:
Address:	1992 Catalpa Drive, Berkley MI 48072	
Email:		
PROPERTY	DESCRIPTION	
Address:	3020 Coolidge Highway, Berkley MI 4	8072
Parcel #:	<u>25-17-107-031</u> Z	oning Classification: Coolidge District
Current Use	of Property: <u>Vacant Retail</u>	·····

NATURE OF REQUEST						
Check which applies:		Variance from Zoning Ordinance (Section I)				
	Ø	Interpretation of Zoning Ordinance (Section II)				
		Administrative Review / Appeal of Decision (Section III)				
		Determination of Commercial Message of Mural / Work of Art (Section IV)				
Description of Request: Requ	est f	o reduce the off-street parking requirement from 8 parking				
spaces to 0 parking space	es.					
Has the City denied a permit re	lated	to the proposed work? Yes No				

Please fill out ONLY the section below that applies to your request.

I. VARIANCE FROM ZONING ORDINANCE

Please provide a written response to each question below that relates to the variance that is being requested. **DO NOT COMPLETE BOTH SECTIONS.**

A. Use Variance

The Zoning Board of Appeals may grant a **use variance** (i.e. use of the land not permitted in a particular district) upon finding that an undue hardship exists.

Current Use of Property:

Requested Use of Property:

1. Explain how the building or land cannot be reasonably used for any of the uses permitted by right or by special land use permit in the current zoning district.

2. Explain how the need for the variance is due to unique circumstances or physical conditions of the property.

3. Explain how the proposed use will not alter the essential character of the neighborhood.

4. Explain how the need for the variance is not the result of actions of the property owner or previous property owners.

B. Dimensional Variance (Non-Use Variance)

The Zoning Board of Appeals may grant a <u>dimensional variance</u> (i.e. height, setback, lot coverage, etc) upon finding that undue hardship or practical difficulty exists.

1. Explain how the need for the variance is due to unique circumstances of physical conditions of the property.

The parcel is 37' wide x 53.81' feet deep, and the existing building (approximately 100 years old) is 34'-10" wide and 42'-3" deep. The parcel fronts Coolidge Highway (west), and is bordered on the east, north, and south by adjacent parcels/buildings. Due to the configuration of the lot, on-site parking is not possible.

2. Explain how the need for the variance is not the result of actions of the property owner or previous property owners.

The configuration of the lot, adjacent lots, and the footprint of the existing building predate the property owner's involvement and ownership of the property.

3. Explain how strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.

Because the parcel can physically not accomodate any off-street parking, not granting a variance to completely elimnate the off-street parking requirement would render the property useless to the current owners, but also any potential uses, as there are no permitted uses that would have no off-street parking requirements without a variance. Furthermore, there is no public lot within the specified distance limit to alleviate the requirement and the new zoning ordinance does not allow a shared parking agreement to satisfy an off-street parking requirement in full. A variance is the only option.

4. Explain how the requested variance is the minimum variance necessary to do substantial justice to applicant as well as other property owners.

The proposed use of the property would be first floor retail (approx. 1,150 SF UFA + 3 employees) with second floor office space (approx. 1,300 SF UFA). The retail space would require 5 parking spaces, where the office space would require 4 parking spaces. This makes the total requirement 8, as there is one street space fully in front of the building. Other by-right uses, would require the same amount of parking, if not more, as the retail parking requirement is among the least intense of resaonable uses for the building.

5. Explain how the requested variance will not adversely impact the surrounding properties.

The requested variance will have no adverse impact as this is the existing condition and it has existed for many years. There is ample street parking available (not all which can be counted), but will presumably be available often. The retail store is not a high-traffic space, such as a market or drug store, and the office will have very little in the means of parking turnover.

II. INTERPRETATION OF ZONING ORDINANCE

Provide Section numbers of Zoning Ordinance to be interpreted: 14.04

Please describe the request and what needs to be clarified or interpreted by the ZBA.

14.04 - Vehicle Parking Requirements. Subsections A, B, C, I, and M all factor into the calculations and the variance request. Subsection Q documents the requirements per use.

See attached diagram w/ calculations.

III. ADMINISTRATIVE REVIEW / APPEAL OF DECISION

Describe the circumstances of each case and provide the minutes of the public meeting noting the denial to be appealed.

IV. DETERMINATION OF COMMERCIAL MESSAGE (MURAL/WORK OF ART)

Describe the proposed mural/work of art. Applicant should include renderings of the proposed design. The ZBA shall determine if the proposed work contains a commercial message.

** Applicant and artist must provide signed *Mural Installation and Maintenance Agreement* prior to the public meeting.

SUBMIT THE FOLLOWING:

Provide 15 copies of survey, plot plan or site plan with this application that shows the subject property complete with boundary lines and dimensions, existing building locations, all proposed buildings, easements, utilities, and any site improvements/changes. Setbacks, height of structures, lot coverage, etc. should also be included, if applicable.

A PDF file of the application and supporting documents must also be submitted at the time of application.

PLEASE NOTE: The applicant, or a designated representative, **MUST BE PRESENT** at the meeting in which the case is being reviewed or the request may be postponed due to lack of representation.

We encourage applicants to make a presentation of the proposed request to the Zoning Board of Appeals, if applicable. To assist this effort, we have available for your use a projector, laptop computer and screen. ZBA meetings are recorded and televised.

PROPERTY OWNER'S APPROVAL (Initial each line)

<u>CS</u> I hereby authorize and give permission for the City of Berkley to install one or more temporary signs on my property, in order to notify the public of the required public hearing related to the above request(s) before the ZBA.

<u>CS</u> I hereby authorize the employees and representatives of the City of Berkley to enter upon and conduct an inspection and investigation of the above referenced property in relation to the above request.

APPLICANT'S ENDORSEMENT: (Initial each line)

BDV All information contained herein is true and accurate to the best of my knowledge.

<u>BDV</u> I acknowledge that the ZBA will not review my request unless all information in the application has been submitted to the satisfaction of the Community Development Director.

BDV I 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 review of this application.

If an application is withdrawn more than three (3) weeks prior to the meeting date, 90% of the fee will be refunded. If the application is withdrawn less than three (3) weeks prior to the meeting, no refund will be given.

Bradley DeVries Applicant Name (print) Applicant Signature

6-13-2025 Date

Applicant Name (print)

Applicant Signature

Date

Christine Sheridan

Property Owner Name (print)

Property Owner Signature

6-13-2025 Date

City of Berkley · ZBA Application Updated 07.01.2021

Office	Use Only			Ì
Receiv	ved 6.13.25	_Receipt #	Meeting Date	Case # <u>IBA-D3-0</u> 5
Fee:	Residential	\$400		
	Commercial	\$600		
	Mural	\$300		

Shared Parking Agreement

This agreement, made between: Christine Sheridan, owner 3020 Coolidge Hwy, Berkley MI, 48072

and

RYAN CARWER-DONIS	(name)
WAN CARNER-DAVIS OWNER/OPERATOR	_(title)
2972 contober Huy	_(address)
RESTAURANT	_(business)
JunConfer	_(signature)
9/11/24	(date)
(248) 543 - 3283	_(phone number)
BOEKLEY MI BAGGE	(email address)

permits the shared use of parking.

This is a friendly agreement intended to be beneficial to all parties.

9.11.24 Per city ordinance - agreement updated 6.25.25 to reflect 7 (four) available to "Share" parking spots, based on Calculations. 1, 6.25-25



EUBLIC SIDEWALK

ONE ON-STREET PARKING SPACE DUE ON-STREET PARKING SPACE 25-17-107-031

or navigate to and click on the property of interest

3020 COOLIDGE HWY PIN: 25-17-107-031 CITY OF BERKLEY

Available Reports:

Commercial Property Profile Property profile of a specific parcel	\$0
<u>Current Tax Report</u> Current property tax information	\$2.50
Delinquent Tax Report Delinquent tax obligations	\$1.50
<u>Map Atlas</u> Plat map & property dimensions	\$4.00

Also Available at this Location:

Display Property Photo

Display Property Sketch

Files are updated annually. Sketch updates vary by community and may not reflect the square footage in the file.

Display FEMA - DFIRM Map

- DFIRM Disclaimer
- DFIRM Overview





MEMORANDUM

То:	Berkley Zoning Board of Appeals		
From:	Kim Anderson; Zoning Administrator		
Subject:	PBA-03-25 3020 Coolidge Hwy., Dimensional variance request to waive on-site parking requirements		
Date:	July 07, 2025		
APPLICANT:	Bradley DeVries on behalf of Damsel LLC		
APPLICANT:	Bradley DeVries on behalf of Damsel LLC 3020 Coolidge Hwy.		

REQUIRED: *Berkley City Code*, Zoning Ordinance, Chapter 138, Article14, Sec.14.04.Q.3.f, parking space requirements by use for general retail requires one per 500 square feet of usable floor area plus one per employee. Parking requirements by use for Offices per Sec. 14.04.Q.4.c requires one per 300 square feet of usable floor area. First floor retail space requires five (5) on-site parking spaces and Second floor office space requires four (4) on-site parking spaces. Per 14.04.M 3020 Coolidge Hwy., qualifies for one (1) On-street parking credit.

ZONING AND LAND USE

Property	Zoning District	Land Use
Subject Site	Downtown, Street Type Walkable	Commercial – Two Story with ground level Retail and second floor Office
West	Downtown, Street Type Walkable	Place of Assembly – VFW Post
East	Downtown, Street Type Residential	Parking for building to the South
North	Downtown, Street Type Walkable	Credit Union
South	Downtown, Street Type Walkable	Two-story building with office on ground floor and residential on second story

BACKGROUND

A beauty salon on the ground floor at this address received a parking variance on June 14, 1999 (copy of the file is in your packet). The variance was to permit a nail salon with one (1) employee as a grandfathered use for a shop with no on-street parking.

Spike Lawrence, an awards and promotional products business, was given a business license in 2008. In a previous consultation with the City Attorney, it was determined that due to the change of use and the wording of the variance granted being specific to a grandfathered use, that the variance is no longer valid.

In 2022, May 09, 2022 (minutes in your packet) a parking variance was granted for a salon/spa with conditions: to waive on-site parking requirements with the following conditions: There are two bike racks at the location; Employees agree to park in municipal parking during hours of operation; Operating hours are limited to 9 a.m. - 6 p.m. Monday through Saturday; Operation is by appointment only; No more than three employees including the owner can be on site with customers during operating hours; These conditions apply to the use of the first floor only. Business did not take occupancy.

The rear portion of the original lot for 3020 Coolidge Hwy. was severed from that property and combined with 3010 Coolidge Hwy., to the South. Site Plan folders have been reviewed for 3010 Coolidge from 2011 and 2012. Since these applications were for façade changes, no information on parking was provided in those site plans.

The applicant filed for business licenses on April 16, 2025. The business license applications, in your packet, indicates that the retail space would operate Monday through Saturday 9:00 am to 7:00 pm and Sunday by appointment with the maximum of three employees and the office space would operate Monday through Friday 9:00 am to 5:00 pm with one employee. The applicant has a shared parking agreement with Bagger Dave's, 2972 Coolidge Hwy., to the South for four (4) parking spaces. Per Chapter 138, Article 14, Section 14.04.L Shared Use. *Parking spaces already provided to meet off-street parking requirements for a commercial, institutional, or residential use may be used to meet not more than fifty percent of the off-street parking requirements of another commercial, institutional, or residential use when a shared parking study finds that the total off-street parking among both uses is adequate to meet the needs of both uses. The Business License applications are on hold until after the Zoning Board of Appeals decision.*

A total of 9 parking spaces are required for both businesses. The parcel qualifies for one (1) on-street parking credit and has a shared use for four (4) parking spaces with Bagger Dave's. A variance request is for four (4) parking spaces.



Source: Oakland County Property Gateway



Source: Google map

SCOPE OF PROJECT

The applicant is requesting variance to waive the parking requirements of four (4) spaces for the proposed businesses of retail use on the first floor and office use on the second floor. The applicant has a Shared Use for four (4) parking spaces with Bagger Dave's, 2972 Coolidge Hwy. and one credit for on-street parking in front of the building on Coolidge.

SUMMARY OF REQUEST

The applicant, Bradley DeVries on behalf of Damsel LLC, representing 3020 Coolidge Hwy., Parcel # 04-25-17-107-031 is requesting a non-use variance to waive the requirement of four parking spaces per Berkley City Code, Chapter 138, Article 14, Section 14.04.Q

STANDARDS FOR REVIEW

Per Section 138-17.04 of the Zoning Ordinance, the applicant must demonstrate a practical difficulty in order to be granted a non-use variance. The Zoning Board of Appeals shall not vary the regulations of Section 138-17.04, unless it shall make findings based upon the evidence presented to it in each specific case that:

A. The need for the variance is due to unique circumstances or physical conditions of the property.

The applicant states that a variance is needed due to the configuration of the lot. The property itself is shallow, with a depth of 53.81 feet. The original plat of Brookline Hills has lot depths of 132 feet and the other lots along Coolidge near the site have lot depths from 80.81 to 132 feet. The shallow depth can be seen as a unique physical condition of the property.

B. The need for the variance is not the result of actions of the property owner or previous property owners.

The need for a variance is the result of actions of a previous property owner. However, there is no minimum lot size or width requirements for properties zoned Downtown and the reduction of the lot depth for 3020 Coolidge was lawful and complied with prior and current zoning.

C. Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.

Strict compliance with the ordinance will render conformity with those regulations unnecessarily burdensome. Unless the building was partially removed or demolished, there is no room on the site for an off-street parking space. Strict compliance for any use, even with a parking agreement with a joint user, would not allow occupancy for both floors of the building.

D. The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as other property owners.

The requested variance is the minimum variance necessary to do justice to the property owner with the parking agreement. A variance for four (4) spaces would allow both floors of the building to be occupied with businesses.

E. The requested variance will not adversely impact the surrounding properties.

The requested variance has the potential to adversely impact the surrounding properties. The on-street parking spaces are public space, available to a variety of buildings in the area. Only one (1) space in front of the building is counted towards a parking credit. If those on-street

parking spaces are filled, despite directions from the applicant, clients might park on residential side streets, particularly Earlmont Rd and Edgemont Blvd. Continual parking on those residential streets could adversely impact those properties.

On the other hand, without a parking variance, the building could remain vacant or partially vacant for an extended period. Vacant buildings can become a blighting influence, adversely impacting the surrounding properties, commercial and residential both. The last business license application received for the parcel was in 2022 and did not take occupancy.

SUMMARY

For a variance to be approved by the Zoning Board of Appeals, it shall meet the standards of Section 138-17.04 of the Zoning Ordinance, based on findings of fact. We request the Zoning Board of Appeals to determine if there are unique characteristics of the property and the requested variance should be granted. Motions for approval and denial are included below for the convenience of the board.

Sample Motions:

<u>Approval</u>

In the matter of PBA-03-25, 3020 Coolidge Hwy., parcel # 04-25-17-107-031, motion to approve the requested variance from Berkley City Code, Zoning Ordinance, Chapter 138, Article14, Sec.14.04 of the City of Berkey City Codes to grant a parking variance for four (4) spaces, as required, that does not conform to the applicable City Code regulations, based on the following findings:

- 1. The need for the variance is due to unique circumstances or physical conditions of the property.
- 2. The need for the variance is not the result of actions of the property owner or previous property owners.
- 3. Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.
- 4. The requested variance is the minimum variance necessary to do substantial justice to the application as well as other property owners.
- 5. The requested variance will not adversely impact the surrounding properties.

<u>Denial</u> (only choose item(s) pertaining to denial)

In the matter of PBA-03-25, 3020 Coolidge Hwy., parcel # 04-25-17-107-031, motion to deny the requested variance from Berkley City Code, Zoning Ordinance, Chapter 138, Article14, Sec.14.04 of the City of Berkey City Codes to grant a parking variance for four (4) spaces, as required, that does not conform to the applicable City Code regulations, based on the following findings:

- 1. The need for the variance is not due to unique circumstances or physical conditions of the property.
- 2. The need for the variance is the result of actions of the property owner or previous property owners.
- 3. Strict compliance with the ordinance will not unreasonably prevent the property owner from using the property for a permitted purpose or will not render conformity with those regulations unnecessarily burdensome.
- 4. The requested variance is not the minimum variance necessary to do substantial justice to the application as well as other property owners.
- 5. The requested variance will adversely impact the surrounding properties.

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

Thank you.

Cc: Crystal VanVleck, City Manager Victoria Mitchell, City Clerk Daniel Christ, City Attorney Kristen Kapelanski, Community Development Director



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BA-15-99	6/14/99
Little Nail Shop	
3020 Coolidge	
parking	
approved	



THE CITY OF BERKLEY Department of Community Development, Planning and Research 3338 Coolidge Highway, Berkley, Michigan 48072 (248) 546-2410

Notice Meeting of the Berkley Zoning Board of Appeals

NOTICE IS HEREBY GIVEN, that there will be a meeting of the Berkley Zoning Board of Appeals to be held at the City Hall in the Council Chambers, 3338 Coolidge Highway, Berkley, Michigan on Monday, June 14, 1999 at 7:30 p.m. or as near thereto as the matter may be reached.

Application Number BA-15-99

The applicant, Little Nail Shop, 3020 Coolidge, east side of Coolidge, between Edgewood and Earlmont, is requesting a variance in order to permit a nail salon with two employees, when a nail salon with one employee is a grandfathered use. The shop has no existing off-street parking. A nail salon with one employee and three stations is required to have seven parking spaces. A nail salon with two employees and three stations is required to have eight parking spaces.

Berkley City Code

Berkley City Code, Chapter 138 Zoning, Article IV Off-street Parking and Loading, Division 1 Offstreet Parking, Section 138-238 Parking space requirements by use, (3) Commercial, (I) Beauty parlor or barber shop: 2 parking spaces per beauty or barber chair, plus one additional parking space for every additional hair dryer, plus one per each employee on the largest shift.

Berkley City Code, Chapter 138 Zoning, Article IV Off-street Parking and Loading, Division 1 Offstreet Parking, Section 138-227 Specific uses not mentioned. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use, which the zoning officer considers is similar in type.

Comments on the granting of the above variance may be made in person on the night of the meeting or in writing. All written comments must be in the hands of the Berkley Department of Community Development, Planning and Research before 7:30 p.m. on the date of the Public Hearing.

WILLIAM RECHLIN CITY MANAGER

Publish Once: The Daily Tribune Royal Oak, MI Monday, May 31, 1999

BA-15-99

A Resolution

of the Appeal Board of the City of Berkley, Michigan regarding Application Number BA-15-99

WHEREAS, the applicant, Little Nail Shop, 3020 Coolidge, east side of Coolidge, between Edgewood and Earlmont, is requesting a variance in order to permit a nail salon with one employee is a grandfathered use. The shop has no existing off-street parking. A nail salon with one employee and three stations is required to have seven parking spaces. A nail salon with two employees and three stations is required to have eight parking spaces.; and

WHEREAS, Berkley City Code, Chapter 138 Zoning, Article IV Off-street Parking and Loading, Division 1 Off-street Parking, Section 138-238 Parking space requirements by use, (3) Commercial, (1) Beauty parlor or barber shop: 2 parking spaces per beauty or barber chair, plus one additional parking space for every additional hair dryer, plus one per each employee on the largest shift.

Chapter 138 Zoning, Article IV Off-street Parking and Loading, Division 1 Off-street Parking, Section 138-227 Specific uses not mentioned. For those uses not specifically mentioned the requirements for off-street parking facilities shall be in accord with a use, which the zoning officer considers is similar in type. ;and

WHEREAS, after a public hearing was held before the City of Berkley Zoning Board of Appeals at their regular meeting on June 14, 1999 and the decision of this Board became effective five (5) days after this date.

NOW, THEREFORE, THE CITY OF BERKLEY ZONING BOARD OF APPEALS RESOLVES:

It was moved by Ms. Rogers to approve BA-15-99, the practical difficulty being the uniqueness of the building.

Supported by Mr. Vogtmann Ayes: Bailey, Rogers, Stemzynski, Vogtmann Nays: Kroll, Winters, Zebzda Motion Carrier

Linda Bailey, Chairperson

Attest:

Cimy M. Vansen

Amy Vansen, Planning Consultant

CITY OF BERKLEY Zoning Board of Appeals - Application Form

A complete application, a check payable to the 'City of Berkley', and 17 copies of a survey, plans, and other applicable data must be submitted to the City of Berkley one month prior to the date of the ZBA hearing. Fee: \$75.00 Account Number: 101-000-617

The Zoning Board of Appeals meets the second Monday of every month. The meetings are held at 7:30 p.m. In the Council Chambers at the City Hall, 3338 Coolidge Highway, Beridey, Michigan 48072.

APPLICANT:

Nome: DEBORAH HALL	Phone: <u>248 591-9031</u>
Address: 26135 REGENCY C.	UB#8
INARREN, MI. 4808	9
Relationship to Property (current tenant, represent	
CURRENT TENANT	
PROPERTY OWNER:	
	5TELS Phone: 248- 545-0511
Property Owner Address: 30.24 Co	OLIDGE
BERKIEY, MI. 4807	2
PROPERTY DESCRIPTION Address: <u>3020 Coolidee</u>	
Sidwell (Tax 1.D. #): 17 107 000 Lo	t & Subdivision:
Current Zoning Classification: Cu	reat Use of Property: <u>NAIL SALON</u>
VARIANCE REQUEST	
Description of Request: NON - USE	VARIANCE - PERMISSION
FOR PARKING SDACE:	
From the City of Bertiev Code, Chapter	

GROUNDS FOR APPEAL

Has the City refused a permit for the request? _____

There are two types of variances: non-use variances and use variances. A use variance permits the use of land that is otherwise not allowed in a zoning district. A non-use variance is a variance regarding setbacks; height; parking; sign size or placement; fences and walls.

FIRST

TIME APPLYING

In either case, the applicant must prove to the Zoning Soard of Appeals that not receiving this variance will cause undue hardship or practical difficulty. Please complete either the use variance or non-use variance sections (whichever is applicable to your request)-DO NOT COMPLETE BOTH SECTIONS.

NON-USE VARIANCE

A non-use variance is a variance regarding setbacks; height; parking; sign size or placement; fences and walls.

Strict compliance with the ordinance would be unreasonably burdensome because _

The variance would do substantial justice to me as well as to the neighborhood because _____ Then business Aliento inte the area Bind was set the years aat as and The property is unique because 11 me more meel heran parking spaces. need Tur The situation is not self created because

USE VARIANCE

A use variance permits the use of land that is otherwise not allowed in a zoning district.

Property cannot be used or put to a reasonable use for the purposes permitted in that zoning district because

The property is unique because ____

Proposed use will not alter the essential character of the area because _____

The situation is not self created because ____

I understand that ZBA members may need to access my property to better understand my case.

Delingh Hall	•	5-10-99	
Signature of Applicant	~	Dete	
Office Use Only	2		in a second s
Dete Application Received: Hearing Data: June 141999	Fee:Case Nu	Receipt Number	
Zoning Board of Appeals Decision:			

Ronald J. Meyer

P.O. Box 725006 Berkley, MI 48072-5006 Ph: (248) 546-5622 Fax: (248) 399-3211

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2 June 1999

City of Berkley, Zoning Board of Appeals 3338 Coolidge Hwy. Berkley, MI 48072

Members of the Zoning Board of Appeals:

This letter is in response to the request for a variance for 3020 Coolidge Hwy. (Little Nail Shoppe). My wife, Diana, and I own the building 3010, 12 &14 Coolidge Hwy. directly south of the 3020, 24 Building. We have been here since 1974.

A little history on this property and the surrounding properties is in order. The building itself (both addresses 3020 & 24 Coolidge Hwy) was owned by the Metropolitan Club, when we moved into our building. 3020 Coolidge contained a one-person hair salon called Kut 'n Kurl. Sandy Korniewicz purchased the business and ran it for approximately 24 years. Although the building had no parking, she was allowed to continue the business as it had a pre-existing nonconforming status for a one operator personal care business.

Later, the Metropolitan Club sold the building to the American Youth Hostels (A.Y.H.) and in order for them to use it they needed a variance, due to lack of parking. My family and I spoke in favor of granting said variance to the A.Y.H.

Back then, there was 90 degree on-street parking on Edgewood Blvd. Nine cars on the north side and at least six cars on the south side. In 1977 the City of Berkley removed the angle parking and put in a median. This meant that the only improved parking on this whole block was the small lot behind my building at 3010, 12 & 14 Coolidge. This lot is not big enough to meet even our parking requirements.

North of the A.Y.H. building was a empty lot belonging to the Bessenger family. North of the Bessenger property was a lot (owned by the Fons family) that extended to the corner of Earlmont Rd.

Ever since the city took the parking off of Edgewood, I have attempted to purchase property to create more parking and improve the parking situation. The first time my family and I asked the A.Y.H. if they would be interested in joining us in the purchase of the Bessenger property for badly needed parking. They agreed and we made an offer that was accepted. At that time, The City of Berkley required a brick wall between the business and residential properties. The added cost of the brick wall was stated by A.Y.H. as the reason they backed out of the agreement. The second time we tried to purchase the white house behind the Bears' Den Bar. We made an offer to the estate of the owner. We were informed by the estates attorney, Mr. Fisk, that the Bears' Den had an agreement with the owner to purchase the property upon his death.

In the third situation, we have had a standing offer for over fifteen years to purchase the back yard of the A.Y.H. property. This is a small lot. So small it will only hold three parking spaces. It would be impossible for anyone to develop this lot into parking except the owners of 3010 Coolidge or the Credit Union. There is no access to it except from those properties or the granting of an easement to the A.Y.H. by one of the two above mentioned. If we granted such a easement we would have to give up at least one parking place. If the credit union granted such an easement to any one else, they would loose two parking spaces and be in violation of the variance that was granted when they built on there site.

After A.Y.H. backed out of the pending purchase of the Bessenger lot, that lot and the Fons property was sold to the credit union (CU). When the CU received permission to build on this property they needed a variance because they did not have the required parking spaces. I was present to speak in favor of the CU receiving their variance.

The CU was represented by it's manager, Gus Nelson. At that the time the city council served as the Z. B. A. Councilman Robert Wheelock asked Gus whether the lot would be chained off at night or if the A.Y.H. would be using the CU parking. The CU, by code, was deficient in parking and could not then and can not today, give parking to anyone else. Gus stated that the lot would be only for the CU use and would be chained off at night. The CU received its' variance. When the building was built, posts were installed and the lot was chained at night as long as Gus was Manager. The chain did little good since people drove around the chains, over the sidewalk and used the CU lot, anyway. Over time the CU, being good neighbors, stopped putting the chain up at night.

Once in a while one of my customers has used the CU lot, and members of the CU have used my lot. The few spaces on Coolidge have been shared by all, (the CU, A.Y.H., Kut 'n Kurl and my business).

Now comes a new business (Little Nail Shoppe). The owner knew from the start that this building did not have one parking space of their own. I am told that the license was originally applied for and granted for a one-operator business.

Inside there are three stations that can be seen from the window and what appears to be three more that are behind a glass wall. It is operating with what the owner alleges is just two operators. But already my customers are complaining about the lack of parking and Little Nail Shoppe customers are parking in my private lot.

There is street parking on Coolidge Hwy. for three standard size cars and one compact. Under the new recommended parking requirements, there is only enough parking for one operator if on street parking were allowed and it isn't. If this building over-usage is allowed to continue, by granting the requested variance, the surrounding businesses who share the on-street parking will have to park all day on Coolidge so that their customers can park in their lots. This will mean one or two companies will use the on street parking and the others will have none. This happened in 1981, on the west side of Coolidge Hwy. near Wiltshire after the Zoning Board of Appeals (ZBA) improperly granted a variance. The PARKING WAR lasted from 1981 to 1987. Businesses came before city council over and over again about the problem that was caused by the variance, but once it was granted it could not be removed. Please, as the current ZBA, don't make the same mistake again.

To illustrate the parking problem please see the enclosed photographs taken of the CU parking lot. The first set of pictures Numbered 1 through 5 was taken on Friday, 7 May 1999. The second set pictures numbered 6 through 8 was taken Friday, 14 May 1999.

- 1. Shows a lot so packed that vehicles are parked in driving lanes. A maroon minivan is improperly parked in a driving lane by the sidewalk and red Ford at the far end of the line of vehicles is also parked in the driving lane.
- Shows vehicles parked in the driving lane at the right as there is no where else to park and a red station wagon circling the lot looking for a place to park.
- 3. Shows a driver getting into one of the improperly parked vehicles and the red station wagon still circling the lot looking for a place to park.
- 4. Shows the driver of the red car that was in the two previous pictures circling the parking lot who got tired of looking for a parking space and parked in a driving lane.
- 5. Shows the south end of the credit unions lot parked full of vehicles. Some of these vehicles belong to people in at the A.Y.H. and the Little Nail Shoppe.
- 6. Shows one open parking space, a vehicle had just pulled out. The blue V.W. is improperly parked in a driving lane. The silver car improperly parked against the wall is also in a driving lane. The minivan belongs to an A.Y.H. member.
- 7. Shows the improperly parked blue V.W. In front of it is a blue truck improperly parked in the driving lane and a member of the A.Y.H. at his minivan.
- 8. Shows the south side of the credit unions lot parked full and some of these vehicles belong to the A.Y.H. and the Little Nail Shop. To the far right is a space that was just opened up by a person leaving the Little Nail Shoppe.

I could have taken pictures every Friday and Saturday but they would only show more of the same thing. The days before holiday weekends are even worse.

I was told that the original plan was for a variance for only Fridays and Saturdays when the A.Y.H. offices allegedly are closed. On both Fridays when these pictures were taken, people were in the A.Y.H. offices and vehicles belonging to their staff, volunteers or members were parked either on the street or in the credit unions parking lot. Today, as I write this letter, two operators are working on customers, four cars are taking up all the on-street parking and there are six vehicles parked in the CU parking lot that belong to people who are in the 3020, 3024 Coolidge building. Today is Wednesday, not Friday or Saturday. At least five of the vehicles are for people in the Little Nail Shoppe. Having sat on the ZBA, I know that a variance can not be granted for only one or two days per week, but is granted for 7 days a week. When I checked with Mr. Lowther he agreed.

This is a SELF CREATED HARDSHIP because:

- the applicant knew that this store front had a pre-existing nonconforming status for one operator only,
- leased the store front, put in three visible stations plus three behind a glass wall.
- applied for and was granted her Initial Merchants License as a one operator business.
- advertised for additional operators.
- after getting caught, is requesting a variance for two operators
- she has added a second operator and continued to advertise for more operators, in violation of her original license.
- applied for the variance for two operators and continued advertising for additional operators.

This business owner is before you because a neighboring business owner, me, complained about her customers and/or staff abusing the parking on Coolidge and using my parking lot. For a while I tolerated the abuse of the parking on Coolidge, but then her added staff caused customers to park in my lot. A lot I paid for, I pay taxes on, I clean the snow off of and otherwise maintain. A lot which is already too small for my needs. She has gone too far. This abuse of parking has got to stop.

I like a this situation to that of Dr. Reagan at the corner of Woodward and Oxford. As some of you may remember; he knew the limitation of the property, came before you for one variance. Then after complaints of violations from neighbors came back for another and another.

The Little Nail Shoppe, knew only one operator was allowed, then caused the floor plan to be setup to handle more than one operator. Thus creating a SELF CREATED HARDSHIP! Michigan law does not allow you to grant a variance for a self created hardship.

We have been here for over twenty-five years and we have been in favor of granting all the parking variances requested regarding this block to date. BUT THIS IS TOO MUCH. Please DENY the variance requested for the Little Nail Shoppe.

Signed:

Ronald J. Mever

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Diana J. Mever
















LAW OFFICES OF

ROBERT J. ADAMS 3053 COOLIDGE HIGHWAY BERKLEY, MICHIGAN 48072

AREA CODE 248 TELEPHONE 541-6151 FAX 541-5339

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June 7, 1999

The City of Berkley Zoning Board of Appeals 3338 Coolidge Highway Berkley MI 48072

RE: APPEAL NO. BA-15-99

Hon. Zoning Board of Appeals:

As a commercial property owner across the street from the subject appeal property, $\overline{\sim}$ I strongly object to granting the zoning ordinance variance.

Parking is at a premium in this area, and to permit a new business person to violate the zoning ordinances to profit themselves frustrates the very purpose of zoning.

I have recently noticed more on-street parking, which I believe is a direct result of the overburden caused by this new business, and it now adversely affects my clients, as well as the clients of my two tenants that share space with me across the street in my law office.

There is absolutely no legal merit to the appeal of this business person, since the business was fully aware of the zoning and parking situation prior to renting the property.

Yours very truly,

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Robert J. Adams

RJA/pm

June 7, 1999

The City of Berkley Zoning Board of Appeals 3338 Coolidge Highway Berkley MI 48072

RE: APPEAL NO. BA-15-99

Hon. Zoning Board of Appeals:

I have occupied the building at 3053 Coolidge as a tenant for the purposes of my law office for a period in excess of 20 years.

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P3:13

Recently, since the Nail Shop at 3020 Coolidge came into existence, there has been a noticeable increase in the on-street parking in and around my office.

I do have off-street parking in the rear of the building that relieves the burden of the occupants itself, however, I depend on the parking available on Coolidge to accommodate my customers.

When this nail shop takes up more than their share of the spaces available, it adversely affects my income.

I strongly ask that the appeal be denied.

Yours very truly, Charles B. Evans

Attorney at Law

CBE/pm

LEE W. ANDREWS

Attorney At Law

3053 Coolidge Berkley, Michigan 48072 (248) 546-4115

June 7, 1999

The City of Berkley Zoning Board of Appeals 3338 Coolidge Highway Berkley MI 48072

RE: APPEAL NO. BA-15-99

Hon. Zoning Board of Appeals:

As a tenant in the building at 3053 Coolidge, I have recently noticed more cars parked on Coolidge. This adversely affects me, as well as my clients who come to the office which I have rented for many, many years.

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P3:13

I object to the granting of the appeal, since all of the other businesses who comply with the zoning laws are adversely affected by extra traffic, less parking, etc., if this appeal were granted.

I strongly suggest that the appeal be denied.

Yours very truly.

Lee W. Andrews Attorney at Law

LWA/pm

NAIL SHOP, Me arleady have the many other businesse USENG Cur Parking lots. We feel this would unty night more vehicles sowith on carlidge and into our Parking li more vehicles sowith on carlidge and into our Parking li I'm against the granting cut the Variance for the DLITTI James Lossia M. J'S Start Park Beretiky Board of Appeuls MIJS Prezer at the Shop JallelLossia

A MEETING OF THE ZONING BOARD OF APPEALS WAS CALLED TO ORDER AT 7:30 P.M. ON JUNE 14, 1999 AT CITY HALL BY CHAIRPERSON LINDA BAILEY.

PRESENT:	Linda Bailey Thomas Stemzynski Patricia Zebzda	Alan Kroll Thomas Vogtmann Kelly Winters	Linda Rogers	
ABSENT:	Tim Blake			
ALSO PRESEN	Ron Meyer, Al Urban, 23 Gayle Larson Joanne Jenu Tom Metcalf Leo Goldste Darrina Stre Joe Adler, 33 Lisa Goldste Deborah Bel John Kalam, Deborah Hall, 2 James Stepe Steve Corlin Robert Cliffe Tom Quacke Chris Praet, Kelly Waldic Margot McP Joan Waldic	s, 3956 Gardner 3010 Coolidge 840 Rensselaer, Oak Park n, 1973 Meadowridge twine, 2866 Oakshire e, 2741 Columbia in, 28421 Eastbrook Ct., Fa bridge, 16455 Stricker, East 225 West Long Lake Road, in, 325 Chippewa, Clawson I, 1000 Murray Hill 5 Crescent, Waterford II, 3020 Coolidge rownell, 3084 Bacon 26135 Regency Club, Warre bwski, 2426 Edgewood , 3280 Eleven Mile , 2827 Phillips enbush, 28571 Pierce, Sout 3009 Coolidge k, 1808 West Thirteen Mile, hillips, 26100 Harding, Oak k, 30190 Northgate Drive, S h, Planning Consultant	tpointe West Bloomfield n en thfield , Royal Oak , Park	

Chairperson Bailey led the Pledge of Allegiance.

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APPROVAL OF AGENDA

It was moved by Mr. Winters to approve the agenda. Supported by Mr. Kroll Unanimously approved Motion Carried

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APPROVAL OF MINUTES

It was moved by Mr. Stemzynski to approve the Minutes of the Meeting of April 12, 1999. Supported by Mr. Kroll AYES: Stemzynski, Winters, Bailey, Kroll, Zebzda NAYS: None ABSTAIN: Rogers, Vogtmann Motion Carried

ITEM FOR APPEAL

Application Number BA-07-99: Joanne Jenwuine, 2866 Oakshire, east side of Oakshire, south of Wiltshire, is requesting a variance of the Berkley City Code, Chapter 138 Zoning, Article III General Provisions, Division 1 Accessory Buildings and Structures, Section 138-56 Setback. No detached accessory building or structure shall be located closer than 10 feet to any main building or other accessory structure. The applicant is requesting a variance in order to build a detached garage four feet from the house.

Mrs. Jenuwine was present. She presented additional sketches of the addition she had in mind and noted that the second story would stay within the existing building lines. Discussion took place on whether the foundation would support the second story. Mrs. Jenuwine said two builders have said it would be adequate. Discussion took place relative to amending the City Code relative to cases like this and the volume of variances the Board has approved. Chairperson Bailey requested an analysis of past similar cases and how many have been approved. Ms. Vansen is to have this analysis at the July meeting.

It was moved by Ms. Rogers to approve BA-07-99, the practical difficulty being the existing nonconforming structure. Supported by Mr. Stemzynski Unanimously approved Motion Carried

2.. <u>Application Number BA-13-99</u>. Carlisle Motors, 3280 Eleven Mile Road, north side of Eleven Mile Road between Tyler and Gardner, is requesting a variance of the Berkley City Code, Chapter 94 Signs, Section 94-11. Signs permitted in the Industrial District. (M-1), (1) Signs requiring permits. For each side of street frontage, one of the following signs shall be permitted; and Berkley City Code, Chapter 138 Zoning, Article VI Administration and Enforcement, Division 7 Site Plan Review, Section 138-682 Appeals. An applicant for site plan approval shall have the right to appeal to the Zoning Board of Appeals, and in such cases the Board may reverse, affirm or modify the action of the Planning Commission by the concurring two-thirds of the members of the Board. The applicant is requesting this variance in order to permit used car sales on both sides of the lot.

Mr. Corlin was present. He first addressed the sign issue indicating the original sign location is inadequate and needs to be more visible. Ms. Rogers suggested the issues be separated.

It was moved by Mr. Stemzynski to separate the sign issue and the site plan issue. Supported by Ms. Rogers AYES: Vogtmann, Stemzynski, Winters, Bailey, Zebzda, Rogers NAYS: Kroll Motion Carried

Mr. Corlin then presented the actual banner that had been installed and photos of the site with the banner. The Board was in favor of a different sign but did not want to approve a temporary sign on a permanent basis. Ms. Vansen indicated that Mr. Corlin could apply for a sign permit and place a sign elsewhere on the site. Mr. Corlin indicated there was no other place for a sign.

It was moved by Mr. Kroll to deny the sign variance request. Supported by Mr. Vogtmann Unanimously approved Motion Carried

Discussion then moved to the site plan amendment. Mr. Corlin indicated that the business is expanding and more room is needed, and he presented a new site plan to the Board showing more parking. Chairperson Bailey asked about their relation to Jolly Service; Mr. Corlin said east of the building is Carlisle, west is Jolly. Mr. Corlin emphasized that his business is growing. Chairperson Bailey emphasized that the business is easy to locate even with what is being considered inadequate signage. Mr. Winters expressed concerns that the business would begin to look tacky.

There was no public comment. Chairperson Bailey questioned how many cars are there. Mr. Corlin responded that there are seven or eight, and emphasized that they do not sell junk cars. Mr. Corlin also stated that Jolly customers tend to park in this lot. Mr. Corlin was asked if he did not need a larger lot. He replied no, there is enough room here. Mr. Corlin was asked if the parking lot is striped. Mr. Corlin replied no, it was black-topped last year, and given his desire to expand the business he had not striped the lot yet. No one spoke to the site plan issue.

It was moved by Mr. Vogtmann to deny the site plan amendment. Supported by Mr. Kroll AYES: Vogtmann, Winters, Bailey, Kroll, Zebzda, Rogers NAYS: Stemzynski Motion Carried

2. <u>Application Number BA-14-99</u>. Community Homes, Inc. 3320 Eleven Mile Road, northwest corner of Tyler and Eleven Mile Road, is requesting a variance of the Berkley City Code, Chapter 138 Zoning, Article III General Provisions, Division 2 Fences, Section 138-85 General Requirements by District. © Nonresidential Districts. 3) Screen walls are required on or adjacent to all property lines separating nonresidential property from

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residential property and shall not be less than 6 feet in height. The applicant is requesting this variance in order to permit the installation of a split rail fence along the north property line when a 6-foot tall masonry screen is required.

Mr. Quackenbush was present and discussed that the neighbor to the north desired a less sightobscuring barrier between property lines. The Board complimented Mr. Quackenbush on his application and his efforts to work with the neighbors. The Board had concerns about the permanence of this variance and what will happen when the business and resicence change hands. Ms. Vansen indicated her concerns over headlights shining into the neighbor's house and suggested a stepped-down wall. Ms. Zebzda empathized with the neighbor over the safety concerns, but was concerned about the safety issues of a wall, e.g. someone being able to hide behind it. Discussion took place over various landscaping options.

It was moved by Mr. Winters to approve BA-14-99, the practical difficulty being the historic nature of the site, conditional upon the applicant installing relatively solid shrubbery about three feet tall in conjunction with a split rail fence.

Supported by Mr. Kroll Unanimously approved Motion Carried

4, <u>Application Number BA-15-99</u>. Little Nail Shop, 3020 Coolidge, east side of Coolidge, between Edgewood and Earlmont, is requesting a variance of the Berkley City Code, Chapter 138 Zoning, Article IV Off-Street Parking and Loading, Division 1 Off-street Parking, Section 138-238 Parking space requirements by use, (3) Commercial, (1) Beauty parlor or barber shop: 2 parking spaces per beauty or barber chair, plus one additional parking space for every additional hair dryer, plus one per each employee on the largest shift; and the Berkley City Code, Chapter 138 Zoning, Article IV Off-street Parking and Loading, Division 1 Off-street Parking, Section 138-227 Specific uses not mentioned. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use, which the zoning officer considers similar in type. The applicant is requesting this variance in order to permit a nail salon with two employees, when a nail salon with one employee is a grandfathered use. The shop has no existing off-street parking. A nail salon with one employee and three stations is required to have seven parking spaces. A nail salon with two employees and three stations is required to have eight parking spaces.

Deborah Hall was present.

Ms. Vansen updated the Board on credit union parking not being available. The credit union may add a second floor and at that time would need extra parking. Ms. Hall presented her hours of operation during May, showing that the shop was open Wednesday through Saturday. Mr. Kroll asked how many stations the applicant had and was told there are three. There are four off-street parking spaces. Ms. Hall said each appointment is 30-45 minutes with maybe a ten-minute overlap. Ms. Hall said customers do not generally have a problem parking in front: if they do, they park on the side street or in the credit union lot. Mr. Meyer indicated that there are six stations, not three, and expressed concern that people are using his lot and parking on Edgewood as well. Ms. Hall indicated that the shop is designed so that each employee has a manicure station and a pedicure station, with an extra manicure station for client overlap.

Margot McPhillips, 26100 Harding, Oak Park, indicated that she is a weekly customer and that she has found Mr. Meyer to be intimidating to both Ms. Hall and to customers. Ms. McPhillips guestioned Mr. Meyer's need for parking given the nature of his business.

Lisa Goldstein of American Youth Hostels stated that she has an informal agreement with the credit union for staff parking for both American Youth Hostels and the nail shop. Ms. Goldstein said that would amount to maybe two customers at a time. Mr. Goldstein contended that the problem has been created by Mr. Meyer who parks his three vehicles on the street in such a way that no one else can park on the street. Ms. Goldstein emphasized that Ms. Hall's needs are minimal and stated that American Youth Hostels turned away many potential businesses that had a greater parking need. If Ms. Hall's parking needs are too intensive, that would render the building essentially useless.

A Chet's Rent-All representative stated that Friday and Saturday are the busiest days, and while there has not been a problem thus far he doesn't want to see it become a big problem. Chet's has no off-street parking and has an agreement with the VFW for employee parking. Chairperson Bailey suggested either VFW or the Bear's Den as possible places for a parking agreement.

Ralph Hall, Ms. Hall's spouse, assured the Board that there are only two operators, and he explained the business plan for the nail shop. Mr. Hall further stated that he has observed Mr. Meyer moving cars on the street. James Stepowski of 2426 Edgewood expressed concerns that evening appointments not affect the residential parking. The Board contended that on-street parking belongs to everyone and anyone and everyone have equal rights to it.

It was moved by Ms. Rogers to approve BA-15-99, the practical difficulty being the uniqueness of the building. Supported by Mr. Vogtmann AYES: Bailey, Vogtmann, Rogers, Stemzynski NAYS: Kroll, Winters, Zebzda Motion Carried

5. <u>Application Number BA-16-99</u>. Robert Cliffe, for Sherry Gill, 2828 Bacon, east side of Bacon, between Wiltshire and Catalpa, is requesting a variance of the Berkley City Code, Chapter 138 Zoning, Article V District Regulations, Division 12 Schedule of Regulations, Section 138-526 Schedule of regulations, in the R-1D District, one side yard setback shall be at least 5 feet. The applicant is requesting this variance in order to construct a deck within 4 feet of the side lot line when 5 feet is the minimum setback.

Mr. Cliffe was present and identified himself as the architect for the project, noting that the homeowner has been improving the house. Mr. Cliffe said he is very concerned with the design and wants the deck even with wall of the house. The Board complimented Mr. Cliffe on the house, noting they could be an example to others.

It was moved by Mr. Stemzynski to approve BA-16-99, citing the practical difficulty as the placement of the building. Supported by Mr. Kroll Unanimously approved Motion Carried

Shelly Lines of 3956 Gardner came forth relative to approval of her neighbor's shed (BA-09-99) which took place last month. She presented photographs of the shed, noted the clutter around it and said there are now mice. The Board advised Ms. Lines to contact Code Enforcement.

There being no further business, Chairperson Bailey adjourned the meeting at 9:48 p.m.

City of Berkley

3338 Coolidge Highway, Berkley, MI 48072



Department of Community Development, Planning and Research 546-2410

July 15, 1999

Little Nail Shop 3020 Coolidge Berkley MI 48072

RE: Case #BA-15-99

Dear Ms. Hall:

This letter confirms that at the June 14, 1999 meeting of the City of Berkley Zoning Board of Appeals your request was approved as follows:

It was moved by Ms. Rogers to approve BA-15-99, the practical difficulty being the uniqueness of the building. Supported by Mr. Vogtmann

Ayes: Bailey, Rogers, Stemzynski, Vogtmann Nays: Kroll, Winters, Zebzda Motion Carrier

Per Section 138-46 of Chapter 138, the Berkley Zoning Ordinance, the decision of the Board shall become final five (5) days from the above meeting date.

Your approval is valid for a period of twelve (12) months from the date of the Zoning Board of Appeals decision. If the approval is not acted upon within this twelve (12) month period through the issuance of a building permit or certificate of occupancy, or the construction or alteration of the structure in question, or the commencement of the approved use within the twelve (12) month period, then the approval will expire.

Should you draw close to the date of expiration, an extension can be applied for in writing to the Zoning Board of Appeals. A written request for an extension must be submitted to the City Planning Department at least six (6) weeks prior to expiration in order to be considered by the Zoning Board of Appeals in a timely fashion.

If an approval expires, an applicant must re-apply for a zoning variance under the procedures for a new approval.

Ms. Hall, should you have any question or concerns regarding the above information, please contact my office at 546-2410.

Sincerely,

AMY VANSEN PLANNING CONSULTANT

AV/rdh

pc: file





City of Berkley 3338 Coolidge, Berkley, MI 48072



"We Care"

Building Department (248) 658-3320 FAX (248) 658-3301

Brenda Firestine Oakland County Equalization Division 250 Elizabeth Lake Road Suite 1000 West Pontiac, MI 48341

Dear Brenda:

Enclosed are forms OCLD002 and OCLD005 with backup material regarding a lot split request and Combination by Jason Dunn for the property at 3010 Coolidge Hwy and 3020 Coolidge, Split Sidwell 04-25-17-107-004 and Combine Split onto Sidwell 04-25-17-107-006. The split/Combination request is as follows:

Original Parcel/Legal: 04-25-17-107-004 – Original (Parcel C) East 80.81 feet of the West 90 feet of Lot 83, Brookline Hills Subdivision 04-25-17-107-005 – Parcel A - **Remains as is** East 80.81 feet of West 90 feet of Lot 84, Also vac North 4 feet of Edgewood Blvd adj to same, Brookline Hills Subdivision, 04-25-17-107-006 – Parcel B E 45 ft of Lots 83 & 84, also vac N 4 ft of Edgewood Blvd adj to same, Brookline Hills Subdivision

Split: off 25-17-107-004 The East 27 feet of the West 90 feet of Lot 83 of Brookline Hills Subdivision New Legal: - Original Parcel (Parcel C) The East 53.81 of the West 63 feet of Lot 83 of the Brookline IIills Subdivision

Combination: Parcel B – The East 69 feet of Lot 83 and the East 42 feet of Lot 84 of the Brookline Hills Subdivision (

Thank you for your assistance in this matter.

Sincerely,

Kim Anderson Building Clerk

cc: Jason Dunn Treasurer File

Job # (To be entered by OCLD personnel)

TAX PARCEL SPLIT/DIVISION FORM

CVT Code

04

CVTNAME

BERKLEY

Number of Parent Parcels involved in Split/Combination

Parcel or PIN Numbers of the Parent Parcels

04	-	25	- 17	- 107	- 004	04	-	-	-	-	04 -	-	-	-
04	-	25	- 17	- 107	- 006	04	-	-	-	-	04 -	-	-	-
04	-		-	-	-	04	-	-	-	-	04 -	-	-	-
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04	-		-	-	-	04	-	-	-	-	04 -		-	-

Number of New Child Parcels Created:

Please fill out a CHILD PARCEL INFORMATION form for each parcel being created and attach all source documents pertaining to the desired changes. *Submit to:*

Oakland County Equalization Division Land Division Department 250 Elizabeth Lake Rd., Suite 1000W Pontiac, MI 48341-0431

Job# (To be entered by OCLD personnel)

NEW CHILD PARCEL INFORMATION FORM Please fill out the Addressee, Site address and/or Postal address and indicated where mail is too sent for each new child parcel being created.

Child Parcel # C Parcel Desc. (From source document i.e. parcei #1 or A)		New Child Parcel Number (To be entered by OCLD personnel)			
Addressee	Jason Dunn				
	3220 Coolidge Hwy	Mail			
	Berkley, MI 48072	Sent To:			
Site Address	3020 Coolidge Hwy.	Site Address			
Postal Address		Postal Address			
		*			
Child Parce Parcel Desc.	∦ # B	New Child Parcel Number (To be entered by OCLD personnel)			
(From source document i.e.	parcel #! or A)				
Addressee	Jason Dunn				
	3220 Coolidge Hwy.	Mail			
	Berkley, Mi 48072	Sent To:			
Site Address		Site Address			
Postal Address		Postal Address			
Child Parce	1 #	New Child Parcel Number (To be entered by OCLD personnel)			
Parcel Desc. (From source document i.e.	namel #i or A)	(10 be emered by OCLD personnel)			
Addressee	Barren				
		Mail Sent To:			
Site Address		Site Address			
Postal Address		Postal Address			

APPLICATION FOR SUBDIVISION AND COMBINATION OF LAND

According to the City of Berkley Ordinance Chapter 110, Section 110-2, the following documents must be included with this application when applying to combine or divide any parcel. Application fee \$30.00 (101-1-617)

- (a) If there is a mortgage on your home you must provide a release from the mortgage company before a split will be processed.
- (b) Each application for the combination or division of any land located within the city limits shall be accompanied by a survey of the property in question. This survey must be prepared and sealed by a registered land surveyor. The survey must show the location of all structures on the property in question and on all abutting properties together with all easements, setback measurements and applicable site features. The survey shall also indicate <u>the precise</u> combination or division proposed for the property in question.
- (c) Each application for the combination or division of any land located within the city limits shall be accompanied by a legal description of the property in question.
- (d) All taxes must be paid.

Applicant:	
Name: Jason Punn	
Address: 3220 Coolidge Hay Ci Day Time Telephone: (248) 410 32	ity: Berkley State: MT
Day Time Telephone: (24), 410 32	35
Property Description:	
Sidwell(s) (Tax ID#) See or Hac	itel
Legal Description:	
1	
1 JUNIA	
Sighature	Signature
Jason Dunn	0
Print Name	Print Name
11-3-16	
Date	

Cross Reference - Lot Area (Ordinance #280 December 1963, Chapter 33, Section 33-136 (4)



New Parcels 3010 and 3020 Coolidge

3 messages

Kim Anderson <kanderson@berkleymich.net> Wed, Nov To: "Firestine, Brenda K" <firestineb@oakgov.com>, Bryan Bernis <bbernis@berkleymich.net>

Wed, Nov 25, 2015 at 2:27 PM

Good afternoon,

Jason Dunn is affiliated with Berkley Properties LLC and only filled out the paperwork for the split/combination.

Parcel 04-25-17-107-005 ownership will remain as Berkley Properties LLC Parcel 04-25-17-107-031 - previously 04-25-17-107-004 will remain Spike Lawrence Inc. Parcel 04-25-17-107-032 - previously 04-25-17-107-006 will remain Berkley Properties LLC

Let me know if you have any questions.

Thank you,

Kim Anderson, Building Clerk City of Berkley 248-658-3324 Direct 248-658-3301 Fax kanderson@berkleymich.net

Firestine, Brenda K <firestineb@oakgov.com> To: Kim Anderson <kanderson@berkleymich.net>

Kim can you go in and make sure they are the way you want them?

Brenda Firestine

Supervisor of Tax Descriptions and Mapping

Oakland County Equalization

248-975-9501

[Quoted text hidden]

KIm Anderson <kanderson@berkleymich.net> To: "Firestine, Brenda K" <firestineb@oakgov.com>

Good afternoon Brenda,

In LAMS the Ownership's are correct.

Sorry for any confusion.

Thank you very much,

Kim Anderson, Building Clerk City of Berkley 248-658-3324 Direct 248-658-3301 Fax Mon, Nov 30, 2015 at 3:52 PM

Mon, Nov 30, 2015 at 4:00 PM

kanderson@berkleymich.net

[Quoted text hidden]



THE REGULAR MEETING OF THE BERKLEY CITY ZONING BOARD OF APPEALS WAS CALLED TO ORDER AT 7:00 PM, MONDAY, May 9, 2022 BY CHAIR MCALPINE

The minutes from this meeting are in summary form capturing the actions taken on each agenda item. To view the meeting discussions in their entirety, this meeting is broadcasted on the city's government access channel, WBRK, every day at 9AM and 9PM. The video can also be seen on-demand on the city's YouTube channel: https://www.youtube.com/user/cityofberkley.

PRESENT:	Ryan J. Gesund Sue McAlpine Joseph V. Krug Joann Serr (Alternate)	Kevin Wilner Miles Uhlar Maria Ward
ABSENT:	Erick McDonald	

ALSO, PRESENT:

Megan Masson-Minock, Interim Community Development Director

Motion by Mr. Gesund to excuse the absence of Mr. McDonald without notice and supported by Mr. Uhlar.

AYES: Gesund, Krug, McAlpine, Serr, Uhlar, Ward, Wilner NAYS: NONE ABSENT: McDonald

MOTION CARRIED

* * * * * * * * * *

APPROVAL OF AGENDA

Motioned to approve the agenda as presented by Mr. Gesund and supported by Ms. Ward. With clarification on the public notice per Chuck Tyrell's email.

The Board concluded that the meeting could still continue as planned. The addresses were correct on the public notices that were sent out.

Email read into record from Chuck Tyrell dated May 6, 2022.

AYES: Gesund, Krug, McAlpine, Serr, Uhlar, Ward, Wilner NAYS: NONE ABSENT: McDonald

MOTION CARRIED

* * * * * * * * *

APPROVAL OF MINUTES

Motioned to approve the minutes of the April 11, 2022 regular meeting by Ms. Ward and supported by Mr. Wilner

AYES: Gesund, Krug, McAlpine, Serr, Uhlar, Ward, Wilner NAYS: NONE ABSENT: McDonald

MOTION CARRIED

* * * * * * * * *

OLD BUSINESS

NONE

NEW BUSINESS

<u>APPLICATION PBA-04-22</u>; <u>3020 Coolidge Hwy.</u> - Dimensional variance request to waive onsite parking requirements.

Interim Community Development Director Masson-Minock stated that this property is zoned Coolidge District and presented the background/history of changes of use in the applicants that have been at this location. Interim Community Development Director Masson-Minock also specifically presented the variance that is specific to grandfather use and the rules that correlate, along with the lot split. She discussed how a parking agreement for this property was noted in a list of properties with parking agreements but that the agreement was not found in City files, after despite searches by both herself and Building Clerk Kim Anderson. Interim Community Development Director Mason-Minock also provided the standard of review for the Board to consider and discuss.

The Board asked questions to Interim Community Development Director Masson-Minock pertaining to the lot split.

Interim Community Development Director Masson-Minock stated what the intended plans are for this location and what the owner is willing to agree on to make this variance work.

The Board asked questions and discussed information provided about this application.

Petitioner

Takesha Dubose 20038 Oxley St Detroit, MI 48235

Ms. Dubose stated that her business will offer a small day spa and salon, with three employees including herself, offering by appointments only. Ms. Dubose stated that she feels this variance should be approved, because it will not only help her business, but it will be an asset to the city. Ms. Dubose stated that this building is an opportunity for her business, and in order for anyone to purchase the building there has to be some sort of parking agreement.

Co-Chair Uhlar asked Ms. Dubose what the potential plans are for the second floor of the building. Ms. Dubose stated that she does not have a definite plan but would like to finish it, considering it as a residential space and not to use it as a part of her business.

The Board asked Ms. Dubose specific questions on her current business and how it is run with the number of employees, services provided, and the length of the appointments.

Chair McAlpine opened the floor for public hearing at 7:45 p.m.

Denise Falenski, 2425 Earlmont - Ms. Falenski stated that she has had an at length conversation with both Kim Anderson and Megan Masson-Minock for information on this situation. After hearing Ms. Dubose tonight, Ms. Falenski stated she is still concerned about the hours of operation considering her property is right next door to Vibe Credit Union. Ms. Falenski stated her frustrations with the Vibe Credit Union renovations that have happened. Ms. Falenski stated that for as long as Vibe has been around, seeming to be a verbal shared parking agreement with what is 3020 Coolidge. Ms. Falenski stated that if

surrounding businesses offer shared parking, that would relieve her as a neighbor especially with the challenges that Vibe presents. Ms. Falenski specified she would want clarification on hours of operation.

Letter read into record from Denise and Daniel Falenski dated May 5, 2022. Letter read into record from Dennis and Jennifer Hennen dated May 9, 2022.

Chair McAlpine closed the floor for public hearing at 8:02 p.m.

Gary Imhoff 8583 Immense St Commerce Township MI, 48382 Current Property Owner of 3020 Coolidge Hwy

Ms. Ward asked particular questions about the current business in this building. Ms. Ward also discussed with Mr. Imhoff about parking and the history with the building, what the second floor was used for, customer traffic, and any knowledge of a parking agreement with Vibe Credit Union.

Mr. Imhoff stated that since the pandemic the business has acquired unforeseen costs, and the best decision would be to liquidate the building and move his business somewhere else.

Co-Chair Uhlar asked Mr. Imhoff the current hours of the building, number of employees, and where the employees park.

There was discussion between the Board and Interim Community Development Director Masson-Minock about clarification in the letter from Dennis Hennen, the variance and parking, and placing conditions on the waiver of the parking. Mr. and Mrs. Hennen had asked in their letter when the lot split had occurred.

Interim Community Development Director Masson-Minock clarified that the applicant has been given verbal agreements, not written agreements for shared parking. There was discussion with The Board about finding the parking agreement.

There was more discussion on the verbal agreements with Ms. Dubose on what verbal agreements she has received from the VFW Hall and Vibe Credit Union. The Board also discussed with Ms. Dubose how she operates her business.

There was more discussion on parking and the parking agreement with possibilities and conditions of what the Board can do finding this elusive agreement.

Jeff Anderson 4615 Robinwood Ave Real estate agent (seller agent)

Mr. Anderson stated that the current contract is through June 1, 2022.

There was more discussion amongst the Board about concerns of parking in the neighborhood.

Co-Chair Uhlar stated that at this property you cannot have a viable business without a variance, and it is better to have this than moving forward with a decaying building.

Motion by Ms. Ward to table application PBA-04-22 until the staff can do additional research to see if there is an existing parking agreement for this property with support by Mr. Gesund.

AYES: Gesund, Krug, Ward NAYS: McAlpine, Serr, Uhlar, Wilner ABSENT: McDonald

MOTION FAILED (4-3)

* * * * * * * * * *

Motion by Ms. Serr to approve application PBA-04-22 with the conditions:

- There are two bike racks at the location
- Employees agree to park in municipal parking during hours of operation
- Operating hours are limited to 9 a.m. 6 p.m. Monday through Saturday
- Operation is by appointment only
- No more than three employees including the owner can be on site with customers during operating hours
- These conditions apply to the use of the first floor only

Support by Mr. Krug

AYES: Gesund, Krug, McAlpine, Serr, Uhlar, Wilner NAYS: Ward ABSENT: McDonald

MOTIONED CARRIED

* * * * * * * * *

2. <u>APPLICATION PBA-05-22; 28105 Woodward</u> - Dimensional variance requests to change the message displayed on a nonconforming pole sign.

Interim Community Development Director Masson-Minock provided an overview of the application for a nonconforming pole sign with a new face. The current site has three wall signs facing Woodward, and one wall sign facing Catalpa that have been approved. Interim Community Development Director Masson-Minock stated that the sign is non-conforming based on the height, sign area, distance from the property line on Woodward, and the radius from the sidewalk to sidewalk intersection. Interim Community Development Director Masson-Minock stated the standards of review the Zoning Board would discuss.

Petitioner

Dustin Kennedy 42319 Addison Ave Canton, MI 48187

Petitioner, Mr. Kennedy stated that he wants to change the copy of the sign in accordance with the new tenant that has moved into a space. Mr. Kennedy stated that the current signage has caused a nuisance to the new business that is in this space. Mr. Kennedy also stated that there is an outbuilding that sits behind the buildings on Woodward and with zero exposure. With the new signage, people would be able to locate this building.

Mr. Gesund asked the petitioner Mr. Kennedy if this sign will be a static sign or digital sign. Mr. Kennedy stated that this is a static sign, a copy of what is already on the panel.

Chair McAlpine opened the floor for public hearing at 8:59 p.m.

Sarah Szirtes, 52 Oakdale Blvd, Pleasant Ridge - Stated that she is the general counsel for HealthCall of Detroit the current tenant at 28105 Woodward. Ms. Szirtes provided an overview of what HealthCall is and what the building is used for. Ms. Szirtes stated this is the administrative and training center for HealthCall, where it is only by appointment. Ms. Szirtes stated that since the signage has not been changed yet, many people are trying to enter their secure building causing executives and other administrative staff to get up throughout the day causing a nuisance and just want to replace the panel.

Chair McAlpine closed the floor for public hearing at 9:01 p.m.

Motion by Mr. Wilner to approve application PBA-05-22 with the recommendations of only changing the copy of the sign, and if more is changed it has to meet the current ordinance with support by Ms. Ward.

AYES: Wilner, Ward, Uhlar, Serr, McAlpine, Krug, Gesund NAYS: NONE ABSENT: McDonald

MOTION CARRIED

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OTHER BUSINESS

NONE

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STAFF/BOARD MEMBER REPORT

Interim Community Development Director Masson-Minock stated to the Zoning Board that they will have a sign case and plan for the June meeting, pertaining to Aqua Tots which is a multi-unit building.

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LIAISON REPORT

NONE

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PUBLIC COMMENT

NONE

* * * * * * * * * *

With no further business, the meeting was adjourned at 9:04 p.m.

THE CITY OF BERKLEY Community Development Department 3338 Coolidge, Berkley, Michigan 48072 (248) 658-3320

Notice Meeting of the Berkley Zoning Board of Appeals

Notice is hereby given, that there will be a meeting of the Zoning Board of Appeals to be held at the City of Berkley in the Council Chambers, 3338 Coolidge, Berkley, Michigan on Monday, July 14, 2025 at 7:00 pm or as near thereto as the matter may be reached.

Application Number PBA-03-25

Bradley DeVries on behalf of Damsel LLC, 3020 Coolidge Hwy., parcel 04-25-17-107-031, on the East side of Coolidge Highway, between Earlmont Road and Brookline Hills, is requesting a variance to waive on-site parking requirements.

Berkley City Code

Berkley City Code, Chapter 138 *Zoning*, Article 14, Off-Street Parking, Loading, and Access Standards, Section 14.04(Q) Table.

Complete application information is available for review at <u>www.berkleymi.gov/community-development/development-projects.</u>

Comments on the granting of the above variance may be made in person on the night of the meeting or in writing. All written comments must be submitted to the Berkley Community Development Department or email to <u>planning@berkleymi.gov</u> before 4:00 p.m. on the date of the Public Hearing.

KIM ANDERSON ZONING ADMINISTRATOR

<u>Publish Once:</u> Royal Oak Tribune Saturday, June 28, 2025

THE CITY OF BERKLEY Community Development Department 3338 Coolidge, Berkley, Michigan 48072 (248) 658-3320

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KIM ANDERSON ZONING ADMINISTRATOR





1U-A40

COOLIDGE COLLECTION LLC 999 S LOGAN ST STE 300 DENVER CO 80209 5801

DORIS WOLFF 3048 KENMORE RD BERKLEY MI 48072 1682

BERKLEY POST 9222 VFW 3025 COOLIDGE HWY BERKLEY MI 48072 1647

CITY OF BERKLEY 3338 COOLIDGE HWY BERKLEY MI 48072 1636

BASEL HUSNI ELIAS OLIVIA MARIE ELIAS 2412 EDGEWOOD BLVD BERKLEY MI 48072 1887

JOANNE L HYSO 2396 EDGEWOOD BLVD BERKLEY MI 48072 1844

AMY ZURAWSKI 2438 EDGEWOOD BLVD BERKLEY MI 48072 1887

Occupant 3116 COOLIDGE HWY BERKLEY MI 48072 1651

COOLIDGE COLLECTION LLC 999 S LOGAN ST STE 300 DENVER CO 80209 5801

RYAN COLEMAN 2380 EDGEWOOD BLVD BERKLEY MI 48072 1844

Staples.

label size 1" x 2-5/8" compatible with Avery⁵ 5160/8160

BERKLEY POST 9222 VFW 3025 COOLIDGE HWY BERKLEY MI 48072 1647

KELLI LEWIS 2395 EDGEWOOD BLVD BERKLEY MI 48072 1843

KEETZ HILL 2443 EDGEWOOD BLVD BERKLEY MI 48072 1888

ZACHERY ALAN KEITH 2994 KENMORE RD BERKLEY MI 48072 1618

MICHAEL A GALDIERO NORA M GALDIERO 2379 EARLMONT RD BERKLEY MI 48072 1837

DENNIS S HENNEN JENNIFER HENNEN 2411 EARLMONT RD BERKLEY MI 48072 1880

TIMOTHY HANSEN DANA HANSEN 2425 EDGEWOOD BLVD BERKLEY MI 48072 1888

TIMOTHY HELLAND JULIANA HELLAND 2435 EDGEWOOD BLVD BERKLEY MI 48072 1888

HEATHER SINACORI STEPHEN SINACORI 2984 KENMORE RD BERKLEY MI 48072 1618

SPENCER ABBOTT 2379 EDGEWOOD BLVD BERKLEY MI 48072 1843



THOMAS LAMARRA 2411 EDGEWOOD BLVD BERKLEY MI 48072 1888

Occupant 2955 COOLIDGE HWY BERKLEY MI 48072 1645

KIM A DEHNE JANET L DEHNE 27460 GOLDENGATE DR W LATHRUP VILLAGE MI 48076 3429

Occupant 2960 KENMORE RD BERKLEY MI 48072 1618

IVY VILLAS OF KENMORE LLC 51760 9 MILE RD NORTHVILLE MI 48167 9773

ELWIN GREENWALD 2971 COOLIDGE HWY BERKLEY MI 48072 1645

MORAN CHARLES JR 2438 WILTSHIRE RD BERKLEY MI 48072 3319

Occupant 2945 COOLIDGE HWY BERKLEY MI 48072 1645

2945 COOLIDGE LLC 2941 COOLIDGE HWY BERKLEY MI 48072 1645

Occupant 3053 COOLIDGE HWY BERKLEY MI 48072 1647

044-114

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SHUYUN XU 2073 E MAPLE RD TROY MI 48083 4493

DAVID TAYLOR 2452 WILTSHIRE RD BERKLEY MI 48072 3319

MICHAEL IWANSKI 2438 EARLMONT RD BERKLEY MI 48072 1879

.

CRAIG L ADAMS BARBARA ADAMS 3030 KENMORE RD BERKLEY MI 48072 1682

Occupant 3016 KENMORE RD BERKLEY MI 48072 1682

JOAN K BARTH PAUL F BARTH 2505 TOWNHILL TROY MI 48084 1029

Occupant 2941 COOLIDGE HWY BERKLEY MI 48072 1645

STEVE PROPERTIES LLC 2970 11 MILE RD BERKLEY MI 48072 3052

LUKE PONTZ KRISTEN PONTZ 3116 KENMORE RD BERKLEY MI 48072 1683

JOHN JUREK 3026 KENMORE RD BERKLEY MI 48072 1682



label size 1" x 2-5/8" compatible with Avery^a 5160/8160

Occupant 3009 COOLIDGE HWY BERKLEY MI 48072 1647

3009 COOLIDGE HWY LLC 2616 CROOKS RD ROCHESTER HILLS MI 48309 3605

Occupant 3099 COOLIDGE HWY BERKLEY MI 48072

ANTONIO CUETER 19802 MACK AVE GROSSE POINTE WOODS MI 48236

Occupant 2972 COOLIDGE HWY BERKLEY MI 48072

SPIRIT MASTER FUNDING X LLC 9864 E GRAND RIVER AVE BRIGHTON MI 48116 1963

DAMSEL LLC 3020 COOLIDGE HWY BERKLEY MI 48072

Occupant 3082 COOLIDGE HWY BERKLEY MI 48072 1648

TELCOM CREDIT UNION TAX DEPARTMENT 44575 W TWELVE MILE RD NOVI MI 48377

BERKLEY PROPERTIES LLC 3010 COOLIDGE HWY BERKLEY MI 48072 1634



Occupant 3010 COOLIDGE HWY BERKLEY MI 48072 1648

BERKLEY PROPERTIES LLC PO BOX 725542 BERKLEY MI 48072 5542

Occupant 3083 COOLIDGE HWY BERKLEY MI 48072 1647

RUDDY PROPERTIES LLC 247 WINRY DR ROCHESTER MI 48307 1161

DANIEL FALENSKI DENISE FALENSKI 2425 EARLMONT RD BERKLEY MI 48072 1880

JAMES HAGGARD 3100 KENMORE RD BERKLEY MI 48072 1683

WILLIAM W PARKER 3084 KENMORE RD BERKLEY MI 48072 1682

ELIZABETH YOUNG YANNI KEFALLINOS 3060 KENMORE RD BERKLEY MI 48072 1682

JAMES STEPOWSKI MARGARET STEPOWSKI 2426 EDGEWOOD BLVD BERKLEY MI 48072 1887

MARY FRANCES KILCOYNE 2450 EDGEWOOD BLVD BERKLEY MI 48072 1887



ZONING BOARD OF APPEALS APPLICATION

The Zoning Board of Appleals (ZBA) meets the second Monday of the month. The meetings are held in the Council Chambers at City Hall, 3338 Coolidge Highway, Berkley, Michigan 48072.

The ZBA shall hear requests for use and dimensional variances, appeals of administrative decisions, interpretation of zoning map and text, and interpretations of commercial message for proposed murals.

<u>Please be advised:</u>** The ZBA may grant a variance where undue hardship or practical difficulty for the property exist. A want or desire (bigger structure, more profit, etc.) is not sufficient grounds for a variance. The ZBA does not have the power to legislate or create new regulations. The Board's purpose is to provide some relief from the Zoning Ordinance depending on the unique circumstances of the property.

APPLICANT INFORMATION
Name: Selwan Shina (San) Phone:
Address: 6476 Orchard Lake Road, Suite A, West Bloomfield, MI 48322
Email:
Relationship to Property (current tenant, representative, future tenant, current owner, future owner): Representative
PROPERTY OWNER INFORMATION (if different from Applicant)
Name: Jamil Realty, LLC Phone:
Address: 4138 West Twelve Mile Road, Berkley, MI 48076
Email:
PROPERTY DESCRIPTION
Address: 4162 Twelve Mile Road
Parcel #: 25-07-355-039, 25-07-355-038, & 25-07-355-040 Zoning Classification: Gateway District
Current Use of Property: Multi-use commercial development



ZONING BOARD OF APPEALS APPLICATION

The Zoning Board of Appleals (ZBA) meets the second Monday of the month. The meetings are held in the Council Chambers at City Hall, 3338 Coolidge Highway, Berkley, Michigan 48072.

The ZBA shall hear requests for use and dimensional variances, appeals of administrative decisions, interpretation of zoning map and text, and interpretations of commercial message for proposed murals.

<u>Please be advised:</u>** The ZBA may grant a variance where undue hardship or practical difficulty for the property exist. A want or desire (bigger structure, more profit, etc.) is not sufficient grounds for a variance. The ZBA does not have the power to legislate or create new regulations. The Board's purpose is to provide some relief from the Zoning Ordinance depending on the unique circumstances of the property.

Phone
A, West Bloomfield, MI 48322
ure tenant, current owner, future owner):
pplicant)
Phone
Bloomfield, MI 48324
Ē
oning Classification: Gateway District
development

NATURE OF REQUEST		
Check which applies:		Variance from Zoning Ordinance (Section I)
		Interpretation of Zoning Ordinance (Section II)
		Administrative Review / Appeal of Decision (Section III)
	D	Determination of Commercial Message of Mural / Work of Art (Section IV)
Description of Request: _ in side yard.	Variance	for location of trash enclosure (accessory structure)
Has the City denied a per	mit related	to the proposed work? Yes No

Please fill out ONLY the section below that applies to your request.

I. VARIANCE FROM ZONING ORDINANCE

Please provide a written response to each question below that relates to the variance that is being requested. **DO NOT COMPLETE BOTH SECTIONS.**

A. Use Variance

The Zoning Board of Appeals may grant a <u>use variance</u> (i.e. use of the land not permitted in a particular district) upon finding that an undue hardship exists.

Current Use of Property:

Requested Use of Property:

1. Explain how the building or land cannot be reasonably used for any of the uses permitted by right or by special land use permit in the current zoning district.

2. Explain how the need for the variance is due to unique circumstances or physical conditions of the property.

3. Explain how the proposed use will not alter the essential character of the neighborhood.

4. Explain how the need for the variance is not the result of actions of the property owner or previous property owners.

B. Dimensional Variance (Non-Use Variance)

The Zoning Board of Appeals may grant a <u>dimensional variance</u> (i.e. height, setback, lot coverage, etc) upon finding that undue hardship or practical difficulty exists.

1. Explain how the need for the variance is due to unique circumstances of physical conditions of the property.

The site abuts a roadway on the west, east, and south sides of the parcel and a residential property to the north. In an effort to keep the trash enclosure away from the residential property, while also ensuring trash operations are feasible, we believe the proposed location of the enclosure is the best option, thus the need for a variance.

2. Explain how the need for the variance is not the result of actions of the property owner or previous property owners.

The variance is the result of the need to provide a new trash enclosure on the site as the existing trash enclosure will be removed with the proposed building addition.

 Explain how strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.

Strict compliance with the ordinance would result in unfavorable trash operations considering the enclosure would need to be located adjacent to a residential property. In addition, parking spaces would need to be removed to accommodate the truck's access to the enclosure, which in turn, may result in a parking variance.

4. Explain how the requested variance is the minimum variance necessary to do substantial justice to applicant as well as other property owners.

The requested variance is the minimum variance necessary as it will promote effective trash operations while keeping the enclosure away from adjacent property owners.

5. Explain how the requested variance will not adversely impact the surrounding properties.

The variance will help prevent an adverse impact to surrounding properties by permitting the trash enclosure to be located away from the neighboring property.
II. INTERPRETATION OF ZONING ORDINANCE

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Provide Section numbers of Zoning Ordinance to be interpreted:

Please describe the request and what needs to be clarified or interpreted by the ZBA.

III. ADMINISTRATIVE REVIEW / APPEAL OF DECISION

Describe the circumstances of each case and provide the minutes of the public meeting noting the denial to be appealed.

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IV. DETERMINATION OF COMMERCIAL MESSAGE (MURAL/WORK OF ART)

Describe the proposed mural/work of art. Applicant should include renderings of the proposed design. The ZBA shall determine if the proposed work contains a commercial message.

** Applicant and artist must provide signed *Mural Installation and Maintenance Agreement* prior to the public meeting.

SUBMIT THE FOLLOWING:

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Provide 15 copies of survey, plot plan or site plan with this application that shows the subject property complete with boundary lines and dimensions, existing building locations, all proposed buildings, easements, utilities, and any site improvements/changes. Setbacks, height of structures, lot coverage, etc. should also be included, if applicable.

A PDF file of the application and supporting documents must also be submitted at the time of application.

PLEASE NOTE: The applicant, or a designated representative, MUST BE PRESENT at the meeting in which the case is being reviewed or the request may be postponed due to lack of representation.

We encourage applicants to make a presentation of the proposed request to the Zoning Board of Appeals, if applicable. To assist this effort, we have available for your use a projector, laptop computer and screen. ZBA meetings are recorded and televised.

PROPERTY OWNER'S APPROVAL (Initial each line)

_____ I hereby authorize and give permission for the City of Berkley to install one or more temporary signs on my property, in order to notify the public of the required public hearing related to the above request(s) before the ZBA.

_____I hereby authorize the employees and representatives of the City of Berkley to enter upon and conduct an inspection and investigation of the above referenced property in relation to the above request.

APPLICANT'S ENDORSEMENT: (Initial each line)

______ All information contained herein is true and accurate to the best of my knowledge.

<u>S</u> I acknowledge that the ZBA will not review my request unless all information in the application has been submitted to the satisfaction of the Community Development Director.

______I 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 review of this application.

If an application is withdrawn more than three (3) weeks prior to the meeting date, 90% of the fee will be refunded. If the application is withdrawn less than three (3) weeks prior to the meeting, no refund will be given.

Shina

Applicant Name (print)

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Applicant Signature

Date

Applicant Name (print)

Applicant Signature

Date

Property Owner Name (print)

Wasim Sami

Property Owner Signature

Date

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PROPERTY OWNER'S APPROVAL (Initial each line)

GTG I hereby authorize and give permission for the City of Berkley to install one or more temporary signs on my property, in order to notify the public of the required public hearing related to the above request(s) before the ZBA.

GJG I hereby authorize the employees and representatives of the City of Berkley to enter upon and conduct an inspection and investigation of the above referenced property in relation to the above request.

APPLICANT'S ENDORSEMENT: (Initial each line)

All information contained herein is true and accurate to the best of my knowledge.

I acknowledge that the ZBA will not review my request unless all information in the application has been submitted to the satisfaction of the Community Development Director.

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If an application is withdrawn more than three (3) weeks prior to the meeting date, 90% of the fee will be refunded. If the application is withdrawn less than three (3) weeks prior to the meeting, no refund will be given.

Applicant Name (print)	Applicant Signature	Date	
Applicant Name (print)	Applicant Signature	Date	
GEVALIN GEGAJ Property Owner Name (print)	Property Owner Signature	<u>1-16-25</u> Date	

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	Office	Use Only		
SUI	Receiv	red lo-17-25 City council	Receipt #	Meeting Date 714 2005 Case # PBA-04-25
_	Fee:	Residential	\$400	
		Commercial	\$600	
		Mural	\$300	

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LOCATION MAP SCALE: I" = 500'±



AERIAL MAP SCALE: I" = 50'±



Call before you dig.

SITE DEVELOPMENT PLANS FOR

MUG & JUG **PROPOSED COMMERCIAL** REDEVELOPMENT

PARCEL IDS: 2507355039, 2507355038, & 2507355040 4162 TWELVE MILE ROAD CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN



PLANS PREPARED BY:



Birmingham, MI \cdot New York, NY \cdot Salem, MA Princeton, NJ \cdot Tampa, FL \cdot Rutherford, NJ www.stonefieldeng.com

555 S. Old Woodward Avenue, Suite 12L, Birmingham, MI 48009 Phone 248.247.1115

PLAN REFERENCE MATERIALS:

I. THIS PLAN SET REFERENCES THE FOLLOWING DOCUMENTS **INCLUDING, BUT NOT LIMITED TO:** • ALTA/NSPS LAND TITLE SURVEY PREPARED BY STONEFIELD ENGINEERING & DESIGN, LLC. DATED

- 10/10/2024 ARCHITECTURAL PLANS PREPARED BY ADG DESIGN STUDIO
- AERIAL MAP FROM NEARMAPS, DATE RETRIEVED 1/3/2025 LOCATION MAP FROM USGS TOPOGRAPHICAL MAPPER, DATE RETRIEVED 1/3/2025
- 2. ALL REFERENCE MATERIAL LISTED ABOVE SHALL BE CONSIDERED A PART OF THIS PLAN SET AND ALL INFORMATION CONTAINED WITHIN THESE MATERIALS SHALL BE UTILIZED IN CONJUNCTION WITH THIS PLAN SET. THE CONTRACTOR IS RESPONSIBLE TO OBTAIN A COPY OF EACH REFERENCE AND REVIEW IT THOROUGHLY PRIOR TO THE START OF CONSTRUCTION.



APPLICANT

SELWAN SHINA 6476 ORCHARD LAKE ROAD, SUITE A WEST BLOOMFIELD, MI, 48322 248.207.3110 RSHINA@BAYSFD.COM



SHEET INDEX			
DRAWING TITLE	SHEET #		
COVER SHEET	C-1		
DEMOLITION PLAN	C-2		
SITE PLAN	C-3		
GRADING PLAN	C-4		
STORMWATER MANAGEMENT PLAN	C-5		
UTILITY PLAN	C-6		
LIGHTING PLAN	C-7		
LANDSCAPING PLAN	C-8		
LANDSCAPING DETAILS	C-9		
CONSTRUCTION DETAILS	C-10 & C-11		
ADDITIONAL SHE	ETS		
DRAWING TITLE	SHEET #		
ALTA/NSPS LAND TITLE SURVEY	I OF I		
LIFE SAFETY AND EGRESS PLAN	A-0.1		
ARCHITECTURAL FLOOR PLAN	A-1.1		
ARCHITECTURAL ELEVATIONS	A-0.15 & A-2.4		
OCWRC SANITARY SEWER DETAILS	I & 2 OF 2		
OCWRC STORM DRAIN DETAILS	I OF I		

REMOVAL QUANTITIES

CONCRETE	2,927	SF
ASPHALT PAVEMENT	25,062	SF
CONCRETE CURB	231	LF
CONCRETE WHEEL STOP	48	EA
COMBINED SEWER MAIN	303	LF
STORM PIPE	49	LF
STORM STRUCTURE	7	EA
GAS SERVICE	227	LF
GAS METER	4	EA
ELECTRIC METER	I	EA
OVERHEAD LINE	648	LF
UTILITY POLE	I	EA
LIGHT POLE	2	EA
BUILDING	4,401	SF
TRASH ENCLOSURE	2	EA
SIGN	I	EA
BOLLARD	14	EA



024/DET-240246 BREAKPOINT DEVELOPMENT - 4162 12 MILE ROAD, BERKLEY, MICADDIPLOTSDP-02-DEMO.DV





PROPOSED USE		
RESTAURANT	PERMITTED USE	
RETAIL STORE	PERMITTED USE	
AUTOMOBILE SERVICE STATION	SPECIAL USE	
ZONING REQUIREMENT	REQUIRED	PROPOSED
MINIMUM LOT AREA	17,000 SF	34,638 SF (0.80 AC)
MINIMUM LOT WIDTH	130 FT	150.0 FT
MAXIMUM BUILDING HEIGHT	40 FT	< 40 FT
MINIMUM FRONT BUILD-TO-LINE	I0 FT	0.0 FT (NC)
FACADE ON BUILD-TO-LINE	75%	100% (NC)
MINIMUM SIDE YARD SETBACK	0 FT	5.0 FT (V) ⁽¹⁾
MINIMUM REAR YARD SETBACK	10 FT	70.1 FT (NC)
DRIVEWAY INTERSECTION SPACING	30 FT	26.8 FT (V)
DRIVEWAY LOT LINE SPACING	20 FT	20.0 FT (NC)
MINIMUM DRIVEWAY WIDTH	22 FT	22.9 FT (NC)
MAXIMUM DRIVEWAY WIDTH	30 FT	24 FT
SERVICE STATION SPACING*	500 FT	> 500 FT

OFF-STREET PARKING REQUIREMENTS				
CODE SECTION	REQUIRED	PROPOSED		
§ 138-129	RESTAURANT:	37 SPACES		
	I SPACE PER 75 SF OF UFA*	8 PUMP SPACES		
	(702 SF)(0.7)(1 / 75 SF) = 7 SPACES	TOTAL: 45 SPACES		
	GAS STATION WITH CONVENIENCE:			
	6 SPACES PER 1,000 SF OF UFA*			
	+ I SPACE PER PUMP + 2 SPACES			
	(6,032 SF)(0.7)(6 / 1000 SF) = 25 SPACES			
	+ (8 PUMPS)(1 / 1 PUMP) = 8 SPACES			

					FOR SITE PLAN / SPECIAL LAND USE APPROVAL	FOR SITE PLAN / SPECIAL LAND USE APPROVAL	FOR SITE PLAN / SPECIAL LAND USE APPROVAL	DESCRIPTION
					25 JD	25 JD	25 JD/NB	ΒY
					04/23/2025	03/19/2025	01/14/2025	E DATE
					m	7	-	ISSUE
NO	T APPRC)VEC) FC)R C	ON	STR		
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SITE DEVELOPMENT PLANS	4UG & JUG			PROPOSED COMMERCIAL			PARCEL IDS: 2507355039, 2507355038, & 2507355040	CITY OF BERKLEY OAKLAND COUNTY, MICHIGAN
SITE DE		_				2		+00
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BENCHMARKS:

BENCHMARK #I = MAG NAIL = 708.73 (NAVD88). - IN CONCRETE SIDEWALK, NORTH SIDE OF 12 MILE ROAD. BENCHMARK #2 = MAG NAIL = 708.96 (NAVD88). - IN ASPHALT, LOT 50, FRONT OF PARKING STALL.



GRADING NOTES

- I. ALL SOIL AND MATERIAL REMOVED FROM THE SITE SHALL BE DISPOSED OF IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL REQUIREMENTS. ANY GROUNDWATER DE-WATERING PRACTICES SHALL BE PERFORMED UNDER THE SUPERVISION OF A QUALIFIED PROFESSIONAL. THE CONTRACTOR IS REQUIRED TO OBTAIN ALL NECESSARY PERMITS FOR THE DISCHARGE OF DE-WATERED GROUNDWATER. ALL SOIL IMPORTED TO THE SITE SHALL BE CERTIFIED CLEAN FILL. CONTRACTOR SHALL MAINTAIN RECORDS OF ALL FILL MATERIALS BROUGHT TO THE SITE.
- 2. THE CONTRACTOR IS REQUIRED TO PROVIDE TEMPORARY AND/OR PERMANENT SHORING WHERE REQUIRED DURING EXCAVATION ACTIVITIES, INCLUDING BUT NOT LIMITED TO UTILITY TRENCHES, TO ENSURE THE STRUCTURAL INTEGRITY OF NEARBY STRUCTURES AND STABILITY OF THE SURROUNDING SOILS.
- 3. PROPOSED TOP OF CURB ELEVATIONS ARE GENERALLY 4 INCHES TO 7 INCHES ABOVE EXISTING GRADES UNLESS OTHERWISE NOTED. THE CONTRACTOR WILL SUPPLY ALL STAKEOUT CURB GRADE SHEETS TO STONEFIELD ENGINEERING & DESIGN, LLC. FOR REVIEW AND APPROVAL PRIOR TO POURING CURBS.
- THE CONTRACTOR IS RESPONSIBLE TO SET ALL PROPOSED UTILITY COVERS AND RESET ALL EXISTING UTILITY COVERS WITHIN THE PROJECT LIMITS TO PROPOSED GRADE IN ACCORDANCE WITH ANY APPLICABLE MUNICIPAL, COUNTY, STATE AND/OR UTILITY AUTHORITY REGULATIONS.
 MINIMUM SLOPE REQUIREMENTS TO PREVENT PONDING SHALL BE AS FOLLOWS:
- CURB GUTTER: 0.50%
 CONCRETE SURFACES: 1.00%
- ASPHALT SURFACES: 1.00%
 A MINIMUM SLOPE OF 1.00% SHALL BE PROVIDED AWAY FROM ALL BUILDINGS. THE CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE FROM THE BUILDING IS ACHIEVED AND SHALL NOTIFY STONEFIELD ENGINEERING & DESIGN, LLC. IF THIS CONDITION CANNOT BE MET.
 FOR PROJECTS WHERE BASEMENTS ARE PROPOSED, THE DEVELOPER IS RESPONSIBLE TO DETERMINE THE DEPTH TO GROUNDWATER AT THE LOCATION OF THE PROPOSED STRUCTURE. IF GROUNDWATER IS ENCOUNTERED WITHIN THE BASEMENT AREA, SPECIAL
- CONSTRUCTION METHODS SHALL BE UTILIZED AND REVIEWED/APPROVED BY THE CONSTRUCTION CODE OFFICIAL. IF SUMP PUMPS ARE UTILIZED, ALL DISCHARGES SHALL BE CONNECTED DIRECTLY TO THE PUBLIC STORM SEWER SYSTEM WITH APPROVAL FROM THE GOVERNING STORM SEWER SYSTEM AUTHORITY.

ADA NOTES

- I. THE CONTRACTOR SHALL MAINTAIN A MAXIMUM 2.00% SLOPE IN ANY DIRECTION WITHIN THE ADA PARKING SPACES AND ACCESS AISLES.
- THE CONTRACTOR SHALL PROVIDE COMPLIANT SIGNAGE AT ALL ADA PARKING AREAS IN ACCORDANCE WITH STATE GUIDELINES.
 THE CONTRACTOR SHALL MAINTAIN A MAXIMUM 5.00% RUNNING SLOPE AND A MAXIMUM OF 2.00% CROSS SLOPE ALONG WALKWAYS WITHIN THE ACCESSIBLE PATH OF TRAVEL (SEE THE SITE PLAN FOR THE LOCATION OF THE ACCESSIBLE PATH). THE CONTRACTOR IS RESPONSIBLE TO ENSURE THE ACCESSIBLE PATH OF TRAVEL IS 36 INCHES WIDE OR GREATER UNLESS INDICATED OTHERWISE WITHIN
- THE PLAN SET.
 4. THE CONTRACTOR SHALL MAINTAIN A MAXIMUM 2.00% SLOPE IN ANY DIRECTION AT ALL LANDINGS. LANDINGS INCLUDE, BUT ARE NOT LIMITED TO, THE TOP AND BOTTOM OF AN ACCESSIBLE RAMP, AT ACCESSIBLE BUILDING ENTRANCES, AT AN AREA IN FRONT OF A WALK-UP ATM, AND AT TURNING SPACES ALONG THE ACCESSIBLE PATH OF TRAVEL. THE LANDING AREA SHALL HAVE A MINIMUM CLEAR AREA OF 60 INCHES BY 60 INCHES UNLESS INDICATED OTHERWISE WITHIN THE PLAN SET.
- 5. THE CONTRACTOR SHALL MAINTAIN A MAXIMUM 8.33% RUNNING SLOPE AND A MAXIMUM 2.00% CROSS SLOPE ON ANY CURB RAMPS ALONG THE ACCESSIBLE PATH OF TRAVEL. WHERE PROVIDED, CURB RAMP FLARES SHALL NOT HAVE A SLOPE GREATER THAN 10.00% IF A LANDING AREA IS PROVIDED AT THE TOP OF THE RAMP. FOR ALTERATIONS, A CURB RAMP FLARES SHALL NOT HAVE A SLOPE GREATER THAN 8.33% IF A LANDING AREA IS NOT PROVIDED AT THE TOP OF THE RAMP. CURBS RAMPS SHALL NOT RISE MORE THAN 6 INCHES IN ELEVATION WITHOUT A HANDRAIL. THE CLEAR WIDTH OF A CURB RAMP SHALL BE NO LESS THAN 36 INCHES WIDE.
- ACCESSIBLE RAMPS WITH A RISE GREATER THAN 6 INCHES SHALL CONTAIN COMPLIANT HANDRAILS ON BOTH SIDES OF THE RAMP AND SHALL NOT RISE MORE THAN 30" IN ELEVATION WITHOUT A LANDING AREA IN BETWEEN RAMP RUNS. LANDING AREAS SHALL ALSO BE PROVIDED AT THE TOP AND BOTTOM OF THE RAMP.
 A SLIP RESISTANT SURFACE SHALL BE CONSTRUCTED ALONG THE
- ACCESSIBLE PATH AND WITHIN ADA PARKING AREAS.
 8. THE CONTRACTOR SHALL ENSURE A MAXIMUM OF ¹/₄ INCHES VERTICAL CHANGE IN LEVEL ALONG THE ACCESSIBLE PATH. WHERE A CHANGE IN LEVEL BETWEEN ¹/₄ INCHES AND ¹/₂ INCHES EXISTS, CONTRACTOR SHALL ENSURE THAT THE TOP ¹/₄ INCH CHANGE IN LEVEL IS BEVELED WITH A SLOPE NOT STEEPER THAN I UNIT VERTICAL AND 2 UNITS HORIZONTAL (2:1 SLOPE).
- 9. THE CONTRACTOR SHALL ENSURE THAT ANY OPENINGS (GAPS OR HORIZONTAL SEPARATION) ALONG THE ACCESSIBLE PATH SHALL NOT ALLOW PASSAGE OF A SPHERE GREATER THAN ½ INCH.







STORMWATER MANAGEMENT CALCULATIONS



LOCATIONS DEPICTED WITHIN THE PLAN SET. THIS RECORD SHALL BE PROVIDED TO THE OWNER FOLLOWING COMPLETION OF WORK.

EXCAVATION, SOIL PREPARATION, AND DEWATERING NOTES

- I. THE CONTRACTOR IS REQUIRED TO REVIEW THE REFERENCED GEOTECHNICAL DOCUMENTS PRIOR TO CONSTRUCTION, THESE DOCUMENTS SHALL BE CONSIDERED A PART OF THE PLAN SET. 2. THE CONTRACTOR IS REQUIRED TO PREPARE SUBGRADE SOILS BENEATH ALL PROPOSED IMPROVEMENTS AND BACKFILL ALL EXCAVATIONS IN ACCORDANCE WITH RECOMMENDATIONS BY THE
- GEOTECHNICAL ENGINEER OF RECORD. 3. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING SHORING FOR ALL EXCAVATIONS AS REQUIRED. CONTRACTOR SHALL HAVE THE SHORING DESIGN PREPARED BY A QUALIFIED PROFESSIONAL. SHORING DESIGNS SHALL BE SUBMITTED TO STONEFIELD ENGINEERING & DESIGN, LLC. AND THE OWNER PRIOR TO THE START OF CONSTRUCTION.
- 4. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL OPEN EXCAVATIONS ARE PERFORMED AND PROTECTED IN ACCORDANCE WITH THE LATEST OSHA REGULATIONS. 5. THE CONTRACTOR IS RESPONSIBLE FOR ANY DEWATERING DESIGN AND OPERATIONS, AS REQUIRED, TO CONSTRUCT THE PROPOSED IMPROVEMENTS. THE CONTRACTOR SHALL OBTAIN ANY REQUIRED PERMITS FOR DEWATERING OPERATIONS AND GROUNDWATER DISPOSAL.

STORMWATER UNDERGROUND BMP CONSTRUCTION NOTES

- I. THE CONTRACTOR SHALL INSTALL AND BACKFILL THE UNDERGROUND BMP IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS. 2. UNDERGROUND BASINS SHALL UTILIZE A STONE BACKFILL WITH A
- MINIMUM VOID RATIO OF 40%. 3. NO CONSTRUCTION LOADING OVER UNDERGROUND BASINS IS PERMITTED UNTIL BACKFILL IS COMPLETE PER THE MANUFACTURER'S SPECIFICATIONS. NO VEHICLES SHALL BE STAGED OR OPERATE FROM A FIXED POSITION OVER THE BASIN.





	Date:	01/07/25
	Weighted Value	
=	30,685	
=	701	
	31,386	
lue, C:	0.91	
y, I _{wq} :	2.76	IN/HR
iod, P:	1	YEARS
on, T _c :	10.0	MINS
, V _{cp-r} :	3,414.73	CF
		CF
, V _{CP-P} :	0.00	CF

е, К _{SAT} :	0.00	in/hr
th, A _l :	0.00	FT

rator is Required		
uality Intensity, I _I :	2.76	IN/HR
uality Rate, Q _{WQ} :	2.00	CFS
s Waived		
bay Volume, V _{F-R} :	0.00	CF
bay Volume, V _{F-P} :	0.00	CF
tion Volume, V _{ED} :	4,990.76	CF
Total Head, h _{ED} :	5.00	FT
trol Release, H _{ED} :	0.48	l" Hole
nflow Rate, Q _{1001N} :	5.51	CFS
nfall Intensity, I ₁₀₀	7.62	In/hr
elease Rate, Q _{vRR} :	1.15	CFS / A
's Capacity, or 3) Q _{VRR}		
elease Rate, Q _{100P} :	0.92	CFS
Curve Factor, R:	0.48	
off Volume, V _{I00R} :	13,737.79	CFS
on Volume, V _{100D} :	6,526.43	CF

6,526	CF
	6,526

er, H _l :	5.00	FT
r, H _o :	5.50	FT
ovided o	nly if stone storage is utiliz	zed
io, S _R :	19.63	CF/LF
:ity, L _R :	332	LF
posed:	340	LF
posed:	6,676	CF



BENCHMARKS:

BENCHMARK #I = MAG NAIL = 708.73 (NAVD88). - IN CONCRETE SIDEWALK, NORTH SIDE OF 12 MILE ROAD. BENCHMARK #2 = MAG NAIL = 708.96 (NAVD88). - IN ASPHALT, LOT 50, FRONT OF PARKING STALL.



DRAINAGE AND UTILITY NOTES

- I. THE CONTRACTOR IS REQUIRED TO CALL THE APPROPRIATE AUTHORITY FOR NOTICE OF CONSTRUCTION/EXCAVATION AND UTILITY MARK OUT PRIOR TO THE START OF CONSTRUCTION IN ACCORDANCE WITH STATE LAW. CONTRACTOR IS REQUIRED TO CONFIRM THE HORIZONTAL AND VERTICAL LOCATION OF UTILITIES IN THE FIELD. SHOULD A DISCREPANCY EXIST BETWEEN THE FIELD LOCATION OF A UTILITY AND THE LOCATION SHOWN ON THE PLAN SET OR SURVEY, THE CONTRACTOR SHALL NOTIFY STONEFIELD ENGINEERING & DESIGN, LLC. IMMEDIATELY IN WRITING.
- 2. THE CONTRACTOR IS RESPONSIBLE TO PROTECT AND MAINTAIN IN OPERATION ALL UTILITIES NOT DESIGNATED TO BE REMOVED. 3. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE TO ANY EXISTING UTILITY IDENTIFIED TO REMAIN WITHIN THE LIMITS OF
- THE PROPOSED WORK DURING CONSTRUCTION. 4. A MINIMUM HORIZONTAL SEPARATION OF 10 FEET IS REQUIRED BETWEEN ANY SANITARY SEWER SERVICE AND ANY WATER LINES. IF THIS SEPARATION CANNOT BE PROVIDED, A CONCRETE ENCASEMENT SHALL BE UTILIZED FOR THE SANITARY SEWER SERVICE
- AS APPROVED BY STONEFIELD ENGINEERING & DESIGN, LLC. 5. ALL WATER LINES SHALL BE VERTICALLY SEPARATED ABOVE SANITARY SEWER LINES BY A MINIMUM DISTANCE OF 18 INCHES. IF THIS SEPARATION CANNOT BE PROVIDED, A CONCRETE ENCASEMENT SHALL BE UTILIZED FOR THE SANITARY SEWER SERVICE AS APPROVED BY STONEFIELD ENGINEERING & DESIGN, LLC.
- 6. THE CONTRACTOR TO PERFORM A TEST PIT PRIOR TO CONSTRUCTION (RECOMMEND 30 DAYS PRIOR) AT LOCATIONS OF EXISTING UTILITY CROSSINGS FOR WATER AND SANITARY SEWER CONNECTION IMPROVEMENTS. SHOULD A CONFLICT EXIST, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY STONEFIELD ENGINEERING & DESIGN, LLC. IN WRITING.
- 7. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING GAS, ELECTRIC AND TELECOMMUNICATION CONNECTIONS WITH THE APPROPRIATE GOVERNING AUTHORITY.
- 8. CONTRACTOR SHALL START CONSTRUCTION OF ANY GRAVITY SEWER AT THE LOWEST INVERT AND WORK UP-GRADIENT. 9. THE CONTRACTOR IS RESPONSIBLE TO MAINTAIN A RECORD SET OF PLANS REFLECTING THE LOCATION OF EXISTING UTILITIES THAT HAVE BEEN CAPPED, ABANDONED, OR RELOCATED BASED ON THE DEMOLITION/REMOVAL ACTIVITIES REQUIRED IN THIS PLAN SET. THIS DOCUMENT SHALL BE PROVIDED TO THE OWNER FOLLOWING
- COMPLETION OF WORK. 10. THE CONTRACTOR IS RESPONSIBLE TO MAINTAIN A RECORD OF THE AS-BUILT LOCATIONS OF ALL PROPOSED UNDERGROUND INFRASTRUCTURE. THE CONTRACTOR SHALL NOTE ANY DISCREPANCIES BETWEEN THE AS-BUILT LOCATIONS AND THE LOCATIONS DEPICTED WITHIN THE PLAN SET. THIS RECORD SHALL BE PROVIDED TO THE OWNER FOLLOWING COMPLETION OF WORK.

GRAPHIC SCALE IN FEET I" = 20'





	PROPOSED LUMINAIRE SCHEDULE								
SYMBOL	LABEL	QUANTITY	SECURITY LIGHTING	DISTRIBUTION	LLF	MANUFACTURER	IES FILE		
	A	2	MIRADA MEDIUM LED AREA LIGHT - 12L - 30K - BACKSHIELD	TYPE II	0.9	LSI LIGHTING	MRM-LED-12L-SIL-2-30-70CR		
	В	I	MIRADA MEDIUM LED AREA LIGHT - 7L - 30K - BACKSHIELD	FT	0.9	LSI LIGHTING	MRM-LED-07L-SIL-FT-30-70C		
	с	7	MIRADA MEDIUM WALL SCONCE - 4L - 30K	TYPE III	0.9	LSI LIGHTING	XWM-3-LED-04L-30.ies		
	D	4	MIRADA MEDIUM WALL SCONCE - 8L - 30K	TYPE IV	0.9	LSI LIGHTING	XWM-4-LED-08L-30.ies		
	E	I	MIRADA SMALL SILICONE - 2L - 30K	TYPE II	0.9	LSI LIGHTING	XWS-LED-02L-SIL-2-30-70CR		
	F	3	LSI LED SOFFIT LIGHT - SS - WW	N/A	0.9	LSI LIGHTING	XSPS-S-LED-SS-WW-DFL.ies		

LIGHTING REQUIREMENTS					
CODE SECTION	REQUIRED	PROPOSED			
§ 138-143.(a).(3)	LIGHTS ON POLES, INCLUDING THE BASE, SHALL NOT BE TALLER THAN THE BUILDING WHOSE AREA THEY ILLUMINATE NOR TALLER THAN 20 FT, WHICHEVER IS SHORTER	I5 FT			
§ 138-143.(b).(2)	LEVEL OF LIGHTING SHALL NOT EXCEED:				
	0.5 FC AT RESIDENTIAL PROPERTY LINE	0.5 FC			
	1.0 FC AT NONRESIDENTIAL PROPERTY LINE	1.0 FC			
§ 138-223.(c)	OFF-STREET PARKING LEVEL OF LIGHTING:				
	MINIMUM 1.5 FC	1.5 FC			
	MAXIMUM 5.0 FC	5.0 FC			

Mirada Medium Outdoor LED Area Light Have questions? Call us at (800) 436-7800

ORDERING GUIDE

Prefix	Light Source	Lumen Package	Lens	Distribution		Orientation ²		Voltage
MRM - Mirada Medium Area Light	LED	7L - 7,000 Ims, 48W 9L - 9,000 Ims, 62W 12L - 12,000 Ims, 85W 18L - 18,000 Ims, 135W 24L - 24,000 Ims, 176W 30L - 30,000 Ims, 232W 36L - 36,000 Ims, 288W 42L - 42,000 Ims, 314W 48L - 48,000 Ims, 401W 55L - 55,000 Ims, 438W Custom Lurnen Packages ¹	SIL - Silicone	2 - Type 2 3 - Type 3 4 - Type 4 5W - Type 5 Wi FT - Forward T FTA - Forward T AM - Automoti LC - Left Corner RC - Right Corn	nrow hrow Automotive ve Merchandise	(blank) – stan L- Optics rotate R – Optics rotat	ed left 90°	UNV - Universa HV - High Volta
Color Temp		Color Rendering	Finish				Options	
50 - 5,000 CCT 40 - 4,000 CCT 30 - 3,000 CCT AMB - Phosphor Converted Amber [®]		70CRI - 70 CRI	BLK - Bla BRZ - Dai GMG - GL GPT - Gra	rk Bronze In Metal Gray	MSV - Metallic Sil PLP - Platinum F SVG - Satin Verde WHT - White	Plus		one al Half Louver (al Louver (Sharg

<u>(Blank) - None</u>

<u>Wireless Controls System</u> ALSC - AirLink Synapse Control System⁹

<u>Stand-Alone Controls</u> EXT - 0-10v Dimming leads extended to housing exterior CR7P - 7 Pin Control Receptacle ANSI (136.41⁴ IMSBT1L - Integral Bluetooth™ Motion and Photocell Sensor (8-24' MH)³⁹ IMSBT2L - Integral Bluetooth™ Motion and Photocell Sensor (25-40' MH)³⁹

ALSCS02 - AirLink Synapse Control System with 12-20' Motion Sensor[®] ALSCS04 - AirLink Synapse Control System with 20-40° Motion Sensor⁹ ALBMR1LR - AirLink Blue Long Range Wireless Motion & Photo Sensor Controller (8-24' mounting height)³⁹ ALBMR2LR - AirLink Blue Long Range Wireless Motion & Photo Sensor Controller (25-40' mounting height)³⁹

LIGHT FIXTURE 'A' & 'B'

Mirada Medium Wall Sconce (XWM) Outdoor Wall Sconce Have questions? Call us at (800) 436-7800

ORDERING GUIDE

TYPICAL ORDER EXAMPLE: XWM 2 LED 03L 30 UE BRZ ALSC

Family		Distribution		Light Source	Lumen Package
XWM - Mirada Medium Wall Sconce		2 - Type 2 3 - Type 3 4 - Type 4 FT - Type 4 Forward T	hrow	LED	31 - 3,000 41 - 4,000 61 - 6,000 81 - 8,000 121 - 12,000 151 - 15,000 181 - 18,000 211 - 21,000 Custom Lumen Packages ¹
Voltage	Fin	ish	Control	ls	
UE - Universal Voltage (120-277V) HV - High Voltage (347-480V)	BR GM GP MS PLF SV((- Black Z - Dark Bronze G - Gun Metal Gray I - Graphite V - Metallic Silver P - Platinum Plus G - Satin Verde Green IT - White	ALSC - A ALSCSO1 ALSCSO2 ALBMR11 ALBMR21 Standal DIM - 0- IMSBT11 IMSBT21 Button 1 PCI120 -	stontrols irlink Synapse Control System L - AirLink Synapse Control System w 2 - AirLink Synapse Control System w R - AirLink Blue Wireless Motion & f Controls 10v Dimming leads extended to ho Integral Bluetooth™ Motion and Pl Integral Bluetooth™ Motion and Pl Integral Bluetooth™ Motion and Pl Integral Bluetooth™ Motion and Pl Integral Bluetooth™ Motion and Pl 120V 277 - 208 -277V	rith 12-20' Motion Sensor Photo Sensor Controller (8 - 15') mounting height) Photo Sensor Controller (16 - 40' mounting height) Jusing exterior Notocell Sensor (8-24' MH) ^{3,4}

Mirada Small Silicone (XWS SIL) Have questions? Call us at (800) 436-7800

ORDERING GUIDE

TYPICAL ORDER EXAMPLE: XWS LED 6L SIL FT UNV DIM 40 70CRI ALBCS1 BLK CWBB Prefix Voltage Light Source **2** - Type 2 **3** - Type 3 XWS - Mirada Small Wall Sconce LED 1L - 1,000 (10w) UNV Only SIL - Silicone **2L** - 2,000 (15w) **3L** - 3,000 (26w) HV - High Voltage (347-480V) FT - Forward Throw **5L** - 5,000 (39w) 6L - 6,000 (52w) 8L - 8,000 (63w) Custom Lumen Packages¹ Color Temperature | Color Rendering | Controls Finish **50** - 5000K **70CRI** - 70 CRI BLK - Black Blank - None **40** - 4000K **30** - 3000K Wireless Controls ALBMR1LR - AirLink Blue Multi Range Wireless Motion & Photo Sensor Controller (8-15' GPT - Graphite mounting height)² ALBMR2LR - AirLink Blue Multi Range Wireless Motion & Photo Sensor Controller (16-40' mounting height)² SVG - Satin Verde Green Standalone Controls WHT - White EXT - 0-10v Dimming leads extended to housing exterior **IMSBT1L** - Integral Bluetooth[™] Motion Sensor 8-24' MH^{2,3} Button Type Photocells PCI120 - 120V PCI208-277 - 208 -277V PCI347 - 347V LIGHT FIXTURE 'E'





	LANDSCAPING REQUIREMENTS	
CODE SECTION	REQUIRED	PROPOSED
	PARKING LOT SCREENING	
§ 138-222.(c)(2)c.	WHERE A PARKING LOT ABUTS A RESIDENTIAL DISTRICT: 6 FT TALL MASONRY WALL REQUIRED	EXISTING WALL TO BE MODIFIED

PLANT SCHEDULE							
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	
			DECIDUOUS	TREES			
+	GLE	I	GLEDITSIA TRIACANTHOS INERMIS 'SHADEMASTER'	SHADEMASTER HONEY LOCUST	2" - 2.5" CAL	B&B	
			EVERGREEN 1	REES			
\odot	BLU	14	JUNIPERUS SCOPULORUM 'BLUE ARROW'	BLUE ARROW JUNIPER	6' - 8' HT	B&B	
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	VIR	6	JUNIPERUS VIRGINIANA 'J.N. SELECT GREEN'	EMERALD FEATHER EASTERN REDCEDAR	6' - 8' HT	B&B	
			SHRUBS				
$\bigcirc$	COR	6	CORNUS STOLONIFERA 'FARROW'	ARCTIC FIRE RED TWIG DOGWOOD	18" - 24"	РОТ	
*	РНҮ	5	PHYSOCARPUS OPULIFOLIUS 'LITTLE DEVIL'	LITTLE DEVIL DWARF NINEBARK	18" - 24"	РОТ	
			EVERGREEN SH	IRUBS			
$\odot$	ILE	12	ILEX GLABRA 'COMPACTA'	COMPACT INKBERRY	18" - 24"	РОТ	
Ô	TAX	6	TAXUS X MEDIA 'DENSIFORMIS'	DENSE ANGLO-JAPANESE YEW	18" - 24"	РОТ	
· <b>*</b>	•		GROUND CC	VERS	•	•	
$\begin{array}{c} & \\ & \\ & \\ & \\ & \\ & \\ & \\ & \\ & \\ & $	BAR	63	JUNIPERUS HORIZONTALIS 'BAR HARBOR'	BAR HARBOR CREEPING JUNIPER	I GAL.	POT, 36" O.C.	

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN ON THE LANDSCAPE PLAN AND WITHIN THE PLANT LIST, THE PLAN SHALL DICTATE.



# Know what's **below Call** before you dig.

# **IRRIGATION NOTE:**

IRRIGATION CONTRACTOR TO PROVIDE A DESIGN FOR AN IRRIGATION SYSTEM SEPARATING PLANTING BEDS FROM LAWN AREA. PRIOR TO CONSTRUCTION, DESIGN IS TO BE SUBMITTED TO THE PROJECT LANDSCAPE DESIGNER FOR REVIEW AND APPROVAL. WHERE POSSIBLE, DRIP IRRIGATION AND OTHER WATER CONSERVATION TECHNIQUES SUCH AS RAIN SENSORS SHALL BE IMPLEMENTED. CONTRACTOR TO VERIFY MAXIMUM ON SITE DYNAMIC WATER PRESSURE AVAILABLE MEASURED IN PSI. PRESSURE REDUCING DEVICES OR BOOSTER PUMPS SHALL BE PROVIDED TO MEET SYSTEM PRESSURE REQUIREMENTS. DESIGN TO SHOW ALL VALVES, PIPING, HEADS, BACKFLOW PREVENTION, METERS, CONTROLLERS, AND SLEEVES WITHIN HARDSCAPE AREAS.

# LANDSCAPING NOTES

- I. THE CONTRACTOR SHALL RESTORE ALL DISTURBED GRASS AND LANDSCAPED AREAS TO MATCH EXISTING CONDITIONS UNLESS INDICATED OTHERWISE WITHIN THE PLAN SET.
- THE CONTRACTOR SHALL RESTORE ALL DISTURBED LAWN AREAS WITH A MINIMUM 4 INCH LAYER OF TOPSOIL AND SEED.
- THE CONTRACTOR SHALL RESTORE MULCH AREAS WITH A MINIMUM 3 INCH LAYER OF MULCH .
- THE MAXIMUM SLOPE ALLOWABLE IN LANDSCAPE RESTORATION AREAS SHALL BE 3 FEET HORIZONTAL TO I FOOT VERTICAL (3:1 SLOPE) UNLESS INDICATED OTHERWISE WITHIN THE PLAN SET.
- 5. THE CONTRACTOR IS REQUIRED TO LOCATE ALL SPRINKLER HEADS IN AREA OF LANDSCAPING DISTURBANCE PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL RELOCATE SPRINKLER HEADS AND LINES IN ACCORDANCE WITH OWNER'S DIRECTION WITHIN AREAS OF DISTURBANCE.
- 6. THE CONTRACTOR SHALL ENSURE THAT ALL DISTURBED LANDSCAPED AREAS ARE GRADED TO MEET FLUSH AT THE ELEVATION OF WALKWAYS AND TOP OF CURB ELEVATIONS EXCEPT UNLESS INDICATED OTHERWISE WITHIN THE PLAN SET. NO ABRUPT CHANGES IN GRADE ARE PERMITTED IN DISTURBED LANDSCAPING AREAS.

GRAPHIC SCALE IN FEET l" = 20'





# GENERAL LANDSCAPING NOTES

- I. THE LANDSCAPE CONTRACTOR SHALL FURNISH ALL MATERIALS AND PERFORM ALL WORK IN ACCORDANCE WITH THESE I. ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2004) OR LATEST SPECIFICATIONS, APPROVED OR FINAL DRAWINGS, AND INSTRUCTIONS PROVIDED BY THE PROJECT LANDSCAPE DESIGNER, MUNICIPAL OFFICIALS, OR OWNER/OWNER'S REPRESENTATIVE. ALL WORK COMPLETED AND MATERIALS FURNISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH THE INTENTION OF THE SPECIFICATIONS, DRAWINGS, AND INSTRUCTIONS AND EXECUTED WITH THE STANDARD LEVEL OF CARE FOR THE LANDSCAPE INDUSTRY. 2. WORK MUST BE CARRIED OUT ONLY DURING WEATHER CONDITIONS FAVORABLE TO LANDSCAPE CONSTRUCTION AND TO
- THE HEALTH AND WELFARE OF PLANTS. THE SUITABILITY OF SUCH WEATHER CONDITIONS SHALL BE DETERMINED BY THE PROJECT LANDSCAPE DESIGNER OR GOVERNING MUNICIPAL OFFICIAL. 3. IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR, BEFORE ORDERING OR PURCHASING MATERIALS, TO PROVIDE SAMPLES OF THOSE MATERIALS TO THE PROJECT LANDSCAPE DESIGNER OR GOVERNING MUNICIPAL OFFICIAL FOR APPROVAL,
- IF SO REQUESTED. 4. IF SAMPLES ARE REQUESTED, THE LANDSCAPE CONTRACTOR IS TO SUBMIT CERTIFICATION TAGS FROM TREES, SHRUBS AND SEED VERIFYING TYPE AND PURITY.
- 5. UNLESS OTHERWISE AUTHORIZED BY THE PROJECT LANDSCAPE DESIGNER OR GOVERNING MUNICIPAL OFFICIAL, THE LANDSCAPE CONTRACTOR SHALL PROVIDE NOTICE AT LEAST FORTY-EIGHT HOURS (48 HRS.) IN ADVANCE OF THE ANTICIPATED DELIVERY DATE OF ANY PLANT MATERIALS TO THE PROJECT SITE. A LEGIBLE COPY OF THE INVOICE, SHOWING VARIETIES AND SIZES OF MATERIALS INCLUDED FOR EACH SHIPMENT SHALL BE FURNISHED TO THE PROJECT LANDSCAPE DESIGNER. OR GOVERNING MUNICIPAL OFFICIAL
- 6. THE PROJECT LANDSCAPE DESIGNER OR GOVERNING MUNICIPAL OFFICIAL RESERVES THE RIGHT TO INSPECT AND REJECT PLANTS AT ANY TIME AND AT ANY PLACE.

# PROTECTION OF EXISTING VEGETATION NOTES

- . BEFORE COMMENCING WORK, ALL EXISTING VEGETATION WHICH COULD BE IMPACTED AS A RESULT OF THE PROPOSED CONSTRUCTION ACTIVITIES MUST BE PROTECTED FROM DAMAGE BY THE INSTALLATION OF TREE PROTECTION FENCING. FENCING SHALL BE LOCATED AT THE DRIP-LINE OR LIMIT OF DISTURBANCE AS DEPICTED WITHIN THE APPROVED OR FINAL PLAN SET, ESTABLISHING THE TREE PROTECTION ZONE. FENCE INSTALLATION SHALL BE IN ACCORDANCE WITH THE PROVIDED "TREE PROTECTION FENCE DETAIL." NO WORK MAY BEGIN UNTIL THIS REQUIREMENT IS FULFILLED. THE FENCING SHALL BE INSPECTED REGULARLY BY THE LANDSCAPE CONTRACTOR AND MAINTAINED UNTIL ALL CONSTRUCTION ACTIVITIES HAVE BEEN COMPLETED
- 2. IN ORDER TO AVOID DAMAGE TO ROOTS, BARK OR LOWER BRANCHES, NO VEHICLE, EQUIPMENT, DEBRIS, OR OTHER MATERIALS SHALL BE DRIVEN, PARKED OR PLACED WITHIN THE TREE PROTECTION ZONE. ALL ON-SITE CONTRACTORS SHALL USE ANY AND ALL PRECAUTIONARY MEASURES WHEN PERFORMING WORK AROUND TREES, WALKS, PAVEMENTS, UTILITIES, AND ANY OTHER FEATURES EITHER EXISTING OR PREVIOUSLY INSTALLED UNDER THIS CONTRACT. 3. IN RARE INSTANCES WHERE EXCAVATING, FILL, OR GRADING IS REQUIRED WITHIN THE DRIP-LINE OF TREES TO REMAIN, THE
- WORK SHALL BE PERFORMED AS FOLLOWS: • TRENCHING: WHEN TRENCHING OCCURS AROUND TREES TO REMAIN, THE TREE ROOTS SHALL NOT BE CUT, BUT THE TRENCH SHALL BE TUNNELED UNDER OR AROUND THE ROOTS BY CAREFUL HAND DIGGING AND WITHOUT INJURY TO
- THE ROOTS. NO ROOTS, LIMBS, OR WOODS ARE TO HAVE ANY PAINT OR MATERIAL APPLIED TO ANY SURFACE. RAISING GRADES: WHEN THE GRADE AT AN EXISTING TREE IS BELOW THE NEW FINISHED GRADE, AND FILL NOT EXCEEDING 6 INCHES (6") IS REQUIRED, CLEAN, WASHED GRAVEL FROM ONE TO TWO INCHES (1" - 2") IN SIZE SHALL BE PLACED DIRECTLY AROUND THE TREE TRUNK. THE GRAVEL SHALL EXTEND OUT FROM THE TRUNK ON ALL SIDES A MINIMUM OF 18 INCHES (18") AND FINISH APPROXIMATELY TWO INCHES (2") ABOVE THE FINISH GRADE AT TREE. INSTALL GRAVEL BEFORE ANY EARTH FILL IS PLACED. NEW EARTH FILL SHALL NOT BE LEFT IN CONTACT WITH THE TRUNK OF ANY TREE REQUIRING FILL. WHERE FILL EXCEEDING 6 INCHES (6") IS REQUIRED, A DRY LAID TREE WELL SHALL BE CONSTRUCTED. IF APPLICABLE, TREE WELL INSTALLATION SHALL BE IN ACCORDANCE WITH THE PROVIDED "TREE WELL DETAIL."
- LOWERING GRADES: EXISTING TREES LOCATED IN AREAS WHERE THE NEW FINISHED GRADE IS TO BE LOWERED, SHALL HAVE RE-GRADING WORK DONE BY HAND TO THE INDICATED ELEVATION, NO GREATER THAN SIX INCHES (6"), ROOTS SHALL BE CUT CLEANLY THREE INCHES (3") BELOW FINISHED GRADE UNDER THE DIRECTION OF A LICENSED ARBORIST WHERE CUT EXCEEDING 6 INCHES (6") IS REQUIRED, A DRY LAID RETAINING WALL SHALL BE CONSTRUCTED. IF APPLICABLE, THE RETAINING WALL INSTALLATION SHALL BE IN ACCORDANCE WITH THE PROVIDED "TREE RETAINING WALL DETAIL."

SOIL PREPARATION AND MULCH NOTES:

2

- I. LANDSCAPE CONTRACTOR SHALL OBTAIN A SOIL TEST OF THE IN-SITU TOPSOIL BY A CERTIFIED SOIL LABORATORY PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL ALLOW FOR A TWO WEEK TURNAROUND TIME FROM SUBMITTAL OF SAMPLE TO NOTIFICATION OF RESULTS. 2. BASED ON SOIL TEST RESULTS, ADJUST THE RATES OF LIME AND FERTILIZER THAT SHALL BE MIXED INTO THE TOP SIX INCHES
- (6") OF TOPSOIL. THE LIME AND FERTILIZER RATES PROVIDED WITHIN THE "SEED SPECIFICATION" OR "SOD SPECIFICATION" IS APPROXIMATE AND FOR BIDDING PURPOSES ONLY. IF ADDITIONAL AMENDMENTS ARE NECESSARY, ADJUST THE TOPSOIL AS FOLLOWS: • MODIFY HEAVY CLAY OR SILT SOILS (MORE THAN 40% CLAY OR SILT) BY ADDING COMPOSTED PINE BARK (UP TO 30% BY
- VOLUME) OR GYPSUM • MODIFY EXTREMELY SANDY SOILS (MORE THAN 85%) BY ADDING ORGANIC MATTER AND/OR DRY, SHREDDED CLAY LOAM UP TO 30% OF THE TOTAL MIX. . TOPSOIL SHALL BE FERTILE, FRIABLE, NATURAL TOPSOIL OF LOAMING CHARACTER, WITHOUT ADMIXTURE OF SUBSOIL
- MATERIAL OBTAINED FROM A WELL-DRAINED ARABLE SITE, FREE FROM ALL CLAY, LUMPS, COARSE SANDS, STONES, PLANTS, ROOTS, STICKS, AND OTHER FOREIGN MATERIAL GREATER THAN ONE INCH (1"). 4. TOPSOIL SHALL HAVE A PH RANGE OF 5.0-7.0 AND SHALL NOT CONTAIN LESS THAN 6% ORGANIC MATTER BY WEIGHT
- 5. OBTAIN TOPSOIL ONLY FROM LOCAL SOURCES OR FROM AREAS HAVING SIMILAR SOIL CHARACTERISTICS TO THAT FOUND AT THE PROJECT SITE. 6. CONTRACTOR SHALL PROVIDE A SIX INCH (6") DEEP LAYER OF TOPSOIL IN ALL PLANTING AREAS. TOPSOIL SHALL BE SPREAD OVER A PREPARED SURFACE IN A UNIFORM LAYER TO ACHIEVE THE DESIRED COMPACTED THICKNESS. THE SPREADING OF
- TOPSOIL SHALL NOT BE CONDUCTED UNDER MUDDY OR FROZEN SOIL CONDITIONS. . UNLESS OTHERWISE NOTED IN THE CONTRACT, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF TOPSOIL AND THE ESTABLISHMENT OF FINE-GRADING WITHIN THE DISTURBED AREA OF THE SITE.
- LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE SUB-GRADE ELEVATION MEETS THE FINISHED GRADE ELEVATION (LESS REOUIRED TOPSOIL). IN ACCORDANCE WITH THE APPROVED OR FINAL GRADING PLAN 9. ALL LAWN AND PLANTING AREAS SHALL BE GRADED TO A SMOOTH, EVEN AND UNIFORM PLANE WITH NO ABRUPT CHANGE OF SURFACE AS DEPICTED WITHIN THE APPROVED OR FINAL CONSTRUCTION SET UNLESS OTHERWISE DIRECTED BY THE
- PROJECT LANDSCAPE DESIGNER OR MUNICIPAL OFFICIAL 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROPER SURFACE AND SUBSURFACE PLANT BED DRAINAGE PRIOR TO THE INSTALLATION OF PLANTINGS. IF POOR DRAINAGE CONDITIONS EXIST, CORRECTIVE ACTION SHALL BE TAKEN PRIOR TO INSTALLATION. ALL PLANTING AND LAWN AREAS SHALL BE GRADED AND MAINTAINED TO ALLOW A FREE FLOW OF SURFACE WATER
- II. DOUBLE SHREDDED HARDWOOD MULCH OR APPROVED EQUAL SHALL BE USED AS A THREE INCH (3") TOP DRESSING IN ALL SHRUB PLANTING BEDS AND AROUND ALL TREES PLANTED BY LANDSCAPE CONTRACTOR, GROUND COVER, PERENNIAL, AND ANNUAL PLANTING BEDS SHALL BE MULCHED WITH A TWO INCH (2") TOP DRESSING. SINGLE TREES OR SHRUBS SHALL BE MULCHED TO AVOID CONTACT WITH TRUNK OR PLANT STEM. MULCH SHALL BE OF SUFFICIENT CHARACTER AS NOT TO BE EASILY DISPLACED BY WIND OR WATER RUNOFF
- 12. WHENEVER POSSIBLE, THE SOIL PREPARATION AREA SHALL BE CONNECTED FROM PLANTING TO PLANTING. 13. Soil shall be loosened with a backhoe or other large coarse-tiling eouipment unless the soil is frozen or EXCESSIVELY WET. TILING THAT PRODUCES LARGE, COARSE CHUNKS OF SOIL IS PREFERABLE TO TILING THAT RESULTS IN FINE GRAINS UNIFORM IN TEXTURE. AFTER THE AREA IS LOOSENED IT SHALL NOT BE DRIVEN OVER BY ANY VEHICLE. 14. APPLY PRE-EMERGENT WEED CONTROL TO ALL PLANT BEDS PRIOR TO MULCHING. ENSURE COMPATIBILITY BETWEEN
- PRODUCT AND PLANT MATERIAL 15. ALL PLANTING SOIL SHALL BE AMENDED WITH THE FOLLOWING:

MYCRO® TREE SAVER - A DRY GRANULAR MYCORRHIZAL FUNGI INOCULANT THAT IS MIXED IN THE BACKFILL WHEN PLANTING TREES AND SHRUBS. IT CONTAINS SPORES OF BOTH ECTOMYCORRHIZAL AND VA MYCORRHIZAL FUNGI (VAM), BENEFICIAL RHIZOSPHERE BACTERIA, TERRA-SORB SUPERABSORBENT HYDROGEL TO REDUCE WATER LEACHING, AND SELECTED ORGANIC MICROBIAL NUTRIENT

- DIRECTIONS FOR USE: USE 3-OZ PER EACH FOOT DIAMETER OF THE ROOT BALL, OR 3-OZ PER INCH CALIPER. MIX INTO THE BACKFILL WHEN TRANSPLANTING TREES AND SHRUBS. MIX PRODUCT IN A RING-SHAPED VOLUME OF SOIL AROUND THE UPPER PORTION OF THE ROOT BALL, EXTENDING FROM THE SOIL SURFACE TO A DEPTH OF ABOUT 8 INCHES, AND EXTENDING OUT FROM THE ROOT BALL ABOUT 8 INCHES INTO THE BACKFILL. APPLY WATER TO SOIL SATURATION.
- MYCOR® TREE SAVER® IS EFFECTIVE FOR ALL TREE AND SHRUB SPECIES EXCEPT RHODODENDRONS, AZALEAS, AND MOUNTAIN LAUREL. WHICH REOUIRE ERICOID MYCORRHIZAE. • SOIL PH: THE FUNGI IN THIS PRODUCT WERE CHOSEN BASED ON THEIR ABILITY TO SURVIVE AND COLONIZE PLANT ROOTS
- IN A PH RANGE OF 3 TO 9. FUNGICIDES: THE USE OF CERTAIN FUNGICIDES CAN HAVE A DETRIMENTAL EFFECT ON THE INOCULATION PROGRAM. SOIL
- APPLICATION OF ANY FUNGICIDE IS NOT RECOMMENDED FOR TWO WEEKS AFTER APPLICATION. OTHER PESTICIDES: HERBICIDES AND INSECTICIDES DO NOT NORMALLY INTERFERE WITH MYCORRHIZAL FUNGAL DEVELOPMENT, BUT MAY INHIBIT THE GROWTH OF SOME TREE AND SHRUB SPECIES IF NOT USED PROPERLY.

HEALTHY START MACRO TABS 12-8-8

• FERTILIZER TABLETS ARE PLACED IN THE UPPER 4 INCHES OF BACKFILL SOIL WHEN PLANTING TREES AND SHRUBS. • TABLETS ARE FORMULATED FOR LONG-TERM RELEASE BY SLOW BIODEGRADATION, AND LAST UP TO 2 YEARS AFTER PLANTING. TABLETS CONTAIN 12-8-8 NPK FERTILIZER, AS WELL AS A MINIMUM OF SEVEN PERCENT (7%) HUMIC ACID BY WEIGHT, MICROBIAL NUTRIENTS DERIVED FROM SEA KELP, PROTEIN BYPRODUCTS, AND YUCCA SCHIDIGERA, AND A COMPLEMENT OF BENEFICIAL RHIZOSPHERE BACTERIA. THE STANDARD 21 GRAM TABLET IS SPECIFIED HERE. DIRECTIONS FOR USE: FOR PLANTING BALLED & BURLAPPED (B&B) TREES AND SHRUBS, MEASURE THE THICKNESS OF THE TRUNK, AND USE ABOUT I TABLET (21-G) PER HALF-INCH. PLACE THE TABLETS DIRECTLY NEXT TO THE ROOT BALL, EVENLY DISTRIBUTED 3. REFERENCE LANDSCAPE PLAN FOR AREAS TO BE SEEDED OR LAID WITH SOD AROUND ITS PERIMETER, AT A DEPTH OF ABOUT 4 INCHES.

IRRIGATION DURING ESTABLISHMENT							
SIZE AT PLANTING	IRRIGATION FOR VITALITY	IRRIGATION FOR SURVIVAL					
< 2" CALIPER	DAILY FOR TWO WEEKS, EVERY OTHER DAY FOR TWO MONTHS, WEEKLY UNTIL ESTABLISHED	TWO TO THREE TIMES WEEKLY FOR TWO TO THREE MONTHS					
2"-4 CALIPER	DAILY FOR ONE MONTH, EVERY OTHER DAY FOR THREE MONTHS, WEEKLY UNTIL ESTABLISHED	TWO TO THREE TIMES WEEKLY FOR THREE TO FOUR MONTHS					
4 >" CALIPER	DAILY FOR SIX WEEKS, EVERY OTHER DAY FOR FIVE MONTHS, WEEKLY UNTIL ESTABLISHED	TWICE WEEKLY FOR FOUR TO FIVE MONTHS					

. AT EACH IRRIGATION, APPLY TWO TO THREE GALLONS PER INCH TRUNK CALIPER TO THE ROOT BALL SURFACE. APPLY IT IN A MANNER SO ALL WATER SOAKS THE ENTIRE ROOT BALL. DO NOT WATER IF ROOT BALL IS WET/SATURATED ON THE IRRIGATION DAY.

2. WHEN IRRIGATING FOR VITALITY, DELETE DAILY IRRIGATION WHEN PLANTING IN WINTER OR WHEN PLANTING IN COOL CLIMATES. ESTABLISHMENT TAKES THREE TO FOUR MONTHS PER INCH TRUNK CALIPER. NEVER APPLY IRRIGATION IF THE SOIL IS SATURATED.

3. WHEN IRRIGATION FOR SURVIVAL, TREES TAKE MUCH LONGER TO ESTABLISH THAN REGULARLY IRRIGATED TREES. IRRIGATION MAY BE REQUIRED IN THE NORMAL HOT, DRY PORTIONS OF THE FOLLOWING YEAR.

INSTALLATION GUIDELINES: I. LOOP TIE AROUND TREE AND NAIL TO CEDAR STAKE

- 2. REMOVE ALL STAKING AND TIES AT END OF FIRST GROWING SEASON.
- FOLD ENDS OF ARBORTIE BACK. SECURE TO STAKES WITH I" GALVANIZED ROOFING NAIL OR USE A
- 4. CONSULT LANDSCAPE ARCHITECT FOR STAKING OF TREES LARGER THAN 6".
- SOURCES INCLUDE: GEMPLERS I-800-332-6744 or GEMPLERS.COM CSP OUTDOORS 1-800-592-6940 or CSPOUTDOORS.COM

# **ARBORTIE DETAIL**

NOT TO SCALE	Z
USE FINGERS OR SMALL HAND TOOL TO PULL ROOTS OUT OF BALL. SOIL TO BE PREPARED PER NOTES PRIOR TO PLANTING TREE. UIUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUU	L TO UTER T OR THE OOT SOIL FIRST AND THE SOILS T) BY C (UP SOILS DING
AIL	

### PLANT QUALITY AND HANDLING NOTES

DETAILS.

CAF

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REVISION AS PUBLISHED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION. 2. IN ALL CASES, BOTANICAL NAMES LISTED WITHIN THE APPROVED OR FINAL PLANT LIST SHALL TAKE PRECEDENCE OVER

COMMON NAMES 3. ALL PLANTS SHALL BE OF SELECTED SPECIMEN QUALITY, EXCEPTIONALLY HEAVY, TIGHTLY KNIT, SO TRAINED OR FAVORED IN THEIR DEVELOPMENT AND APPEARANCE AS TO BE SUPERIOR IN FORM, NUMBER OF BRANCHES, COMPACTNESS AND SYMMETRY. ALL PLANTS SHALL HAVE A NORMAL HABIT OR SOUND. HEALTHY, VIGOROUS PLANTS WITH WELL DEVELOPED ROOT SYSTEM. PLANTS SHALL BE FREE OF DISEASE, INSECT PESTS, EGGS OR LARVAE. 4. PLANTS SHALL NOT BE PRUNED BEFORE DELIVERY. TREES WITH ABRASION OF THE BARK, SUNSCALDS, DISFIGURING KNOTS OR

FRESH CUTS OF LIMBS OVER ONE AND ONE-FOURTH INCHES (1-1/4") WHICH HAVE NOT COMPLETELY CALLOUSED SHALL BE REIECTED 5. ALL PLANTS SHALL BE TYPICAL OF THEIR SPECIES OR VARIETY AND SHALL HAVE A NORMAL HABIT OF GROWTH AND BE LEGIBLY

TAGGED WITH THE PROPER NAME AND SIZE. 6. THE ROOT SYSTEM OF EACH PLANT SHALL BE WELL PROVIDED WITH FIBROUS ROOTS. ALL PARTS SHALL BE SOUND, HEALTHY, VIGOROUS, WELL-BRANCHED AND DENSELY FOLIATED WHEN IN LEAF

7. ALL PLANTS DESIGNATED BALL AND BURLAP (B&B) MUST BE MOVED WITH THE ROOT SYSTEM AS SOLID UNITS WITH BALLS OF EARTH FIRMLY WRAPPED WITH BURLAP. THE DIAMETER AND DEPTH OF THE BALLS OF EARTH MUST BE SUFFICIENT TO ENCOMPASS THE FIBROUS ROOT FEEDING SYSTEMS NECESSARY FOR THE HEALTHY DEVELOPMENT OF THE PLANT. NO PLANT SHALL BE ACCEPTED WHEN THE BALL OF EARTH SURROUNDING ITS ROOTS HAS BEEN BADLY CRACKED OR BROKEN PREPARATORY TO OR DURING THE PROCESS OF PLANTING. THE BALLS SHALL REMAIN INTACT DURING ALL OPERATIONS. ALL PLANTS THAT CANNOT BE PLANTED AT ONCE MUST BE HEELED-IN BY SETTING IN THE GROUND AND COVERING THE BALLS WITH SOIL OR MULCH AND THEN WATERING. HEMP BURLAP AND TWINE IS PREFERABLE TO TREATED. IF TREATED BURLAP IS USED, ALL TWINE IS TO BE CUT FROM AROUND THE TRUNK AND ALL BURLAP IS TO BE REMOVED.

8. PLANTS TRANSPORTED TO THE PROJECT IN OPEN VEHICLES SHALL BE COVERED WITH TARPS OR OTHER SUITABLE COVERS SECURELY FASTENED TO THE BODY OF THE VEHICLE TO PREVENT INJURY TO THE PLANTS. CLOSED VEHICLES SHALL BE ADEQUATELY VENTILATED TO PREVENT OVERHEATING OF THE PLANTS. EVIDENCE OF INADEQUATE PROTECTION FOLLOWING DIGGING, CARELESSNESS WHILE IN TRANSIT, OR IMPROPER HANDLING OR STORAGE SHALL BE CAUSE FOR REJECTION OF PLANT MATERIAL. ALL PLANTS SHALL BE KEPT MOIST, FRESH, AND PROTECTED. SUCH PROTECTION SHALL ENCOMPASS THE ENTIRE PERIOD DURING WHICH THE PLANTS ARE IN TRANSIT, BEING HANDLED, OR ARE IN TEMPORARY STORAGE. 9. ALL PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE CORRESPONDING LANDSCAPE PLAN AND PLANTING

10. LANDSCAPE CONTRACTOR SHALL MAKE BEST EFFORT TO INSTALL PLANTINGS ON THE SAME DAY AS DELIVERY. IF PLANTS ARE NOT PLANTED IMMEDIATELY ON SITE, PROPER CARE SHALL BE TAKEN TO PLACE THE PLANTINGS IN PARTIAL SHADE WHEN POSSIBLE. THE ROOT BALL SHALL BE KEPT MOIST AT ALL TIME AND COVERED WITH MOISTENED MULCH OR AGED WOODCHIPS. PROPER IRRIGATION SHALL BE SUPPLIED SO AS TO NOT ALLOW THE ROOT BALL TO DRY OUT. PLANTINGS HALL BE UNTIED AND PROPER SPACING SHALL BE ALLOTTED FOR AIR CIRCULATION AND TO PREVENT DISEASE, WILTING. AND LEAF LOSS. PLANTS THAT REMAIN UNPLANTED FOR A PERIOD OF TIME GREATER THAN THREE (3) DAYS SHALL BE HEALED IN WITH TOPSOIL OR MULCH AND WATERED AS REQUIRED TO PRESERVE ROOT MOISTURE. II. NO PLANT MATERIAL SHALL BE PLANTED IN MUDDY OR FROZEN SOIL.

12. PLANTS WITH INJURED ROOTS OR BRANCHES SHALL BE PRUNED PRIOR TO PLANTING UTILIZING CLEAN, SHARP TOOLS. ONLY DISEASED OR INJURED PLANTS SHALL BE REMOVED. 13. IF ROCK OR OTHER UNDERGROUND OBSTRUCTION IS ENCOUNTERED, THE LANDSCAPE DESIGNER RESERVES THE RIGHT TO

RELOCATE OR ENLARGE PLANTING PITS OR DELETE PLANT MATERIAL FROM THE CONTRACT. 14. IF PLANTS ARE PROPOSED WITHIN SIGHT TRIANGLES, TREES SHALL BE LIMBED AND MAINTAINED TO A HEIGHT OF EIGHT FEET (8') ABOVE GRADE, AND SHRUBS, GROUND COVER, PERENNIALS, AND ANNUALS SHALL BE MAINTAINED TO A HEIGHT NOT TO EXCEED TWO FEET (2') ABOVE GRADE UNLESS OTHERWISE NOTED OR SPECIFIED BY THE GOVERNING MUNICIPALITY OR AGENCY

15. INSTALLATION SHALL OCCUR DURING THE FOLLOWING SEASONS: PLANTS (MARCH 15 - DECEMBER 15)

LAWNS (MARCH 15 - JUNE 15 OR SEPTEMBER 1 - DECEMBER 1)

16. THE FOLLOWING TREES ARE SUSCEPTIBLE TO TRANSPLANT SHOCK AND SHALL NOT BE PLANTED DURING THE FALL SEASON (STARTING SEPTEMBER 15 ABIES CONCOLOR COPNILIS VADIETIES OSTRYA VIRGINIANA

ES CONCOLOR	CORINUS VARIETIES	USTRIA VIRGINIAINA
ER BUERGERIANUM	CRATAEGUS VARIETIES	PINUS NIGRA
ER FREEMANII	CUPRESSOCYPARIS LEYLANDII	PLATANUS VARIETIES
ER RUBRUM	FAGUS VARIETIES	POPULUS VARIETIES
er saccharinum	HALESIA VARIETIES	PRUNUS VARIETIES
ULA VARIETIES	ILEX X FOSTERII	PYRUS VARIETIES
RPINUS VARIETIES	ILEX NELLIE STEVENS	QUERCUS VARIETIES (1
DRUS DEODARA	ILEX OPACA	SALIX WEEPING VARIE
TIS VARIETIES	JUNIPERUS VIRGINIANA	SORBUS VARIETIES
RCIDIPHYLLUM VARIETIES	KOELREUTERIA PANICULATA	TAXODIUM VARIETIES
RCIS CANADENSIS	LIQUIDAMBAR VARIETIES	TAXUX B REPANDENS
RNUS VARIETIES	LIRIODENDRON VARIETIES	TILIA TOMENTOSA VA
ATAEGUS VARIETIES	MALUS IN LEAF	ULMUS PARVIFOLIA VA
	NYSSA SYLVATICA	ZELKOVA VARIETIES

US VARIETIES JS VARIETIES VARIETIES CUS VARIETIES (NOT Q. PALUSTRIS) WEEPING VARIETIES S VARIETIES DIUM VARIETIES K B REPANDENS OMENTOSA VARIETIES PARVIFOLIA VARIETIES

17. IF A PROPOSED PLANT IS UNATTAINABLE OR ON THE FALL DIGGING HAZARD LIST, AN EQUIVALENT SPECIES OF THE SAME SIZE MAY BE REQUESTED FOR SUBSTITUTION OF THE ORIGINAL PLANT. ALL SUBSTITUTIONS SHALL BE APPROVED BY THE PROJECT LANDSCAPE DESIGNER OR MUNICIPAL OFFICIAL PRIOR TO ORDERING AND INSTALLATION.

18. DURING THE COURSE OF CONSTRUCTION/PLANT INSTALLATION, EXCESS AND WASTE MATERIALS SHALL BE CONTINUOUSLY AND PROMPTLY REMOVED AT THE END OF EACH WORK DAY. ALL DEBRIS, MATERIALS, AND TOOLS SHALL BE PROPERLY STORED, STOCKPILED OR DISPOSED OF AND ALL PAVED AREAS SHALL BE CLEANED.

19. THE LANDSCAPE CONTRACTOR SHALL DISPOSE OF ALL RUBBISH AND EXCESS SOIL AT HIS EXPENSE TO AN OFF-SITE LOCATION AS APPROVED BY THE LOCAL MUNICIPALITY. 20. A 90-DAY MAINTENANCE PERIOD SHALL BEGIN IMMEDIATELY AFTER ALL PLANTS HAVE BEEN SATISFACTORILY INSTALLED.

21. MAINTENANCE SHALL INCLUDE, BUT NOT BE LIMITED TO, REPLACING MULCH THAT HAS BEEN DISPLACED BY EROSION OR other means, repairing and reshaping water rings or saucers, maintaining stakes and guys if originali REQUIRED, WATERING WHEN NEEDED OR DIRECTED, WEEDING, PRUNING, SPRAYING, FERTILIZING, MOWING THE LAWN, AND PERFORMING ANY OTHER WORK REQUIRED TO KEEP THE PLANTS IN A HEALTHY CONDITION.

2. MOW ALL GRASS AREAS AT REGULAR INTERVALS TO KEEP THE GRASS HEIGHT FROM EXCEEDING THREE INCHES (3"). MOWING SHALL BE PERFORMED ONLY WHEN GRASS IS DRY. MOWER BLADE SHALL BE SET TO REMOVE NO MORE THAN ONE THIRD (1/3) OF THE GRASS LENGTH. WHEN THE AMOUNT OF GRASS IS HEAVY, IT SHALL BE REMOVED TO PREVENT DESTRUCTION OF THE UNDERLYING TURF. MOW GRASS AREAS IN SUCH A MANNER AS TO PREVENT CLIPPINGS FROM BLOWING ON PAVED AREAS, AND SIDEWALKS. CLEANUP AFTER MOWING SHALL INCLUDE SWEEPING OR BLOWING OF PAVED AREAS AND SIDEWALKS TO CLEAR THEM FROM MOWING DEBRIS.

23. GRASSED AREAS DAMAGED DURING THE PROCESS OF THE WORK SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, WHO SHALL RESTORE THE DISTURBED AREAS TO A CONDITION SATISFACTORY TO THE PROJECT LANDSCAPE DESIGNER, MUNICIPAL OFFICIAL, OR OWNER/OWNER'S REPRESENTATIVE. THIS MAY INCLUDE FILLING TO GRADE, FERTILIZING, SEEDING, AND MULCHING

24. SHOULD THE OWNER REQUIRE MAINTENANCE BEYOND THE STANDARD 90-DAY MAINTENANCE PERIOD, A SEPARATE CONTRACT SHALL BE ESTABLISHED. 25. LANDSCAPE CONTRACTOR SHALL WATER NEW PLANTINGS FROM TIME OF INSTALL AND THROUGHOUT REQUIRED 90-DAY

MAINTENANCE PERIOD UNTIL PLANTS ARE ESTABLISHED. IF ON-SITE WATER IS NOT AVAILABLE AT THE PROJECT LOCATION, THE LANDSCAPE CONTRACTOR SHALL FURNISH IT BY MEANS OR A WATERING TRUCK OR OTHER ACCEPTABLE MANNER. 26. THE OUANTITY OF WATER APPLIED AT ONE TIME SHALL BE SUFFICIENT TO PENETRATE THE SOIL TO A MINIMUM OF EIGHT INCHES (8") IN SHRUB BEDS AND SIX INCHES (6") IN TURF AREAS AT A RATE WHICH WILL PREVENT SATURATION OF THE SOIL. 27. IF AN AUTOMATIC IRRIGATION SYSTEM HAS BEEN INSTALLED, IT CAN BE USED FOR WATERING PLANT MATERIAL. HOWEVER, FAILURE OF THE SYSTEM DOES NOT ELIMINATE THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY OF PLANT HEALTH AND ESTABLISHMENT.

## PLANT MATERIAL GUARANTEE NOTES

THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR (1 YR.) FROM APPROVAL OF LANDSCAPE INSTALLATION BY THE PROJECT LANDSCAPE DESIGNER, MUNICIPAL OFFICIAL, OR OWNER/OWNER'S REPRESENTATIVE

.. THE LANDSCAPE CONTRACTOR SHALL REMOVE AND REPLACE DYING, DEAD, OR DEFECTIVE PLANT MATERIAL AT HIS EXPENSE. THE LANDSCAPE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR ANY DAMAGES CAUSED BY HIS COMPANY'S OPERATIONS. 3. ALL REPLACEMENT PLANTS SHALL BE OF THE SAME SPECIES AND SIZE AS SPECIFIED ON THE APPROVED OR FINAL PLANT LIST. REPLACEMENTS RESULTING FROM REMOVAL, LOSS, OR DAMAGE DUE TO OCCUPANCY OF THE PROJECT IN ANY PART, VANDALISM, PHYSICAL DAMAGE BY ANIMALS, VEHICLES, ETC., AND LOSSES DUE TO CURTAILMENT OF WATER BY LOCAL AUTHORITIES SHALL BE APPROVED AND PAID FOR BY THE OWNER.

4. THE CONTRACTOR SHALL INSTRUCT THE OWNER AS TO THE PROPER CARE AND MAINTENANCE OF ALL PLANTINGS.

#### LAWN (SEED OR SOD) NOTES:

. SEED MIXTURE SHALL BE FRESH, CLEAN, NEW CROP SEED. SOD SHALL BE STRONGLY ROOTED, UNIFORM IN THICKNESS, AND FREE OF WEEDS, DISEASE, AND PESTS. . SEED OR SOD SHALL BE PURCHASED FROM A RECOGNIZED DISTRIBUTOR AND SHALL BE COMPOSED OF THE MIX OR BLEND

WITHIN THE PROVIDED "SEED SPECIFICATION" OR "SOD SPECIFICATION."

4. SEEDING SHALL NOT BE PERFORMED IN WINDY WEATHER. IF THE SEASON OF THE PROJECT COMPLETION PROHIBITS PERMANENT STABILIZATION, TEMPORARY STABILIZATION SHALL BE PROVIDED IN ACCORDANCE WITH THE "TEMPORARY SEEDING SPECIFICATION.'

5. PROTECT NEW LAWN AREAS AGAINST TRESPASSING WHILE THE SEED IS GERMINATING. FURNISH AND INSTALL FENCES, SIGNS, BARRIERS OR ANY OTHER NECESSARY TEMPORARY PROTECTIVE DEVICES. DAMAGE RESULTING FROM TRESPASS, EROSION, WASHOUT, SETTLEMENT OR OTHER CAUSES SHALL BE REPAIRED BY THE LANDSCAPE CONTRACTOR AT HIS EXPENSE. REMOVE ALL FENCES, SIGNS, BARRIERS OR OTHER TEMPORARY PROTECTIVE DEVICES ONCE LAWN HAS BEEN ESTABLISHED.





DET 2024/DET-240246 BREAKPOINT DEVELOPMENT - 4162 12 MILE ROAD, BERKLEY, MI/CADD/PLOT/SDP-10-11-DETL.DWG



	BUILDING						
	BUILDING CONCRETE SIDEWALK / MAT	D.W.S.	DETECTABLE WARNING STRIP				
	PAVING STONES / PAVERS	Ŀ.	HANDICAP PARKING				
D.C.	ASPHALT / CONCRETE CURB		PAVEMENT STRIPING				
	DEPRESSED CURB PROPERTY LINE	E	ELEC METER GAS METER				707.77 ×
	VACATED / INTERIOR LOT LINE	W	GAS METER WATER METER				TC 708
<u> </u>	ADJACENT PROPERTY LINE SECTION LINE	с/0 ₀	CLEAN OUT				BC 707. 33.0'
	RIGHT OF WAY LINE		TRAFFIC SIGNAL POLE				
	CENTERLINE EASEMENT	- <b>+</b> -	SECTION CORNER				
_—	UTILITY POLE	<b>⊕</b> □	BENCH MARK CROSSWALK SIGNAL BUTTON POLE				TC 708.12 BC 707.78
(	GUY WIRE MAST ARM LIGHT POLE	B.O.S.	BOTTOM OF STRUCTURE				TC BC
<b>=</b>	LIGHT POLE	ELEV	ELEVATION				I
⇒ ₩ ⊠	SIGNS WATER VALVE	DS CONC	DOOR SILL CONCRETE				1.1
GV X	GAS VALVE	МН	MANHOLE		OSSIBLE OWNERSHIP ( F LOTS 46, 47, 48, AND	49 BY THE	12 & 15"
	DRAIN INLET	(M) N.V.P.	MEASURED NO VISIBLE PIPE		CITY OF BÉRKLEY REI IN VARIOUS DO (CROS	FERENCED DCUMENTS SS HATCH)	VCP
	MAN HOLE	(P)	PLAT		(		. 707.
•	BOLLARDS	Р.О.В. (R)	POINT OF BEGINNING RECORD				. TĊ Ż BC ZU (A) (B)
<u> </u>	BOX (ELEC, GAS, ETC.) EDGE OF PAVEMENT	VCP	VITRIFIED CLAY PIPE		I		
OH	EDGE OF PAVEMENT OVERHEAD WIRE	INV	INVERT		RIM	D SEWER MH 1 ELEV=707.97 V(A - 12")=702.87	
G	UNDERGROUND GAS LINE	SQ. FT.	SQUARE FEET			VV(A - 12")=702.87 VV(B - 15")=699.27 INV(C)=698.72	1
W E	UNDERGROUND WATER LINE UNDERGROUND ELEC. LINE	BLD L	BUILDING LIBER				
SAN	SANITARY SEWER LINE	P	PAGE				REE
	STORM PIPE MAJOR CONTOUR						
<i>101</i>	MINOR CONTOUR						FIELD NABLE WIDT (ASPHALT)
× 100.00 × TC 100.50	GRADE SPOT SHOT TOP OF CURB SHOT						ALT]
-X- BC 100.00	BOTTOM OF CURB SHOT						। इ <b>RC</b>
× TW 102.00 - <del>×</del> BW 100.00	TOP OF WALL SHOT BOTTOM OF WALL SHOT						)AL
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ED 'TOPOGRAPHIC/BOUNDARY SUI GE 11 EAST, CITY OF BERKLEY, OAKL D BY DIFFIN ENGINEERING & SURVE MITMENT ISSUED BY ATA NATIONAI CM, COMMITMENT DATE: SEPTEMBER MISTINGNIT ISSUED BY ATA NATIONAI CM, COMMITMENT DATE: SEPTEMBER MITMENT ISSUED BY MICHIGAN A D2932-29, COMMITMENT DATE: AUGL D PARKING PACES	THIS SURVEY IS SUBJERECORD THAT A TITLE     IS AFFIXED HERETO.     IVIRONMENTAL CONDIT     TRANSFERABLE TO     OCATED FROM MARKOL     JRFACE FEATURES SUCH     OR SANITARY INVERTS     JE SURVEYOR MAKES NO     COMPRISE ALL SUCH UTHER     HOWN ARE IN THE EXAC     AS ACCURATELY AS PC     HYSICALLY LOCATED T     PROPER UTILITY AGENCE     AND FOR FIELD LOCATIO     STATE PLANE COORDI     CON ARE REFERENCED TO     ARTMENT OF TRAM     MDOT CORS).     Y) ARE UNKNOWN.     THIS SURVEY ARE 4138 I     D, BERKLEY, MI 48072     ILE ROAD.     CONE X (UNSHADED) (A     MMUNITY NO. 260292, M     2006.     CONE X (UNSHADED) (A     MMUNITY NO. 260292, M     2006.     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COVENANTS, Cr         RESTRICTIONS, IF         NATIONAL ORIG         PAGE 348 AND L         590, PAGE 348,         ARE NOT SHOV         (10A)         HIGHWAY EASEM         OAKLAND RECON         (11A)         EASEMENTS OVE         SUBDIVISION AS         (SHOWN)	T II EXCEPTION AND 4150 12 MI GROUP, LLC, ISSU ANY, BASED ON IN AS CONTAINE IBER 614, PAGE 14 AND LIBER 614 AND LIBER 614 AND LIBER 614 AND LIBER 536 RECORDED IN IENT IN FAVOR O RDED IN LIBER 536 RECORDED IN IENT IN FAVOR O RECORDED IN IN IENT IN FAVOR O RECORDED IN IN IN IENT IN FAVOR O RECORDED IN IN IENT IN FAVOR O RECORDED IN IN IN IN AS CONTAINER IN IN IN FAVOR O RECORDED IN IN IN IN IN FAVOR O RECORDED IN IN IN IN FAVOR O RECORDED IN IN IN IN IN FAVOR O RECORDED IN IN IN IN IN FAVOR O RECORDED IN IN IN IN FAVOR O RECORDED IN IN IN IN FAVOR O RECORDED IN IN IN IN FAVOR O RECORDED IN IN IN FAVOR O RECORDED IN IN IN FAVOR O RECORDED IN IN IN IN FAVOR O RECORDED IN IN IN IN FAVOR O IN IN IN FAVOR O IN IN I	IS: IS: IE ROAD JING OFFICE FIL D RESTRICTION RACE, COLOR D IN INSTRUM H, OAKLAND C A, PAGE 141 A OF THE BOARD S80, PAGE 543, C PERTY AS SHU LIBER 23, PAG IS: ISSUING OFFICE INES AS DISCLO SEMENT GRANT	E FILE NUMBER COLOR COUNTY RECO ARE NOT SUI OF ROAD COM DAKLAND COLOR OF ROAD COLOR OF ROAD COM DAKLAND COLOR OF ROAD COM DAKLAND COLOR OF ROAD









KE`	YED NOTES X
1	G.C. TO FURNISH & INSTALL NEW FIRE EXTINGUISHERS AS REQ'D BY WHEN MOUNTING ADJACENT TO DOOR OPENING, MAINTAIN 12" CLEA OPENING FOR ADA COMPLIANCE. FINAL LOCATION, MOUNTING HEIGH FIRE INSPECTOR. G.C. TO VERIFY FIRE MARSHALL REQUIREMENTS FO TAGGING. REFER TO FIRE EXTINGUISHER CABINET DETAIL #9 AND #4 FOR ADDITIONAL INFORMATION. DO NOT EXCEED 75'-0" OF TRAVEL AI AREAS.
KE`	YED NOTE X
Α	MIN. 44" PATH OF EGRESS SHALL BE UNOBSTRUCTED AT ALL TIMES.



north



RS AS REQ'D BY LOCAL CODES. AINTAIN 12" CLEAR TO DOOR MOUNTING HEIGHT, & QUANTITY BY EQUIREMENTS FOR INSPECTION & DETAIL #9 AND #4 ON THIS SHEET '-0" OF TRAVEL ALONG EXITS FROM

# ACCESSIBILITY PLAN NOTES:

I. AT LEAST 5% OF ALL FIXED SEATING OT TABLES IN A PUBLIC SPACE SHALL COMPLY WITH BUILDING CODE.

2. AISLE'S SHALL HAVE A MINIMUM CLEAR WIDTH OF 44 INCHES. 3. SERVICE COUNTER SHALL BE ACCESSIBLE.

ACCESSIBILITY PLAN LEGEND:

# 

MIN. 44" WIDE CLEAR ACCESSIBLE PASSAGE WAY.

<u>≁</u> 4' 

TYPICAL CLEAR WHEELCHAIR FLOOR SPACE WHERE REQUIRED.

EG	RESS PATHS
EXIT PATH	EXIT PATH DISTANCE
'A'	TOTAL PATH LENGTH - 103'-3"
'B'	TOTAL PATH LENGTH - 95'-0"
'C'	TOTAL PATH LENGTH - 72'-0"



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# PROJECT:

MUG & JUG GAS STATION

- BUILDING SHELL & INTERIORS -

4162 TWELVE MILE ROAD, BERKLEY, MI, 48072

# SHEET TITLE:

LIFE SAFETY AND EGRESS PLAN

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03.20.25	SPA	
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**PROJECT NO:** 

091724

SHEET NO:

1/8'' = 1'-0'' 

A-0.1





north FLOOR PLAN SCALE:

	FLOOR PLAN KEY NOTES:
1	4" H. BURNISHED C-BRICK EXTERIOR STRUCTURAL WALL - 12" D.
2	CLEAR INSULATED GLASS IN BLACK ANODIZED ALUMINUM FRAME ENTRY DOOR.
3	CLEAR INSULATED GLASS IN BLACK ANODIZED ALUMINUM FRAME STOREFRONT/ CURTAIN WALL SYSTEM.
4	NOT USED



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FLOOR PLAN

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SHEET NO:

1/8'' = 1'-0'' 

A-1.1

### 8" D. X 4" H. X 16" W. BURNISHED C-BRICK — 1 MASONRY UNIT W/ ACME SHIELD IWR; 5 97H STANDARD GREY GROUT) #5 VERTICAL REINFORCEMENT HORIZONTAL MASONRY REINF. TIES- – LADDER TYPE AT 16'' O.C. (TYP.) AT EACH CORNER OF CMU, FULL HEIGHT. CEMENT GROUT SOLID. SINGLE-WYTHE FLASHING SYSTEM - CONT. ----DRAINAGE MAT W/ FLASHING PANS BY ____3 "BLOCKFLASH" OVER 8" ABOVE GRADE (TYP.) ╷╴╷╷ VERTICAL REINFORCEMENT -42"W. X 42" MIN. 8" BELOW GRADE TRENCH FOOTING W/ (2) #5 BARS TOP & BOT. (TYP.) 60" - i----#5 DOWEL, MIN. 24" EMBEDMENT INTO FOOTING AT ONE IN EACH CORNER OF CMU.

SCALE:



NORTH AND SOUTH ELEVATION AT PUMP CANOPY 1/8" = 1'-0" SCALE:











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- BUILDING SHELL & INTERIORS -

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# SHEET TITLE:

GAS PUMP CANOPY PLAN, ELEVATIONS AND DETAILS

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0 2' 4' 8' 16				1/8'' =	: 1'-0''
	0	2'	4'	8'	16

PUMP CANOPY KEY NOTES:

STRUCTURAL STEEL BUILDING COLUMN.

OF THESE PLANS.

GAS PUMPS BY OTHERS.

CURB AT PUMP BY OTHERS

CANOPY OVERHANG. ARTWORK/ BRANDING BY OTHERS. OWNER WILL PROVIDE. VENDOR WILL PROVIDE THERE OWN STRUCTURAL COLUMNS AND FOOTINGS AS THIS IS NOT PART

8"D X 4"H X 16"W BURNISHED C-BRICK WALL (BOARDMAN

COLOR W/ ACME SHIELD IWR; 97H SUPER BLACK GROUT)

VENDOR WILL PROVIDE THERE OWN STRUCTURAL COLUMNS AND FOOTINGS AS THIS IS NOT PART OF THESE PLANS. PLAN

WAS DESIGNED TO BE 12" COLUMN AS THIS INFO WAS PROVIDED BY THE OWNER.

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A-0.15

ELEV: 20-ò	 SIGNAGE							
- ELEV: 12'-0"								
					4 2 4 4			

# SOUTH ELEVATION (12 MILE ROAD VIEW) SCALE:

TOP OF PARAPET (HI SIGNAGE BOTTOM OF TRENCH FOOTING STRUCTURAL PLAN FOR ELEV. HGT.

# WEST ELEVATION (GREENFIELD ROAD VIEW)

SCALE:

1/8'' = 1'-0''

TOP OF PARAPET (LOW)															1 1	듣는
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																+++
OP OF WINDOW SILL					i i i i							1 1 1			+++	<u> </u>
<u> </u>							1								111	두두
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			a							4		4			4	
FINISH FLOOR	· · ·	4.			· / /					. 4 4	. 4 4		<u> </u>		2	1

# NORTH ELEVATION SCALE:

1/8'' = 1'-0''

TOP OF PARAPET (HIGH)           ELEV: 22-0"           TOP OF PARAPET (LOW)           ELEV: 20'-0"				
'ELEV: 20'-0"	SIGNAC	Ē		
TOP OF WINDOW SILL				
′ELEV: 12'-0''				
FINISH FLOOR				24 4

# EAST ELEVATION SCALE:



GLAZING SYMBOL KEY:
TRANSPARENT GLAZING:

TINTED/ SPANDREL GLASS:





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- BUILDING SHELL & INTERIORS -

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# SHEET TITLE:

EXTERIOR BUILDING ELEVATIONS -GLAZING CALCULATIONS

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**PROJECT NO:** 

091724

SHEET NO:

A-2.4





RE	REVISION BLOCK							
Par	Parcel Base / Source Date: N/A							
Rev	Rev. Rev. Rev.		Pagarintian,					
No.	: By:	Date:	Description:					
1	DS	3-23-11	REMOVED STANDARD MONITORING MANHOLE					
2	KB	6-21-16	ADDED NOTE "REQUIRES ADVANCED APPROVAL BY WRC" AND UPDATE PHONE # IN NOTE #2					
3	KB	7-22-20	UPDATED MH STEPS TO ASTM# D-4101					
4	KB	9-27-23	REMOVED EXTERIOR DROP CONNECTION DETAIL					

MANHOLE SIZING CHART									
MANHOLE DIAMETER	MAX. PIPE SIZE FOR STRAIGHT THRU INST.	MAX. PIPE SIZE FOR RIGHT ANGLE INST.							
5'	36"	24"							
6'	42*	36"							
7'	60 <b>"</b>	42"							

MANHOLE SIZING CHART		
MANHOLE DIAMETER	MAX. PIPE SIZE FOR STRAIGHT THRU INST.	
4'	24"	
5'	36"	
6'	42"	
7'	60"	



INTERIOR DROP CONNECTION

SANITARY SEWER DETAILS AND NOTES

# SANITARY SEWER CONSTRUCTION NOTES

- 1. ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF THE LOCAL UNIT OF GOVERNMENT AND THE WATER RESOURCES COMMISSIONER (WRC). ALL SANITARY SEWER CONSTRUCTION SHALL HAVE FULL-TIME INSPECTION SUPERVISED BY A STATE OF MICHIGAN LICENSED PROFESSIONAL ENGINEER PROVIDED BY, OR CAUSED TO BE PROVIDED BY, THE LOCAL UNIT OF GOVERNMENT.
- 2. AT ALL CONNECTIONS TO WRC SEWERS OF EXTENSIONS, AND BEFORE START OF CONSTRUCTION, THE CONTRACTOR MUST OBTAIN A SEWER INSPECTION PERMIT ISSUED BY WRC. GRAVITY SEWER PERMIT CHANGES ARE \$250 FOR EACH CONNECTION PLUS \$25 FOR EACH MANHOLE CONSTRUCTED. PRESSURE SEWER PERMIT CHARGES ARE \$250 PER 2,460 L.F. OF FORCE MAIN WITH A MINIMUM PERMIT FEE OF \$250. FAILURE TO PASS ANY TEST SEGMENT WILL RESULT IN AN ADDITIONAL CHARGE TO THE CONTRACTOR FOR EACH RETEST, IN ACCORDANCE WITH THE ABOVE PRICE SCHEDULE. THE CONTRACTOR SHALL ALSO HAVE POSTED WITH WRC A \$5,000 SURETY BOND AND \$500 CASH DEPOSIT. THE CONTRACTOR SHALL NOTIFY THE LOCAL UNIT OF GOVERNMENT AND WRC (248-858-1105) 24 HOURS PRIOR TO THE BEGINNING OF ANY CONSTRUCTION. FINAL ACCEPTANCE TESTS MUST BE WITNESSED BY COUNTY PERSONNEL AND MUST BE SCHEDULED BY MUNICIPALITY OR IT'S CONSULTANT IN ADVANCE WITH 24 HOUR NOTICE AT 248-858-1105.
- 3. NO SEWER INSTALLATION SHALL HAVE AN INFILTRATION EXCEEDING 100 GALLONS PER INCH DIAMETER PER MILE OF PIPE IN A 24 HOUR PERIOD, AND NO SINGLE RUN OF SEWER BETWEEN MANHOLES SHALL EXCEED 100 GALLONS PER INCH DIAMETER PER MILE. AIR TESTS IN LIEU OF INFILTRATION TESTS SHALL BE AS SPECIFIED IN THE WATER RESOURCES COMMISSIONER STANDARDS. ONLY PIPE AND PIPE JOINTS APPROVED BY WRC MAY BE USED FOR SANITARY SEWER CONSTRUCTION.
- 4. LOCATED IN THE FIRST MANHOLE UPSTREAM FROM THE POINT OF ALL CONNECTIONS TO AN EXISTING WRC SEWER, OR EXTENSION THERETO, A TEMPORARY 12-INCH DEEP SUMP SHALL BE PROVIDED IN THE FIRST MANHOLE ABOVE THE CONNECTION WHICH WILL BE FILLED IN AFTER SUCCESSFUL COMPLETION OF ANY ACCEPTANCE TEST UP TO THE STANDARD FILLET PROVIDED FOR THE FLOW CHANNEL. A WATERTIGHT BULKHEAD SHALL BE PROVIDED ON THE DOWNSTREAM SIDE OF THE SUMP MANHOLE.
- 5. AT ALL TIMES WHEN LAYING OF NEW PIPE IS NOT ACTUALLY IN PROGRESS, THE UPSTREAM OPEN END OF THE PIPE SHALL BE CLOSED BY TEMPORARY WATERTIGHT PLUGS OR BY OTHER APPROVED MEANS. IF WATER IS IN THE TRENCH WHEN WORK IS RESUMED, THE PLUG SHALL NOT BE REMOVED UNTIL THE DANGER OF WATER ENTERING THE PIPE HAS PASSED.
- 6. ALL BUILDING LEADS AND RISERS SHALL BE SIX INCH SDR 23.5 ABS PIPE WITH CHEMICALLY FUSED JOINTS OR AN APPROVED EQUAL PIPE AND JOINT. BUILDING LEADS TO BE FURNISHED WITH REMOVABLE AIRTIGHT AND WATERTIGHT STOPPERS.
- 7. ALL RIGID SEWER PIPE SHALL BE INSTALLED IN CLASS "B" BEDDING OR BETTER. ALL FLEXIBLE, SEMI-FLEXIBLE, OR COMPOSITE SEWER PIPE SHALL BE INSTALLED IN CONFORMANCE TO WRC SPECIFICATIONS.
- 8. ALL NEW MANHOLES SHALL HAVE WRC APPROVED FLEXIBLE, WATERTIGHT SEALS WHERE PIPES PASS THROUGH WALLS. MANHOLES SHALL BE OF PRE CAST SECTIONS WITH MODIFIED GROOVE TONGUE AND RUBBER GASKET TYPE JOINTS. PRE CAST MANHOLE CONE SECTIONS SHALL BE WRC APPROVED MODIFIED ECCENTRIC CONE TYPE. ALL MANHOLES SHALL BE PROVIDED WITH BOLTED, WATERTIGHT COVERS.
- 9. AT ALL CONNECTIONS TO MANHOLES ON WRC SEWERS, OR EXTENSIONS THERETO, DROP CONNECTIONS WILL BE REQUIRED WHEN THE DIFFERENCE IN INVERT ELEVATIONS EXCEEDS 18 INCHES.
- 10. TAPS TO EXISTING MANHOLES SHALL BE MADE BY CORING. THE CONTRACTOR SHALL PLACE A KOR-N-SEAL BOOT (OR WRC APPROVED EQUAL) AFTER CORING IS COMPLETED. BLIND DRILLING WILL ONLY BE PERMITTED IN LIEU OF CORING WITH PRIOR WRC APPROVAL.
- 11. MANHOLES CONSTRUCTED DIRECTLY ON WRC SEWERS SHALL BE PROVIDED WITH COVERS READING "WATER RESOURCES COMMISSIONER-SANITARY" IN RAISED LETTERS.
- 12. NO GROUND WATER, STORM WATER, CONSTRUCTION WATER, DOWN SPOUT DRAINAGE OR WEEP TILE DRAINAGE SHALL BE ALLOWED TO ENTER ANY SANITARY SEWER INSTALLATION.
- 13. PRIOR TO ANY EXCAVATION, THE CONTRACTOR SHALL TELEPHONE MISS DIG (800-482-7171) FOR THE LOCATION OF UNDERGROUND PIPELINE AND CABLE FACILITIES AND SHALL ALSO NOTIFY REPRESENTATIVES OF OTHER UTILITIES LOCATED IN THE VICINITY OF THE WORK.
- 14. AN 18 INCH MINIMUM VERTICAL SEPARATION AND A 10 FOOT MINIMUM HORIZONTAL SEPARATION MUST BE MAINTAINED BETWEEN SANITARY SEWER AND WATER MAIN.
- 15. NEW MANHOLES BUILT OVER AN EXISTING SANITARY SEWER SHALL HAVE MONOLITHIC POURED BOTTOMS.
- 16. IF THE STRUCTURE FALLS WITHIN THE ROADBED OF A GRAVEL ROAD OR WITHIN THE UNPAVED SHOULDER OF A PAVED ROAD, THE COVER SHALL BE SIX (6") INCHES BELOW THE FINISHED GRAVEL SURFACE.

ORIG. DATE:	08/21/02	
SCALE:	NO SCALE	
DESIGNED BY:	WRC	WATER RESOL
DRAWN BY:	WRC Mapping	



Jim Nash

ONE PUBLIC WORKS DRIVE, BLDG 95 WEST WATERFORD, MICHIGAN 48328-1907

SHEET NO .:

- -3" (MIN.) OR 6" CONCRETE GRADE RINGS WITH FINISH TOP AND BOTTOM SURFACES. MAXIMUM ADJUSTMENT = 18".
  - -ASTM C478 RISER SECTIONS WITH MODIFIED TONGUE & GROOVE JOINTS.

-MANHOLE MANUFACTURER SHALL INSTALL 1" DIA. GALVANIZED STEEL PIPE AND CAP AT PIPE CROWN, FLUSH WITH OUTSIDE WALL AND EXTENDING 3" INSIDE. CONTRACTOR TO SEAL AFTER COMPLETION OF TESTS.

-BRICK COURSE PERMITTED FOR CLOSURE OF OPENING.



# SANITARY SEWER DETAILS AND NOTES

FORM SMOOTH AND UNIFORM CHANNELS IN CONCRETE FILL. FLOV CORE & BOOT CONNECTION W/ 3/4" TO 1¼" GAP TO BE PROVIDED TO MAINTAIN JOINT FLEXIBILITY.



**DRAWN BY:** 

Mapping Staff



SHEET NO .: Jim Nash 1 of 1 DRAWN BY: Mapping









TAG	MATERIAL	MANUFACTURE	COLOR/ MODEL	SIZE	REMARKS/ NOTES
	NOT USED			JILL	
$\bigcirc$	BURNISHED C-BRICK MASONRY UNIT - EXTERIOR STRUCTURAL WALL W/ ACME SHIELD IWR	GRAND BLANC CEMENT PRODUCTS	BOARDMAN W/ 97H SUPER BLACK GROU	12"D X 4"H X 16"W	CONTACT: RALPH (517) 927-3002 SEE MASONRY NOTES BELOW
3	SPLIT-FACE MASONRY UNIT - EXTERIOR STRUCTURAL WALL W/ ACME SHIELD IWR	GRAND BLANC CEMENT PRODUCTS	UNICORN; STANDARD GREY GROUT	12"D X 8"H X 16"W	CONTACT: RALPH (517) 927-3002 SEE MASONRY NOTES BELOW
	FIBER CEMENT WALL SYSTEM ON MTL. STUD FRAMING SYSTEM NOT USED	NICHIHA FIBER CEMENT	VINTAGEWOOD; CEDAR	17 7/8" H X 119 5/16" L	CONTACT: NICHIHA (866) 424-4421
<u>    (6)</u>	NOT USED				
(7)	STOREFRONT TENANT DOOR ENTRY W/ 10" HIGH BOTTOM RAIL	TUBELITE	CLEAR ANODIZED	SEE SHEET A-8.1 FOR DETAILS	SEE MFG. SPECIFICATIONS FO
8	CLEAR INSULATED GLASS IN ANODIZED ALUMINUM FRAME STOREFRONT SYSTEM	TUBELITE	CLEAR ANODIZED	SEE SHEET A-8.1 FOR DETAILS	SEE MFG. SPECIFICATIONS FO
9	STOREFRONT TENANT DOOR, AUTOMATIC DOORS, SELECTION BY OWNER	TUBELITE	CLEAR ANODIZED	SEE SHEET A-8.1 FOR DETAILS	SEE MFG. SPECIFICATIONS FO DETAILS
10	ALUMINUM COMPOSITE PANEL SYSTEM "CLIP & CAULK" INSTALLATION	OMEGA PANEL PROD. LAMINATORS INC.	SLATE, CAULK JOINT TO MATCH MTL. PANEL	SEE ELEV. AND WALL SECTIONS FOR JOINTS	CONTACT: TOM OLSON (734) 777-6788
11	NOT USED				
12	NOT USED				
13	METAL COPING (TYP.)	PAC-CLAD	COLOR; SLATE		BY OAKLAND METAL SALES 248-37 ADG TO APPROVE COLOR
14	METAL COPING (TYP.)	PAC-CLAD	COLOR; MATTE BLACK		BY OAKLAND METAL SALES 248-37 ADG TO APPROVE COLOR
15	GLASS	VIRACON OR EQUAL	1" CLEAR INSULATED GLAZING		GLASS TO BE TEMPERED PER N WHERE NEEDED.
$\frown$	EXTERIOR DECORATIVE WALL MOUNTED SCONCE	MAXIM LIGHTING	LIGHTRAY 6102/86102, ARCHITECTURAL	5"W X 15.75"H X 6.5"D	REFER TO ELECTRICAL PLAN FO
16)					
16) 17)	SPANDREL GLASS	VIRACON OR EQUAL	BRONZE FINISH 1" CLEAR INSULATED GLAZING		GLASS TO BE TEMPERED PER N WHERE NEEDED.
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# ADG **DESIGN STUDIO**

ADG DESIGN STUDIO 189 E. BIG BEAVER ROAD SUITE 200 TROY, MICHIGAN 48083

P. 248-254-3834 W.ABRODESIGNGROUP.COM

# PROJECT:

MUG & JUG GAS STATION

- BUILDING SHELL & INTERIORS -

4162 TWELVE MILE ROAD, BERKLEY, MI, 48072

# SHEET TITLE:

EXTERIOR BUILDING ELEVATIONS

# do not scale drawings USE figured dimensions only

DATE:	ISSUE:	
03.20.25	SPA	
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# **PROJECT NO:**

091724

SHEET NO:













#### MEMORANDUM

То:	Berkley Zoning Board of Appeals	
From:	Kim Anderson; Zoning Administrator	
Subject:	PBA-04-25 4162 Twelve Mile, 4150 Twelve Mile, 4138 Twelve Mile – Parcels 25-07- 355-039-, 25-07-355-038 and 25-07-355-040 Dimensional variance on an accessory structure.	
Date:	July 10, 2025	
APPLICANT:	Salwan Shina	
LOCATION:	4162 Twelve Mile, 4150 Twelve Mile, 4138 Twelve Mile	
PARCEL ID:	25-07-355-039-, 25-07-355-038 and 25-07-355-040	
REQUEST:	The applicant is requesting a dimensional variance for the location of the Trash Enclosure as an accessory structure in the side yard.	
REQUIRED	Berkley City Code, Zoning Ordinance, Chapter 138-53 Yard location: Accessory building or structures shall not be erected in any yard, except a rear yard.	

## ZONING AND LAND USE

Property	Zoning District	Land Use
Subject Site	Gateway	Restaurant and Retail
West	City of Southfield	Retail
East	Gateway	Restaurant
North	Residential Corridor	Multi Offices and Single-family dwelling
South	Gateway	Retail

#### BACKGROUND

Project Development for Mug & Jug went before the Planning Commission on May 27, 2025 for a Special Land Use approval for a gas station/convenience store with accessory restaurant counter and Site Plan approval in the Gateway District on the North side of Twelve Mile Rd., between Greenfield and Ellwood. Site Plan Review Application was submitted prior to the adoption of the new Zoning Ordinance. Plans have been reviewed against the old Zoning Ordinance provisions (pre-April 16, 2025).

Planning Commission approved the Special Land Use with a condition that a variance be obtained for the southeast driveway location.

Planning Commission approved the Site Plan Review with a condition that a variance be obtained from the Zoning Board of Appeals for the location of the trash enclosure and a variance be obtained from the Zoning Board of Appeals for the southeast driveway location.

The trash enclosure proposed location is south of the Ellwood Ave entrance in the side yard. The enclosure doors face northwest toward the parking lot. Section 138-53 requires accessory structures to be erected in the rear yard only, the proposed trash enclosure is located in the side yard.



Source: Oakland County Property Gateway



Source: Google map



Source: C-3 Site Plat of Proposed Development

#### SCOPE OF PROJECT

The applicant is seeking a dimensional variance for the location of the Trash Enclosure as an accessory structure located in the side yard.

#### SUMMARY OF REQUEST

The applicant, Salwan Shina, representing *4162 Twelve Mile Rd., 4150 Twelve Mile Rd., 4138 Twelve Mile Rd., Parcels: 04-25-07-355-039, 04-25-07-355038 and 04-25-07-355-040* is requesting a non-use dimensional variance per Berkley City Code, (pre-April 16, 2025) Chapter 138, Section 138-53 to allow an accessory structure on the side yard.

#### STANDARDS FOR REVIEW

Per Section 138-17.04 of the Zoning Ordinance, the applicant must demonstrate a practical difficulty in order to be granted a non-use variance. The Zoning Board of Appeals shall not vary the regulations of Section 138-17.04, unless it shall make findings based upon the evidence presented to it in each specific case that:

A. The need for the variance is due to unique circumstances or physical conditions of the property.

Property has triple frontage and a rear yard easement. No structure is permitted in an easement.

B. The need for the variance is not the result of actions of the property owner or previous property owners.

Property has triple frontage and a rear yard easement. No structure is permitted in an easement.

C. Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.

Rear yard has over head Utilities with an easement. No structure is permitted in an easement.

- D. The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as other property owners. Location is close to the rear yard avoiding utilities/easement.
- E. The requested variance will not adversely impact the surrounding properties. Proposed location is as close to the rear to still allow good site circulation and easy access for dumpster pick-up. Location does not abut a residential district.

#### SUMMARY

For a variance to be approved by the Zoning Board of Appeals, it shall meet the standards of Section 138-17.04 of the Zoning Ordinance, based on findings of fact. We request the Zoning Board of Appeals to determine if there are unique characteristics of the property and the requested variance should be granted. Motions for approval and denial are included below for the convenience of the board.

#### Sample Motions:

#### <u>Approval</u>

In the matter of PBA-04-25, 4162 Twelve Mile Rd., 4150 Twelve Mile Rd., 4138 Twelve Mile Rd., Parcels 04-25-07-355-039, 04-25-07-355-038 and 04-25-07-355-040, motion to approve the requested variance from Berkley City Code, Zoning Ordinance, (pre-April 16, 2025) Chapter 138, Sec.138-53 of the City of Berkey City Codes to grant a dimensional variance to allow an accessory structure in a side yard, that does not conform to the applicable City Code regulations, based on the following findings:

- 1. The need for the variance is due to unique circumstances or physical conditions of the property.
- 2. The need for the variance is not the result of actions of the property owner or previous property owners.
- 3. Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.
- 4. The requested variance is the minimum variance necessary to do substantial justice to the application as well as other property owners.
- 5. The requested variance will not adversely impact the surrounding properties.

#### Denial (only choose item(s) pertaining to denial)

In the matter of PBA-04-25, 4162 Twelve Mile Rd., 4150 Twelve Mile Rd., 4138 Twelve Mile Rd., Parcels 04-25-07-355-039, 04-25-07-355-038 and 04-25-07-355-040, motion to deny the requested variance from Berkley City Code, Zoning Ordinance, (pre-April 16, 2025) Chapter 138, Sec.138-53 of the City of Berkey City Codes to grant a dimensional variance to allow an accessory structure in a side yard, that does not conform to the applicable City Code regulations, based on the following findings:

- 1. The need for the variance is not due to unique circumstances or physical conditions of the property.
- 2. The need for the variance is the result of actions of the property owner or previous property owners.
- 3. Strict compliance with the ordinance will not unreasonably prevent the property owner from using the property for a permitted purpose or will not render conformity with those regulations unnecessarily burdensome.
- 4. The requested variance is not the minimum variance necessary to do substantial justice to the application as well as other property owners.
- 5. The requested variance will adversely impact the surrounding properties.

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

Thank you.

Cc: Crystal VanVleck, City Manager Victoria Mitchell, City Clerk Daniel Christ, City Attorney Kristen Kapelanski, Community Development Director *Vapor product:* A noncombustible product containing nicotine, cannabidiol and synthetic cannabinoids, in a solution or other form. Vapor products include, but are not limited to e-liquid, nicotine salt, a prefilled or refillable vapor cartridge, sub-ohm tanks, or other container of nicotine in a solution or other form that is intended to be used with or in a vapor device.

(8) *Vaporizer.* An inhalation device used to release the active substances of organic or inorganic materials in the form of an aerosol through the application of non-combusting heat.

*Townhouse:* A building designed so three or more dwelling units with their own front doors are attached by party walls.

*Use:* The purpose for which land or premises or a building thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased.

*Variance:* A modification of the literal provisions of this chapter, granted when strict enforcement of this chapter would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.

*Window:* One or more panes of glass where both sides of the glass are readily made transparent. A door shall not be considered a window.

Zoning map: The map which sets the boundaries of the districts established pursuant to article V of this chapter and which was established pursuant to Ordinance No. 280 of 1963.

(Code 1981, §§ 33-3—33-13, 33-115(1); Ord. No. 19-94, § 1, 8-15-1994; Ord. No. O-01-01, § 1, 2-5-2001; Ord. No. O-09-01, § 1, 9-17-2001; Ord. No. O-01-03, § 1, 5-5-2003; Ord. No. O-09-07, § 1, 1-7-2008; Ord. No. O-06-08, § 1, 10-20-2008; Ord. No. O-07-10, § 1, 7-19-2010; Ord. No. O-1-13, § 1, 4-1-2013; Ord. No. O-08-14, § 1, 1-5-2015; Ord. No. O-08-21, § 1, 10-4-2021; Ord. No. O-06-22, § 2, 12-5-2022; Ord. No. O-03-23, § 1, 3-6-2023; Ord. No. O-08-23, § 1, 5-15-2023)

Cross reference— Definitions generally, § 1-2.

Secs. 138-33—138-50. - Reserved.

ARTICLE III. - GENERAL PROVISIONS

#### DIVISION 1. - ACCESSORY BUILDINGS AND STRUCTURES

Footnotes:

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*Editor's note*— Ord. No. O-7-13, § 1, adopted Dec. 16, 2013, amended Div. 1 in its entirety to read as herein set out. Former Div. 1, §§ 138-51—138-63, pertained to similar subject matter. For prior history, see Code Comparative Table.

Sec. 138-51. - Generally.

Accessory buildings and structures shall be classified as herein defined and, unless otherwise provided in this chapter, shall be subject to this section.
By their definition and nature, accessory buildings and structures shall be secondary and clearly incidental to the principal building on a parcel of land. Such buildings or structures shall therefore not be permitted as the only building or structure on a parcel of land.

The various types of accessory buildings and structures shall be defined, but not limited to as follows:

Accessory building: A subordinate building on the same parcel as the principal building, the use of which is incidental to that of the principal building and which is used exclusively by the occupants or owners of the principal building, including garages and carports, studios for private use, greenhouses, hobby shops, and recreation rooms.

Antennas: Structures or facilities for the reception or transmission of radio, television and microwave signals.

*Carport:* A roofed structure for the parking or storage of currently licensed and registered motor vehicles, completely open on one side and not more than 75 percent enclosed on the opposite side.

*Dog houses:* A building of not more than 36 square feet with a total height of not more than four feet designed and used for housing not more than three dogs, or three cats or three of a combination thereof, or of other similar animals, being the age of six months or older, owned by the occupant of the parcel on which it is located.

*Dog run*: An open air enclosure, attached or detached from the principal building for the purposes of housing or exercising animals commonly classified as domestic pets.

*Garage:* A building designed and intended to be used for the periodic parking or storage of one or more private motor vehicles, yard equipment or recreational vehicles such as, but not limited to, boats, trailers, all terrain vehicles and snowmobiles.

Room: An interior space not less than 70 square feet in area with a ceiling height of at least seven feet.

*Shed:* A building designed and intended to be used for the storage of tools, garden tractors, lawn mowers, motorcycles, small recreation vehicles such as, but not limited to, snowmobiles, ATV's, motor scooters, or used as doll houses, play houses or children's club houses.

Swimming pool for private residential use only: A swimming pool and the apparatus and equipment pertaining to the swimming pool maintained by an individual for the sole use of his household and guests without charge for admission and not for the purpose of profit or in connection with any business operated for profit, located on a lot as an accessory use to a residence. This includes hot tubs and jacuzzies as installed outside and accessory to the main residence.

(Ord. No. O-7-13, § 1, 12-16-2013)

Sec. 138-52. - Attached to main building.

- (a) Where the accessory building or structure is attached to a main building it shall conform to, all regulations of this chapter applicable to the main building.
- (b) The width of a front loading attached garage shall not be more than 45 percent of the total width of the main building as measured along the front building line. The garage portion shall be recessed at least five more feet from the main building's front setback.
- (c) For attached garages on corner lots, see section 138-61.

## (Ord. No. O-7-13, § 1, 12-16-2013)

#### Sec. 138-53. - Yard location.

Accessory buildings or structures shall not be erected in any yard, except a rear yard.

(Ord. No. O-7-13, § 1, 12-16-2013)

Sec. 138-54. - Lot coverage.

In no instance shall the combined floor area of all accessory buildings and structures exceed 800 square feet or one-half the ground floor of the main building, whichever is greater. Lot coverage shall also conform to requirements set forth in the schedule of regulations. Dog runs are excluded from the maximum lot coverage calculation.

(Ord. No. O-7-13, § 1, 12-16-2013)

#### Sec. 138-55. - Setback.

No detached accessory building except dog houses and dog runs shall be located closer than ten feet to any main building, or other accessory building.

No accessory building or structure shall be located within five feet of the side lot line unless proper fire separation has been installed. In no instance shall an accessory building or structure be located closer than 18 inches to a side lot line.

No accessory building or structure shall be located within five feet to any rear lot line. In no instance shall an accessory building or structure be located within a dedicated easement or right-of-way.

(Ord. No. O-7-13, § 1, 12-16-2013)

Sec. 138-56. - Height.

Distance from Rear Lot Line to Structure	Height of Structure Allowed
0 to 5 feet	No structures permitted
5-35 feet	15 feet
Greater than 35 feet	Maximum height allowed in the zoning district. See Schedule of Regulations, <u>Section 138-526</u> .

An accessory building shall be considered two stories if the second floor contains a room as defined herein. Accessory buildings with two stories shall have proper fire separation as required by state building code.



## MEMORANDUM

То:	Planning Commission
From:	Kristen Kapelanski, Community Development Director
Subject:	<u>PSP-02-25 and PSU-01-25: 4162 Twelve Mile Rd., 4150 Twelve Mile Rd. and 4138</u> <u>Twelve Mile Rd.</u>
Date:	May 27, 2025

## Background

- The applicant is proposing to redevelop a 0.8 acre site as a 6,734 sq. ft. gas station/convenience store and associated restaurant at the north side of Twelve Mile Rd. between Greenfield Rd. and Ellwood Ave.
- The zoning of the property is Gateway District, which permits retail and restaurants as principal permitted uses and gas stations as special land uses subject to certain conditions. Refer to the Carlisle Wortman Associates (CWA) review letter for a detail and analysis of conditions for gas stations.
- This application was submitted prior to the adoption of the new Zoning Ordinance. Plans have been reviewed against the old Zoning Ordinance provisions (pre-April 16th).
- The Planning Commission is required to consider and approve/deny the site plan, recommend approval/denial of the special land use request and hold the required public hearing.

## Summary

- The plan is generally in compliance with ordinance and City Code requirements. All staff and consultant reviewers are recommending approval subject to conditions.
- The applicant is planning to seek variances from the Zoning Board of Appeals for the placement of the trash enclosure and the location of the southeastern driveway. See the CWA review and the applicant's response letter for additional details.
- The CWA review notes a number of items that were required prior to the plan appearing before the Planning Commission:
  - The applicant has provided the requested elevations and pictures of the existing screen wall. The proposed modifications to the existing screen will bring the wall to a height of 6 ft. and the portions of the wall within 12 ft. of the driveway will be stepped down to a height of 30 in. The City's Building Official has confirmed the screen wall is in usable condition.
  - The applicant has provided the exterior material finish schedule and notes.

- The CWA review also noted a number of items for Planning Commission consideration:
  - The Commission may want to consider requesting that the applicant modify the landscaping plan to improve the Twelve Mile streetscape.
  - The Commission may want to consider asking the applicant to replace the proposed pole-mounted lights with wall sconces along the north property line.
  - The Commission may want to consider asking the applicant to rotate the building so that the primary entrance faces Twelve Mile, in conformance with the Downtown Design Guidelines.
- The Planning Commission will need to make a determination per Section 130-37 that the proposed landscaping meets the requirements outlined in the Master Plan.
- The applicant is requesting a Planning Commission waiver for reduced transparency levels on the south elevation. See the CWA review for details.

## Recommendation

If the Planning Commission chooses to approve the site plan, staff recommends the approval motion include a waiver of the transparency levels on the south elevation and findings that the plan meets the standards for site plan approval per Section 138-679 and that the landscaping as proposed meets the requirements of Section 130-37. Any approval motions should also include as a condition of approval that outstanding items in the staff and consultant review letters be addressed and that variances are obtained for the placement of the trash enclosure and the location of the southeastern driveway.

Any motions recommending approval of the special land use request should reference the standards in Section 138-653.



117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: February 14, 2025 Revised: March 28, 2025 Revised: May 5, 2025

# Site Plan and Special Use Review For City of Berkley, Michigan

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Applicant:	Selwan Shina
Project Name:	Mug & Jug
Plan Date: Revised: Revised:	January 14, 2025 March 19, 2025 April 23, 2025
Location:	4162 W Twelve Mile Road
Zoning:	Gateway District
Action Requested:	Site Plan and Special Use Approval

## SITE DESCRIPTION

The applicant is proposing the redevelopment of an existing 0.8-acre site to introduce an automobile filling station with associated restaurant and convenience store. The proposed redevelopment includes renovating much of the existing Mug & Jug liquor store building and removing the adjacent buildings to create one large combination restaurant/convenience store with a combined area of 6,734 square feet. The restaurant and convenience/retail store uses are permitted by right in the Gateway District, and the automobile service station use requires special use approval. The subject property includes three (3) different parcels which the applicant proposes combining into one (1) subject parcel.

The subject property is also located in the Downtown Development Authority area, Character Area 1: Gateway West. The Berkley Downtown Design Guidelines establish design principles and concepts that should be considered when developing or redeveloping projects within the DDA boundary. The site plan, in general, includes design concepts and

principles compatible with the Downtown Design Guidelines. Areas of deficiency are identified in this report.

## Proposed Uses of Subject Parcels:

Automobile service station, restaurant/convenience store

## **Current Use of Subject Parcels:**

Mug & Jug liquor store and three (3) commercial tenant spaces, including clothing store, plumber's office, and Berkley Coney Island.

The property is located in the Gateway District at the entry point of the City of Berkley on the major intersection of Twelve Mile and Greenfield Roads. The intent of the Gateway District is to enhance these important landmark locations and provide convenience services and shopping opportunities for the community, particularly the adjacent residential neighborhoods.

## Figure 1. Aerial view of subject site and vicinity.



Source: Nearmap

Direction	Zoning	Use	
North Greenfield District		Single family homes	
South	Gateway District	Retail	
West	Southfield, General Business	Retail	
East	Greenfield District, Twelve Mile District	Restaurant, single family home	

### Table 1. Surrounding Property Details.

### Items to be addressed: None.

## NATURAL FEATURES

The site is currently developed with buildings and impervious asphalt surfaces. No new impervious surface is proposed as part of the development, and no trees are proposed for removal as part of the demolition plan.

### Items to be addressed: None.

## **BUILDING ARRANGEMENT AND SITE DESIGN**

The subject property is situated on the northeast corner of Greenfield Road and Twelve Mile Road. The existing buildings are situated right at the sidewalk along Twelve Mile Road with zero setbacks, and the parking area is situated in a U-shape around the buildings on the north, east, and west sides. The existing buildings are connected to one another and include customer entrances on the south, west, and east building sides.

The redevelopment proposes the removal of the middle building and western building while maintaining the existing north, south, and east walls of the Mug & Jug store. The interior of the Mug & Jug store will be remodeled and then combined with the proposed building addition. A fuel canopy is proposed along the western portion of the site, in the location of the existing drive aisle. The canopy includes four (4) pump islands with spaces for eight (8) vehicles. The proposed redevelopment will remove the customer building entrances from the south side along Twelve Mile Road. The primary customer entrance is proposed on the west elevation, facing the proposed fuel canopy.

Most of the existing perpendicular parking spaces along the eastern property line will remain, along with much of the parking along the northern property line. New parking spaces will surround the new building to the north and west.

## Items to be addressed: None.

# AREA, WIDTH, HEIGHT, SETBACKS

Section 138-526 establishes the dimensional requirements for structures in the Gateway District. When the parcels are combined, the resulting parcel will front Twelve Mile Road, Greenfield Road, and Ellwood Avenue. According to the definitions in the Zoning Ordinance, this renders the resulting parcel both a corner lot and a double frontage lot, since it has frontage on both parallel streets and perpendicular streets. As such, the front lot line will be along Twelve Mile Road, the rear lot line will be the property line opposite Twelve Mile Road (the north lot line), and the remaining lot lines along Greenfield Road (west) and Ellwood Avenue (east) will be considered the side lot lines.

Table 2. Dimensional requi	irements
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	Required	Provided	Compliance	
Minimum Front Setback (south)	10' or equal to setback of adjacent buildings, whichever less	0' – in line with existing Mug & Jug	Complies	
Minimum Side Setback (east and west)	0'	5' on east side (trash enclosure) 24' on west side (canopy)	Complies	
Minimum Rear Setback (north) Maximum Building Height		>30'	Complies	
		Building: 22' Canopy: 16'	Complies	

Items to be addressed: None

# TRASH ENCLOSURE

A 100-square-foot trash enclosure is proposed south of the Ellwood Avenue entrance in the side yard. The enclosure doors face northwest toward the parking lot. Section 138-53 requires accessory structures to be erected in the rear yard only, but the proposed trash enclosure is located in the side yard. Sheet C-3 indicates that the applicant intends to seek a variance from the restrictions that only permit accessory structures in the side yard. Section 138-55 requires accessory structures to be located at least five (5) feet from the side lot line; the revised site plan complies with this standard.

*Items to be addressed:* Applicant must modify proposed trash enclosure placement to comply with Sections 138-53 or obtain a variance from the Zoning Board of Appeals.

# PARKING

Section 138-219 indicates parking requirements for most uses in the City of Berkley. The site plan shows the total area of the existing building and the proposed building addition at

6,734 square feet. Of that total area, 702 square feet will be dedicated to the restaurant use with the remainder, including the existing Mug & Jug liquor store, used for convenience store use.

Table	3.	Parking	requirements
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Parking Standard	Required	Provided
Gas station with convenience store: 6 spaces per 1,000 square feet of usable floor area + 1 space per pump + 2 spaces	(70% x 6,032 square feet) / 1,000 x 6 = 25.33 + 8 pumps + 2 spaces = 35 spaces	45 spaces
Restaurant (carry-out): 1 space per 75 square feet of usable floor area	(70% x 702 square feet) / 75 = 6.552 7 spaces	
TOTAL	42 spaces	
<b>Barrier free spaces:</b> 2 spaces required for parking lot with 26-50 parking spaces	2 barrier free spaces	2 barrier free spaces

Sheet C-3 indicates that all standard parking spaces will be twenty (20) feet long and nine (9) feet wide, in compliance with Section 128-220(a) regulating parking space dimensions. The barrier free spaces will be eight (8) feet wide, in compliance with ADA requirements. No loading spaces are shown on the plan, nor are any required. Two (2) parking spaces south of the proposed trash enclosure include EV charging stations.

Items to be addressed: None.

# SITE ACCESS AND CIRCULATION

The proposed development offers customer access from the west and south sides of the building, with an emergency exit on the north side of the building.

The site redevelopment proposes continuing the use of the four (4) existing driveways on the property but with slight modifications. The four (4) existing driveways have full, two-way movement. The site plan proposes maintaining full, two-way movement of the two (2) driveways on the east side of the property – one along Ellwood Avenue and one along Twelve Mile Road. The site plan further proposes altering the movement of the two (2) driveways on the west side of the property to a right-turn-only egress and full movement ingress. The site plan indicates that the western driveway from Twelve Mile Road will be relocated to the east roughly 20 feet to a new distance of 62.1 feet from the southwestern property corner. Mountable curb islands are proposed at these two (2) driveways to restrict left turns, as shown on Sheet C-3. Painted white arrows are shown on the asphalt to show traffic directions.

As discussed further in the "Automobile Service Stations" section of this report, the southeastern driveway along Twelve Mile Road is noncompliant with the standards for automobile service stations. With three (3) other driveways on site, we recommend removing this access drive entirely, as there is no room to relocate it further from the intersection of Ellwood Avenue and Twelve Mile Road. The applicant's March 19, 2025, and April 23, 2025, response letters indicate that they will be requesting a variance from this requirement from the Zoning Board of Appeals.





There are existing sidewalks along Twelve Mile Road, Greenfield Road, and Ellwood Avenue surrounding the property. A concrete sidewalk is proposed on the west side of the new building addition.

A bus stop for the 415 smart bus line is located at the northwest corner of the subject site. The site plan proposes a bench and trash receptacle on the subject property, next to the existing bus stop sign, reflecting master plan placemaking goals for the Gateway corridors.

The site plan includes a circulation map on Sheet C-3, indicating how a fuel truck, fire truck, and trash truck will access the site by using the two (2) northern driveways off Ellwood Avenue and Greenfield Road. No large truck access is offered on the southern portion of the property that fronts Twelve Mile Road.

*Items to be addressed:* Applicant must remove the southeastern driveway from Twelve Mile Road, as discussed in the "Site Access and Circulation" and "Special Use Considerations" sections of this report, or receive a variance.

### LANDSCAPING AND SCREENING

Section 138-85(c)3 requires a screen wall at least six (6) feet in height when non-residential properties abut residential properties. The properties to the north of the subject site are residential. There is an existing brick wall along this property line, which is proposed to remain. Sheet C-3 of the site plan indicates that the entire existing screen wall will be increased to a minimum of six (6) feet. This note on the site plan includes some ambiguity regarding this change to the existing screen wall. The note should be revised and elevations provided to indicate the look of the screen wall and how it will meet the height requirements of Section 138-85(c)9, which requires a lower maximum height of four (4) feet, eight (8) inches in the front yard. The Planning Commission may issue a waiver of this requirement if deemed appropriate. Furthermore, we recommend that the existing wall be inspected by the Building Department to ensure that it has adequate support, per the requirements of Section 138-85(a)3.



Figure 3. Existing northern screen wall. Source: Google Maps

A landscaping plan is included on Sheet C-8, showing details of 20 proposed evergreen trees, one (1) proposed deciduous street tree along Twelve Mile Road, and 38 proposed deciduous and evergreen shrubs. The evergreen trees are situated around the proposed trash enclosure on the east side of the property. The shrubs are situated to the north of the existing building, along the western property line, and in the southeastern property corner.

As set forth in Section 130-37, when reviewing a site plan, the Planning Commission may require trees to be planted on or near the site consistent with the elements of the adopted city master plan. The Master Plan indicates that the Gateway corridors can be improved through placemaking strategies including streetscape improvements. The Downtown Design Guidelines further indicates how site design should improve pedestrian connections

and provide active outdoor spaces through strategies that include urban streetscape design and landscaping. As such, we recommend that the landscaping plan be amended to include additional street trees along Twelve Mile Road. The area designated for pavement between the proposed bicycle parking and the building can be modified to include landscaping. Furthermore, we recommend that the existing southeastern driveway from Twelve Mile Road, which does not comply with the standards for Automobile Service Stations, be replaced with landscaping.

The existing Mug & Jug store includes an ADA parking space to the east of the rear door; the site plan proposes a 54-square-foot transformer pad in this location as part of a landscape island that offers screening from the east and north. Section 138-73 establishes location standards for exterior appliances, including required opaque screening or landscaping at least four (4) feet in height on at least three (3) sides. The landscaping plan proposes nine (9) juniper trees that are at least six (6) feet in height.

**Items to be addressed:** (1) Applicant must provide exact height and elevations of proposed modified screen wall. (2) We recommend Building Department verification that the existing screen wall complies with Section 138-85(a)3. (3) Planning Commission may consider requesting that the applicant modify the landscaping plan to improve the Twelve Mile Road streetscape, as discussed in this report.

## PHOTOMETRICS

The site plan includes a lighting plan with photometric map on Sheet C-7. There are three (3) pole mounted lights shown, mounted at fifteen (15) feet, next to the parking spaces along the northern property line. Twelve (12) wall sconces are shown around the perimeter of the proposed building addition, the existing Mug & Jug building, and the fuel canopy. The proposed wall sconces on the building are mounted at twelve (12) feet, and the proposed wall sconces on the fuel canopy are mounted at fifteen (15) feet. There are also three (3) soffit lights under the fuel canopy, mounted at fourteen (14) feet. All lights appear to be downward directed and fully shielded.

The photometric map shows illumination reaching 0.5 footcandles along the northern property line and 1.0 footcandle along the southern, eastern, and western property lines.

The Downtown Design Guidelines indicate that projects should minimize the visual impacts of architectural lighting on neighboring properties. This could include using a color temperature similar to daylight, using lights with a low level of luminescence and maintaining lights to prevent light trespass onto neighboring properties or rights-of-way. Sheet C-7 indicates that the proposed color temperature is 3,000 Kelvin, which is considered "warm white". The applicant should also consider replacing the proposed polemounted lights with wall sconces that are mounted on the brick wall along the north property line in order to reduce the impact on the neighboring residences.

*Items to be addressed:* Applicant should consider replacing the proposed pole-mounted lights with wall sconces along the north property line screening wall.

## **BICYCLE PARKING**

One bicycle hoop with space for two (2) bicycles is shown to the east of the eastern Twelve Mile Road driveway. The hoop is just under three (3) feet in height.

Items to be addressed: None.

## FLOOR PLAN AND ELEVATIONS

Floor plans and elevations are included on Sheets A-0.1, A-1.1,- A-0.15, and A-2.4. These details indicate that the convenience store will include shelves for merchandise, two (2) single-user restrooms, storage room, a walk-in cooler and beer cave, small office, and service counter. A 702 square foot, enclosed room is proposed for food service; details of this room are not provided, but we assume it is for a kitchen.

Previous site plan submissions included an Exterior Material Finish Schedule and Notes. This sheet was omitted from the more recent site plan submission. The elevations indicate a predominantly masonry façade with fiber cement board to offer some façade articulation as well as aluminum framing and windows. Tinted glass does not meet the definition in the Zoning Ordinance of a window, which requires that "both sides of the glass are readily made transparent."

The floor plans indicate that the windows are provided in the customer/store area, behind the service counter, and in the beer cave.

Section 138-432 requires first floor elevations that front a street to have windows be between 40 percent and 80 percent of the facade. This requirement only applies to the south elevation that faces Twelve Mile Road. The elevations propose the following transparency levels:

- South: 8.9%
- West: 43.7%
- North: 9.8%
- East: 7.7%

The South elevation is, therefore, not compliant with the transparency standard of Section 138-432. Section 138-432 further requires that the south elevation that fronts Twelve Mile Road contains an entrance to the building. Additionally, the Downtown Design Guidelines indicate that buildings should provide an active street edge, including a large storefront and pedestrian-oriented design, and should orient the functional entrance of buildings to face the street rather than the parking lot. The revised site plan added a secondary pedestrian

entrance to the south elevation, but the primary entrance remains on the proposed west elevation facing the parking lot.

The applicant can consider rotating the building plan 90 degrees such that the primary building entrance – depicted on the "West Elevation" on Sheet A-2.1 – fronts Twelve Mile Road. An interior reconfiguration could also ensure that windows and primary entrance are placed in areas where transparency would be most appropriate. The Planning Commission may revise the requirements of Section 138-432 when it finds that the proposal meets the standards for site plan approval.

The elevations of the fuel canopy indicate an overall height of 18.5 feet, with a steel structure and pillars faced with masonry façade.

**Items to be addressed**: (1) Applicant must include Exterior Material Finish Schedule and Notes. (2) Applicant must amend transparency levels of south elevation to comply with Section 138-432 or receive a waiver from the Planning Commission. (3) Applicant should consider rotating the building 90 degrees such that the primary entrance fronts Twelve Mile Road, in conformance with the Downtown Design Guidelines.

## SIGNS

The proposed elevations indicate that signs are proposed on the south, west, and east building facades. Sheet C-3 indicates that the existing pole sign on the southwestern property corner will be retrofitted.

*Items to be addressed:* Sign permits applications must be submitted for all signs prior to installation, in compliance with Chapter 94 of the Berkley Code of Ordinances.

## AUTOMBILE SERVICE STATIONS

Special use approval shall be granted for automobile service stations which comply with the following site development standards:

(1) An automobile filling and service station shall not be located nearer than 500 feet to a school, church, public park or auditorium.

**CWA Response:** The nearest school, church, public park, or auditorium is the Christ the Good Sheperd Old Catholic Church, which is over 500 feet from the subject property. This standard is met.

(2) The minimum site size shall be 15,000 square feet, and, in addition, gasoline filling and service stations shall have 500 square feet of site area for each additional pump over 4, and 1,000 square feet of site area for each additional service bay over 2.

**CWA Response:** The subject site is 34,638 square feet. The gasoline filling canopy has four (4) fuel pumps and is 1,920 square feet. This standard is met.

(3) The minimum site width shall be 130 feet.

CWA Response: The site width is 150 feet. This standard is met.

(4) All points of entrance or exit for motor vehicles shall be no closer than 30 feet from the intersection of the right-of-way lines proposed in the city's land use plan for those streets on which it fronts. Points of entrance or exit for motor vehicles shall be no closer than 20 feet from any adjacent property line. The minimum driveway width at the curbline shall be 22 feet and the maximum driveway width at the curbline shall be 30 feet. The minimum width of access drive shall be 16 feet. The angle of intersection of the centerline of any driveway with the centerline of the street shall not be less than 60 degrees, unless separated acceleration and deceleration lanes are provided.

**CWA Response**: The eastern driveway off Twelve Mile Road is 26.8 feet from the intersection of Twelve Mile Road and Ellwood Avenue; this does not meet the 30-foot standard. All other driveways meet the standard.

The northwest driveway is 22.4 feet from the adjacent property, and the northeast driveway is twenty-five 25 feet from the adjacent property. The southeastern driveway is 22.9 feet wide, and the other three driveways are 24 feet wide. This standard is met.

The interior access drives vary in width from 19 feet to 26 feet. This standard is met.

The angles between the centerline of the driveways and centerline of the streets are all 90 degrees. This standard is met.

(5) All equipment including hydraulic hoist, pits and oil lubrication, greasing and automobile washing, repairing equipment and body repair shall be entirely enclosed within a building. There shall be no outdoor storage of merchandise such as tires, lubricants and other accessory equipment except that outdoor trash storage may be provided in a properly screened container consisting of a brick masonry wall at least 6 feet high with a sturdy, 100% view-obscuring gate.

**CWA Response:** No exterior work or outdoor storage of merchandise is proposed. This standard is met.

(6) All activities, except those required to be performed at the fuel pump shall be carried on inside a building. All vehicles upon which work is performed shall be located entirely within a building.

**CWA Response**: No outside activities are proposed except for fuel pumping. This standard is met.

(7) There shall be no aboveground tanks for the storage of gasoline, liquefied petroleum gas, oil or other inflammable liquids or gas.

CWA Response: No aboveground storage is proposed. This standard is met.

(8) The automobile service station shall provide one parking space for each person employed at the station during any given period of the day. Each required parking space shall be no less than 200 square feet in area. No outdoor storage or parking of vehicles other than those used by employees while on duty.

**CWA Response:** As indicated in the "Parking" section of this report, there are three (3) parking spaces in excess of what is required by the standards set forth in Section 138-219.

*Items to be addressed:* Applicant must remove the southeastern driveway from Twelve Mile Road or obtain a variance.

# SPECIAL USE CONSIDERATIONS

Special use approval for the proposed automobile service station requires a public hearing, notice of which must be given in accordance with the Michigan Zoning Enabling Act. All special use applications must be reviewed by the Planning Commission and City Council and approved upon finding that the following standards are met. We offer some suggested findings and recommend that the Planning Commission discuss these standards prior to any action.

(1) The proposed use will promote the use of land in a socially and economically desirable manner.

**CWA Response:** The application does not include a discussion of the proposed gas station operations. The Planning Commission can request further information from the applicant to determine if this standard is met.

(2) The proposed use is necessary for the public convenience at that location.

**CWA Response:** The nearest gas station on Twelve Mile Road roughly 0.4 miles east of the subject site. The nearest gas station on Greenfield Road is roughly 1 mile north of the subject site. Both of these gas stations, along with the proposed gas station, are small, convenience-style corner gas stations that are arranged to quickly serve local community members rather than draw from a broader geographic area. It is unclear whether there is demand for an additional gas station in this area.

(3) The proposed use is compatible with adjacent land uses.

**CWA Response:** The surrounding uses include small retail, restaurants, and residences, which are typically complementary to a small gas station.

(4) The proposed use is designed so that the public health, safety and welfare shall be protected.

**CWA Response:** Several modifications to the site plan design – as well as additional site plan details – are required to meet the standards of the Zoning Ordinance, which is intended to preserve the public health, safety, and welfare. This includes site changes or clarifications to site access, building elevations, landscaping and screening, lighting, and dimensional standards. By addressing these site plan deficiencies, as described throughout this report, this standard may be met.

(5) The proposed use will not cause injury to other property in the neighborhood.

**CWA Response**: If compliant with all local, state, and federal laws, this standard will be met.

**Items to be addressed:** (1) Applicant must amend eastern driveway off Twelve Mile Road to comply with the 30-foot standard or obtain a variance. (2) Applicant must provide a complete and compliant site plan. (3) Planning Commission review of the proposed special use application through the lens of the five (5) special use standards.

## RECOMMENDATIONS

Special use approval for the proposed automobile service station may only be granted if the site plan demonstrates compliance with the standards indicated in the preceding section of this report. The eastern driveway off Twelve Mile Road is 26.8 feet from the intersection of Twelve Mile Road and Ellwood Avenue; this does not meet the 30-foot standard. The Planning Commission must not grant special use approval until this item is addressed.

Further, although the site plan is compliant with many of the requirements of the Zoning Ordinance, there are some deficiencies that the applicant must address prior to site plan approval.

- 1. Applicant must modify proposed trash enclosure placement to comply with Section 138-53 or obtain a variance from the Zoning Board of Appeals.
- 2. Applicant must remove the southeastern driveway from Twelve Mile Road, as discussed in the "Site Access and Circulation" and "Special Use Considerations" sections of this report or obtain a variance.
- 3. Applicant must provide exact height and elevations of proposed modified screen wall.
- 4. We recommend Building Department verification that the existing screen wall complies with Section 138-85(a)3.

- 5. Applicant should consider replacing the proposed pole-mounted lights with wall sconces along the north property line screening wall.
- 6. Applicant must include Exterior Material Finish Schedule and Notes.
- 7. Applicant must amend transparency levels of south elevation to comply with Section 138-432. Applicant should consider rotating the building 90 degrees such that the primary entrance fronts Twelve Mile Road, in conformance with the Downtown Design Guidelines.
- 8. Sign permits applications must be submitted for all signs prior to installation, in compliance with Chapter 94 of the Berkley Code of Ordinances.

The Planning Commission should provide direction to the applicant on the following:

- 1. Modifications to landscaping plan to improve the Twelve Mile Road streetscape, as discussed in this report.
- 2. Modifications to the building orientation and architecture, as discussed in this report.
- 3. Possible waiver of screen wall requirements, as discussed in this report.
- 4. Possible waiver of transparency requirements, as discussed in this report.

Respectfully submitted,

CARLISLE/WORTMAN ASSOC., INC. Megan Masson-Minock, AICP Principal

CARLISLE/WORTMAN ASSOC., INC. Michelle Marin, AICP Community Planner

#354-2500

cc. Kristen Kapelanski, Community Development Director Kim Anderson, Zoning Administrator

# THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, MAY 27, 2025 AT BERKLEY CITY HALL BY CHAIR LISA KEMPNER.

The minutes from this meeting are in summary form capturing the actions taken on each agenda item. To view the meeting discussions in their entirety, this meeting is broadcasted on the city's government access channel, WBRK, every day at 9AM and 9PM. The video can also be seen, on-demand, on the city's YouTube channel: https://www.youtube.com/user/cityofberkley

#### DRAFT

PRESENT:	Josh Stapp	Lisa Hamameh
	Shiloh Dahlin	Mike Woods
	Lisa Kempner	
	Eric Arnsman	

#### ABSENT:

ALSO PRESENT: Kristen Kapelanski, Community Development Director Michelle Marin, Planning Consultant Greg Patterson, City Council Liaison

Motion by Commissioner Arnsman to excuse the absence of Commissioner Bartus. Motion supported by Commissioner Woods.

Voice Vote to excuse the absence of Commissioner Bartus.

AYES: 6 NAYS: 0 ABSENT: Bartus

#### **MOTION CARRIED**

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#### **APPROVAL OF AGENDA**

Motion by Commissioner Hamameh to approve the agenda and supported by Commissioner Stapp.

Voice vote to approve the agenda

AYES: 6 NAYS: 0 ABSENT: Bartus

#### MOTION CARRIED

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#### APPROVAL OF THE MINUTES

Motion by Commissioner Hamameh to approve the minutes of the April 22, 2025 regular Planning Commission meeting and supported by Commissioner Dahlin.

Voice vote to approve the meeting minutes of April 22, 2025.

AYES: 6 NAYS: 0 ABSENT: Bartus

**MOTION CARRIED** 

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#### COMMUNICATIONS

Community Development Director Kapelanski shared that the latest issue of the Michigan Association of Planning magazine was provided for the Commissioners.

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# CITIZEN COMMENTS

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#### OLD BUSINESS NONE

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#### NEW BUSINESS

1. <u>PSP-02-25 and PSU-01-25: 4162 Twelve Mile Rd., 4150 Twelve Mile Rd. and 4138 Twelve Mile Rd.:</u> The applicant, Selwan Shina, is requesting site plan approval and special land use approval for a gas station/convenience store with accessory restaurant counter in the Gateway District on the north side of Twelve Mile Rd. between Greenfield Rd. and Ellwood Ave.

Planning Consultant Marin presented the plan and provided an overview of the planning review letter. She highlighted the special land use review standards, needed transparency waivers and needed variances.

The Planning Commission asked some clarifying questions confirming the distinction between the gas station standards and the special land use standards.

The applicant's engineer, Joe Delmotte of Stonefield Engineering, went through elements of the plan. He noted that the Road Commission for Oakland County approved the plan and asked for some movement restrictions on the driveways, which the applicant has provided. He also described the lighting fixtures along the northern property line. He said they will be full cutoff fixtures with shields and the light trespass along the northern property line will be minimal. Lastly, he went through the special land use criteria and noted how each was met.

Chair Kempner opened the public hearing at 7:30PM.

William Seaman, 3461 Elwood spoke in support of the project. He thought it would bring nice updates to the area.

Tyler Anderson, 3908 Bacon, spoke in support of the project. He thought it would provide a needed service to the community and the existing business owners have strong roots in the community. This would be a convenience option for him and his family. It would be good to have a business that did not operate after hours because of safety concerns as the Berkley Coney Island currently does.

Joe Leo, Huntington Woods, spoke in support of the project. He noted the existing building has been well maintained.

Andrew Decker, 2856 Cummings, spoke in support of the project. He said the business was very welcoming when he first came into the community. He thought it would bring a convenience element to the neighborhood.

Dawn Sylvester, 3991 Cummings, spoke in support of the project. She thought this would be a great spot to stop for needed items. This would also bring needed improvements in the storefronts and landscaping along Twelve Mile as a result of this project.

Amanda House, Royal Oak, spoke in support of the project. She said Mug and Jug is a neighborhood institution and business that provides a caring presence in the community. She travels from Royal Oak because of the service she receives. This introduces new patrons to the City and increases economic activity.

Margaret Gifford, 3541 Thomas, thought the changes to the driveways on Greenfield and Thomas make sense. She was glad to see economic activity in this area of Twelve Mile and is in support of the project.

Killron O'Neil, Elwood, is in support of the project. She said this is a community establishment and she is glad to see them proposing an expansion. This project will beautify this section of Twelve Mile and provide a nice gateway into the community.

Geoffrey Vincent, 1358 Eaton, supports the project because of the sense of community the business provides.

Gerry DuRocher, 4263 Gardner, thinks this will be an upgrade for the community.

Michael House, Lathrup Village, spoke in support of the project. The business owners have been an integral part of the community and this will provide an option for people to access needed items. The corner will also be improved aesthetically and safety-wise.

Michael Moermur, 3477 Ellwood, supports the project. He is the direct neighbor. He thinks this is an exciting opportunity and it will enhance the area.

Robert Shand, 3478 Thomas, said this will be a great project because of the people behind it.

Eric Gaines, Southfield, said the business owners always made him feel welcome. He supports the project.

Kathy DuRocher, 4263 Gardner, thinks the project will be a great gift to the community and will make the City better.

Chair Kempner summarized the emails the Commission received.

Chair Kempner closed the public hearing at 7:50PM.

Commissioner Hamameh confirmed with the applicant that the business does not plan to operate beyond 12AM.

The applicant's engineer stated they would not be willing to remove any driveways and will seek a variance.

Chair Kempner asked about the suggestion made by the planning review letter to rotate the building. The applicant's architect said there is variation on the Twelve Mile frontage elevation but the two-dimensional plans do not make that easy to see. He addressed the transparency saying that the requested transparency does not always work for businesses. Chair Kempner confirmed that the applicant was unwilling to rotate the building.

Commissioner Arnsman confirmed the minimum transparency along Twelve Mile is 40%-80%.

Commissioner Dahlin confirmed the windows on part of the Twelve Mile elevation would be tinted and that shelving units would be in front of the windows. She confirmed that the gas station company that would be operating here is not yet known.

Commissioner Hamameh asked what could be done to dress up the center brick area. The applicant's architect said he could consider some façade treatments to break up the Twelve Mile façade including different brick colored bands and potentially some art elements.

The applicant's architect said because of the building design interior, transparency could not be increased.

Director Kapelanski suggested the addition of a green wall. The applicant said they would be open to that. The Planning Commission agreed that would address their concerns. Consultant Marin suggested any motions should include a size requirement for the living wall.

The Planning Commission asked if the lights at the rear of the property could be adjusted. The applicant said they would make adjustments to move them away from the property line.

Commissioner Hamameh asked if the Commission wanted to regulate the hours of operation. The Commission opted not to include that in a potential motion.

The Commission agreed there was no room on the site for additional street trees.

The Commission went through the automobile service station standards and confirmed all were met provided the applicant received a variance from the Zoning Board of Appeals for the driveway location.

The Commission went through the special land use and all agreed that all standards were met.

Motion by Commissioner Hamameh and supported by Commissioner Dahlin to approve PSP-02-25 4162 Twelve Mile Rd., 4150 Twelve Mile Rd. and 4138 Twelve Mile Rd. with the following findings:

- The standards of Section 138-679 have been met;
- The proposed landscaping meets the standards of Section 130-37; and
- A waiver of the transparency requirements

And the following conditions:

- Approval of the special land use request from the City Council;
- The applicant obtaining a variance from the Zoning Board of Appeals for the location of the trash enclosure;
- The applicant obtaining a variance from the Zoning Board of Appeals for the southeast driveway location;
- Compliance with all of the outstanding items in the staff and consultant reviews; and
- Alterations being made to the south elevation to include additional spandrel glass in the center approximately 12' x 12' and two minimum 10' x 8' living walls.

Roll call vote on the motion to approve PSP-02-25 4162 Twelve Mile Rd., 4150 Twelve Mile Rd., and 4138 Twelve Mile Rd.

AYES: 6 NAYS: 0 ABSENT: Bartus

Motion by Commissioner Hamameh and supported by Commissioner Dahlin to recommend approval of PSU-01-25 4162 Twelve Mile Rd., 4150 Twelve Mile Rd. and 4138 Twelve Mile Rd. with the following findings:

- The proposed plan meets the gas station standards of Section 138-429 with the exception of the driveway location in the southeast corner of the site;
- The proposed plan meets the standards of approval in Section 138-653 because the Commission has heard from a large group of residents supporting the project and noting how it supports the special land use standards including site activation, needed convenience, compatibility with adjacent commercial uses. The Commission does not believe the use will be injurious to the area and that it will not negatively impact the health, safety and welfare of the area;

And the following conditions:

- The applicant obtaining a variance from the Zoning Board of Appeals for the southeast driveway location; and
- Compliance with all of the outstanding items in the staff and consultant reviews.

Roll call vote on the motion to approve PSU-01-25 4162 Twelve Mile Rd., 4150 Twelve Mile Rd., and 4138 Twelve Mile Rd.

AYES: 6 NAYS: 0 ABSENT: Bartus

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#### LIAISON REPORT

Commissioners provided updates on the Chamber of Commerce, the Downtown Development Authority and Zoning Board of Appeals.

City Council Member Patterson provided an update on recent Council decisions.

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#### **COMMISSIONER COMMENTS**

Chair Kempner shared there is a group meeting for the temporary closure of Dorthea for activation as a pocket park from mid-June to mid-July.

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#### **STAFF COMMENTS**

Director Kapelanski noted training hours are due on June 30th. The Commission asked her to send out where everyone stands.

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#### ADJOURNMENT

Motion to adjourn by Commissioner Dahlin supported by Commissioner Woods.

Voice vote for adjournment

AYES: 6 NAYS: 0 ABSENT: Bartus

With no further business, the meeting was adjourned at 9:04 p.m.

# THE CITY OF BERKLEY Community Development Department 3338 Coolidge, Berkley, Michigan 48072 (248) 658-3320

# Notice Meeting of the Berkley Zoning Board of Appeals

Notice is hereby given, that there will be a meeting of the Zoning Board of Appeals to be held at the City of Berkley in the Council Chambers, 3338 Coolidge, Berkley, Michigan on Monday, July 14, 2025 at 7:00 pm or as near thereto as the matter may be reached.

# Application Number PBA-04-25

Salwan Shina, on behalf of Jamil Realty, LLC and Gevalin Gegaj for 4162 Twelve Mile Rd., 4150 Twelve Mile Rd., 4138 Twelve Mile Rd., Parcels 04-25-07-355-039, 04-25-07-355-038 and 04-25-07-355-040, North side of Twelve Mile Rd., between Greenfield Rd. and Ellwood Ave., is requesting a variance for the location of a trash enclosure.

## Berkley City Code

*Berkley City Code*, Chapter 138 *Zoning*, (under previous zoning ordinance) 138-53 Accessory building or structures shall not be erected in any yard, except a rear yard.

Complete application information is available for review at <u>www.berkleymi.gov/community-development/development-projects</u>.

Comments on the granting of the above variance may be made in person on the night of the meeting or in writing. All written comments must be submitted to the Berkley Community Development Department or email to <u>planning@berkleymi.gov</u> before 4:00 p.m. on the date of the Public Hearing.

KIM ANDERSON ZONING ADMINISTRATOR

<u>Publish Once:</u> Royal Oak Tribune Saturday, June 28, 2025

# THE CITY OF BERKLEY Community Development Department 3338 Coolidge, Berkley, Michigan 48072 (248) 658-3320

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KIM ANDERSON ZONING ADMINISTRATOR





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JAMES REED 3559 ELLWOOD AVE BERKLEY MI 48072 3119

BENJAMIN HIRCHE 3540 ELLWOOD AVE BERKLEY MI 48072 3117

Occupant 29111 GREENFIELD RD SOUTHFIELD MI 48076 5831

ABRO PLAZA SOUTHFIELD LLC 3807 BEECHCREST ROCHESTER HILLS MI 48309 3595

Occupant 3535 ELLWOOD AVE BERKLEY MI 48072 3119

CRAIG PEARCE 47335 ANCHOR DR MACOMB MI 48044 5404

EDWARD SOSNOSKI JR 3493 THOMAS AVE BERKLEY MI 48072 1142

Occupant 29095 GREENFIELD RD SOUTHFIELD MI 48076 2225

ABRO PLAZA SOUTHFIELD LLC 3807 BEECHCREST ROCHESTER HILLS MI 48309 3595

EILEEN KRUSE 3541 ELLWOOD AVE BERKLEY MI 48072 3119

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Occupant 4129 12 MILE RD BERKLEY MI 48072 1121

BATOOL KASSAB EXPRESS COLLISION 21470 COOLIDGE HWY OAK PARK MI 48237 3267

PAULA ANDREA GRACE 3340 GREENFIELD RD BERKLEY MI 48072 3131

Occupant 3510 GREENFIELD RD BERKLEY MI 48072 3132

GREENFIELD-BERKLEY LLC 21170 W 8 MILE RD STE 200 SOUTHFIELD MI 48075 5600

Occupant 3494 ELLWOOD AVE BERKLEY MI 48072 1130

RAMZI H AJO SR 67 PANAMA DR WATERFORD MI 48327 3666

JARRETT SANDERS OLIVIA SANDERS 3493 ELLWOOD AVE BERKLEY MI 48072 1129 JOSIMAR FELICIO DA SILVA 3478 ELLWOOD AVE BERKLEY MI 48072 1130

ELIZABETH GLOVER 3506 ELLWOOD AVE BERKLEY MI 48072 3117

Occupant 15556 W 12 MILE RD SOUTHFIELD MI 48076 3008

ABRO ELEVEN PROPERTY LLC 3807 BEECHCREST ROCHESTER MI 48309 3595

GEVALIN GEGAJ 4162 12 MILE RD BERKLEY MI 48072 1122

Occupant 3461 THOMAS AVE BERKLEY MI 48072 1142

3461 THOMAS AVE LLC 5836 TROTTER LN WEST BLOOMFIELD MI 48322 1635

Occupant 29069 GREENFIELD RD SOUTHFIELD MI 48076 2225

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K & C DONUTS INC 37102 TURNBURRY DR LIVONIA MI 48152 4021

Occupant 4150 12 MILE RD BERKLEY MI 48072 1122

RONNIE JAMIL WASIM JAMIL 4138 12 MILE RD BERKLEY MI 48072 1122

Occupant 4141 12 MILE RD BERKLEY MI 48072 1121

DONALD F MOORE 1900 HICKORY VALLEY RD MILFORD MI 48380 4278

DONALD F MOORE 1900 HICKORY VALLEY RD MILFORD MI 48380 4278

ALCO GLASS CO 4195 12 MILE RD BERKLEY MI 48072 1121

ELIZABETH LUCKER MARY MACHEN 3462 ELLWOOD AVE BERKLEY MI 48072 1130



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JACOB LEIDER JEFFREY S LEIDER 3445 THOMAS AVE BERKLEY MI 48072 1142

Occupant 4100 12 MILE RD BERKLEY MI 48072 3177

A & W OF BERKLEY 3830 RAVENA AVE ROYAL OAK MI 48073 6440

Occupant 3356 ELLWOOD AVE BERKLEY MI 48072 3115

GEZIM PLLUMAJ LIZE PLLUMAJ 42620 SILVERWOOD DR STERLING HEIGHTS MI 48314

ALCO GLASS & MIRROR INC. 4195 12 MILE RD BERKLEY MI 48072 1121

COUNTY OF OAKLAND 3338 COOLIDGE HWY BERKLEY MI 48072 1636

RONNIE JAMIL 4138 12 MILE RD BERKLEY MI 48072 1122

Occupant 3462 GREENFIELD RD BERKLEY MI 48072



NORTH GREEN TRUST 1359 DAVIS AVE BIRMINGHAM MI 48009 2075

Occupant 4105 12 MILE RD BERKLEY MI 48072 1121

GLENN MARKOWICZ 22535 STATLER ST SAINT CLAIR SHORES MI 48081 2367

Occupant 4129 12 MILE RD BERKLEY MI 48072 1121

CALVIN KASSAB 6695 ARLINGTON DR WEST BLOOMFIELD MI 48322 2716

JAMES DRAIN 3560 GREENFIELD RD BERKLEY MI 48072 3132

AMANDA PRESTON 3540 GREENFIELD RD BERKLEY MI 48072 3132

Occupant 4111 12 MILE RD BERKLEY MI 48072 1121

GLENN MARKOWICZ 22535 STATLER ST SAINT CLAIR SHORES MI 48081 2367

JORDAN A JAFANO 3325 ELLWOOD AVE BERKLEY MI 48072 3116

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OPAL FAIR 3505 ELLWOOD AVE BERKLEY MI 48072 3119

Occupant 4135 12 MILE RD BERKLEY MI 48072 1121

DONALD F MOORE 1900 HICKORY VALLEY RD MILFORD MI 48380 4278

Occupant 4075 12 MILE RD BERKLEY MI 48072 1119

GEZIM PLLUMAJ LIZE PLLUMAJ 42620 SILVERWOOD DR STERLING HEIGHTS MI 48314

Occupant 3324 GREENFIELD RD BERKLEY MI 48072 3131

GREENFIELD PLACE LLC 1415 W FARNUM AVE # 5 ROYAL OAK MI 48067 1656

Occupant 28901 GREENFIELD RD , SOUTHFIELD MI 48076 7120

28901 GREENFIELD ROAD HOLDINGS LLC 900 19TH ST NW FL 8 WASHINGTON DC 20006 2105 L







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Occupant 3535 ELLWOOD AVE BERKLEY MI 48072 3119

CRAIG PEARCE 47335 ANCHOR DR MACOMB MI 48044 5404

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JACOB LEIDER JEFFREY S LEIDER 3445 THOMAS AVE BERKLEY MI 48072 1142

Occupant 4100 12 MILE RD BERKLEY MI 48072 3177

A & W OF BERKLEY 3830 RAVENA AVE ROYAL OAK MI 48073 6440

Occupant 3356 ELLWOOD AVE BERKLEY MI 48072 3115

GEZIM PLLUMAJ LIZE PLLUMAJ 42620 SILVERWOOD DR STERLING HEIGHTS MI 48314

ALCO GLASS & MIRROR INC. 4195 12 MILE RD BERKLEY MI 48072 1121



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COUNTY OF OAKLAND 3338 COOLIDGE HWY BERKLEY MI 48072 1636

RONNIE JAMIL 4138 12 MILE RD BERKLEY MI 48072 1122

Occupant 3462 GREENFIELD RD BERKLEY MI 48072

NORTH GREEN TRUST 1359 DAVIS AVE BIRMINGHAM MI 48009 2075

Occupant 4105 12 MILE RD BERKLEY MI 48072 1121

GLENN MARKOWICZ 22535 STATLER ST SAINT CLAIR SHORES MI 48081 2367

Occupant 4129 12 MILE RD BERKLEY MI 48072 1121

CALVIN KASSAB 6695 ARLINGTON DR WEST BLOOMFIELD MI 48322 2716

Occupant 4111 12 MILE RD BERKLEY MI 48072 1121

GLENN MARKOWICZ 22535 STATLER ST SAINT CLAIR SHORES MI 48081 2367 °S3J9ATS

JORDAN A JAFANO 3325 ELLWOOD AVE BERKLEY MI 48072 3116

ROGER TODD 3339 ELLWOOD AVE BERKLEY MI 48072 3116

OPAL FAIR 3505 ELLWOOD AVE BERKLEY MI 48072 3119

Occupant 4135 12 MILE RD BERKLEY MI 48072 1121

DONALD F MOORE 1900 HICKORY VALLEY RD MILFORD MI 48380 4278

Occupant 4075 12 MILE RD BERKLEY MI 48072 1119

GEZIM PLLUMAJ LIZE PLLUMAJ 42620 SILVERWOOD DR STERLING HEIGHTS MI 48314

Occupant 3340 ELLWOOD AVE BERKLEY MI 48072 3115

GL BERKLEY PROPERTIES LLC 28832 JOHN R RD MADISON HEIGHTS MI 48071 2818

Occupant 3324 GREENFIELD RD BERKLEY MI 48072 3131

label size 1" x 2 5/8" compatible with Avery @5160/8160 Étiquette do format 25 mm x 67 mm compatible avec Avery @5160/8160 10

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GREENFIELD PLACE LLC 1415 W FARNUM AVE # 5 ROYAL OAK MI 48067 1656

Occupant 28901 GREENFIELD RD SOUTHFIELD MI 48076 7120

28901 GREENFIELD ROAD HOLDINGS LLC 900 19TH ST NW FL 8 WASHINGTON DC 20006 2105



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JAMES REED 3559 ELLWOOD AVE BERKLEY MI 48072 3119

BENJAMIN HIRCHE 3540 ELLWOOD AVE BERKLEY MI 48072 3117

Occupant 3535 ELLWOOD AVE BERKLEY MI 48072 3119

CRAIG PEARCE 47335 ANCHOR DR MACOMB MI 48044 5404

TREVOR JOHN GAVAN 3505 THOMAS AVE BERKLEY MI 48072 3163

EDWARD SOSNOSKI JR 3493 THOMAS AVE BERKLEY MI 48072 1142

Occupant 29095 GREENFIELD RD SOUTHFIELD MI 48076 2225

ABRO PLAZA SOUTHFIELD LLC 3807 BEECHCREST ROCHESTER HILLS MI 48309 3595

EILEEN KRUSE 3541 ELLWOOD AVE BERKLEY MI 48072 3119

DEVAN SHAMO 3524 ELLWOOD AVE BERKLEY MI 48072 3117



> MICHAEL C MOERMAN 3477 ELLWOOD AVE BERKLEY MI 48072 1129

Occupant 4129 12 MILE RD BERKLEY MI 48072 1121

BATOOL KASSAB EXPRESS COLLISION 21470 COOLIDGE HWY OAK PARK MI 48237 3267

PAULA ANDREA GRACE 3340 GREENFIELD RD BERKLEY MI 48072 3131

Occupant 3510 GREENFIELD RD BERKLEY MI 48072 3132

GREENFIELD-BERKLEY LLC 21170 W 8 MILE RD STE 200 SOUTHFIELD MI 48075 5600

Occupant 3494 ELLWOOD AVE BERKLEY MI 48072 1130

RAMZI H AJO SR 67 PANAMA DR WATERFORD MI 48327 3666

JARRETT SANDERS OLIVIA SANDERS 3493 ELLWOOD AVE BERKLEY MI 48072 1129

JOSIMAR FELICIO DA SILVA 3478 ELLWOOD AVE BERKLEY MI 48072 1130



ELIZABETH GLOVER 3506 ELLWOOD AVE BERKLEY MI 48072 3117

GEVALIN GEGAJ 4162 12 MILE RD BERKLEY MI 48072 1122

BRIAN D GIFFORD 3541 THOMAS AVE BERKLEY MI 48072 3163

Occupant 3461 THOMAS AVE BERKLEY MI 48072 1142

3461 THOMAS AVE LLC 5836 TROTTER LN WEST BLOOMFIELD MI 48322 1635

Occupant 29069 GREENFIELD RD SOUTHFIELD MI 48076 2225

TIM DONUT US INC PO BOX 480389 HOUSTON TX 77056 8389

A & W OF BERKLEY 3830 RAVENA AVE ROYAL OAK MI 48073 6440

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Occupant 15526 W 12 MILE RD SOUTHFIELD MI 48076 3008

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RONNIE JAMIL WASIM JAMIL 4138 12 MILE RD BERKLEY MI 48072 1122

Occupant 4141 12 MILE RD BERKLEY MI 48072 1121

DONALD F MOORE 1900 HICKORY VALLEY RD MILFORD MI 48380 4278

DONALD F MOORE 1900 HICKORY VALLEY RD MILFORD MI 48380 4278

ALCO GLASS CO 4195 12 MILE RD BERKLEY MI 48072 1121

ELIZABETH LUCKER MARY MACHEN 3462 ELLWOOD AVE BERKLEY MI 48072 1130

WILLIAM SEAMAN PHYLLIS D YOUNG 3461 ELLWOOD AVE BERKLEY MI 48072 1129

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> JACOB LEIDER JEFFREY S LEIDER 3445 THOMAS AVE BERKLEY MI 48072 1142

Occupant 4030 12 MILE RD BERKLEY MI 48072

VURE LLC 42822 GARFIELD RD CLINTON TOWNSHIP MI 48038 1656

Occupant 4100 12 MILE RD BERKLEY MI 48072 3177

A & W OF BERKLEY 3830 RAVENA AVE ROYAL OAK MI 48073 6440

Occupant 3356 ELLWOOD AVE BERKLEY MI 48072 3115

GEZIM PLLUMAJ LIZE PLLUMAJ 42620 SILVERWOOD DR STERLING HEIGHTS MI 48314

ALCO GLASS & MIRROR INC. 4195 12 MILE RD BERKLEY MI 48072 1121

COUNTY OF OAKLAND 3338 COOLIDGE HWY BERKLEY MI 48072 1636

RONNIE JAMIL 4138 12 MILE RD BERKLEY MI 48072 1122 SEIGATS

Occupant 3462 GREENFIELD RD BERKLEY MI 48072

NORTH GREEN TRUST 1359 DAVIS AVE BIRMINGHAM MI 48009 2075

Occupant 4105 12 MILE RD BERKLEY MI 48072 1121

GLENN MARKOWICZ 22535 STATLER ST SAINT CLAIR SHORES MI 48081 2367

Occupant 4129 12 MILE RD BERKLEY MI 48072 1121

CALVIN KASSAB 6695 ARLINGTON DR WEST BLOOMFIELD MI 48322 2716

AMANDA PRESTON 3540 GREENFIELD RD BERKLEY MI 48072 3132

DAVID MILLER LINDSAY MILLER 3523 THOMAS AVE BERKLEY MI 48072 3163

Occupant 4111 12 MILE RD BERKLEY MI 48072 1121

GLENN MARKOWICZ 22535 STATLER ST SAINT CLAIR SHORES MI 48081 2367

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BERKLEY GREEN LANTERN PROPERTIES L 4033 12 MILE RD BERKLEY MI 48072 1119	Occupant 3340 ELLWOO BERKLEY MI 4	
JORDAN A JAFANO 3325 ELLWOOD AVE BERKLEY MI 48072 3116	28832 JOHN F	PROPERTIES LLC RD GHTS MI 48071 2818
ROGER TODD 3339 ELLWOOD AVE BERKLEY MI 48072 3116	Occupant 3324 GREENF BERKLEY MI 4	
OPAL FAIR 3505 ELLWOOD AVE BERKLEY MI 48072 3119	GREENFIELD 1415 W FARNI ROYAL OAK M	UM AVE # 5
Occupant 4135 12 MILE RD BERKLEY MI 48072 1121	Occupant 28901 GREEN SOUTHFIELD	
DONALD F MOORE 1900 HICKORY VALLEY RD MILFORD MI 48380 4278	900 19TH ST N	- FIELD ROAD HOLDINGS LLC W FL 8 DC 20006 2105
Occupant 4075 12 MILE RD BERKLEY MI 48072 1119		
GEZIM PLLUMAJ LIZE PLLUMAJ 42620 SILVERWOOD DR STERLING HEIGHTS MI 48314		
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#### ZONING BOARD OF APPEALS APPLICATION

The Zoning Board of Appleals (ZBA) meets the second Monday of the month. The meetings are held in the Council Chambers at City Hall, 3338 Coolidge Highway, Berkley, Michigan 48072.

The ZBA shall hear requests for use and dimensional variances, appeals of administrative decisions, interpretation of zoning map and text, and interpretations of commercial message for proposed murals.

**<u>**Please be advised:</u>** The ZBA may grant a variance where undue hardship or practical difficulty for the property exist. A want or desire (bigger structure, more profit, etc.) is not sufficient grounds for a variance. The ZBA does not have the power to legislate or create new regulations. The Board's purpose is to provide some relief from the Zoning Ordinance depending on the unique circumstances of the property.

_{Name:} S <b>e</b> lwan Shina (San)	Phone
Address: 6476 Orchard Lake Road	, Suite A, West Bloomfield, MI 48322
	jan
Relationship to Property (current tenant, represer Representative	ntative, future tenant, current owner, future owner):
PROPERTY OWNER INFORMATION (if different	nt from Applicant)
_{Name:} Gevalin Gegaj	Phone:
Address:	
Email:	
PROPERTY DESCRIPTION	
Address: 4162 Twelve Mile Road	
Parcel #:	⁵⁵⁻⁰⁴⁰ Zoning Classification: Gateway District
Current Use of Property: Multi-use comm	



#### ZONING BOARD OF APPEALS APPLICATION

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Name: Selwan Shina (Sam) Phone:
Address: 6476 Orchard Lake Road, Suite A, West Bloomfield, MI 48322
Email: _ Ryan
Relationship to Property (current tenant, representative, future tenant, current owner, future owner):
Representative
PROPERTY OWNER INFORMATION (if different from Applicant)
Name: Jamil Realty, LLC Phone:
Address: 4138 West Twelve Mile Road, Berkley, MI 48076
Email:
PROPERTY DESCRIPTION
Address: 4162 Twelve Mile Road
Parcel #: Z5-07-355-039, 25-07-355-038, & 25-07-355-040 Zoning Classification: Gateway District
Current Use of Property: Multi-use commercial development

#### NATURE OF REQUEST

<u></u>			11
Check	which	app	lies:

■ Variance from Zoning Ordinance (Section I)

□ Interpretation of Zoning Ordinance (Section II)

- Administrative Review / Appeal of Decision (Section III)
- Determination of Commercial Message of Mural / Work of Art (Section IV)

Description of Request: _____ Variance for proximity of existing SE 12 Mile Road driveway to intersection of

R.O.W. lines. Per Section 138-429.(b).(4), 30 FT is required where 26.8 FT exists currently.

Has the City denied a permit related to the proposed work? □ Yes ■ No

#### Please fill out ONLY the section below that applies to your request.

#### I. VARIANCE FROM ZONING ORDINANCE

Please provide a written response to each question below that relates to the variance that is being requested. **DO NOT COMPLETE BOTH SECTIONS.** 

#### A. Use Variance

The Zoning Board of Appeals may grant a <u>use variance</u> (i.e. use of the land not permitted in a particular district) upon finding that an undue hardship exists.

Current Use of Property: _____

Requested Use of Property:

1. Explain how the building or land cannot be reasonably used for any of the uses permitted by right or by special land use permit in the current zoning district.

City of Berkley · ZBA Application *Updated 07.01.2021*  2 | Page

2. Explain how the need for the variance is due to unique circumstances or physical conditions of the property.

3. Explain how the proposed use will not alter the essential character of the neighborhood.

4. Explain how the need for the variance is not the result of actions of the property owner or previous property owners.

#### B. Dimensional Variance (Non-Use Variance)

The Zoning Board of Appeals may grant a <u>dimensional variance</u> (i.e. height, setback, lot coverage, etc) upon finding that undue hardship or practical difficulty exists.

1. Explain how the need for the variance is due to unique circumstances of physical conditions of the property.

Due to the location of the existing building, there is insufficient room to adjust / shift the existing driveway to comply with the 30 FT required spacing from the intersection of the 12 Mile Road and Ellwood Avenue right-of-way lines. Additionally, the property has three (3) frontages, effectively limiting the locations of driveways that adhere to ordinance requirements.

City of Berkley · ZBA Application Updated 07.01.2021 2. Explain how the need for the variance is not the result of actions of the property owner or previous property owners.

As mentioned above, reutilization of the existing building prevents relocation of the existing driveway. As further discussed below, removal of the driveway entirely would have a negative impact on safety.

3. Explain how strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.

Compliance with the ordinance would require removal of the existing driveway entirely. Eliminating the driveway would result in a dead-end parking aisle for the required parking spaces provided on the east side of the site along Ellwood Avenue, which would not only reduce their functionality, but also pose safety concerns for customers trying to access them.

4. Explain how the requested variance is the minimum variance necessary to do substantial justice to applicant as well as other property owners.

As mentioned above, the variance would ensure that the required number of parking spaces provided on site are safe and accessible. Additionally, as discussed in Section 1 above, the existing driveway cannot be shifted without impacting the existing building.

5. Explain how the requested variance will not adversely impact the surrounding properties.

Given that the driveway exists already, the variance would not introduce any impacts beyond its current use. The driveway would continue to operate as it does today. Additionally, further analysis of its effects were discussed with the Oakland County Road Commission, who concluded that keeping the driveway open would not result in any adverse impacts. Alternatively, closure of this driveway would likely increase traffic use of Ellwood Avenue and impact the nearby residences.

City of Berkley · ZBA Application Updated 07.01.2021 4 | Page

#### II. INTERPRETATION OF ZONING ORDINANCE

Provide Section numbers of Zoning Ordinance to be interpreted:

Please describe the request and what needs to be clarified or interpreted by the ZBA.

#### III. ADMINISTRATIVE REVIEW / APPEAL OF DECISION

Describe the circumstances of each case and provide the minutes of the public meeting noting the denial to be appealed.

City of Berkley ZBA Application Updated 07.01.2021

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#### IV. DETERMINATION OF COMMERCIAL MESSAGE (MURAL/WORK OF ART)

Describe the proposed mural/work of art. Applicant should include renderings of the proposed design. The ZBA shall determine if the proposed work contains a commercial message.

** Applicant and artist must provide signed *Mural Installation and Maintenance Agreement* prior to the public meeting.

#### SUBMIT THE FOLLOWING:

Provide 15 copies of survey, plot plan or site plan with this application that shows the subject property complete with boundary lines and dimensions, existing building locations, all proposed buildings, easements, utilities, and any site improvements/changes. Setbacks, height of structures, lot coverage, etc. should also be included, if applicable.

A PDF file of the application and supporting documents must also be submitted at the time of application.

**PLEASE NOTE:** The applicant, or a designated representative, **MUST BE PRESENT** at the meeting in which the case is being reviewed or the request may be postponed due to lack of representation.

We encourage applicants to make a presentation of the proposed request to the Zoning Board of Appeals, if applicable. To assist this effort, we have available for your use a projector, laptop computer and screen. ZBA meetings are recorded and televised.

City of Berkley · ZBA Application Updated 07.01.2021 6|Page

#### PROPERTY OWNER'S APPROVAL (Initial each line)

I hereby authorize and give permission for the City of Berkley to install one or more temporary signs on my property, in order to notify the public of the required public hearing related to the above request(s) before the ZBA.

_____I hereby authorize the employees and representatives of the City of Berkley to enter upon and conduct an inspection and investigation of the above referenced property in relation to the above request.

#### APPLICANT'S ENDORSEMENT: (Initial each line)

______ All information contained herein is true and accurate to the best of my knowledge.

<u>S</u> I acknowledge that the ZBA will not review my request unless all information in the application has been submitted to the satisfaction of the Community Development Director.

______ I 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 review of this application.

If an application is withdrawn more than three (3) weeks prior to the meeting date, 90% of the fee will be refunded. If the application is withdrawn less than three (3) weeks prior to the meeting, no refund will be given.

Applicant Name (print)

Applicant Signature

Date

Applicant Name (print)

Applicant Signature

Date

Property Owner Name (print)

Wasim Samil

Property Owner Signature

Date

City of Berkley · ZBA Application Updated 07.01.2021 7|Page

	Office Use Only			
SU	Received 61725 Upon Cify Council	Receipt #	Meeting Date	Case #CA-OS-Q5
	Fee: Residential	\$400		
	Commercial	\$600		
	Mural	\$300		

City of Berkley · ZBA Application Updated 07.01.2021

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# **LOCATION MAP** SCALE: I" = 500'±



# **AERIAL MAP** SCALE: I" = 50'±



**Call** before you dig.

# **SITE DEVELOPMENT PLANS** FOR

# MUG & JUG **PROPOSED COMMERCIAL** REDEVELOPMENT

PARCEL IDS: 2507355039, 2507355038, & 2507355040 4162 TWELVE MILE ROAD CITY OF BERKLEY, OAKLAND COUNTY, MICHIGAN



# PLANS PREPARED BY:



Birmingham, MI  $\cdot$  New York, NY  $\cdot$  Salem, MA Princeton, NJ  $\cdot$  Tampa, FL  $\cdot$  Rutherford, NJ www.stonefieldeng.com

555 S. Old Woodward Avenue, Suite 12L, Birmingham, MI 48009 Phone 248.247.1115

# PLAN REFERENCE MATERIALS:

I. THIS PLAN SET REFERENCES THE FOLLOWING DOCUMENTS **INCLUDING, BUT NOT LIMITED TO:** • ALTA/NSPS LAND TITLE SURVEY PREPARED BY STONEFIELD ENGINEERING & DESIGN, LLC. DATED

- 10/10/2024 ARCHITECTURAL PLANS PREPARED BY ADG DESIGN STUDIO
- AERIAL MAP FROM NEARMAPS, DATE RETRIEVED 1/3/2025 LOCATION MAP FROM USGS TOPOGRAPHICAL MAPPER, DATE RETRIEVED 1/3/2025
- 2. ALL REFERENCE MATERIAL LISTED ABOVE SHALL BE CONSIDERED A PART OF THIS PLAN SET AND ALL INFORMATION CONTAINED WITHIN THESE MATERIALS SHALL BE UTILIZED IN CONJUNCTION WITH THIS PLAN SET. THE CONTRACTOR IS RESPONSIBLE TO OBTAIN A COPY OF EACH REFERENCE AND REVIEW IT THOROUGHLY PRIOR TO THE START OF CONSTRUCTION.



# **APPLICANT**

**SELWAN SHINA** 6476 ORCHARD LAKE ROAD, SUITE A WEST BLOOMFIELD, MI, 48322 248.207.3110 RSHINA@BAYSFD.COM



SHEET INDEX				
DRAWING TITLE	SHEET #			
COVER SHEET	C-1			
DEMOLITION PLAN	C-2			
SITE PLAN	C-3			
GRADING PLAN	C-4			
STORMWATER MANAGEMENT PLAN	C-5			
UTILITY PLAN	C-6			
LIGHTING PLAN	C-7			
LANDSCAPING PLAN	C-8			
LANDSCAPING DETAILS	C-9			
CONSTRUCTION DETAILS	C-10 & C-11			
ADDITIONAL SHE	ETS			
DRAWING TITLE	SHEET #			
ALTA/NSPS LAND TITLE SURVEY	I OF I			
LIFE SAFETY AND EGRESS PLAN	A-0.1			
ARCHITECTURAL FLOOR PLAN	A-1.1			
ARCHITECTURAL ELEVATIONS	A-0.15 & A-2.4			
OCWRC SANITARY SEWER DETAILS	I & 2 OF 2			
OCWRC STORM DRAIN DETAILS	I OF I			

# **REMOVAL QUANTITIES**

CONCRETE	2,927	SF
ASPHALT PAVEMENT	25,062	SF
CONCRETE CURB	231	LF
CONCRETE WHEEL STOP	48	EA
COMBINED SEWER MAIN	303	LF
STORM PIPE	49	LF
STORM STRUCTURE	7	EA
GAS SERVICE	227	LF
GAS METER	4	EA
ELECTRIC METER	I	EA
OVERHEAD LINE	648	LF
UTILITY POLE	I	EA
LIGHT POLE	2	EA
BUILDING	4,401	SF
TRASH ENCLOSURE	2	EA
SIGN	I	EA
BOLLARD	14	EA



024/DET-240246 BREAKPOINT DEVELOPMENT - 4162 12 MILE ROAD, BERKLEY, MICADDIPLOTSDP-02-DEMO.DV





PROPOSED USE		
RESTAURANT	PERMITTED USE	
RETAIL STORE	PERMITTED USE	
AUTOMOBILE SERVICE STATION	SPECIAL USE	
ZONING REQUIREMENT	REQUIRED	PROPOSED
MINIMUM LOT AREA	17,000 SF	34,638 SF (0.80 AC)
MINIMUM LOT WIDTH	130 FT	150.0 FT
MAXIMUM BUILDING HEIGHT	40 FT	< 40 FT
MINIMUM FRONT BUILD-TO-LINE	10 FT	0.0 FT (NC)
FACADE ON BUILD-TO-LINE	75%	100% (NC)
MINIMUM SIDE YARD SETBACK	0 FT	5.0 FT (V) ⁽¹⁾
MINIMUM REAR YARD SETBACK	10 FT	70.1 FT (NC)
DRIVEWAY INTERSECTION SPACING	30 FT	26.8 FT (V)
DRIVEWAY LOT LINE SPACING	20 FT	20.0 FT (NC)
MINIMUM DRIVEWAY WIDTH	22 FT	22.9 FT (NC)
MAXIMUM DRIVEWAY WIDTH	30 FT	24 FT
SERVICE STATION SPACING*	500 FT	> 500 FT

OFF-STREET PARKING REQUIREMENTS					
CODE SECTION	REQUIRED	PROPOSED			
§ 138-129	RESTAURANT:	37 SPACES			
	I SPACE PER 75 SF OF UFA*	8 PUMP SPACES			
	(702 SF)(0.7)(1 / 75 SF) = 7 SPACES	TOTAL: 45 SPACES			
	GAS STATION WITH CONVENIENCE:				
	6 SPACES PER 1,000 SF OF UFA*				
	+ I SPACE PER PUMP + 2 SPACES				
	(6,032 SF)(0.7)(6 / 1000 SF) = 25 SPACES				
	+ (8 PUMPS)(1 / 1 PUMP) = 8 SPACES				

					JD FOR SITE PLAN / SPECIAL LAND USE APPROVAL	JD FOR SITE PLAN / SPECIAL LAND USE APPROVAL	JD/NB FOR SITE PLAN / SPECIAL LAND USE APPROVAL	BY DESCRIPTION
					04/23/2025	03/19/2025	01/14/2025 JE	DATE
					3 04	2 03	I 01	
NO	T APPRC	VED	FC	OR C	ON	STR	UC	_
555 S. Old Woodward Avenue, Suite 12L, Birmingham, MI • New York, NY • Salem, MA Princeton, NJ • Tampa, FL • Rutherford, NJ www.stonefieldeng.com								
SITE DEVELOPMENT PLANS	MUG & JUG			PROPOSED COMMERCIAL	DEDEVELODMENT		PARCEL IDS: 2507355039, 2507355038, & 2507355040	CITY OF BERKLEY OAKLAND COUNTY, MICHIGAN
OF MICH JOINTTHAMREID COOKSEY ENGINEER MICHISAN INCENSE NG SOLO 104428 LICENSED HOFEOSTOR FINGINEER								
engineering & design SCALE: I'' = 20' PROJECT ID: DET-240246								
DRAWING: <b>C-3</b>								



BENCHMARKS:

BENCHMARK #I = MAG NAIL = 708.73 (NAVD88). - IN CONCRETE SIDEWALK, NORTH SIDE OF 12 MILE ROAD. BENCHMARK #2 = MAG NAIL = 708.96 (NAVD88). - IN ASPHALT, LOT 50, FRONT OF PARKING STALL.



#### GRADING NOTES

- I. ALL SOIL AND MATERIAL REMOVED FROM THE SITE SHALL BE DISPOSED OF IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL REQUIREMENTS. ANY GROUNDWATER DE-WATERING PRACTICES SHALL BE PERFORMED UNDER THE SUPERVISION OF A QUALIFIED PROFESSIONAL. THE CONTRACTOR IS REQUIRED TO OBTAIN ALL NECESSARY PERMITS FOR THE DISCHARGE OF DE-WATERED GROUNDWATER. ALL SOIL IMPORTED TO THE SITE SHALL BE CERTIFIED CLEAN FILL. CONTRACTOR SHALL MAINTAIN RECORDS OF ALL FILL MATERIALS BROUGHT TO THE SITE.
- 2. THE CONTRACTOR IS REQUIRED TO PROVIDE TEMPORARY AND/OR PERMANENT SHORING WHERE REQUIRED DURING EXCAVATION ACTIVITIES, INCLUDING BUT NOT LIMITED TO UTILITY TRENCHES, TO ENSURE THE STRUCTURAL INTEGRITY OF NEARBY STRUCTURES AND STABILITY OF THE SURROUNDING SOILS.
- 3. PROPOSED TOP OF CURB ELEVATIONS ARE GENERALLY 4 INCHES TO 7 INCHES ABOVE EXISTING GRADES UNLESS OTHERWISE NOTED. THE CONTRACTOR WILL SUPPLY ALL STAKEOUT CURB GRADE SHEETS TO STONEFIELD ENGINEERING & DESIGN, LLC. FOR REVIEW AND APPROVAL PRIOR TO POURING CURBS.
- THE CONTRACTOR IS RESPONSIBLE TO SET ALL PROPOSED UTILITY COVERS AND RESET ALL EXISTING UTILITY COVERS WITHIN THE PROJECT LIMITS TO PROPOSED GRADE IN ACCORDANCE WITH ANY APPLICABLE MUNICIPAL, COUNTY, STATE AND/OR UTILITY AUTHORITY REGULATIONS.
   MINIMUM SLOPE REQUIREMENTS TO PREVENT PONDING SHALL BE AS FOLLOWS:
- CURB GUTTER: 0.50%
   CONCRETE SURFACES: 1.00%
- ASPHALT SURFACES: 1.00%
  A MINIMUM SLOPE OF 1.00% SHALL BE PROVIDED AWAY FROM ALL BUILDINGS. THE CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE FROM THE BUILDING IS ACHIEVED AND SHALL NOTIFY STONEFIELD ENGINEERING & DESIGN, LLC. IF THIS CONDITION CANNOT BE MET.
  FOR PROJECTS WHERE BASEMENTS ARE PROPOSED, THE DEVELOPER IS RESPONSIBLE TO DETERMINE THE DEPTH TO GROUNDWATER AT THE LOCATION OF THE PROPOSED STRUCTURE. IF GROUNDWATER IS ENCOUNTERED WITHIN THE BASEMENT AREA, SPECIAL
- CONSTRUCTION METHODS SHALL BE UTILIZED AND REVIEWED/APPROVED BY THE CONSTRUCTION CODE OFFICIAL. IF SUMP PUMPS ARE UTILIZED, ALL DISCHARGES SHALL BE CONNECTED DIRECTLY TO THE PUBLIC STORM SEWER SYSTEM WITH APPROVAL FROM THE GOVERNING STORM SEWER SYSTEM AUTHORITY.

### ADA NOTES

- I. THE CONTRACTOR SHALL MAINTAIN A MAXIMUM 2.00% SLOPE IN ANY DIRECTION WITHIN THE ADA PARKING SPACES AND ACCESS AISLES.
- THE CONTRACTOR SHALL PROVIDE COMPLIANT SIGNAGE AT ALL ADA PARKING AREAS IN ACCORDANCE WITH STATE GUIDELINES.
   THE CONTRACTOR SHALL MAINTAIN A MAXIMUM 5.00% RUNNING SLOPE AND A MAXIMUM OF 2.00% CROSS SLOPE ALONG WALKWAYS WITHIN THE ACCESSIBLE PATH OF TRAVEL (SEE THE SITE PLAN FOR THE LOCATION OF THE ACCESSIBLE PATH). THE CONTRACTOR IS RESPONSIBLE TO ENSURE THE ACCESSIBLE PATH OF TRAVEL IS 36 INCHES WIDE OR GREATER UNLESS INDICATED OTHERWISE WITHIN
- THE PLAN SET.
  4. THE CONTRACTOR SHALL MAINTAIN A MAXIMUM 2.00% SLOPE IN ANY DIRECTION AT ALL LANDINGS. LANDINGS INCLUDE, BUT ARE NOT LIMITED TO, THE TOP AND BOTTOM OF AN ACCESSIBLE RAMP, AT ACCESSIBLE BUILDING ENTRANCES, AT AN AREA IN FRONT OF A WALK-UP ATM, AND AT TURNING SPACES ALONG THE ACCESSIBLE PATH OF TRAVEL. THE LANDING AREA SHALL HAVE A MINIMUM CLEAR AREA OF 60 INCHES BY 60 INCHES UNLESS INDICATED OTHERWISE WITHIN THE PLAN SET.
- 5. THE CONTRACTOR SHALL MAINTAIN A MAXIMUM 8.33% RUNNING SLOPE AND A MAXIMUM 2.00% CROSS SLOPE ON ANY CURB RAMPS ALONG THE ACCESSIBLE PATH OF TRAVEL. WHERE PROVIDED, CURB RAMP FLARES SHALL NOT HAVE A SLOPE GREATER THAN 10.00% IF A LANDING AREA IS PROVIDED AT THE TOP OF THE RAMP. FOR ALTERATIONS, A CURB RAMP FLARES SHALL NOT HAVE A SLOPE GREATER THAN 8.33% IF A LANDING AREA IS NOT PROVIDED AT THE TOP OF THE RAMP. CURBS RAMPS SHALL NOT RISE MORE THAN 6 INCHES IN ELEVATION WITHOUT A HANDRAIL. THE CLEAR WIDTH OF A CURB RAMP SHALL BE NO LESS THAN 36 INCHES WIDE.
- ACCESSIBLE RAMPS WITH A RISE GREATER THAN 6 INCHES SHALL CONTAIN COMPLIANT HANDRAILS ON BOTH SIDES OF THE RAMP AND SHALL NOT RISE MORE THAN 30" IN ELEVATION WITHOUT A LANDING AREA IN BETWEEN RAMP RUNS. LANDING AREAS SHALL ALSO BE PROVIDED AT THE TOP AND BOTTOM OF THE RAMP.
   A SLIP RESISTANT SURFACE SHALL BE CONSTRUCTED ALONG THE
- ACCESSIBLE PATH AND WITHIN ADA PARKING AREAS.
  8. THE CONTRACTOR SHALL ENSURE A MAXIMUM OF ¹/₄ INCHES VERTICAL CHANGE IN LEVEL ALONG THE ACCESSIBLE PATH. WHERE A CHANGE IN LEVEL BETWEEN ¹/₄ INCHES AND ¹/₂ INCHES EXISTS, CONTRACTOR SHALL ENSURE THAT THE TOP ¹/₄ INCH CHANGE IN LEVEL IS BEVELED WITH A SLOPE NOT STEEPER THAN I UNIT VERTICAL AND 2 UNITS HORIZONTAL (2:1 SLOPE).
- 9. THE CONTRACTOR SHALL ENSURE THAT ANY OPENINGS (GAPS OR HORIZONTAL SEPARATION) ALONG THE ACCESSIBLE PATH SHALL NOT ALLOW PASSAGE OF A SPHERE GREATER THAN ½ INCH.







## **STORMWATER MANAGEMENT CALCULATIONS**



LOCATIONS DEPICTED WITHIN THE PLAN SET. THIS RECORD SHALL BE PROVIDED TO THE OWNER FOLLOWING COMPLETION OF WORK.

**EXCAVATION, SOIL PREPARATION, AND DEWATERING NOTES** 

- I. THE CONTRACTOR IS REQUIRED TO REVIEW THE REFERENCED GEOTECHNICAL DOCUMENTS PRIOR TO CONSTRUCTION, THESE DOCUMENTS SHALL BE CONSIDERED A PART OF THE PLAN SET. 2. THE CONTRACTOR IS REQUIRED TO PREPARE SUBGRADE SOILS BENEATH ALL PROPOSED IMPROVEMENTS AND BACKFILL ALL EXCAVATIONS IN ACCORDANCE WITH RECOMMENDATIONS BY THE
- GEOTECHNICAL ENGINEER OF RECORD. 3. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING SHORING FOR ALL EXCAVATIONS AS REQUIRED. CONTRACTOR SHALL HAVE THE SHORING DESIGN PREPARED BY A QUALIFIED PROFESSIONAL. SHORING DESIGNS SHALL BE SUBMITTED TO STONEFIELD ENGINEERING & DESIGN, LLC. AND THE OWNER PRIOR TO THE START OF CONSTRUCTION.
- 4. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL OPEN EXCAVATIONS ARE PERFORMED AND PROTECTED IN ACCORDANCE WITH THE LATEST OSHA REGULATIONS. 5. THE CONTRACTOR IS RESPONSIBLE FOR ANY DEWATERING DESIGN AND OPERATIONS, AS REQUIRED, TO CONSTRUCT THE PROPOSED IMPROVEMENTS. THE CONTRACTOR SHALL OBTAIN ANY REQUIRED PERMITS FOR DEWATERING OPERATIONS AND GROUNDWATER DISPOSAL.

STORMWATER UNDERGROUND BMP CONSTRUCTION NOTES

- I. THE CONTRACTOR SHALL INSTALL AND BACKFILL THE UNDERGROUND BMP IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS. 2. UNDERGROUND BASINS SHALL UTILIZE A STONE BACKFILL WITH A
- MINIMUM VOID RATIO OF 40%. 3. NO CONSTRUCTION LOADING OVER UNDERGROUND BASINS IS PERMITTED UNTIL BACKFILL IS COMPLETE PER THE MANUFACTURER'S SPECIFICATIONS. NO VEHICLES SHALL BE STAGED OR OPERATE FROM A FIXED POSITION OVER THE BASIN.





	Date:	01/07/25
	Weighted Value	
=	30,685	
=	701	
	31,386	
lue, C:	0.91	
y, I _{wq} :	2.76	IN/HR
iod, P:	1	YEARS
on, T _c :	10.0	MINS
, V _{cp-r} :	3,414.73	CF
		<b>CF</b>
, V _{CP-P} :	0.00	CF

е, <b>К</b> _{SAT} :	0.00	in/hr
th, <b>A</b> _i :	0.00	FT

rator is Required		
uality Intensity, I _I :	2.76	IN/HR
uality Rate, Q _{WQ} :	2.00	CFS
s Waived		
bay Volume, V _{F-R} :	0.00	CF
bay Volume, V _{F-P} :	0.00	CF
tion Volume, V _{ED} :	4,990.76	CF
Total Head, h _{ED} :	5.00	FT
trol Release, H _{ED} :	0.48	l" Hole
nflow Rate, Q _{1001N} :	5.51	CFS
nfall Intensity, I ₁₀₀	7.62	In/hr
elease Rate, Q _{vRR} :	1.15	CFS / A
's Capacity, or 3) Q _{VRR}		
elease Rate, Q _{100P} :	0.92	CFS
Curve Factor, R:	0.48	
off Volume, V _{I00R} :	13,737.79	CFS
on Volume, V _{100D} :	6,526.43	CF

6,526	CF
	6,526

er, H _I :	5.00	FT
r, H _o :	5.50	FT
ovided o	nly if stone storage is utiliz	zed
io, S _R :	19.63	CF/LF
:ity, L _R :	332	LF
posed:	340	LF
posed:	6,676	CF



**BENCHMARKS**:

BENCHMARK #I = MAG NAIL = 708.73 (NAVD88). - IN CONCRETE SIDEWALK, NORTH SIDE OF 12 MILE ROAD. BENCHMARK #2 = MAG NAIL = 708.96 (NAVD88). - IN ASPHALT, LOT 50, FRONT OF PARKING STALL.



#### DRAINAGE AND UTILITY NOTES

- I. THE CONTRACTOR IS REQUIRED TO CALL THE APPROPRIATE AUTHORITY FOR NOTICE OF CONSTRUCTION/EXCAVATION AND UTILITY MARK OUT PRIOR TO THE START OF CONSTRUCTION IN ACCORDANCE WITH STATE LAW. CONTRACTOR IS REQUIRED TO CONFIRM THE HORIZONTAL AND VERTICAL LOCATION OF UTILITIES IN THE FIELD. SHOULD A DISCREPANCY EXIST BETWEEN THE FIELD LOCATION OF A UTILITY AND THE LOCATION SHOWN ON THE PLAN SET OR SURVEY, THE CONTRACTOR SHALL NOTIFY STONEFIELD ENGINEERING & DESIGN, LLC. IMMEDIATELY IN WRITING.
- 2. THE CONTRACTOR IS RESPONSIBLE TO PROTECT AND MAINTAIN IN OPERATION ALL UTILITIES NOT DESIGNATED TO BE REMOVED. 3. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE TO ANY EXISTING UTILITY IDENTIFIED TO REMAIN WITHIN THE LIMITS OF
- THE PROPOSED WORK DURING CONSTRUCTION. 4. A MINIMUM HORIZONTAL SEPARATION OF 10 FEET IS REQUIRED BETWEEN ANY SANITARY SEWER SERVICE AND ANY WATER LINES. IF THIS SEPARATION CANNOT BE PROVIDED, A CONCRETE ENCASEMENT SHALL BE UTILIZED FOR THE SANITARY SEWER SERVICE
- AS APPROVED BY STONEFIELD ENGINEERING & DESIGN, LLC. 5. ALL WATER LINES SHALL BE VERTICALLY SEPARATED ABOVE SANITARY SEWER LINES BY A MINIMUM DISTANCE OF 18 INCHES. IF THIS SEPARATION CANNOT BE PROVIDED, A CONCRETE ENCASEMENT SHALL BE UTILIZED FOR THE SANITARY SEWER SERVICE AS APPROVED BY STONEFIELD ENGINEERING & DESIGN, LLC.
- 6. THE CONTRACTOR TO PERFORM A TEST PIT PRIOR TO CONSTRUCTION (RECOMMEND 30 DAYS PRIOR) AT LOCATIONS OF EXISTING UTILITY CROSSINGS FOR WATER AND SANITARY SEWER CONNECTION IMPROVEMENTS. SHOULD A CONFLICT EXIST, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY STONEFIELD ENGINEERING & DESIGN, LLC. IN WRITING.
- 7. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING GAS, ELECTRIC AND TELECOMMUNICATION CONNECTIONS WITH THE APPROPRIATE GOVERNING AUTHORITY.
- 8. CONTRACTOR SHALL START CONSTRUCTION OF ANY GRAVITY SEWER AT THE LOWEST INVERT AND WORK UP-GRADIENT. 9. THE CONTRACTOR IS RESPONSIBLE TO MAINTAIN A RECORD SET OF PLANS REFLECTING THE LOCATION OF EXISTING UTILITIES THAT HAVE BEEN CAPPED, ABANDONED, OR RELOCATED BASED ON THE DEMOLITION/REMOVAL ACTIVITIES REQUIRED IN THIS PLAN SET. THIS DOCUMENT SHALL BE PROVIDED TO THE OWNER FOLLOWING
- COMPLETION OF WORK. 10. THE CONTRACTOR IS RESPONSIBLE TO MAINTAIN A RECORD OF THE AS-BUILT LOCATIONS OF ALL PROPOSED UNDERGROUND INFRASTRUCTURE. THE CONTRACTOR SHALL NOTE ANY DISCREPANCIES BETWEEN THE AS-BUILT LOCATIONS AND THE LOCATIONS DEPICTED WITHIN THE PLAN SET. THIS RECORD SHALL BE PROVIDED TO THE OWNER FOLLOWING COMPLETION OF WORK.

GRAPHIC SCALE IN FEET I" = 20'





	PROPOSED LUMINAIRE SCHEDULE								
SYMBOL	LABEL	QUANTITY	SECURITY LIGHTING	DISTRIBUTION	LLF	MANUFACTURER	IES FILE		
	A	2	MIRADA MEDIUM LED AREA LIGHT - 12L - 30K - BACKSHIELD	TYPE II	0.9	LSI LIGHTING	MRM-LED-12L-SIL-2-30-70CR		
	В	I	MIRADA MEDIUM LED AREA LIGHT - 7L - 30K - BACKSHIELD	FT	0.9	LSI LIGHTING	MRM-LED-07L-SIL-FT-30-70C		
	с	7	MIRADA MEDIUM WALL SCONCE - 4L - 30K	TYPE III	0.9	LSI LIGHTING	XWM-3-LED-04L-30.ies		
	D	4	MIRADA MEDIUM WALL SCONCE - 8L - 30K	TYPE IV	0.9	LSI LIGHTING	XWM-4-LED-08L-30.ies		
	E	I	MIRADA SMALL SILICONE - 2L - 30K	TYPE II	0.9	LSI LIGHTING	XWS-LED-02L-SIL-2-30-70CR		
	F	3	LSI LED SOFFIT LIGHT - SS - WW	N/A	0.9	LSI LIGHTING	XSPS-S-LED-SS-WW-DFL.ies		

LIGHTING REQUIREMENTS				
CODE SECTION	REQUIRED	PROPOSED		
§ 138-143.(a).(3)	LIGHTS ON POLES, INCLUDING THE BASE, SHALL NOT BE TALLER THAN THE BUILDING WHOSE AREA THEY ILLUMINATE NOR TALLER THAN 20 FT, WHICHEVER IS SHORTER	I5 FT		
§ 138-143.(b).(2)	LEVEL OF LIGHTING SHALL NOT EXCEED:			
	0.5 FC AT RESIDENTIAL PROPERTY LINE	0.5 FC		
	1.0 FC AT NONRESIDENTIAL PROPERTY LINE	1.0 FC		
§ 138-223.(c)	OFF-STREET PARKING LEVEL OF LIGHTING:			
	MINIMUM 1.5 FC	1.5 FC		
	MAXIMUM 5.0 FC	5.0 FC		

#### Mirada Medium Outdoor LED Area Light Have questions? Call us at (800) 436-7800

### ORDERING GUIDE

Prefix	Light Source	Lumen Package	Lens	Distribution		<b>Orientation</b> ²		Voltage
<b>MRM</b> - Mirada Medium Area Light	LED	7L - 7,000 Ims, 48W         9L - 9,000 Ims, 62W         12L - 12,000 Ims, 85W         18L - 18,000 Ims, 135W         24L - 24,000 Ims, 176W         30L - 30,000 Ims, 232W         36L - 36,000 Ims, 288W         42L - 42,000 Ims, 314W         48L - 48,000 Ims, 401W         55L - 55,000 Ims, 438W         Custom Lurnen Packages ¹	SIL - Silicone	2 - Type 2 3 - Type 3 4 - Type 4 5W - Type 5 Wi FT - Forward T FTA - Forward T AM - Automoti LC - Left Corner RC - Right Corn	nrow hrow Automotive ve Merchandise	(blank) – stan L- Optics rotate R – Optics rotat	ed left 90°	UNV - Universa HV - High Volta
Color Temp		Color Rendering	Finish				Options	
50 - 5,000 CCT 40 - 4,000 CCT 30 - 3,000 CCT AMB - Phosphor Converted Amber ⁸		<b>70CRI</b> - 70 CRI	BLK - Bla BRZ - Dai GMG - GL GPT - Gra	rk Bronze In Metal Gray	<b>MSV -</b> Metallic Sil <b>PLP -</b> Platinum F <b>SVG -</b> Satin Verde <b>WHT -</b> White	Plus		one al Half Louver ( al Louver (Sharg

<u>(Blank) - None</u>

<u>Wireless Controls System</u> ALSC - AirLink Synapse Control System⁹

<u>Stand-Alone Controls</u> EXT - 0-10v Dimming leads extended to housing exterior CR7P - 7 Pin Control Receptacle ANSI (136.41⁴ IMSBT1L - Integral Bluetooth™ Motion and Photocell Sensor (8-24' MH)³⁹ IMSBT2L - Integral Bluetooth™ Motion and Photocell Sensor (25-40' MH)³⁹

ALSCS02 - AirLink Synapse Control System with 12-20' Motion Sensor[®] ALSCS04 - AirLink Synapse Control System with 20-40° Motion Sensor⁹ ALBMR1LR - AirLink Blue Long Range Wireless Motion & Photo Sensor Controller (8-24' mounting height)³⁹ ALBMR2LR - AirLink Blue Long Range Wireless Motion & Photo Sensor Controller (25-40' mounting height)³⁹

LIGHT FIXTURE 'A' & 'B'

Mirada Medium Wall Sconce (XWM) Outdoor Wall Sconce Have questions? Call us at (800) 436-7800

ORDERING GUIDE

TYPICAL ORDER EXAMPLE: XWM 2 LED 03L 30 UE BRZ ALSC

XWM - Mirada Medium Wall Sconce 2 3 4		Distribution       Medium Wall Sconce     2 - Type 2       3 - Type 3     4 - Type 4       4 - Type 4     FT - Type 4 Forward Throw		Light Source	Lumen Package
				LED	<b>31.</b> - 3,000 <b>41.</b> - 4,000 <b>61.</b> - 6,000 <b>81.</b> - 8,000 <b>121.</b> - 12,000 <b>151.</b> - 15,000 <b>181.</b> - 18,000 <b>211.</b> - 21,000 <b>Custom Lumen Packages</b> ¹
Voltage	Fin	ish	Control	ls	
UE - Universal Voltage (120-277V) HV - High Voltage (347-480V) BRZ - Dark Bronze GMG - Gun Metal Gray GPT - Graphite MSV - Metallic Silver PLP - Platinum Plus SVG - Satin Verde Green WHT - White Sta DIM IMS IMS But PCI PCI		ALSC - A ALSCSO1 ALSCSO2 ALBMR11 ALBMR21 Standal DIM - 0- IMSBT11 IMSBT21 Button 1 PCI120 -	stontrols irlink Synapse Control System L - AirLink Synapse Control System w 2 - AirLink Synapse Control System w R - AirLink Blue Wireless Motion & f Controls 10v Dimming leads extended to ho Integral Bluetooth™ Motion and Pl Integral Bluetooth™ Motion and Pl Integral Bluetooth™ Motion and Pl Integral Bluetooth™ Motion and Pl Integral Bluetooth™ Motion and Pl 120V 277 - 208 -277V	rith 12-20' Motion Sensor Photo Sensor Controller (8 - 15') mounting height) Photo Sensor Controller (16 - 40' mounting height) Jusing exterior Notocell Sensor (8-24' MH) ^{3,4}	

#### Mirada Small Silicone (XWS SIL) Have questions? Call us at (800) 436-7800

ORDERING GUIDE

TYPICAL ORDER EXAMPLE: XWS LED 6L SIL FT UNV DIM 40 70CRI ALBCS1 BLK CWBB Prefix Voltage Light Source **2** - Type 2 **3** - Type 3 XWS - Mirada Small Wall Sconce LED 1L - 1,000 (10w) UNV Only SIL - Silicone **2L** - 2,000 (15w) **3L** - 3,000 (26w) HV - High Voltage (347-480V) FT - Forward Throw **5L** - 5,000 (39w) 6L - 6,000 (52w) 8L - 8,000 (63w) Custom Lumen Packages¹ Color Temperature | Color Rendering | Controls Finish **50** - 5000K **70CRI** - 70 CRI BLK - Black Blank - None **40** - 4000K **30** - 3000K Wireless Controls ALBMR1LR - AirLink Blue Multi Range Wireless Motion & Photo Sensor Controller (8-15' GPT - Graphite mounting height)² ALBMR2LR - AirLink Blue Multi Range Wireless Motion & Photo Sensor Controller (16-40' mounting height)² SVG - Satin Verde Green Standalone Controls WHT - White EXT - 0-10v Dimming leads extended to housing exterior **IMSBT1L** - Integral Bluetooth[™] Motion Sensor 8-24' MH^{2,3} Button Type Photocells PCI120 - 120V PCI208-277 - 208 -277V PCI347 - 347V LIGHT FIXTURE 'E'





LANDSCAPING REQUIREMENTS						
CODE SECTION	REQUIRED	PROPOSED				
	PARKING LOT SCREENING					
§ 138-222.(c)(2)c.	WHERE A PARKING LOT ABUTS A RESIDENTIAL DISTRICT: 6 FT TALL MASONRY WALL REQUIRED	EXISTING WALL TO BE MODIFIED				

PLANT SCHEDULE							
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	
			DECIDUOUS	TREES			
+	GLE	I	GLEDITSIA TRIACANTHOS INERMIS 'SHADEMASTER'	SHADEMASTER HONEY LOCUST	2" - 2.5" CAL	B&B	
			EVERGREEN 1	REES			
$\odot$	BLU	14	JUNIPERUS SCOPULORUM 'BLUE ARROW'	BLUE ARROW JUNIPER	6' - 8' HT	B&B	
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	VIR	6	JUNIPERUS VIRGINIANA 'J.N. SELECT GREEN'	EMERALD FEATHER EASTERN REDCEDAR	6' - 8' HT	B&B	
			SHRUBS				
\bigcirc	COR	6	CORNUS STOLONIFERA 'FARROW'	ARCTIC FIRE RED TWIG DOGWOOD	18" - 24"	РОТ	
*	РНҮ	5	PHYSOCARPUS OPULIFOLIUS 'LITTLE DEVIL'	LITTLE DEVIL DWARF NINEBARK	18" - 24"	РОТ	
			EVERGREEN SH	IRUBS			
\odot	ILE	12	ILEX GLABRA 'COMPACTA'	COMPACT INKBERRY	18" - 24"	РОТ	
Ô	TAX	6	TAXUS X MEDIA 'DENSIFORMIS'	DENSE ANGLO-JAPANESE YEW	18" - 24"	РОТ	
· *	•		GROUND CC	VERS	•	•	
$\begin{array}{c} & \\ & \\ & \\ & \\ & \\ & \\ & \\ & \\ & \\ & $	BAR	63	JUNIPERUS HORIZONTALIS 'BAR HARBOR'	BAR HARBOR CREEPING JUNIPER	I GAL.	POT, 36" O.C.	

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN ON THE LANDSCAPE PLAN AND WITHIN THE PLANT LIST, THE PLAN SHALL DICTATE.



Know what's **below Call** before you dig.

IRRIGATION NOTE:

IRRIGATION CONTRACTOR TO PROVIDE A DESIGN FOR AN IRRIGATION SYSTEM SEPARATING PLANTING BEDS FROM LAWN AREA. PRIOR TO CONSTRUCTION, DESIGN IS TO BE SUBMITTED TO THE PROJECT LANDSCAPE DESIGNER FOR REVIEW AND APPROVAL. WHERE POSSIBLE, DRIP IRRIGATION AND OTHER WATER CONSERVATION TECHNIQUES SUCH AS RAIN SENSORS SHALL BE IMPLEMENTED. CONTRACTOR TO VERIFY MAXIMUM ON SITE DYNAMIC WATER PRESSURE AVAILABLE MEASURED IN PSI. PRESSURE REDUCING DEVICES OR BOOSTER PUMPS SHALL BE PROVIDED TO MEET SYSTEM PRESSURE REQUIREMENTS. DESIGN TO SHOW ALL VALVES, PIPING, HEADS, BACKFLOW PREVENTION, METERS, CONTROLLERS, AND SLEEVES WITHIN HARDSCAPE AREAS.

LANDSCAPING NOTES

- I. THE CONTRACTOR SHALL RESTORE ALL DISTURBED GRASS AND LANDSCAPED AREAS TO MATCH EXISTING CONDITIONS UNLESS INDICATED OTHERWISE WITHIN THE PLAN SET.
- THE CONTRACTOR SHALL RESTORE ALL DISTURBED LAWN AREAS WITH A MINIMUM 4 INCH LAYER OF TOPSOIL AND SEED.
- THE CONTRACTOR SHALL RESTORE MULCH AREAS WITH A MINIMUM 3 INCH LAYER OF MULCH .
- THE MAXIMUM SLOPE ALLOWABLE IN LANDSCAPE RESTORATION AREAS SHALL BE 3 FEET HORIZONTAL TO I FOOT VERTICAL (3:1 SLOPE) UNLESS INDICATED OTHERWISE WITHIN THE PLAN SET.
- 5. THE CONTRACTOR IS REQUIRED TO LOCATE ALL SPRINKLER HEADS IN AREA OF LANDSCAPING DISTURBANCE PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL RELOCATE SPRINKLER HEADS AND LINES IN ACCORDANCE WITH OWNER'S DIRECTION WITHIN AREAS OF DISTURBANCE.
- 6. THE CONTRACTOR SHALL ENSURE THAT ALL DISTURBED LANDSCAPED AREAS ARE GRADED TO MEET FLUSH AT THE ELEVATION OF WALKWAYS AND TOP OF CURB ELEVATIONS EXCEPT UNLESS INDICATED OTHERWISE WITHIN THE PLAN SET. NO ABRUPT CHANGES IN GRADE ARE PERMITTED IN DISTURBED LANDSCAPING AREAS.

GRAPHIC SCALE IN FEET l" = 20'





GENERAL LANDSCAPING NOTES

- I. THE LANDSCAPE CONTRACTOR SHALL FURNISH ALL MATERIALS AND PERFORM ALL WORK IN ACCORDANCE WITH THESE I. ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2004) OR LATEST SPECIFICATIONS, APPROVED OR FINAL DRAWINGS, AND INSTRUCTIONS PROVIDED BY THE PROJECT LANDSCAPE DESIGNER, MUNICIPAL OFFICIALS, OR OWNER/OWNER'S REPRESENTATIVE. ALL WORK COMPLETED AND MATERIALS FURNISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH THE INTENTION OF THE SPECIFICATIONS, DRAWINGS, AND INSTRUCTIONS AND EXECUTED WITH THE STANDARD LEVEL OF CARE FOR THE LANDSCAPE INDUSTRY. 2. WORK MUST BE CARRIED OUT ONLY DURING WEATHER CONDITIONS FAVORABLE TO LANDSCAPE CONSTRUCTION AND TO
- THE HEALTH AND WELFARE OF PLANTS. THE SUITABILITY OF SUCH WEATHER CONDITIONS SHALL BE DETERMINED BY THE PROJECT LANDSCAPE DESIGNER OR GOVERNING MUNICIPAL OFFICIAL. 3. IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR, BEFORE ORDERING OR PURCHASING MATERIALS, TO PROVIDE SAMPLES OF THOSE MATERIALS TO THE PROJECT LANDSCAPE DESIGNER OR GOVERNING MUNICIPAL OFFICIAL FOR APPROVAL,
- IF SO REQUESTED. 4. IF SAMPLES ARE REQUESTED, THE LANDSCAPE CONTRACTOR IS TO SUBMIT CERTIFICATION TAGS FROM TREES, SHRUBS AND SEED VERIFYING TYPE AND PURITY.
- 5. UNLESS OTHERWISE AUTHORIZED BY THE PROJECT LANDSCAPE DESIGNER OR GOVERNING MUNICIPAL OFFICIAL, THE LANDSCAPE CONTRACTOR SHALL PROVIDE NOTICE AT LEAST FORTY-EIGHT HOURS (48 HRS.) IN ADVANCE OF THE ANTICIPATED DELIVERY DATE OF ANY PLANT MATERIALS TO THE PROJECT SITE. A LEGIBLE COPY OF THE INVOICE, SHOWING VARIETIES AND SIZES OF MATERIALS INCLUDED FOR EACH SHIPMENT SHALL BE FURNISHED TO THE PROJECT LANDSCAPE DESIGNER. OR GOVERNING MUNICIPAL OFFICIAL
- 6. THE PROJECT LANDSCAPE DESIGNER OR GOVERNING MUNICIPAL OFFICIAL RESERVES THE RIGHT TO INSPECT AND REJECT PLANTS AT ANY TIME AND AT ANY PLACE.

PROTECTION OF EXISTING VEGETATION NOTES

- . BEFORE COMMENCING WORK, ALL EXISTING VEGETATION WHICH COULD BE IMPACTED AS A RESULT OF THE PROPOSED CONSTRUCTION ACTIVITIES MUST BE PROTECTED FROM DAMAGE BY THE INSTALLATION OF TREE PROTECTION FENCING. FENCING SHALL BE LOCATED AT THE DRIP-LINE OR LIMIT OF DISTURBANCE AS DEPICTED WITHIN THE APPROVED OR FINAL PLAN SET, ESTABLISHING THE TREE PROTECTION ZONE. FENCE INSTALLATION SHALL BE IN ACCORDANCE WITH THE PROVIDED "TREE PROTECTION FENCE DETAIL." NO WORK MAY BEGIN UNTIL THIS REQUIREMENT IS FULFILLED. THE FENCING SHALL BE INSPECTED REGULARLY BY THE LANDSCAPE CONTRACTOR AND MAINTAINED UNTIL ALL CONSTRUCTION ACTIVITIES HAVE BEEN COMPLETED
- 2. IN ORDER TO AVOID DAMAGE TO ROOTS, BARK OR LOWER BRANCHES, NO VEHICLE, EQUIPMENT, DEBRIS, OR OTHER MATERIALS SHALL BE DRIVEN, PARKED OR PLACED WITHIN THE TREE PROTECTION ZONE. ALL ON-SITE CONTRACTORS SHALL USE ANY AND ALL PRECAUTIONARY MEASURES WHEN PERFORMING WORK AROUND TREES, WALKS, PAVEMENTS, UTILITIES, AND ANY OTHER FEATURES EITHER EXISTING OR PREVIOUSLY INSTALLED UNDER THIS CONTRACT. 3. IN RARE INSTANCES WHERE EXCAVATING, FILL, OR GRADING IS REQUIRED WITHIN THE DRIP-LINE OF TREES TO REMAIN, THE
- WORK SHALL BE PERFORMED AS FOLLOWS: • TRENCHING: WHEN TRENCHING OCCURS AROUND TREES TO REMAIN, THE TREE ROOTS SHALL NOT BE CUT, BUT THE TRENCH SHALL BE TUNNELED UNDER OR AROUND THE ROOTS BY CAREFUL HAND DIGGING AND WITHOUT INJURY TO
- THE ROOTS. NO ROOTS, LIMBS, OR WOODS ARE TO HAVE ANY PAINT OR MATERIAL APPLIED TO ANY SURFACE. RAISING GRADES: WHEN THE GRADE AT AN EXISTING TREE IS BELOW THE NEW FINISHED GRADE, AND FILL NOT EXCEEDING 6 INCHES (6") IS REQUIRED, CLEAN, WASHED GRAVEL FROM ONE TO TWO INCHES (1" - 2") IN SIZE SHALL BE PLACED DIRECTLY AROUND THE TREE TRUNK. THE GRAVEL SHALL EXTEND OUT FROM THE TRUNK ON ALL SIDES A MINIMUM OF 18 INCHES (18") AND FINISH APPROXIMATELY TWO INCHES (2") ABOVE THE FINISH GRADE AT TREE. INSTALL GRAVEL BEFORE ANY EARTH FILL IS PLACED. NEW EARTH FILL SHALL NOT BE LEFT IN CONTACT WITH THE TRUNK OF ANY TREE REQUIRING FILL. WHERE FILL EXCEEDING 6 INCHES (6") IS REQUIRED, A DRY LAID TREE WELL SHALL BE CONSTRUCTED. IF APPLICABLE, TREE WELL INSTALLATION SHALL BE IN ACCORDANCE WITH THE PROVIDED "TREE WELL DETAIL."
- LOWERING GRADES: EXISTING TREES LOCATED IN AREAS WHERE THE NEW FINISHED GRADE IS TO BE LOWERED, SHALL HAVE RE-GRADING WORK DONE BY HAND TO THE INDICATED ELEVATION, NO GREATER THAN SIX INCHES (6"), ROOTS SHALL BE CUT CLEANLY THREE INCHES (3") BELOW FINISHED GRADE UNDER THE DIRECTION OF A LICENSED ARBORIST WHERE CUT EXCEEDING 6 INCHES (6") IS REQUIRED, A DRY LAID RETAINING WALL SHALL BE CONSTRUCTED. IF APPLICABLE, THE RETAINING WALL INSTALLATION SHALL BE IN ACCORDANCE WITH THE PROVIDED "TREE RETAINING WALL DETAIL."

SOIL PREPARATION AND MULCH NOTES:

2

- I. LANDSCAPE CONTRACTOR SHALL OBTAIN A SOIL TEST OF THE IN-SITU TOPSOIL BY A CERTIFIED SOIL LABORATORY PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL ALLOW FOR A TWO WEEK TURNAROUND TIME FROM SUBMITTAL OF SAMPLE TO NOTIFICATION OF RESULTS. 2. BASED ON SOIL TEST RESULTS, ADJUST THE RATES OF LIME AND FERTILIZER THAT SHALL BE MIXED INTO THE TOP SIX INCHES
- (6") OF TOPSOIL. THE LIME AND FERTILIZER RATES PROVIDED WITHIN THE "SEED SPECIFICATION" OR "SOD SPECIFICATION" IS APPROXIMATE AND FOR BIDDING PURPOSES ONLY. IF ADDITIONAL AMENDMENTS ARE NECESSARY, ADJUST THE TOPSOIL AS FOLLOWS: • MODIFY HEAVY CLAY OR SILT SOILS (MORE THAN 40% CLAY OR SILT) BY ADDING COMPOSTED PINE BARK (UP TO 30% BY
- VOLUME) OR GYPSUM • MODIFY EXTREMELY SANDY SOILS (MORE THAN 85%) BY ADDING ORGANIC MATTER AND/OR DRY, SHREDDED CLAY LOAM UP TO 30% OF THE TOTAL MIX. . TOPSOIL SHALL BE FERTILE, FRIABLE, NATURAL TOPSOIL OF LOAMING CHARACTER, WITHOUT ADMIXTURE OF SUBSOIL
- MATERIAL OBTAINED FROM A WELL-DRAINED ARABLE SITE, FREE FROM ALL CLAY, LUMPS, COARSE SANDS, STONES, PLANTS, ROOTS, STICKS, AND OTHER FOREIGN MATERIAL GREATER THAN ONE INCH (1"). 4. TOPSOIL SHALL HAVE A PH RANGE OF 5.0-7.0 AND SHALL NOT CONTAIN LESS THAN 6% ORGANIC MATTER BY WEIGHT
- 5. OBTAIN TOPSOIL ONLY FROM LOCAL SOURCES OR FROM AREAS HAVING SIMILAR SOIL CHARACTERISTICS TO THAT FOUND AT THE PROJECT SITE. 6. CONTRACTOR SHALL PROVIDE A SIX INCH (6") DEEP LAYER OF TOPSOIL IN ALL PLANTING AREAS. TOPSOIL SHALL BE SPREAD OVER A PREPARED SURFACE IN A UNIFORM LAYER TO ACHIEVE THE DESIRED COMPACTED THICKNESS. THE SPREADING OF
- TOPSOIL SHALL NOT BE CONDUCTED UNDER MUDDY OR FROZEN SOIL CONDITIONS. . UNLESS OTHERWISE NOTED IN THE CONTRACT, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF TOPSOIL AND THE ESTABLISHMENT OF FINE-GRADING WITHIN THE DISTURBED AREA OF THE SITE.
- LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE SUB-GRADE ELEVATION MEETS THE FINISHED GRADE ELEVATION (LESS REOUIRED TOPSOIL). IN ACCORDANCE WITH THE APPROVED OR FINAL GRADING PLAN 9. ALL LAWN AND PLANTING AREAS SHALL BE GRADED TO A SMOOTH, EVEN AND UNIFORM PLANE WITH NO ABRUPT CHANGE OF SURFACE AS DEPICTED WITHIN THE APPROVED OR FINAL CONSTRUCTION SET UNLESS OTHERWISE DIRECTED BY THE
- PROJECT LANDSCAPE DESIGNER OR MUNICIPAL OFFICIAL 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROPER SURFACE AND SUBSURFACE PLANT BED DRAINAGE PRIOR TO THE INSTALLATION OF PLANTINGS. IF POOR DRAINAGE CONDITIONS EXIST, CORRECTIVE ACTION SHALL BE TAKEN PRIOR TO INSTALLATION. ALL PLANTING AND LAWN AREAS SHALL BE GRADED AND MAINTAINED TO ALLOW A FREE FLOW OF SURFACE WATER
- II. DOUBLE SHREDDED HARDWOOD MULCH OR APPROVED EQUAL SHALL BE USED AS A THREE INCH (3") TOP DRESSING IN ALL SHRUB PLANTING BEDS AND AROUND ALL TREES PLANTED BY LANDSCAPE CONTRACTOR, GROUND COVER, PERENNIAL, AND ANNUAL PLANTING BEDS SHALL BE MULCHED WITH A TWO INCH (2") TOP DRESSING. SINGLE TREES OR SHRUBS SHALL BE MULCHED TO AVOID CONTACT WITH TRUNK OR PLANT STEM. MULCH SHALL BE OF SUFFICIENT CHARACTER AS NOT TO BE EASILY DISPLACED BY WIND OR WATER RUNOFF
- 12. WHENEVER POSSIBLE, THE SOIL PREPARATION AREA SHALL BE CONNECTED FROM PLANTING TO PLANTING. 13. Soil shall be loosened with a backhoe or other large coarse-tiling eoupment unless the soil is frozen or EXCESSIVELY WET. TILING THAT PRODUCES LARGE, COARSE CHUNKS OF SOIL IS PREFERABLE TO TILING THAT RESULTS IN FINE GRAINS UNIFORM IN TEXTURE. AFTER THE AREA IS LOOSENED IT SHALL NOT BE DRIVEN OVER BY ANY VEHICLE. 14. APPLY PRE-EMERGENT WEED CONTROL TO ALL PLANT BEDS PRIOR TO MULCHING. ENSURE COMPATIBILITY BETWEEN
- PRODUCT AND PLANT MATERIAL 15. ALL PLANTING SOIL SHALL BE AMENDED WITH THE FOLLOWING:

MYCRO® TREE SAVER - A DRY GRANULAR MYCORRHIZAL FUNGI INOCULANT THAT IS MIXED IN THE BACKFILL WHEN PLANTING TREES AND SHRUBS. IT CONTAINS SPORES OF BOTH ECTOMYCORRHIZAL AND VA MYCORRHIZAL FUNGI (VAM), BENEFICIAL RHIZOSPHERE BACTERIA, TERRA-SORB SUPERABSORBENT HYDROGEL TO REDUCE WATER LEACHING, AND SELECTED ORGANIC MICROBIAL NUTRIENT

- DIRECTIONS FOR USE: USE 3-OZ PER EACH FOOT DIAMETER OF THE ROOT BALL, OR 3-OZ PER INCH CALIPER. MIX INTO THE BACKFILL WHEN TRANSPLANTING TREES AND SHRUBS. MIX PRODUCT IN A RING-SHAPED VOLUME OF SOIL AROUND THE UPPER PORTION OF THE ROOT BALL, EXTENDING FROM THE SOIL SURFACE TO A DEPTH OF ABOUT 8 INCHES, AND EXTENDING OUT FROM THE ROOT BALL ABOUT 8 INCHES INTO THE BACKFILL. APPLY WATER TO SOIL SATURATION.
- MYCOR® TREE SAVER® IS EFFECTIVE FOR ALL TREE AND SHRUB SPECIES EXCEPT RHODODENDRONS, AZALEAS, AND MOUNTAIN LAUREL. WHICH REOUIRE ERICOID MYCORRHIZAE. • SOIL PH: THE FUNGI IN THIS PRODUCT WERE CHOSEN BASED ON THEIR ABILITY TO SURVIVE AND COLONIZE PLANT ROOTS
- IN A PH RANGE OF 3 TO 9. FUNGICIDES: THE USE OF CERTAIN FUNGICIDES CAN HAVE A DETRIMENTAL EFFECT ON THE INOCULATION PROGRAM. SOIL
- APPLICATION OF ANY FUNGICIDE IS NOT RECOMMENDED FOR TWO WEEKS AFTER APPLICATION. OTHER PESTICIDES: HERBICIDES AND INSECTICIDES DO NOT NORMALLY INTERFERE WITH MYCORRHIZAL FUNGAL DEVELOPMENT, BUT MAY INHIBIT THE GROWTH OF SOME TREE AND SHRUB SPECIES IF NOT USED PROPERLY.

HEALTHY START MACRO TABS 12-8-8

• FERTILIZER TABLETS ARE PLACED IN THE UPPER 4 INCHES OF BACKFILL SOIL WHEN PLANTING TREES AND SHRUBS. • TABLETS ARE FORMULATED FOR LONG-TERM RELEASE BY SLOW BIODEGRADATION, AND LAST UP TO 2 YEARS AFTER PLANTING. TABLETS CONTAIN 12-8-8 NPK FERTILIZER, AS WELL AS A MINIMUM OF SEVEN PERCENT (7%) HUMIC ACID BY WEIGHT, MICROBIAL NUTRIENTS DERIVED FROM SEA KELP, PROTEIN BYPRODUCTS, AND YUCCA SCHIDIGERA, AND A COMPLEMENT OF BENEFICIAL RHIZOSPHERE BACTERIA. THE STANDARD 21 GRAM TABLET IS SPECIFIED HERE. DIRECTIONS FOR USE: FOR PLANTING BALLED & BURLAPPED (B&B) TREES AND SHRUBS, MEASURE THE THICKNESS OF THE TRUNK, AND USE ABOUT I TABLET (21-G) PER HALF-INCH. PLACE THE TABLETS DIRECTLY NEXT TO THE ROOT BALL, EVENLY DISTRIBUTED 3. REFERENCE LANDSCAPE PLAN FOR AREAS TO BE SEEDED OR LAID WITH SOD AROUND ITS PERIMETER, AT A DEPTH OF ABOUT 4 INCHES.

IRRIGATION DURING ESTABLISHMENT							
SIZE AT PLANTING	IRRIGATION FOR VITALITY	IRRIGATION FOR SURVIVAL					
< 2" CALIPER	DAILY FOR TWO WEEKS, EVERY OTHER DAY FOR TWO MONTHS, WEEKLY UNTIL ESTABLISHED	TWO TO THREE TIMES WEEKLY FOR TWO TO THREE MONTHS					
2"-4 CALIPER	DAILY FOR ONE MONTH, EVERY OTHER DAY FOR THREE MONTHS, WEEKLY UNTIL ESTABLISHED	TWO TO THREE TIMES WEEKLY FOR THREE TO FOUR MONTHS					
4 >" CALIPER	DAILY FOR SIX WEEKS, EVERY OTHER DAY FOR FIVE MONTHS, WEEKLY UNTIL ESTABLISHED	TWICE WEEKLY FOR FOUR TO FIVE MONTHS					

. AT EACH IRRIGATION, APPLY TWO TO THREE GALLONS PER INCH TRUNK CALIPER TO THE ROOT BALL SURFACE. APPLY IT IN A MANNER SO ALL WATER SOAKS THE ENTIRE ROOT BALL. DO NOT WATER IF ROOT BALL IS WET/SATURATED ON THE IRRIGATION DAY.

2. WHEN IRRIGATING FOR VITALITY, DELETE DAILY IRRIGATION WHEN PLANTING IN WINTER OR WHEN PLANTING IN COOL CLIMATES. ESTABLISHMENT TAKES THREE TO FOUR MONTHS PER INCH TRUNK CALIPER. NEVER APPLY IRRIGATION IF THE SOIL IS SATURATED.

3. WHEN IRRIGATION FOR SURVIVAL, TREES TAKE MUCH LONGER TO ESTABLISH THAN REGULARLY IRRIGATED TREES. IRRIGATION MAY BE REQUIRED IN THE NORMAL HOT, DRY PORTIONS OF THE FOLLOWING YEAR.

INSTALLATION GUIDELINES: I. LOOP TIE AROUND TREE AND NAIL TO CEDAR STAKE

- 2. REMOVE ALL STAKING AND TIES AT END OF FIRST GROWING SEASON.
- FOLD ENDS OF ARBORTIE BACK. SECURE TO STAKES WITH I" GALVANIZED ROOFING NAIL OR USE A
- 4. CONSULT LANDSCAPE ARCHITECT FOR STAKING OF TREES LARGER THAN 6".
- SOURCES INCLUDE: GEMPLERS I-800-332-6744 or GEMPLERS.COM CSP OUTDOORS 1-800-592-6940 or CSPOUTDOORS.COM

ARBORTIE DETAIL

NOT TO SCALE	2
USE FINGERS OR SMALL HAND TOOL TO PULL ROOTS OUT OF BALL. SOIL TO BE PREPARED PER NOTES PRIOR TO PLANTING TREE. UIUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUUU	L TO UTER T OR THE OOT SOIL FIRST AND THE SOILS T) BY C (UP SOILS DING
AIL	

PLANT QUALITY AND HANDLING NOTES

DETAILS.

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REVISION AS PUBLISHED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION. 2. IN ALL CASES, BOTANICAL NAMES LISTED WITHIN THE APPROVED OR FINAL PLANT LIST SHALL TAKE PRECEDENCE OVER

COMMON NAMES 3. ALL PLANTS SHALL BE OF SELECTED SPECIMEN QUALITY, EXCEPTIONALLY HEAVY, TIGHTLY KNIT, SO TRAINED OR FAVORED IN THEIR DEVELOPMENT AND APPEARANCE AS TO BE SUPERIOR IN FORM, NUMBER OF BRANCHES, COMPACTNESS AND SYMMETRY. ALL PLANTS SHALL HAVE A NORMAL HABIT OR SOUND. HEALTHY, VIGOROUS PLANTS WITH WELL DEVELOPED ROOT SYSTEM. PLANTS SHALL BE FREE OF DISEASE, INSECT PESTS, EGGS OR LARVAE. 4. PLANTS SHALL NOT BE PRUNED BEFORE DELIVERY. TREES WITH ABRASION OF THE BARK, SUNSCALDS, DISFIGURING KNOTS OR

FRESH CUTS OF LIMBS OVER ONE AND ONE-FOURTH INCHES (1-1/4") WHICH HAVE NOT COMPLETELY CALLOUSED SHALL BE REIECTED 5. ALL PLANTS SHALL BE TYPICAL OF THEIR SPECIES OR VARIETY AND SHALL HAVE A NORMAL HABIT OF GROWTH AND BE LEGIBLY

TAGGED WITH THE PROPER NAME AND SIZE. 6. THE ROOT SYSTEM OF EACH PLANT SHALL BE WELL PROVIDED WITH FIBROUS ROOTS. ALL PARTS SHALL BE SOUND, HEALTHY, VIGOROUS, WELL-BRANCHED AND DENSELY FOLIATED WHEN IN LEAF

7. ALL PLANTS DESIGNATED BALL AND BURLAP (B&B) MUST BE MOVED WITH THE ROOT SYSTEM AS SOLID UNITS WITH BALLS OF EARTH FIRMLY WRAPPED WITH BURLAP. THE DIAMETER AND DEPTH OF THE BALLS OF EARTH MUST BE SUFFICIENT TO ENCOMPASS THE FIBROUS ROOT FEEDING SYSTEMS NECESSARY FOR THE HEALTHY DEVELOPMENT OF THE PLANT. NO PLANT SHALL BE ACCEPTED WHEN THE BALL OF EARTH SURROUNDING ITS ROOTS HAS BEEN BADLY CRACKED OR BROKEN PREPARATORY TO OR DURING THE PROCESS OF PLANTING. THE BALLS SHALL REMAIN INTACT DURING ALL OPERATIONS. ALL PLANTS THAT CANNOT BE PLANTED AT ONCE MUST BE HEELED-IN BY SETTING IN THE GROUND AND COVERING THE BALLS WITH SOIL OR MULCH AND THEN WATERING. HEMP BURLAP AND TWINE IS PREFERABLE TO TREATED. IF TREATED BURLAP IS USED, ALL TWINE IS TO BE CUT FROM AROUND THE TRUNK AND ALL BURLAP IS TO BE REMOVED.

8. PLANTS TRANSPORTED TO THE PROJECT IN OPEN VEHICLES SHALL BE COVERED WITH TARPS OR OTHER SUITABLE COVERS SECURELY FASTENED TO THE BODY OF THE VEHICLE TO PREVENT INJURY TO THE PLANTS. CLOSED VEHICLES SHALL BE ADEQUATELY VENTILATED TO PREVENT OVERHEATING OF THE PLANTS. EVIDENCE OF INADEQUATE PROTECTION FOLLOWING DIGGING, CARELESSNESS WHILE IN TRANSIT, OR IMPROPER HANDLING OR STORAGE SHALL BE CAUSE FOR REJECTION OF PLANT MATERIAL. ALL PLANTS SHALL BE KEPT MOIST, FRESH, AND PROTECTED. SUCH PROTECTION SHALL ENCOMPASS THE ENTIRE PERIOD DURING WHICH THE PLANTS ARE IN TRANSIT, BEING HANDLED, OR ARE IN TEMPORARY STORAGE. 9. ALL PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE CORRESPONDING LANDSCAPE PLAN AND PLANTING

10. LANDSCAPE CONTRACTOR SHALL MAKE BEST EFFORT TO INSTALL PLANTINGS ON THE SAME DAY AS DELIVERY. IF PLANTS ARE NOT PLANTED IMMEDIATELY ON SITE, PROPER CARE SHALL BE TAKEN TO PLACE THE PLANTINGS IN PARTIAL SHADE WHEN POSSIBLE. THE ROOT BALL SHALL BE KEPT MOIST AT ALL TIME AND COVERED WITH MOISTENED MULCH OR AGED WOODCHIPS. PROPER IRRIGATION SHALL BE SUPPLIED SO AS TO NOT ALLOW THE ROOT BALL TO DRY OUT. PLANTINGS HALL BE UNTIED AND PROPER SPACING SHALL BE ALLOTTED FOR AIR CIRCULATION AND TO PREVENT DISEASE, WILTING. AND LEAF LOSS. PLANTS THAT REMAIN UNPLANTED FOR A PERIOD OF TIME GREATER THAN THREE (3) DAYS SHALL BE HEALED IN WITH TOPSOIL OR MULCH AND WATERED AS REQUIRED TO PRESERVE ROOT MOISTURE. II. NO PLANT MATERIAL SHALL BE PLANTED IN MUDDY OR FROZEN SOIL.

12. PLANTS WITH INJURED ROOTS OR BRANCHES SHALL BE PRUNED PRIOR TO PLANTING UTILIZING CLEAN, SHARP TOOLS. ONLY DISEASED OR INJURED PLANTS SHALL BE REMOVED. 13. IF ROCK OR OTHER UNDERGROUND OBSTRUCTION IS ENCOUNTERED, THE LANDSCAPE DESIGNER RESERVES THE RIGHT TO

RELOCATE OR ENLARGE PLANTING PITS OR DELETE PLANT MATERIAL FROM THE CONTRACT. 14. IF PLANTS ARE PROPOSED WITHIN SIGHT TRIANGLES, TREES SHALL BE LIMBED AND MAINTAINED TO A HEIGHT OF EIGHT FEET (8') ABOVE GRADE, AND SHRUBS, GROUND COVER, PERENNIALS, AND ANNUALS SHALL BE MAINTAINED TO A HEIGHT NOT TO EXCEED TWO FEET (2') ABOVE GRADE UNLESS OTHERWISE NOTED OR SPECIFIED BY THE GOVERNING MUNICIPALITY OR AGENCY

15. INSTALLATION SHALL OCCUR DURING THE FOLLOWING SEASONS: PLANTS (MARCH 15 - DECEMBER 15)

LAWNS (MARCH 15 - JUNE 15 OR SEPTEMBER 1 - DECEMBER 1)

16. THE FOLLOWING TREES ARE SUSCEPTIBLE TO TRANSPLANT SHOCK AND SHALL NOT BE PLANTED DURING THE FALL SEASON (STARTING SEPTEMBER 15 ABIES CONCOLOR COPNILIS VADIETIES OSTRYA VIRGINIANA

ES CONCOLOR	CORINUS VARIETIES	USTRIA VIRGINIAINA
ER BUERGERIANUM	CRATAEGUS VARIETIES	PINUS NIGRA
ER FREEMANII	CUPRESSOCYPARIS LEYLANDII	PLATANUS VARIETIES
ER RUBRUM	FAGUS VARIETIES	POPULUS VARIETIES
er saccharinum	HALESIA VARIETIES	PRUNUS VARIETIES
ULA VARIETIES	ILEX X FOSTERII	PYRUS VARIETIES
RPINUS VARIETIES	ILEX NELLIE STEVENS	QUERCUS VARIETIES (1
DRUS DEODARA	ILEX OPACA	SALIX WEEPING VARIE
TIS VARIETIES	JUNIPERUS VIRGINIANA	SORBUS VARIETIES
RCIDIPHYLLUM VARIETIES	KOELREUTERIA PANICULATA	TAXODIUM VARIETIES
RCIS CANADENSIS	LIQUIDAMBAR VARIETIES	TAXUX B REPANDENS
RNUS VARIETIES	LIRIODENDRON VARIETIES	TILIA TOMENTOSA VA
ATAEGUS VARIETIES	MALUS IN LEAF	ULMUS PARVIFOLIA VA
	NYSSA SYLVATICA	ZELKOVA VARIETIES

US VARIETIES JS VARIETIES VARIETIES CUS VARIETIES (NOT Q. PALUSTRIS) WEEPING VARIETIES S VARIETIES DIUM VARIETIES K B REPANDENS OMENTOSA VARIETIES PARVIFOLIA VARIETIES

17. IF A PROPOSED PLANT IS UNATTAINABLE OR ON THE FALL DIGGING HAZARD LIST, AN EQUIVALENT SPECIES OF THE SAME SIZE MAY BE REQUESTED FOR SUBSTITUTION OF THE ORIGINAL PLANT. ALL SUBSTITUTIONS SHALL BE APPROVED BY THE PROJECT LANDSCAPE DESIGNER OR MUNICIPAL OFFICIAL PRIOR TO ORDERING AND INSTALLATION.

18. DURING THE COURSE OF CONSTRUCTION/PLANT INSTALLATION, EXCESS AND WASTE MATERIALS SHALL BE CONTINUOUSLY AND PROMPTLY REMOVED AT THE END OF EACH WORK DAY. ALL DEBRIS, MATERIALS, AND TOOLS SHALL BE PROPERLY STORED, STOCKPILED OR DISPOSED OF AND ALL PAVED AREAS SHALL BE CLEANED.

19. THE LANDSCAPE CONTRACTOR SHALL DISPOSE OF ALL RUBBISH AND EXCESS SOIL AT HIS EXPENSE TO AN OFF-SITE LOCATION AS APPROVED BY THE LOCAL MUNICIPALITY. 20. A 90-DAY MAINTENANCE PERIOD SHALL BEGIN IMMEDIATELY AFTER ALL PLANTS HAVE BEEN SATISFACTORILY INSTALLED.

21. MAINTENANCE SHALL INCLUDE, BUT NOT BE LIMITED TO, REPLACING MULCH THAT HAS BEEN DISPLACED BY EROSION OR other means, repairing and reshaping water rings or saucers, maintaining stakes and guys if originali REQUIRED, WATERING WHEN NEEDED OR DIRECTED, WEEDING, PRUNING, SPRAYING, FERTILIZING, MOWING THE LAWN, AND PERFORMING ANY OTHER WORK REQUIRED TO KEEP THE PLANTS IN A HEALTHY CONDITION.

2. MOW ALL GRASS AREAS AT REGULAR INTERVALS TO KEEP THE GRASS HEIGHT FROM EXCEEDING THREE INCHES (3"). MOWING SHALL BE PERFORMED ONLY WHEN GRASS IS DRY. MOWER BLADE SHALL BE SET TO REMOVE NO MORE THAN ONE THIRD (1/3) OF THE GRASS LENGTH. WHEN THE AMOUNT OF GRASS IS HEAVY, IT SHALL BE REMOVED TO PREVENT DESTRUCTION OF THE UNDERLYING TURF. MOW GRASS AREAS IN SUCH A MANNER AS TO PREVENT CLIPPINGS FROM BLOWING ON PAVED AREAS, AND SIDEWALKS. CLEANUP AFTER MOWING SHALL INCLUDE SWEEPING OR BLOWING OF PAVED AREAS AND SIDEWALKS TO CLEAR THEM FROM MOWING DEBRIS.

23. GRASSED AREAS DAMAGED DURING THE PROCESS OF THE WORK SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, WHO SHALL RESTORE THE DISTURBED AREAS TO A CONDITION SATISFACTORY TO THE PROJECT LANDSCAPE DESIGNER, MUNICIPAL OFFICIAL, OR OWNER/OWNER'S REPRESENTATIVE. THIS MAY INCLUDE FILLING TO GRADE, FERTILIZING, SEEDING, AND MULCHING

24. SHOULD THE OWNER REQUIRE MAINTENANCE BEYOND THE STANDARD 90-DAY MAINTENANCE PERIOD, A SEPARATE CONTRACT SHALL BE ESTABLISHED. 25. LANDSCAPE CONTRACTOR SHALL WATER NEW PLANTINGS FROM TIME OF INSTALL AND THROUGHOUT REQUIRED 90-DAY

MAINTENANCE PERIOD UNTIL PLANTS ARE ESTABLISHED. IF ON-SITE WATER IS NOT AVAILABLE AT THE PROJECT LOCATION, THE LANDSCAPE CONTRACTOR SHALL FURNISH IT BY MEANS OR A WATERING TRUCK OR OTHER ACCEPTABLE MANNER. 26. THE OUANTITY OF WATER APPLIED AT ONE TIME SHALL BE SUFFICIENT TO PENETRATE THE SOIL TO A MINIMUM OF EIGHT INCHES (8") IN SHRUB BEDS AND SIX INCHES (6") IN TURF AREAS AT A RATE WHICH WILL PREVENT SATURATION OF THE SOIL. 27. IF AN AUTOMATIC IRRIGATION SYSTEM HAS BEEN INSTALLED, IT CAN BE USED FOR WATERING PLANT MATERIAL. HOWEVER, FAILURE OF THE SYSTEM DOES NOT ELIMINATE THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY OF PLANT HEALTH AND ESTABLISHMENT.

PLANT MATERIAL GUARANTEE NOTES

THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR (1 YR.) FROM APPROVAL OF LANDSCAPE INSTALLATION BY THE PROJECT LANDSCAPE DESIGNER, MUNICIPAL OFFICIAL, OR OWNER/OWNER'S REPRESENTATIVE

.. THE LANDSCAPE CONTRACTOR SHALL REMOVE AND REPLACE DYING, DEAD, OR DEFECTIVE PLANT MATERIAL AT HIS EXPENSE. THE LANDSCAPE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR ANY DAMAGES CAUSED BY HIS COMPANY'S OPERATIONS. 3. ALL REPLACEMENT PLANTS SHALL BE OF THE SAME SPECIES AND SIZE AS SPECIFIED ON THE APPROVED OR FINAL PLANT LIST. REPLACEMENTS RESULTING FROM REMOVAL, LOSS, OR DAMAGE DUE TO OCCUPANCY OF THE PROJECT IN ANY PART, VANDALISM, PHYSICAL DAMAGE BY ANIMALS, VEHICLES, ETC., AND LOSSES DUE TO CURTAILMENT OF WATER BY LOCAL AUTHORITIES SHALL BE APPROVED AND PAID FOR BY THE OWNER.

4. THE CONTRACTOR SHALL INSTRUCT THE OWNER AS TO THE PROPER CARE AND MAINTENANCE OF ALL PLANTINGS.

LAWN (SEED OR SOD) NOTES:

. SEED MIXTURE SHALL BE FRESH, CLEAN, NEW CROP SEED. SOD SHALL BE STRONGLY ROOTED, UNIFORM IN THICKNESS, AND FREE OF WEEDS, DISEASE, AND PESTS. . SEED OR SOD SHALL BE PURCHASED FROM A RECOGNIZED DISTRIBUTOR AND SHALL BE COMPOSED OF THE MIX OR BLEND

WITHIN THE PROVIDED "SEED SPECIFICATION" OR "SOD SPECIFICATION."

4. SEEDING SHALL NOT BE PERFORMED IN WINDY WEATHER. IF THE SEASON OF THE PROJECT COMPLETION PROHIBITS PERMANENT STABILIZATION, TEMPORARY STABILIZATION SHALL BE PROVIDED IN ACCORDANCE WITH THE "TEMPORARY SEEDING SPECIFICATION.'

5. PROTECT NEW LAWN AREAS AGAINST TRESPASSING WHILE THE SEED IS GERMINATING. FURNISH AND INSTALL FENCES, SIGNS, BARRIERS OR ANY OTHER NECESSARY TEMPORARY PROTECTIVE DEVICES. DAMAGE RESULTING FROM TRESPASS, EROSION, WASHOUT, SETTLEMENT OR OTHER CAUSES SHALL BE REPAIRED BY THE LANDSCAPE CONTRACTOR AT HIS EXPENSE. REMOVE ALL FENCES, SIGNS, BARRIERS OR OTHER TEMPORARY PROTECTIVE DEVICES ONCE LAWN HAS BEEN ESTABLISHED.





DET 2024/DET-240246 BREAKPOINT DEVELOPMENT - 4162 12 MILE ROAD, BERKLEY, MI/CADD/PLOT/SDP-10-11-DETL.DWG



	BUILDING						
	BUILDING CONCRETE SIDEWALK / MAT	D.W.S.	DETECTABLE WARNING STRIP				
	PAVING STONES / PAVERS	Ŀ.	HANDICAP PARKING				
D.C.	ASPHALT / CONCRETE CURB		PAVEMENT STRIPING				
	DEPRESSED CURB PROPERTY LINE	E	ELEC METER GAS METER				707.77 ×
	VACATED / INTERIOR LOT LINE	W	GAS METER WATER METER				TC 708
<u> </u>	ADJACENT PROPERTY LINE SECTION LINE	с/0 ₀	CLEAN OUT				BC 707. 33.0'
	RIGHT OF WAY LINE		TRAFFIC SIGNAL POLE				
	CENTERLINE EASEMENT	- + -	SECTION CORNER				
_—	UTILITY POLE	⊕ □	BENCH MARK CROSSWALK SIGNAL BUTTON POLE				TC 708.12 BC 707.78
(GUY WIRE MAST ARM LIGHT POLE	B.O.S.	BOTTOM OF STRUCTURE				TC BC
=	LIGHT POLE	ELEV	ELEVATION				I
⇒ ₩ ⊠	SIGNS WATER VALVE	DS CONC	DOOR SILL CONCRETE				1.1
GV X	GAS VALVE	МН	MANHOLE		OSSIBLE OWNERSHIP (F LOTS 46, 47, 48, AND	49 BY THE	12 & 15"
	DRAIN INLET	(M) N.V.P.	MEASURED NO VISIBLE PIPE		CITY OF BÉRKLEY REI IN VARIOUS DO (CROS	FERENCED DCUMENTS SS HATCH)	VCP
	MAN HOLE	(P)	PLAT		(. 707.
•	BOLLARDS	Р.О.В. (R)	POINT OF BEGINNING RECORD				. TĊ Ż BC ZU (A) (B)
<u> </u>	BOX (ELEC, GAS, ETC.) EDGE OF PAVEMENT	VCP	VITRIFIED CLAY PIPE		I		
OH	EDGE OF PAVEMENT OVERHEAD WIRE	INV	INVERT		RIM	D SEWER MH 1 ELEV=707.97 V(A - 12")=702.87	
G	UNDERGROUND GAS LINE	SQ. FT.	SQUARE FEET			VV(A - 12")=702.87 VV(B - 15")=699.27 INV(C)=698.72	1
W E	UNDERGROUND WATER LINE UNDERGROUND ELEC. LINE	BLD L	BUILDING LIBER				
SAN	SANITARY SEWER LINE	P	PAGE				REE
	STORM PIPE MAJOR CONTOUR						
<i>101</i>	MINOR CONTOUR						FIELD NABLE WIDT (ASPHALT)
× 100.00 × TC 100.50	GRADE SPOT SHOT TOP OF CURB SHOT						ALT]
-X- BC 100.00	BOTTOM OF CURB SHOT						। इ RC
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KE`	YED NOTES X
1	G.C. TO FURNISH & INSTALL NEW FIRE EXTINGUISHERS AS REQ'D BY WHEN MOUNTING ADJACENT TO DOOR OPENING, MAINTAIN 12" CLEA OPENING FOR ADA COMPLIANCE. FINAL LOCATION, MOUNTING HEIGH FIRE INSPECTOR. G.C. TO VERIFY FIRE MARSHALL REQUIREMENTS FO TAGGING. REFER TO FIRE EXTINGUISHER CABINET DETAIL #9 AND #4 FOR ADDITIONAL INFORMATION. DO NOT EXCEED 75'-0" OF TRAVEL AI AREAS.
KE`	YED NOTE X
Α	MIN. 44" PATH OF EGRESS SHALL BE UNOBSTRUCTED AT ALL TIMES.



north



RS AS REQ'D BY LOCAL CODES. AINTAIN 12" CLEAR TO DOOR MOUNTING HEIGHT, & QUANTITY BY EQUIREMENTS FOR INSPECTION & DETAIL #9 AND #4 ON THIS SHEET '-0" OF TRAVEL ALONG EXITS FROM

ACCESSIBILITY PLAN NOTES:

I. AT LEAST 5% OF ALL FIXED SEATING OT TABLES IN A PUBLIC SPACE SHALL COMPLY WITH BUILDING CODE.

2. AISLE'S SHALL HAVE A MINIMUM CLEAR WIDTH OF 44 INCHES. 3. SERVICE COUNTER SHALL BE ACCESSIBLE.

ACCESSIBILITY PLAN LEGEND:

MIN. 44" WIDE CLEAR ACCESSIBLE PASSAGE WAY.

<u>≁</u> 4'

TYPICAL CLEAR WHEELCHAIR FLOOR SPACE WHERE REQUIRED.

EG	RESS PATHS
EXIT PATH	EXIT PATH DISTANCE
'A'	TOTAL PATH LENGTH - 103'-3"
'B'	TOTAL PATH LENGTH - 95'-0"
'C'	TOTAL PATH LENGTH - 72'-0"



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P. 248-254-3834 W.ABRODESIGNGROUP.COM

PROJECT:

MUG & JUG GAS STATION

- BUILDING SHELL & INTERIORS -

4162 TWELVE MILE ROAD, BERKLEY, MI, 48072

SHEET TITLE:

LIFE SAFETY AND EGRESS PLAN

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SHEET NO:

1/8'' = 1'-0''

A-0.1





north FLOOR PLAN SCALE:

	FLOOR PLAN KEY NOTES:
1	4" H. BURNISHED C-BRICK EXTERIOR STRUCTURAL WALL - 12" D.
2	CLEAR INSULATED GLASS IN BLACK ANODIZED ALUMINUM FRAME ENTRY DOOR.
3	CLEAR INSULATED GLASS IN BLACK ANODIZED ALUMINUM FRAME STOREFRONT/ CURTAIN WALL SYSTEM.
4	NOT USED



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FLOOR PLAN

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A-1.1

8" D. X 4" H. X 16" W. BURNISHED C-BRICK — 1 MASONRY UNIT W/ ACME SHIELD IWR; 5 97H STANDARD GREY GROUT) #5 VERTICAL REINFORCEMENT HORIZONTAL MASONRY REINF. TIES- – LADDER TYPE AT 16'' O.C. (TYP.) AT EACH CORNER OF CMU, FULL HEIGHT. CEMENT GROUT SOLID. SINGLE-WYTHE FLASHING SYSTEM - CONT. ----DRAINAGE MAT W/ FLASHING PANS BY ____3 "BLOCKFLASH" OVER 8" ABOVE GRADE (TYP.) ┌╴┼┼╴ VERTICAL REINFORCEMENT -42"W. X 42" MIN. 8" BELOW GRADE TRENCH FOOTING W/ (2) #5 BARS TOP & BOT. (TYP.) 60" - i----#5 DOWEL, MIN. 24" EMBEDMENT INTO FOOTING AT ONE IN EACH CORNER OF CMU.

SCALE:



NORTH AND SOUTH ELEVATION AT PUMP CANOPY 1/8" = 1'-0" SCALE:











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SHEET TITLE:

GAS PUMP CANOPY PLAN, ELEVATIONS AND DETAILS

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0 2' 4' 8' 16				1/8'' =	: 1'-0''
	0	2'	4'	8'	16

PUMP CANOPY KEY NOTES:

STRUCTURAL STEEL BUILDING COLUMN.

OF THESE PLANS.

GAS PUMPS BY OTHERS.

CURB AT PUMP BY OTHERS

CANOPY OVERHANG. ARTWORK/ BRANDING BY OTHERS. OWNER WILL PROVIDE. VENDOR WILL PROVIDE THERE OWN STRUCTURAL COLUMNS AND FOOTINGS AS THIS IS NOT PART

8"D X 4"H X 16"W BURNISHED C-BRICK WALL (BOARDMAN

COLOR W/ ACME SHIELD IWR; 97H SUPER BLACK GROUT)

VENDOR WILL PROVIDE THERE OWN STRUCTURAL COLUMNS AND FOOTINGS AS THIS IS NOT PART OF THESE PLANS. PLAN

WAS DESIGNED TO BE 12" COLUMN AS THIS INFO WAS PROVIDED BY THE OWNER.

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A-0.15

ELEV: 20-ò	 SIGNAGE							
- ELEV: 12'-0"								
					4 2 4 4			

SOUTH ELEVATION (12 MILE ROAD VIEW) SCALE:

TOP OF PARAPET (HI SIGNAGE BOTTOM OF TRENCH FOOTING STRUCTURAL PLAN FOR ELEV. HGT.

WEST ELEVATION (GREENFIELD ROAD VIEW)

SCALE:

1/8'' = 1'-0''

TOP OF PARAPET (LOW)															1 1	듣는
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OP OF WINDOW SILL					i i i i							1 1 1			+++	<u> </u>
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			a							4		4			4	
FINISH FLOOR	· · ·	4.			· / /					. 4 4	. 4 4		<u> </u>		2	1

NORTH ELEVATION SCALE:

1/8'' = 1'-0''

TOP OF PARAPET (HIGH) ELEV: 22-0" TOP OF PARAPET (LOW) ELEV: 20'-0"				
'ELEV: 20'-0"	SIGNAC	Ē		
TOP OF WINDOW SILL				
′ELEV: 12'-0''				
FINISH FLOOR				24 4

EAST ELEVATION SCALE:



GLAZING SYMBOL KEY:
TRANSPARENT GLAZING:

TINTED/ SPANDREL GLASS:





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SHEET TITLE:

EXTERIOR BUILDING ELEVATIONS -GLAZING CALCULATIONS

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091724

SHEET NO:

A-2.4





REVISION BLOCK				
Par	Parcel Base / Source Date: N/A			
Rev	. Rev.	Rev.	Pagarintian,	
No.	: By:	Date:	Description:	
1	DS	3-23-11	REMOVED STANDARD MONITORING MANHOLE	
2	KB	6-21-16	ADDED NOTE "REQUIRES ADVANCED APPROVAL BY WRC" AND UPDATE PHONE # IN NOTE #2	
3	KB	7-22-20	UPDATED MH STEPS TO ASTM# D-4101	
4	KB	9-27-23	REMOVED EXTERIOR DROP CONNECTION DETAIL	

MANHOLE SIZING CHART			
MANHOLE DIAMETER	MAX. PIPE SIZE FOR STRAIGHT THRU INST.	MAX. PIPE SIZE FOR RIGHT ANGLE INST.	
5'	36"	24"	
6'	42"	36"	
7'	60 "	42"	

MANHOLE SIZING CHART			
MANHOLE DIAMETER	MAX. PIPE SIZE FOR STRAIGHT THRU INST.		
4'	24"		
5'	36"		
6'	42"		
7'	60"		



INTERIOR DROP CONNECTION

SANITARY SEWER DETAILS AND NOTES

SANITARY SEWER CONSTRUCTION NOTES

- 1. ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF THE LOCAL UNIT OF GOVERNMENT AND THE WATER RESOURCES COMMISSIONER (WRC). ALL SANITARY SEWER CONSTRUCTION SHALL HAVE FULL-TIME INSPECTION SUPERVISED BY A STATE OF MICHIGAN LICENSED PROFESSIONAL ENGINEER PROVIDED BY, OR CAUSED TO BE PROVIDED BY, THE LOCAL UNIT OF GOVERNMENT.
- 2. AT ALL CONNECTIONS TO WRC SEWERS OF EXTENSIONS, AND BEFORE START OF CONSTRUCTION, THE CONTRACTOR MUST OBTAIN A SEWER INSPECTION PERMIT ISSUED BY WRC. GRAVITY SEWER PERMIT CHANGES ARE \$250 FOR EACH CONNECTION PLUS \$25 FOR EACH MANHOLE CONSTRUCTED. PRESSURE SEWER PERMIT CHARGES ARE \$250 PER 2,460 L.F. OF FORCE MAIN WITH A MINIMUM PERMIT FEE OF \$250. FAILURE TO PASS ANY TEST SEGMENT WILL RESULT IN AN ADDITIONAL CHARGE TO THE CONTRACTOR FOR EACH RETEST, IN ACCORDANCE WITH THE ABOVE PRICE SCHEDULE. THE CONTRACTOR SHALL ALSO HAVE POSTED WITH WRC A \$5,000 SURETY BOND AND \$500 CASH DEPOSIT. THE CONTRACTOR SHALL NOTIFY THE LOCAL UNIT OF GOVERNMENT AND WRC (248-858-1105) 24 HOURS PRIOR TO THE BEGINNING OF ANY CONSTRUCTION. FINAL ACCEPTANCE TESTS MUST BE WITNESSED BY COUNTY PERSONNEL AND MUST BE SCHEDULED BY MUNICIPALITY OR IT'S CONSULTANT IN ADVANCE WITH 24 HOUR NOTICE AT 248-858-1105.
- 3. NO SEWER INSTALLATION SHALL HAVE AN INFILTRATION EXCEEDING 100 GALLONS PER INCH DIAMETER PER MILE OF PIPE IN A 24 HOUR PERIOD, AND NO SINGLE RUN OF SEWER BETWEEN MANHOLES SHALL EXCEED 100 GALLONS PER INCH DIAMETER PER MILE. AIR TESTS IN LIEU OF INFILTRATION TESTS SHALL BE AS SPECIFIED IN THE WATER RESOURCES COMMISSIONER STANDARDS. ONLY PIPE AND PIPE JOINTS APPROVED BY WRC MAY BE USED FOR SANITARY SEWER CONSTRUCTION.
- 4. LOCATED IN THE FIRST MANHOLE UPSTREAM FROM THE POINT OF ALL CONNECTIONS TO AN EXISTING WRC SEWER, OR EXTENSION THERETO, A TEMPORARY 12-INCH DEEP SUMP SHALL BE PROVIDED IN THE FIRST MANHOLE ABOVE THE CONNECTION WHICH WILL BE FILLED IN AFTER SUCCESSFUL COMPLETION OF ANY ACCEPTANCE TEST UP TO THE STANDARD FILLET PROVIDED FOR THE FLOW CHANNEL. A WATERTIGHT BULKHEAD SHALL BE PROVIDED ON THE DOWNSTREAM SIDE OF THE SUMP MANHOLE.
- 5. AT ALL TIMES WHEN LAYING OF NEW PIPE IS NOT ACTUALLY IN PROGRESS, THE UPSTREAM OPEN END OF THE PIPE SHALL BE CLOSED BY TEMPORARY WATERTIGHT PLUGS OR BY OTHER APPROVED MEANS. IF WATER IS IN THE TRENCH WHEN WORK IS RESUMED, THE PLUG SHALL NOT BE REMOVED UNTIL THE DANGER OF WATER ENTERING THE PIPE HAS PASSED.
- 6. ALL BUILDING LEADS AND RISERS SHALL BE SIX INCH SDR 23.5 ABS PIPE WITH CHEMICALLY FUSED JOINTS OR AN APPROVED EQUAL PIPE AND JOINT. BUILDING LEADS TO BE FURNISHED WITH REMOVABLE AIRTIGHT AND WATERTIGHT STOPPERS.
- 7. ALL RIGID SEWER PIPE SHALL BE INSTALLED IN CLASS "B" BEDDING OR BETTER. ALL FLEXIBLE, SEMI-FLEXIBLE, OR COMPOSITE SEWER PIPE SHALL BE INSTALLED IN CONFORMANCE TO WRC SPECIFICATIONS.
- 8. ALL NEW MANHOLES SHALL HAVE WRC APPROVED FLEXIBLE, WATERTIGHT SEALS WHERE PIPES PASS THROUGH WALLS. MANHOLES SHALL BE OF PRE CAST SECTIONS WITH MODIFIED GROOVE TONGUE AND RUBBER GASKET TYPE JOINTS. PRE CAST MANHOLE CONE SECTIONS SHALL BE WRC APPROVED MODIFIED ECCENTRIC CONE TYPE. ALL MANHOLES SHALL BE PROVIDED WITH BOLTED, WATERTIGHT COVERS.
- 9. AT ALL CONNECTIONS TO MANHOLES ON WRC SEWERS, OR EXTENSIONS THERETO, DROP CONNECTIONS WILL BE REQUIRED WHEN THE DIFFERENCE IN INVERT ELEVATIONS EXCEEDS 18 INCHES.
- 10. TAPS TO EXISTING MANHOLES SHALL BE MADE BY CORING. THE CONTRACTOR SHALL PLACE A KOR-N-SEAL BOOT (OR WRC APPROVED EQUAL) AFTER CORING IS COMPLETED. BLIND DRILLING WILL ONLY BE PERMITTED IN LIEU OF CORING WITH PRIOR WRC APPROVAL.
- 11. MANHOLES CONSTRUCTED DIRECTLY ON WRC SEWERS SHALL BE PROVIDED WITH COVERS READING "WATER RESOURCES COMMISSIONER-SANITARY" IN RAISED LETTERS.
- 12. NO GROUND WATER, STORM WATER, CONSTRUCTION WATER, DOWN SPOUT DRAINAGE OR WEEP TILE DRAINAGE SHALL BE ALLOWED TO ENTER ANY SANITARY SEWER INSTALLATION.
- 13. PRIOR TO ANY EXCAVATION, THE CONTRACTOR SHALL TELEPHONE MISS DIG (800-482-7171) FOR THE LOCATION OF UNDERGROUND PIPELINE AND CABLE FACILITIES AND SHALL ALSO NOTIFY REPRESENTATIVES OF OTHER UTILITIES LOCATED IN THE VICINITY OF THE WORK.
- 14. AN 18 INCH MINIMUM VERTICAL SEPARATION AND A 10 FOOT MINIMUM HORIZONTAL SEPARATION MUST BE MAINTAINED BETWEEN SANITARY SEWER AND WATER MAIN.
- 15. NEW MANHOLES BUILT OVER AN EXISTING SANITARY SEWER SHALL HAVE MONOLITHIC POURED BOTTOMS.
- 16. IF THE STRUCTURE FALLS WITHIN THE ROADBED OF A GRAVEL ROAD OR WITHIN THE UNPAVED SHOULDER OF A PAVED ROAD, THE COVER SHALL BE SIX (6") INCHES BELOW THE FINISHED GRAVEL SURFACE.

ORIG. DATE:	08/21/02	
SCALE:	NO SCALE	
DESIGNED BY:	WRC	WATER RESOL
DRAWN BY:	WRC Mapping	



Jim Nash

ONE PUBLIC WORKS DRIVE, BLDG 95 WEST WATERFORD, MICHIGAN 48328-1907

SHEET NO .:

- -3" (MIN.) OR 6" CONCRETE GRADE RINGS WITH FINISH TOP AND BOTTOM SURFACES. MAXIMUM ADJUSTMENT = 18".
 - -ASTM C478 RISER SECTIONS WITH MODIFIED TONGUE & GROOVE JOINTS.

-MANHOLE MANUFACTURER SHALL INSTALL 1" DIA. GALVANIZED STEEL PIPE AND CAP AT PIPE CROWN, FLUSH WITH OUTSIDE WALL AND EXTENDING 3" INSIDE. CONTRACTOR TO SEAL AFTER COMPLETION OF TESTS.

-BRICK COURSE PERMITTED FOR CLOSURE OF OPENING.



SANITARY SEWER DETAILS AND NOTES

FORM SMOOTH AND UNIFORM CHANNELS IN CONCRETE FILL. FLOV CORE & BOOT CONNECTION W/ 3/4" TO 1¼" GAP TO BE PROVIDED TO MAINTAIN JOINT FLEXIBILITY.



DRAWN BY:

Mapping Staff



SHEET NO .: Jim Nash 1 of 1 DRAWN BY: Mapping









EAST ELEVATION SCALE:

TAG	MATERIAL	MANUFACTURE	COLOR/ MODEL	SIZE	REMARKS/ NOTES
(1)	NOT USED	MANUTACTORE		SIZL	KEMARKS/ NOTES
(1)					
(2)	BURNISHED C-BRICK MASONRY UNIT - EXTERIOR STRUCTURAL WALL W/ ACME SHIELD IWR	GRAND BLANC CEMENT PRODUCTS	BOARDMAN W/ 97H SUPER BLACK GROU	12"D X 4"H X 16"W	CONTACT: RALPH (517) 927-3002 SEE MASONRY NOTES BELOW
3	SPLIT-FACE MASONRY UNIT - EXTERIOR STRUCTURAL WALL W/ ACME SHIELD IWR	GRAND BLANC CEMENT PRODUCTS	UNICORN; STANDARD GREY GROUT	12"D X 8"H X 16"W	CONTACT: RALPH (517) 927-3002 SEE MASONRY NOTES BELOW
(4)	FIBER CEMENT WALL SYSTEM ON MTL. STUD FRAMING SYSTEM	NICHIHA FIBER CEMENT	VINTAGEWOOD; CEDAR	17 7/8" H X 119 5/16" L	CONTACT: NICHIHA (866) 424-4421
(5)	NOT USED				
<u> </u>	NOT USED				
$\overline{(7)}$	STOREFRONT TENANT DOOR ENTRY W/ 10"	TUBELITE	CLEAR ANODIZED	SEE SHEET A-8.1 FOR	SEE MFG. SPECIFICATIONS FOR
	HIGH BOTTOM RAIL CLEAR INSULATED GLASS IN ANODIZED ALUMINUM	TUBELITE	ALUMINUM CLEAR ANODIZED	DETAILS SEE SHEET A-8.1 FOR	DETAILS SEE MFG. SPECIFICATIONS FOR
(8)	FRAME STOREFRONT SYSTEM		ALUMINUM	DETAILS	DETAILS
(9)	STOREFRONT TENANT DOOR, AUTOMATIC DOORS, SELECTION BY OWNER	TUBELITE	CLEAR ANODIZED ALUMINUM	SEE SHEET A-8.1 FOR DETAILS	SEE MFG. SPECIFICATIONS FOR DETAILS
10	ALUMINUM COMPOSITE PANEL SYSTEM "CLIP & CAULK" INSTALLATION	OMEGA PANEL PROD. LAMINATORS INC.	SLATE, CAULK JOINT TO MATCH MTL. PANEL	SEE ELEV. AND WALL SECTIONS FOR JOINTS	CONTACT: TOM OLSON (734) 777-6788
$\overline{11}$	NOT USED				
(12)	NOT USED				
(13)	METAL COPING (TYP.)	PAC-CLAD	COLOR; SLATE		BY OAKLAND METAL SALES 248-377 ADG TO APPROVE COLOR
(14)	METAL COPING (TYP.)	PAC-CLAD	COLOR; MATTE BLACK		BY OAKLAND METAL SALES 248-37. ADG TO APPROVE COLOR
(15)	GLASS	VIRACON OR EQUAL	1" CLEAR INSULATED GLAZING		GLASS TO BE TEMPERED PER N WHERE NEEDED.
(16)	EXTERIOR DECORATIVE WALL MOUNTED SCONCE	MAXIM LIGHTING	LIGHTRAY 6102/86102, ARCHITECTURAL	5"W X 15.75"H X 6.5"D	REFER TO ELECTRICAL PLAN FO
(17)	SPANDREL GLASS	VIRACON OR EQUAL	BRONZE FINISH 1" CLEAR INSULATED GLAZING		GLASS TO BE TEMPERED PER N WHERE NEEDED.
	WALL MOUNTED STAND ALONE LED EMERGENCY	LITHONIA LIGHTING	DARK BRONZE	LOCATE 12" ABOVE	
(18) maso	NRY NOTES: INFORMATION PROVIDED BY SUPPLIER, (AFFINITY SERIES	METALLIC	DOOR. SEE SPECS	REFER TO ELECTRICAL PLAN FO
MASO 1. FOR AFTER 2. FOR	LIGHTING	AFFINITY SERIES CONTRACTOR TO COORE 1422, SERIESS G20 ACRYL E PAINT SPRAYER, NO AIR- Y UNITS, PROVIDE PRIME-4	METALLIC DINATE INFORMATION W/ S IC, 1 COAT ACRYLIC APPLI LESS SPRAYER. CONTACT F A-PELL PLUS WATER REPELLA	DOOR. SEE SPECS UPPLIER. IED AT PLANT AND 1 COA RON HUNT FOR ADDITION/	DETAILS T ACRYLIC APPLIED AT JOB SITE AL INFO.
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ADG **DESIGN STUDIO**

ADG DESIGN STUDIO 189 E. BIG BEAVER ROAD SUITE 200 TROY, MICHIGAN 48083

P. 248-254-3834 W.ABRODESIGNGROUP.COM

PROJECT:

MUG & JUG GAS STATION

- BUILDING SHELL & INTERIORS -

4162 TWELVE MILE ROAD, BERKLEY, MI, 48072

SHEET TITLE:

EXTERIOR BUILDING ELEVATIONS

do not scale drawings USE figured dimensions only

DATE:	ISSUE:	
03.20.25	SPA	
DESIGN GRO	ARE THE EXCLUSIVE PROPERTY OF A DUP, INC. THESE PLANS ARE NOT TO PRODUCED, CHANGED OR COPIEI	BE

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PROJECT NO:

091724

SHEET NO:












MEMORANDUM

То:	Berkley Zoning Board of Appeals	
From:	Kim Anderson; Zoning Administrator	
Subject:	PBA-05-25 4162 Twelve Mile, 4150 Twelve Mile, 4138 Twelve Mile – Parcels 25-07- 355-039-, 25-07-355-038 and 25-07-355-040 Dimensional variance on the Southeastern driveway distance from the intersection.	
Date:	July 10, 2025	
APPLICANT:	Salwan Shina	
LOCATION:	4162 Twelve Mile, 4150 Twelve Mile, 4138 Twelve Mile	
PARCEL ID:	25-07-355-039-, 25-07-355-038 and 25-07-355-040	
REQUEST:	The applicant is requesting a dimensional variance for the location of the Southeastern driveway entrance.	
REQUIRED :	Berkley City Code, Zoning Ordinance, Chapter 138-429(b)(4) Automobile service stations Site development standards, All points of entrance or exit for motor vehicles shall be no closer than 30 feet from the intersection of the right-of-way lines proposed in the city's land use plan for those streets on which it fronts. Points of entrance or exit for motor vehicles shall be no closer than 20 feet from any adjacent property line. The minimum driveway width at the curbline shall be 22 feet and the maximum driveway width at the curbline shall be 22 feet and the maximum driveway width at the curbline shall be 30 feet. The minimum width of access drive shall be 16 feet. The angle of intersection of the centerline of any driveway with the centerline of the street shall not be less than 60 degrees, unless separated acceleration and deceleration lanes are provided.	

ZONING AND LAND USE

Property	Zoning District	Land Use
Subject Site	Gateway	Restaurant and Retail
West	City of Southfield	Retail
East	Gateway	Restaurant
North	Residential Corridor	Multi Offices and Single-family dwelling
South	Gateway	Retail

BACKGROUND

Project Development for Mug & Jug went before the Planning Commission on May 27, 2025 for a Special Land Use approval for a gas station/convenience store with accessory restaurant counter and Site Plan approval in the Gateway District on the North side of Twelve Mile Rd., between Greenfield and Ellwood. Site Plan Review Application was submitted prior to the adoption of the new Zoning Ordinance. Plans have been reviewed against the old Zoning Ordinance provisions (pre-April 16, 2025).

Planning Commission approved the Special Land Use with a condition that a variance be obtained for the Southeastern driveway location.

Planning Commission approved the Site Plan Review with a condition that a variance be obtained from the Zoning Board of Appeals for the location of the trash enclosure and a variance be obtained from the Zoning Board of Appeals for the Southeastern driveway location.

The Southeastern driveway off Twelve Mile Rd. is 26.8 feet from the intersection of Twelve Mile Rd and Ellwood Ave.; this does not meet the 30-foot standard.



Source: Oakland County Property Gateway



Source: Google map





Source: C-3 Site Plat of Proposed Development

SCOPE OF PROJECT

The applicant is seeking a dimensional variance of 3.2 feet for the distance for the Southeastern driveway off Twelve Mile Rd from the intersection.

SUMMARY OF REQUEST

The applicant, Salwan Shina, representing *4162 Twelve Mile Rd., 4150 Twelve Mile Rd., 4138 Twelve Mile Rd., Parcels: 04-25-07-355-039, 04-25-07-355-038 and 04-25-07-355-040* is requesting a non-use dimensional variance per Berkley City Code, (pre-April 16, 2025) Chapter 138, Section 138-429(b)(4) Automobile service stations Site development standards: *All points of entrance or exit for motor vehicles shall be no closer than 30 feet from the intersection of the right-of-way lines proposed in the city's land use plan for those streets on which it fronts.*

STANDARDS FOR REVIEW

Per Section 138-17.04 of the Zoning Ordinance, the applicant must demonstrate a practical difficulty in order to be granted a non-use variance. The Zoning Board of Appeals shall not vary the regulations of Section 138-17.04, unless it shall make findings based upon the evidence presented to it in each specific case that:

- A. The need for the variance is due to unique circumstances or physical conditions of the property. Southeastern Driveway off Twelve Mile Rd. is an existing driveway.
- B. The need for the variance is not the result of actions of the property owner or previous property owners.

Southeastern Driveway off Twelve Mile Rd. is an existing driveway.

C. Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.

Legally cannot require to remove existing access points. Special Land Use will not be approved without a variance of 3.2 feet for the distance from the intersection.

D. The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as other property owners.

RCOC has no concerns of the location of the approach off of Twelve Mile Rd.

E. The requested variance will not adversely impact the surrounding properties. The approach/driveway off of Twelve Mile Rd has been in existence for decades with no impact to the surrounding properties. Removal could increase traffic on Ellwood and adversely impact nearby residence.

SUMMARY

For a variance to be approved by the Zoning Board of Appeals, it shall meet the standards of Section 138-17.04 of the Zoning Ordinance, based on findings of fact. We request the Zoning Board of Appeals to determine if there are unique characteristics of the property and the requested variance should be granted. Motions for approval and denial are included below for the convenience of the board.

Sample Motions:

<u>Approval</u>

In the matter of PBA-05-25, 4162 Twelve Mile Rd., 4150 Twelve Mile Rd., 4138 Twelve Mile Rd., Parcels 04-25-07-355-039, 04-25-07-355-038 and 04-25-07-355-040, motion to approve the requested variance from Berkley City Code, Zoning Ordinance, (pre-April 16, 2025) Chapter 138, Sec. 138-429(b)(4) of the City of Berkey City Codes to grant a dimensional variance to allow a 26.8' distance from an intersection, that does not conform to the applicable City Code regulations, based on the following findings:

- 1. The need for the variance is due to unique circumstances or physical conditions of the property.
- 2. The need for the variance is not the result of actions of the property owner or previous property owners.
- 3. Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.
- 4. The requested variance is the minimum variance necessary to do substantial justice to the application as well as other property owners.
- 5. The requested variance will not adversely impact the surrounding properties.

Denial (only choose item(s) pertaining to denial)

In the matter of PBA-05-25, 4162 Twelve Mile Rd., 4150 Twelve Mile Rd., 4138 Twelve Mile Rd., Parcels 04-25-07-355-039, 04-25-07-355-038 and 04-25-07-355-040, motion to deny the requested variance from Berkley City Code, Zoning Ordinance, (pre-April 16, 2025) Chapter 138, Sec. 138-429(b)(4) of the City of Berkey City Codes to grant a dimensional variance to allow a 26.8' distance from an intersection, that does not conform to the applicable City Code regulations, based on the following findings:

- 1. The need for the variance is not due to unique circumstances or physical conditions of the property.
- 2. The need for the variance is the result of actions of the property owner or previous property owners.
- 3. Strict compliance with the ordinance will not unreasonably prevent the property owner from using the property for a permitted purpose or will not render conformity with those regulations unnecessarily burdensome.
- 4. The requested variance is not the minimum variance necessary to do substantial justice to the application as well as other property owners.
- 5. The requested variance will adversely impact the surrounding properties.

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

Thank you.

Cc: Crystal VanVleck, City Manager Victoria Mitchell, City Clerk Daniel Christ, City Attorney Kristen Kapelanski, Community Development Director

§ 138-428

BERKLEY CITY CODE

- b. Outdoor retail sales of fruits, vegetables and plant materials not grown on site and sales of lawn furniture, playground equipment, hardware supplies and other home garden supplies.
- c. Businesses in the character of open store fronts.

(Ord. No. O-04-08, § 1, 10-20-2008; Ord. No. O-05-08, § 2, 10-20-2008)

Sec. 138-429. Automobile service stations.

(a) Uses. The following uses may be permitted in conjunction with automobile service stations:

- (1) Retail sales of gasoline, oil and similar products.
- (2) Automobile maintenance, including minor mechanical repairs.
- (3) Automobile towing, including parking of a wrecker and inoperative vehicles waiting for immediate repair.
- (4) Parking and storage in inoperative vehicles, provided that such parking or storage areas shall be within an enclosed building or shall be screened by a brick wall not less than 6 feet in height.
- (5) Carwashes.

(b) Site development standards. Special use approval shall be granted for automobile service stations which comply with the following site development standards:

- (1) An automobile filling and service station shall not be located nearer than 500 feet to a school, church, public park or auditorium.
- (2) The minimum site size shall be 15,000 square feet, and, in addition, gasoline filling and service stations shall have 500 square feet of site area for each additional pump over 4, and 1,000 square feet of site area for each additional service bay over 2.
- (3) The minimum site width shall be 130 feet.
- (4) All points of entrance or exit for motor vehicles shall be no closer than 30 feet from the intersection of the right-of-way lines proposed in the city's land use plan for those streets on which it fronts. Points of entrance or exit for motor vehicles shall be no closer than 20 feet from any adjacent property line. The minimum driveway width at the curbline shall be 22 feet and the maximum driveway width at the curbline shall be 22 feet and the maximum driveway width at the curbline shall be 30 feet. The minimum width of access drive shall be 16 feet. The angle of intersection of the centerline of any driveway with the centerline of the street shall not be less than 60 degrees, unless separated acceleration and deceleration lanes are provided.
- (5) All equipment including hydraulic hoist, pits and oil lubrication, greasing and automobile washing, repairing equipment and body repair shall be entirely enclosed within a building. There shall be no outdoor storage of merchandise such as tires,

ZONING

lubricants and other accessory equipment except that outdoor trash storage may be provided in a properly screened container consisting of a brick masonry wall at least 6 feet high with a sturdy, 100% view-obscuring gate.

- (6) All activities, except those required to be performed at the fuel pump shall be carried on inside a building. All vehicles upon which work is performed shall be located entirely within a building.
- (7)There shall be no aboveground tanks for the storage of gasoline, liquefied petroleum gas, oil or other inflammable liquids or gas.
- (8) The automobile service station shall provide one parking space for each person employed at the station during any given period of the day. Each required parking space shall be no less than 200 square feet in area. No outdoor storage or parking of vehicles other than those used by employees while on duty.

(Ord. No. O-04-08, § 1, 10-20-2008; Ord. No. O-05-08, § 2, 10-20-2008)

Sec. 138-430. Required conditions.

All permitted and special uses in the Gateway district shall not include motor vehicle repair establishments, nor shall it include dwellings, except existing dwellings so used and dwellings as permitted in section 138-427.

(Ord. No. O-04-08, § 1, 10=20-2008; Ord. No. O-05-08, § 2, 10-20-2008)

Sec. 138-431. Area and bulk requirements.

See section 138-526, limiting the height and bulk of buildings, and the minimum size of lot by permitted land use for the Gateway district.

(Ord. No. O-04-08, § 1, 10-20-2008; Ord. No. O-05-08, § 2, 10-20-2008)

Sec. 138-432. Building design requirements.

(a) The first floor elevation of a building that fronts a street shall be composed of a minimum of 40 percent and a maximum of 80 percent windows. When there is a choice between a major thoroughfare and a minor street, the elevation that faces the major thoroughfare shall be considered the front.

(b) The building elevation that fronts a street shall contain an entrance. The entrance shall access the first floor of the building. When there is a choice between a major thoroughfare and a minor street, the elevation that faces the major thoroughfare shall be considered the front.

(c) Siding, generally considered residential, regardless of orientation, and T111-type material shall not be permitted.

(d) The planning commission may revise these requirements, if the commission finds that the standards for site plan approval, as outlined in section 138-678, have been met. (Ord. No. O-04-08, § 1, 10-20-2008; Ord. No. O-05-08, § 2, 10-20-2008)

Secs. 138-433-138-440. Reserved.



MEMORANDUM

То:	Planning Commission
From:	Kristen Kapelanski, Community Development Director
Subject:	<u>PSP-02-25 and PSU-01-25: 4162 Twelve Mile Rd., 4150 Twelve Mile Rd. and 4138</u> <u>Twelve Mile Rd.</u>
Date [.]	May 27, 2025

Background

- The applicant is proposing to redevelop a 0.8 acre site as a 6,734 sq. ft. gas station/convenience store and associated restaurant at the north side of Twelve Mile Rd. between Greenfield Rd. and Ellwood Ave.
- The zoning of the property is Gateway District, which permits retail and restaurants as principal
 permitted uses and gas stations as special land uses subject to certain conditions. Refer to the
 Carlisle Wortman Associates (CWA) review letter for a detail and analysis of conditions for gas
 stations.
- This application was submitted prior to the adoption of the new Zoning Ordinance. Plans have been reviewed against the old Zoning Ordinance provisions (pre-April 16th).
- The Planning Commission is required to consider and approve/deny the site plan, recommend approval/denial of the special land use request and hold the required public hearing.

Summary

- The plan is generally in compliance with ordinance and City Code requirements. All staff and consultant reviewers are recommending approval subject to conditions.
- The applicant is planning to seek variances from the Zoning Board of Appeals for the placement of the trash enclosure and the location of the southeastern driveway. See the CWA review and the applicant's response letter for additional details.
- The CWA review notes a number of items that were required prior to the plan appearing before the Planning Commission:
 - The applicant has provided the requested elevations and pictures of the existing screen wall. The proposed modifications to the existing screen will bring the wall to a height of 6 ft. and the portions of the wall within 12 ft. of the driveway will be stepped down to a height of 30 in. The City's Building Official has confirmed the screen wall is in usable condition.
 - o The applicant has provided the exterior material finish schedule and notes.

- The CWA review also noted a number of items for Planning Commission consideration:
 - The Commission may want to consider requesting that the applicant modify the landscaping plan to improve the Twelve Mile streetscape.
 - The Commission may want to consider asking the applicant to replace the proposed pole-mounted lights with wall sconces along the north property line.
 - The Commission may want to consider asking the applicant to rotate the building so that the primary entrance faces Twelve Mile, in conformance with the Downtown Design Guidelines.
- The Planning Commission will need to make a determination per Section 130-37 that the proposed landscaping meets the requirements outlined in the Master Plan.
- The applicant is requesting a Planning Commission waiver for reduced transparency levels on the south elevation. See the CWA review for details.

Recommendation

If the Planning Commission chooses to approve the site plan, staff recommends the approval motion include a waiver of the transparency levels on the south elevation and findings that the plan meets the standards for site plan approval per Section 138-679 and that the landscaping as proposed meets the requirements of Section 130-37. Any approval motions should also include as a condition of approval that outstanding items in the staff and consultant review letters be addressed and that variances are obtained for the placement of the trash enclosure and the location of the southeastern driveway.

Any motions recommending approval of the special land use request should reference the standards in Section 138-653.



117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: February 14, 2025 Revised: March 28, 2025 Revised: May 5, 2025

Site Plan and Special Use Review For

City of Berkley, Michigan

Applicant:	Selwan Shina
Project Name:	Mug & Jug
Plan Date: Revised: Revised:	January 14, 2025 March 19, 2025 April 23, 2025
Location:	4162 W Twelve Mile Road
Zoning:	Gateway District
Action Requested:	Site Plan and Special Use Approval

SITE DESCRIPTION

The applicant is proposing the redevelopment of an existing 0.8-acre site to introduce an automobile filling station with associated restaurant and convenience store. The proposed redevelopment includes renovating much of the existing Mug & Jug liquor store building and removing the adjacent buildings to create one large combination restaurant/convenience store with a combined area of 6,734 square feet. The restaurant and convenience/retail store uses are permitted by right in the Gateway District, and the automobile service station use requires special use approval. The subject property includes three (3) different parcels which the applicant proposes combining into one (1) subject parcel.

The subject property is also located in the Downtown Development Authority area, Character Area 1: Gateway West. The Berkley Downtown Design Guidelines establish design principles and concepts that should be considered when developing or redeveloping projects within the DDA boundary. The site plan, in general, includes design concepts and

principles compatible with the Downtown Design Guidelines. Areas of deficiency are identified in this report.

Proposed Uses of Subject Parcels:

Automobile service station, restaurant/convenience store

Current Use of Subject Parcels:

Mug & Jug liquor store and three (3) commercial tenant spaces, including clothing store, plumber's office, and Berkley Coney Island.

The property is located in the Gateway District at the entry point of the City of Berkley on the major intersection of Twelve Mile and Greenfield Roads. The intent of the Gateway District is to enhance these important landmark locations and provide convenience services and shopping opportunities for the community, particularly the adjacent residential neighborhoods.

Figure 1. Aerial view of subject site and vicinity.



Source: Nearmap

Direction	Zoning	Use
North	Greenfield District	Single family homes
South	Gateway District	Retail
West	Southfield, General Business	Retail
East	Greenfield District, Twelve Mile District	Restaurant, single family home

Table 1. Surrounding Property Details.

Items to be addressed: None.

NATURAL FEATURES

The site is currently developed with buildings and impervious asphalt surfaces. No new impervious surface is proposed as part of the development, and no trees are proposed for removal as part of the demolition plan.

Items to be addressed: None.

BUILDING ARRANGEMENT AND SITE DESIGN

The subject property is situated on the northeast corner of Greenfield Road and Twelve Mile Road. The existing buildings are situated right at the sidewalk along Twelve Mile Road with zero setbacks, and the parking area is situated in a U-shape around the buildings on the north, east, and west sides. The existing buildings are connected to one another and include customer entrances on the south, west, and east building sides.

The redevelopment proposes the removal of the middle building and western building while maintaining the existing north, south, and east walls of the Mug & Jug store. The interior of the Mug & Jug store will be remodeled and then combined with the proposed building addition. A fuel canopy is proposed along the western portion of the site, in the location of the existing drive aisle. The canopy includes four (4) pump islands with spaces for eight (8) vehicles. The proposed redevelopment will remove the customer building entrances from the south side along Twelve Mile Road. The primary customer entrance is proposed on the west elevation, facing the proposed fuel canopy.

Most of the existing perpendicular parking spaces along the eastern property line will remain, along with much of the parking along the northern property line. New parking spaces will surround the new building to the north and west.

Items to be addressed: None.

AREA, WIDTH, HEIGHT, SETBACKS

Section 138-526 establishes the dimensional requirements for structures in the Gateway District. When the parcels are combined, the resulting parcel will front Twelve Mile Road, Greenfield Road, and Ellwood Avenue. According to the definitions in the Zoning Ordinance, this renders the resulting parcel both a corner lot and a double frontage lot, since it has frontage on both parallel streets and perpendicular streets. As such, the front lot line will be along Twelve Mile Road, the rear lot line will be the property line opposite Twelve Mile Road (the north lot line), and the remaining lot lines along Greenfield Road (west) and Ellwood Avenue (east) will be considered the side lot lines.

Table 2. Dimensional requirements

	Required	Provided	Compliance	
Minimum Front Setback (south)	10' or equal to setback of adjacent buildings, whichever less	0' – in line with existing Mug & Jug	Complies	
Minimum Side Setback (east and west)	0'	5' on east side (trash enclosure) 24' on west side (canopy)	Complies	
Minimum Rear Setback (north)	10'	>30'	Complies	
Maximum Building Height	40'	Building: 22' Canopy: 16'	Complies	

Items to be addressed: None

TRASH ENCLOSURE

A 100-square-foot trash enclosure is proposed south of the Ellwood Avenue entrance in the side yard. The enclosure doors face northwest toward the parking lot. Section 138-53 requires accessory structures to be erected in the rear yard only, but the proposed trash enclosure is located in the side yard. Sheet C-3 indicates that the applicant intends to seek a variance from the restrictions that only permit accessory structures in the side yard. Section 138-55 requires accessory structures to be located at least five (5) feet from the side lot line; the revised site plan complies with this standard.

Items to be addressed: Applicant must modify proposed trash enclosure placement to comply with Sections 138-53 or obtain a variance from the Zoning Board of Appeals.

PARKING

Section 138-219 indicates parking requirements for most uses in the City of Berkley. The site plan shows the total area of the existing building and the proposed building addition at

6,734 square feet. Of that total area, 702 square feet will be dedicated to the restaurant use with the remainder, including the existing Mug & Jug liquor store, used for convenience store use.

Table 3. Parking requireme	ents
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Parking Standard	Required	Provided
Gas station with convenience store: 6 spaces per 1,000 square feet of usable floor area + 1 space per pump + 2 spaces Restaurant (carry-out):	(70% x 6,032 square feet) / 1,000 x 6 = 25.33 + 8 pumps + 2 spaces = 35 spaces (70% x 702 square feet) / 75 = 6.552	. 45 spaces
1 space per 75 square feet of usable floor area	7 spaces	
TOTAL	42 spaces	
Barrier free spaces: 2 spaces required for parking lot with 26-50 parking spaces	2 barrier free spaces	2 barrier free spaces

Sheet C-3 indicates that all standard parking spaces will be twenty (20) feet long and nine (9) feet wide, in compliance with Section 128-220(a) regulating parking space dimensions. The barrier free spaces will be eight (8) feet wide, in compliance with ADA requirements. No loading spaces are shown on the plan, nor are any required. Two (2) parking spaces south of the proposed trash enclosure include EV charging stations.

Items to be addressed: None.

SITE ACCESS AND CIRCULATION

The proposed development offers customer access from the west and south sides of the building, with an emergency exit on the north side of the building.

The site redevelopment proposes continuing the use of the four (4) existing driveways on the property but with slight modifications. The four (4) existing driveways have full, two-way movement. The site plan proposes maintaining full, two-way movement of the two (2) driveways on the east side of the property – one along Ellwood Avenue and one along Twelve Mile Road. The site plan further proposes altering the movement of the two (2) driveways on the west side of the property to a right-turn-only egress and full movement ingress. The site plan indicates that the western driveway from Twelve Mile Road will be relocated to the east roughly 20 feet to a new distance of 62.1 feet from the southwestern property corner. Mountable curb islands are proposed at these two (2) driveways to restrict left turns, as shown on Sheet C-3. Painted white arrows are shown on the asphalt to show traffic directions.

As discussed further in the "Automobile Service Stations" section of this report, the southeastern driveway along Twelve Mile Road is noncompliant with the standards for automobile service stations. With three (3) other driveways on site, we recommend removing this access drive entirely, as there is no room to relocate it further from the intersection of Ellwood Avenue and Twelve Mile Road. The applicant's March 19, 2025, and April 23, 2025, response letters indicate that they will be requesting a variance from this requirement from the Zoning Board of Appeals.





There are existing sidewalks along Twelve Mile Road, Greenfield Road, and Ellwood Avenue surrounding the property. A concrete sidewalk is proposed on the west side of the new building addition.

A bus stop for the 415 smart bus line is located at the northwest corner of the subject site. The site plan proposes a bench and trash receptacle on the subject property, next to the existing bus stop sign, reflecting master plan placemaking goals for the Gateway corridors.

The site plan includes a circulation map on Sheet C-3, indicating how a fuel truck, fire truck, and trash truck will access the site by using the two (2) northern driveways off Ellwood Avenue and Greenfield Road. No large truck access is offered on the southern portion of the property that fronts Twelve Mile Road.

Items to be addressed: Applicant must remove the southeastern driveway from Twelve Mile Road, as discussed in the "Site Access and Circulation" and "Special Use Considerations" sections of this report, or receive a variance.

LANDSCAPING AND SCREENING

Section 138-85(c)3 requires a screen wall at least six (6) feet in height when non-residential properties abut residential properties. The properties to the north of the subject site are residential. There is an existing brick wall along this property line, which is proposed to remain. Sheet C-3 of the site plan indicates that the entire existing screen wall will be increased to a minimum of six (6) feet. This note on the site plan includes some ambiguity regarding this change to the existing screen wall. The note should be revised and elevations provided to indicate the look of the screen wall and how it will meet the height requirements of Section 138-85(c)9, which requires a lower maximum height of four (4) feet, eight (8) inches in the front yard. The Planning Commission may issue a waiver of this requirement if deemed appropriate. Furthermore, we recommend that the existing wall be inspected by the Building Department to ensure that it has adequate support, per the requirements of Section 138-85(a)3.



Figure 3. Existing northern screen wall. Source: Google Maps

A landscaping plan is included on Sheet C-8, showing details of 20 proposed evergreen trees, one (1) proposed deciduous street tree along Twelve Mile Road, and 38 proposed deciduous and evergreen shrubs. The evergreen trees are situated around the proposed trash enclosure on the east side of the property. The shrubs are situated to the north of the existing building, along the western property line, and in the southeastern property corner.

As set forth in Section 130-37, when reviewing a site plan, the Planning Commission may require trees to be planted on or near the site consistent with the elements of the adopted city master plan. The Master Plan indicates that the Gateway corridors can be improved through placemaking strategies including streetscape improvements. The Downtown Design Guidelines further indicates how site design should improve pedestrian connections and provide active outdoor spaces through strategies that include urban streetscape design and landscaping. As such, we recommend that the landscaping plan be amended to include additional street trees along Twelve Mile Road. The area designated for pavement between the proposed bicycle parking and the building can be modified to include landscaping. Furthermore, we recommend that the existing southeastern driveway from Twelve Mile Road, which does not comply with the standards for Automobile Service Stations, be replaced with landscaping.

The existing Mug & Jug store includes an ADA parking space to the east of the rear door; the site plan proposes a 54-square-foot transformer pad in this location as part of a landscape island that offers screening from the east and north. Section 138-73 establishes location standards for exterior appliances, including required opaque screening or landscaping at least four (4) feet in height on at least three (3) sides. The landscaping plan proposes nine (9) juniper trees that are at least six (6) feet in height.

Items to be addressed: (1) Applicant must provide exact height and elevations of proposed modified screen wall. (2) We recommend Building Department verification that the existing screen wall complies with Section 138-85(a)3. (3) Planning Commission may consider requesting that the applicant modify the landscaping plan to improve the Twelve Mile Road streetscape, as discussed in this report.

PHOTOMETRICS

The site plan includes a lighting plan with photometric map on Sheet C-7. There are three (3) pole mounted lights shown, mounted at fifteen (15) feet, next to the parking spaces along the northern property line. Twelve (12) wall sconces are shown around the perimeter of the proposed building addition, the existing Mug & Jug building, and the fuel canopy. The proposed wall sconces on the building are mounted at twelve (12) feet, and the proposed wall sconces on the fuel canopy are mounted at fifteen (15) feet. There are also three (3) soffit lights under the fuel canopy, mounted at fourteen (14) feet. All lights appear to be downward directed and fully shielded.

The photometric map shows illumination reaching 0.5 footcandles along the northern property line and 1.0 footcandle along the southern, eastern, and western property lines.

The Downtown Design Guidelines indicate that projects should minimize the visual impacts of architectural lighting on neighboring properties. This could include using a color temperature similar to daylight, using lights with a low level of luminescence and maintaining lights to prevent light trespass onto neighboring properties or rights-of-way. Sheet C-7 indicates that the proposed color temperature is 3,000 Kelvin, which is considered "warm white". The applicant should also consider replacing the proposed polemounted lights with wall sconces that are mounted on the brick wall along the north property line in order to reduce the impact on the neighboring residences. *Items to be addressed:* Applicant should consider replacing the proposed pole-mounted lights with wall sconces along the north property line screening wall.

BICYCLE PARKING

One bicycle hoop with space for two (2) bicycles is shown to the east of the eastern Twelve Mile Road driveway. The hoop is just under three (3) feet in height.

Items to be addressed: None.

FLOOR PLAN AND ELEVATIONS

Floor plans and elevations are included on Sheets A-0.1, A-1.1,- A-0.15, and A-2.4. These details indicate that the convenience store will include shelves for merchandise, two (2) single-user restrooms, storage room, a walk-in cooler and beer cave, small office, and service counter. A 702 square foot, enclosed room is proposed for food service; details of this room are not provided, but we assume it is for a kitchen.

Previous site plan submissions included an Exterior Material Finish Schedule and Notes. This sheet was omitted from the more recent site plan submission. The elevations indicate a predominantly masonry façade with fiber cement board to offer some façade articulation as well as aluminum framing and windows. Tinted glass does not meet the definition in the Zoning Ordinance of a window, which requires that "both sides of the glass are readily made transparent."

The floor plans indicate that the windows are provided in the customer/store area, behind the service counter, and in the beer cave.

Section 138-432 requires first floor elevations that front a street to have windows be between 40 percent and 80 percent of the facade. This requirement only applies to the south elevation that faces Twelve Mile Road. The elevations propose the following transparency levels:

- South: 8.9%
- West: 43.7%
- North: 9.8%
- East: 7.7%

The South elevation is, therefore, not compliant with the transparency standard of Section 138-432. Section 138-432 further requires that the south elevation that fronts Twelve Mile Road contains an entrance to the building. Additionally, the Downtown Design Guidelines indicate that buildings should provide an active street edge, including a large storefront and pedestrian-oriented design, and should orient the functional entrance of buildings to face the street rather than the parking lot. The revised site plan added a secondary pedestrian

entrance to the south elevation, but the primary entrance remains on the proposed west elevation facing the parking lot.

The applicant can consider rotating the building plan 90 degrees such that the primary building entrance – depicted on the "West Elevation" on Sheet A-2.1 – fronts Twelve Mile Road. An interior reconfiguration could also ensure that windows and primary entrance are placed in areas where transparency would be most appropriate. The Planning Commission may revise the requirements of Section 138-432 when it finds that the proposal meets the standards for site plan approval.

The elevations of the fuel canopy indicate an overall height of 18.5 feet, with a steel structure and pillars faced with masonry façade.

Items to be addressed: (1) Applicant must include Exterior Material Finish Schedule and Notes. (2) Applicant must amend transparency levels of south elevation to comply with Section 138-432 or receive a waiver from the Planning Commission. (3) Applicant should consider rotating the building 90 degrees such that the primary entrance fronts Twelve Mile Road, in conformance with the Downtown Design Guidelines.

SIGNS

The proposed elevations indicate that signs are proposed on the south, west, and east building facades. Sheet C-3 indicates that the existing pole sign on the southwestern property corner will be retrofitted.

Items to be addressed: Sign permits applications must be submitted for all signs prior to installation, in compliance with Chapter 94 of the Berkley Code of Ordinances.

AUTOMBILE SERVICE STATIONS

Special use approval shall be granted for automobile service stations which comply with the following site development standards:

(1) An automobile filling and service station shall not be located nearer than 500 feet to a school, church, public park or auditorium.

CWA Response: The nearest school, church, public park, or auditorium is the Christ the Good Sheperd Old Catholic Church, which is over 500 feet from the subject property. This standard is met.

(2) The minimum site size shall be 15,000 square feet, and, in addition, gasoline filling and service stations shall have 500 square feet of site area for each additional pump over 4, and 1,000 square feet of site area for each additional service bay over 2.

CWA Response: The subject site is 34,638 square feet. The gasoline filling canopy has four (4) fuel pumps and is 1,920 square feet. This standard is met.

(3) The minimum site width shall be 130 feet.

CWA Response: The site width is 150 feet. This standard is met.

(4) All points of entrance or exit for motor vehicles shall be no closer than 30 feet from the intersection of the right-of-way lines proposed in the city's land use plan for those streets on which it fronts. Points of entrance or exit for motor vehicles shall be no closer than 20 feet from any adjacent property line. The minimum driveway width at the curbline shall be 22 feet and the maximum driveway width at the curbline shall be 30 feet. The minimum width of access drive shall be 16 feet. The angle of intersection of the centerline of any driveway with the centerline of the street shall not be less than 60 degrees, unless separated acceleration and deceleration lanes are provided.

CWA Response: The eastern driveway off Twelve Mile Road is 26.8 feet from the intersection of Twelve Mile Road and Ellwood Avenue; this does not meet the 30-foot standard. All other driveways meet the standard.

The northwest driveway is 22.4 feet from the adjacent property, and the northeast driveway is twenty-five 25 feet from the adjacent property. The southeastern driveway is 22.9 feet wide, and the other three driveways are 24 feet wide. This standard is met.

The interior access drives vary in width from 19 feet to 26 feet. This standard is met.

The angles between the centerline of the driveways and centerline of the streets are all 90 degrees. This standard is met.

(5) All equipment including hydraulic hoist, pits and oil lubrication, greasing and automobile washing, repairing equipment and body repair shall be entirely enclosed within a building. There shall be no outdoor storage of merchandise such as tires, lubricants and other accessory equipment except that outdoor trash storage may be provided in a properly screened container consisting of a brick masonry wall at least 6 feet high with a sturdy, 100% view-obscuring gate.

CWA Response: No exterior work or outdoor storage of merchandise is proposed. This standard is met.

(6) All activities, except those required to be performed at the fuel pump shall be carried on inside a building. All vehicles upon which work is performed shall be located entirely within a building.

CWA Response: No outside activities are proposed except for fuel pumping. This standard is met.

(7) There shall be no aboveground tanks for the storage of gasoline, liquefied petroleum gas, oil or other inflammable liquids or gas.

CWA Response: No aboveground storage is proposed. This standard is met.

(8) The automobile service station shall provide one parking space for each person employed at the station during any given period of the day. Each required parking space shall be no less than 200 square feet in area. No outdoor storage or parking of vehicles other than those used by employees while on duty.

CWA Response: As indicated in the "Parking" section of this report, there are three (3) parking spaces in excess of what is required by the standards set forth in Section 138-219.

Items to be addressed: Applicant must remove the southeastern driveway from Twelve Mile Road or obtain a variance.

SPECIAL USE CONSIDERATIONS

Special use approval for the proposed automobile service station requires a public hearing, notice of which must be given in accordance with the Michigan Zoning Enabling Act. All special use applications must be reviewed by the Planning Commission and City Council and approved upon finding that the following standards are met. We offer some suggested findings and recommend that the Planning Commission discuss these standards prior to any action.

(1) The proposed use will promote the use of land in a socially and economically desirable manner.

CWA Response: The application does not include a discussion of the proposed gas station operations. The Planning Commission can request further information from the applicant to determine if this standard is met.

(2) The proposed use is necessary for the public convenience at that location.

CWA Response: The nearest gas station on Twelve Mile Road roughly 0.4 miles east of the subject site. The nearest gas station on Greenfield Road is roughly 1 mile north of the subject site. Both of these gas stations, along with the proposed gas station, are small, convenience-style corner gas stations that are arranged to quickly serve local community members rather than draw from a broader geographic area. It is unclear whether there is demand for an additional gas station in this area.

(3) The proposed use is compatible with adjacent land uses.

CWA Response: The surrounding uses include small retail, restaurants, and residences, which are typically complementary to a small gas station.

(4) The proposed use is designed so that the public health, safety and welfare shall be protected.

CWA Response: Several modifications to the site plan design – as well as additional site plan details – are required to meet the standards of the Zoning Ordinance, which is intended to preserve the public health, safety, and welfare. This includes site changes or clarifications to site access, building elevations, landscaping and screening, lighting, and dimensional standards. By addressing these site plan deficiencies, as described throughout this report, this standard may be met.

(5) The proposed use will not cause injury to other property in the neighborhood.

CWA Response: If compliant with all local, state, and federal laws, this standard will be met.

Items to be addressed: (1) *Applicant must amend eastern driveway off Twelve Mile Road to comply with the 30-foot standard or obtain a variance. (2) Applicant must provide a complete and compliant site plan. (3) Planning Commission review of the proposed special use application through the lens of the five (5) special use standards.*

RECOMMENDATIONS

Special use approval for the proposed automobile service station may only be granted if the site plan demonstrates compliance with the standards indicated in the preceding section of this report. The eastern driveway off Twelve Mile Road is 26.8 feet from the intersection of Twelve Mile Road and Ellwood Avenue; this does not meet the 30-foot standard. The Planning Commission must not grant special use approval until this item is addressed.

Further, although the site plan is compliant with many of the requirements of the Zoning Ordinance, there are some deficiencies that the applicant must address prior to site plan approval.

- 1. Applicant must modify proposed trash enclosure placement to comply with Section 138-53 or obtain a variance from the Zoning Board of Appeals.
- 2. Applicant must remove the southeastern driveway from Twelve Mile Road, as discussed in the "Site Access and Circulation" and "Special Use Considerations" sections of this report or obtain a variance.
- 3. Applicant must provide exact height and elevations of proposed modified screen wall.
- 4. We recommend Building Department verification that the existing screen wall complies with Section 138-85(a)3.

- 5. Applicant should consider replacing the proposed pole-mounted lights with wall sconces along the north property line screening wall.
- 6. Applicant must include Exterior Material Finish Schedule and Notes.
- 7. Applicant must amend transparency levels of south elevation to comply with Section 138-432. Applicant should consider rotating the building 90 degrees such that the primary entrance fronts Twelve Mile Road, in conformance with the Downtown Design Guidelines.
- 8. Sign permits applications must be submitted for all signs prior to installation, in compliance with Chapter 94 of the Berkley Code of Ordinances.

The Planning Commission should provide direction to the applicant on the following:

- 1. Modifications to landscaping plan to improve the Twelve Mile Road streetscape, as discussed in this report.
- 2. Modifications to the building orientation and architecture, as discussed in this report.
- 3. Possible waiver of screen wall requirements, as discussed in this report.
- 4. Possible waiver of transparency requirements, as discussed in this report.

Respectfully submitted,

CAPUSLE/WORTMAN ASSOC., INC. Megan Masson-Minock, AICP Principal

CARLISLE/WORTMAN ASSOC., INC. Michelle Marin, AICP Community Planner

#354-2500

cc. Kristen Kapelanski, Community Development Director Kim Anderson, Zoning Administrator

THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, MAY 27, 2025 AT BERKLEY CITY HALL BY CHAIR LISA KEMPNER.

The minutes from this meeting are in summary form capturing the actions taken on each agenda item. To view the meeting discussions in their entirety, this meeting is broadcasted on the city's government access channel, WBRK, every day at 9AM and 9PM. The video can also be seen, on-demand, on the city's YouTube channel: https://www.youtube.com/user/cityofberkley

DRAFT

PRESENT:	Josh Stapp	Lisa Hamameh
	Shiloh Dahlin	Mike Woods
	Lisa Kempner	
	Eric Arnsman	

ABSENT:

ALSO PRESENT: Kristen Kapelanski, Community Development Director Michelle Marin, Planning Consultant Greg Patterson, City Council Liaison

Motion by Commissioner Arnsman to excuse the absence of Commissioner Bartus. Motion supported by Commissioner Woods.

Voice Vote to excuse the absence of Commissioner Bartus.

AYES: 6 NAYS: 0 ABSENT: Bartus

MOTION CARRIED

* * * * * * * * *

APPROVAL OF AGENDA

Motion by Commissioner Hamameh to approve the agenda and supported by Commissioner Stapp.

Voice vote to approve the agenda

AYES: 6 NAYS: 0 ABSENT: Bartus

MOTION CARRIED

* * * * * * * * *

APPROVAL OF THE MINUTES

Motion by Commissioner Hamameh to approve the minutes of the April 22, 2025 regular Planning Commission meeting and supported by Commissioner Dahlin.

Voice vote to approve the meeting minutes of April 22, 2025.

AYES: 6 NAYS: 0 ABSENT: Bartus

MOTION CARRIED

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COMMUNICATIONS

Community Development Director Kapelanski shared that the latest issue of the Michigan Association of Planning magazine was provided for the Commissioners.

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CITIZEN COMMENTS

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OLD BUSINESS NONE

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NEW BUSINESS

1. <u>PSP-02-25 and PSU-01-25: 4162 Twelve Mile Rd., 4150 Twelve Mile Rd. and 4138 Twelve Mile Rd.:</u> The applicant, Selwan Shina, is requesting site plan approval and special land use approval for a gas station/convenience store with accessory restaurant counter in the Gateway District on the north side of Twelve Mile Rd. between Greenfield Rd. and Ellwood Ave.

Planning Consultant Marin presented the plan and provided an overview of the planning review letter. She highlighted the special land use review standards, needed transparency waivers and needed variances.

The Planning Commission asked some clarifying questions confirming the distinction between the gas station standards and the special land use standards.

The applicant's engineer, Joe Delmotte of Stonefield Engineering, went through elements of the plan. He noted that the Road Commission for Oakland County approved the plan and asked for some movement restrictions on the driveways, which the applicant has provided. He also described the lighting fixtures along the northern property line. He said they will be full cutoff fixtures with shields and the light trespass along the northern property line will be minimal. Lastly, he went through the special land use criteria and noted how each was met.

Chair Kempner opened the public hearing at 7:30PM.

William Seaman, 3461 Elwood spoke in support of the project. He thought it would bring nice updates to the area.

Tyler Anderson, 3908 Bacon, spoke in support of the project. He thought it would provide a needed service to the community and the existing business owners have strong roots in the community. This would be a convenience option for him and his family. It would be good to have a business that did not operate after hours because of safety concerns as the Berkley Coney Island currently does.

Joe Leo, Huntington Woods, spoke in support of the project. He noted the existing building has been well maintained.

Andrew Decker, 2856 Cummings, spoke in support of the project. He said the business was very welcoming when he first came into the community. He thought it would bring a convenience element to the neighborhood.

Dawn Sylvester, 3991 Cummings, spoke in support of the project. She thought this would be a great spot to stop for needed items. This would also bring needed improvements in the storefronts and landscaping along Twelve Mile as a result of this project.

Amanda House, Royal Oak, spoke in support of the project. She said Mug and Jug is a neighborhood institution and business that provides a caring presence in the community. She travels from Royal Oak because of the service she receives. This introduces new patrons to the City and increases economic activity.

Margaret Gifford, 3541 Thomas, thought the changes to the driveways on Greenfield and Thomas make sense. She was glad to see economic activity in this area of Twelve Mile and is in support of the project.

Killron O'Neil, Elwood, is in support of the project. She said this is a community establishment and she is glad to see them proposing an expansion. This project will beautify this section of Twelve Mile and provide a nice gateway into the community.

Geoffrey Vincent, 1358 Eaton, supports the project because of the sense of community the business provides.

Gerry DuRocher, 4263 Gardner, thinks this will be an upgrade for the community.

Michael House, Lathrup Village, spoke in support of the project. The business owners have been an integral part of the community and this will provide an option for people to access needed items. The corner will also be improved aesthetically and safety-wise.

Michael Moermur, 3477 Ellwood, supports the project. He is the direct neighbor. He thinks this is an exciting opportunity and it will enhance the area.

Robert Shand, 3478 Thomas, said this will be a great project because of the people behind it.

Eric Gaines, Southfield, said the business owners always made him feel welcome. He supports the project.

Kathy DuRocher, 4263 Gardner, thinks the project will be a great gift to the community and will make the City better.

Chair Kempner summarized the emails the Commission received.

Chair Kempner closed the public hearing at 7:50PM.

Commissioner Hamameh confirmed with the applicant that the business does not plan to operate beyond 12AM.

The applicant's engineer stated they would not be willing to remove any driveways and will seek a variance.

Chair Kempner asked about the suggestion made by the planning review letter to rotate the building. The applicant's architect said there is variation on the Twelve Mile frontage elevation but the two-dimensional plans do not make that easy to see. He addressed the transparency saying that the requested transparency does not always work for businesses. Chair Kempner confirmed that the applicant was unwilling to rotate the building.

Commissioner Arnsman confirmed the minimum transparency along Twelve Mile is 40%-80%.

Commissioner Dahlin confirmed the windows on part of the Twelve Mile elevation would be tinted and that shelving units would be in front of the windows. She confirmed that the gas station company that would be operating here is not yet known.

Commissioner Hamameh asked what could be done to dress up the center brick area. The applicant's architect said he could consider some façade treatments to break up the Twelve Mile façade including different brick colored bands and potentially some art elements.

The applicant's architect said because of the building design interior, transparency could not be increased.

Director Kapelanski suggested the addition of a green wall. The applicant said they would be open to that. The Planning Commission agreed that would address their concerns. Consultant Marin suggested any motions should include a size requirement for the living wall.

The Planning Commission asked if the lights at the rear of the property could be adjusted. The applicant said they would make adjustments to move them away from the property line.

Commissioner Hamameh asked if the Commission wanted to regulate the hours of operation. The Commission opted not to include that in a potential motion.

The Commission agreed there was no room on the site for additional street trees.

The Commission went through the automobile service station standards and confirmed all were met provided the applicant received a variance from the Zoning Board of Appeals for the driveway location.

The Commission went through the special land use and all agreed that all standards were met.

Motion by Commissioner Hamameh and supported by Commissioner Dahlin to approve PSP-02-25 4162 Twelve Mile Rd., 4150 Twelve Mile Rd. and 4138 Twelve Mile Rd. with the following findings:

- The standards of Section 138-679 have been met;
- The proposed landscaping meets the standards of Section 130-37; and
- A waiver of the transparency requirements

And the following conditions:

- Approval of the special land use request from the City Council;
- The applicant obtaining a variance from the Zoning Board of Appeals for the location of the trash enclosure;
- The applicant obtaining a variance from the Zoning Board of Appeals for the southeast driveway location;
- Compliance with all of the outstanding items in the staff and consultant reviews; and
- Alterations being made to the south elevation to include additional spandrel glass in the center approximately 12' x 12' and two minimum 10' x 8' living walls.

Roll call vote on the motion to approve PSP-02-25 4162 Twelve Mile Rd., 4150 Twelve Mile Rd., and 4138 Twelve Mile Rd.

AYES: 6 NAYS: 0 ABSENT: Bartus

Motion by Commissioner Hamameh and supported by Commissioner Dahlin to recommend approval of PSU-01-25 4162 Twelve Mile Rd., 4150 Twelve Mile Rd. and 4138 Twelve Mile Rd. with the following findings:

- The proposed plan meets the gas station standards of Section 138-429 with the exception of the driveway location in the southeast corner of the site;
- The proposed plan meets the standards of approval in Section 138-653 because the Commission has heard from a large group of residents supporting the project and noting how it supports the special land use standards including site activation, needed convenience, compatibility with adjacent commercial uses. The Commission does not believe the use will be injurious to the area and that it will not negatively impact the health, safety and welfare of the area;

And the following conditions:

- The applicant obtaining a variance from the Zoning Board of Appeals for the southeast driveway location; and
- Compliance with all of the outstanding items in the staff and consultant reviews.

Roll call vote on the motion to approve PSU-01-25 4162 Twelve Mile Rd., 4150 Twelve Mile Rd., and 4138 Twelve Mile Rd.

AYES: 6 NAYS: 0 ABSENT: Bartus

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LIAISON REPORT

Commissioners provided updates on the Chamber of Commerce, the Downtown Development Authority and Zoning Board of Appeals.

City Council Member Patterson provided an update on recent Council decisions.

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COMMISSIONER COMMENTS

Chair Kempner shared there is a group meeting for the temporary closure of Dorthea for activation as a pocket park from mid-June to mid-July.

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STAFF COMMENTS

Director Kapelanski noted training hours are due on June 30th. The Commission asked her to send out where everyone stands.

* * * * * * * * *

ADJOURNMENT

Motion to adjourn by Commissioner Dahlin supported by Commissioner Woods.

Voice vote for adjournment

AYES: 6 NAYS: 0 ABSENT: Bartus

With no further business, the meeting was adjourned at 9:04 p.m.

THE CITY OF BERKLEY Community Development Department 3338 Coolidge, Berkley, Michigan 48072 (248) 658-3320

Notice Meeting of the Berkley Zoning Board of Appeals

Notice is hereby given, that there will be a meeting of the Zoning Board of Appeals to be held at the City of Berkley in the Council Chambers, 3338 Coolidge, Berkley, Michigan on Monday, July 14, 2025 at 7:00 pm or as near thereto as the matter may be reached.

Application Number PBA-05-25

Salwan Shina, on behalf of Jamil Realty, LLC and Gevalin Gegaj for 4162 Twelve Mile Rd., 4150 Twelve Mile Rd., 4138 Twelve Mile Rd., Parcels 04-25-07-355-039, 04-25-07-355-038 and 04-25-07-355-040, North side of Twelve Mile Rd., between Greenfield Rd. and Ellwood Ave., is requesting a variance for the Southeastern driveway entrance.

Berkley City Code

Berkley City Code, Chapter 138 *Zoning*, (under previous Zoning Ordinance) 138-429(b)(4). All points of entrance or exit for motor vehicles shall be no closer than 30 feet from the intersection of the right-of-way lines proposed in the City's land use plan for those streets on which it fronts.

Complete application information is available for review at <u>www.berkleymi.gov/community-development/development-projects</u>.

Comments on the granting of the above variance may be made in person on the night of the meeting or in writing. All written comments must be submitted to the Berkley Community Development Department or email to planning@berkleymi.gov before 4:00 p.m. on the date of the Public Hearing.

KIM ANDERSON ZONING ADMINISTRATOR

<u>Publish Once:</u> Royal Oak Tribune Saturday, June 28, 2025

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BENJAMIN HIRCHE 3540 ELLWOOD AVE BERKLEY MI 48072 3117

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Occupant 3535 ELLWOOD AVE BERKLEY MI 48072 3119

CRAIG PEARCE 47335 ANCHOR DR MACOMB MI 48044 5404

EDWARD SOSNOSKI JR 3493 THOMAS AVE BERKLEY MI 48072 1142

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ABRO PLAZA SOUTHFIELD LLC 3807 BEECHCREST ROCHESTER HILLS MI 48309 3595

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GEVALIN GEGAJ 4162 12 MILE RD BERKLEY MI 48072 1122

Occupant 3461 THOMAS AVE BERKLEY MI 48072 1142

3461 THOMAS AVE LLC 5836 TROTTER LN WEST BLOOMFIELD MI 48322 1635

Occupant 29069 GREENFIELD RD SOUTHFIELD MI 48076 2225

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A & W OF BERKLEY 3830 RAVENA AVE ROYAL OAK MI 48073 6440

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CITY OF BERKLEY ZONING BOARD OF APPEALS RULES OF PROCEDURE

SECTION ONE – AUTHORITY

The City of Berkley Zoning Board of Appeals (hereinafter referred to as the ZBA) adopts these rules of procedure pursuant to the Michigan Zoning Enabling Act, MCL 125.3101 et seq., as amended and the ordinances of the City of Berkley (as amended).

SECTION TWO - MEMBERSHIP

- (1) Membership. Members shall be appointed according to the procedure as established by Berkley ordinances. The ZBA shall consist of seven regular members and two alternate members all to be appointed by City Council. An alternate member may be called as specified in the zoning ordinance to serve and vote as a member of the ZBA in the absence of a regular member. An alternate member may also be called to serve as a member for purposes of reaching a decision on a case in which a member has abstained for reasons of conflict of interest. Alternate members called upon to serve in instances of vacancy or conflict of interest shall do so on a rotational basis, starting with the most senior alternate.
 - a) **Continued Education.** Each member shall commit to 5-6 hours of continued education within each fiscal year. New appointees to the Commission shall not be required to complete the hours of continued education within the first fiscal year of appointment.
 - b) **Materials.** Upon taking office for the first time, each member shall be sent via email a package of materials to assist them in their role, including but not limited to:
 - A copy of the Zoning Board of Appeals-Rules of Procedure.
 - Chapter 2 Section 40 (Ethics), Chapter 94 (Signs) and Chapter 138 (Zoning) of the Berkley ordinances. Ordinance updates will be provided on the City's website.
 - The Michigan Zoning Enabling Act.
 - Any other materials deemed necessary by the Community Development Director and approved by the Chair of the ZBA to familiarize a new member with the appeals process and the duties of the ZBA.
 - The Berkley Zoning Map.
 - c) **Resignation.** Members seat is resigned upon receipt of a letter or email of resignation to the City Clerk Office.

(2) Duties.

- a) Attendance. Each regular and alternate member has a duty to attend all meetings except for good cause.
- b) Absences. Members who are unable to attend a regularly scheduled meeting must contact the Zoning Administrator prior to the meeting to alert to the cause of the absence. The Zoning Board of Appeals shall approve the excused absence as part of the regular meeting and it shall be noted in the meeting minutes.

- c) Arrive prepared for the business at hand, having reviewed written materials and completed site visits as necessary to be educated on the agenda issues.
- d) *Ex Parte* Contact. Members shall avoid *Ex Parte* contact concerning questions or matters pending before the ZBA.
- e) *Ex Parte* Contact shall include discussions among members, applicants, or the public outside of a ZBA meeting, including emails, about matters pending before the ZBA.

SECTION THREE - MEETINGS

- (1) Notices. Notice of meetings shall be provided in accordance with the Open Meetings Act. Prior to the scheduled meeting date, the Zoning Administrator shall provide the agenda for the meeting and all documentation relevant to agenda items as well as any other information requested by the ZBA.
- (2) **Regular Meetings.** Regular meetings of the ZBA shall be held monthly in the City Hall on the second Monday of every month at 7:00 p.m.
 - a) If there are no appeals, requests for variances or requests for interpretation of the zoning ordinance to consider, a regular meeting shall be postponed to the next (otherwise) regular meeting date when there are such requests to consider. All other business shall be held over to the agenda for the next regular meeting.
 - b) When a regular meeting date falls on or near a legal holiday or a regular City Council meeting, the ZBA shall select a suitable alternate date in the same month, if possible, in accordance with the Open Meetings Act.
- (3) Other Meetings. A special meeting can also be called by the Zoning Administrator, the Chair of the ZBA, or, in the Chair's absence, the Vice-Chair.
- (4) **Membership.** Any changes in Board membership will be announced prior to roll call.
- (5) Quorum. In order for the ZBA to conduct business or take any official action, a quorum consisting of 4 voting members of the ZBA must be present unless a use variance is under consideration, in which case, a quorum shall be 5 voting members present. When a quorum is not present, no official action, except for closing of the meeting may take place. All items scheduled to be heard, shall be rescheduled for the next regular meeting. No additional public notice shall be required provided the date, time and place are announced at the meeting.
- (6) **Hearings.** Hearings shall be scheduled and due notice given in accordance with the provisions of the Acts and ordinance cited in Section 1.

Public hearings conducted by the ZBA shall be run in an orderly and timely fashion. This shall be accomplished by the following procedure:

- Introduction of case by staff.
- The Chair confirms that the applicant is present and receives an opportunity to present the case.
- The Chair opens discussion. The ZBA may ask the applicant or staff questions.
- The Chair opens the public hearing. Each person must state his/her name and address for the record and may address the ZBA regarding the case not to exceed three minutes, to be modified at the discretion of the Chair. The Chair may invite people to speak row by row to eliminate lines at the microphone.

- The Chair closes the public hearing.
- Discussion. The ZBA may ask staff or the applicant questions.
- The Chair shall call for a motion.
- After a motion has been made and supported, there may be additional discussion.
- The Chair will call for a roll call vote.
- (7) **Motions.** The Chair shall restate motions before a vote is taken. The name of the maker and supporters shall be recorded. The motion shall state whether or not a practical difficulty or undue hardship has been found. The reasons for such a finding shall also be stated.
- (8) Voting. The concurring vote of 2/3's of the ZBA members shall be required for the approval of a use variance. The concurring vote of a simple majority of the ZBA members shall be required to reverse an order, requirement, decision, or determination of the zoning officer to approve a non-use variance, to decide in favor of the applicant on a matter upon which the ZBA is required to pass under the zoning ordinance, and for all other business. Voting shall be by roll call unless the Chair decides another method of voting would be appropriate. All members of the ZBA, including the Chair shall vote on all matters except as provided below. The order of the voting members shall be varied.
 - a) No member shall abstain from voting on any matter except in the case of a conflict of interest as provided below in Section 3 (12) of these rules.
- (9) **Conditions.** The ZBA may modify a request or impose reasonable conditions designed to maintain the public health, safety and welfare.
- (10) Withdrawals. In the event that an applicant withdraws an application after the notices have been sent and the meeting posted, the ZBA shall introduce the case and advise that the item has been withdrawn. A motion to accept the withdrawal will be entered. In the event that an applicant withdraws an application before the notices have been sent and the meeting posted, the ZBA shall receive a copy of the withdrawal, but no motion to accept the withdrawal shall be necessary.
- (11) **Dismissals.** When the petitioner fails to appear at a properly scheduled meeting of the ZBA, the Chair may entertain a motion to dismiss the case for want of prosecution. In the absence of a motion, the Chair shall rule. In such cases, the petitioner will be furnished written notice of the action.
- (12) Conflict of Interest. A ZBA member shall declare a possible conflict of interest and reasons for such, after the introduction of a case. The ZBA shall discuss and determine if such a conflict exists. Fellow ZBA members shall make and support a motion to excuse the ZBA member from deliberating. The excused member shall leave the meeting room during deliberation of the case. An alternate member may be called to serve as a member for the purpose of reaching a decision on the case. The excused ZBA member shall be called back prior to the introduction of the next case. In the event that the ZBA member is the applicant, then they shall be allowed to remain in the meeting to present their case.
 - a) Failure of a member to disqualify themselves from a vote in which the member has a conflict of interest constitutes malfeasance in office.
- (13) Order of Business. A written agenda for all regular meetings shall be prepared as follows. The order of business shall be:
 - Open the meeting call meeting to order, confirm recorder, if any, is on
 - Pledge of Allegiance
 - Roll Call

- Confirmation of a Quorum
- Approval of Agenda
- Approval of Minutes Each set of minutes shall be approved individually
- Old Business Items that have been postponed or referred to staff
- New Business
- Other Business Administration or ZBA members may discuss upcoming items or interpretation concerns unrelated to agenda items
- Liaison Reports
- Public Comments
- Adjourn
- (14) Rules of Order. All meetings of the ZBA shall be conducted in accordance with generally accepted parliamentary procedure, as governed by the most current edition of "Robert's Rules of Order."

(15) Notice of Decision.

- a) Upon determination of the Zoning Board of Appeals case a documentation of decision will be signed by the Chair or acting Chair and Zoning Administrator of the determination consisting of finding of facts, reason for decision, the decision, and conditions, if any to complete the approval of record process.
- b) The City shall send a copy of the approved minutes containing the ZBA decision and any conditions to the petitioner within five days of the minutes being approved.

SECTION FOUR – OFFICERS

- (1) Selection. Annually, at the July meeting, the ZBA shall select by majority vote from its membership, a Chair and Vice-Chair. Officers shall be eligible for re-election. If there is no July meeting, then the officers shall be elected no later than a September meeting or the next regularly held meeting after September.
- (2) **Duties.** The Chair shall preside at all meetings and shall conduct all meetings in accordance with the rules provided herein. If the Chair is not able to chair a meeting or portion of a meeting, the Vice-Chair shall act in place of the Chair for that meeting or portion of meeting.
 - a) The Vice-Chair shall act in the capacity of the Chair and shall succeed to the office of Chair in the event of a vacancy in that office.
 - b) If there is a vacancy in the office of Vice-Chair for whatever reason, the ZBA shall select a successor to the office of Vice-Chair at the earliest practicable time.
 - c) The Zoning Administrator shall be responsible for the preparation of minutes, keeping of pertinent public records, delivering communications, petitions, reports and related items of business of the ZBA, issuing notices of public hearings and performing related administrative duties to assure efficient and informed ZBA operations.
- (3) **Tenure.** The officers shall take office at the next meeting after their election. They shall hold their offices until their successors are elected and assume office.

SECTION FIVE – MINUTES

The minutes shall contain a synopsis of the meeting including a complete restatement of all motions and recording of votes; a complete statement of the conditions or recommendations made on any action; and recording attendance. All communications, actions, and resolutions shall be attached to the minutes. The official records shall be deposited with the City Clerk.

SECTION SIX – OPEN MEETINGS AND FREEDOM OF INFORMATION PROVISIONS

- (1) All meetings of the ZBA shall be opened to the public and held in a place available to the general public.
- (2) All deliberations and decisions of the ZBA shall be made at a meeting open to the public.
- (3) A person shall be permitted to address a hearing of the ZBA under the rules established in section 3 (6) and to address the ZBA concerning non-hearing matters under the rules established under section 3 (13) to the extent that they are applicable.
- (4) A person shall not be excluded from a meeting of the ZBA except for breach of the peace committed at the meeting.
- (5) All records, files, publications, correspondence, and other materials are available to the public for reading, copying and other purposes as governed by the Freedom of Information Act.

SECTION SEVEN – ANNUAL REVIEW

These rules of procedures shall be reviewed annually, at the July meeting, or if there is no July meeting, no later than the September meeting or the next regularly held meeting after September.

Care shall be taken to insure that these rules shall not conflict with any federal or state law or City of Berkley ordinance; however, if any such conflict exists, then the federal or state law or city ordinance shall override these rules, but only to the extent of such conflict.

SECTION EIGHT – AMENDMENTS

These rules may be amended by the ZBA by a concurring vote pursuant to section 3 (8) during any regular meeting, provided that all members have received an advanced copy of the proposed amendments at least three days prior to the meeting at which such amendments are to be considered.