1. Zoning Board Of Appeals Regular Meeting Agenda

   Documents: 01- ZBA AGENDA 1-27-16.PDF

2. Zoning Board Of Appeals Regular Meeting Packet

   Documents: 1-27-16 ZBA PACKET.PDF

Agenda
Zoning Board of Appeals
Council Chambers
Wednesday, 27 January 2016 - 7:00 P.M.

I. Call to Order

II. Roll Call

John Bailey, Chair	P	A
Jake Albers	P	A
Rod Johnson	P	A
Tom Roach	P	A
Eric Seymour	P	A

III. Approval of Minutes

- 23 December 2015

IV. Purpose of Meeting

V. Old Business

- Variance, 1420 Washtenaw Ave-rear setback

VI. New Business

- None

VII. Adjournment

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VI. New Business

- None

VII. Adjournment

ZONING BOARD OF APPEALS
MEETING MINUTES
December 23, 2015
CITY COUNCIL CHAMBER
7:00 P.M.

1. CALL TO ORDER

The meeting was called to order at 7:15 p.m.

II. ROLL CALL

Present: J. Bailey, R. Johnson, T. Roach, J. Albers, E. Syemour

Absent: T. Roach (excused)

Staff: B. Wessler, Planner II
N. Schuette, Executive Secretary
J. Meyers, Community Development Director
C. Kochanek, Planner I

III. APPROVAL OF MINUTES

Commissioner Albers moved to approve the minutes of September 30, 2015 (Support: R. Johnson) and the motion carried unanimously.

IV. PURPOSE OF MEETING

Chairman Bailey stated the purpose of the meeting, which is to discuss two variance requests.

V. OLD BUSINESS

None

VI. NEW BUSINESS

1. 1420 Washtenaw – Rear Setback Variance

Bonnie Wessler, Planner, stated that this was a gas station and auto repair and that the owner is currently in the process of submitting for approval for an expansion of the convenience store use, removing the auto repair use, and are asking for a variance from the rear yard setback so they can expand the building 6' to the north. The required setback in that area is 25' from property line because it is adjacent to R1. They are pretty constrained

to the south because of the gas pumps, however, they can and plan to expand the building to the west.

Ms. Wessler reviewed all the standards pertaining to granting a variance. Staff believes the practical difficulty standard is met and was not created by the current owner; the building is non-conforming and other buildings in the district are similarly non-conforming. The granting of the variance will likely not be detrimental to the public welfare and they will be reducing the amount of alley access thereby reducing cut-through traffic and the rear of the building will not have any windows, therefore, no screening will be necessary. The major reason for the applicant adding the square footage to the north is due to a technicality of their liquor license requiring a different inventory mix in the building. Staff is recommending a smaller variance than requested would be reasonable and recommending that the Zoning Board of Appeals grant a variance of only 6.13' to the property line.

Commissioner Johnson asked if it is staff's position that the northern boundary remain the same making it legally non-conforming but running of the business will not be critically affected by not moving 6' north. Ms. Wessler concurred.

Commissioner Johnson moved to open the public portion of the hearing (Support: E. Seymour) and the motion carried unanimously.

Todd Ballou, 3300 Berry Road, Ypsilanti – architect for the project – confirmed that they are requesting only one variance which was agreed to by Ms. Wessler. The building is totally going the opposite way of the zoning ordinance. The zoning ordinance wants it to be much closer to the street with all the parking in the back, hence all the problems. Since staff has made a proposal to change the variance he deferred any further comments to the owner.

Ali Wahab, 1401 Campus, Dearborn, owner of the property and applicant of the variance request – wants the 6' in the back because the width of the current building is very narrow thereby making the aisles very narrow because of the size of the coolers and is hoping to expand the width for that reason. The Liquor Code says that 50' is the required distance from the pump to the register – he is not sure how that is defined yet but the 6' will help getting his liquor license and that is the reason they are asking for the 6'.

Commissioner Albers moved to close the public portion of the hearing (Support: E. Seymour) and the motion carried unanimously.

Some discussion was held by board members on the distance of the cash register to the pumps adding that they were not aware of the 50' distance required by the Liquor Commission and would have liked to see something in writing pertaining to that. They recalled the applicant who explained that he also had not been aware of the 50' requirement of the distance between the nearest fuel pumps and the register at the time, requiring the cash register to be located against the back wall and needing the 6' to meet the 50' requirement. The State requires that all pumps be visible from the cash register.

Ms. Wessler read the article pertaining to the 50' from the website of the Liquor Commission confirming this requirement.

Commissioner Bailey stated that abutting so close to a residential district was a concern to him. Further discussion was held on the proximity of the register to the pump.

Commissioner Johnson asked if a conditional variance was possible because of Liquor Control guidelines and Ms. Wessler responded that she recommended instead that the board consider tabling this item giving the applicant the opportunity to prove that the requirements of the Liquor Control Commission can be met.

Commissioner Seymour moved to table this item until we have enough information that the 50' requirement can be met and a friendly amendment by Commissioner Johnson requiring some plans with measurements that would indicate where the cash register and liquor would be in compliance with the pumps and guidelines by the state. The motion was supported by Commissioner Albers and carried unanimously.

2. Corner Brewery, 720 Norris Street – Variance

C. Kochanek, Planner I, stated that is a request for approval of a variance to allow an accessory structure to be built over the allowed 15 ft. height limit.

The property is approximately 1.72 acres, fronting on Norris St. There is an existing 11,00-s.f. foot building, including the pre-manufactured storage structure with an outdoor beer garden of 3,528 s.f. The property was previously granted variances in 2005 for the beer garden to exceed the maximum of 20% of the gross indoor floor area and to allow for few off-street parking spaces than required. Special permits were issued in 2005 and 2011 for the use as a microbrewery and a later expansion. The kitchen was expanded in 2014.

The property is zoning NC Neighborhood Corridor, which allows for a microbrewery in less than 16,000 s.f. as a permitted use, and a bar as a special use. An accessory structure is allowed at a maximum height of 15 feet for the Large Single Story Commercial Building type. The applicant is seeking a variance to install an elevated grain hopper near the southeast corner of the building that will reach a height of approximately 32 feet above ground. With the principal structure fronting on Norris St, the proposed accessory structure will be located in the street side yard.

Ms. Kochanek reviewed the standards for variances, after which, she stated that staff recommended approval noting the findings.

Commissioner Johnson moved to open the public portion of the hearing (Support: E. Seymour) and the motion carried unanimously

Matt Greg, 1305 Grant – owner of the business – stated that this request for a variance was a crucial step in maintaining his business. He detailed the necessity of this silo that holds 50,000 lbs of grain and explained in detail how it works and the reason for the 32 ft. Chairman Bailey asked if he could use two smaller silos and Mr. Greff responded that it is possible but would take up more parking spaces out of the requirement that is already required. The reason for the location is due to the need of proximity to the brewery. He has also been working with the Fire Department to ensure that they have taken all steps necessary to be safe. Commissioner Johnson asked if he had explored other options in order to expand, to which Mr. Greff responded in the affirmative. Commissioner Johnson also asked if Mr. Greff foresees installation of another silo and Mr. Greff responded that he did not.

Chuck Hookhan, Engineer of the project, 2902 Eisenhower, Ann Arbor – was in attendance to respond to any concerns by the board that was put forth. He added that both he and Mr. Greff had tried various scenarios to make this proposal work.

Cecilia Hoeft, 713 N. River – stated that her house is located directly behind the brewery. She produced pictures of the storage area from her back door. She stated her yard is no longer pleasurable for her. She had previously asked if they would paint the storage building that was the last variance they were granted or plant trees to create a buffer but had been told that there was not enough room at the back and feels that the last variance negatively affected her home and enjoyment of her back yard. She asked about a potential noise issue with the grain elevator. Mr. Greff responded to the noise issue and explained that there would be no noise involved in the operation of the elevator.

James Moore, 726 Norris – asked about installation of a fence on his property to which Ms. Kochanek responded that his property would not be affected by the request of the silo. Chairman Bailey informed Mr. Moore that this meeting was to deal with the silo at the Corner Brewery only.

Chuck Hookhan, engineer – was recalled to address concerns by Ms. Hoeft regarding any noise associated with the loading of the grain elevator. He stated that conveyor will be inside the building directly into the brewery and the loading of the grain will be done via a truck by vacuum. The delivery would be less frequent than previously done thereby reducing truck traffic. Instead of 1-2 deliveries per week, it would now be every 6-8 weeks. Regarding painting of the silo, Mr. Greff stated that he had discussed this with the Historic District Commission and it was their opinion that it would be better to leave as the natural finish rather than the possibility of peeling, etc. They also have approved the design with no paint. Commissioner Johnson asked about fumes to which Mr. Greff responded that there would be fumes involved and would be non-intrusive.

Commissioner Seymour moved to close the public portion of the hearing (Support: J. Albers) and the motion carried unanimously.

After some discussion by board members, Commissioner Johnson moved that the Zoning Board of Appeals approve the variance request to permit an accessory structure 32 feet in height in the south side yard at 720 Norris St in excess of the 15 feet height requirement, as submitted on November 23, 2015, with the following findings:

1. The applicant has shown sufficient practical difficulty under Sec. 122-94(b)(1).
2. The granting of this variance should not be detrimental to public welfare or injurious to the neighborhood, per Sec 122-94(b)(4).
3. the allowance of the variance will result in substantial justice being done, given the conditions spelled out in Sec 122-94(b)(5).

The motion was supported by Commissioner Seymour and carried unanimously.

3. Approval of 2016 Schedule

Commissioner Albers moved to approve the 2016 Meeting Schedule (Support: R. Johnson) and the motion carried unanimously.

4. Ms. Wessler informed the board that there would be a regular meeting on January 20th and a combined training meeting with the Planning Commission on January 27th.

VII. ADJOURNMENT

Since there was no further business, Commissioner Albers moved to adjourn the meeting (Support: W. Seymour) and the motion carried unanimously. The meeting adjourned at 8:20 p.m.

DRAFT

City of Ypsilanti

Community & Economic Development Department

Memo

To: Zoning Board of Appeals

From: Cynthia Kochanek, Associate Planner

Date: January 21, 2016

Subject: 1420 Washtenaw

Since the ZBA meeting in December, the applicant has submitted another set of drawings and an information sheet from the State of Michigan that lists the requirements from the Michigan Liquor Control Commission (MLCC) for an Off Premises Specially Designated Merchant (SDM) License. The SDM license is for the sale of beer and wine. Documentation regarding the liquor license was not submitted, as a result staff cannot comment on the requirements regarding the liquor license.

After review of both the plans and the SDM license document, staff has some additional comments however the Standards for Variances and Staff Recommendations remain the same as what were listed in the original staff review from December 17, 2015. Relevant details from the submitted documents are listed below.

<u>Off Premises Specially Designated Merchant (SDM) License</u>

- Granted for the retail sale of beer and wine for consumption off premises
- Typically held in conjunction with other types of licenses
- SDM licenses will not be issued to an applicant that sells motor fuel unless one of four conditions is met (*the following condition is the only one applicable in the case of 1420 Washtenaw Ave*):
    - The applicant maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than $250,000, at cost, of those goods and services customarily marketed by approved types of businesses and the site of payment and selection of alcoholic liquor is not less than 50 feet from the point where motor vehicle fuel is dispensed.

<u>Submitted Drawings</u>

- Show the required 50' radius from the gas pumps to the site of payment and selection of alcoholic liquor. It is still not clear that the required 50' radius requires the decrease in the rear setback and cannot be accomplished within the current rear setback of 6.13'.
- Address greenbelt, rear lighting, non-motorized easement, etc. that were conditions of the Planning Commission approval

<u>Staff recommendations</u>

Remain the same as what was listed in the original staff review from December 17, 2015.

City of Ypsilanti
Planning and Development Department

17 December 2015

Staff Review of Variance Application
1420 Washtenaw Addition
1420 Washtenaw

GENERAL INFORMATION

Applicant:	Ali Wahab 1420 Washtenaw LLC 1420 Washtenaw Ave Ypsilanti, MI 48197
Project:	1420 Washtenaw Addition
Application Date:	14 September 2015
Location:	Northwest corner of Cornell and Washtenaw
Zoning:	NC, Neighborhood Corridor
Action Requested:	Approval of a non-use variance to permit expansion in the rear yard
Staff Recommendation:	Approval of a lesser variance

PROJECT AND SITE DESCRIPTION

Parcel # 11-11-05-382-012 is a corner lot at Washtenaw Ave and Cornell Rd. The parcel is 0.55 acres with frontage on Washtenaw Ave. There is an existing ~2,300 square foot single story commercial building and two metal canopies at 912 square feet and 672 square feet. There are 13 marked parking spaces on the site. A conditional (special) use permit was approved in July 1988 for an expansion of the interior service station and to operate on a 24 hour basis.

Zoned **NC-Neighborhood Corridor,** which allows for an automobile filling station without repair and a food store with the sale of alcohol, less than 15,000 square feet as a special use. This parcel is just south of an R-1 single family residential district. Automobile filling stations are regulated under §122-776 and special land use is regulated under Article V of the zoning code. This location is within the Reimagine Washtenaw project boundaries.

The project has gotten conditional site plan and special use approval from the Planning Commission for this expansion.

Figure 1: Subject Site Location

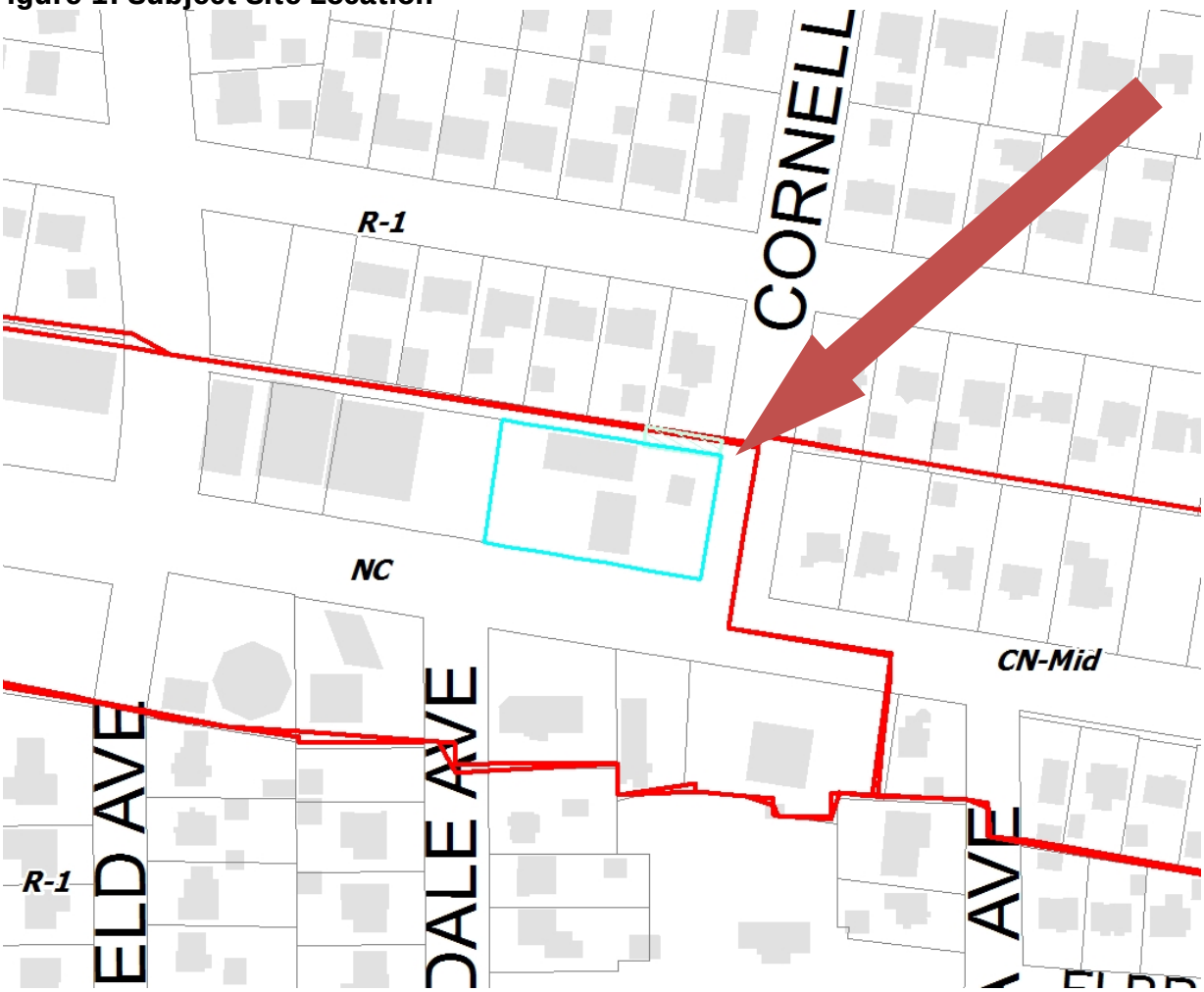


Figure 2: Site Close-up

Figure 3: Photograph of Site

Figure 4: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Single family homes	R-1- Single-family residential
EAST	Single family houses & multi-family (on Washtenaw)	CN-Mid- Core Neighborhood Mid
SOUTH	Restaurants and dry cleaners	NC-Neighborhood Corridor
WEST	Retail and commercial	NC- Neighborhood Corridor

ORDINANCE **§122-274**

Sec. 122-274. Sign Design Standards.

(d) Building Type Parameters

(7) Standards for Building Types

SC SINGLE STORY COMMERCIAL BUILDING

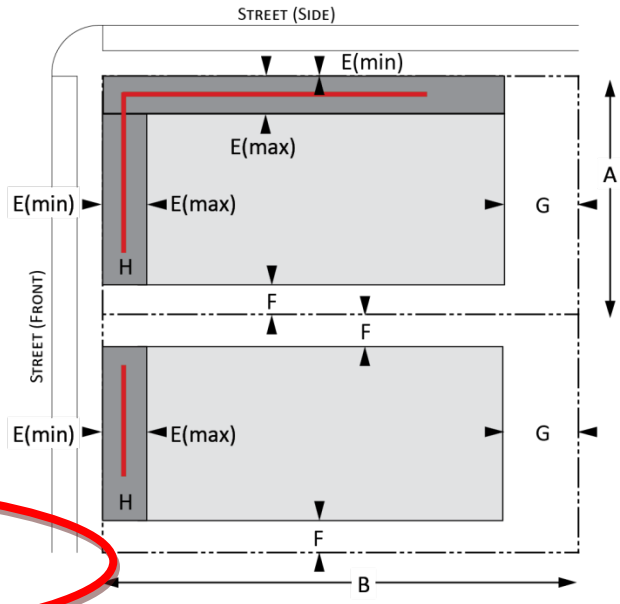
A single-story building, designed for non-residential use. They are located on lots that accommodate a detached primary building with the associated parking, loading, and waste disposal areas. A single use is generally located in each building.

LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	50	300
B - Lot Depth (ft)	100	300
C - Lot Size (sf)	7,500	90,000
D - Lot Coverage (%)	--	60
BUILDING ENVELOPE	**MIN**	**MAX**
E - Street Setback (ft)	5[1]	15[1]
F - Side Setback (ft)	0	--
G - Rear Setback (ft)	15[2]	--
H - Frontage Buildout (%)	50	100
ACCESSORY BUILDING ENVELOPE	**MIN**	**MAX**
I - Street Setback (ft)	30[1]	
J - Side Setback (ft)	10	--
K - Rear Setback (ft)	10[1]	--
L - Building Footprint (sf)	--	800
BUILDING HEIGHT	**MIN**	**MAX**
M - Principal Building (st)	1	1
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS		
Location	Side, Street-Side and Rear Yards	
PRIVATE FRONTAGES		**Permitted:**
		Commercial

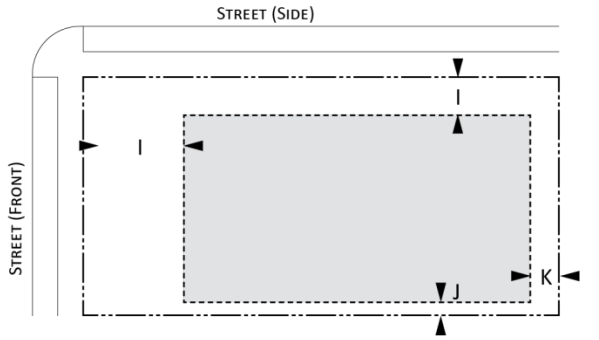
[1] If located on Washtenaw Avenue must build no more than 10ft from future right-of-way line

[2] When adjacent to existing single family residential detached homes, the rear setback shall be 25 ft.

LOT REQUIREMENTS AND BUILDING ENVELOPE



ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT

Figure 5: Proposed Setback (0.13' from alley)

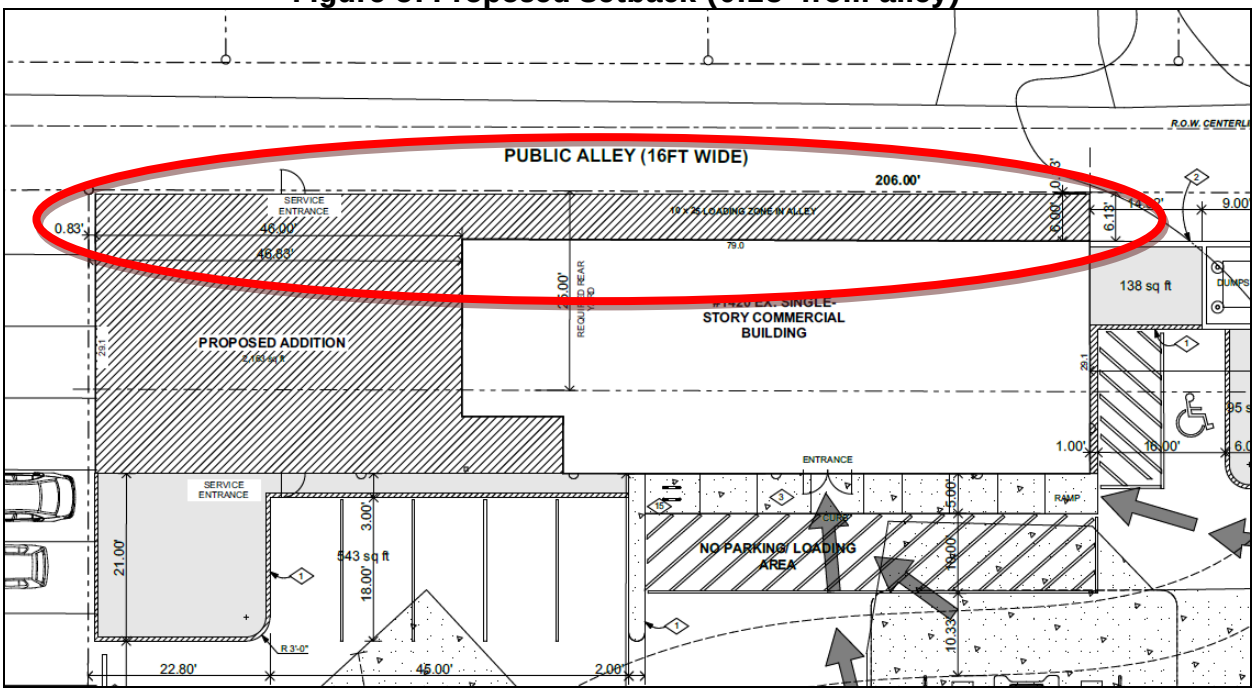
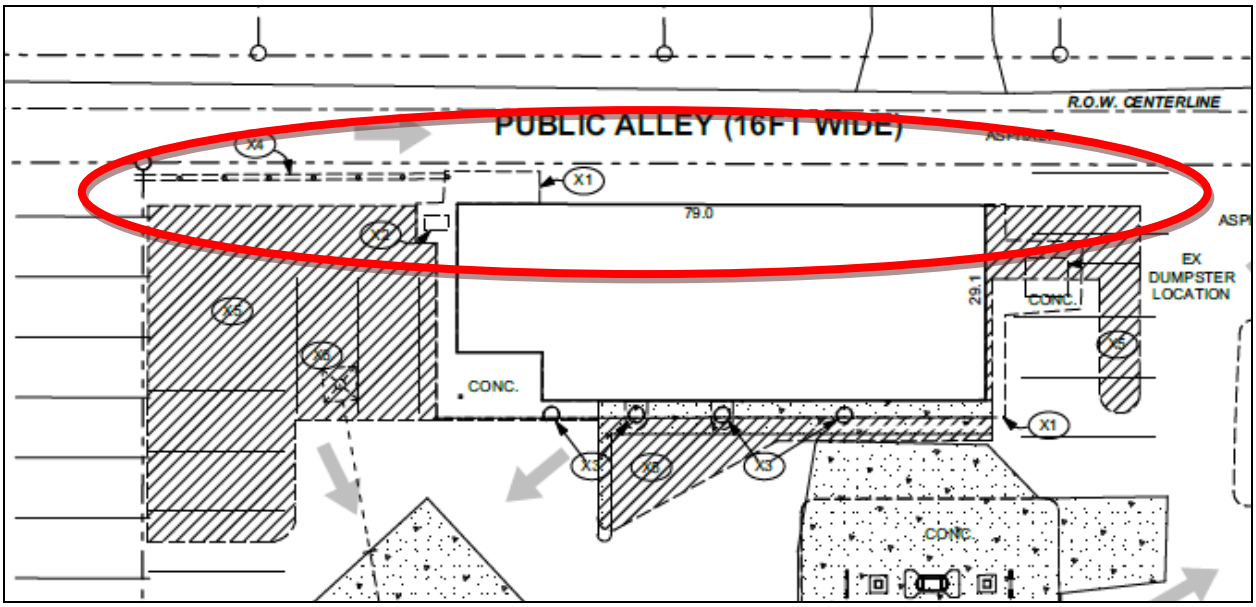


Figure 6: Existing Setback (6.13')



STANDARDS §122-94(b)

Standards for Variances. A variance from the literal enforcement of this Ordinance may be granted by the Zoning Board of Appeals only if all of the following standards are met.

(1) *Literal enforcement of this chapter will pose practical difficulties to the applicant because of special conditions or circumstances which are unique to the specific property such as: exceptional shallowness or shape of the property, exceptional topographic conditions, extraordinary situation of a building or structure, use or development of an adjacent property, or difficulties relating to construction or structural changes on the site. Mere inconvenience or a desire to attain higher financial return shall not itself be deemed sufficient to warrant a variance.*

The applicant notes that practical difficulty is found in attempting to expand the building towards the south or the east due to the existing gas pumps, or any further to the west and south due to the property line and filling point for the fuel tanks. The applicant wishes to sell alcohol on the premises, and the State of Michigan requires that an extensive inventory of non-alcohol products be kept on the site, necessitating the expansion.

Staff agrees that the location of the existing gas pumps is a challenging condition, especially given the shallowness of the lot. The location of the gas pumps can only be changed with exceptional effort under today's safety and environmental standards. Staff also agrees that the applicant is subject to the State of Michigan's standards for the planned sale of alcohol. These two combined are the proverbial "rock and a hard place." However, it is likely that the applicant could accommodate the needed inventory requirements with items that have lesser volume or a more advantageous volume-to-value ratio- such as postage stamps. This standard is not met.

However, staff notes that the expansion along the current rear line of the building westward is crucial to any expansion of the convenience store use. This would expand the existing nonconformity of a 6.13 foot setback.

(2) *Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district under the terms of this chapter. Granting of the variance shall not confer upon the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.*

Several structures along Washtenaw within the NC district have rear setbacks that approach zero. However, none were constructed within the past twenty years, nor under the current zoning ordinance, nor were any of them filling stations. The standard is not met.

Buildings that were constructed in compliance with the ordinance in effect at the time, but are not in compliance with the current ordinance, are considered to be *nonconforming* buildings. The existing building at 1420 Washtenaw was constructed in compliance with the ordinance at the time, but no longer complies in terms of its rear setback, so it is subject to the same conditions as other nonconforming buildings. Per the ordinance, nonconformities are allowed to continue and be maintained/repaired, but not be expanded. The only variance needed in this case, however, is to encroach upon the rear setback, as the

building's rear setback would automatically become not nonconforming were a variance to be granted.

(3) The alleged practical difficulties on which the variance request is based have not been created by any person presently having an interested in the property.

The current property owners were not responsible for the present locations of the pumps nor the State of Michigan's alcohol sales requirements. However, the issue only arises when the applicant chooses to expand into alcohol sales, and could be remedied by expanding upwards- adding a second story- or by carrying a different inventory mix. The standard is not met.

(4) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

The area behind the existing building is already impervious surface, so no additional stormwater impacts will be made in this area. The existing rear yard is "dead space," unused for all but loading/unloading. The wall is proposed to be blank, with the exception of a service door with small transom window, similar to existing but longer; the applicant will also be required to provide a light in accordance with 122-641 for this door. Thus, the extension is not anticipated to have any immediate negative effects, nor a worsening of existing conditions. This standard is met.

(5) *The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the zoning board of appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.*

No individual hardships appear as though they will be suffered as a result of denial of this variance. This standard is not met.

(6) *A variance granted shall be the minimum variance that will make possible a reasonable use of the land, buildings, or structure.*

The applicant has not shown that this is the only way to make the convenience store with alcohol "work" within the constraints of the site and the State of Michigan's requirements. This is not met. However, staff believes it is reasonable to grant a lesser variance of 6.13 feet, to permit the building to be extended to the west along its current footprint.

STAFF RECOMMENDATION

Staff recommends the Zoning Board of Appeals ***approve*** a lesser variance than that requested from 122-274, as submitted on 06 November 2015, to encroach into the required rear yard leaving only 6.13 feet, , with the following findings:

1. The applicant has shown insufficient practical difficulty under §122-94(b)(1) for a decreased rear yard setback, but sufficient practical difficulty for an extension of the existing 6.13' rear yard setback.

2. A variance to permit a 0.13' setback is not necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district under the terms of the zoning ordinance, per the standards of 122-94(2).
3. The allowance of an 0.13' setback will not result in substantial justice being done, given the conditions spelled out in 122-94(b)(5); but a variance to permit a 6.13' setback meets the condition by allowing for a productive reuse of the site with minimal environmental impacts.

Bonnie Wessler
City Planner, Community & Economic Development Division

c.c. File
Applicant
Site designer

1420 WASHTENAW

YPSILANTI, MI

SHEET INDEX

SHEET NO.	SHEET TITLE
1	SHEET INDEX, ZONING DATA, BLOCK PLAN
2	PROPOSED SITE PLAN
3	LANDSCAPE PLAN & SITE LIGHTING
4	MASTER SIGN PLAN
5	BUILDING PLAN
6	BUILDING ELEVATIONS
BS-1	EXISTING BOUNDARY SURVEY

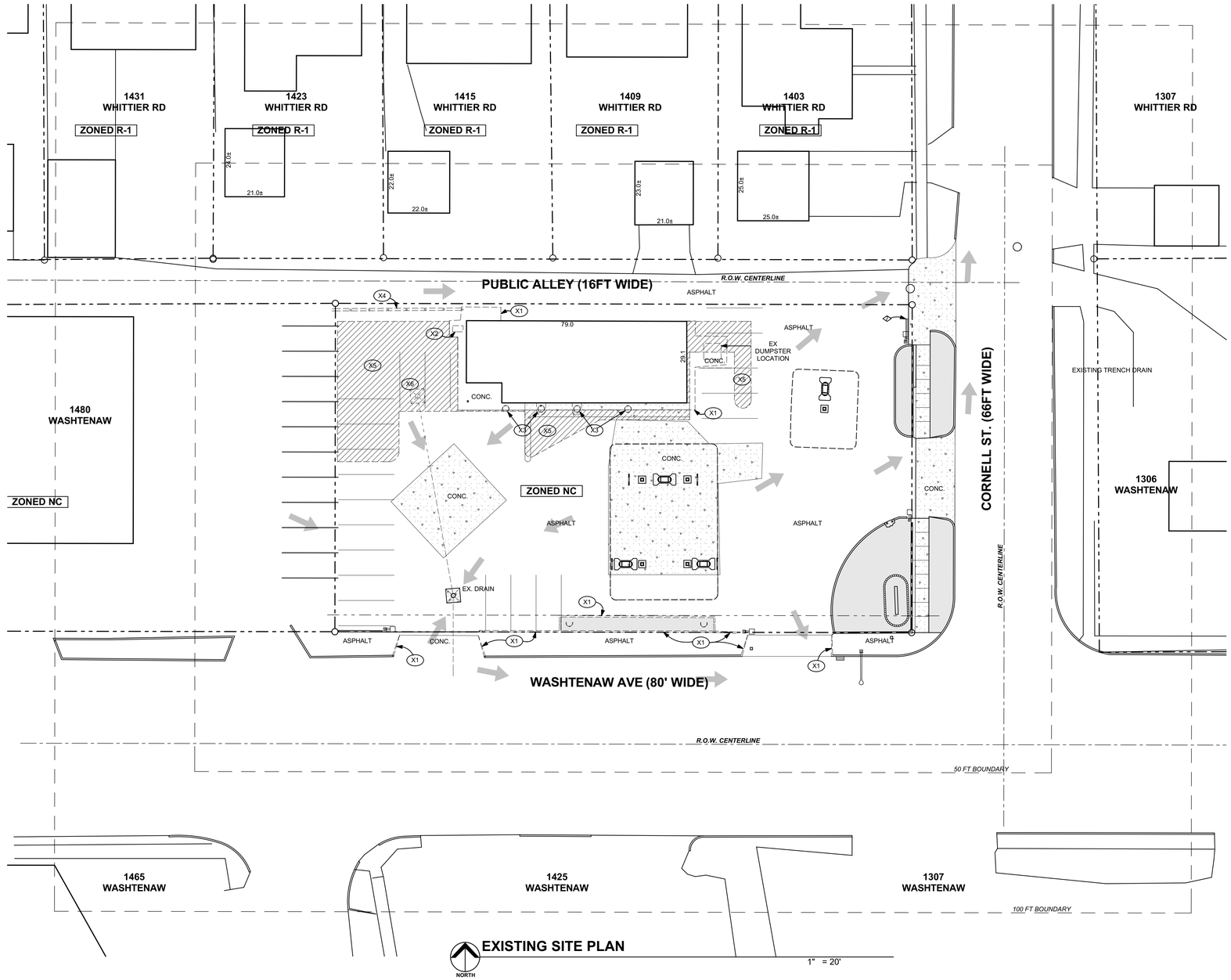
AREA ANALYSIS

EXISTING		PROPOSED	
EX. BUILDING AREA	2,206 SF	EX. BUILDING AREA ADDITION	2,206 SF +2,176 SF
EXISTING BLDG FOOTPRINTS	2,206 SF	EXISTING BLDG FOOTPRINT GROSS AREA	4,382 SF 4,382 SF
EX. LOT AREA * *EXCLUDES ALLEY*	24,141 SF (0.55 ACRES)*		
EX. LOT COVERAGE	2,206 SF / 24,141 SF = 9.1 %	PROP. LOT COVERAGE	4,382 SF / 24,141 SF = 18.2 %
WASHTENAW FRONTAGE CORNELL FRONTAGE TOTAL FRONTAGE	206.00 FT 117.10 FT 323.10 FT		
WASHTENAW ELEVATION CORNELL ELEVATION TOTAL ELEVATION	79.00 FT 29.42 FT 108.42 FT	WASHTENAW ELEVATION CORNELL ELEVATION TOTAL ELEVATION	125.00 FT 35.17 FT 160.17 FT
FRONTAGE BUILDOUT	108.42 / 323.10 = 33.6 %	FRONTAGE BUILDOUT	160.17 / 323.10 = 49.6 %

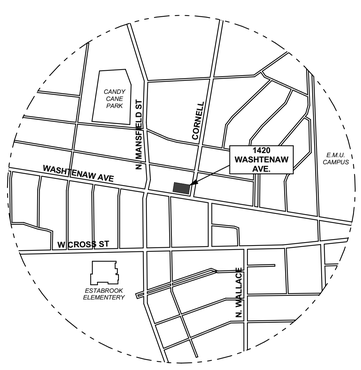
SCHEDULE OF REGULATIONS

BUILDING TYPE SC SINGLE STORY COMMERCIAL	REQ'D	EXISTING	PROPOSED	VARIANCE
LOT WIDTH	50-300 FT	206.0 FT	NO CHANGE	NONE
LOT DEPTH	100-300 FT	117.10-117.28 FT	NO CHANGE	NONE
LOT SIZE	7,500-90,000 FT	24,141 SF	NO CHANGE	NONE
MAX LOT COVERAGE	0-60 %	9.1 %	18.2%	NONE
STREET SETBACK/ WASHTENAW	5-15 FT*	81.45 FT	NO CHANGE	66.45 FT VARIANCE REQUIRED
STREET SETBACK/ CORNELL	5-15 FT	80.51 FT	NO CHANGE	65.51 FT VARIANCE REQUIRED
SIDE SETBACK (WEST)	0 FT	46.83 FT	0.80 FT	NONE
REAR SETBACK	25.0 FT**	6.13 FT	0.13 FT	24.87' VARIANCE REQUIRED
FRONTAGE BUILD-OUT	50-100%	33.6%	49.6%	0.4% VARIANCE REQUIRED
MAX BLDG HEIGHT		13.75 FT	17.0 FT	NONE
	1 STORY	1 STORY	NO CHANGE	NONE

* STREET SETBACK ON WASHTENAW MUST BE 10FT FROM FUTURE RIGHT OF WAY LINE
** REAR SETBACK ADJACENT TO RESIDENTIAL LOTS



EXISTING SITE PLAN



LOCATION MAP

LEGAL DESCRIPTION:

PARCEL# 11-11-40-185-003. THE NORTH 70 FEET OF LOT 405"NORRIS & CROSS ADDITION" VILLAGE OF YPSILANTI (NOW THE CITY OF YPSILANTI), WASHTENAW COUNTY, MICHIGAN AS RECORDED IN WASHTENAW COUNTY RECORDS. CONTAINING 0.1 ACRES OF LAND MORE OR LESS. SUBJECT TO ANY AND ALL EASEMENTS OR RIGHT OF WAYS OF RECORD IF ANY.

PROJECT DESCRIPTION:

1-STORY ADDITION TO EXISTING CONVENCE STORE, AND REMODEL TO REMOVE EXISTING CAR REPAIR USE. PROVIDE NEW SIDEWALK AT ENTRANCE, DEFINE NEW PARKING LAYOUT WITH NEW CURBS NEAR BUILDING ONLY. NEW DUMPSTER ENCLOSURE, AND NEW LANDSCAPING. PATCH EXISTING PAVEMENT AS NEEDED. **NEW USE OF BUILDING IS CONVENIENCE STORE WITH ALCOHOL SALES**

SITE OWNER:

ALI WAHAB (734) 483-6141
1420 WASHTENAW AVE LLC
1420 WASHTENAW AVE, YPSILANTI, MI 48197

STORM WATER ANALYSIS	EXISTING	CHANGE	PROPOSED
IMPERVIOUS AREAS EXISTING BUILDING ADDITION PAVEMENT & CURBS	**22,779 SF** 2,206 SF -- 20,573 SF	**-904 SF** -- +2,176 SF -3,080 SF	**21,875 SF** 2,206 SF +2,176 SF 17,493 SF
PERVIOUS AREAS	**1,362 SF** 5.6% OF SITE	**+904 SF**	**2,266 SF** 9.4% OF SITE
SITE AREA	**24,141 SF**		**24,141 SF**

GENERAL NOTES:

1. THIS PROPERTY IS NOT IN A FLOOD ZONE
2. NO OPEN AIR SALES OTHER THAN GASOLINE IS PROPOSED.
3. NO RECREATION FIELDS, OR OUTDOOR CAFES ARE PROPOSED
4. THIS SITE CONTAINS EXISTING UNDERGROUND FUEL TANKS. NO NEW UNDERGROUND TANKS ARE PROPOSED.
5. ALL PROPOSED CONSTRUCTION WILL BE COMPLETED IN A SINGLE PHASE.
6. THIS SITE HAS A CURRENT STATE OR FEDERAL PERMIT TO SELL FUEL. A NEW STATE OR FEDERAL PERMIT TO SELL ALCOHOL WILL BE OBTAINED

SITE DEMOLITION NOTES

- X1 REMOVE EX. CURB
- X2 REMOVE EX. OIL DUMPSTER
- X3 REMOVE EX. CONCRETE PLANTERS
- X4 REMOVE EX. GUARD RAIL AND CHAIN LINK FENCE
- X5 REMOVE EX. PAVEMENT FOR NEW SITE ELEMENTS (HATCHED AREA)
- X6 EXISTING DRAIN TO BE ABANDONED

INDICATES FLOW OF STORM WATER

EXISTING SITE PLAN IS AT REDUCED SCALE TO SHOW AREAS WITHIN 100FT

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SITE REVISION	5 JAN 2016
SITE PLAN REVIEW	6 NOV 2015
SITE PLAN REVIEW	11 SEP 2015
SITE STUDY	19 JUNE 2015

focus / design
Todd Ballou, Registered Architect
(734) 276-2110
www.focusdesign.us
focusdesign@comcast.net
3300 Berry Rd, Ypsilanti, MI 48198

PROJECT:
1420 WASHTENAW
1420 WASHTENAW AVE.
YPSILANTI, MI

TITLE:
ZONING, BLOCK PLAN

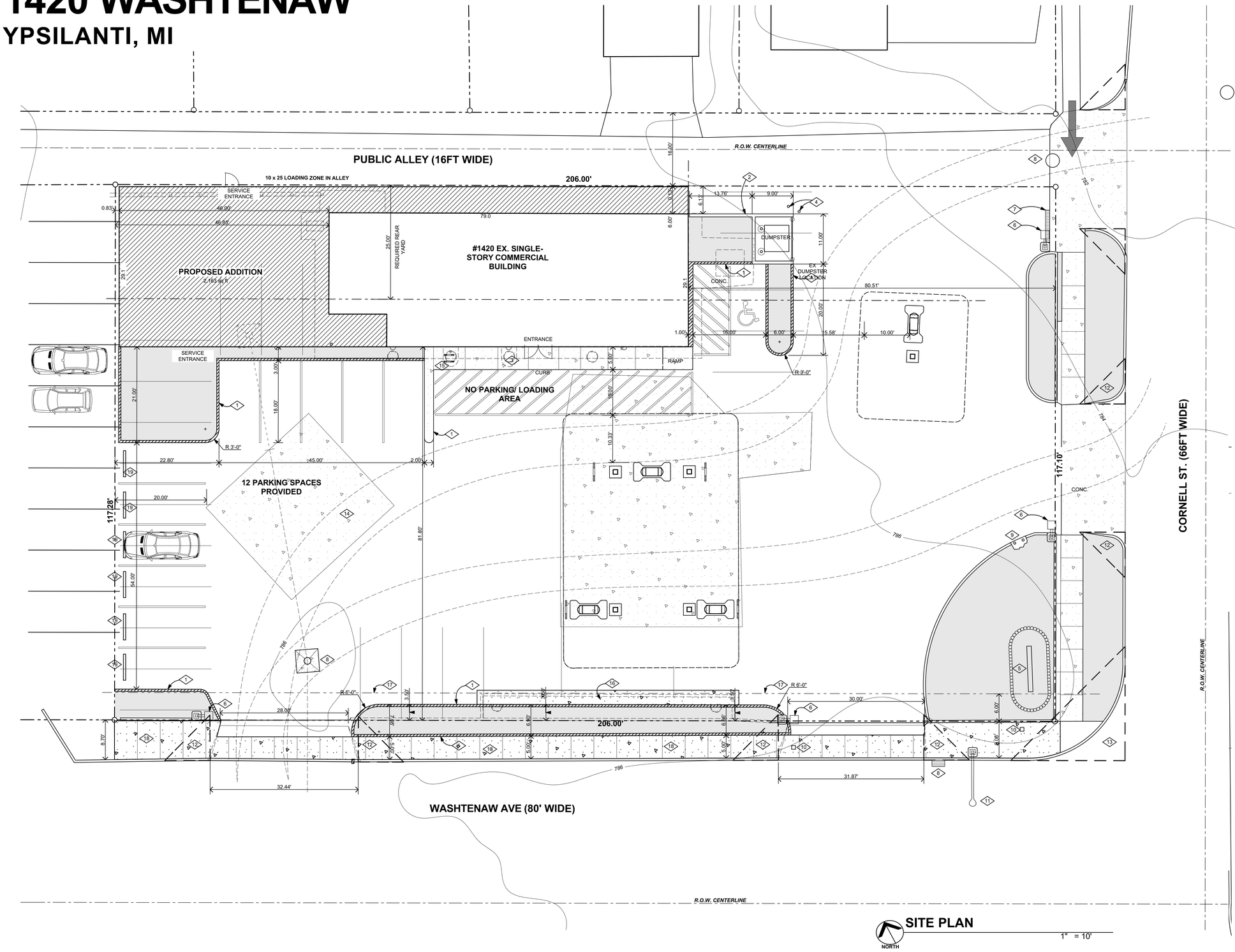
JOB NO:
1515

STATE OF MICHIGAN
TODD R. BALLOU
ARCHITECT
No. 48808
LICENSED ARCHITECT

SHEET NO.
1

1420 WASHTENAW

YPSILANTI, MI



SITE PLAN

1" = 10'

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KEYED SITE PLAN NOTES

1. NEW CONCRETE CURB- PATCH EXISTING PAVEMENT AS NEEDED
2. PROPOSED DUMPSTER ENCLOSURE CONNECTS TO EX. BUILDING
3. PROPOSED CONCRETE SIDEWALK
4. (2) BOLLARDS TO PROTECT DUMPSTER ENCLOSURE FROM ALLEY TRAFFIC
5. EXISTING MONUMENT SIGN 6'-0" TALL x 10'-0" LONG WITH LANDSCAPE BLOCKS FORMING PLANTING BED
6. EXISTING LIGHT POLE, APPROX. 20'-0" TALL
7. EXISTING TRENCH DRAIN
8. EXISTING MANHOLE/ DRAIN REMAINS, CAPACITY OF DRAIN TO BE REVIEWED AND ENLARGED IF NECESSARY
9. EXISTING BOLLARDS
10. EXISTING GAS
11. EX. STREET LIGHT
12. 10FT VISIBILITY TRIANGLE REQUIRED AT DRIVEWAYS
13. 25FT VISIBILITY TRIANGLE REQUIRED AT STREET INTERSECTIONS
14. EXISTING UNDERGROUND TANKS IN THIS AREA
15. PROVIDE 2 BIKE LOOPS
16. NEW CONCRETE
17. PROPOSED 6FT EASEMENT TO MEET REIMAGINE WASHTENAW NON-MOTORIZED R.O.W REQUIREMENTS
18. PROPOSED CONRETE SIDEWALK REPLACES ASPHALT
19. PROVIDE WHEEL STOPS

INDICATES PEDESTRIAN TRAFFIC

INDICATES VEHICLE TRAFFIC

PARKING REQURIEMENTS WITH ADDITION

1 SPACE FOR EACH GAS STATION EMPLOYEE 2 EMPLOYEE MAX	**2**
1 SPACE FOR EACH 250 SF OF RETAIL SPACE 3,635 SF GROSS RETAIL SPACE/ 250 = 14.5	**15**
REDUCE 1/2 FOR EACH FILLING POSITION 8 FILLING POSITIONS/ 2 = 4	**-4**
TOTAL PARKING REQUIREMENT (12 SPACES PROVIDED)	**13**

GENERAL SITE PLAN NOTES

1. STORAGE, SALE, OR RENTAL OF NEW OR USED AUTOMOBILES, TRUCKS, TRAILERS, OR ANY OTHER VEHICLES ON THE PREMISES IS PROHIBITED

2. HOURS OF OPERATION LIMITED TO 6AM-2AM UNLESS SPECIFICALLY ALLOWED BY PREVIOUS SPECIAL USE PERMITS

PROJECT:
1420 WASHTENAW
1420 WASHTENAW AVE.
YPSILANTI, MI

TITLE: **SITE PLAN**

JOB NO:
1515

STATE OF MICHIGAN
TODD R. BALLOU
ARCHITECT
No. 48808
LICENSED ARCHITECT

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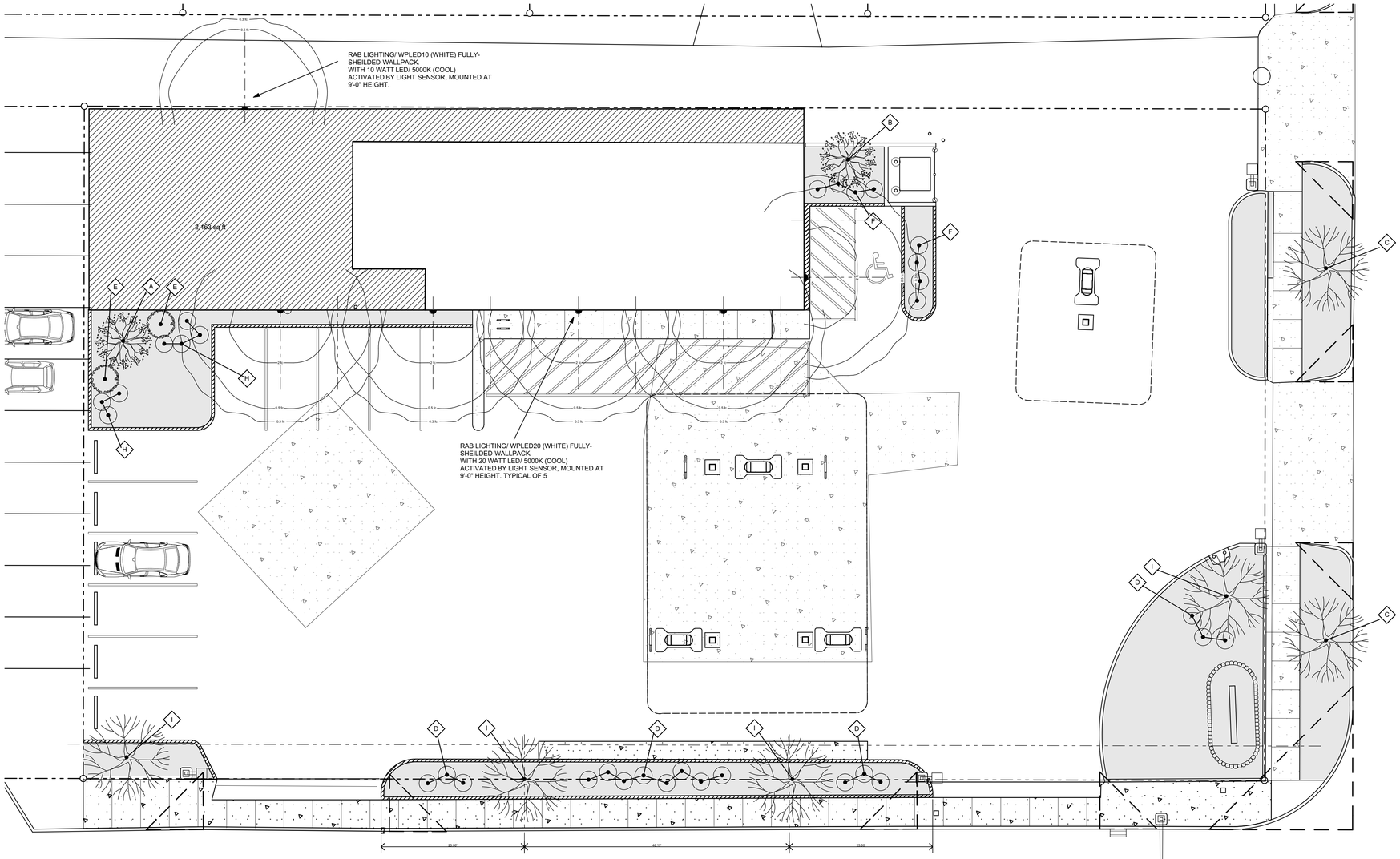

SITE LIGHTING & LANDSCAPE PLAN

NORTH

1" = 10'

LANDSCAPE REQUIREMENTS

	REQUIRED	PROVIDED
STREET TREES 122-704 WASHTENAW 1 TREE FOR EACH 30 LF WASHTENAW 206.0 LF/ 30 = 6.9 TREES NOT PROVIDED ALONG WASHTENAW BECAUSE THE R.O.W. IS PAVED	7 TREES	4 TREES
STREET TREES 122-704 CORNELL CORNELL 117.10 LF/ 30 = 3.9	4 TREES	2 TREES
BUILDING FOUNDATION LANDSCAPING 122-707 6 SHRUBS FOR EACH 30 LF FRONT- 79FT/ 30 x 6 = 15.8 SHRUBS RIGHT- 29FT/30 x 6 =5.8 SHRUBS TOTAL 21.6 SHRUBS 6 FT MIN PLANTING BED	22 SHRUBS	17 SHRUBS
SITE LANDSCAPING 122-708 MIN 10% LANDSCAPE REQUIRED	10.0%	9.4%
PARKING LOT LANDSCAPE 122-835 (11B) 1 TREE FOR EVERY 8 PARKING SPACES. 1.5 TREE REQUIRED FOR 12 SPACES	2 TREE	2 TREE
PARKING LOT PERIMETER LANDSCAPE 122-835 (11C) SCREEN FENCE WALL OR LANDSCAPE REQUIRED AT REAR YARD ABUTTING RESIDENTIAL SCREEN FENCE/ WALL OR LANDSCAPE REQUIRED AT STREET 3-4 FT HIGH		17 SHRUBS

GENERAL LANDSCAPE NOTES

1. NO EXISTING SHRUBS OR TREES EXIST. ALL PLANTINGS ARE NEW.

2. NO IRRIGATION SYSTEM EXISTS. NO IRRIGATION SYSTEM IS PROPOSED

3. ALL LANDSCAPING IS REQUIRED PRIOR TO RECEIVING CERTIFICATE OF OCCUPANCY

4. ALL LANDSCAPING ELEMENTS MUST BE INSTALLED IN A WORKMANLIKE MANNER, ACCORDING TO ACCEPTED PLANTING PROCEDURES

5. ALL PLANT MATERIAL MUST BE MAINTAINED IN GOOD HEALTH, ADN TRIMMED OR PRUNED IN SUCH A MANNER SO AS TO NOT ALTER THEIR NATURAL GROWTH POTENTIAL.

6. THE OWNER OF THIS PROPERTY SHALL MAINTAIN LANDSCAPING IN A STRONG, HEALTHY CONDITION.

7. REQUIRED PLANT MATERIAL THAT BECOMES UNHEALTHY OR DEAD MUST BE REPLACED WITHIN 6 MONTHS, OR THE NEXT APPROPRIATE PLANTING PERIOD, WHICHEVER COMES FIRST.

8. ALL LANDSCAPED AREAS SHALL BE PROVDED PLANTS WITH A READILY AVAILABLE AND ACCEPTABLE WATER SUPPLY.

PLANTING SCHEDULE

ID	COMMON NAME	FORMAL NAME	LOCATION	MIN SIZE	Quantity
A	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS "SKYCOLET"	NW PLANTING BED	2 1/2"	1
B	ADIRONDACK CRAB APPLE	MALUS 'ADIRONDACK"	NEAR DUMPSTER	2"	1
C	GREENSPIRE LINDEN	TILIA CORDATA "GREENSPIRE"	STREET TREES	2 1/2"	2
D	GREEN VELVET BOXWOOD	BUXUS SEPERVIRENS "GREEN VELVET"	SCREENING AT STREET	18-24"	17
E	HICK'S YEWS	TAXUS X MEDIA "HICKSII"	FOUNDATION PLANTING	18-24"	2
F	CREEPING JUNIPER	JUNIPERIS HORIZONTALIS	NEAR DUMPSTER	18-24"	8
H	JAPANESE (PINK) SPIREA	SPIREA JAPONICA	FOUNDATION PLANTING	18-24"	7
I	AMERICAN HORNBEAM	CARPINUS CAROLINIANA	STREET TREES	2 1/2"	4

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3300 Berry Rd, Ypsilanti, MI 48198

PROJECT:
1420 WASHTENAW
1420 WASHTENAW AVE.
YPSILANTI, MI

TITLE: **LANDSCAPE PLAN**

JOB NO:
1515

STATE OF MICHIGAN
TODD R. BALLOU
ARCHITECT
No. 48808
LICENSED ARCHITECT

SHEET NO.
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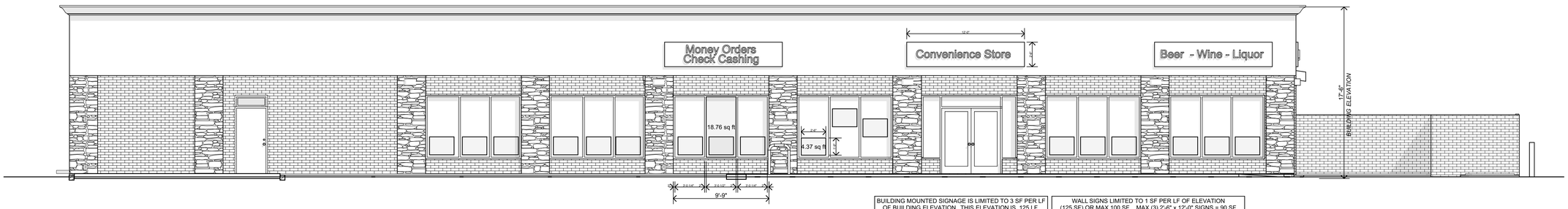


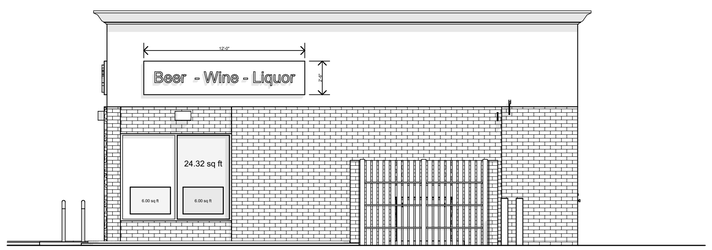
BUILDING MOUNTED SIGNAGE IS LIMITED TO 3 SF PER LF OF BUILDING ELEVATION. THIS ELEVATION IS 125 LF, ALLOWING 375 SF OF TOTAL SIGNAGE.

BUILDING SIGNS 90 SF
WINDOW SIGNS 81 SF
MAX TOTAL 171 SF

WALL SIGNS LIMITED TO 1 SF PER LF OF ELEVATION (125 SF) OR MAX 100 SF. MAX (3) 2'-6" x 12'-0" SIGNS = 90 SF

WINDOW SIGNS LIMITED TO 25% OF TRANSPARENT AREA OF EACH INDIVIDUAL WINDOW. TYPICAL WINDOW IS 18.75 SF, ALLOWING MAX 2'-6" x 1'-9" (4.5 SF) SIGN PER WINDOW
1 PER WINDOW WILL NOT EXCEED MAXIMUM 285 SF
18 SIGNS x 4.5 = 81 SF

3/4 **FRONT ELEVATION**
3/16" = 1'-0"



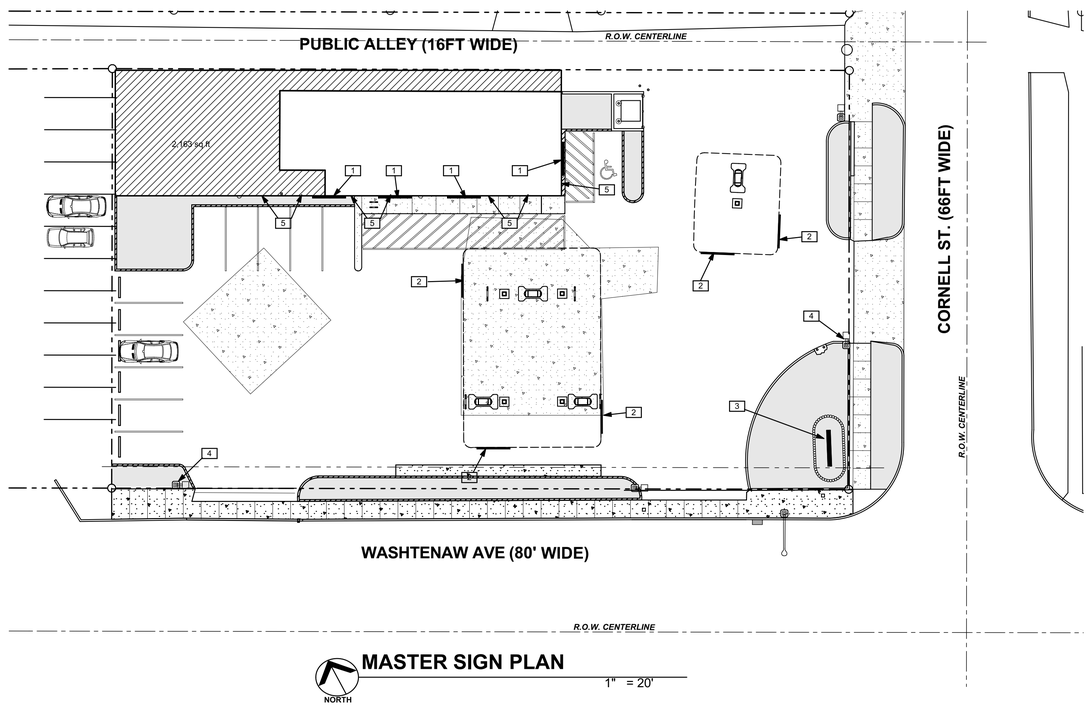
BUILDING MOUNTED SIGNAGE IS LIMITED TO 3 SF PER LF OF BUILDING ELEVATION. THIS ELEVATION IS 35 LF, ALLOWING 105 SF OF TOTAL SIGNAGE.

BUILDING SIGNS 30 SF
WINDOW SIGNS 12 SF
TOTAL 42 SF

WALL SIGNS LIMITED TO 1 SF PER LF OF ELEVATION = 35 SF (OR MAX 100 SF.) MAX (1) 2'-6" x 12'-0" SIGNS = 30 SF

WINDOW SIGNS LIMITED TO 25% OF TRANSPARENT AREA OF EACH INDIVIDUAL WINDOW. TYPICAL WINDOW IS 24 SF, ALLOWING MAX 3'-0" x 2'-0" (6 SF) SIGN PER WINDOW
2 SIGNS x 6 SF = MAX 12 SF

4/4 **RIGHT ELEVATION**
3/16" = 1'-0"



MASTER SIGN PLAN
1" = 20'

SIGN LEGEND

1. PROPOSED WALL SIGNS
   2.5 x 12 = 30 SF x QTY 4 = 120 SF
2. EXISTING "CITGO" CANOPY SIGN
   2 x 6 = 12 SF QTY 5
3. EXISTING MONUMENT SIGN, 6'-0" TALL, 10"-0" LONG = 60SF
4. EXISTING POLE-MOUNTED "SAM' AUTO" SIGN TO BE REMOVED
5. PROPOSED WINDOW SIGNS- VARIOUS SIZES TOTALING 93 SF

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PROJECT:
1420 WASHTENAW
1420 WASHTENAW AVE.
YPSILANTI, MI

TITLE: **MASTER SIGN PLAN**

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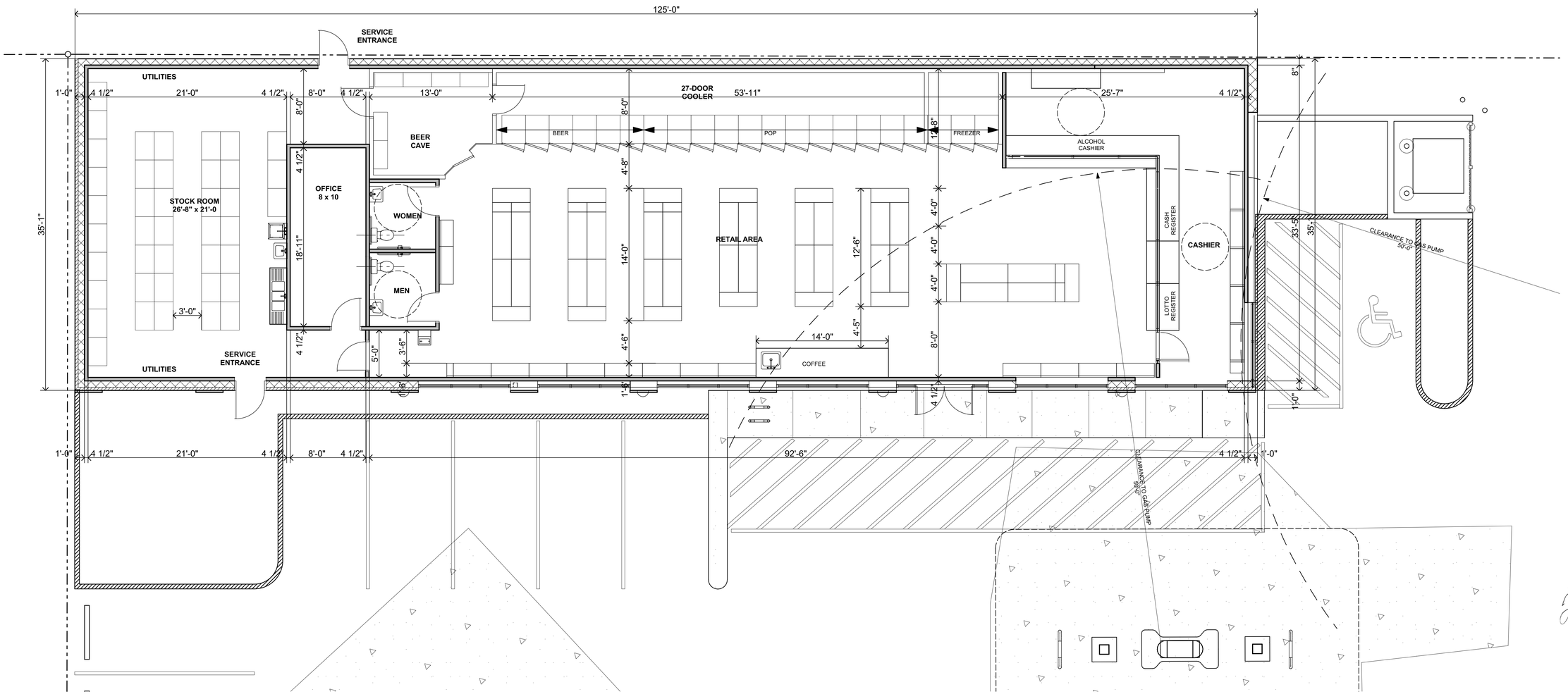

1ST FLOOR PLAN

NORTH

3/16" = 1'-0"

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1420 WASHTENAW
1420 WASHTENAW AVE.
YPSILANTI, MI

TITLE: **FLOOR PLAN**

JOB NO:
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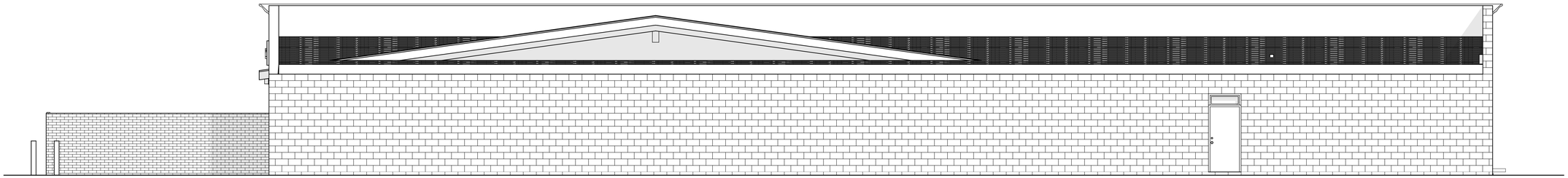
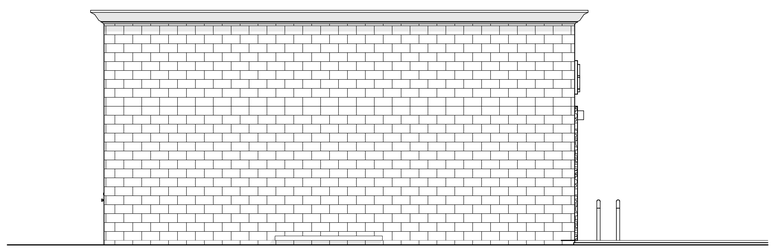
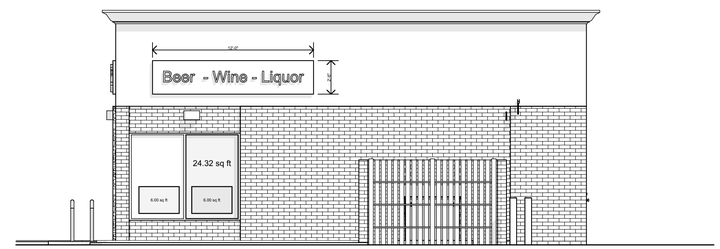


3/6 **REAR ELEVATION**
3/16" = 1'-0"



2/6 **LEFT ELEVATION**
3/16" = 1'-0"



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WINDOW SIGNS 12 SF
TOTAL 42 SF

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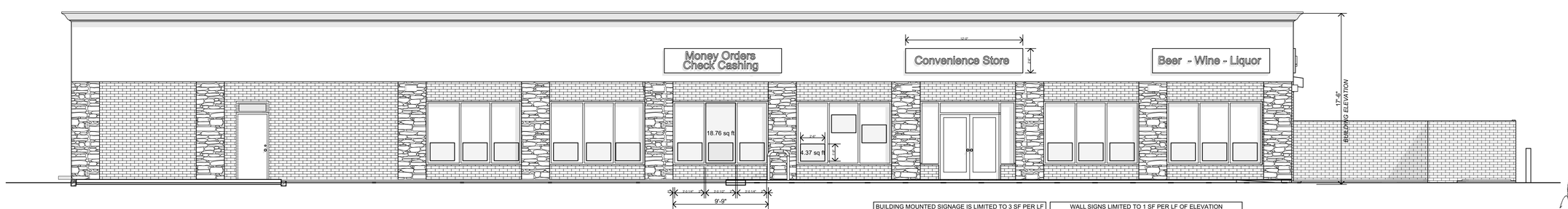
3/16" = 1'-0"



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3/16" = 1'-0"

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1420 WASHTENAW
1420 WASHTENAW AVE.
YPSILANTI, MI

TITLE:
ELEVATIONS

JOB NO:
1515

STATE OF MICHIGAN
TODD R. BALLOU
ARCHITECT
No. 48808
LICENSED ARCHITECT

SHEET NO.
6

Michigan Department of Energy, Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive, P.O. Box 30005
Lansing, Michigan 48909-7505

OFF PREMISES SPECIALLY DESIGNATED MERCHANT (SDM) LICENSE

[Authorized by MCL 436.1541(1) and R 436.1103; MAC]

This information sheet briefly describes the SDM license which is available from the MLCC. It provides an overview of the requirements of the SDM license and generally describes the process of obtaining the license. However, the investigation and licensing process is complex and certain applications may require additional information which is not specifically described in this information sheet.

Definition

An **SDM** license is granted by the MLCC to a person for the retail sale of beer and wine for consumption off the licensed premises. The types of businesses that generally have SDM licenses are convenience stores, grocery stores, and drug stores. Additionally, SDM licenses are frequently held in conjunction with other types of licenses.

Availability

SDM licenses are not subject to a quota. SDM licenses may be obtained as a new license, through a transfer of ownership of an existing license at the same location, or as a transfer of ownership and location.

Investigation Fees

There is an investigation fee of $70 due at the time of the original application for an **SDM** license.

Licensing & Renewal Fees

The license must be renewed each year by May 1. The license is effective May 1 through April 30. The license is generally renewed upon application and payment of the renewal fee, unless there is a hold on the renewal of the license for violations, objection to renewal by the Michigan Department of Treasury, dissolution of the licensed corporation, and other such things. If the reason for the hold on the renewal of the license is not resolved by May 1, the sale of alcoholic beverages must cease until the license is renewed. The license renewal fee for an SDM license is $100 per year. **License fees are not prorated**.

Requirements for SDM License

The general requirements for licensing are shown here. There may be additional requirements and exceptions which are defined more specifically in the Liquor Control Code of 1998 or the Michigan Administrative Rules of the Liquor Control Commission.

Location

Motor Vehicle Fuel Pumps – In general an SDM license will not be issued to an applicant that sells motor vehicle fuel or that has a direct or indirect interest in a business that sells motor vehicle fuel at the proposed licensed location. However, there are exceptions to this prohibition as indicated in the following: [MCL 436.1541]

- The applicant is located in a neighborhood shopping center which provides not less than 50,000 square feet of gross leasable retail space; provides not less than 5 private off-street parking spaces for each 1,000 square feet of gross leasable retail space; and the site of payment and selection of alcoholic liquor is not less than 50 feet from the point where motor vehicle fuel is dispensed.
- The applicant maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than $250,000, at cost, of those goods and services customarily marketed by approved types of businesses and the site of payment and selection of alcoholic liquor is not less than 50 feet from the point where motor vehicle fuel is dispensed.
- The applicant is located in a township with a population of 7,000 or less which is not contiguous with any other township; the applicant maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than $12,500, at cost of those goods and services customarily marketed by approved types of businesses; and the applicant has the approval of the township as evidenced by a resolution duly adopted by the township and submitted to the MLCC.
- The applicant is located in a city, incorporated village, or township with a population of 3,500 or less in a county with a population of 31,000 or more or the applicant is located in a city, incorporated village, or township with a population of 4,000 or less in a county with a population of less than 31,000; and the applicant maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle, of not less than $10,000, at cost of those goods and services customarily marketed by approved types of businesses.

Drive Through/Drive In – An SDM license will not be issued to any applicant that operates a drive-through or drive-in business for the sale of alcoholic beverages. Additionally, a licensee may not change the nature of the business to include a drive-through or drive-in for the sale of alcoholic beverages. [R 436.1129(7)]

State and Local Codes – SDM businesses must comply with state and local codes for building, plumbing, zoning, fire, sanitation, and health laws, and ordinances. [R 436.1105(3)]

Business Ownership

Individual Ownership - The individual owner will be investigated separately to determine compliance with the Personal Qualifications indicated below. The individual must complete and execute An Application for New Licenses or Application of Buyers for Transfer of Ownership or Interest in License (LC-687) form.

General Partnership – Each partner of the general partnership will be investigated separately to determine compliance with the Personal Qualifications listed below. Each general partner must complete and execute An Application for New Licenses or Application of Buyers for Transfer of Ownership or Interest in License (LC-687) form.

Limited Partnership – Each general partner of the limited partnership will be investigated separately to determine compliance with the Personal Qualifications listed below. Each general partner must complete and execute An Application for New Licenses or Application of Buyers for Transfer of

Ownership or Interest in License (LC-687) form. Each limited partner must complete and execute Limited Partners, Stockholders, or Members Statement (LC-38) form. A Limited Partnership Agreement, a filed Certificate of Limited Partnership, and verification that the limited partnership is authorized to do business in Michigan must be provided at the time of application.

Corporation – Each stockholder of the corporation will be investigated separately to determine compliance with the Personal Qualifications listed below. Each corporation must complete An Application for New Licenses or Application of Buyers for Transfer of Ownership or Interest in License (LC-687) form. Each stockholder of the corporation must complete Individual Stockholder, Limited Liability Member or Corporate Stockholder Questionnaire (LC-621). Filed Articles of Incorporation and verification that the corporation is authorized to do business in Michigan must be provided at the time of application.

Limited Liability Company - Each member of the limited liability company will be investigated separately to determine compliance with the Personal Qualifications listed below. Each limited liability company must complete An Application for New Licenses or Application of Buyers for Transfer of Ownership or Interest in License (LC-687) form. Each member of the limited liability company must complete Individual Stockholder, Limited Liability Member or Corporate Stockholder Questionnaire (LC-621). An Operating Agreement and verification that the limited liability company is authorized to do business in Michigan must be provided at the time of application.

Personal Qualifications

Age – All individuals, members of partnerships and stockholders/members in privately held corporations and limited liability companies (LLC) must be at least 21 years old. [R 436.1105 (1)]

Criminal Record – All individual applicants, members of partnerships, and stockholders/members in privately held corporations and LLC must report the disposition of all arrests and convictions (except minor traffic tickets unless they involve alcoholic liquor) to the MLCC. Applicants will be fingerprinted by the local law enforcement agency and all arrests and convictions will be verified. The MLCC pays particular attention to felonies, crimes involving the excessive use of alcoholic liquor, violence, and any other offense that may impair the ability of the applicant to operate a licensed business in a safe and competent manner. [R 436.1105 (2)]

Character and Reputation - The MLCC may consider the applicant's management experience in the alcoholic liquor business, the applicant's general management experience, the applicant's general business reputation, and the applicant's moral character in determining whether a license or permit may be issued. [R 436.1105 (2)]

Previously Licensed – Any person who has had a license revoked or revoked unless transferred to another person is not eligible to receive another license for a period of at least two years. [MCL 436.1907]

Law Enforcement Officers – Law enforcement officers and their spouses may not hold an interest, directly or indirectly, in a license if the license is in the same city, village, or township in which the person enforces the state or local

penal laws unless the official is contractually prohibited from enforcing the Liquor Control Code. This prohibition includes being an investor, stockholder, member, partner, limited partner, or a landlord. [MCL 436.1523]

Approved Business

The applicant for an SDM license must operate an approved type business. The following is a list of approved type businesses: [R 436.1129(1)]

- A grocery store
- A convenience food store
- A food specialty store
- A meat market
- A delicatessen
- A drugstore
- A patent medicine store
- A tobacconist that is in compliance with subrule (3)(e) of this rule
- A department store that includes 1 or more of the stores listed in subdivisions (a) to (h)
- A specially designated distributor
- A Class C
- A Class B Hotel
- A Club
- A Tavern
- A Class A Hotel

Application forms are available on the Michigan Liquor Control Commission's website at www.michigan.gov/lcc. Once you have filed your application with the Michigan Liquor Control Commission, you may also check the status of your request on the Michigan Liquor Control Commission's website under the Application Status Check.

STEPS IN OBTAINING AN SDM LICENSE

Applicant for New License

- Determine the type of licenses and permits to include in the application.
- Send the forms, filings, and agreements for the type of Business Ownership indicated above, real estate documents (copy of lease, option to lease, purchase agreement, land contract, or warranty deed), and a non-refundable $70 for each license requested. In the alternative, complete the Initial Application [LC-1135] form and application forms and instructions will be mailed to the applicant.

Applicant to Transfer Ownership

- Enter into a preliminary purchase agreement or offer to purchase with the current licensee. DO NOT COMPLETE THE SALE UNTIL FINAL APPROVAL IS RECEIVED FROM THE MLCC.
- Send the forms, filings, and agreements for the type of Business Ownership indicated above, real estate documents (copy of lease, option to lease, purchase agreement, land contract, or warranty deed), and a non-refundable $70 for each license requested to the MLCC Lansing Office. In the alternative, complete and send the Initial Application [LC-1135] form and application forms and instructions will be mailed to the applicant. The Special Activity Permits held by the current licensee will be transferred unless otherwise indicated.

Application to Transfer Location

- Determine that the proposed new location will meet all the necessary requirements.
- Enter into a preliminary purchase agreement or offer to purchase with the current licensee. DO NOT COMPLETE THE SALE UNTIL FINAL APPROVAL IS RECEIVED FROM THE MLCC.
- Send the forms, filings, and agreements for the type of Business Ownership indicated above, real estate documents (copy of lease, option to lease, purchase agreement, land contract, or warranty deed), and a non-refundable $70 for each license requested to the MLCC Lansing Office. In the alternative, complete and send the Initial Application [LC-1135] form to the MLCC Lansing Office and application forms and instructions will be mailed to the applicant. The Special Activity Permits held by the current licensee will be transferred unless otherwise indicated.

NOTE: Applicants for new licenses, transfers of ownership, transfers of location, and transfers of ownership and location should be prepared to provide copies of income tax returns for the past two years; checking account statements, savings account statements, and any other financial documents verifying the funds used for these transactions; and verification from the bank or other state or federally approved lending institutions indicating the intent to loan the funds for this transaction and the security for said loans.

MLCC LICENSING DIVISION

- Review the forms, filings, and agreements for the type of Business Ownership indicated above, real estate documents (copy of lease, option to lease, purchase agreement, land contract, or warranty deed), and a non-refundable $70 for each license received from the applicant. Based upon the review, forward a Notice of Deficiency to the applicant indicating additional forms, documents, and/or fees, if any, required to proceed with the application.
- In the alternative, if an Initial Application [LC-1135] form is received, review to determine whether the application is for a new license, transfer ownership of an existing license, transfer location of an existing license, or to transfer ownership and location of an existing license; to determine type of business ownership; and to determine any additional licenses or permits requested. Based upon the review, forward a Notice of Deficiency to the applicant indicating additional forms, documents, and/or fees required to proceed with the application.
- When all the necessary documents, forms, and fees are received, the application will be authorized for investigation and referred to the Enforcement Division. During the course of the investigation, the Enforcement Division will release any appropriate forms to the local law enforcement agency and the local legislative body.

MLCC ENFORCEMENT DIVISION

- Application file is received in the MLCC District Office from the Licensing Division and is assigned to an Enforcement investigator.
- The Enforcement investigator reviews the application file to determine what information will be needed from the applicant to determine eligibility requirements. The Enforcement investigator notifies the applicant with a list of requirements. If the application is a transfer of ownership of an existing license, the Enforcement investigator notifies the current licensee with a list of requirements to determine the present ownership.
- The Enforcement investigator releases the Police Investigation Report (LC-1800) together with fingerprint cards, if required, to the local law enforcement agency.
- The Enforcement investigator sets an appointment to meet with the applicant to review documents and obtain the necessary information to complete the investigation. If the application is a transfer of ownership of an existing license, the Enforcement investigator sets an appointment to meet with the current licensee to review documents and obtain the necessary information to complete the investigation.
- Upon completion of the preliminary investigation, the Enforcement investigator prepares the investigation report with any attached diagrams, documents, and forms and submits the file to the Enforcement supervisor for review.
- Upon review and determination by the Enforcement supervisor that the investigation report is complete, the application file is returned to the MLCC Licensing Division in Lansing for further processing.

LOCAL POLICE AND LEGISLATIVE BODY

- Local law enforcement agency completes the Police Investigation Report, fingerprints applicants, and collects fingerprint fees, if required. Based upon its investigation, the local law enforcement provides information and a recommendation to the MLCC.

MLCC LICENSING DIVISION

- Upon receipt of the investigation report from the MLCC Enforcement Division, and the Police Investigation Report and fingerprint cards, if required, from the local law enforcement agency, the application file is prepared for review and consideration by the MLCC Administrative Commissioners at a regularly scheduled Licensing Meeting.
- Order is prepared based upon the decision of the MLCC Administrative Commissioners.
- The applicant is advised of the decisions of the MLCC Administrative Commissioners as follows:
  If approved a Fee Statement letter or Checklist is prepared requesting the forms, documents and fees required to complete the application.
  If denied a Notice of denial together with the MLCC Order advising of the basis of the denial and the right to an appeal hearing is sent to the applicant.

MLCC ADMINISTRATIVE COMMISSIONERS

- Review information provided in the application files to determine whether application should be approved, denied, or held for further information.
- Advise Licensing Division of its decision.

APPLICANT

- ***If approved*** – Complete and return all requested forms, documents and fees to the MLCC Lansing office. This includes proceeding with plans to purchase or lease property, complete the purchase of the existing **SDM** licensed business, and/or complete any required inspections of the proposed licensed establishment by the MLCC Enforcement Division, the local law enforcement agency, and/or the local governmental body.
- ***If denied*** – determine whether to request an appeal of the denial of the licensing application. The request for a hearing must be received in the MLCC Lansing office within 20 days from the date of the mailing of the decision of the denial. Appeal hearings of licensing decisions are generally held in the MLCC Lansing office on Tuesdays and in the MLCC Farmington office on Thursday.