

**BOARD OF TRUSTEES**  
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Kim Markee, Clerk  
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**DEVELOPMENT SERVICES  
DEPARTMENT**

Jeffrey M. Polkowski AICP  
Superintendent of Planning &  
Zoning Division

Dave Hills  
Superintendent of Building  
Division

## **MEMORANDUM**

Date: August 1, 2022  
To: Honorable Township Board Members  
From: Jeffrey Polkowski, Superintendent of Planning and Zoning  
RE: Rezoning Case No. 2022-Z-013– Rezone 3510 Highland Rd from C-2 to C-3  
Location: NW corner of N Cass Lake Rd & Highland Rd  
Applicant: Highland, LLC

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**Current Zoning:** C-2, Local Business  
**Proposed Zoning:** C-3, General Business

The applicant desires to raze an existing commercial fueling establishment on the property and rebuild a larger commercial fueling establishment. Commercial fueling establishments are not allowed in C-2, Small Business Districts, but is eligible for Special Approval by the Planning Commission in the C-3, General Business Districts.

The applicant is also exploring the possibility of including a restaurant with drive-thru facilities as an addition to the gas station. Township Planning Staff has some serious concerns about this endeavor with respect to traffic and internal site car flow. However, in the C-3 General Business District this would also require Special Approval from the Planning Commission, where this additional use would either be heavily scrutinized by the Planning Commission, or denied due to the lack of cohesive uses.

The subject parcel meets the minimum lot area and width standards put forth by Section 3-900 of the Zoning Ordinance. The subject parcel also abuts C-3, General Business and C-4, Extensive Business districts. Approving this rezoning would bring a legal non-conforming gas station into compliance and allow the building to make modifications and improvements.

### **Planning Commission Recommendation and Findings**

The Planning Commission reviewed this proposed Rezoning at the regularly scheduled meeting on June 26, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

### **Motions**

Based upon the Planning Commission's favorable recommendation at the June 26, 2022 regular meeting for this rezoning case, should the Board want to consider adopting the requested rezoning C-3, General Business, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the August 22, 2022 meeting.

However, if the Board does not want to adopt the requested rezoning, the appropriate motion would be to not introduce the Ordinance and deny the rezoning.

I will not be available for Monday's meeting and Justin Daymon, the Township's Zoning Administrator, will be attending in my absence to answer any questions on this case. However, if you have any questions in advance of the meeting, please contact me.

**With us there are no  
boundaries**

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CHARTER TOWNSHIP OF WATERFORD  
ORDINANCE NO. 2022-Z-013

**ZONING ORDINANCE MAP AMENDMENT**

An ordinance to amend the Waterford Township Zoning Ordinance by rezoning a parcel of property with conditions on its use and development as authorized by MCL 125.3405 and amending the Zoning Map.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

**Section 1 of Ordinance**

The portion of the parcel of property that is assigned tax parcel number 13-26-126-005, legally described below, with current address of 3510 Highland Rd, is rezoned from **C-2, Local Business to C-3, General Business** with the Zoning Map that is adopted by and made part of the Waterford Township Zoning Ordinance in Section 3-101, to be changed and amended to reflect this rezoning.

**Section 2 of Ordinance**

The effective date of this ordinance shall be on the 8<sup>th</sup> day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

**CERTIFICATION**

I certify that this Zoning Ordinance Map Amendment Ordinance was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on August 22, 2022.

CHARTER TOWNSHIP OF WATERFORD

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kimberly Markee, Township Clerk

**LEGAL DESCRIPTION ATTACHMENT TO ORDINANCE**

T3N, R9E, SEC 26 PART OF NW 1/4 BEG AT PT ON W LINE OF CASS  
LAKE RD DIST N 00-10-00 W 1262.80 FT & S 89-52-00 W 33 FT FROM CEN  
OF SEC, TH S 89-52-00 W 181.58 FT, TH N 44-18-00 W 92.01 FT, TH N 89-  
52-00 E 245.61 FT, TH S 00-10-00 E 66 FT, TO BEG, ALSO PART OF NW 1/4  
BEG AT PT DIST N 00-10-00 W 1196.80 FT & S 89-52-00 W 33 FT FROM  
CEN OF SEC, TH N 00-10-00 W 66 FT TH S 89-52-00 W 181.58 FT, TH S 44-  
18-00 E 260.72 FT TH N 00-10-00 W 121.02 FT TO BEG 0.71 A 6-10-21 FR  
002 & 003

# Planning & Zoning Department

## REZONING REVIEW

**July 26, 2022**

Report by Justin Daymon on 07/12/2022

|                                |  |                             |  |
|--------------------------------|--|-----------------------------|--|
| <b>Application Number</b>      | PRSA 22-07-04  | <b>Action Requested</b>     | Rezoning   |
|                                |  | <b>Staff Recommendation</b> | Approval   |
| <b>Request</b>                 | Rezoning from C-2, Local Business to C-3, General Business in order to potentially allow for future special approval project   |                             |  |
| <b>Project Name</b>            | Clark Gas Station rezoning   |                             |  |
| <b>Proposed Use(s)</b>         | Commercial Fueling Establishment with a Restaurant Establishment with drive-thru facilities  |                             |  |
| <b>Address</b>                 | 3510 Highland Rd   | <b>Parcel Number</b>        | 13-26-126-005  |
| <b>Owner</b>                   | Highland, LLC<br>Saleh Alhamy<br>3510 Highland Rd<br>Waterford, MI 48328   | <b>Applicant</b>            | Highland, LLC<br>Saleh Alhamy<br>3510 Highland Rd<br>Waterford, MI 48328 |
| <b>Property Information</b>    |  |                             |  |
| <b>General Location</b>        | NW corner of N Cass Lake Rd & Highland Rd  |                             |  |
| <b>Property Size</b>           | .71 acres  |                             |  |
| <b>Frontage</b>                | 252.5 ft on N Cass Lake Rd & 351.5 ft on Highland Rd   |                             |  |
| <b>Current Zoning</b>          | C-2, Local Business  | <b>Proposed Zoning</b>      | C-3, General Business  |
| <b>Master Plan Designation</b> | <p><b>Public Lands:</b></p> <p>Land uses recommended for this designation are of two types. First, there is property under governmental ownership for the purpose of conducting public business. Second, there is property under governmental stewardship for the purpose of preserving and protecting public lands for the benefit of current and future citizens. To that end, the Township has identified certain lands within the community having characteristics that are found to be in the best interest of the Township to be maintained as public lands. Typical uses include fire stations, libraries, post offices, government offices, public utilities, public schools, parks, and nature preserves.</p> <p>Public Land areas are identified to support the governmental functions needed to manage the future growth and redevelopment of the community. As Waterford Township continues to evolve as the geographic and economic centerpiece of Oakland County, it is imperative that the community plans wisely to ensure that enough land is set aside for the common good. Public land areas need to be available to ensure quality of life in the community, as well as the provision of community services, as redevelopment occurs. Public Land areas must be set aside to preserve natural areas for the benefit and enjoyment of its residents. Public Land areas must also be identified throughout the community, in strategic locations to provide residents the opportunity to engage in social and recreational activities within close proximity to their homes.</p> |                             |  |
| <b>Current Use</b>             | Commercial Fueling Establishment   |                             |  |
| <b>Site Plan / SLU History</b> | <p>Pre-1940 – Single family residence?</p> <p>1963-1974 – Gas station built</p> <p>SP#0083 (1973) – Proposed motel – never built</p> <p>SP#0083-A (1986) – Proposed motel – never built</p> <p>87-11-03 (1988) – DENIED Special approval request for a car wash</p> <p>SP#1242 (2007) – Proposed raze &amp; rebuild of gas station – never built</p>   |                             |  |
| <b>Surrounding Development</b> |  |                             |  |
| <b>North</b>                   | PL, Public Lands (Waterford School District offices & Alternative High School)   |                             |  |
| <b>East</b>                    | R-1A, Single-Family Residential (Pontiac Hmong Alliance Church)  |                             |  |
| <b>Southeast</b>               | <p>(across N Cass Lake Rd) C-2, Small Business (Monro Auto Service)</p> <p>(across N Cass Lake Rd &amp; Highland Rd) C-3, General Business (Tim Horton's)</p>  |                             |  |

|                  |  |
|------------------|--|
| <b>Southwest</b> | (across Highland Rd) C-3, General Business & C-4 Extensive Business (U-Haul) |
|------------------|--|

### **Project Summary**

The applicant desires to raze an existing commercial fueling establishment on the property and rebuild a larger commercial fueling establishment that includes a restaurant with drive-thru facilities. Commercial fueling establishments and restaurants with drive-thru facilities are not allowed in C-2, Small Business Districts, but both uses are eligible for special approval in C-3, General Business Districts. This rezoning request is the applicant's first step in getting their desired project potentially approved.

### **Master Plan Conformity**

The subject parcel is defined as Public Lands in the Master Plan. While the proposed rezoning of this parcel to a commercial district is not supported by the Master Plan, it is in line with the property's long history of being used as commercial. The property's commercial use dates back to somewhere between 1963-1974.

### **Zoning District Evaluation**

The subject parcel meets the minimum lot area and width standards put forth by Section 3-900 of the Zoning Ordinance. The subject parcel also abuts C-3, General Business and C-4, Extensive Business districts.

### **Comments**

Planning:

No comment.

DPW:

Memo

Date: July 19, 2022

To: Justin Daymon, Planning Administrator

From: Kristin Goetze, PE, DPW Engineer

Re: Site Plan Review: Clark Gas Station w/Convenience Store & Fast-Food

Review No.: PRSA 22-05-05, PRSA 22-07-04, PSP 22-1427

Address: 3510 Highland Road

Parcel I.D. No.: 13-26-126-002 & -003

The plans propose to expand an existing gas station and convenience store building to 3,460 square feet for a gas station, convenience store and fast-food restaurant.

The DPW has reviewed the plans and has no objection to the rezoning of the parcel. Sanitary sewer change-in-use connection fees, if required, will be determined during the Building Department plan review process.

It must be noted that the parcel is within a five-year time-of-travel Wellhead Protection Area Capture Zone and Best Management Practices should be used during construction activities and for stormwater management.

Engineering:

No comment.

Fire:

No comment.

RCOC:

MDOT:

**Planning Commission Approval Recommendation Guidelines**

The following is a summary of Section 4-009.3 of the Zoning Ordinance and the Planning Commission's approval recommendation guidelines that have been established for rezoning application requests:

Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the Planning Commission shall make its recommendations to the Township Board based upon the evidence presented to it in each specific case with respect to the following matters:

A. The requested zoning change is consistent with the adopted Master Plan, as amended.

***Staff Comment: While the proposed rezoning of this parcel to a commercial district is not supported by the Master Plan, it is in line with the property's existing zoning and long history of being used as commercial.***

B. The requested zoning change is consistent with existing uses and zoning classifications of properties within the general area of the subject zoning lot.

***Staff Comment: The subject lot being rezoned to C-3, General Business is consistent with existing uses and zoning classifications of properties within the general area of the subject zoning lot.***

C. The subject zoning lot's physical suitability to provide all dimensional and site requirements for the range of uses permitted under the proposed zoning classification.

***Staff Comment: The subject lot is able to meet all zoning requirements of C-3, General Business Districts.***

D. The trend of development in the general area of the subject zoning lot is consistent with the requested zoning change.

***Staff Comment: The requested zoning change is consistent with the trend of development in the general area.***

E. The Township and other public agencies possess the capacity to provide all utility and public services that would be required for the range of uses permitted under the proposed zoning classification.

***Staff Comment: Public utilities are available to the site and the Township along with other related public service agencies possess the capacity to provide all utility and public services to the property.***

F. The requested zoning change and the resulting range of uses permitted under the proposed zoning classification will not result in any significant environmental impacts.

***Staff Comment: With the presence of wetlands on and/or near this site there is potential for environmental impact, but the site's long history as a commercial fueling establishment makes it unlikely the rezoning would increase any environmental impacts. Also, any use that would expand into the wetlands would require review and approval from EGLE.***

G. Whether the amendment will be detrimental to the public interest.

***Staff Comment: This zoning change would not be detrimental to the public interest.***

**Summary / Conclusions**

Staff recommends a recommendation of approval for this rezoning from the Planning Commission to the Board of Trustees.

**Final Motion as adopted by the Planning Commission on July 26, 2022**

**MOTION TEMPLATE FOR PLANNING COMMISSION CASE NO. 22-07-04,  
Proposed Zoning Map Amendment to Rezone From:  
C-2, Small Business to C-3, General Business**

**Motion:**

I move to forward a **favorable/unfavorable [Strike One]** recommendation in Case No. 22-07-04 on to the Township Board, to rezone the subject parcels #13-26-126-005 from C-2, Small Business to C-3, General Business based on the following findings and conclusions under the Ordinance approval recommendation guidelines which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.

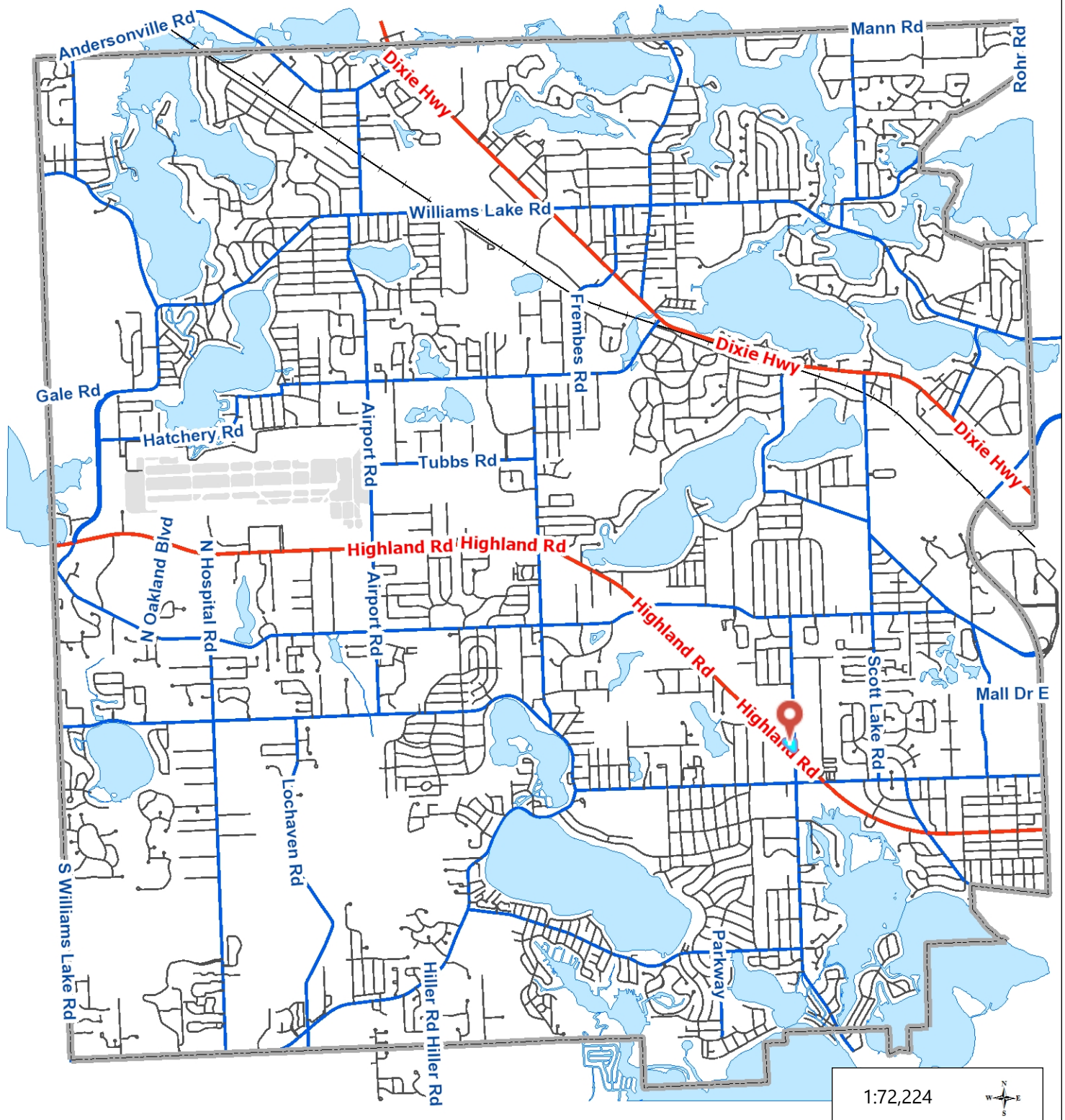
**Findings:**

- A.** The requested zoning change **is/is not [Strike One]** consistent with the adopted Master Plan as amended.
- B.** The requested zoning change **is/is not [Strike One]** is consistent with existing uses and zoning classifications of properties within the general area of the subject zoning lot.
- C.** The subject zoning lot **is/is not [Strike One]** physically suitable to provide all dimensional and site requirements for the range of uses permitted under the proposed zoning classification.
- D.** The trend of development in the general area of the subject zoning lot **is/is not [Strike One]** consistent with the requested zoning change.
- E.** The Township and other public agencies **do/do not [Strike One]** possess the capacity to provide all utility and public safety services that would be required for the range of land uses permitted under the proposed zoning classification.
- F.** The requested zoning change and the resulting range of uses permitted under the proposed zoning classification **will/will not [Strike One]** result in any significant environmental impacts.
- G.** The proposed zoning amendment **will/will not [Strike One]** be detrimental to the public interest.

Staff does not propose any additional conditions.



# PRSA 22-07-04 Location Map



1:72,224



12,037.3 0 6,018.65 12,037.3 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI.  
Oakland County parcel data, Updated weekly.

DISCLAIMER: Information depicted hereon is for reference purposes only. It was compiled from the best available resources which have varying degrees of accuracy. This map is not a legally recorded map nor a survey and is not intended to be used as such. The Charter Township of Waterford assumes no responsibility for error that arise from this map.



# PRSA 22-07-04 Aerial Map



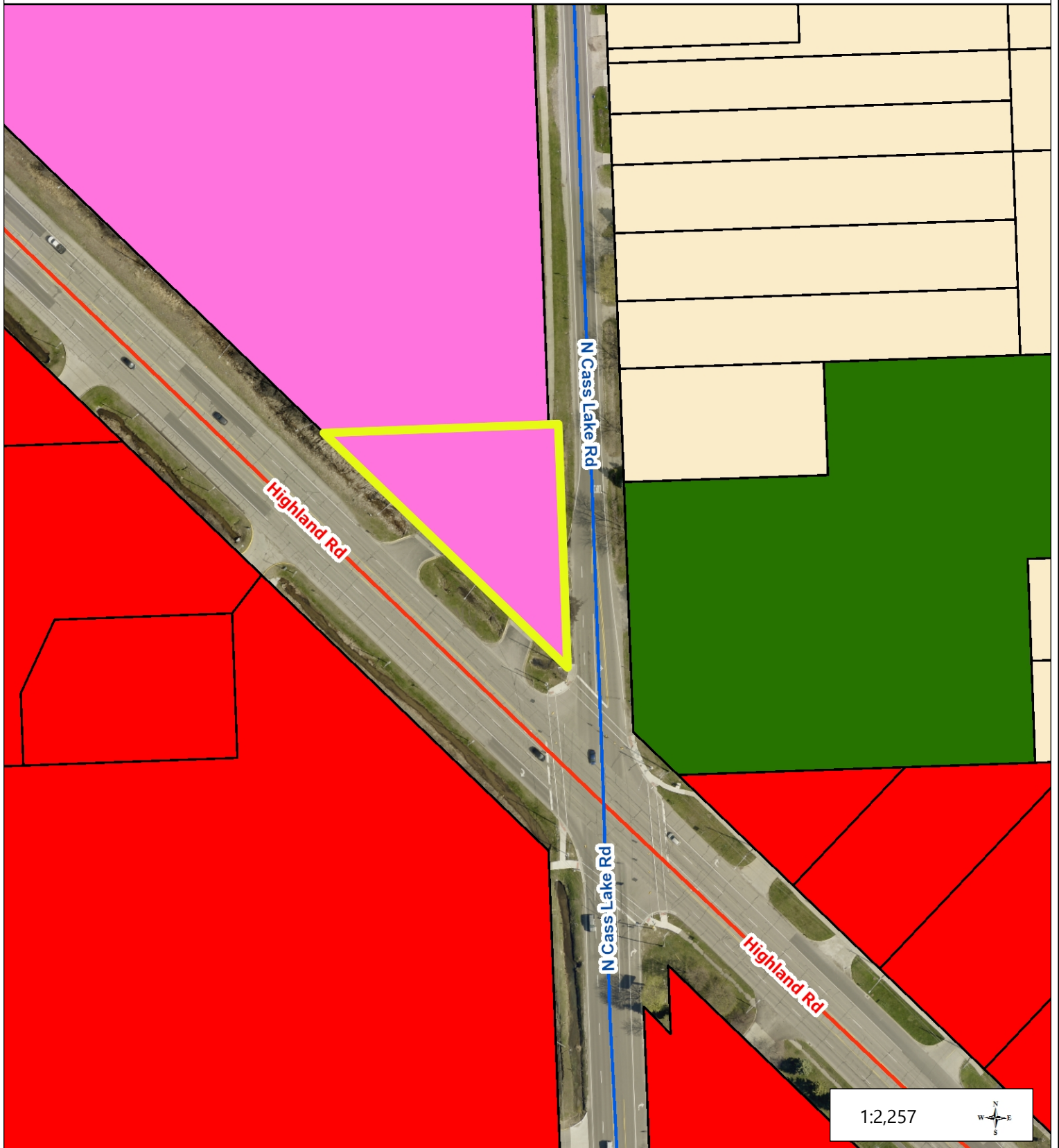
376.2 0 188.08 376.2 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI.  
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# PRSA 22-07-04 Master Plan Map



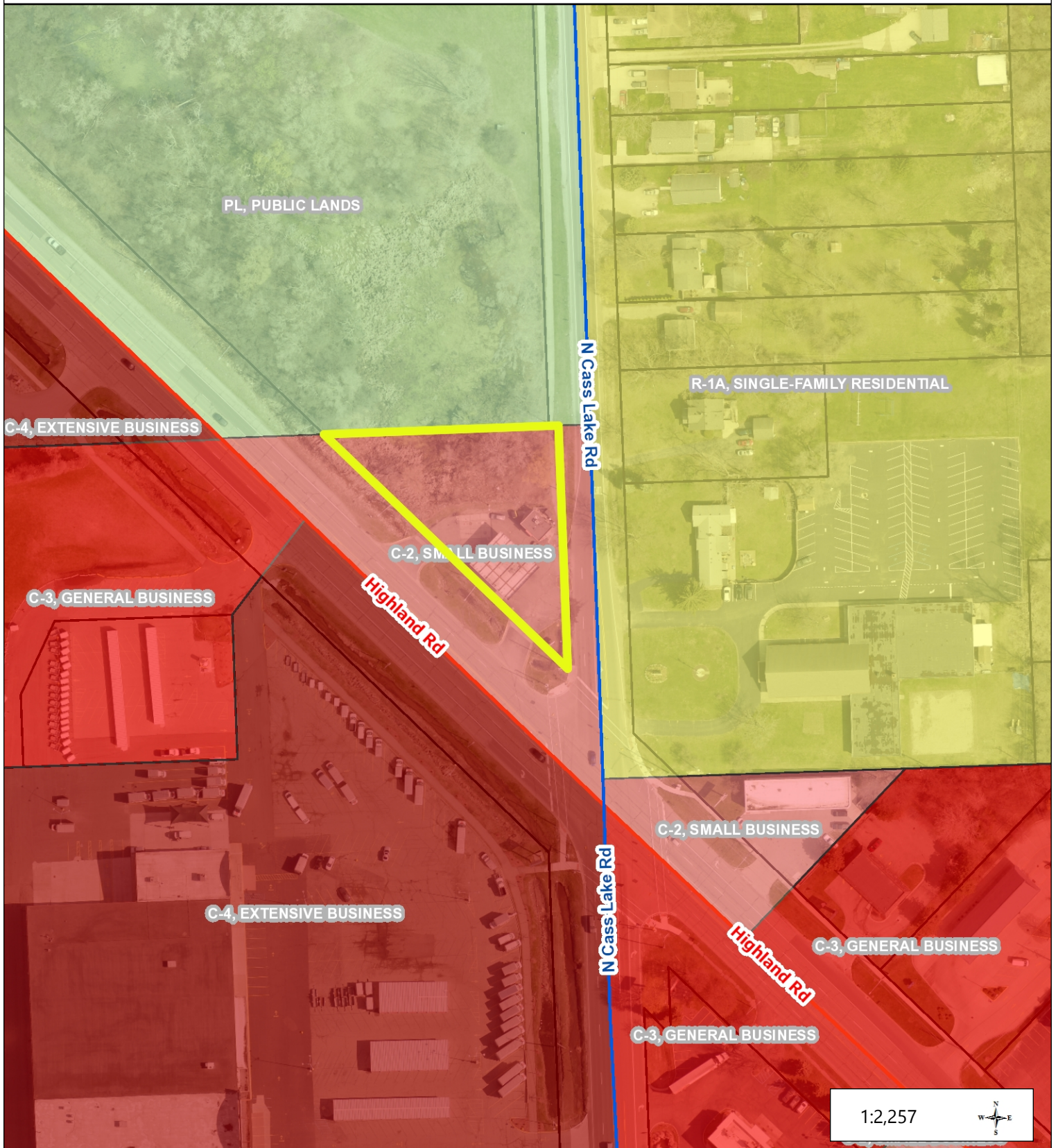
376.2 0 188.08 376.2 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI.  
Oakland County parcel data, Updated weekly.

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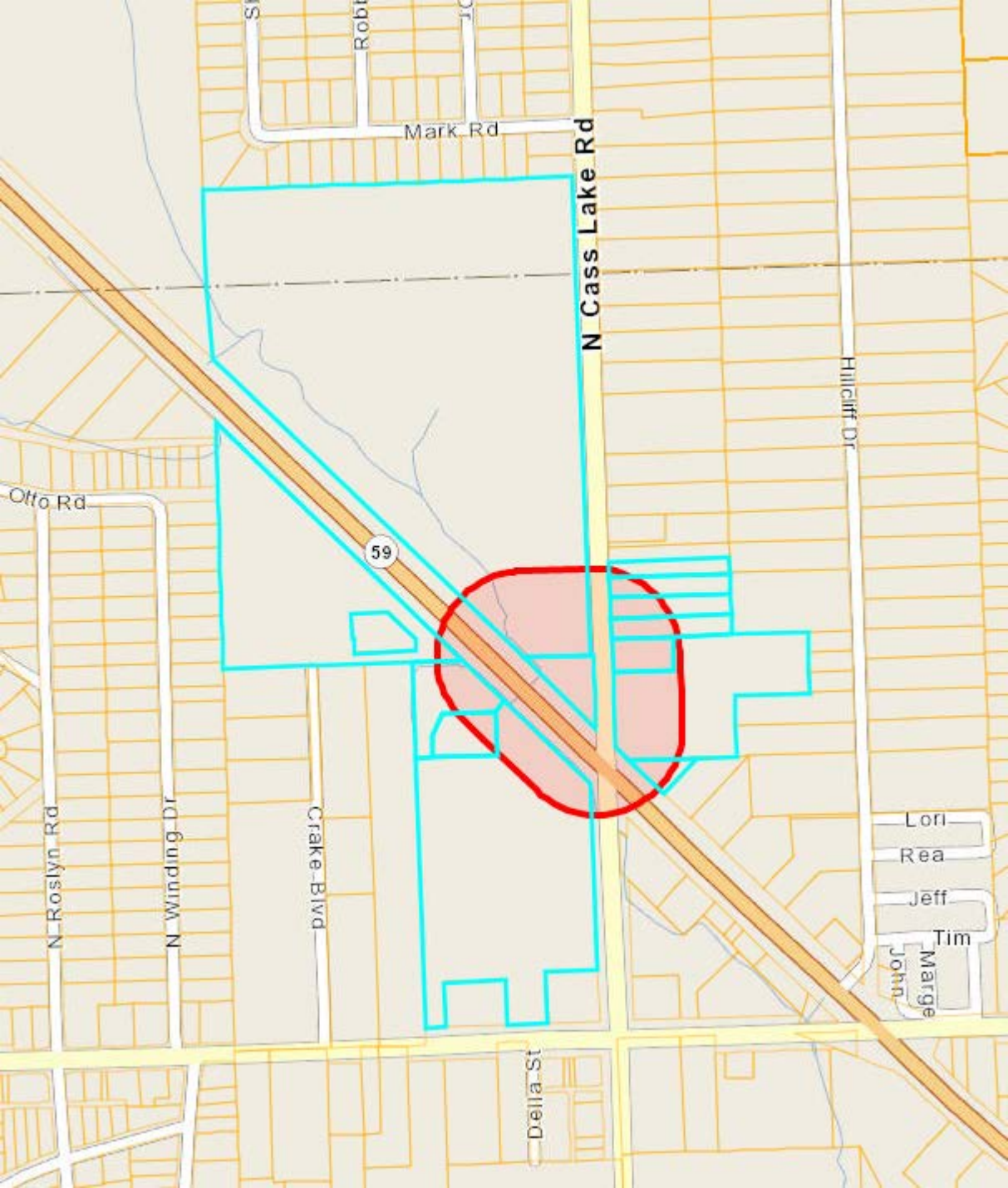
# PRSA 22-07-04 Zoning Map



376.2 0 188.08 376.2 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI.  
Oakland County parcel data, Updated weekly.

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| Project Number | Extra Addresses  | PIN        | CVTTAXCODE | CVTTAXDESCRIPTION   | NAME1                                  | NAME2          | POSTALADDRESS               | POSTALCITY        | POSTALSTATE | POSTALZIP5 | POSTALZIP4 |
|----------------|------------------|------------|------------|---|--|----------------|-----------------------------|-------------------|-------------|------------|------------|
| PRSA 22-05-05  | Agency Addresses |            |            |   | Thomas Pozolo, PE / MDOT               | MDOT Oakland   | 800 Vanguard Dr             | Pontiac           | MI          |            | 48341      |
| PRSA 22-05-05  | Agency Addresses |            |            |   | Cheryl Bush, OC Intl. Airport          | Oakland County | 6500 Patterson Pkwy         | Waterford         | MI          |            | 48327      |
| PRSA 22-05-05  | Agency Addresses |            |            |   | The Road Commission for Oakland County |                | 31001 Lahser Road           | Beverly Hills, MI | 48025       |            |            |
| PRSA 22-05-05  | Review           | PIN        | CVTTAXCODE | CVTTAXDESCRIPTION   | NAME1                                  | NAME2          | POSTALADDRESS               | POSTALCITY        | POSTALSTATE | POSTALZIP5 | POSTALZIP4 |
| PRSA 22-05-05  | Review           | 1326201060 | W          | CHARTER TOWNSHIP OF WATERFORD PONTIAC HMONG ALLIANCE CHURCH           |  |                | 220 N CASS LAKE RD          | WATERFORD         | MI          | 48328      | 2300       |
| PRSA 22-05-05  |                  | 1326201012 | W          | CHARTER TOWNSHIP OF WATERFORD KATHRYN A GEARY                         |  |                | 250 N CASS LAKE RD          | WATERFORD         | MI          | 48328      | 2300       |
| PRSA 22-05-05  |                  | 1326201011 | W          | CHARTER TOWNSHIP OF WATERFORD MATTHEW J WOOD                          |  | COURTNEY BRO   | 262 N CASS LAKE RD          | WATERFORD         | MI          | 48328      | 2300       |
| PRSA 22-05-05  | Review           | 1326176016 | W          | CHARTER TOWNSHIP OF WATERFORD AREC 33 LLC                             |  |                | 2727 N CENTRAL AVE          | PHOENIX           | AZ          | 85004      | 1120       |
| PRSA 22-05-05  |                  | 1326176030 | W          | CHARTER TOWNSHIP OF WATERFORD AREC 33 LLC                             |  |                | 2727 N CENTRAL AVE          | PHOENIX           | AZ          | 85004      | 1120       |
| PRSA 22-05-05  | Review           | 1326176031 | W          | CHARTER TOWNSHIP OF WATERFORD AREC 33 LLC                             |  |                | 2727 N CENTRAL AVE          | PHOENIX           | AZ          | 85004      | 1120       |
| PRSA 22-05-05  |                  | 1326201009 | W          | CHARTER TOWNSHIP OF WATERFORD NIKKI MORANG-ROENICKE                   |  |                | 290 N CASS LAKE RD          | WATERFORD         | MI          | 48328      | 2300       |
| PRSA 22-05-05  | Review           | 1326201013 | W          | CHARTER TOWNSHIP OF WATERFORD MICHAEL J ROBAK                         |  |                | 3103 SAINT JUDE DR          | WATERFORD         | MI          | 48329      | 4362       |
| PRSA 22-05-05  |                  | 1326126005 | W          | CHARTER TOWNSHIP OF WATERFORD 3510 HIGHLAND ASSOCIATES LLC            |  |                | 3510 HIGHLAND RD            | WATERFORD         | MI          | 48328      |            |
| PRSA 22-05-05  |                  | 1326126004 | W          | CHARTER TOWNSHIP OF WATERFORD WATERFORD SCHOOL DISTRICT. CRARY JUNIOR |  |                | 1501 N CASS LAKE RD         | WATERFORD         | MI          | 48328      |            |
| PRSA 22-05-05  | Review           | 1326201010 | W          | CHARTER TOWNSHIP OF WATERFORD RICHARD H NELSON TRUST                  |  |                | 5268 DIXIE HWY              | WATERFORD         | MI          | 48329      | 1784       |
| PRSA 22-05-05  | Review           | 1326201056 | W          | CHARTER TOWNSHIP OF WATERFORD UVR INC                                 |  | C/O BADEN TAX  | 6920 POINTE INVERNESS WAY S | FORT WAYNE        | IN          | 46804      | 7926       |
| PRSA 22-05-05  | Review           | 1326176018 | W          | CHARTER TOWNSHIP OF WATERFORD WASHINGTON CAPITAL LLC                  |  | C/O EQUITY AD  | PO BOX 1945                 | TROY              | MI          | 48099      | 1945       |
| PRSA 22-05-05  | LAMS             | 1326201060 |            |   | OCCUPANT                               |                | 200 N Cass Lake Rd          | Waterford MI      | 48328-2300  |            |            |
| PRSA 22-05-05  | LAMS             | 1326201013 |            |   | OCCUPANT                               |                | 240 N Cass Lake Rd          | Waterford MI      | 48328-2300  |            |            |
| PRSA 22-05-05  | LAMS             | 1326201010 |            |   | OCCUPANT                               |                | 276 N Cass Lake Rd          | Waterford MI      | 48328-2300  |            |            |
| PRSA 22-05-05  | LAMS             | 1326201056 |            |   | OCCUPANT                               |                | 3484 Highland Rd            | Waterford MI      | 48328-3025  |            |            |
| PRSA 22-05-05  | LAMS             | 1326176031 |            |   | OCCUPANT                               |                | 3541 Highland Rd            | Waterford MI      | 48328-2324  |            |            |
| PRSA 22-05-05  | LAMS             | 1326176016 |            |   | OCCUPANT                               |                | 3547 Highland Rd            | Waterford MI      | 48328-2324  |            |            |
| PRSA 22-05-05  | LAMS             | 1326176018 |            |   | OCCUPANT                               |                | 3631 Highland Rd            | Waterford MI      | 48328-2326  |            |            |

Notice is hereby given of a public hearing to be held by the Waterford Township Planning Commission on **Tuesday, July 26, 2022,** at **4:30 p.m.** in the Auditorium at 5200 Civic Center Dr., Waterford, MI 48329, to hear the following request:

**Case No. PRSA 22-05-05 (Special Approval) & PRSA 22-07-04 (Rezoning)**

**Requesting:** Special Approval to permit an accessory drive thru to a restaurant facility in the C-3 zoning district / Rezone from C-2 Small Business to C-3, General Business  
**Property Location:** 3510 Highland Rd  
**Property Zoned:** C-2, Small Business  
**Applicant:** Highland, LLC

Members of the public will only be able to speak during any public hearing that is held at the meeting and during the public comment period at the end of the meeting and such comments will be limited to three minutes per person. To provide for orderly public participation, a person wishing to speak must first state their name and request to be recognized by the Chairperson of the meeting. The Chairperson will recognize all persons wishing to speak during a public hearing and the public comment period. Prior to the meeting, members of the public may contact the members of the Planning Commission to provide input or ask questions by email or mail to the Township employee/official and at the addresses listed below. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable accommodations.

Jeffrey M. Polkowski, AICP  
Superintendent of Planning and Zoning  
Charter Township of Waterford  
5200 Civic Center Drive, Waterford, Michigan 48329  
[planning@waterfordmi.gov](mailto:planning@waterfordmi.gov)  
Phone: (248) 674-6238

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Superintendent of Planning and Zoning  
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[planning@waterfordmi.gov](mailto:planning@waterfordmi.gov)  
Phone: (248) 674-6238

Notice is hereby given of a public hearing to be held by the Waterford Township Planning Commission on **Tuesday, July 26, 2022,** at **4:30 p.m.** in the Auditorium at 5200 Civic Center Dr., Waterford, MI 48329, to hear the following request:

**Case No. PRSA 22-05-05 (Special Approval) & PRSA 22-07-04 (Rezoning)**

**Requesting:** Special Approval to permit an accessory drive thru to a restaurant facility in the C-3 zoning district / Rezone from C-2 Small Business to C-3, General Business  
**Property Location:** 3510 Highland Rd  
**Property Zoned:** C-2, Small Business  
**Applicant:** Highland, LLC

Members of the public will only be able to speak during any public hearing that is held at the meeting and during the public comment period at the end of the meeting and such comments will be limited to three minutes per person. To provide for orderly public participation, a person wishing to speak must first state their name and request to be recognized by the Chairperson of the meeting. The Chairperson will recognize all persons wishing to speak during a public hearing and the public comment period. Prior to the meeting, members of the public may contact the members of the Planning Commission to provide input or ask questions by email or mail to the Township employee/official and at the addresses listed below. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable accommodations.

Jeffrey M. Polkowski, AICP  
Superintendent of Planning and Zoning  
Charter Township of Waterford  
5200 Civic Center Drive, Waterford, Michigan 48329  
[planning@waterfordmi.gov](mailto:planning@waterfordmi.gov)  
Phone: (248) 674-6238

**PLANNING DIVISION  
APPLICATION FORM**



**DEVELOPMENT SERVICES DEPARTMENT**  
5200 Civic Center Drive  
Waterford, Michigan 48329-3773  
Telephone: (248) 674-6238  
Fax: (248) 674-4097  
planning@waterfordmi.gov

**Office Use Only**

**Related Application Numbers**

PBUS: \_\_\_\_\_ PCR: \_\_\_\_\_  
PSP: **22-1427** PZBA: \_\_\_\_\_

PRSA: **22-0505**  
**22-07-04**

Date Received

**5/12/22**

Planning Fees

Engineering Fee

New Address Fee

**I. Type of Request** *(select all that apply)*

- ☐ Business Registration    ☐ Minor Site Plan    ☐ Master Plan  
☐ Change of Use    ☒ Major Site Plan    ☒ Rezoning  
☐ Concept Plan    ☒ Special Approval    ☐ Text Amendment

**Fees**

|                                |         |
|--------------------------------|---------|
| Business Registration          | \$100   |
| Change of Use                  | \$550   |
| Concept Plan                   | \$550   |
| Minor Site Plan                | \$1,250 |
| Major Site Plan                | \$1,550 |
| Special Approval               | \$1,000 |
| Master Plan Amendment          | \$1,000 |
| Rezoning / Text Amendment      | \$1,200 |
| Request for New Address (Fire) | \$75    |

*Additional fees may apply*

**II. Applicant Information**

|   |                    |                                       |
|---|--------------------|---------------------------------------|
| Applicant Name<br><b>HIGHLAND, LLC.</b>         |                    | Contact Person<br><b>SALEH ALHAMY</b> |
| Address<br><b>3510 HIGHLAND ROAD, WATERFORD</b> |                    | City<br><b>WATERFORD</b>              |
| State & ZIP<br><b>MICHIGAN-48328</b>            | Home/ Office Phone | Cell Phone<br><b>(313) 939-6893</b>   |
| Email Address<br><b>omar.alhalmy@yahoo.com</b>  |                    |                                       |

**III. Property Information**

Legal Description    ☐ Attached    ☒ On Site Plan

|   |  |  |  |  |  |
|---|--|--|--|--|--|
| All new buildings or unit splits are required to make a Request for New Address <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |  | Street Name Building Faces:<br><b>HIGHLAND ROAD</b>                                      |  | New Address Assigned (Obtain from Fire Department) |  |
| Property Owner<br><b>SALEH ALHAMY</b>   |  | Property ID Number<br><b>-005</b><br><del>SECT 26/T3N/R9E, 13-26-126-002 &amp; 003</del> |  | Lot Number   |  |
| Owner Address<br><b>3510 HIGHLAND ROAD</b>  |  | Owner City<br><b>WATERFORD</b>   |  | Owner State & Zip<br><b>MICHIGAN-48328</b>         | Current Zoning<br><b>C-2</b>                   |
| Property Address or General Location<br><b>3510 HIGHLAND ROAD, WATERFORD, MI-48328</b>  |  |  |  | Proposed Zoning<br><b>C-3</b>                      | Num. of Buildings<br><b>ONE</b>                |
| Frontage (feet and streets)<br><b>352.73 FEET- HIGHLAND ROAD</b>  |  |  |  | Property Size (Acres)<br><b>0.713</b>              | Building Use Code<br><b>EXTENSIVE BUSINESS</b> |
| Zoning Use Section<br><b>C-3</b>  |  | Proposed Use<br><b>GAS STATION W/CONVENIENCE STORE &amp; FASTFOOD</b>                    |  | #Residential Units                                 | #Vehicle Repair Bays                           |
|   |  |  |  | #Salon/Barber/Tattoo Stations                      |  |

Business License Held By: *(Business Registration Only)*  
☐ Individual *(Attach copy of any Assumed Name Certificate)*  
☒ Partnership or LLC *(Attach a copy of Partnership or LLC Certificate)*  
☐ Corporation *(Attach a copy of Articles of Incorporation)*

Fire Suppression Systems in Building    ☐ Yes    ☒ No    *If yes select the type(s):*  
☐ Sprinkler System-Fire    ☐ Commercial Hood Suppression System    ☐ FM 200 or Clean Agent (Computer Rooms)  
☐ Fire Pump    ☐ Paint Booth (Suppression)    ☒ Fire Alarm  
☐ Other (please describe): \_\_\_\_\_

**SCANNED**

**With us there are no  
boundaries**

**IV. Site Plan Designer Information** *(only required if a site plan is submitted)*

|  |              |                                     |  |
|--|--------------|-------------------------------------|--|
| Design Firm<br>ANAMTA ENGINEERING INC. |              | Contact Person<br>MOHAMMAD SIDDIQUE |  |
| Address<br>48002 WADEBRIDGE COURT      |              | City<br>CANTON                      |  |
| State & ZIP<br>MI-48187                | Office Phone | Cell Phone<br>(734) 787-4236        |  |
| Email Address<br>faiz.anamta@gmail.com |              |                                     |  |

**V. Narrative Outlining Scope and Reason for Request** *(Additional pages may be attached)*

EXISTING GAS STATION AND COVINIENCE STORE BUILDING TO BE  
EXTENDED TO 3,460 S.F. FOR THE USE OF GAS STATION, CONVENIENCE  
STORE AND FASTFOOD.

Rezone property from C-2 to C-3 to allow for property  
to qualify for above project as special approval.

**VI. Affidavit of Ownership and Consent to Property Inspection**

I (WE), the undersigned have made application to the Charter Township of Waterford for land use matters to be considered and decisions made by the: Planning Commission and /or Zoning Board of Appeals that will affect use of our property identified below. In order to enable the members of such decision-making body to make an informed decision on our request, I (WE), do hereby consent to allow the members of the decision-making body to inspect the subject property up to the date of the meeting of the decision-making body at which such body issues its final decision on MY (OUR) request, provided that such inspections are limited to: • gathering information specific to the requested action, • typical hours of daily human activity, unless specified otherwise below, and • the following restrictions:

Property Address: 3510 HIGHLAND ROAD, WATERFORD, MI-48328

Property Parcel No: SECT 26/T3N/R9E, 13-26-126-002 & 003

**All persons having ownership interest in above-referenced property must sign this document to authorize the filing of the application. Proof of ownership in the form of deed, land contract, letter of authority or tax bill is required.**

**Failure to obtain all ownership signatures may void any approvals. Ownership interest includes owners, all parties in land contracts, and all parties in purchase agreements. Additional signature pages may be attached for owners exceeding four in number.**

|    | <u>NAME</u> | <u>ADDRESS</u> | <u>EMAIL</u> | <u>TYPE OF OWNERSHIP<br/>INTEREST</u> | <u>SIGNATURE</u> |
|----|-------------|----------------|--------------|---------------------------------------|------------------|
| 1. |             |                |              |                                       |                  |
| 2. |             |                |              |                                       |                  |
| 3. |             |                |              |                                       |                  |
| 4. |             |                |              |                                       |                  |

**APPLICANT CERTIFICATION**

I do hereby swear all of the statements, signatures, descriptions and exhibits herewith submitted are true and accurate to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

Omair Alhalmy 2793 Adrienne Dr Ann Arbor (313) 939 6893 12-01-1977 A445661758917  
Name (Please Print) Address Telephone Contact Birth Date Drivers License #

[Signature]  
Signature

Subscribed and sworn to before me this 12 day of May, 2022 [Signature]  
Notary Public  
State of Michigan

County of \_\_\_\_\_

IANINE A. TREMONTI  
MY Commission Expires \_\_\_\_\_  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF OAKLAND  
My Commission Expires September 17, 2025  
Acting in the County of Oakland

## VII. Submission Requirements

In addition to submission requirements below, all applications require proof of Ownership, Letters of Authority on behalf of the Owner, Taxes Paid, and the Hazardous Substances Reporting Form.

Fees charged for Change of Use and Concept Plan will be applied to the Site Plan fees under the same review.

When plans are submitted, one copy must be a full sized 36 x 24". All other copies must be 11" x 17" unless noted.

| Application Type                 | Requirements   | Explanation  |
|----------------------------------|--|--|
| <b>Business Registration</b>     | Application; \$100 fee   | All new businesses or occupants to a commercial space.                                       |
| <b>Change of Use</b>             | Application; Business Registration Fee; additional \$550 fee; Property Unit List of Multiple-Tenant properties   | Required if space is vacant or use type changes  |
| <b>Concept Plan</b>              | Application; \$550 fee; 1 digital and 1 physical copy of concept plan;   | Required prior to Planning Commission review for Minor / Major Site Plan or Special Approval |
| <b>Minor / Major Site Plan</b>   | Application; \$1,250 or \$1,550 fee per review type; 1 digital and 2 physical copies of 36 x 24" preliminary plan; 10 copies of 11" x 17" preliminary plan. 2 additional full size sets at Final Site Plan Review<br>May require additional Business Registration / Change of Use at time of occupancy | Required for Final Site Plan Review and any prior to any exterior improvements.              |
| <b>Special Approval</b>          | Application; \$1,000 fee (\$600 fee for modifications or renewals); Change of Use/Minor/ Major Site Plan requirements and fees as necessary<br>May require additional Business Registration at time of occupancy   | Potentially required based on use type per zoning district                                   |
| <b>Master Plan</b>               | Application; \$1,000 fee; detailed explanation of changes; 1 digital and 11 physical copies of application and supporting documents  | Request to modify the Master Plan  |
| <b>Rezoning / Text Amendment</b> | Application; \$1,200 fee; detailed explanation of changes; 1 digital and 11 physical copies of application and supporting documents  | Request to modify the zoning map or zoning ordinance text                                    |

| Plan Elements  | Concept | Preliminary |
|--|---------|-------------|
| A. Name, address and telephone number of property owner.   | ✓       | ✓           |
| B. Name, business address and contact information for all developers, engineers, attorneys, architects landscape architects, and registered land surveyors associated with the development of the concept plan.  | ✓       | ✓           |
| C. Title block with project name and address/location of site.   | ✓       | ✓           |
| D. North arrow.  | ✓       | ✓           |
| E. Scale.  | ✓       | ✓           |
| F. Legend.   | ✓       | ✓           |
| G. Revision block ( <i>month, day and year of original submittal and subsequent revisions</i> ).   | ✓       | ✓           |
| H. Existing zoning on subject parcel and neighboring properties.   | ✓       | ✓           |
| I. A certified survey completed by a State of Michigan Licensed Land Surveyor, which indicates the legal description and recorded and measured dimensions of the property lines and other pertinent data as prescribed in Public Act 132 of 1970, Certified Surveys, as amended. The plan shall be drawn in accordance with the dimensions shown on this survey.                             | ✓       | ✓           |
| J. The location, dimensions, and proposed usage of all proposed permanent and accessory buildings and structures to be constructed, maintained, and used on the site. For all proposed residential use components of the concept plan, also include the proposed density calculation and number of each type of dwelling unit ( <i>one-bedroom units, two-bedroom units, etc.</i> ).         | ✓       | ✓           |
| K. The location of all proposed transformer pads, dumpster enclosures and exterior appliance units on the site.  | ✓       | ✓           |
| L. The location of all proposed exterior lighting to be used on the site.  | ✓       | ✓           |
| M. The location of all proposed signs to be used on the site.  | ✓       | ✓           |
| N. The location of all proposed landscaped areas, open space, and outdoor recreation areas to be dedicated and maintained on the site.   | ✓       | ✓           |
| O. The location and addresses of buildings, uses and other significant features of immediately adjacent property within one hundred (100) feet of the subject zoning lot.  | ✓       | ✓           |
| P. Location of existing and proposed public and private rights-of-way, drives, drive approaches ( <i>including acceleration, deceleration and passing lanes</i> ), nonmotorized pathways, any other vehicular and pedestrian circulation features within and adjacent to the parcel, all parking and loading areas indicating type of surfacing, and outdoor display areas where applicable. | ✓       | ✓           |
| Q. Location of all wetland, floodplain, drainage course, and natural feature boundaries.   | ✓       | ✓           |
| D. Show all dimensional and numerical information, and three-dimensional details for items K through M listed under Concept Plan   |         | ✓           |
| E. Location map.   |         | ✓           |
| F. All required minimum setbacks from existing or proposed public or private rights-of-way and property lines.   |         | ✓           |
| G. Total lot area, net lot area, and buildable area of the zoning lot, as measured in square feet and acreage.   |         | ✓           |
| H. Grading plan.   |         | ✓           |
| I. The location, dimensions, and details for all walls, fences and berms as proposed and/or required by the Zoning Ordinance.  |         | ✓           |
| J. All curbing including size, type, location and detail.  |         | ✓           |
| K. The location, capacity, and details of all existing or proposed water, sanitary sewer, stormwater drainage, and other utilities serving the site with all information as required to conform with the Township Engineering Standards.   |         | ✓           |
| L. All existing easements and vacated easements and rights-of-way.   |         | ✓           |
| M. Front, side, and rear elevations of all proposed buildings.   |         | ✓           |
| N. All other items required by either the Zoning Official or the Building Official to comply with land regulation requirements contained in the <b>Waterford Code of Ordinances</b> .  |         | ✓           |

**VIII. Hazardous Substances Reporting Form**

Site Plan No. \_\_\_\_\_

*Note: This form must be completed and submitted as part of the site plan for all facilities.*

|                         |  |                |      |
|-------------------------|--|----------------|------|
| Business Name           |  | Business Owner |      |
| Mailing Address         |  |                |      |
| Location of Property    |  |                |      |
| Phone Number            |  | Sidwell Number |      |
| Owner Signature         |  |                | Date |
| Information Compiled By |  |                | Date |

**Part I: Management of Hazardous Substances and Polluting Material**

|   |  |
|---|--|
| <input type="checkbox"/> Y<br><input type="checkbox"/> N  | Will the proposed facility store, use or generate hazardous substances or polluting materials (including petroleum-based products) in quantities greater than 100 kilograms per month (about 25 gallons per month) now or in the future? If <b>yes</b> , please complete the rest of this form and submit with your site plan. If <b>no</b> , stop here and return to the Planning Department.   |
| <input type="checkbox"/> Y<br><input type="checkbox"/> N  | Will hazardous substances or polluting materials be reused or recycled on site?  |
| <input type="checkbox"/> Y<br><input type="checkbox"/> N  | Will any hazardous substances or polluting materials be stored on the site? If <b>yes</b> , identify the storage location on the site plan. Describe the size and type of secondary containment structures here and as a detail on the site plan.<br><br><u>UNDERGROUND STORAGE TANKS</u>  |
| <input type="checkbox"/> Y<br><input type="checkbox"/> N  | Will new underground storage tanks be located less than 2,000 feet from drinking water wells serving two (2) or more establishments, or less than 300 feet from a single family drinking water well? If <b>yes</b> , contact Michigan Department of Environment, Great Lakes, and Energy (586) 753-3700.   |
| <input type="checkbox"/> Y<br><input type="checkbox"/> N  | Will hazardous waste or liquid industrial waste be transported off-site for treatment, disposal and/or recycling? If <b>yes</b> , please list the name, address and telephone number of your licensed transporter(s)<br><br>_____  |
| <input type="checkbox"/> Y<br><input type="checkbox"/> N  | Will the interior of the facility have general purpose floor drains?* If <b>yes</b> , will the floor drains connect to: (Check One)  |
| <input type="checkbox"/> Y<br><input type="checkbox"/> N  | <input type="checkbox"/> Sanitary Sewer System <input type="checkbox"/> On-Site Holding Tank; or<br><br><input type="checkbox"/> System authorized by state groundwater discharge permit, which requires monitoring. Contact Waterford Township Department of Public Works (248) 674-2278; and Michigan Department of Environment, Great Lakes, and Energy, Waste Management Division, Southeast Michigan District Office (586) 753-3700 |
| <i>*General purpose floor drains shall not be connected to a storm water drainage system, dry well or septic system.</i>  |  |
| <input type="checkbox"/> Y<br><input type="checkbox"/> N  | Will hazardous substances or polluting materials be stored, used or handled out of doors near storm drains which discharge into lakes, streams or wetlands? If <b>yes</b> , describe the type of catch basins or spill containment facilities which will be used and provide detail on the site plan.<br><br>_____   |
| Additional information may be requested from the Township to assure the site plans comply with local, county and state environmental protection requirements. The Township may require Part II to be completed; only complete Part II if requested by the Township. <b>Part II on reverse side.</b> |  |

## Part II

### Types and Quantities of Hazardous Substances and Polluting Materials Which Will Be Used, Stored or Generated On-Site

Please list the hazardous substances and polluting materials (including chemicals, hazardous materials, petroleum products, hazardous wastes and other polluting materials) which are expected to be used, stored or generated on-site. Quantities should reflect the maximum volumes on hand at any time. Attach additional pages, if necessary, to list all hazardous substances and polluting materials.

| Common Name<br>(Trade Name) | Chemical Name<br>(Components) | Maximum Quantity on<br>hand at one time | Type of Storage Containers                          |
|-----------------------------|-------------------------------|---|---|
| UGT                         | GAS                           |   | FIBER GLASS DOUBLE WALL<br>UNDERGROUND STORAGE TANK |
| 1.                          |                               |   |   |
| 2.                          |                               |   |   |
| 3.                          |                               |   |   |
| 4.                          |                               |   |   |
| 5.                          |                               |   |   |
| 6.                          |                               |   |   |

#### Key

Liq. = Liquid  
DM = Drum(s)  
S = Solid  
G = Gas  
P. G. = Pressurized Gas  
TP = Portable Tank

AGT = Above Ground Tank  
P. Liq. = Pressurized Liquid  
UGT = Underground Storage Tank  
CY = Cylinders  
CM = Metal Container  
CW = Wooden/Composition Container

