PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of February 2, 2016

SUBJECT: Homes Brewery Site Plan for City Planning Commission Approval

(2321 Jackson Ave.) File No. SP15-040

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends approval of the Homes Brewery Site Plan, subject to combining the 3 lots prior to issuance of building permits.

STAFF RECOMMENDATION

Staff recommends that the site plan be **approved** as it complies with all local, state and federal laws and regulations; the development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; and the development would not cause a public or private nuisance and would not have a detrimental effect on public health, safety or welfare.

LOCATION

This site is located at the south side of Jackson Avenue, east of South Maple Road (West Area). This site is in the Allen Creek Watershed.

DESCRIPTION OF PETITION

The petitioner proposes converting the existing 5,000-square foot building located at 2321 Jackson Ave. from a skate shop and storage facility to a 4,309-square foot microbrewery / restaurant and a 670-square foot skate shop. The approval of this proposal is subject to combining a 0.24 acre, commercially zoned (C3) site with two lots totaling 0.34 acres located to the south. These two lots, 108 and 112 Collingwood Drive, are zoned office (O) which allows for the existing 1,200 sq. ft. two-family residence and proposed parking lot.

Planning Commission approval is required for the proposed 27 space parking lot to be shared among the microbrewery, skate shop and residential use. The combined use of the microbrewery and skate shop falls under the retail center parking requirements and requires a range of parking between 16-19 parking spaces along with 3 additional parking spaces for the existing two-family residential use. Planning staff requested additional parking spaces be added to this site as the proposed microbrewery and possible future conversion of the residence to office use requires additional parking.

The existing curb cut off Collingwood Drive leads to the proposed parking lot and connects with the curb cut leading to Abbott Ave. The Abbott Ave. curb cut will be widened and shared with the residence. There is an existing curb cut off Abbott Avenue that sereves the exting home. That curb cut will be removed. A sidewalk is added along Abbott to link with existing sidewalks.

In addition to the 27 spaces provided on site, additional parking has been secured to use existing adjacent parking lots located at Walgreens (44 spaces), 2211 Jackson (12 spaces) and 2333 Jackson (10 spaces) during non-business office hours. The applicant has signed shared parking agreements. Additionally, approximately 43 on-street parking spaces exist on Abbott and Collingwood Drive. Total construction cost for this project is approximately \$300,000.

The existing accessory structures on the southern portion of the site are to be removed for the surface parking lot. There are 3 landmark trees on site with one 22-inch Walnut landmark tree proposed to be removed. This landmark tree is centrally located on site where drives, parking spaces and underground detention are proposed. Five mitigation trees are proposed to be planted around the perimeter of the parking lot. One-hundred year storm water detention is provided under the parking lot.

The petitioner proposes a total of 18 covered bicycle spaces near the building rear entrance along with a rear patio. Interior parking lot landscaping, right-of-way landscaping, and bioswales have been added to the parking lot and meets landscaping code.

A post card was sent to neighbors within 1,000 feet of this site notifying them of this project. The petitioner held a public meeting on September 24, 2015 address public concerns. Comments and responses at this meeting are attached.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Veteran's Park	PL (Public Land District)
EAST	Office & Utility Station	O (Office District)
SOUTH	General Offices	0
WEST	Auto Repair & Retail	C3 (Fringe Commercial District)

COMPARISON CHART - PARCEL I, II & III

						T
		EXISTING – PARCEL I	EXISTING – PARCEL II & III*	PROPOSED**	PERMITTED/REQUIRED	PERMITTED/REQUIRED
Zoni	ing	C3 (Fringe Commercial)	O (Office)	C3 & O	СЗ	0
Gros	ss Lot Area	10,494 sq ft	14,973 sq ft	25,467 sq ft	6,000 sq ft MIN	6,000 sq ft MIN
Lot \	Width	75 ft	108 ft	75 ft	60 ft MIN	50 ft MIN
Usa Area Perc	imum ble Floor a in centage of Area	4,988 sq ft	1,200 sq ft	6,188 sq ft	47.5% 200% MAX	8% 75% MAX
ks	Front	16.2 ft	14.7 ft	14.7 ft	10 ft MIN 25 ft MAX	15 ft MIN
Setbacks	Side(s)	O ft	41.2 ft	0 ft	None	None
S	Rear	23.2 ft	49 ft	23.2 ft	None	None
Build	ding Height	15 ft 1-story	25 ft 2-story	2-story	55 ft	55 ft MAX
Parking - Automobiles		6 spaces Gravel lot	2 spaces Gravel lot	27 spaces	16 spaces MIN 19 spaces MAX	3 spaces MIN (Residential) 4 spaces MIN (Office) 5 spaces MAX
Park Bicy	king – rcles	NA	NA	12 spaces – Class B	2 spaces - Class B 2 spaces - Class C	1 space MIN – Class A

^{*}Parcels II & III are combined in the Comparison Chart

The application meets all required bulk regulations and does not require any variances.

HISTORY

The original structure on the 2321 Jackson Avenue site was constructed in 1947. A site plan was approved in 1977 for an eastern addition onto the original structure. This addition received front yard setback variances from both Jackson Ave. and Collingwood Drive and was constructed in 1980. This site has been zoned C3, Fringe Commercial, since 1963 when the zoning classification was changed for the entire City.

^{**}Parcels I, II, & III are combined in the Proposed column of Comparision Chart

PLANNING BACKGROUND

The Master Plan: Land Use Element West Area Plan recommends commercial uses for Parcel I (2321 Jackson Ave.) and single and two-family uses for for Parcel II & III (108 & 112 Collingwood Drive). In addition, an office district has developed behind the businesses with frontages on the east side of Stadium Blvd. along Colllingwood and continue over to Jackson Road. The office district does not include the southwest corner of Jackson and Collingwood, which remains commercial. Office buildings located in this district serve as an excellent buffer between the commercial uses on Stadium Blvd. and the residential uses to the east of the offices. While a transition between the uses may be desirable, it is important to ensure that pedestrian access is created between the neighborhood and the commercial area.

Relocating and widening sidewalks away from Stadium Blvd. and closer to the businesses moving pedestrians and cyclists away from Stadium Blvd. should be undertaken. Where possible, creation of pedestrian and bicycle access from the rear of businesses fronting Stadium as well as Abbott and Shelby should also be accommodated. The petitioner has provided sidewalk connections on Abbott Ave. along wth bicyle parking near the rear business entrance.

The <u>Non-Motorized Plan</u> recommends bicycle lanes and sidewalks on both sides of the street for Jackson Ave.

DEPARTMENT COMMENTS

<u>Systems Planning</u> - The items noted below must be included in the staff report and be addressed before the petition is approved:

If footing drains for the existing buildings are connected to the sanitary sewer system, disconnection will be required in accordance with current city specifications. Footing drains removed from any existing buildings may offset required mitigation.

Capacity constraints during wet weather events have been identified in the trunkline sanitary sewers downstream from this development. Therefore, in accordance with the Development Sewage Flow Offset Mitigation Program, the flow mitigation must be performed within the appropriate Developer Offset Mitigation Zone as approved by City Council in June 2015. This requirement shall be noted on the plans and included as a condition of the plan approval.

Site plan approval shall be conditioned on the item noted below:

The Right-of-Way License Agreement Application shall be submitted to Project Management along with the required fee and a plan set detailing the extent of the right-of-way encroachment. Site Plan approval is conditioned upon entering into a License Agreement and a Final Certificate of Occupancy may not be issued until the License is executed.

<u>Water Resources Commissioner</u> – Plans and calculations are approved by the Drain Office and conform to their rules.

<u>Traffic</u> - The developer's traffic engineer submitted a trip generation statement for review and comment by staff. In response to staff comments the developer's traffic engineer submitted a revised trip generation statement that reviewed three potentially relevant land use types in ITE's Trip Generation. None of the resulting trips generated by these land uses exceeded the threshold, 50 trips per adjacent street peak hour, for requiring a traffic impact analysis.

<u>Planning</u> – Staff supports the requested lot combination for the office and commercial uses for this site and finds it is consistent with surrounding zoning. The existing duplex on Parcel II remains with parking provided on site.

To meet the pedestrian and non-motorized circulation recommendations of the <u>Master Plan:</u> <u>Land Use Elements</u> the petitioner has agreed to extend a sidewalk fronting Abbott Ave. and exceeded Class B bicycle parking spaces behind the proposed brew pub. The proposed brew pub is also in close proximity to AATA bus stops.

The required parking for this site is based on a two-family dwelling and a retail center, which requires a minimum of 18 spaces total. Staff requested this proposal place as many parking spaces as possible on this site as the primary land use is a brew pub. The applicant is providing 27 spaces on site. Staff supports this increase of parking on site to accommodate the proposed uses. In addition, to the spaces on site, the petitioner has also secured shared parking agreements with surrounding businesses totaling 66 additional spaces and 43 on-street parking spaces located on both Abbott and Collingwood Ave.

The expected hours of operation will be: Monday through Thursday - 4:00 PM – 12:00 AM; Friday and Saturday - 11:00 AM – 1:00 AM; and Sunday - 12:00 PM – 10:00 PM. The expected maximum capacity is 80-85 people in the interior of the brewery/restaurant and an additional 50-60 people in the exterior dining area. Live entertainment is limited to interior spaces only aside from occasional special events with noise levels reduced Monday-Friday. The owner indicates any exterior speakers will be directed inward to aid in controlling noise levels. All noise levels shall meet Ann Arbor local ordinances.

For this site to remain in parking compliance as a retail center, the existing skate shop space or future retail will be required to remain as a separate entity from the micro-brewery. Any additional microbrewery expansion into this space will be reviewed at the Building Permit stage to ensure this site remains in parking compliance as a retail center.

Staff is coordinating with the petitioner to add a painted crosswalk leading from the rear business entrance to the southern parking lot.

Prepared by Christopher Cheng Reviewed by Ben Carlisle mg/01/27/16

Attachments: Neighborhood Meeting Minutes

Shared Parking Agreements

Zoning Map Aerial Photo

HOMES Brewery – 2321 Jackson Ave. Page 6

Site Plan Landscape Plan Elevations

c: Owner: The Cross Family, LLC

2321 Jackson Ave. Ann Arbor, MI 48103

Petitioner: Tommy Kennedy

1620 Kearney Rd. Ann Arbor, MI 48104

Petitioner's Representative: Jesse Lewter

Wolverine Engineering & Surveying, Inc.

312 North Street Mason, MI 48854

Project Management Systems Planning File No. SP15-040

Pre-Application Citizen Participation Meeting

September 27th, 2015

Project: HOMES Brewery & Retail Center

Meeting Location: 2321 Jackson Avenue, Ann Arbor, MI 48103

Meeting Date and Time: September 24th, 2015 – 6:30 PM

Attendees: Jesse Lewter - Wolverine Engineers & Surveyors, Inc.

Tommy Kennedy – HOMES Brewery, Owner

Melissa Kennedy – Owner's Spouse James Klotz – Walgreens Manager

Kurt Mitchell – Ann Arbor Muffler, Owner

Sandy Schulz - Neighbor

Tom & Karen Risch - Neighbors

John Iverson – Neighbor

Matt Fahoome – State Farm Agent

Tanya Lorincz – Neighbor Greg Musser – Neighbor Jennifer Stevenson – Neighbor

Purpose of Meeting:

The Developer/Future Owners Tommy and Melissa Kennedy are proposing to improve a site located at 2321 Jackson Avenue and would like local feedback prior to applying for site plan approval or starting any construction activities. Local business owners and residents have been invited to contact the project's designers directly so they can learn, ask questions, and express concerns regarding the proposed venture. Comments will be considered by the developer, engineer, and architect when finalizing proposed plans.

Scope of Project:

The project will include: interior renovations to an existing building (formally Culligan Water); the addition of a paved parking area; and the removal of two small accessory buildings and garage which are in poor condition. The proposed interior space will include a brewpub and a retail space.

General Project Information:

- 1. The Brewery/Restaurant is expected to open in June of 2016.
- 2. Separate outside managers will be hired to operate the restaurant and brewery.
- 3. The existing retail space (Launch Skate Shop) will have a reduced footprint to accommodate the brewery/restaurant.
- 4. The owner has selected this site based on the lack of brewery's or restaurants in the immediate vicinity.
- 5. The expected hours of operation will be:

a. Monday through Thursday - 4:00 PM - 12:00 AM
 b. Friday and Saturday - 11:00 AM - 1:00 AM
 c. Sunday - 12:00 PM - 10:00 PM

- 6. The expected maximum capacity is 80-85 in the interior of the brewery/restaurant and an additional 50-60 in the exterior dining area.
- 7. The restaurant will be serving general food such as sandwiches, appetizers, soups, and salads.

Exterior Building Modifications:

- 1. The exterior stone façade is proposed to be "limewashed" to provide a more uniform color.
- 2. An exterior patio area is proposed on the south side of the building which will include an outdoor dining area, fire pits, and new main entry for the brewery/restaurant.
- 3. A canopy on an independent steel frame is proposed to cover approximately 75% of the exterior patio.
- 4. An open 16'x16' Valance on an independent steel frame is proposed at the existing entry to the retail space on the north side of the building.
- 5. The owner is proposing to remove the existing fountain (non-working) on the North side of the building and replace it with a tall planter which may include signage. All signage must meet Ann Arbor ordinances.
- 6. One egress door will be added on the East side of the building.
- Several garage doors will be added on the south side of the building to create an indoor/outdoor space.

Site Modifications:

- 1. An exterior parking and drive area is proposed with 21 parking spaces including one (1) handicap accessible parking space.
- 2. The existing garage located at 112 Collingwood Drive will be demolished to accommodate the drive and parking area.
- 3. Several centrally located trees will be removed to provide room for proposed parking areas.
- 4. An enclosed dumpster area will be provided to screen trash and recycling.
- 5. Landscaping will be provide to adequately screen parking areas and to account for the removals of existing trees and shrubs.
- 6. Underground detention and a will be added to provide continuous positive stormwater treatment and storage which will improve overall drainage.

Main areas of Concern as Stated by Attendees:

- 1. Lack of proposed parking spaces:
 - a. Mr. Fahoome expressed a concern in restaurant patrons using parking spaces at his business which would take away from his own customer parking spaces during normal business hours.
 - b. Mr. Iverson expressed concern in overflow parking taking up street parking spaces outside of his home.
- 2. Possible Excessive Noise:
 - a. Mr. Fahoome was concerned about possible live entertainment, music, and general noise particularly during normal business hours. He and other employees enjoy leaving windows open during the day and excessive noise could be a problem.

b. Mr. Iverson was similarly concerned with possible noise including evening/night hours of operation.

Proposed Methods of Addressing Public Concerns:

- 1. Utilizing/Renting additional parking spaces from neighboring businesses.
 - a. Mr. Kennedy has spoken with Mr. Klotz (Walgreens Manager) about using parking spaces on the Walgreens site for overflow parking. Mr. Klotz has agreed to allow several of the rear parking spaces to be used by Mr. Kennedy's future customers.
 - b. Mr. Kennedy has spoken with Mr. Mitchell (Ann Arbor Muffler Owner) about using parking spaces on the Ann Arbor Muffler site for overflow parking. Mr. Mitchell has agreed to allow his parking spaces to be used by Mr. Kennedy's future customers as long as it is not during his normal business hours.
 - c. There are 16 public street parking spaces that are directly adjacent to the proposed site which would have minimal impact on local residents and businesses bringing the total parking up to 37 spaces.
 - d. There are 17 additional parking spaces on Abbott Rd. and 10 additional parking spaces on Collingwood Dr. (within 400 feet from the proposed site) which would have a moderate impact on local residents and businesses bringing the total parking up to 64 spaces.
 - e. Mr. Kennedy has inquired about the possibly of renting additional parking spaces from the businesses at 2221 Jackson Ave and 210 Collingwood if parking becomes an issue once the brewery/restaurant opens.
 - f. Mr. Kennedy is proposing to offer financial assistance in the purchasing and installation of additional parking signage for neighboring businesses to assist in preventing unauthorized parking.

2. Limiting Exterior Noise

- a. Mr. Kennedy is willing to limit live entertainment to interior spaces only aside from rare special events.
- b. Noise levels will be reduced Monday-Friday, Open-5:00 PM and after 11:00 PM.
- c. Any exterior speakers will be directed inward to aid in controlling noise levels. All noise levels shall meet Ann Arbor local ordinances.
- d. The eastern side of the exterior patio will include an amended noise hindering material than the originally proposed fencing to reduce direct sound transmission.

Summary:

In general the local residents and business owners that attended the meeting appeared to be in support of the proposed retail center located at 2321 Jackson Avenue. Mr. Kennedy is willing to work with locals to address their possible concerns with the brewery/restaurant and design changes will be made to aid in relieving issues where possible. Once the proposed retail center has been completed, Mr. Kennedy will continue to address local concerns as they are presented.

Submitted by:

Jesse A. Lewter

Wolverine Engineers & Surveyors, Inc.

Sign-In Sheet

2321 Jackson Avenue Meeting

09/24/2015

6:30PM

2321 Jackson Avenue

Name – Print	Role – neighbor, business owner, etc.	Signature
JAMES KLOTZ	WAIGREENS MGR	
Janky Schoole	734-994-90/3	Jan drat. Schuls
on freing foren	-10c19h bous	& May May M
SHIN WILSON XX Sond plans XX	1/2/64/7/1/2 110 Burwad Ame.	My Age
Mat Fahsome	ر	
TOMMY MENNESU	CWNER	52 }
MEHIGH KENNEDY	OWNER	-/mmy-mm_i
Tanua Corincz	Neighbor	Layer Minus
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The Resident at: The Owner at: The Resident at: 1 Comcast Center 106 Burwood Ave 107 Burwood Ave Philadelphia PA, 19103 Ann Arbor MI, 48103-3926 Ann Arbor MI, 48103-3925 The Resident at: The Resident at: The Resident at: 108 Collingwood Dr 109 Collingwood Dr 110 Burwood Ave Ann Arbor MI, 48103 Ann Arbor MI, 48103 Ann Arbor MI, 48103-3926 The Resident at: The Resident at: The Resident at: 112 Collingwood Dr 2 112 Collingwood Dr 112 Collingwood Dr 1 Ann Arbor MI, 48103-3823 Ann Arbor MI, 48103-3823 Ann Arbor MI, 48103-3823 The Owner at: The Owner at: The Owner at: 1581 Knight Rd 1725 Waltham Dr 19058 Overlook Trl Ann Arbor MI, 48103-9370 Ann Arbor MI, 48103-5634 Northville MI, 48168 The Resident at: The Resident at: The Owner at: 1925 Pauline Blvd B 1925 Pauline Blvd C 1935 S Industrial Hwy Ann Arbor MI, 48103 Ann Arbor MI, 48103 Ann Arbor MI, 48104-4613 The Resident at: The Resident at: The Resident at: 200 Burwood Ave 201 Burwood Ave 204 Burwood Ave Ann Arbor MI, 48103-3927 Ann Arbor MI, 48103-3928 Ann Arbor MI, 48103-3928 The Resident at: The Resident at: The Resident at: 205 Collingwood Dr 207 Burwood Ave 208 Burwood Ave Ann Arbor MI, 48103 Ann Arbor MI, 48103-3927 Ann Arbor MI, 48103-3928 The Resident at: The Resident at: The Resident at: 208 Burwood Ave 1 208 Burwood Ave 3 210 Collingwood Dr Ann Arbor MI, 48103 Ann Arbor MI, 48103 Ann Arbor MI, 48103-3813 The Resident at: The Resident at: The Resident at: 2124 Abbott Ave 2155 Jackson Ave 220 Collingwood Dr

The Resident at: 220 Collingwood Dr 230 Ann Arbor MI, 48103

Ann Arbor MI, 48103-3904

The Resident at: 2207 Jackson Ave Ann Arbor MI, 48103-3919

Ann Arbor MI, 48103-3917

The Resident at: 2211 Jackson Ave Ann Arbor MI, 48103-3919

Ann Arbor MI, 48103-3842

The Owner at: 22114 Picadilly Creek Novi MI, 48375

The Resident at: 2221 Jackson Ave Ann Arbor MI, 48103-3919 The Resident at: 2260 Abbott Ave Ann Arbor MI, 48103

The Resident at: 229 Collingwood Dr Ann Arbor MI, 48103-3848 The Resident at: 229 Collingwood Dr 1 Ann Arbor MI, 48103-3848 The Resident at: 229 Collingwood Dr 2 Ann Arbor MI, 48103-3848

The Resident at: 229 Collingwood Dr 3 Ann Arbor MI, 48103-3848 The Resident at: 229 Collingwood Dr 4 Ann Arbor MI, 48103-3848 The Resident at: 230 Collingwood Dr Ann Arbor MI, 48103-3845

The Resident at: 230 Collingwood Dr 160B Ann Arbor MI, 48103 The Owner at: 2301 S Stonebridge Dr Ann Arbor MI, 48108 The Resident at: 2307 Shelby Ave Ann Arbor MI, 48103-3803

The Resident at: 2309 Shelby Ave Ann Arbor MI, 48103-3803 The Resident at: 2311 Shelby Ave Ann Arbor MI, 48103-3849 The Resident at: 2321 Jackson Ave Ann Arbor MI, 48103-3814

The Resident at: 233 Collingwood Dr Ann Arbor MI, 48103-3824 The Resident at: 233 Collingwood Dr 1 Ann Arbor MI, 48103-3824 The Resident at: 233 Collingwood Dr 2 Ann Arbor MI, 48103-3824

The Resident at: 233 Collingwood Dr 3 Ann Arbor MI, 48103-3824 The Resident at: 233 Collingwood Dr 4 Ann Arbor MI, 48103-3824 The Resident at: 2333 Jackson Ave Ann Arbor MI, 48103-3814

The Resident at: 2336 Abbott Ave Ann Arbor MI, 48103-3802 The Resident at: 2355 Jackson Ave Ann Arbor MI, 48103-3814 The Resident at: 2360 Abbott Ave Ann Arbor MI, 48103-3802

The Resident at: 2365 Jackson Ave Ann Arbor MI, 48103-3814 The Resident at: 2368 Abbott Ave Ann Arbor MI, 48103-3802 The Resident at: 2395 Jackson Ave Ann Arbor MI, 48103-3814

The Owner at: 2399 Scio Rd Ann Arbor MI, 48103 The Resident at: 241 Collingwood Dr Ann Arbor MI, 48103-3824 The Resident at: 241 Collingwood Dr 2 Ann Arbor MI, 48103-3824

The Resident at: The Resident at: The Resident at: 2440 W Stadium Blvd 2442 W Stadium Blvd 2450 W Stadium Blvd Ann Arbor MI, 48103-3847 Ann Arbor MI, 48104-4558 Ann Arbor MI, 48103-3812 The Resident at: The Resident at: The Resident at: 2450 W Stadium Blvd A 2450 W Stadium Blvd B 2452 W Stadium Blvd Ann Arbor MI, 48103 Ann Arbor MI, 48103 Ann Arbor MI, 48103 The Resident at: The Resident at: The Resident at: 2460 W Stadium Blvd 2470 W Stadium Blvd 251 Collingwood Dr Ann Arbor MI, 48103-3812 Ann Arbor MI, 48103-3812 Ann Arbor MI, 48103-3824 The Resident at: The Resident at: The Resident at: 253 Collingwood Dr 2531 Jackson Ave Box 311 2550 W Stadium Blvd Ann Arbor MI, 48103-3824 Ann Arbor MI, 48103 Ann Arbor MI, 48103-3811 The Resident at: The Resident at: The Resident at: 2554 W Stadium Blvd 2558 W Stadium Blvd 257 Collingwood Dr Ann Arbor MI, 48103-3811 Ann Arbor MI, 48103-3811 Ann Arbor MI, 48103-3824 The Resident at: The Resident at: The Resident at: 259 Collingwood Dr 267 Collingwood Dr 269 Collingwood Dr Ann Arbor MI, 48103-3824 Ann Arbor MI, 48103-3824 Ann Arbor MI, 48103-3824 The Resident at: The Resident at: The Owner at: 300 Burwood Ave 302 Burwood Ave 31850 Northwestern Hwy Ann Arbor MI, 48103-3930 Ann Arbor MI, 48103-3930 Farmington Hills MI, 48334 The Owner at:

The Owner at: 3207 N Wagner Rd Ann Arbor MI, 48103

The Owner at: 5165 Hellner Rd Ann Arbor MI, 48105

The Owner at: 8832 E Pueblo Ave 46 Mesa AZ, 85208 The Owner at: 4545 Pontiac Trl Ann Arbor MI, 48105

The Resident at: 583 S Maple Rd Ann Arbor MI, 48103

The Owner at: 9545 N Meridian Rd Pleaseant Lake MI, 49272 The Owner at: 5001 KINGSLEY DR Cincinnati OH, 45227

The Owner at: 6431 Marshall Rd Dexter MI, 48130

The Owner at: 9745 Geddes Rd Ypsilanti MI, 48198 Jackson-Huron Neighborhood Association/Scott Koll 1319 W Huron St Ann Arbor, MI 48103

Allen's Creek Watershed Group/Vincent Caruso 556 Glendale Cir Ann Arbor, MI 48103 Vet's Park Triangle Neighborhood Association/Chris O'Brien 109 Worden Ave Ann Arbor, MI 48103 West Washtenaw Business Association/Paul Larned P.O. Box 2801 Ann Arbor, MI 48106

9/11/2015 500 ft radius for 2321 Jackson Ave Mia Gale

Shared Parking Agreement

By and Between:

2321 Jackson, LLC, & Walgreens Company

This agreement is made and entered into this 26th day of October 2015 by and between Walgreens Company, henceforth known as the "Grantor", and 2321 Jackson, LLC henceforth referred to as the "Grantee".

WHEREAS,
Walgreens Company are the current owners and interest holders of the property described as LOTS 5, 6, 7, 8, 9,10,11,12,68,69,70,71,72 & 73
BOULEVARD HEIGHTS Split on 12/10/2009 from 09-09-30-214-005, 09-09-30-214-006, 09-09-30-214-007, 09-09-30-214-022, 09-09-30-214-023, Ann Arbor, henceforth referred to as "Parcel A"; and 2321 Jackson, LLC are the purchaser of the property legally described as E 20 FT LOT 16 ALL LOTS 17 & 18 of BOULEVARD HTS PLAT, Section 30, T2S, R6E, Ann Arbor, henceforth referred to as "Parcel B"; and

WHEREAS, it is desired by the Grantee to establish and maintain 44 parking spots for shared use on Parcel A in order to provide overflow parking for the proposed retail center which is proposed to operate on Parcel B.

THEREFORE, in consideration of the foregoing and the terms and conditions contained hereafter, Grantor and Grantee agree as follows:

- 1. Shared Parking
 - a. Grantor shall grant to the Grantee and to the general public 44 parking spaces.
 - b. The aforementioned parking area is to be used for overflow customer and employee vehicular parking.
 - c. Representatives of the Grantee indefinitely agree to the shared use of the aforementioned parking spaces.
- 2. The Grantor, as fee owners of Parcel A, hereby covenant and agree that this agreement shall be binding and shall inure to the benefit of the parties hereto, their successors, assigns, tenants, and subtenants, and that the covenants herein contained shall be deemed to be covenants running with the land.

The terms of this agreement shall be made effective immediately after the certificate of occupancy is granted to 2321 Jackson, LLC by the City of Ann Arbor.

Grantee: 2321 Jackson, LLC

Thomas Kennedy, its Owner

10/30/2015

Date

Grantor: Walgreens Company

SHARED PARKING AGREEMENT

This agreement is made and entered into this 10th day of December 2015 between Ann Arbor Muffler and 2321 Jackson, LLC.

1. Terms & Conditions:

- a. Ann Arbor Muffler to provide:
 - i. 10 parking spaces at 2333 Jackson Avenue, Ann Arbor 48103, to be used as additional parking for 2321 Jackson, LLC during Ann Arbor Muffler non-business hours

b. 2321 Jackson, LLC to provide:

- i. 10 parking spaces at 2321 Jackson Avenue, Ann Arbor 48103, to be used as additional parking for Ann Arbor Muffler during 2321 Jackson, LLC non-business hours
- ii. Acceptance of responsibility for patron's parking in Ann Arbor Muffler's lot after hours and any damages incurred as a result of the sale of alcohol
- 2. Termination: Either party may terminate this agreement immediately with written notice.

EXECUTED & AGREED by the parties this the 10th day of December 2015.

Ann Arbor Muffler,

Kurt Mitchell, Owner

Date

2321 Jackson, LLC

By:

Thomas Kennedy, Owner

Date

PARKING LEASE AGREEMENT

This agreement is made and entered into this 20th day of November 2015 between Loy, Hartley & Co., henceforth referred to as the "Lessor", and 2321 Jackson, LLC, henceforth referred to as the "Lessee".

- 1. Terms & Conditions:
 - a. Lessor to provide:
 - 12 parking spaces at 2211 Jackson Avenue, Ann Arbor 48103, to be used as additional parking for the lessee between the hours of 5:30pm to 5am Monday through Friday and all day Saturday & Sunday.
 - b. Lessee to provide:
 - i. Required signage
 - ii. General Liability Insurance Policy covering parking lot
 - iii. Lot cleanup as a result of lessee's use
- 2. Compensation: Lessee agrees to pay Lessor \$1000 annually with lease beginning on payment date. Lease will automatically renew on the anniversary of payment date.
- 3. **Termination**: Either party may terminate this agreement immediately with written notice. If terminated early, Lessor shall pay a prorated portion of the payment to Lessee.

EXECUTED & AGREED by the parties this the 20th day of November 2015.

Lessor: Low Hartley & Co.

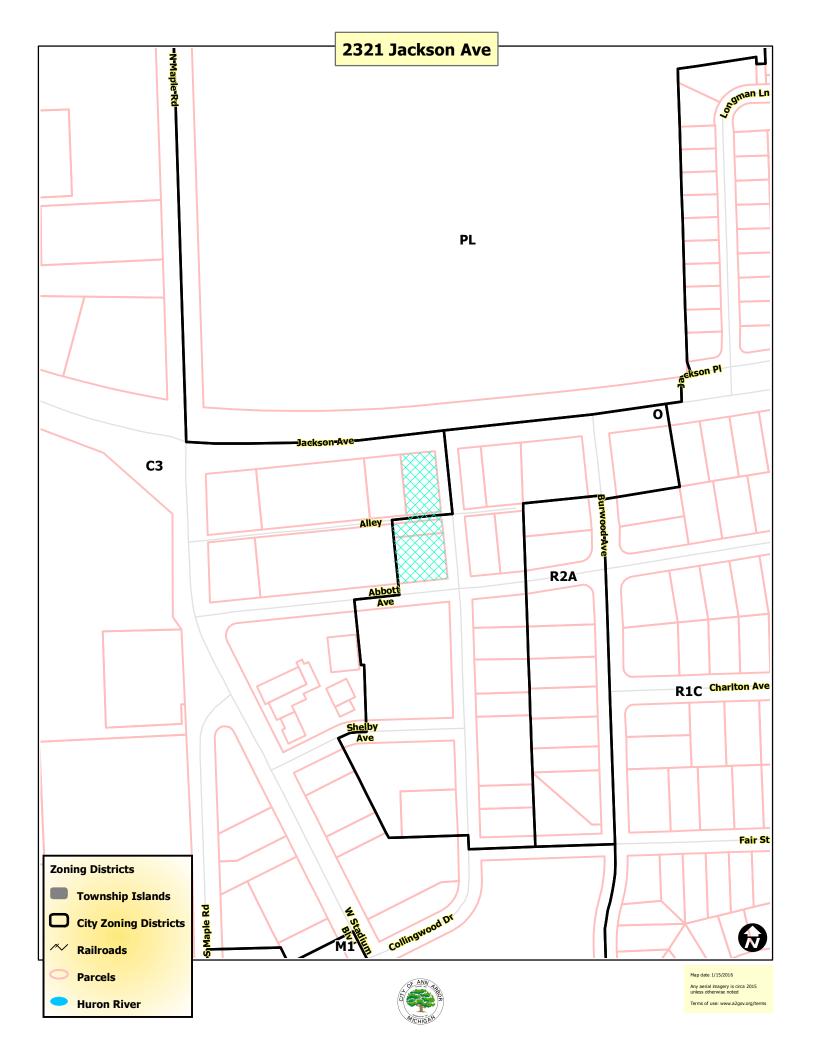
By: 12/16/15

Lonnie Loy, Owner Date

Lessee: 2321 Jackson, LLC

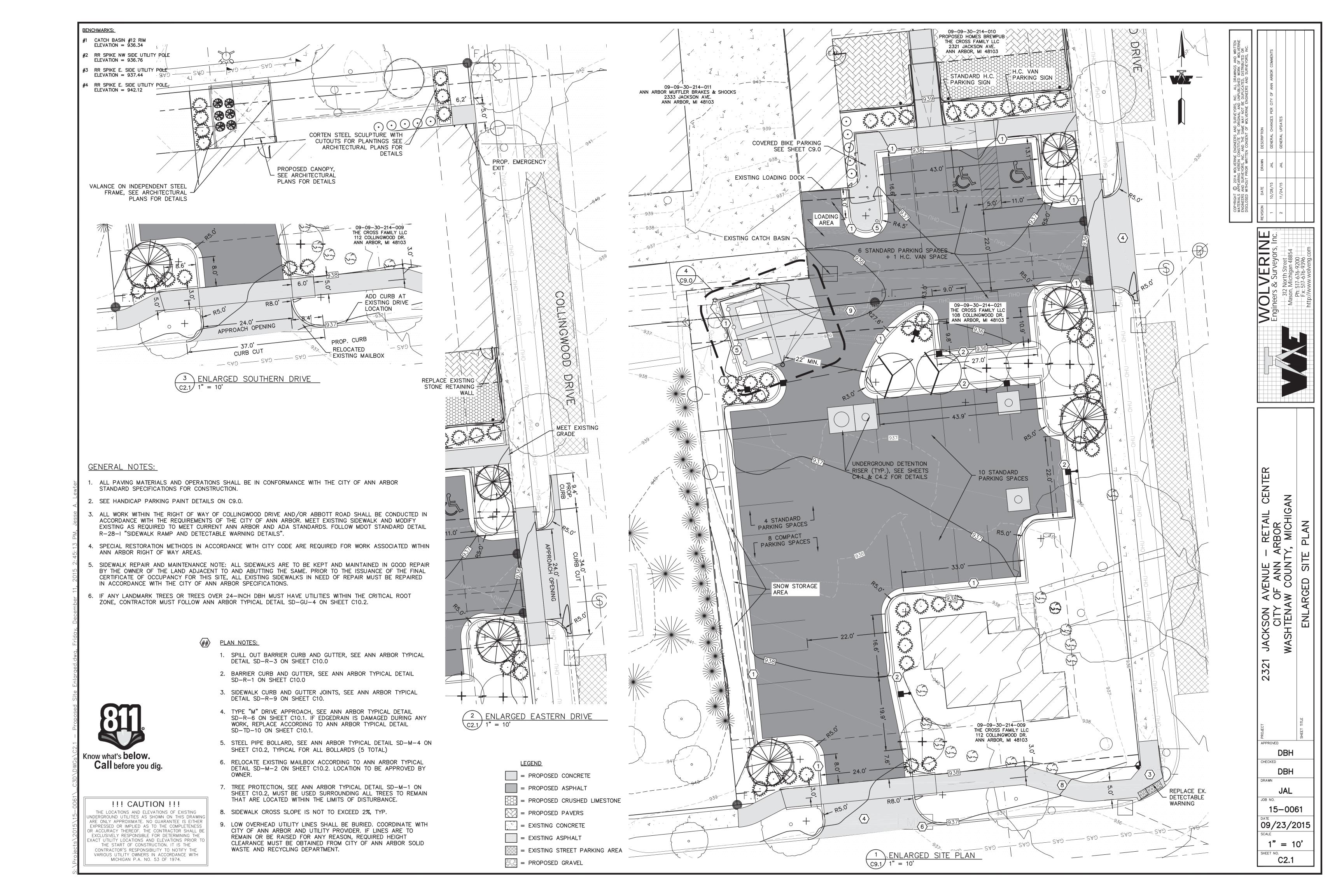
Thomas Kennedy, Owner

Date









NOTES:

- 1. ALL DISTURBED AREAS SHALL BE ROUGH GRADED, RECIEVE A MINMUM OF 6-INCHES OF TOP SOIL AND FINE GRADED, SEEDED AND MULCHED.
- 2. GRASS SEED MIX SHALL BE EARTHCARPET SPARTAN GRADE A MIXTURE, MICHIGAN STATE SEED SOLUTIONS, GRAND LEDGE. MICHIGAN, PH. 800 647-8873.
- 3. SILT FENCE SHALL BE INSTALLED ON BACK OF CURB OR SIDEWALK UPON COMPLETION OF ANY PROPOSED PARKING OR DRIVE AREAS TO PREVENT THE TRACKING OF SEDIMENT OVER PAVEMENT.
- 4. STREETS WILL BE CLEANED OF ANY TRACKED MUD IMMEDIATELY FOLLOWING EACH MUD-TRACKING OCCURRENCE.
- 5. ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE CITY OF ANN ARBOR AND WIASHTENAW COUNTY WATER RESOURCE COMMISSIONER'S STANDARDS AND SPECIFICATIONS.
- 6. DAILY INSPECTIONS SHALL BE MADE BY THE CONTRACTOR TO DETERMINE THE EFFECTIVENESS OF EROSION AND SEDIMENT CONTROL MEASURES. ANY NECESSARY REPAIRS SHALL BE PERFORMED WITHOUT DELAY.
- 7. ANY EROSION OR SEDIMENT FROM WORK ON THIS SITE SHALL BE CONTAINED ON THE SITE AND NOT ALLOWED TO COLLECT ON ANY OFF-SITE AREAS OR IN WATERWAYS. WATERWAYS INCLUDE BOTH NATURAL AND MANMADE OPEN DITCHES, STREAMS, STORM DRAINS, LAKES AND PONDS.
- 8. CONTRACTOR SHALL APPLY TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES AS REQUIRED AND AS DIRECTED ON THESE PLANS. CONTRACTOR SHALL REMOVE TEMPORARY MEASURES AS SOON AS PERMANENT STABILIZATION Of SLOPES, DITCHES AND OTHER EARTH CHANCES HAVE BEEN ESTABLISHED.
- 9. AFTER ALL TEMPORARY EROSION CONTROL MEASURES HAVE BEEN INSTALLED, THE CONTRACTOR SHALL CONTACT THE CITY OF ANN ARBOR FOR AN INSTALLATION INSPECTION.
- 10. DUST CONTROL SHALL BE EXERCISED AT ALL TIMES WITHIN THE PROJECT BY THE CONTRACTOR.
- 11. ALL MUD, DIRT AND DEBRIS TRACKED ONTO EXISTING ROADS SHALL BE PROMPTLY REMOVED BY THE CONTRACTOR NO LESS THAN ON A DAILY BASIS. ALL MUD, DIRT AND DEBRIS TRACKED OR SPILLED ONTO PAVED SURFACES WITHIN THIS SITE SHALL BE PROMPTLY REMOVED BY THE CONTRACTOR
- 12. PERMANENT EROSION CONTROL MEASURES SHALL BE COMPLETED WITHIN 5 CAL. £NOAR DAYS AFTER FINAL GRADING OR EARTH MOVING ACTIVITY HAS BEEN COMPLETED. A FINAL INSPECTION SHALL BE. SCHEDULED BY THE CONTRACTOR.
- 13. CITY OF ANN ARBOR SHALL INSPECT ALL SOIL EROSION CONTROL MEASURES. UPON THEIR DIRECTION, ADDITIONAL MEASURES SHALL BE CONSTRUCTED AND MAINTENANCE WORK SHALL BE PERFORMED TO ENSURE COMPLIANCE WITH ALL PERMIT REQUIREMENTS.

MAINTENANCE NOTES:

1. SOIL STOCKPILES:

- PERIODIC INSPECTIONS SHOULD BE DONE TO ENSURE EXCESSIVE EROSION HAS NOT OCCURRED. IF RUNOFF OR WIND EROSION HAS OCCURRED, REDUCE THE SIDE SLOPES OF THE SPOIL PILE, OR RE-STABILIZE THE STOCKPILE BY PROVIDING TEMPORARY SEEDING.
- 1.2. WHEN FILTER FENCING IS USED AROUND A SPOIL PILE, PERIODIC CHECKS SHOULD BE MADE TO ENSURE THAT PIPING HAS NOT OCCURRED UNDER THE FENCING, AND TO ENSURE THE FENCE HAS NOT COLLAPSED DUE TO SOIL SLIPPAGE OR ACCESS BY CONSTRUCTION EQUIPMENT. REPAIR ANY DAMAGED FENCING IMMEDIATELY.
- 1.3. BERMS AT THE BASE OF THE SPOIL PILE WHICH BECOME DAMAGED SHOULD BE REPLACED.

CAUSING OFF-SITE DAMAGES, OUST CONTROL SHOULD BE

2. DUST CONTROL:

ONGOING DURING EARTH CHANCE ACTIVITIES. 3. SILT FENCE:

TO PREVENT DUST FROM BECOMING A PUBLIC NUISANCE AND

MANUFACTURER'S SPECIFICATIONS. SILT FENCES SHOULD BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND SEVERAL TIMES DURING PROLONGED

3.1. SILT FENCE SHALL BE INSTALLED IN ACCORDANCE WITH

- RAINFALLS. 3.3. IF THE FENCE IS SAGGING OR THE SOIL HAS REACHED ONE HALF (1/2) THE HEIGHT OF THE FABRIC, THE SOIL BEHIND THE FABRIC MUST BE REMOVED AND DISPOSED OF 1N A STABLE UPLAND SITE. THE SOIL CAN BE ADDED TO THE SOIL
- STOCKPILE. 3.4. IF THE FABRIC IS BEING UNDERCUT (I.E. IF WATER IS SEEPING UNDER THE FENCE), THE FENCE SHOULD BE REMOVED AND REINSTALLED FOLLOWING THE PROCEDURES GIVEN ABOVE.
- FABRIC WHICH DECOMPOSES OR OTHERWISE BECOMES INEFFECTIVE: SHOULD BE REMOVED AND REPLACED WITH NEW FILTER FABRIC IMMEDIATELY.
- SILT FENCES SHOULD BE REMOVED ONCE VEGETATION IS WELL ESTABLISHED AND THE UP-SLOPE AREA IS FULLY STABILIZED.

4. SEEDING:

NEWLY SEEDED AREAS NEED TO BE INSPECTED FREQUENTLY FOR THE FIRST FEW MONTHS TO ENSURE THE GRASS IS GROWING. IF THE SEEDED AREA IS DAMAGED DUE TO RUNOFF, ADDITIONAL STORMWATER MEASURES MAY BE NEEDED. SPOT SEEDING CAN BE DONE ON SMALL AREAS TO FILL IN BARE SPOTS WHERE GRASS DIDN'T GROW PROPERLY.

MULCHING:

MULCHED AREAS SHOULD BE CHECKED FOLLOWING EACH RAIN TO ENSURE THE MULCH IS STAYING IN PLACE. ADDITIONAL TACKING MATERIALS OR NETTING MAY NEED TO BE APPLIED TO HOLD THE MULCH IN PLACE.

6. CONSTRUCTION ENTRANCE:

PROPER MAINTENANCE MAY INCLUDE ADDING ADDITIONAL LAYERS OF STONE WHEN THE ORIGINAL STONE BECOMES COVERED WITH MUD. AFTER EACH STORM EVENT, INSPECT THE ROAD FOR EROSION AND MAKE ANY NECESSARY REPAIRS. ALL SEDIMENT DROPPED OR ERODED ONTO PUBLIC RIGHT-OF-WAY SHOULD BE

REMOVED IMMEDIATELY BY SWEEPING.

CONSTRUCTION SEQUENCE

- 1. CONDUCT SOIL EROSION AND SEDIMENTATION CONTROL PRE-GRADING KICK-OFF MEETING WITH THE CITY OF ANN ARBOR.
- 2. PROVIDE EROSION CONTROL MEASURES THAT WILL BE USED AS PART OF THIS WORK. INSTALL ADDITIONAL MEASURES AS REQUIRED BY THESE DRAWINGS AND AS FIELD CONDITIONS DICTATE IN ACCORDANCE WITH THE CITY OF ANN ARBOR AND WASHTENAW COUNTY WATER RESOURCE COMMISSION STANDARDS.
- 3. REMOVE STRUCTURES, FOUNDATIONS, PAVEMENT AND THE INDICATED UTILITY LINES AND STRUCTURES FULL-DEPTH. REMOVE TREES, SHRUBS, STUMPS AND ROOT SYSTEMS TO MINLMUM DEPTH OF 42" AND LEGALLY DISPOSE OFF-SITE. PROTECT TREES TO REMAIN WITH CONSTRUCTION FENCING PLACED AROUND PERIPHERY OF TREE DRIP-LINE.
- **NOTE: RETAIN AS MUCH OF EXISTING PAVEMENT AND GRAVEL AS POSSIBLE DURING CONSTRUCTION FOR MINIMIZING IMPACT AND STAGING PURPOSES**
- 4. IMPLEMENT TEMPORARY SOIL EROSION CONTROL MEASURES, INCLUDING SILT FENCE INSTALLATION AND GRAVEL ACCESS DRIVE.
- 5. STRIP TOPSOIL AND STOCKPILE.
- 6. CONSTRUCT STORM SEWER SYSTEM COMPLETELY. IMMEDIATELY INSTALL INLET FILTERS ON ALL CATCH BASINS.
- **NOTE: PER CHAPTER 63, SECTION 5:654(4), DETENTION FACILITIES MUST BE INSTALLED PRIOR TO THE ISSUANCE OF **BUILDING PERMITS****
- 7. INSTALL SANITARY SEWER AND WATERMAIN
- 8. INSTALL ALL OTHER UTILITIES.
- 9. INSTALL ALL PAVEMENT
- 10. BEGIN PERMANENT AND TEMPORARY SEEDING AND MULCHING. ALL CUT AND FILL SLOPES SHALL HAVE PERMANENT STABILIZATION COMPLETED WITHIN 5 DAYS OF FINAL GRADE.
- 11. DAILY, OR AS REQUIRED, CONSTRUCT AND MAINTAIN TEMPORARY BERMS, DRAINS, SILT FENCE, SEDIMENT TRAPS, ETC. MULCH AND SEED AS REQUIRED.
- 12. COMPLETE INSTALLATION OF PERMANENT EROSION CONTROL MEASURES. PERFORM PAVEMENT INSTALLATION.
- 13. FINISH GRADE, REDISTRIBUTE TOPSOIL AND ESTABLISH VEGETATION ON ALL DISTURBED GROUND AREAS.
- 14. CLEAN PAVEMENT AND STORM SEWERS OF ALL SEDIMENT.
- 15. REMOVE SOIL EROSION CONTROL MEASURES AFTER PERMANENT VEGETATION HAS BEEN ESTABLISHED.

16. INSTALL LANDSCAPING.

17. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT ALL SOIL EROSION CONTROL MEASURES ARE INSTALLED AND MAINTAINED.

ANTICIPATED START DATE: 3/01/2016 ANTICIPATED COMPLETION DATE: 7/30/2016

03/01/2016	SESC PRE-GRADING MEETING W/ CITY
03/08/2016	TEMP. EROSION CONTROL MEASURES
03/10/2016	CLEAR & GRUB
03/14/2016	STRIP AND STOCKPILE / ROUGH GRADE
03/18/2016	STORM SEWER SYSTEM / DETENTION AREA
04/01/2016	BUILDING RENOVATIONS
04/01/2016	SANITARY SEWER & WATERMAIN
05/01/2016	MISC. UTILITIES
05/15/2016	SITE CONSTRUCTION & PAVEMENT
07/01/2016	PERMANENT EROSION CONTROL MEASURES
07/08/2016	FINISH GRADING
07/15/2016	LANDSCAPING
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DEWATERING

DEWATERING IS NOT ANTICIPATED AT THIS TIME. IF DEWATERING IS REQUIRED TO COMPLETE THE CONSTRUCTION OF BUILDING STRUCTURES OR UTILITIES, A REVISED PLAN SHALL BE SUBMITTED TO THE CITY OF ANN ARBOR PRIOR TO PROCEEDING WITH ANY DEWATERING.

THE USDA SOIL CONSERVATION SERVICE SOIL SURVEY OF WASHTENAW COUNTY, SEPTEMBER 17, 2014, INDICATES THE SITE IS COMPRISED OF THE FOLLOWING SOILS:

MmB - Miami loam, 2 to 6 percent slopes

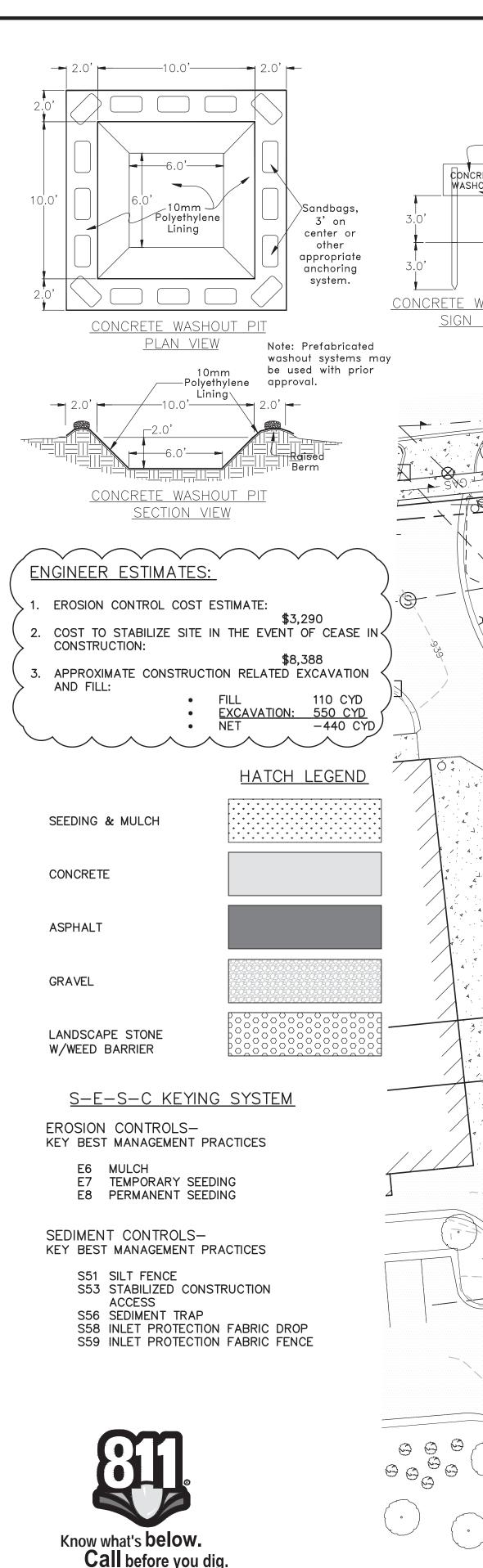
Miami loam, 6 to 12 percent slopes

SITE INFO

- PROPERTY: 25,467 SF OR 0.58 ACRES EXISTING IMPERVIOUS: 14,706 SF OR 0.34 ACRES
- PROPOSED IMPERVIOUS: 16,288 SF OR 0.37 ACRES
- D.) DISTURBED AREA: 17,860 SF OR 0.41 ACRES

SEEDING SCHEDULE

NOVEMBER 1 — APRIL 1	JULY 1 — AUGUST 1	
DORMANT SEED WITH HAY MULCH AND TACKIFIER OR HEAVY STRAW BLANKET (PEGGED) SEED MIX A.	SEED MIX A OR B, IRRIGATION REQUIRED	
APRIL 1 - JULY 1	AUGUST 1 - NOVEMBER 1	
SEED MIX A OR B	SEED MIX A	
DATES ARE DEPENDENT ON TEMPERATURE AND PRECIPITATION. WHEN IN DOUBT, CONTACT THE CITY ENGINEER'S OFFICE. GRASS SEED SPECIFICATION — EARTHCARPET SPARTAN GRADE 'A', MICHIGAN STATE SEED SOLUTIONS, 800 647—8873. CHECK WITH SUPPLIER FOR OTHER MIXTURES SUITABLE FOR THE LOCATION AND SOIL TYPES TO BE STABILIZED.		
MIX A (SPARTAN GRADE 'A') 20% PERENNIAL RYEGRASS MIX 40% FESCUE MIX 40% BLUEGRASS MIX APPLY AT 50#/SYD	MIX B 40% ANNUAL RYEGRASS 30% PERENNIAL RYEGRASS 30% SEED OATS APPLY AT 50#/SYD	
FOLLOW SOIL TEST RECOMMENDATIONS FOR FERTILIZER. IF NO SOIL TEST WADONE, APPLY 12-12-12 (NITROGEN-PHOSPHOROUS-POTASSIUM) AT A RATE RECOMMENDED BY THE MANUFACTURER OR AT 10 #/1000 S.F.		



Call before you dig.

!!! CAUTION !!!

THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL B EXCLUSIVELY RESPONSIBLE FOR DETERMINING TH EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR THE START OF CONSTRUCTION, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE VARIOUS UTILITY OWNERS IN ACCORDANCE WITH MICHIGAN P.A. NO. 53 OF 1974.

