

**Zoning Board of Appeals
January 23, 2019 Regular Meeting**

STAFF REPORT

Subject: ZBA18-031; 3100 Washtenaw Avenue

Summary:

WPG Management Associates, Inc. represented by Ryan Vande Boshce, are requesting a six foot variance from Chapter 55 Unified Development Code (UDC) Section 5.24.4 (1) for the Arbor Hills Shopping Center. The variance will allow for wall signs to project up to 10 feet from the building wall. The code requires a maximum of four feet of projection from building walls.

Description and Discussion:

The petitioner is seeking to allow the installation of signs that will be attached to the existing steel structures on the storefront facades.

The Zoning Board of Appeals has all the power granted by State law and by Section 5:99, Application of the Variance Power from the UDC. The following criteria shall apply:

- (a) That the alleged hardships or practical difficulties, or both, are peculiar to the property of the person requesting the variance and result from conditions which do not exist generally throughout the city.**

The architectural element makes Arbor Hills unique, but it also makes retail location identification less visible. The owners claim that they have received numerous complaints from customers and tenant about the lack of wayfinding due to the steel overhangs and lack of signage resulting from these architectural elements.

- (b) That allowing 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 the failure of the Board to grant a variance and the rights of others whose property would be affected by the allowance of the variance.**

If the variance is denied, this will adversely impact tenant performance will also limit the landlord's ability to obtain new tenants as leases expire. Wayfinding will also be inhibited by failing to grant the variance.

- (c) Allowing 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 board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.**

The affected tenants are substantially all found within the interior of the Arbor Hills Shopping Center and are not facing towards Washtenaw Avenue and Platt Road. A similar variance was granted for 618 Church Street (ZBA17-037).

(d) The conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.

There will not be any negative impacts from granting this variance. Lululemon has similar signage and has a professional storefront. There will be a total of seven tenants that will benefit from the granting of this variance.

(e) A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.

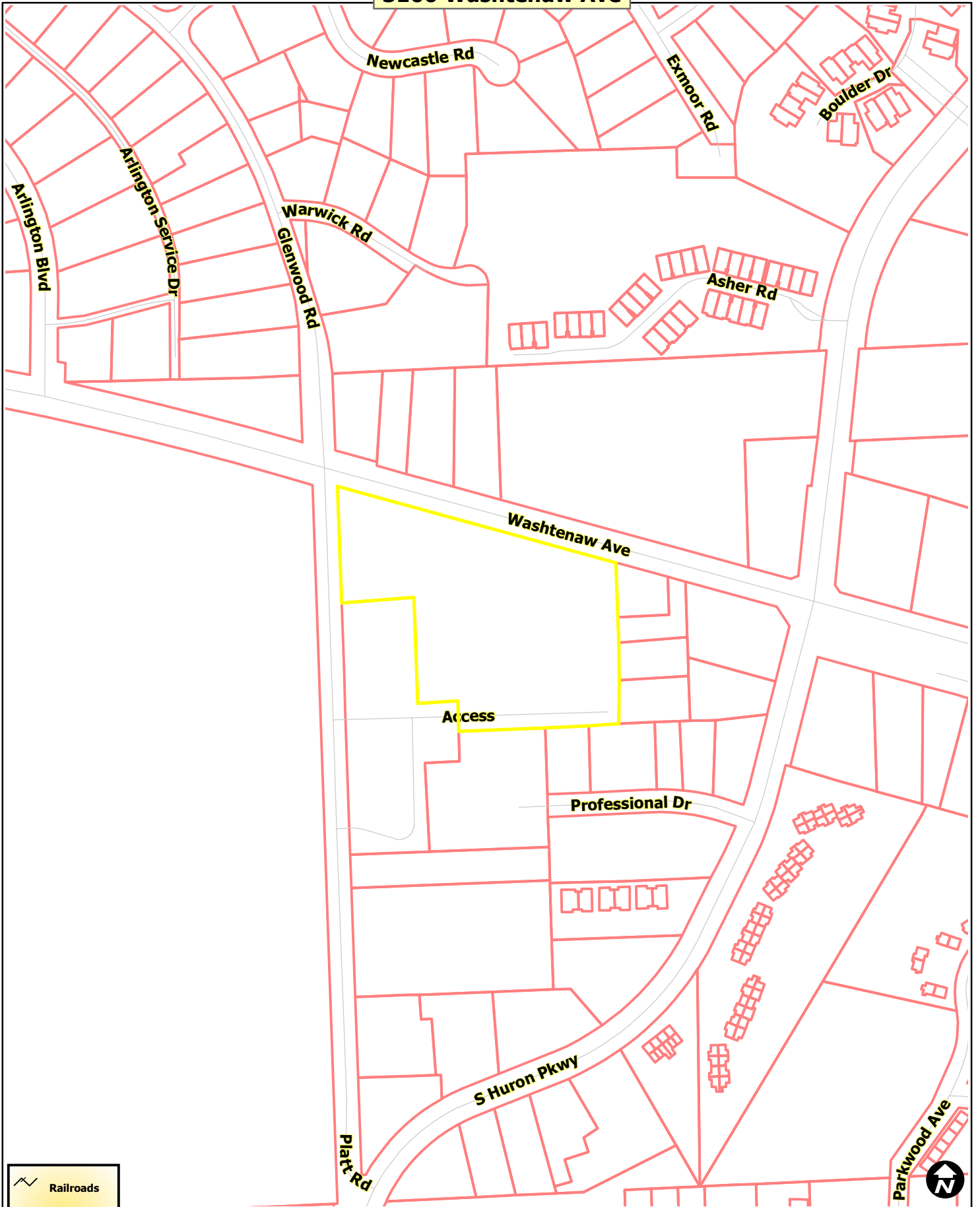
The request of six feet is the minimum required to cover the largest gap between building and wall and the face of the steel overhang. The proposed signs will still comply to the height and size requirements as stipulated by the ordinance.




Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with large loops and a cursive script.

Jon Barrett
Zoning Coordinator

3100 Washtenaw Ave

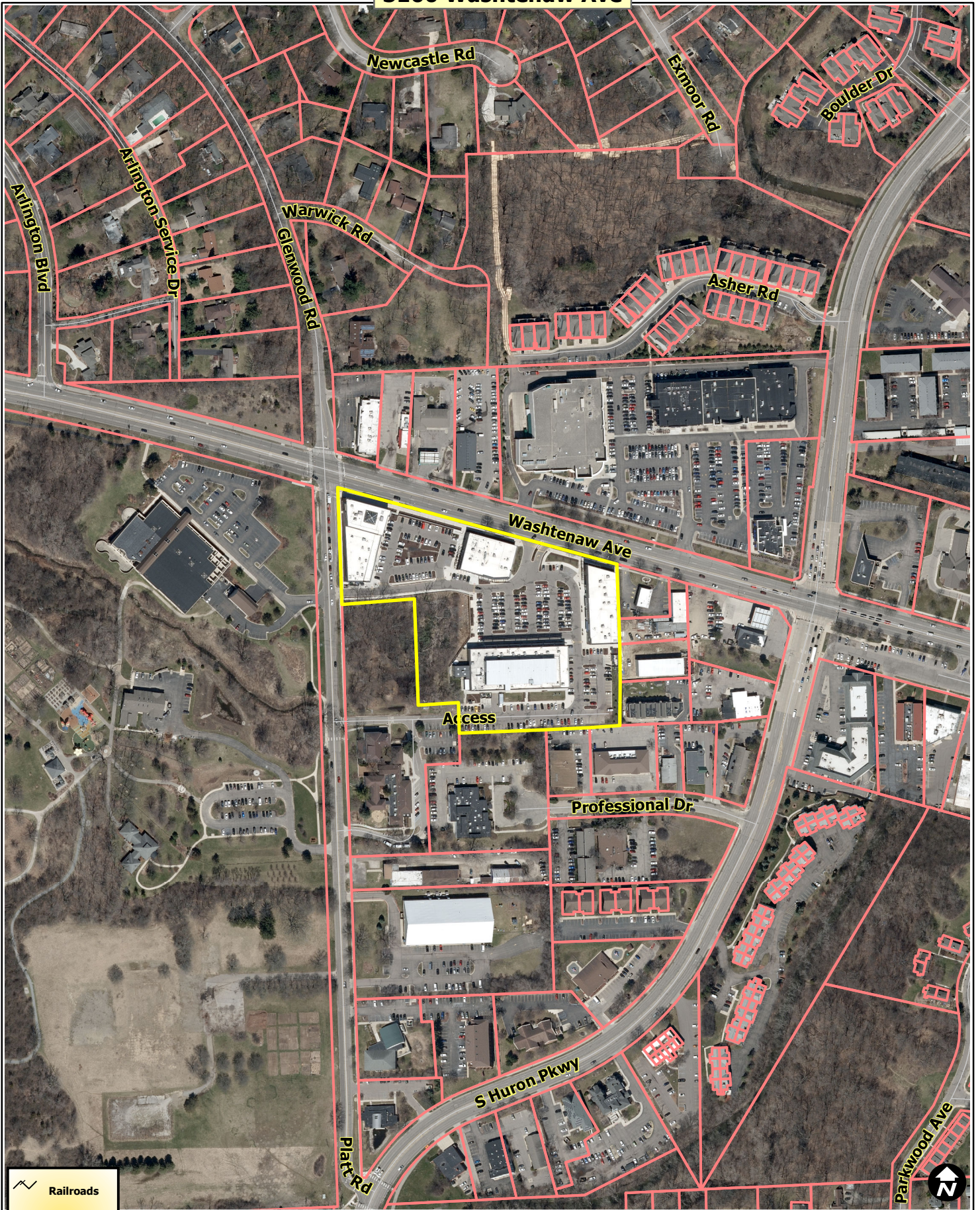





-  Railroads
-  Huron River
-  Tax Parcels



Map date: 1/7/2019
Any aerial imagery is circa 2018
unless otherwise noted
Terms of use: www.a2gov.org/terms

3100 Washtenaw Ave






-  Railroads
-  Huron River
-  Tax Parcels



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3100 Washtenaw Ave



-  Railroads
-  Huron River
-  Tax Parcels



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ZONING BOARD OF APPEALS APPLICATION

City of Ann Arbor Planning Services

City Hall: 301 E Huron Street Ann Arbor, MI 48107-8647

Phone: 734-794-6265 Fax: 734-794-8460 Email: planning@a2gov.org

PROPERTY INFORMATION

ADDRESS OF PROPERTY 3100 Washtenaw Ave.		ZIP CODE 48104	
ZONING CLASSIFICATION C-3	NAME OF PROPERTY OWNER* <i>If different than applicant, a letter of authorization from the property owner must be provided</i> AHC Washtenaw, LLC		
PARCEL NUMBER 09-12-02-204-098	OWNER EMAIL ADDRESS		

APPLICANT INFORMATION

NAME WPG Management Associates, Inc. - Ryan Vande Bosche			
ADDRESS 111 Monument Circle, Suite 3500	CITY Indianapolis	STATE IN	ZIP CODE 46204
EMAIL ryan.vandebosche@washingtonprime.com		PHONE 317-413-7543	
APPLICANT'S RELATIONSHIP TO PROPERTY Property Management			

REQUEST INFORMATION

<input checked="" type="checkbox"/> VARIANCE REQUEST Complete Section 1 of this application	<input type="checkbox"/> REQUEST TO ALTER A NONCONFORMING STRUCTURE Complete Section 2 of this application
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REQUIRED MATERIALS

One hard copy application complete with all required attachments must be submitted. Digital copies of supportive materials included in the submitted hard copy will only be accepted in PDF format by email or accompanying the hard copy application on a USB flash drive.

Required Attachments:

- Boundary Survey of the property including all existing and proposed structures, dimensions of property, and area of property.
- Building floor plans showing interior rooms, including dimensions.
- Photographs of the property and any existing buildings involved in the request.

OFFICE USE ONLY	
Fee Paid: \$600	ZBA: 18-031
DATE STAMP CITY OF ANN ARBOR RECEIVED DEC 21 2018 PLANNING & DEVELOPMENT SERVICES	

ACKNOWLEDGEMENT

All information and materials submitted with this application are true and correct.

Permission is granted to City of Ann Arbor Planning Services and members of the Zoning Board of Appeals to access the subject property for the purpose of reviewing the variance request.

Property Owner Signature: Ryan Vande Bosche

Date: 12/17/18

Section 1 City of Ann Arbor Planning Services – Zoning Board of Appeals Application

VARIANCE REQUEST

ARTICLE(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: (Example: Article 3, Section 5.26)

5:502(2)(a)

REQUIRED DIMENSION: (Example: 40' front setback)
Feet: 4' Inches: 0"

PROPOSED DIMENSION: (Example: 32 foot 8 inch front setback)
Feet: 10' Inches: 0"

DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE:

Proposing a variance for the purpose of increasing visibility for tenants. This request is for the entire center, not just one tenant. Worth noting that the requested exception is already present in the center (Lululemon).

The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:29. A variance may be granted by the Zoning Board of Appeals only in cases involving practical difficulties or unnecessary hardships when all of the following statements are found to be true. Please provide a complete response to each of the statements below.

The alleged hardships or practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the city. As owner/landlord, we have had numerous complaints from customers and tenants alike about the lack of visibility/wayfinding caused by these steel overhangs. This architectural element makes Arbor Hills unique, but it also makes storefronts/identification less visible.

The alleged hardships are practical difficulties, or both, which will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both. Not granting a variance in this case will result in a barrier to improved tenant performance and will also limit landlord's ability to bring in quality new tenants as lease expirations come up. Wayfinding will also be inhibited by failure to grant a variance.

Allowing 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 board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance. It's important to note that the affected tenants are substantially all found within the interior of Arbor Hills (i.e. not exterior facing to Washtenaw or Platt). As such, granting this variance would not impact any other properties. A similar variance was granted for 618 Church Street (ZBA17-037), similar in dimension albeit for different reasons.

The conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.

There is no negative impact from this variance. As noted above, Lululemon has similar signage today and it is a part of an elegantly designed storefront. There are 7 other tenant spaces that would benefit from this variance, so we have opted to request for the whole center rather than one at a time.

A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure. This request of 6' of added dimension is the minimum required to cover the largest gap between building wall and the face of the steel overhang. See attached site plan included in submission. **Also please note that any proposed signage would still adhere to current height/size requirements as stipulated by code.

Ryan Vande Bosche

From: Kevin Kohnen <kevin@masonaid.com>
Sent: Tuesday, December 18, 2018 12:09 PM
To: Ryan Vande Bosche
Cc: Amy Jonas; Chad Biniker; clewis@coldwaterdirect.com
Subject: RE: CWC - Ann Arbor - storefront

Ryan,

I wanted to make sure that as we are planning our store design in Ann Arbor with Washington Prime that I shared with you my thoughts on the importance of having signage mounted on the face of the corten steel overhang at your center. The first store we noticed upon arriving at Arbor Hills was the lululemon store. Not because of its corner location but because of its signage above the storefront. The other stores tended to have their storefronts hidden when they were placed below the steel overhang. Don't get me wrong they look nice but when you are spending the amount of capital on the store buildouts like we are spending we want to insure that our consumer sees our signage from the start. The consumer eye is drawn to steel overhang and when it is left naked or blank it tends to start to blend into the other buildings facades. I strongly believe that adding signage to the steel overhang is imperative for our immediate success in this market as the signage will "pop" and consumers will immediately be able to locate our store. We look forward to creating a memorable store with Washington Prime at Arbor Hills and appreciate the desire to add this impactful signage. Thank you for the consideration

Regards,

Colleen Lewis

Colleen Lewis | SVP Retail | Coldwater Direct, LLC 175A Beal St. Hingham, MA 02043 | Office: 781-556-8730 | Mobile: 201.707.5880 | clewis@coldwaterdirect.com

From: Ryan Vande Bosche [<mailto:Ryan.VandeBosche@washingtonprime.com>]
Sent: Monday, December 17, 2018 5:42 PM
To: Kevin Kohnen
Cc: Amy Jonas; Chad Biniker; clewis@coldwaterdirect.com
Subject: RE: CWC - Ann Arbor - storefront

Hi Kevin,

Would you or a representative from Coldwater be willing to send a quick letter or e-mail explaining the importance of being permitted to mount signage on the face of the corten steel overhang? Would like to include some testimonials from tenants to support our ZBA submission. Appreciate your time and consideration!

Regards,

RYAN VANDE BOSCHE

Senior Director, Development

WASHINGTON PRIME GROUP

111 Monument Circle, Suite 3500

Indianapolis, IN 46204

Cell (Preferred): 317-413-7543

From: [Mary Bomba](#)
To: [Ryan Vande Bosche](#)
Subject: RE: #1289 Shake Shack Ann Arbor - Revised Lease and SNDA
Date: Thursday, December 20, 2018 2:02:11 PM

Hey Ryan,

We, as tenants, fully support the landlords request for the variance allowing signage to be mounted to the face of the Corten Steel overhang. As a restaurant we rely on the visibility of our signage to alert our guests to our presence and feel it is an important factor in the success of our business. With that in mind, we believe that the signage mounted to the steel structure would be much more visible to both pedestrian and vehicular traffic. Further, as a brand we try to design signage that is appealing, architectural and of its place. By mounting to the existing structure it would allow our signage to read as part of the architecture of the building and therefore create a more cohesive vision that would align nicely with our brand standards.

I hope that helps,
Mary

Mary Bomba
Senior Design Manager
SHAKE SHACK
646-747-3439 | mbomba@shakeshack.com
225 Varick Street, Suite 301, New York, NY 10014

Order ahead on the [Shack App](#)

Shake Shack Enterprises Email Disclaimer: <https://www.shakeshack.com/email-disclaimer>

From: Ryan Vande Bosche [<mailto:Ryan.VandeBosche@washingtonprime.com>]
Sent: Thursday, December 20, 2018 8:57 AM
To: Mary Bomba <mbomba@shakeshack.com>
Subject: RE: #1289 Shake Shack Ann Arbor - Revised Lease and SNDA

Hi Mary,

Just touching base to confirm you would like to submit a letter of support. I'm planning to send out our submission package at EOB today. Let me know if I can answer any questions. Thanks!

RYAN VANDE BOSCHE
Senior Director, Development
WASHINGTON PRIME GROUP
111 Monument Circle, Suite 3500
Indianapolis, IN 46204
Cell (Preferred): 317-413-7543
Indy Office: 317-986-8512
Cbus Office: 614-887-5915

**CERTIFICATE OF INCUMBENCY
OF
WASHINGTON PRIME GROUP INC.**

The undersigned, the Corporate Secretary of Washington Prime Group, Inc., an Indiana corporation (the "**Corporation**") hereby certifies:

1. I am the acting Executive Vice President, General Counsel and Corporate Secretary of the Corporation.

2. The Corporation is the sole general partner of Washington Prime Group, L.P., an Indiana limited partnership, which is (i) the sole shareholder of WPG Management Associates, Inc., an Indiana corporation ("**WPG Management**"), which is the sole member of WPG-OC General Partner II, LLC, a Delaware limited liability company ("**GP II**"), and (ii) sole member of WPG-OC General partner, LLC, a Delaware limited liability company, which is the sole general partner of WPG-OC New Limited Partner, LP, a Delaware limited partnership, which is the sole member of WPG-OC General Partner II, LLC, a Delaware limited liability company ("**GP III**").

3. GP II and GP III are the general partners of WPG-OC JV IV, LP, a Delaware limited partnership, which is the sole member of Arbor Hills REIT, LLC, a Delaware limited liability company ("**REIT LLC**"), which is the sole member of AHC Ann Arbor, LLC, a Delaware limited liability company ("**AHC**"), which is the sole member of AHC Washtenaw, LLC, a Delaware limited liability company ("**Owner**").

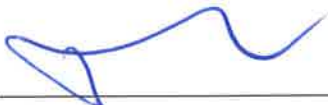
4. The Owner is the fee owner of the real property and improvements commonly known as Arbor Hills located in Ann Arbor, Washtenaw County, Michigan (the "**Shopping Center**").

5. The Shopping Center is managed pursuant to that certain Management and Leasing Agreement by and between the Owner and WPG Management dated May 12, 2017, pursuant to which the day to day operations of the Shopping Center shall be acted upon by WPG Management.

6. The following named individuals are duly appoint, qualified and acting in the capacity set forth opposite his or her name and are hereby designated as Authorized Representatives of the Corporation and WPG Management:

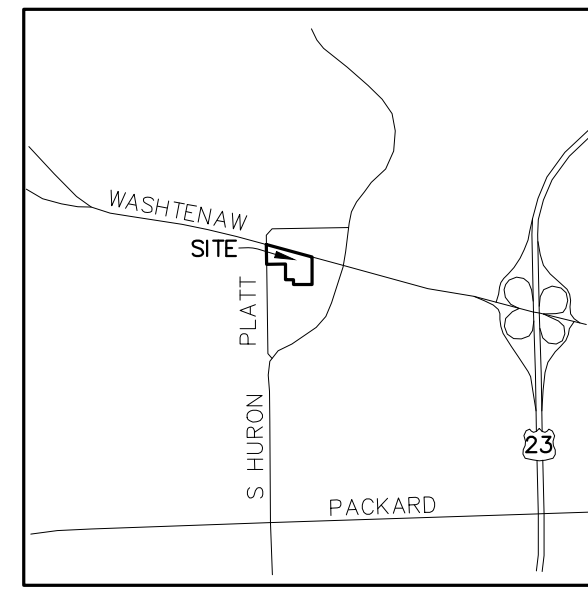
Name	Title
Louis G. Conforti	Chief Executive Officer
Mark E. Yale	Executive Vice President and Chief Financial Officer
Robert P. Demchak	Executive Vice President, General Counsel and Corporate Secretary
Paul Ajdaharian	Executive Vice President, Head of Open Air Centers
Gregory E. Zimmerman	Executive Vice President, Development
Melissa A. Indest	Senior Vice President, Finance and Chief Accounting Officer
Joshua Lindimore	Senior Vice President, Head of Leasing
Pagle M. Helterbrand	Senior Vice President, Human Resources
Erich A. Stehle	Senior Vice President, Construction
Cheryl M. Van Patten	Senior Vice President, Chief Information Officer
Jennifer Moretti	Senior Vice President, Marketing
Stephen G. Gerber	Senior Vice President, Head of Property Management
Ryan Vande Bosche	Senior Director, Development for purposes of executing construction and/or permitting documents.
Chad Biniker	Senior Project Manager, Construction for purposes of executing construction and/or permitting documents.

Certified and dated as of the 19th day of November, 2018.



Robert P. Demchak, Corporate Secretary

ALTA/NSPS LAND TITLE SURVEY



FIDELITY NATIONAL TITLE INSURANCE COMPANY
SCHEDULE A
 NCS NO. 16-54054 (ARBOR HILLS MI)
 LOCAL NO. 16-110452
 ISSUED DATE 11/22/2016
 VERSION NO. 5

TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:
AHC WASHTENAW, LLC, A DELAWARE LIMITED LIABILITY COMPANY

PARCEL I: SITUATED IN THE CITY OF ANN ARBOR, COUNTY OF WASHTENAW AND STATE OF MICHIGAN, LEGALLY DESCRIBED AS: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN; THENCE NORTH 00 DEG. 32' 32" WEST 1318.56 FEET ALONG THE WEST LINE OF SAID SECTION 2 AND THE CENTERLINE OF PLATT ROAD; THENCE NORTH 89 DEG. 27' 28" EAST 328.83 FEET TO THE PLACE OF BEGINNING; THENCE NORTH 00 DEG. 32' 32" WEST 475.19 FEET; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF WASHTENAW AVENUE SOUTH 73 DEG. 15' 32" EAST 449.30 FEET; THENCE SOUTH 0 DEG. 37' 00" EAST 341.76 FEET; THENCE SOUTH 0 DEG. 32' 32" EAST 81.09 FEET; THENCE SOUTH 88 DEG. 53' 56" WEST 429.48 FEET; THENCE NORTH 00 DEG. 32' 32" WEST 85.34 FEET TO THE PLACE OF BEGINNING. TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR PASSENGER VEHICLES AS RECORDED IN LIBER 2460, PAGE 355, WASHTENAW COUNTY RECORDS.

PARCEL II: SITUATED IN THE CITY OF ANN ARBOR, COUNTY OF WASHTENAW AND STATE OF MICHIGAN, LEGALLY DESCRIBED AS: COMMENCING AT AN IRON PIPE AT THE INTERSECTION OF THE WEST LINE OF SECTION 2, TOWN 3 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, WITH THE SOUTH LINE OF WASHTENAW AVENUE; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 2, 277.50 FEET FOR A PLACE OF BEGINNING; THENCE DEFLECTING 90 DEG. TO THE LEFT 123.83 FEET; THENCE DEFLECTING 90 DEG. TO THE LEFT 30.00 FEET; THENCE DEFLECTING 90 DEG. TO THE RIGHT 100.00 FEET; THENCE DEFLECTING 90 DEG. TO THE RIGHT 60.00 FEET; THENCE DEFLECTING 90 DEG. TO THE RIGHT 223.83 FEET; THENCE DEFLECTING 90 DEG. TO THE RIGHT 30.00 FEET ALONG THE WEST LINE OF SAID SECTION AND THE CENTERLINE OF PLATT ROAD TO THE PLACE OF BEGINNING, BEING A PART OF THE NORTHWEST 1/4 OF SAID SECTION 2. COMMENCING AT THE WEST 1/4 POST OF SECTION 2, TOWN 3 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN; THENCE NORTH 1896.06 FEET IN THE WEST LINE OF THE SECTION; THENCE DEFLECTING 107 DEG. 17' TO THE RIGHT 134.41 FEET FOR A PLACE OF BEGINNING; THENCE CONTINUING IN THE SAME DIRECTION, 100 FEET; THENCE 72 DEG. 43' TO THE RIGHT 177.86 FEET; THENCE DEFLECTING 90 DEG. TO THE RIGHT 100 FEET; THENCE DEFLECTING 91 DEG. 14' 40" TO THE RIGHT 207.62 FEET TO THE PLACE OF BEGINNING, BEING A PART OF THE NORTHWEST 1/4 OF SECTION 2.

PARCEL III: SITUATED IN THE TOWNSHIP OF PITTSFIELD, CITY OF ANN ARBOR, COUNTY OF WASHTENAW AND STATE OF MICHIGAN, LEGALLY DESCRIBED AS: COMMENCING AT AN IRON PIPE AT THE INTERSECTION OF THE WEST LINE OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 6 EAST, PITTSFIELD TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, WITH THE SOUTH LINE OF WASHTENAW AVENUE; THENCE SOUTH ALONG THE SAID WESTERLY LINE OF SAID SECTION 2, 577.50 FEET; THENCE EAST AT RIGHT ANGLES 223.83 FEET TO AN IRON PIPE; THENCE NORTHERLY PARALLEL TO THE WEST LINE OF SAID SECTION 2, 330 FEET; THENCE WESTERLY 100 FEET; THENCE NORTHERLY TO THE SOUTH LINE OF WASHTENAW AVENUE; THENCE NORTHWESTERLY ALONG THE SAID SOUTH LINE OF WASHTENAW AVENUE 134.41 FEET TO THE PLACE OF BEGINNING. EXCEPTING FROM THE ABOVE DESCRIPTION THE SOUTH 270 FEET THEREOF, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 2, PITTSFIELD TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, ALSO EXCEPTING HEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND: COMMENCING AT AN IRON PIPE AT THE INTERSECTION OF THE WEST LINE OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, WITH THE SOUTH LINE OF WASHTENAW AVENUE; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 2, 277.50 FEET FOR A PLACE OF BEGINNING; THENCE DEFLECTING 90 DEG. TO THE LEFT 123.83 FEET; THENCE DEFLECTING 90 DEG. TO THE LEFT 30.00 FEET; THENCE DEFLECTING 90 DEG. TO THE RIGHT 100 FEET; THENCE DEFLECTING 90 DEG. TO THE RIGHT 60.00 FEET; THENCE DEFLECTING 90 DEG. TO THE RIGHT 223.83 FEET; THENCE DEFLECTING 90 DEG. TO THE RIGHT 30.00 FEET ALONG THE WEST LINE OF SAID SECTION AND THE CENTERLINE OF PLATT ROAD TO THE PLACE OF BEGINNING, BEING A PART OF THE NORTHWEST 1/4 OF SAID SECTION 2, TOWNSHIP 3 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR.

PARCEL IV: SITUATED IN THE CITY OF ANN ARBOR, COUNTY OF WASHTENAW AND STATE OF MICHIGAN, LEGALLY DESCRIBED AS: COMMENCING AT THE WEST 1/4 CORNER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN; THENCE NORTH 1896.06 FEET ALONG THE WEST LINE OF SAID SECTION AND THE CENTERLINE OF PLATT ROAD TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF WASHTENAW AVENUE; THENCE SOUTH 72 DEG. 43' 00" EAST 134.41 FEET ALONG SAID RIGHT OF WAY LINE TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 72 DEG. 43' 00" EAST 109.96 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 475.20 FEET; THENCE WEST 105.00 FEET; THENCE NORTH 507.87 FEET TO THE POINT OF BEGINNING, BEING A PART OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN.

SAID PARCELS I-IV BEING ALSO DESCRIBED AS:
 THE FOLLOWING DESCRIBED LAND LOCATED IN THE CITY OF ANN ARBOR, COUNTY OF WASHTENAW, STATE OF MICHIGAN:
 COMMENCING AT THE WEST 1/4 CORNER OF SECTION 2, T.3S., R.6E., CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN; THENCE N00°32'32"W 1588.56 FEET ALONG THE WEST LINE OF SAID SECTION 2 AND THE CENTERLINE OF PLATT ROAD (66 FEET WIDE); THENCE N89°27'28"E 33.00 FEET FOR A POINT OF BEGINNING; THENCE N00°32'32"W 297.23 FEET ALONG THE EAST LINE OF SAID PLATT ROAD; THENCE S73°15'32"E 759.11 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF WASHTENAW AVENUE (VARIABLE WIDTH); THENCE S00°32'32"E 341.76 FEET; THENCE S00°32'32"E 81.09 FEET; THENCE S88°53'56"W 429.48 FEET; THENCE N00°32'32"W 85.33 FEET; THENCE S89°27'28"W 105.00 FEET; THENCE N00°32'32"W 270.00 FEET; THENCE S89°27'28"W 190.83 FEET TO THE POINT OF BEGINNING, BEING PART OF THE NORTHWEST 1/4 OF SAID SECTION 2, CONTAINING 7.20 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR PASSENGER VEHICLES AS RECORDED IN LIBER 2460, PAGE 355, WASHTENAW COUNTY RECORDS.

SCHEDULE B-SECTION II EXCEPTIONS

- RIGHT(S) OF WAY AND/OR EASEMENT(S) AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT: IN FAVOR OF: COUNTY DRAIN COMMISSIONER FOR THE COUNTY OF WASHTENAW. RECORDING NO: LIBER 2272, PAGE 986 (AFFECTS SUBJECT PROPERTY, AS SHOWN)
- RIGHT(S) OF WAY AND/OR EASEMENT(S) AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT: IN FAVOR OF: CITY OF ANN ARBOR. RECORDING NO: LIBER 565, PAGE 512 (AFFECTS SUBJECT PROPERTY, AS SHOWN)
- INTENTIONALLY DELETED
- RIGHT(S) OF WAY AND/OR EASEMENT(S) AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT: IN FAVOR OF: THE DETROIT EDISON COMPANY, A MICHIGAN CORPORATION AND MICHIGAN BELL TELEPHONE COMPANY, A MICHIGAN CORPORATION. RECORDING NO: LIBER 1329, PAGE 343 (AFFECTS SUBJECT PROPERTY, NOT PLOTTED, BLANKET AGREEMENT)
- RIGHT(S) OF WAY AND/OR EASEMENT(S) AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT: IN FAVOR OF: THE DETROIT EDISON COMPANY, A MICHIGAN CORPORATION AND MICHIGAN BELL TELEPHONE COMPANY, A MICHIGAN CORPORATION. RECORDING NO: LIBER 1330, PAGE 874 AND RE-RECORDED IN LIBER 1334, PAGE 283 (AFFECTS SUBJECT PROPERTY, AS SHOWN)
- RIGHT(S) OF WAY AND/OR EASEMENT(S) AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT: ENTITLED: GRANT OF NON-EXCLUSIVE EASEMENT. RECORDING NO: LIBER 2460, PAGE 355 (AFFECTS SUBJECT PROPERTY, AS SHOWN)
- COVENANTS, CONDITIONS AND RESTRICTIONS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH IN THE DOCUMENT. RECORDING NO: LIBER 4910, PAGE 259 (AS TO PARCEL IV) (AFFECTS SUBJECT PROPERTY, AS SHOWN)
- AN INSTRUMENT ENTITLED: ARBOR HILLS CROSSING DEVELOPMENT AGREEMENT. RECORDING DATE: JULY 23, 2012. RECORDING NO: LIBER 4918, PAGE 288. NCS NO. 16-54054 (ARBOR HILLS MI) LOCAL NO. 16-110452 ISSUED DATE 10/20/2016 VERSION NO. 2 (AFFECTS SUBJECT PROPERTY, NOT PLOTTED, BLANKET AGREEMENT)
- RIGHT(S) OF WAY AND/OR EASEMENT(S) AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: DETROIT EDISON COMPANY. RECORDING NO: LIBER 4928, PAGE 485 (AFFECTS SUBJECT PROPERTY, NO DEFINED ROUTE PLOTTED IN DOCUMENT, EASEMENT LIES IN AN AS-CONSTRUCTED LOCATION, ONLY TRANSFORMER LOCATIONS WERE OBSERVED AT THE TIME OF SURVEY)
- RIGHT(S) OF WAY AND/OR EASEMENT(S) AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT: IN FAVOR OF: CITY OF ANN ARBOR. RECORDING NO: LIBER 4989, PAGE 938 (AFFECTS SUBJECT PROPERTY, AS SHOWN)
- RIGHT(S) OF WAY AND/OR EASEMENT(S) AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT: IN FAVOR OF: CITY OF ANN ARBOR. RECORDING NO: LIBER 4989, PAGE 939 (AFFECTS SUBJECT PROPERTY, AS SHOWN)
- RIGHT(S) OF WAY AND/OR EASEMENT(S) AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT: IN FAVOR OF: CITY OF ANN ARBOR. RECORDING NO: LIBER 4989, PAGE 940 (AFFECTS SUBJECT PROPERTY, AS SHOWN)
- RIGHT(S) OF WAY AND/OR EASEMENT(S) AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT: IN FAVOR OF: CITY OF ANN ARBOR. RECORDING NO: LIBER 4996, PAGE 787 (AFFECTS SUBJECT PROPERTY, AS SHOWN)
- A LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN, DISCLOSED BY SUBORDINATION, NON-DISTURBANCE AND ATTORNEY AGREEMENT. LEASE DATED: NOVEMBER 15, 2012. LESSOR: RSW WASHTENAW, LLC. LESSEE: HOMEMOR, INC. AN OHIO CORPORATION. MORTGAGEE: THE PRIVATEBANK AND TRUST COMPANY. RECORDING DATE: MAY 9, 2013. RECORDING NO: LIBER 4941, PAGE 113 (AFFECTS SUBJECT PROPERTY, NOT A SURVEY MATTER)
- A LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN, DISCLOSED BY SUBORDINATION, NON-DISTURBANCE AND ATTORNEY AGREEMENT. LEASE DATED: MARCH 12, 2013. LESSOR: RSW WASHTENAW, LLC. LESSEE: BROOKS BROTHERS GROUP, INC. A DELAWARE CORPORATION. MORTGAGEE: THE PRIVATEBANK AND TRUST COMPANY. RECORDING DATE: MAY 9, 2013. RECORDING NO: LIBER 4976, PAGE 491 (AFFECTS SUBJECT PROPERTY, NOT A SURVEY MATTER)
- THE QUANTITY OF ACREAGE LISTED IN SCHEDULE A IS NOT INSURED HEREIN. (AFFECTS SUBJECT PROPERTY, NOT A SURVEY MATTER)
- FUTURE ADVANCE MORTGAGE FROM AHC WASHTENAW, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO SECURITY LIFE OF DENVER INSURANCE COMPANY, A COLORADO CORPORATION, DATED DECEMBER 18, 2013, RECORDED DECEMBER 27, 2013, IN LIBER 5016, PAGE 344. (AFFECTS SUBJECT PROPERTY, NOT A SURVEY MATTER)
- ASSIGNMENT OF RENTS AND LEASES FROM AHC WASHTENAW, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO SECURITY LIFE OF DENVER INSURANCE COMPANY, A COLORADO CORPORATION, DATED DECEMBER 18, 2013, RECORDED DECEMBER 27, 2013, IN LIBER 5016, PAGE 345. (AFFECTS SUBJECT PROPERTY, NOT A SURVEY MATTER)

CERTIFICATION:

To:
 Fidelity National Title
 AHC Washtenaw, LLC, a Delaware limited liability company
 O'Connor Mall Partners, L.P., a Delaware limited partnership
 O'Connor Capital Partners LLC
 WPG-OC JV IV, L.P.

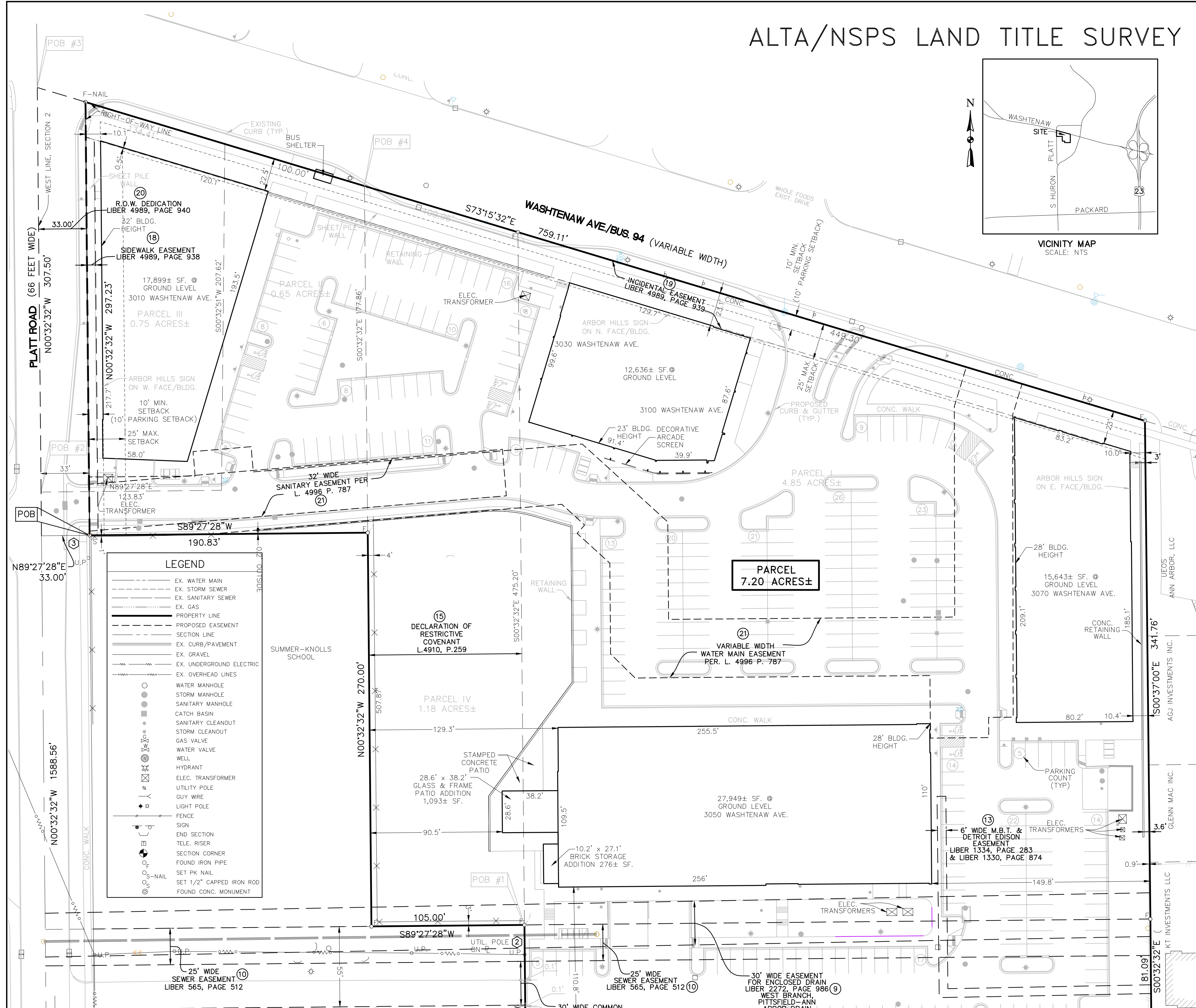
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(a)(b), 7(a),(b)1 & (c), 8, 9, 10(a), 11, 13, 14, 16, 17, 18, 19 & 20 of Table A thereof. The field work was completed on November 08, 2016.

Date of Plat or Map: January 1, 2017.

B. Oliver
 1-13-2017

Brad E.G. Oliver, PS 49301 Dated
 boliver@metroca.net

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LEGEND

- EX. WATER MAIN
- EX. STORM SEWER
- EX. SANITARY SEWER
- EX. GAS
- PROPOSED EASEMENT
- SECTION LINE
- EX. CURB/PAVEMENT
- EX. GRAVEL
- EX. UNDERGROUND ELECTRIC
- EX. OVERHEAD LINES
- WATER MANHOLE
- STORM MANHOLE
- SANITARY MANHOLE
- CATCH BASIN
- SANITARY CLEANOUT
- STORM CLEANOUT
- GAS VALVE
- WATER VALVE
- WELL
- HYDRANT
- ELEC. TRANSFORMER
- UTILITY POLE
- GUY WIRE
- LIGHT POLE
- FENCE
- SIGN
- END SECTION
- TELE. RISER
- SECTION CORNER
- FOUND IRON PIPE
- SET PK NAIL
- SET 1/2" CAPPED IRON ROD
- FOUND CONC. MONUMENT

SURVEYOR NOTES
 BEARING BASIS: PROVIDED LEGAL DESCRIPTION
 BUILDING SQUARE FOOTAGE APPROXIMATE
 SUBJECT PROPERTY HAS MEANS OF INGRESS/EGRESS VIA WASHTENAW AVE. AND PLATT RD.
 AS TO TABLE A ITEM NO. 10 - SURVEYOR HAS NO PRIOR KNOWLEDGE OF PARTY WALLS.
 AS TO TABLE A ITEM NO. 16 - THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH WORK OR BUILDING CONSTRUCTION.
 AS TO TABLE A ITEM NO. 17 - NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES, IF INFORMATION IS AVAILABLE FROM THE CONTROLLING JURISDICTION, OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION REPAIRS.
 AS TO TABLE A ITEM NO. 18 - NO WETLANDS WERE Delineated AT THE TIME OF SURVEY.
 IN REGARD TO EXCEPTION # 19 - EASEMENT ALLOWS PERMANENT STRUCTURES TO BE WITHIN - BUILDINGS, LIGHT POLES, BUS SHELTER, ETC.

ZONING: PER THE ZONING REPORT PROVIDED BY "THE PLANNING & ZONING RESOURCE COMPANY" DATED 11/07/2016, PZR SITE NO. 98010-5
 C3 FRINGE COMMERCIAL DISTRICT
BUILDING SETBACKS:
 FRONT: 10' MINIMUM, 25' MAXIMUM
 SIDE: NONE, EXCEPT 30' WHERE ABUTTING RESIDENTIALLY ZONED LAND
 REAR: NONE, EXCEPT 30' WHERE ABUTTING RESIDENTIALLY ZONED LAND
LAND:
 MAXIMUM BUILDING HEIGHT: 55' 4" STORES
 MINIMUM LOT AREA: 6,000 SF
 MINIMUM LOT WIDTH: 60'
PARKING SETBACKS:
 FRONT: 10' MINIMUM

PARKING: (CONTINUED)

REQUIRED	PROVIDED	
BUILDING C - 2nd FLOOR	30 MIN. (1 PER 333 SF)	31
BUILDING C - MEZZ/COOLER	4 MIN. (1 PER 310 SF)	5
BUILDING D	51 MIN. (1 PER 310 SF)	52
BUILDING D - MEZZ/COOLER	3 MIN. (1 PER 310 SF)	4
HANDICAP ACCESSIBLE	8 MIN.	8

FLOOD NOTE:
 WE HAVE UTILIZED THE NATIONAL FLOOD INSURANCE PROGRAM HTTP://WWW.FEMA.GOV, AND HAVE DETERMINED THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY DO CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.
UTILITY NOTE:
 THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY DO CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.
 PROFESSIONAL LIABILITY INSURANCE POLICY OBTAINED BY THE SURVEYOR IN THE MINIMUM AMOUNT OF \$1,000,000 TO BE IN EFFECT THROUGHOUT THE CONTRACT TERM.

ISSUED FOR:
 ATORNEY COMMENTS
 ATORNEY COMMENTS
 ATORNEY COMMENTS
 DATE: 11-14-16
 11-14-16
 11-22-16
 01-13-17

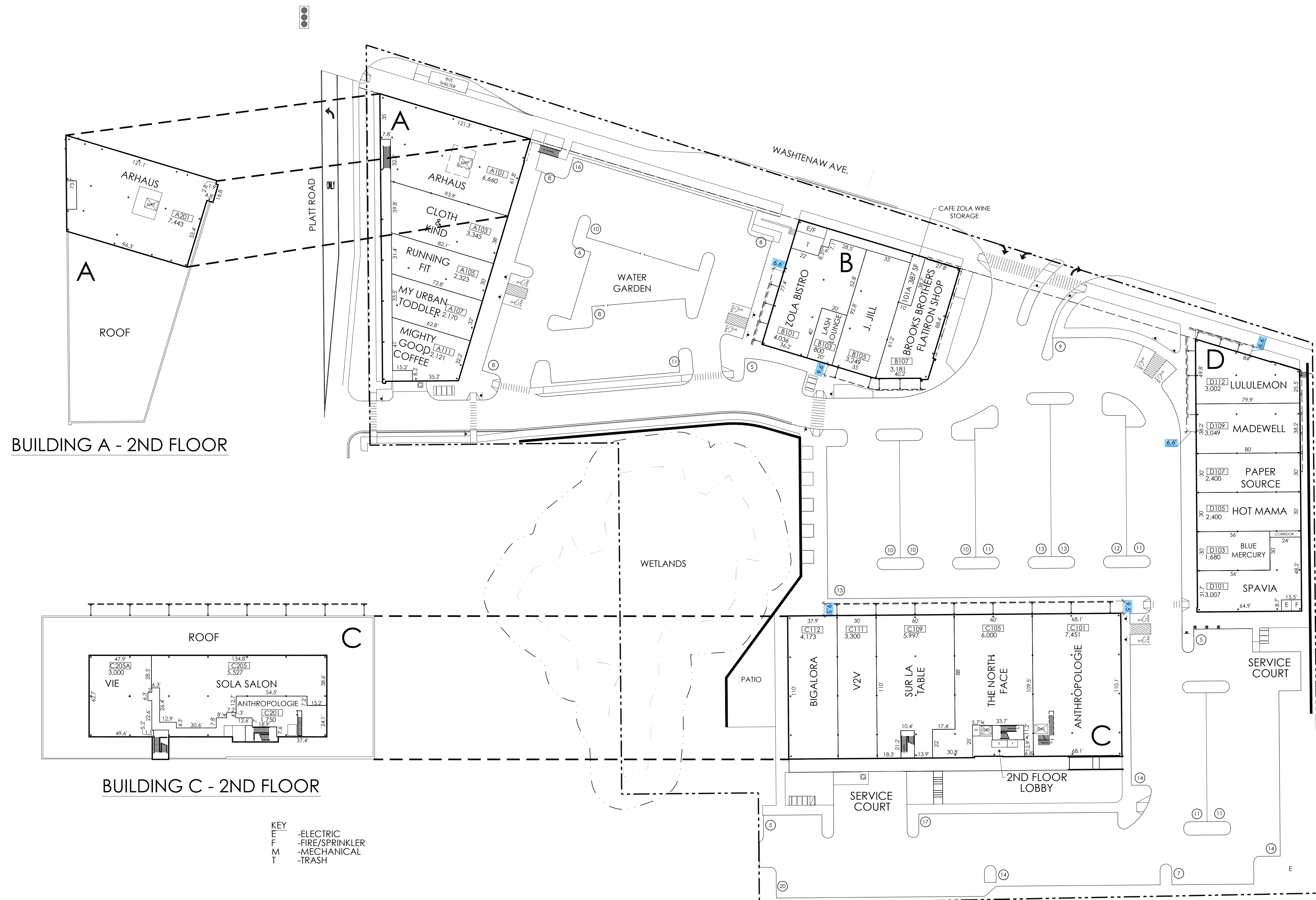
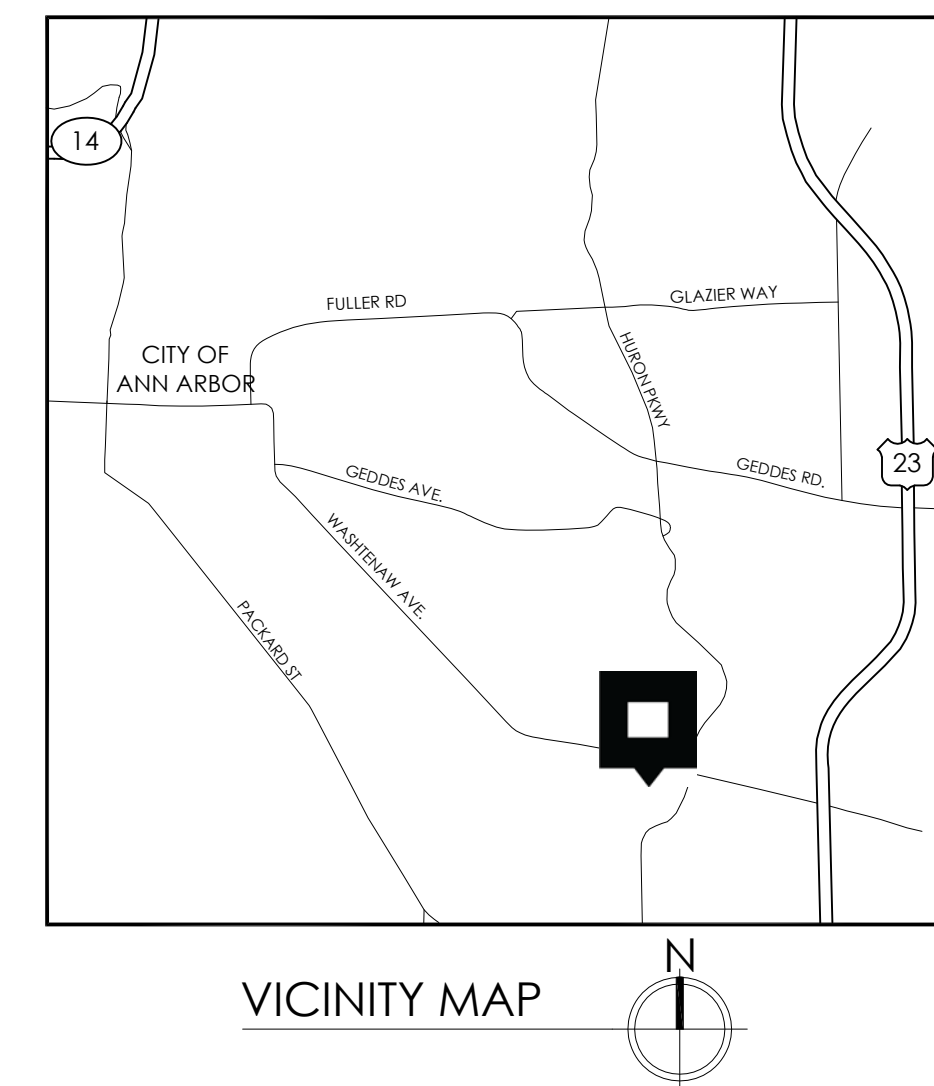
METRO CONSULTING ASSOCIATES
 Relationships | Reputation | Results
 800.525.6016 www.metroca.net

CLIENT NAME: Washington Prime Group, Inc.
 ARBOR HILLS
 ALTA/NSPS LAND TITLE SURVEY
 OF A 7.20 ACRE PARCEL
 OF LAND BEING PART OF THE
 NORTHWEST 1/4 OF SECTION 2,
 T3S, R6E, WASHTENAW COUNTY, MICHIGAN

GRAPHIC SCALE
 0 20 40 80
 1 inch = 40 feet

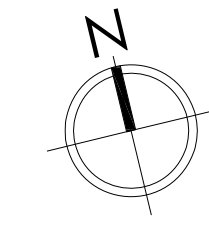
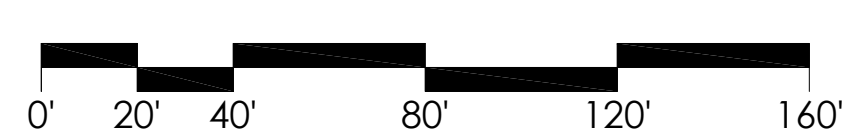
DWG: 13-5953
 JOB NO.: 13-5953-AS03
 DATE: 11-10-16
 DRAWN BY: DSB
 CHECK BY: BEGO
 BOOK/CREW: JL
 SECTION: 2 T3S-R6E
 CITY OF: ANN ARBOR
 COUNTY: WASHTENAW
 SHEET: 1 OF 1

ARBOR HILLS



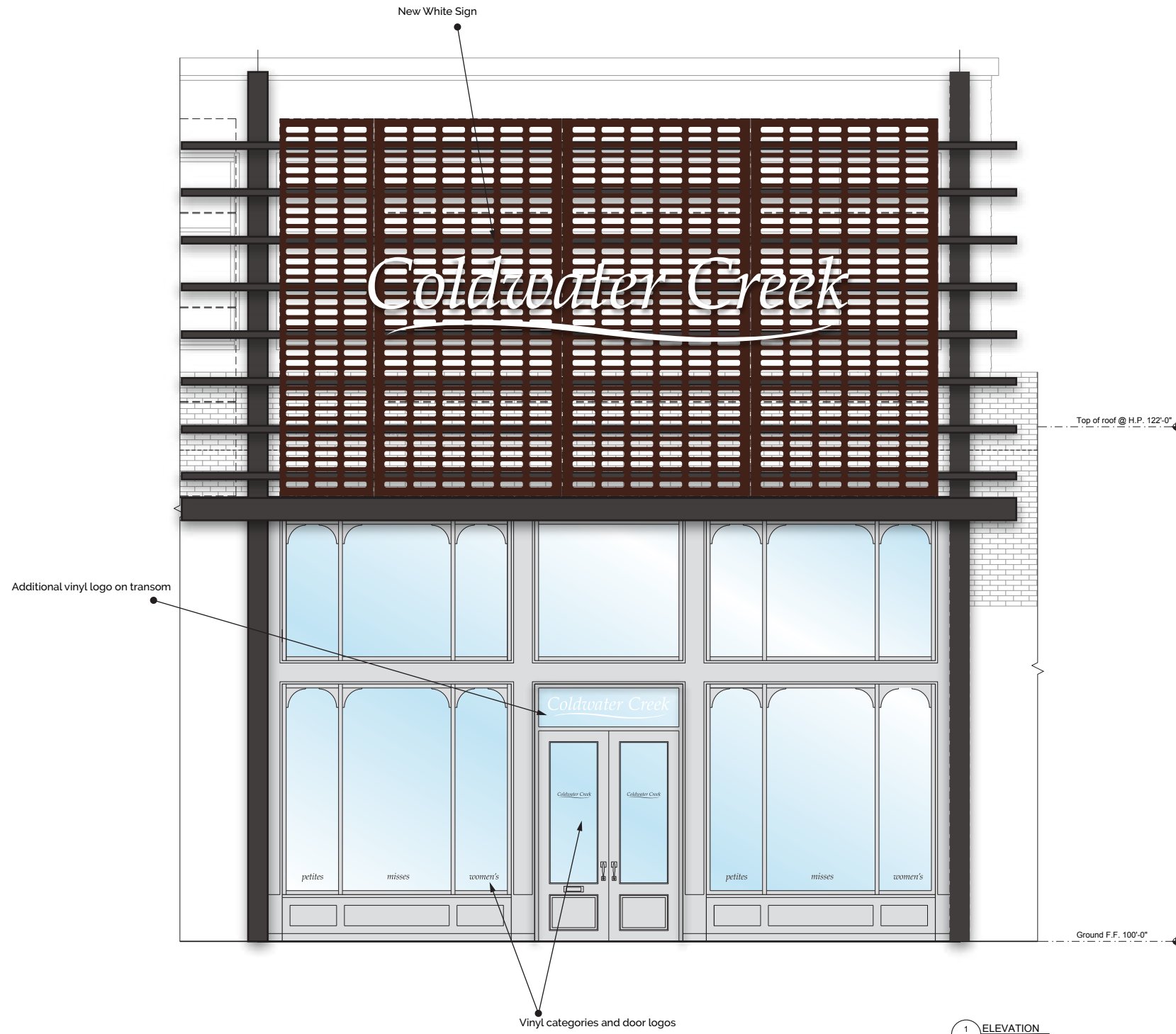
MODIFIED: December 7, 2018

DEVELOPMENT PLAN DP05



ARBOR HILLS
 3100-3070 WASHTENAW AVE
 ANN ARBOR, MI 48104
WASHINGTON PRIME GROUP
 CORP# 100001

This drawing may have been prepared from architectural and engineering plans and may not have been field verified. This exhibit is provided for illustrative and informational purposes only and may not be relied upon by you, your affiliates, representatives, agents, successors and/or assigns. Furthermore, Landlord is not making an express or implied warranty, representation or agreement that the actual property, common areas and/or improvements will be as shown on this drawing, or that any tenants that may be referenced on this drawing will at any time occupy the property. Landlord reserves all rights to modify, among other things, the size, configuration and occupants of the property at any time in its sole and absolute discretion.



1 ELEVATION
A100 SCALE: 3/8" = 1'-0"



Existing Storefront Reference



Existing Storefront Reference



Zola

Lash LOU...

L



Zola
BISTRO

Lash LOUNGE

verizon




BIGALOR

Sus la table

V2V





 lululemon

Madswell

Madswell



photo by Terry Melman