



City of Ann Arbor

PLANNING & DEVELOPMENT SERVICES — PLANNING SERVICES
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APPLICATION FOR SPECIAL EXCEPTION USE

See www.a2gov.org/planning/petitions for submittal requirements.

TO: Ann Arbor City Planning Commission

We, the undersigned, respectfully petition the City Planning Commission to approve this special exception use request as it relates to the property hereinafter described.

A. Legal Description

(Give or attach legal description and include address of property)

See attached drawings

commonly known as 3945, 3949, 3953 & 3957 S. State St.

B. Petitioner Information

The petitioner(s) requesting the special exception use are: *(List petitioners' name; address; telephone number; and interest in the land; i.e., owner, land contract, option to purchase, etc.)*

JAG Briarwood, LLC Jack Schwarcz managing member

4779 COLLINS AVE #4301, Miami Beach, FL 33140

Also interested in the petition are: *(List others with legal or equitable interest)*

C. Use Request

The applicant requests special exception use approval to permit the following use(s): *(state intended use)*

Modify the existing eastern building to incorporate a drive-thru on the north side of the buiding to accomodate future retail, office and/or business uses. The existing western building has such a drive-thru configutation. The pandemic has changed the way retail/commercial business conduct their operations and created a wider need for drive-thu access.

D. Specific Standards

The proposed use is allowed in accordance with the Schedule of Use Regulations, Chapter 55 (Zoning Ordinance), Section 5.15, Paragraph 5.15.2. Specify how the project meets all standards cited. Add attachment if necessary.

Drive-thrus are permitted in C3 as a Special Exception use (5.16.1.C.3) The proposed drive-thru is not located between a street and the Principal Building, and the vehicular circulation will enter and & exit the facility without impairing the general vehicular or pedestrian circulation on or off the site

E. General Standards

The proposed use or uses shall be of such location, size and character as to be compatible with the appropriate and orderly development of the zoning district and adjacent zoning districts in which the site is situated. Please explain how and to what extent the following standards are met by the proposal:

1. Will be consistent with the general objectives of the City Master Plan.

Yes. The commercialy zoned site is located in an area where patrons come to business by vehical

2. Will be designed, constructed, operated and maintained in a manner that is compatible with the existing and planned character of the general vicinity.

The builing is existing and will only need minor modification to add the drive-thru lane -

Most of the existing builing square footage will remain. There are many well maintaned drive-thru business in the general vicinity and this one is compatible & will also be so maintained

3. Will be consistent with the general character of the neighborhood considering population density, design, scale and bulk; and the intensity and character of activity.

The current builings and proposed modifications are consistent with the character of the existing neighborhood/area

4. Will not be detrimental to the use, peaceful enjoyment, economic value or development of neighboring property, or the neighborhood area in general.

The proposed building modifications will not be detrimental to the peacefull enjoyment, economic value of the already developed neighboring properties. There are no nearby residential neighborhoods

5. Will not have a detrimental effect on the natural environment.

Nothing about the proposed modifications will have any additional detrimental effect on the enviornment as it is an existing developed site compliant with the approved site plan.

The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such that traffic to and from the use or uses, the assembly of persons in connection therewith, and the effect of the proposed use on public services and facilities, will not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic of the neighborhood. Please explain how and to what extent the following standards are met by the proposal:

6. The location of and access to off-street parking and the safe provision for pedestrian traffic.

These have already been incorporated into the improved site according to the approved site plan

There is no off-street parking or pedestrian traffic on the north side of the building

7. The relationship of the proposed use to main traffic thoroughfares and to streets and road intersections.

No change from what exists now

8. Vehicular turning movements in relationship to traffic flow routes.

No change from what exists now

9. The intensity and character of traffic and parking conditions on the site and in the general area.

No change from what exists now - circulation is unchanged and there is no new parking required

10. The requirements for additional public services and facilities which will be created by the proposed use will not be detrimental to the social and economic welfare of the community.

No change from what exists now

F. Variance Information

In addition to the granting of the special exception use, the following variances from City regulations will be requested:

No change from what exists now

Attached is a site plan of the property proposed for special exception use approval, showing the

boundaries of the property, the buildings, vehicular use areas, and all requirements set forth in Chapter 57 (Subdivision and Land Use Controls).

The undersigned states he/she is interested in the property as aforesaid and that the foregoing statements are true and correct to the best of his/her knowledge and belief.

Dated: 12-13-21

Signature: _____

JACK SCHWARZ
4779 Collins #4301 Miami Beach
(Print name and address of petitioner) FL, 33140

STATE OF MICHIGAN

COUNTY OF ~~WASHTENAW~~ WAYNE

On this 13TH day of DECEMBER, ²⁰²¹ ~~19~~, before me personally appeared the above named petitioner(s), who being duly sworn, say that they have read the foregoing petition and by them signed, and know the contents thereof, and that the same is true of their knowledge, except as to the matter therein stated to be upon their information and belief, and as to those matters they believe it to be true.

Signature: Richard Claeys

My Commission Expires: 3/28/28

RICHARD CLAEYS
Notary Public - State of Michigan
County of Wayne
My Commission Expires Mar 28, 2028
Acting in the County of WASHTENAW

