

CITY OF BUCHANAN PLANNING COMMISSION- PUBLIC HEARING AND SPECIAL MEETING TUESDAY, OCTOBER 03, 2023 – 6:00 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

AGENDA

The City of Buchanan Planning Commission, in compliance with Michigan's Open Meetings Act, hereby gives notice of a Planning Commission meeting to be held in the Chamber of City Hall.

* Comments may also be submitted in writing at least 4 hours in advance to the Community Development Director Richard Murphy at rmurphy@cityofbuchanan.com

* Buchanan City will provide necessary and reasonable auxiliary aide and services to those individuals with disabilities who wish to attend the public meeting upon receiving at least one (1) week's prior notice. Any such individual requiring such aids or services should contact the city in writing or by telephoning: Buchanan City Clerk; 302 North Redbud Trail, Buchanan, MI 49107, 269-695-3844.

I. PUBLIC HEARING

- A. <u>Call to Order</u>
- B. <u>Roll Call</u>
- C. <u>Opening of Hearing and Statement of Purpose of the Hearing-</u>The purpose of the Public Hearing is for the Plan Commission to consider an application for a zoning amendment of the Buchanan zoning ordinance initiated by the Plan Commission to amend the zoning of 208 Days Ave from R-1A Residential to C-3 Central Business District.
- D. Announcement of the Rules of the Hearing
- E. <u>Presentation by the Applicant</u>
- F. Presentation by the Opposition
- G. Applicant's Rebuttal
- H. Closing of Hearing
- II. Special Meeting Call to Order
- III. Pledge of Allegiance
- IV. Roll Call
- V. Approve Agenda
- VI. Public Comments Agenda Items
- VII. Approve Minutes
 - A. Consider approving the Regular Meeting Minutes from August 15, 2023
- VIII. Old Business
 - <u>A.</u> **Biggby final site plan-** *Consider final site plan approval for the BIGGBY project at 411 N. Redbud Trail*
- IX. New Business
 - <u>A.</u> **Design Review Committee-** *Minutes and Recommendation for Mural at Cannavista, 120 E. Front St.*

- **B.** Consider Resolution 2023.09/01- A Resolution for the City of Buchanan Plan Commission to initiate an application for a Zoning Amendment at 208 Days Ave. from R1A Residential to C-3 Central Business District.
- <u>C.</u> Livery Boutique Hotel-Consider site plan approval for the Historic Livery Boutique Hotel Project, 206-208 Days Ave.
- D. **Zoning Amendment** Consider recommending to the City Commission to approve the Zoning Amendment of 208 Days Ave. from R1A to C-3 Central Business District and adopt the finding of facts to support.
- E. Appointments

1) Consider recommending Emma Lysy to serve on the Plan Commission.

- X. Public Comment Non-Agenda Items Only
- XI. Community Development Director Comments
- XII. Commissioner Comments
- XIII. Adjournment



PUBLISHED:

Berrien County Record

NOTICE OF PUBLIC HEARING CITY OF BUCHANAN Plan Commission

A Public Hearing has been set for October 3rd and 6:00 p.m. at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan 49107. The purpose of the Public Hearing is for the Plan Commission to consider an application for a zoning amendment of the Buchanan zoning ordinance initiated by the Plan Commission to amend the zoning of 208 Days Ave from R-1A Residential to C-3 Central Business District.

At the above time and place, all interested parties will be given an opportunity to be heard before the Plan Commission issues its determination regarding the application. Parties seeking visual or audio accommodation may contact Clerk Kalla Langston at (269) 695-3844, preferably with as much advance notice as possible, so that suitable arrangements can be made to help make needed accommodations.

Written comments may also be submitted in advance of the meeting to Community Development Director Richard Murphy either by delivery to Buchanan City Hall, or via email to <u>rmurphy@cityofbuchanan.com</u>.

Richard Murphy Community Development Director Kalla Langston City Clerk



CITY OF BUCHANAN PLANNING COMMISSION TUESDAY, AUGUST 15, 2023 – 7:00 PM CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL

MINUTES

The City of Buchanan Planning Commission, in compliance with Michigan's Open Meetings Act, hereby gives notice of a Planning Commission meeting to be held in the Chamber of City Hall.

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III. Regular Meeting - Call to Order

The meeting was called to order at 7:04pm by Vice-Chair Barker.

IV. Pledge of Allegiance

Barker led in the pledge of allegiance.

V. Roll Call

Present: Kevin Barker, Richard Martin, Sean Denison, Tony Houser

Absent: Ralph McDonald, Jason Lietz

City Staff: Director of Community Development & Zoning Administrator, Rich Murphy; City Clerk, Kalla Langston

VI. Approve Agenda

Motion made by Denison to amend the agenda suggesting that new business be switched with old business, supported by Martin. Voice vote carries unanimously.

VII. Public Comments - Agenda Items

None.

VIII. Approve Minutes

<u>A.</u> <u>Minutes</u>

1) Consider approving the Special Meeting Minutes from June 29, 2023.

Motion made by Denison, supported by Houser to adopt minutes as presented. Voice vote carries unanimously.

2) Consider approving the Regular Meeting Minutes from July 11, 2023.

Motion made by Houser, supported by Martin to adopt minutes as presented. Motion made by Barker to amend the minutes and add "at the property line" to clarify the language. Voice vote to approve these amended minutes was carried unanimously.

IX. New Business

A. Preliminary Site Plan Review for 411 N. Redbud Trail- Biggby Renovations.

Jim Furkis architect for the Biggby Project provides a large site plan. Updates from the last plan sent to Richard include additional landscaping, clarification on existing trees, and still working on the drainage aspect. Discussion points;

- 1. **Building Renovations:** The current plan is to renovate the existing building and hose off the drive on E 5th Street and have a two-way drive off Redbud Trail. There will be a pedestrian walk-up window in addition to the drive-through but with no indoor seating. There will be picnic tables outside.
- 2. **Parking Lot and Traffic Signals:** Maintain footprint of existing asphalt and restripe for parking. Most of the car parks will be for employees. Traffic directionals will be signaled on the asphalt.
- 3. Drainage: Drainage plan was to use the existing but there are issues. The drain was connected to the storm sewer at one point, but when a gas main was put in the city blocked it off with concrete. Mike Baker says it can't be unblocked if the line is still there, plan is to continue contacting Sunoco for clarification. Potential solution mentioned by Rich Murphy to be considered we have a Technical Assistance Grant to supplement the developer's costs which covers 60% of their investment up to \$10,000. The Drainage Commission recommended moving drain to the grass or using rain guards. Jim will look at the elevation to see if it can be moved but slopes don't agree with grass placement, and we may not have space for rain guards with the traffic loop. If we must replace the drain up to the road, moving to a better location would be ideal, which the grant could help with. The city has the money set aside for the grant, but the case needs to be brought to the commission with cost information to obtain it.
- 4. Landscaping and Zoning: Two trees on the site. The site is a corner lot with two front yards, note the zoning requirements for green space.
- 5. **Illumination Plan:** Need to work on lighting plan and determine how many lumens, temperature of the bulbs being used, etc.
- 6. Branding and Façade: Typical orange color, reuse retro diamond signage to put Biggby on.

Construction mentioned wanting to work on the building in the meantime, they don't plan on changing the footprint more than 15% but will come to City Hall to discuss with Guy Lewis.

<u>Next Steps:</u> After sufficient discussion a motion to move forward with planning process and discuss final site plan at the next meeting on September 12th. A drainage solution, lighting plan, dumpster enclosure, and any other contingencies should be presented. Once we have an answer about the gas line connect with Jim.

X. Old Business

A. Discussion on the Zoning Update Project

Re-Development Ready Certification provides \$10,000/yr in Technical Assistance and \$30,000/yr in pre-development activities.

The goal is to move forward with the certification but if we must meet the grant requirements while Buchanan is becoming more popular, there may not be enough resources to touch every neighborhood.

Murphy suggests that Buchanan zoning/naming be kept as is except for downtown (C3), we add an addendum which achieves the requirements of the NEDC, and then fix the zoning map.

<u>Next Steps</u>: Get the proposal through the planning and city commissions with a plan and timeline devised by Murphy.

XI. Public Comment - Non-Agenda Items Only

None.

XII. Community Development Director Comments

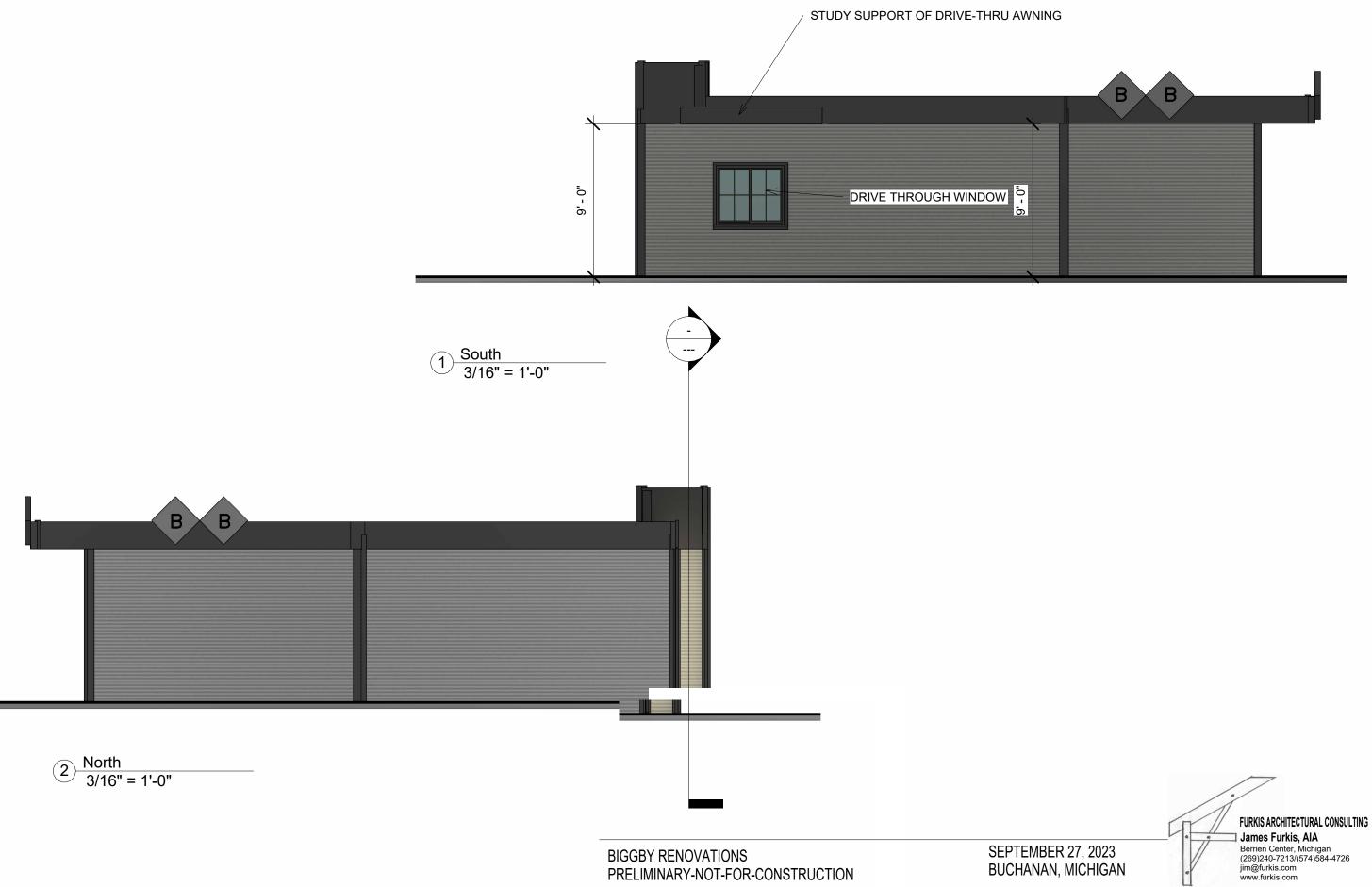
None.

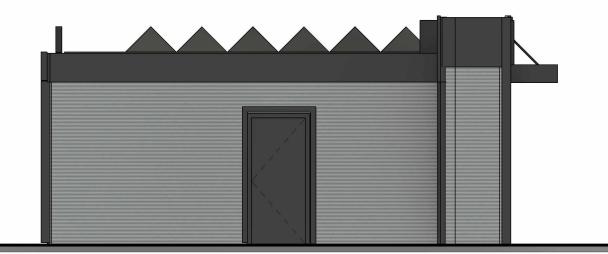
XIII. Commissioner Comments

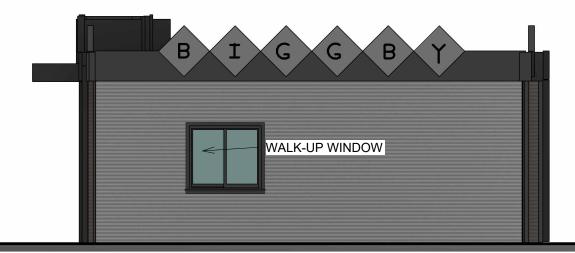
Martin submitted his resignation from the Buchanan Planning Commission immediately, to be confirmed at the next meeting.

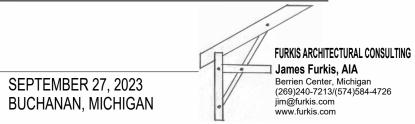
XIV. Adjournment

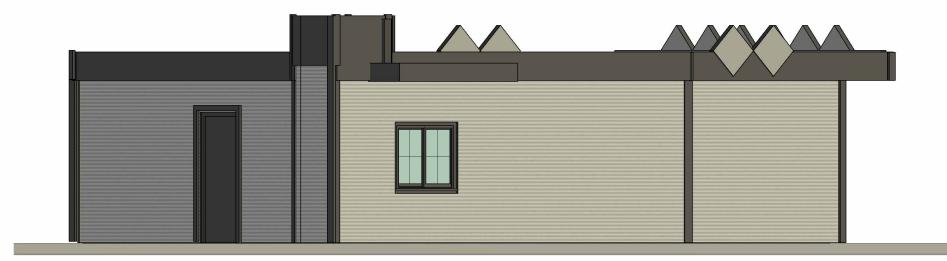
Motion made by Denison, supported by Martin to adjourn the meeting at 8:02pm. Voice vote carries unanimously.



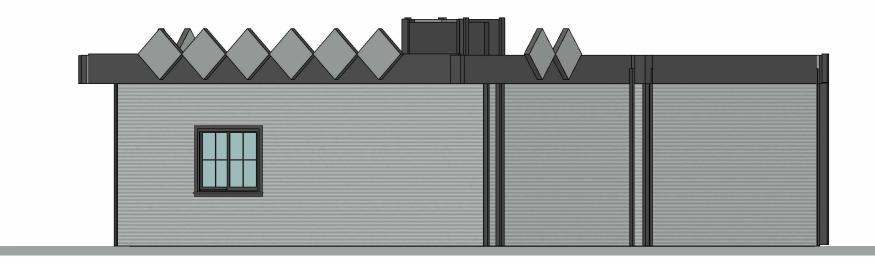








1 LOOKING NORTHEAST



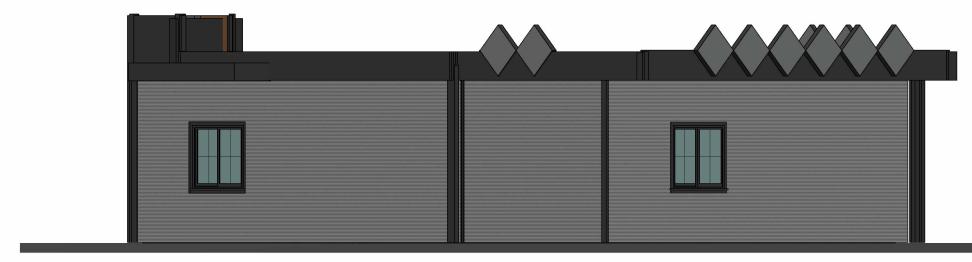
2 LOOKING SOUTHWEST

BIGGBY RENOVATIONS PRELIMINARY-NOT-FOR-CONSTRUCTION Item VIII. A.

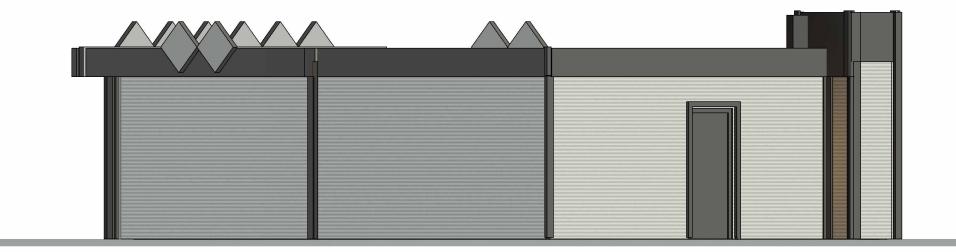


SEPTEMBER 27, 2023 BUCHANAN, MICHIGAN

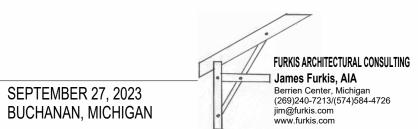
FURKIS ARCHITECTURAL CONSULTING James Furkis, AIA Berrien Center, Michigan (269)240-7213/(574)584-4726 jim@furkis.com www.furkis.com

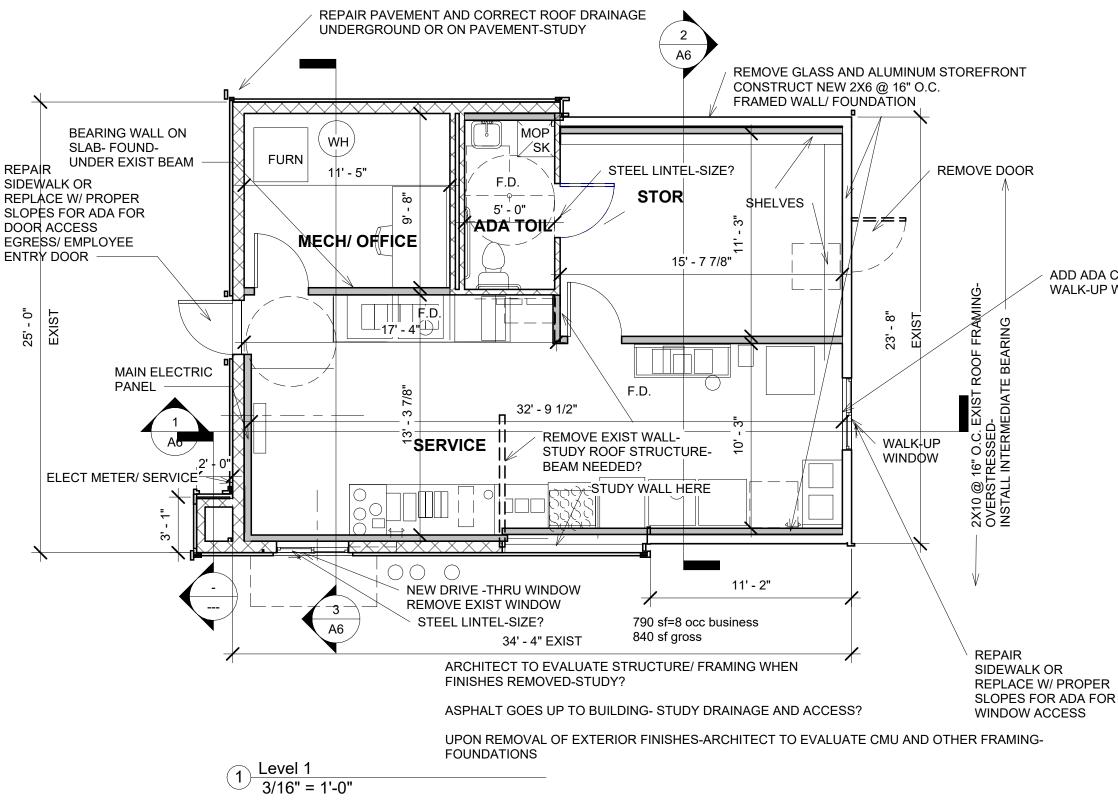








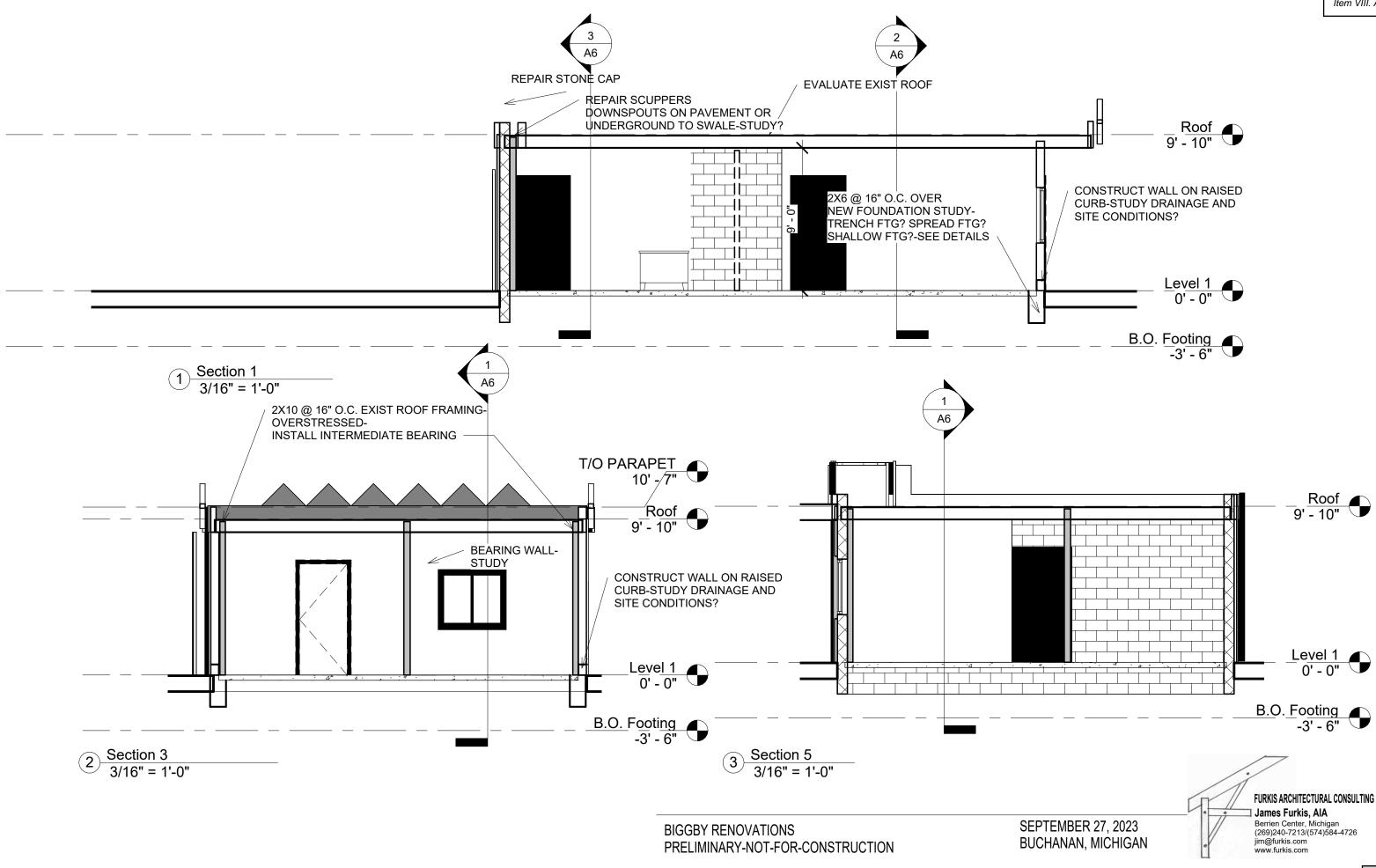




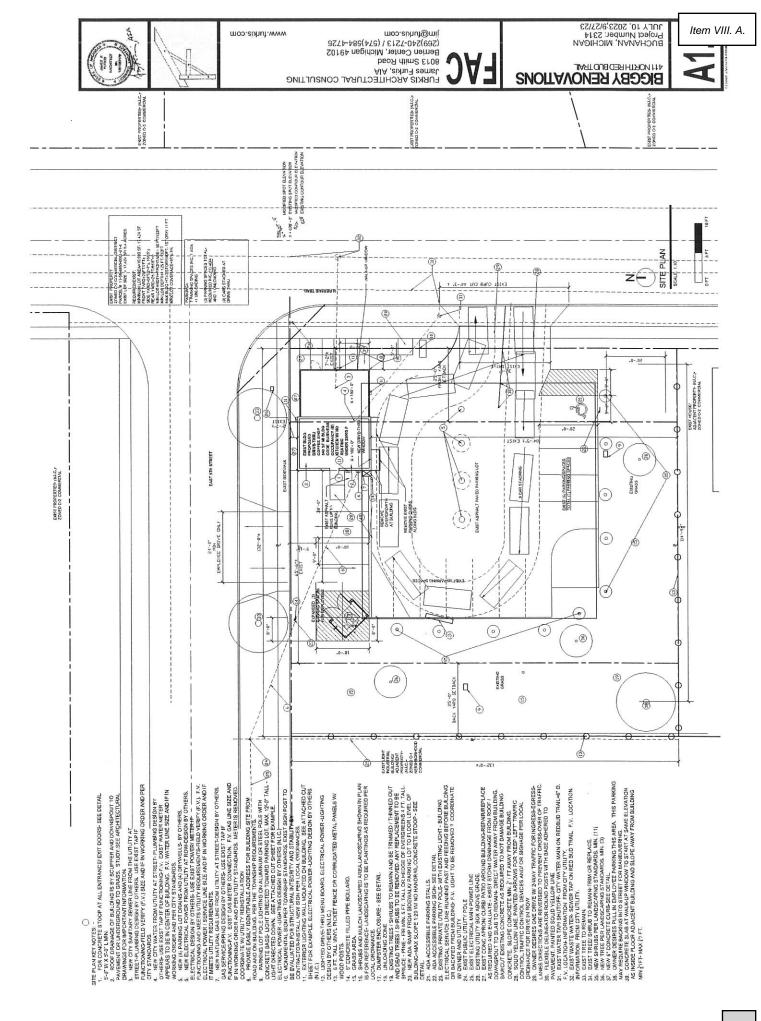
ADD ADA COUNTER DETAIL FOR WALK-UP WINDOW!

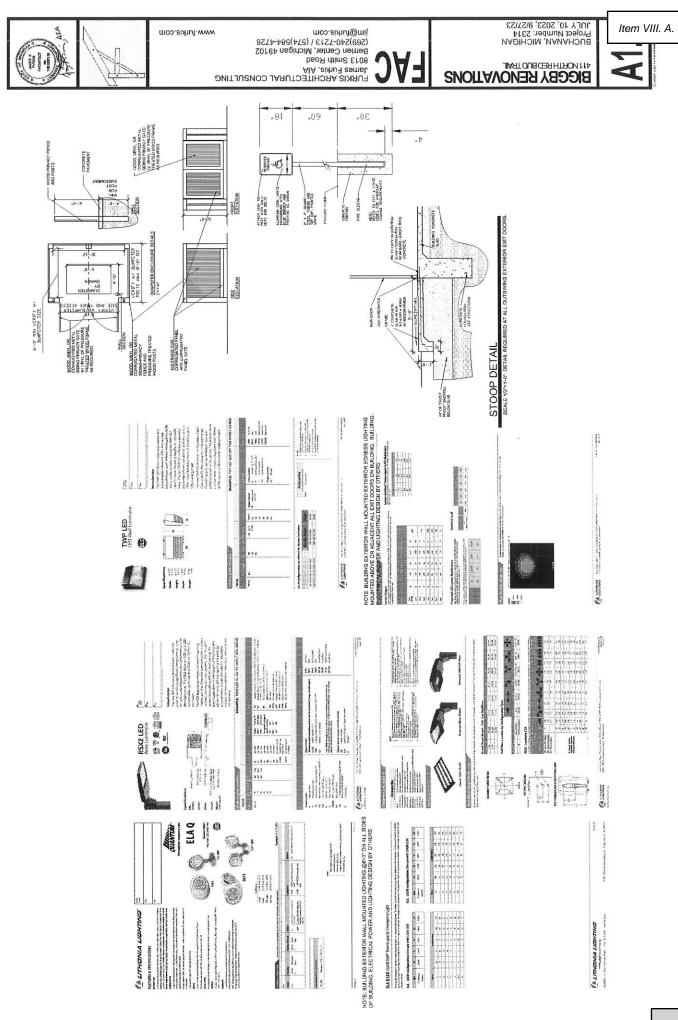
SEPTEMBER 27, 2023 BUCHANAN, MICHIGAN

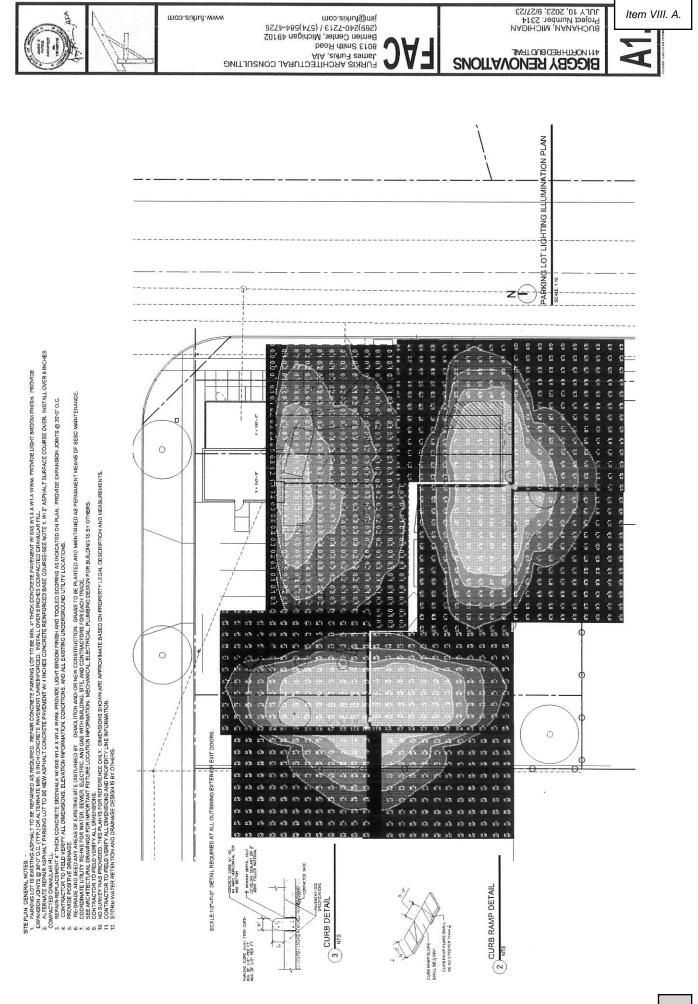
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CITY OF BUCHANAN DESIGN REVIEW COMMITTEE

MEETING MINUTES

Thursday, September 14, 2023 BUCHANAN CITY HALL 302 N. REDBUD TRAIL 5:30 P.M

Meeting was called the meeting to order by Chairman Brayak at 5:30 PM. The chairman took roll call. Rowland, Barker, Carlson, Paolucci and Brayak were present. Also in attendance was Community Development Director Rich Murphy, Clerk Kalla Langston, and Peter Lysy.

The committee considered one agenda item under New Business, Mural and facade work and repairs at Cannavista building, 120 E. Front St.

It was discussed that the applicant, Rick Paniagua did not follow the zoning ordinance, Article XI, C-3 Central Business District, Section 11.04 – Alteration, Site, and Façade Plan Required. See attached highlighted language that clearly states that prior to any exterior aesthetic work that does not require a building permit, the building owner must obtain a Zoning Compliance Permit from the Zoning Administrator.

The committee discussed that the Zoning Administrator and the Mayor both personally requested that the owner stop work on the mural and go through the Design Review process. The Committee now requests that the City Manager pursue enforcement of the ordinance violation.

The committee discussed that the owner did not obtain a building permit for the deck constructed in the back of the building which may partially be on top of parking spaces, and this appears to be another violation that should be enforced by the building official.

A motion was made and seconded to recommend the denial of the proposed mural and the committee requests that the City Manager pursue the enforcement of the ordinance violation. The vote was approved unanimously.

With no other items before the committee, the meeting was adjourned at 6:28 PM.

Respectfully submitted, Richard Murphy, Community Development Director September 15, 2023

> 302 Redbud Trail North • Buchanan, Michigan 49107 Tel: (269) 695-3844 • Fax: (26

ARTICLE XI

C – 3 CENTRAL BUSINESS DISTRICT

Section 11.04 – Alteration, Site, and Façade Plan Required

- A. Prior to any exterior aesthetic or cosmetic alteration (siding, paint, windows, or any exterior work that does not require a building permit) on any building located in the C-3 Central Business District, the building owner or occupant must obtain a Zoning Compliance Permit from the Zoning Administrator. The zoning Compliance Permit application shall include a building façade plan pursuant to Article XXII, Section 22.03. The plan must contain schematics and photos or drawn rendering of the proposed alterations with applicable color sample attached. The Design Review Committee will determine if the applicant's plan conforms to the approved Downtown Design Standards. If not, the applicant will be required to amend the plan and resubmit the plan approval by the Design Review Committee. Failure to comply with the Downtown Design Standards will result in rejection of the applicant's plan and any alteration will be prohibited.
- B. Prior to the issuance of a building permit in the C-3 Central Business District for any new construction or for the remodeling of any existing building or structure which will involve the exterior façade or other exterior surface in any way, the Zoning Administrator shall cause the application including a site and a façade plan prepared pursuant to the provision of Article XXII, Section 22.05 to be submitted to the Design Review Committee for review and determination of compliance with the approved Downtown Design Standards for the Central Business District. The Design Review Committee shall notify the applicant concerning any features and colors inconsistent with the approved standards. Any proposed new construction or remodeling of any existing buildings found to be inconsistent with the standards for the district by the Design Review Committee shall be disqualified for any incentive offered by the City or Downtown Development Authority. The applicant's proposal shall be rejected and no building permit issued until the site and façade plan are in conformance with the approved Downtown Design Standards and the plan approved by the Design Review Committee and the Plan Commission.

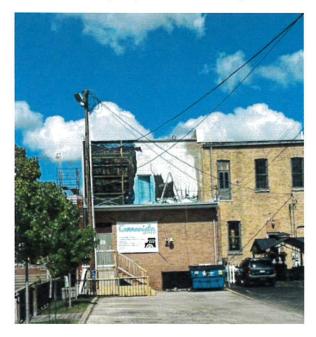
Approved by Plan Commission 11-13-2007 Approved by City Commission 12-10-2007 Friday, September 8th 11:11am – Call made.

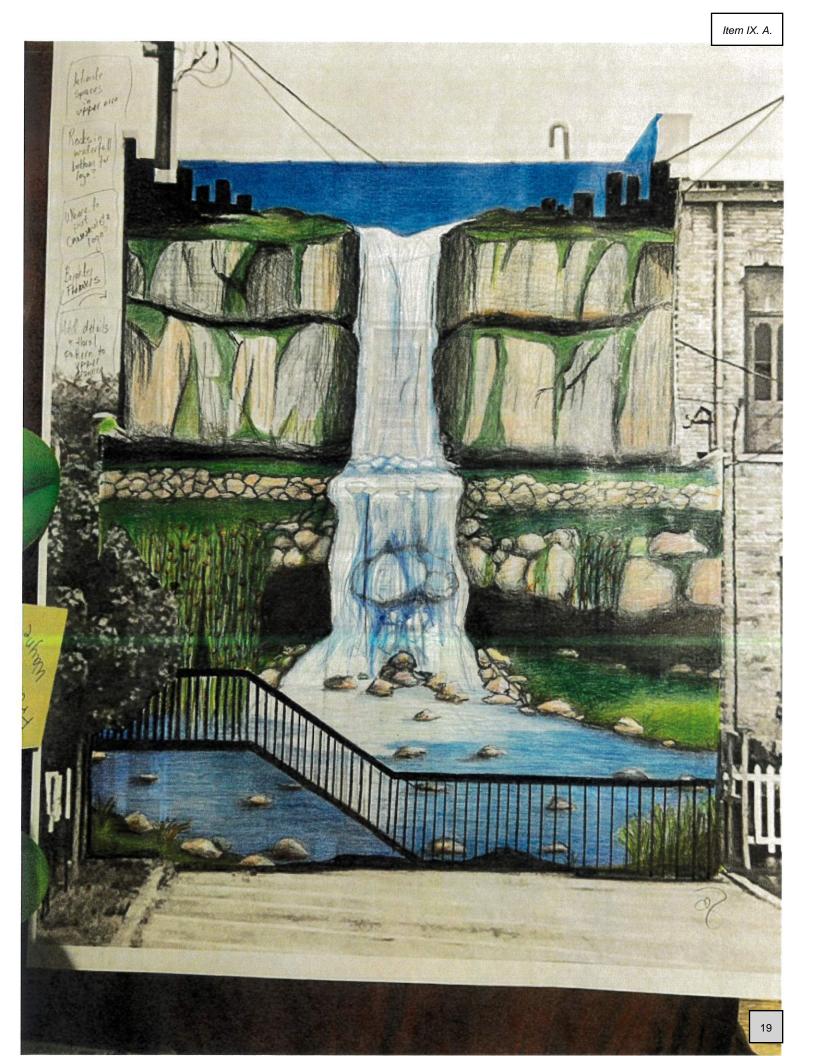


Friday, September 8th 5:02pm – 4 hours after Stop Work Order issued.



Thursday, September 14th 1:52pm







CITY OF BUCHANAN DESIGN REVIEW COMMITTEE

SPECIAL MEETING

September 14, 2023 BUCHANAN CITY HALL 302 N. REDBUD TRAIL 5:30 P.M

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Minutes
- V. Reports by Committees
- VI. Unfinished Business

Mural and façade work and repairs at Cannavista building, 120 E. Front Street

- VIII. Business from the Floor
- IX. Member Comments
- X. Staff Comments
- XI. Adjourn

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BUILDING EXTERIOR

Masonry: brick, stone, terra cotta, concrete, adobe, stucco, and mortar

The longevity and appearance of a masonry wall is dependent upon the size of the individual units and the mortar.

Stone is one of the more lasting of masonry building materials and has been used throughout the history of American building construction. The kinds of stone most commonly encountered on historic buildings in the U.S. include various types of sandstone, limestone, marble, granite, slate and fieldstone. **Brick** varied considerably in size and quality. Before 1870, brick clays were pressed into molds and were often unevenly fired. The quality of brick depended on the type of clay available and the brick-making techniques; by the 1870s--with the perfection of an extrusion process--bricks became more uniform and durable. **Terra cotta** is also a kiln-dried clay product popular from the late 19th century until the 1930s. The development of the steel-frame office buildings in the early 20th century contributed to the widespread use of architectural terra cotta. **Adobe**, which consists of sun-dried earthen bricks, was one of the earliest permanent building materials used in the U.S., primarily in the Southwest where it is still popular.

Mortar is used to bond together masonry units. Historic mortar was generally quite soft, consisting primarily of lime and sand with other additives. After 1880, Portland cement was usually added resulting in a more rigid and non-absorbing mortar. Like historic mortar, early **stucco** coatings were also heavily lime-based, increasing in hardness with the addition of Portland cement in the late 19th century. **Concrete** has a long history, being variously made of tabby, volcanic ash and, later, of natural hydraulic cements, before the introduction of Portland cement in the 1870s. Since then, concrete has also been used in its precast form.

While masonry is among the most durable of historic building materials, it is also very susceptible to damage by improper maintenance or repair techniques and harsh or abrasive cleaning methods.

Masonry...Identify, Retain, and Preserve

RECOMMENDED...

Identifying, retaining, and preserving masonry features that are important in defining the overall historic character of the building such as walls, brackets, railings, cornices, window architraves, door pediments, steps, and columns; and details such as tooling and bonding patterns, coatings, and color.

NOT RECOMMENDED...

Removing or radically changing masonry features which are important in defining the overall historic character of the building so that, as a result, the character is diminished.

Replacing or rebuilding a major portion of exterior masonry walls that could be repaired so that, as a result, the building is no longer historic and is essentially new construction.

Applying paint or other coatings such as stucco to masonry that has been historically unpainted or uncoated to create a new appearance.

Removing paint from historically painted masonry.

Radically changing the type of paint or coating or its color.

From: Rick Paniagua <<u>rpanarb@gmail.com</u>>
Sent: Monday, September 11, 2023 2:27 PM
To: Richard Murphy <<u>rmurphy@cityofbuchanan.com</u>>
Cc: Sean Denison <<u>sdenison@cityofbuchanan.com</u>>
Subject: Re: Fw: Request to stop work at Cannavista building until Design Review

Rich

As I mentioned in our phone conversation today, all the brick work on my building is being repaired. A sealer is being applied to the repairs for sustainability and aesthetics. <u>https://www.sherwin-williams.com/homeowners/products/loxon-xp-waterproofing-masonry-coating</u> The sealer has been tinted with a Historic Color, SW 0055, Light French Gray. This color is an option being considered to clear, no tint, or to the existing red. I welcome your thoughts, comments, suggestions and ideas. This work primarily involves the West and South sides of the building. There is also an art installation on the south facing portion of the building. See attached artwork for a general idea of the finished product.

Unfortunately I will not be able to attend the meeting this Thursday evening as I will be out of town and unavailable.

Best Regards Rick Paniagua

rpanarb@gmail.com

Resolution by the City of Buchanan Plan Commission to Initiate an Application for a Zoning Amendment at the Property at 208 Days Avenue from R1A Residential to C-3 Central Business District

WHEREAS, pursuant to the City of Buchanan Zoning Ordinance, an applicant, the City Commission or Plan Commission, upon its own action, may initiate an application for amending the zoning ordinance text or map

WHEREAS, the Buchanan Community Development Department is working with a developer to redevelop a boutique hotel at the historic livery building at 206 Days Ave, and

WHEREAS, the Buchanan Community Development Department and the developer are working with the Michigan Economic Development Corporation (MEDC) on a Community Revitalization Project that would leverage significant state funds to be used to implement the project, and

WHEREAS, for the project to be implemented it will be necessary for the developer to acquire the property at 208 Days Ave and to incorporate the property into the project site plan, and

WHEREAS, the Plan Commission believes that the project is an appropriate extension of the C-3 Central Business District will become an anchor to the neighborhood and be a catalyst for other rehabilitation and redevelopment projects and economic development in the neighborhood and in the city

WHEREAS, the Plan Commission deems it to be in the public interest of the City of Buchanan to initiate the proposed zoning amendment,

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Buchanan supports the action to initiate a Zoning Amendment for the Property at 208 Days Avenue from R1A Residential to C-3 Central Business District

Item IX. B.

AYES: _____

NAYS:

RESOLUTION ADOPTED.

CERTIFICATE

The duly elected and acting Clerk of the City of Buchanan hereby certifies that the foregoing constitutes a true copy of a Resolution adopted at a regular meeting of the City of Buchanan Board, Berrien County, Michigan, held on ______, at which meeting all members were present as indicated in said minutes and voted as therein set forth; that said meeting was held in accordance with the Open Meetings Act of the State of Michigan.

(Clerk Signature)



PUBLISHED:

Berrien County Record

NOTICE OF PUBLIC HEARING CITY OF BUCHANAN Plan Commission

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At the above time and place, all interested parties will be given an opportunity to be heard before the Plan Commission issues its determination regarding the application. Parties seeking visual or audio accommodation may contact Clerk Kalla Langston at (269) 695-3844, preferably with as much advance notice as possible, so that suitable arrangements can be made to help make needed accommodations.

Written comments may also be submitted in advance of the meeting to Community Development Director Richard Murphy either by delivery to Buchanan City Hall, or via email to <u>murphy@cityofbuchanan.com</u>.

Richard Murphy Community Development Director Kalla Langston City Clerk

302 Redbud Trail North • Buchanan, Michigan 49107 Tel: (269) 695-3844 • Fax: (269) 695-4330 www.cityofbuchanan.com

Rezoning for 208 Days Ave

Vincent Isabell <vincent.isabell9@gmail.com> Tue 9/19/2023 12:38 PM To:Richard Murphy <rmurphy@cityofbuchanan.com>

Dear Buchanan Plan Commission,

I am the current owner of 208 Days Avenue. I have executed a purchase agreement for the sale of my property to the developer of the Historic Livery Project. I am in support of the Historic Livery Project and I am in support of the rezoning of my property from R1A to C-3 Central Business District.

Sincerely,

Vincent Isabell Sent from my iPhone

City of Buchanan Planning & Zoning 302 North Redbud Trail, Buchanan, Michigan 49107 Phone (269) 695-3844 x 19 Fax (269)695-4330

General Information Application For Land Development (Complete application must be filed with the Zoning Administrator)				
1. Applicant and Owner Information	Vincent &			
Applicant(s) Principle Contact:	Property Owner(s) Savah Isabell Principal Contact: 0/p			
	zname David Wishart/Patricia			
Address / Community Dev.	Address 208 Day AVE Wishart			
city Director Kick Murph	Acity Buchanan			
State Zip /	State <u>MI</u> Zip <u>49107</u>			
Telephone	Telephone			
Secondary Contact:	Architect (if applicable):			
Name	Name			
Address	Address			
City	City			
State Zip	State Zip			
Agent or Attorney:	Engineer (if applicable):			
Name	Name			
Address	Address			
City	City			
State Zip	State Zip			
his property held in a trust? XNO [] Yes Note – for all trusts–Provide, as an attachment, a statement from the trustee				
Name of trust				
Address City	StateZip			

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2. Applicant and Purpose of Application

a. Applicant is (check one)

Property Owner [] [] Attorney [] Agent Commission arhanah 11 [] Other (specify)

b. This application is a request for the following City of Buchanan action (check the appropriate action(s) requested.

- [X Rezone of Property [] Land Division Approval
- [] Condominium Approval
- [] Other Action (please specify)

-] Special Use Permit
-] Zoning Variance(s)
- [] Plan Review with Plan Commission

c. The reason for the requested action(s) are as follows:

d. The specific section(s) of the Zoning Ordinance or other City ordinance(s) which address the amendment, variance, or other action which is being requested:

e. The following questions must be answered <u>only</u> if the application contains a request for a zoning variance:

- (1) Are the conditions which prevent the development of the property the result of action by an individual who has or had the property interest in the subject property?

 Yes
 No
- (2) If the conditions were self imposed (not hardship), please explain why the variance should be granted?

Item IX. B.

3. Site and Surrounding Property Information

a. Common address or property location of subject property:

b. Legal Description (Attach additional sheet if necessary): c. Permanent Real Estate Tax Identification Number: 11-58-<u>1500</u> - 0043 - 00-9 d. Parcel Size: square feet acres dimension of lot frontage dimension of lot depth e. What are the current land uses and zoning on the land and adjoining parcels of land surrounding the site? Current Zoning Current Use of Land On Site Property Abutting – North of Site Property Abutting – South of Site f $\frac{1}{2}e$ Property Abutting – East of Site Property Abutting - West of Site _ Øl f. Describe any existing structures and the physical attributes of the site:

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Description of the Proposed Development

a. Please describe the proposed use of the land and/or buildings assuming approval of the request:

b. What is the proposed time frame for the build – out of the proposed development?

c. Please describe the number of buildings, square footage of each building and the total square footage of the development along with the required number of parking spaces for each intended use:

Building Use	Number of Buildings	Building Area (sq. ft.)	Total Building (sq. ft.)	Req. Parking
Single Family		50'X 25'	17270	· · · · · · · · · · · · · · · · · · ·
Multi Family		·		<u></u>
Retail				<u></u>
Office				<u></u>
Industrial	·····			
Other				
Other please spe	cify type of use			

Totals

d. Please describe the number of water and sewer connections this development will require:

Building Use	water connections & Size Sewer Connection
Single Family	TBD-per project site plan
Multi – Family	and constructive docs,
Retail	
Office	
Industrial	
Other	
Other please specify type	of use
Totals	

e. Will the building within this proposed development house any hazardous materials at occupancy?

[] Yes – Please continue by describing the type and quantity of materials:

4. Fire Department Approval of Site and Building Plans:

The City requires that the Fire Department must approve all site and building plans. This application and associated documentation must be approved by the Fire Chief or his designee. This approval can be arranged by calling the Fire Chief's office.

Approval Date: 9.18-23 Conditions Attached By: Robert Adams []Yes M No Title: Fine Chief

5. Required and Requested Attachments

- a. _____ Plat of survey with legal description.
- b. _____Site plan of proposed use or project showing traffic patterns, parking locations and count, drainage patterns including detention areas, landscape plans, landscaping plans, exterior lighting locations and illumination pattern, building façade portrait and building size and location dimensions.
- c. _____ Floodplain / hazard map (engineers drawing or FEMA map showing location of subject project).
- d. Please include any additional comments or pertinent information below or on separate attachment to this application.

Page 5

6. Signature and Declaratory Statement

a. Please describe the reason that this petition should be granted:

AMEN

b. Required Attendance at Public Hearing and / or Plan Commission Meeting(s): The Plan Commission and the Board of Appeals have established a policy requiring the applicant or a designed representative of the applicant shall be present at any meeting or public hearing at which the matter will be considered. Failure of the applicant or designee of the applicant to appear before the Plan Commission or Board of Appeals is ground to postpone consideration of the application.

Ι_

a. Declaratory Statement: I ______, hereby certify that all information contained in this application and accompanying documentation is true and correct to the best of my knowledge and further, I acknowledge the attendance responsibilities of the applicant as set forth in paragraph b above.

b. Date: Suchanan Man Commission c. Applicant Signature:

d. Notary Public Certification Statement

, Notary Public in and for the State of Michigan

hereby state that on the _____ day of _____, 200, the above

captioned Applicant appeared before me and, under oath, stated that all matters contained in this

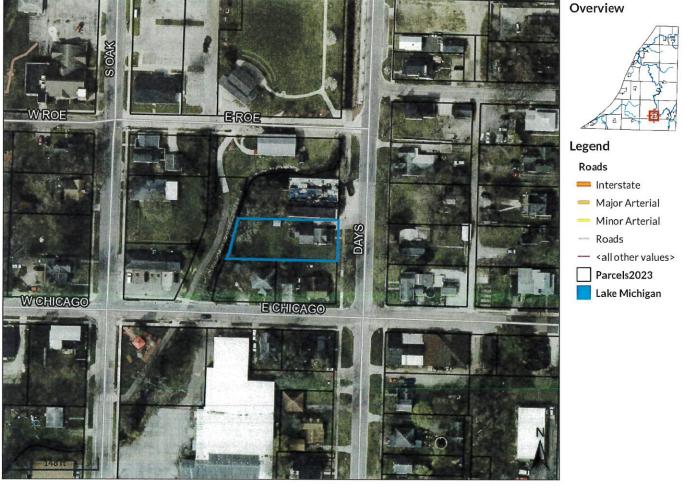
Application for Land Development are true.

Notary Public

My commission expires _

The following signature is required, for verification that this is a valid and complete application to be considered by the Plan russion or Zoning Board of Appeals. Date hing Administrator Meeting date for initial review:

Beacon[™] Berrien County, MI



Parcel ID 11-58-1500-0043-00-9 Alternate ID n/a **Owner Address WISHART DAVID** Sec/Twp/Rng 401 n/a Class WISHART PATRICIA A Property Address 208 DAYS AVE Acreage n/a 312 ROSS DR BUCHANAN BUCHANAN, MI 49107 District 11310 **Brief Tax Description** LOT 6 BLK B A C DAYS ADD TO CITY OF BUCHANAN EXC COM AT NW COR OF LOT 6 TH E 51.2' TH SW TO A PT 28.5' E OF SW COR TH W 28.5' TH N 66' TO BEG (Note: Not to be used on legal documents)

Date created: 9/13/2023 Last Data Uploaded: 9/13/2023 1:01:47 AM



Berrien County, MI

Summary

Parcel Number 58-1500-0043-00-9 **Property Address** 208 DAYS AVE BUCHANAN MI 49107 Brief LOT 6 BLK B A C DAYS ADD TO CITY OF BUCHANAN EXC COM AT NW COR OF LOT 6 TH E 51.2' TH SW TO A PT 28.5' E OF SW COR TH W 28.5' TH N 66' TO BEG **Tax Description** (Note: Not to be used on legal documents) Class 401 School District 11310 Map # 035-2 0.00 Acres Liber/Page 3008/2847 F40K **Plate Number**

Owners

Owner	Tax Payer
WISHART DAVID	ISABELL VINCENT
WISHART PATRICIA A	ISABELL SARAH
312 ROSS DR	208 DAYS AVE
BUCHANAN, MI 49107	BUCHANAN, MI 49107

Valuation

Year	Assessed Value	State Equalized Value	Taxable Value
2022	\$44,600	\$44,600	\$35,638
2021	\$37,100	\$37,100	\$33,941
2020	\$33,900	\$33,900	\$32,857

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Last Data Upload: 9/13/2023, 1:01:47 AM

Contact Us



The Livery 206 Days Ave



The McCollum Livery c. 1915-1950

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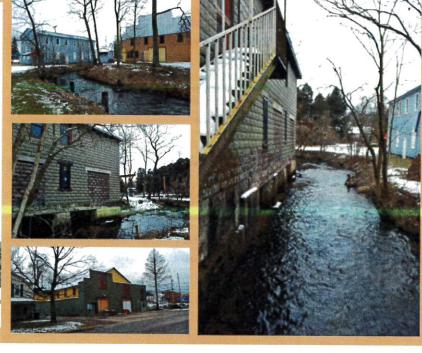
Why does historic preservation matter in a small place like Buchanan?

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McCollum Livery & Feed Stable

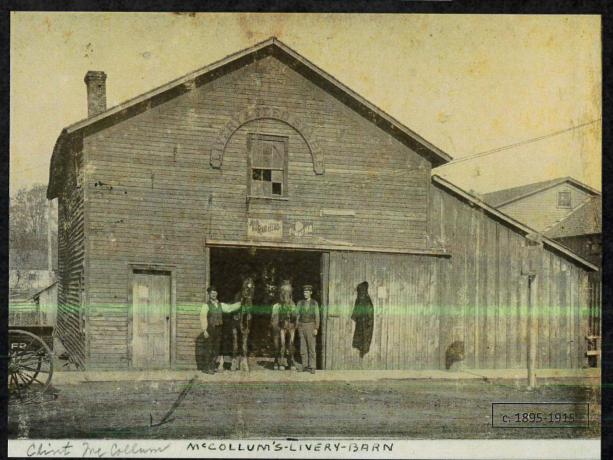






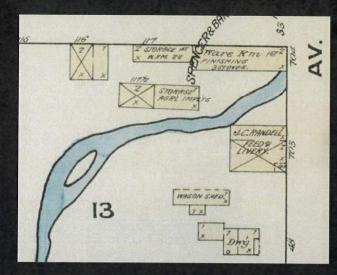


McCOLLUM'S LIVERY & FEED STABLE - BUCHANAN



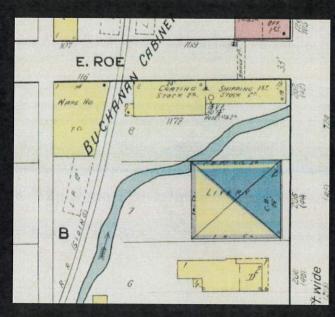
The **McCollum Livery Building**, located on the south bank of McCoy Creek at Days Avenue, was an enterprise by father and son, Everett and Edward Clinton McCollum, during the late 1800s into the first decades of the 20th century. Edward took over from his father in 1903 and by 1917 had made substantial improvements to the building, formerly frame, enlarging and rebuilding it of concrete block though interior wood posts and beams seem to denote the earlier structure. Keeping up with the advent of the automobile, Edward turned the business into Buchanan's first motor taxi service in 1913 which his son, Clayton, continued to operate through the 1940s.

An earlier livery served as a place to store Buchanan's fire wagon and horse team to provide quick access to fires after a devastating fire in 1862 destroyed most of the buildings in town. This was likely the J. M. Russell Livery that existed as early as 1860 at the northwest corner of Front and Redbud Streets. That livery gave way to brick buildings fronting Front Street and the livery at the Days Avenue location was a barn moved to that location at the end of 1880. It had two proprietors before McCollums, J. C. Randell in 1884 and Nathan E. Jones in 1889. Everett McCollum took over the livery in 1893. A fire damaged the livery heavily in 1895 but was reconstructed. The current building was used as mechanics garage and print shop after livery and taxi service, but now sits vacant.



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This was the building Everett McCollum purchased in 1893.



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Item IX. B.

The **McCollum Livery Building** features prominently as a gateway between the historic downtown and park to the north, and the Days Avenue residential district to the south. The building is the northernmost property in the proposed Days Avenue National Register of Historic Places neighborhood and is considered a contributing building in the district. Much like the grain elevator at the south end of Days Avenue, and nearby Zinc Collar Pad Building, listed on the National Register, the McCollum Livery Building is an example of small-scale industry or services offered in residential areas of the city.

Combined with the Mill Race to the west and McCoy Creek, running along the northwest and north sides of the livery property, the area's rich 19th century industrial character is defined by the livery, Pear's Mill, and former tin shop on the north bank of McCoy Creek. The livery and tin shop, now used for a community theatre, frame McCoy Creek and create an intimate space accessed by McCoy's Creek Trail. An adaptive reuse of McCollum's Livery Building would further this part of the city as an anchor for retail or lodging.





McCollum Livery, looking northwest



McCollum Livery, looking southwest



McCollum Livery, looking northeast

Item IX. B.

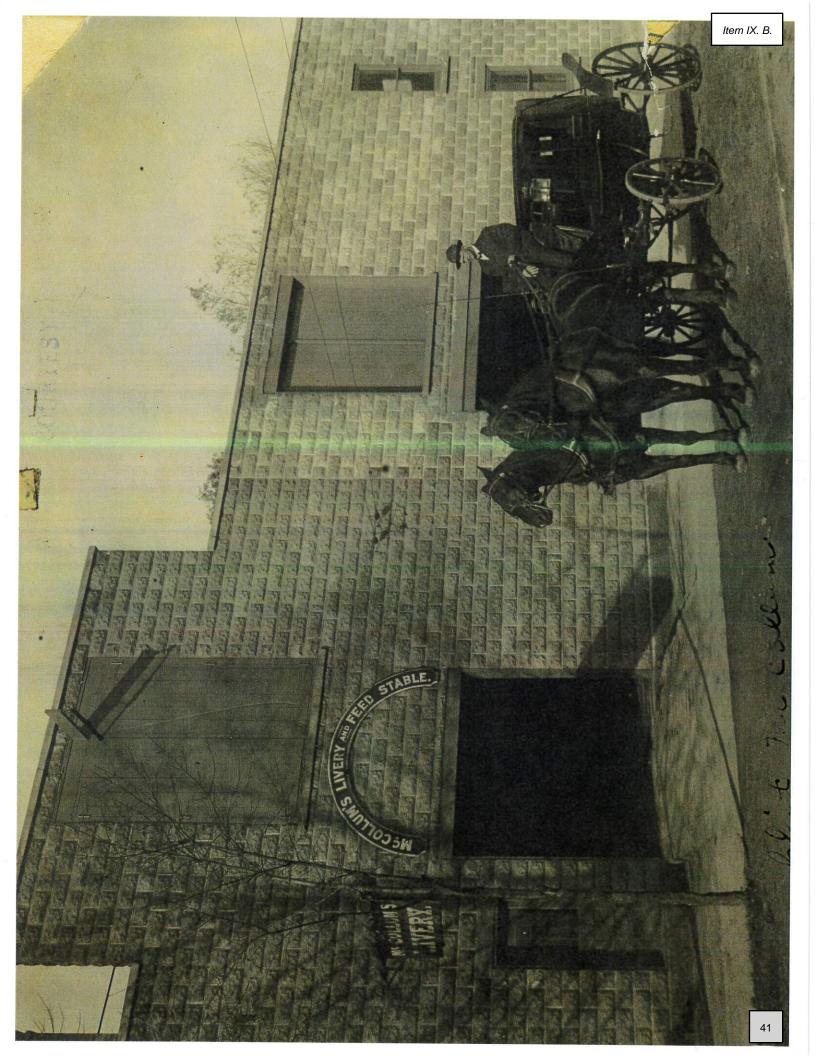


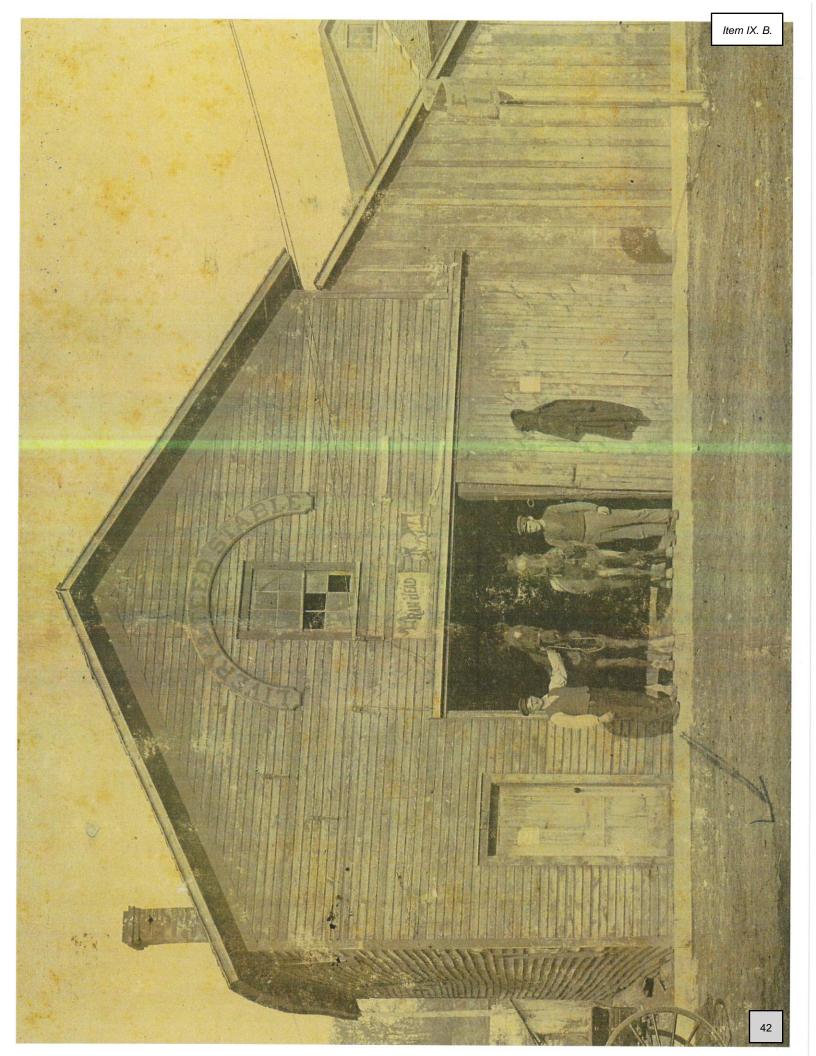
McCollum Livery, looking southwest (above) and west (right) along McCoy Creek.

One of the most unusual features of the McCollum Livery Building is how the building overhangs the south edge of McCoy Creek and together with the tin shop building, frames the view of McCoy Creek west of Days Avenue.



Item IX. B.





Plan Commission meeting on October 3 at 6:00 PM at Buchanan City Hall is confirmed - Agenda and background

Richard Murphy <rmurphy@cityofbuchanan.com>

Wed 9/20/2023 10:17 AM

To:Sean Denison <sdenison@cityofbuchanan.com>;Kevin Barker <kbarker426@gmail.com>;Tony Houser <tonyhouser0616@gmail.com>;rmcqc <rmcqc@sbcglobal.net>;BuchananTreeFriends@gmail.com <buchanantreefriends@gmail.com>

Cc:Kalla Langston <clerk@cityofbuchanan.com>;Ashley Regal <aregal@cityofbuchanan.com>;Ben Eldridge <BEldridge@cityofbuchanan.com>

Hello Plan Commission,

A special Plan Commission meeting has been scheduled for October 3 at 6:00 PM at City Hall. I have heard back from all of you that you are able to attend as we will need all of you there to conduct business.

There will be two agenda items:

- Zoning amendment for 208 Days Ave from R1A to C-3 Central Business District
- Design Review Committee Minutes and Recommendation for Mural at Cannavista, 120 E. Front St.

Full packet is forthcoming.

Some background on the Historic Livery Project and reason for the proposed zoning amendment:

My team has been working closely with a developer over the last year to redevelop a boutique hotel at the historic livery building at 206 Days Ave. On a parallel track, my team and and the developer's team have been working with senior leadership at the Michigan Economic Development Corporation (MEDC) to apply for Community Revitalization Project grant that would leverage significant state funds (over \$1 million) to be used to implement the project.

We want to be clear that the project is not a done deal and will have to compete with other projects around the state. The developer also has to secure bids that will make the project work. There is more work to be done. At the same time, we are receiving very positive feedback from the state that our project is competitive, and the developer recently received a letter of intent that states the MEDC is considering recommending the project to be funded. This is an important milestone and a milestone that kicks off several other action items that need to be completed by mid-November in order for the project to be considered for funding.

For the project to happen and to secure the support of MEDC, it will be necessary for the developer to acquire the property at 208 Days Ave and to incorporate the property into the project site plan. The house at 208 Days Ave would likely need to be demoed or moved in order to accommodate parking and other infrastructure that is required for the project. After discussing the path forward, it was determined that the easiest way to incorporate 208 Days Ave into the project is to propose a zoning amendment of the property from R1A Residential to C-3 Central Business District. The Historic Livery Building/property is already zoned C-3 Central Business District. I was notified this week that the 208 Day Ave property is now under contract and that the seller supports the project and the rezoning of the property. The seller has submitted a letter of support for the zoning amendment and the project.

In our Master Plan discussions, the Plan Commission believed that there is potential to extend the Central Business District in certain instances to encourage for catalytic redevelopment project to be implemented. This project would be a strong anchor a newly invigorated Days Ave district and will likely cause the rehabilitation and investment to several other properties in the neighborhood. The result will be a long-term increased tax base, job creation, a historic asset will have new life breathed in it to tell the story of Buchanan history, and a significant positive economic impact.

Further, Buchanan is a small town of 4,500 residents. We have no hotels and we have to approach hospitality in a creative and innovative way. The Historic Livery Project will fill a strong hospitality demand and take our new wave of day trippers and make them overnighters, resulting in a significantly stronger economic impact to a community that needs it. The data could not be more clear. County and state tourism bureaus across the country state that overnighters spend 3-4 times more per capita than daytrippers. This demonstrates a great opportunity for Buchanan.

The Zoning Amendment Process:

The Plan Commission, upon its own action, may initiate an application for amending the zoning ordinance text or map. Based on the above projected benefits, there are ample findings of this rezoning that support that it is in the best interest of the City to support the zoning amendment.

Next steps:

At the October 3rd Plan Commission meeting, the Plan Commission will initiate the application for the zoning amendment of 208 Days Ave. As with any zoning amendment, there will be an advertised public hearing, a presentation of the project and the need for the zoning amendment, and the Plan Commission will vote to recommend approval. From there the zoning amendment moves on to the City Commission for approval. If we proceed with the timeline we have outlined, the City Commission will be able to approve the zoning amendment in time for the MEDC to recommend our project for funding.

Please see attached Plan Commission Resolution to initiate the zoning amendment, zoning amendment application, and public hearing notices.

Please feel free to reach out to me directly with any questions. Exciting times in Buchanan!

Thank you! Rich

Richard Murphy Community Development Director City of Buchanan <u>rmurphy@cityofbuchanan.com</u> 9/20/23, 10:20 AM 269-695-3844 Ext. 19







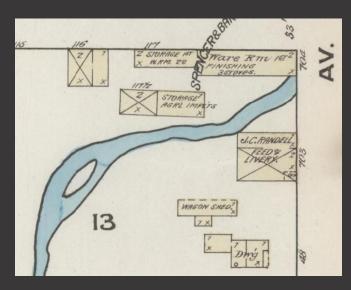
Item IX. B.

McCOLLUM'S LIVERY & FEED STABLE - BUCHANAN



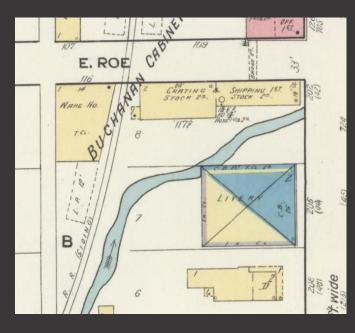
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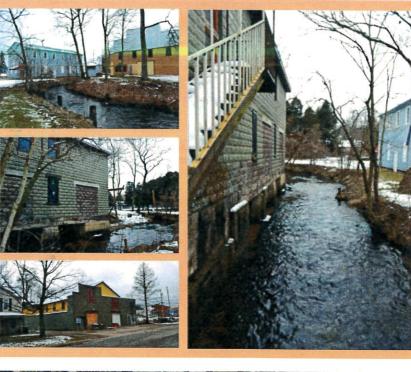
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McCollum Livery & Feed Stable









LEGAL DESCRIPTION PER EXHIBIT "A", PER COMMITMENT FOR TITLE INSURANCE PREPARED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NO. 111210065CML, COMMITMENT DATE JULY 13, 2023:

LAND SITUATED IN THE STATE OF MICHIGAN, COUNTY OF BERRIEN, CITY OF BUCHANAN.

PARCEL 1

PARCEL 2

PAGE 800.

LOT 7, BLOCK "B", OF A.C. DAYS ADDITION TO BUCHANAN TOWN PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2 OF DEEDS, PAGE 800 OF BERRIEN COUNTY RECORDS. EXCEPTING THEREFROM THE WEST 56 FEET.

THAT PART OF LOT 8, BLOCK "B", OF A.C. DAYS ADDITION TO BUCHANAN TOWN PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2 OF DEEDS, PAGE 800 OF BERRIEN COUNTY RECORDS, LYING SOUTHEASTERLY OF MCCOY'S CREEK, SAID PARCEL BEING A TRIANGULAR PARCEL OF REAL ESTATE IN THE SOUTHEAST CORNER OF SAID LOT 8.

LEGAL DESCRIPTION PER EXHIBIT "A", PER COMMITMENT FOR TITLE INSURANCE PREPARED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NO. 111214092CML, COMMITMENT DATE AUGUST 25, 2023:

LAND SITUATED IN THE STATE OF MICHIGAN, COUNTY OF BERRIEN, CITY OF BUCHANAN.

LOT SIX (6), BLOCK "B", A.C. DAYS ADDITION TO THE VILLAGE (NOW CITY) OF BUCHANAN, EXCEPT A STRIP OF LAND OFF THE WEST END THEREFROM DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORER OF SAID LOT SIX (6); THENCE RUNNING EAST ALONG THE NORTH LINE OF SAID LOT FIFTY-ONE AND TWO TENTHS (51.2) FEET; THENCE SOUTHWESTERLY TO A POINT ON SOUTH LINE WHICH IS TWENTY-EIGHT AND FIVE TENTHS (28.5) FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT TWENTY-EIGHT AND FIVE TENTH (28.5) FEET TO THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTH SIXTY-SIX (66) FEET TO THE PLACE OF BEGINNING, SIX HUNDREDTHS (6/100) ACRES, BEING THE COUNTY OF BERRIEN AND STATE OF MICHIGAN, ACCORDING TO THE PLAT THEREOF, RECORDED FEBRUARY 8, 1858 IN BOOK 2 OF DEEDS.

LEGAL DESCRIPTION PER EXHIBIT "A", PER COMMITMENT FOR TITLE INSURANCE PREPARED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NO. 111214091CML, COMMITMENT DATE AUGUST 25, 2023:

LAND SITUATED IN THE STATE OF MICHIGAN, COUNTY OF BERRIEN, CITY OF BUCHANAN.

THAT PART OF LOT 5, BLOCK "B", A.C. DAYS ADDITION TO THE VILLAGE, NOW CITY, OF BUCHANAN, BERRIEN COUNTY, MICHIGAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 8, 1858 IN BOOK 2 OF DEEDS, PAGE 800, DESCRIBED AS FOLLOWS, TO WIT; COMMENCING 6 RODS AND 7 FEET WEST FROM THE SOUTHEAST CORNER OF SAID LOT 5; THENCE WEST 5 RODS AND 20 INCHES; THENCE NORTH 4 RODS; THENCE EAST 5 RODS AND 20 INCHES; THENCE SOUTH 4 RODS TO THE PLACE OF BEGINNING. ALSO COMMENCING 100 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 5, BLOCK "B"; THENCE NORTH 66 FEET; THENCE WEST 6 FEET; THENCE SOUTH 66 FEET; THENCE EAST 6 FEET TO THE PLACE OF BEGINNING.

SCHEDULE B, SECTION II, EXCEPTIONS, PER COMMITMENT FOR TITLE INSURANCE PREPARED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NO. 111210065CML, COMMITMENT DATE JULY 13, 2023, COMMITMENT NO. 111214092CML, COMMITMENT DATE AUGUST 25, 2023 AND COMMITMENT NO. 111214091CML, COMMITMENT DATE AUGUST 25, 2023:

NO SURVEY RELATED ITEMS TO SHOW PER INFORMATION PROVIDED.

SURVEY NOTES:

MONUMENTS HAVE BEEN PLACED (OR A REFERENCE MONUMENT OR WITNESS TO THE CORNER) AT ALL MAJOR CORNERS OF THE BOUNDARY OF THE PROPERTY, UNLESS ALREADY MARKED OR REFERENCED BY EXISTING MONUMENTS OR WITNESSES IN CLOSE PROXIMITY TO THE CORNER (TABLE A, ITEM 1).

THE ADDRESS OF SURVEYED PARCELS: 206 & 208 DAYS AVENUE & 107 EAST CHICAGO STREET BUCHANAN, MICHIGAN 49107 (TABLE A, ITEM 2).

THE SURVEYED PARCELS ARE LOCATED IN ZONE AE (AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER INFORMATION OBTAINED FROM NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAPS (FIRM), MAP NUMBER 26021C0403C, EFFECTIVE DATE APRIL 17, 2006 (TABLE A, ITEM 3). THE BASE FLOOD ELEVATION FOR THESE PARCELS HAS BEEN DETERMINED TO BE AT ELEVATION 686.0 (NGVD29) PER NOTED FIRM. THE BASE FLOOD ELEVATION CONVERTED TO DATUM SHOWN ON THIS SURVEY IS 685.69' (NAVD88).

THE COMBINED SURVEYED PARCELS CONTAIN 0.65 OF AN ACRE, MORE OR LESS (TABLE A, ITEM 4).

VERTICAL RELIEF (1 FOOT CONTOURS AND SPOT ELEVATIONS) OF THE TOPOGRAPHIC SURVEY AREA ESTABLISHED FROM GPS AND ON THE GROUND SURVEY OF THE SURVEYED PARCELS, ALONG WITH BENCHMARKS SET DURING THE COURSE OF THIS SURVEY ARE SHOWN HEREON (TABLE A, ITEM 5).

NO ZONING REPORT OR LETTER PROVIDED TO THE SURVEYOR BY THE CLIENT (TABLE A, ITEM 6(a)).

EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL ARE SHOWN (TABLE A, ITEM 7(a)).

SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK ARE SHOWN ON DRAWING (TABLE A, ITEM 8). LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. AS SUCH, ON THIS SURVEY, THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED SOLELY FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS PROVIDED BY THE CLIENT. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE UNDERGROUND UTILITIES SHOWN ARE BASED ON THE SURVEYOR'S OPINION AND ARE TRUE TO THE SURVEYOR'S INFORMATION, KNOWLEDGE, AND BELIEF. THE SURVEYOR FURTHER DOES NOT CERTIFY THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE

INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY. WHEN PROVIDED, THE SURVEYOR IS RELYING ON THE ACCURACY, COMPLETENESS, AND TECHNICAL SUFFICIENCY OF THE INFORMATION FURNISHED BY OR ON BEHALF OF THE CLIENT (TABLE A, ITEM 11(a)). NAMES OF ADJOINING OWNERS ACCORDING TO CURRENT TAX RECORDS AVAILABLE ARE SHOWN ON DRAWING (TABLE A, ITEM 13).

NO EVIDENCE OF EARTH MOVING, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING FIELDWORK (TABLE A, ITEM 16).

AN ADDITIONAL DOCUMENT USED AS REFERENCE WHEN PERFORMING THIS SURVEY: A MAP OF SURVEY OF PART OF LOT 5, BLOCK "B", A.C. DAY'S ADDITION TO THE VILLAGE, NOW CITY, OF BUCHANAN, BERRIEN COUNTY, MICHIGAN, FOR DONALD BRADLEY, SURVEYED BY J.H. DEWEY, NOVEMBER 8, 1947 AND JULY 1, 1948.

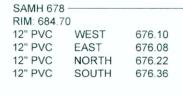
SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD, OR OTHERWISE.

THIS SURVEY WAS PERFORMED WITH AN ACCURACY THAT IS NOT LESS THAN REQUIRED BY THE MINIMUM STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYING IN MICHIGAN.

BEARINGS SHOWN ARE RELATED TO THE MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.

THE WATERS EDGE IS SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND IT MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMIT OF TITLE.

PARCEL AREAS EMBRACING ANY WATERS OF MCCOY'S CREEK ARE SUBJECT TO THE CORRELATIVE RIGHTS OF THE OTHER RIPARIAN OWNERS AND THE PUBLIC TRUST IN THESE WATERS.



PIPE END -

ELEV. = 677.78'

PIPE END

ELEV. = 678.87'

5' CMP

5' CMP

10" CONC NORTH 681.00

10" CONC SOUTH 681.39

CI 360 -

RIM: 684.10

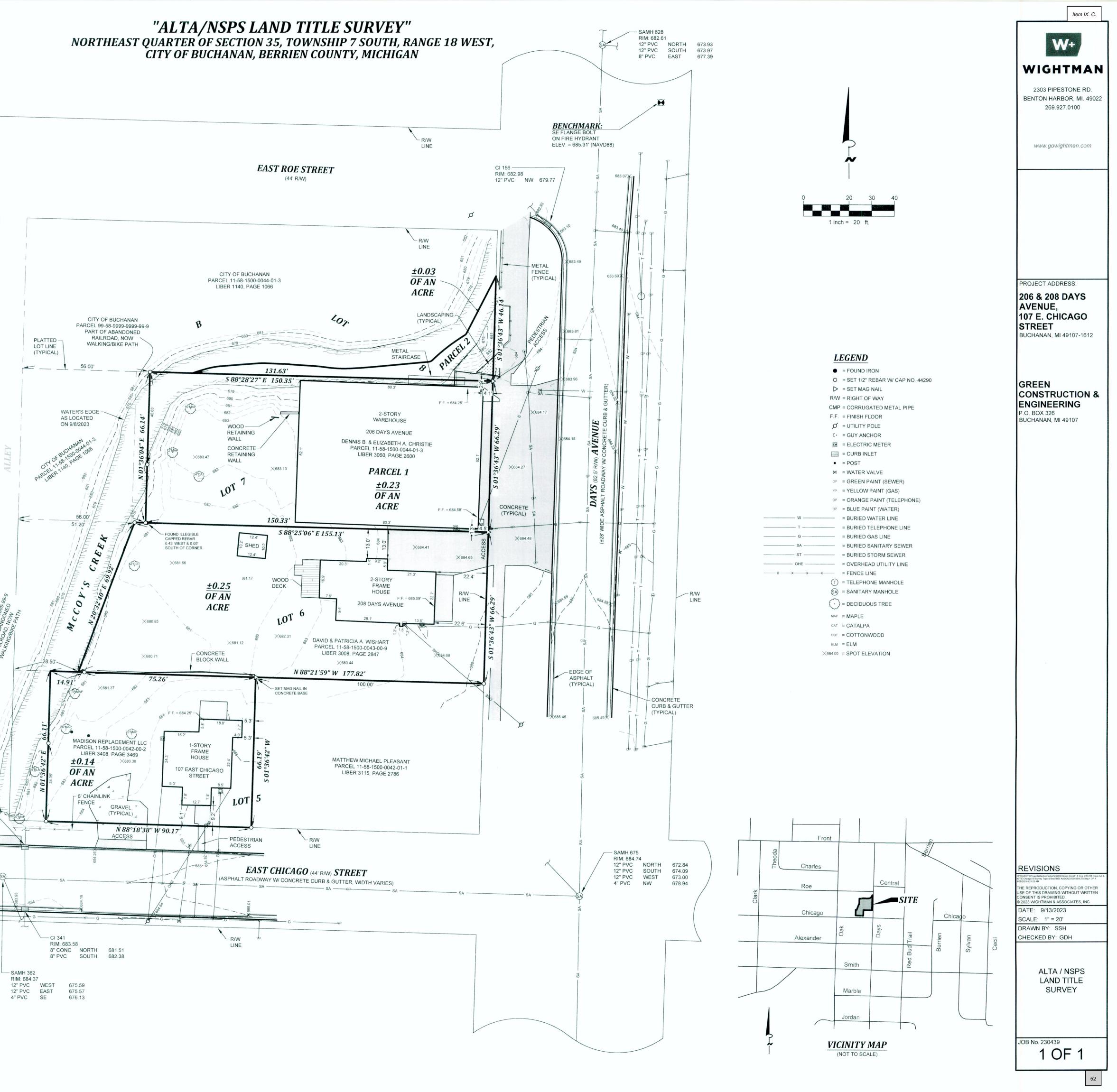
CERTIFICATION:

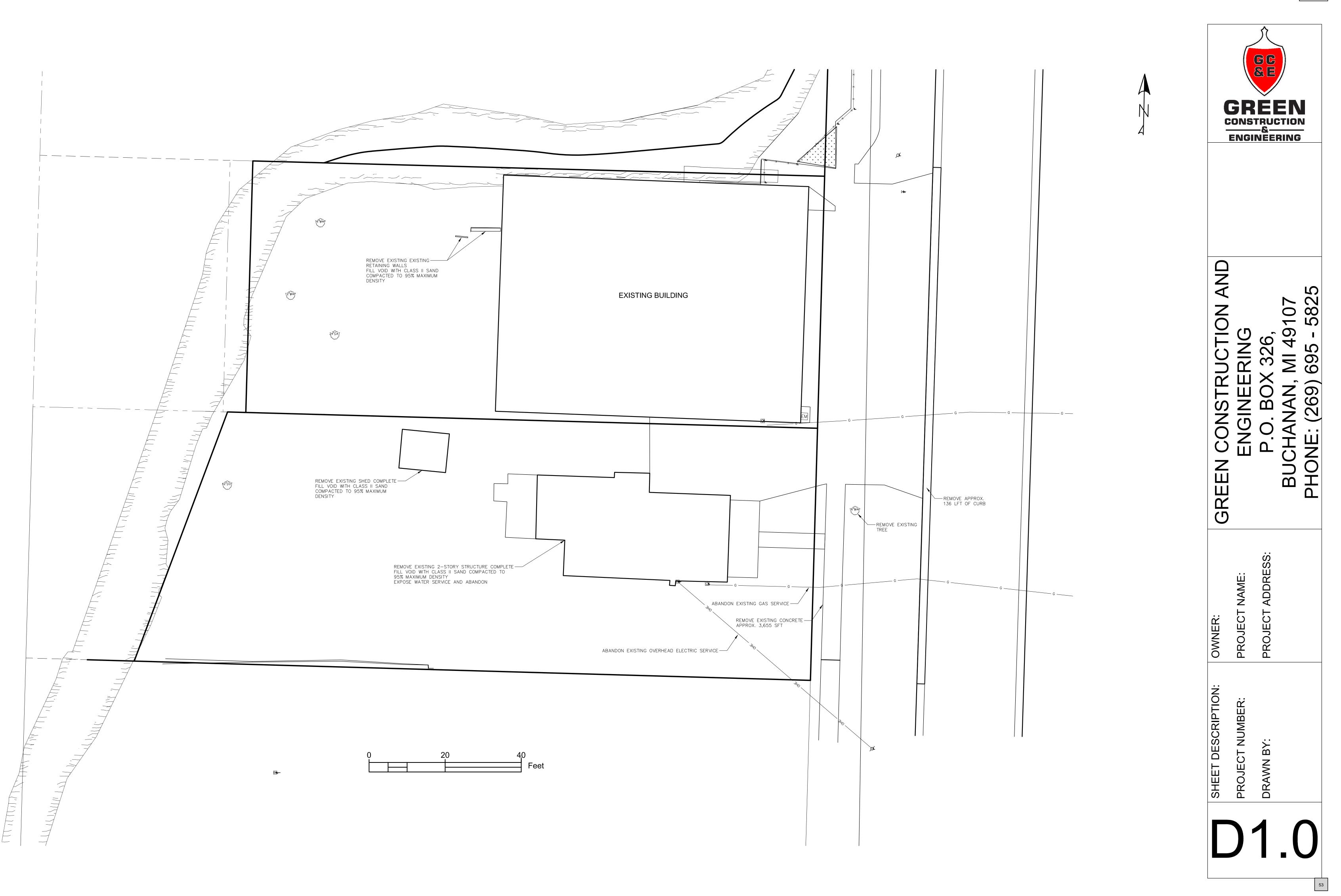
TO: 206 DAYS AVENUE HOLDINGS, LLC AND CHICAGO TITLE INSURANCE COMPANY: THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 7(a), 8, 11(a), 13, AND 16 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON AUGUST 10, 2023.

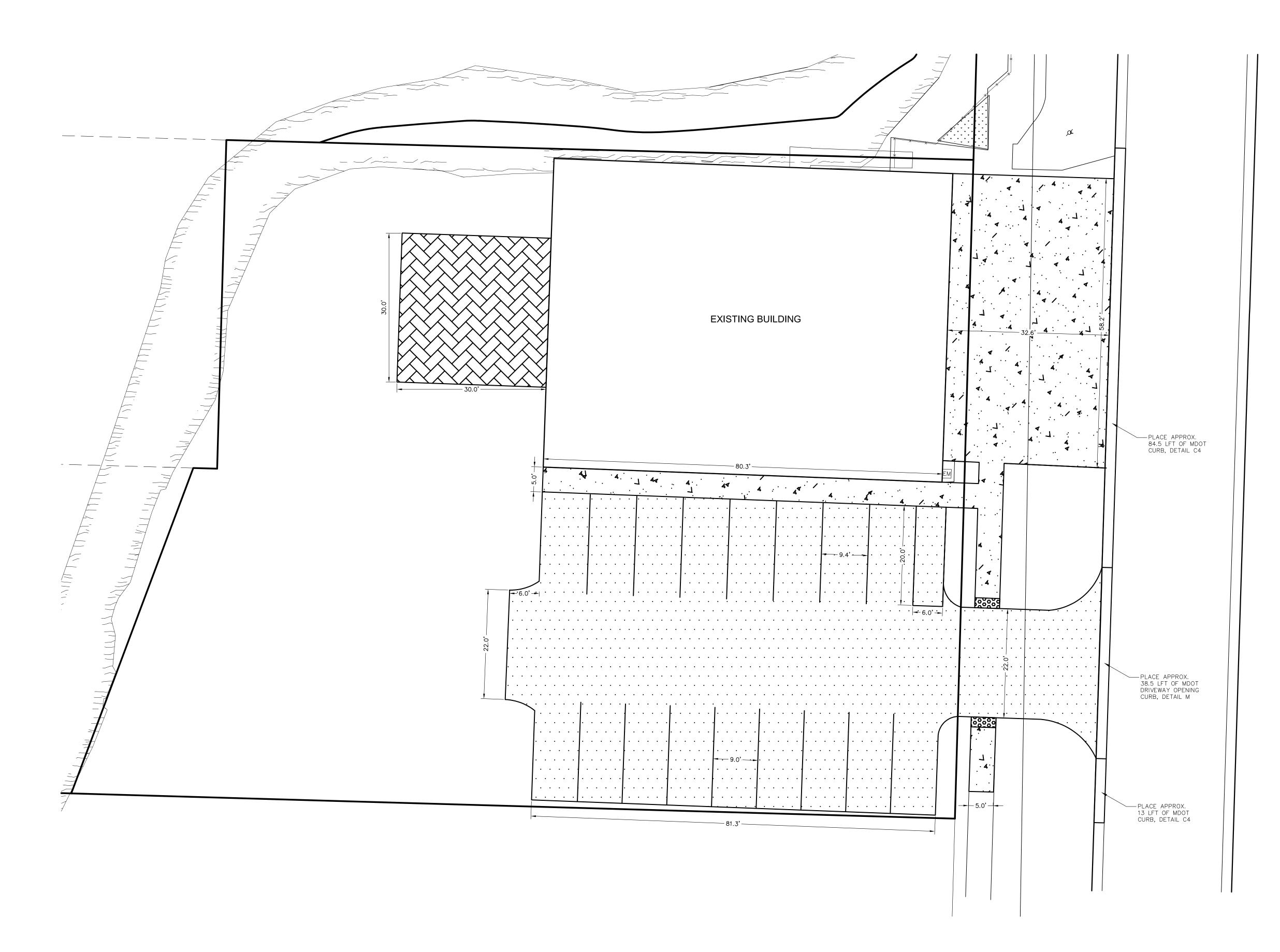
radford@gowightman.com

WIGHTMAN, INC. 2303 PIPESTONE ROAD BENTON HARBOR, MI 49022

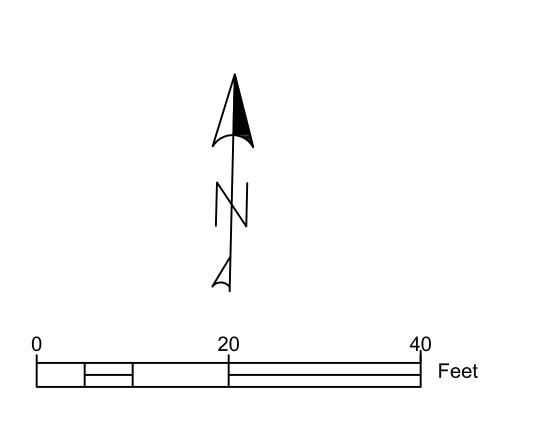








GG





HMA
1.5 INCHES 36A TOP COURSE
2 INCHES 13 A LEVELING COURSE
8 INCHES OF 22A AGGREGATE BASE, COMPACTED TO 98%
MAXIMUM DENSITY



CONCRETE SIDEWALK, 4 INCH, NON-REINFORCED, 3,500 PSI MIN. 6 INCHES CLASS II SAND BASE COMPACTED TO 95% MAXIMUM DENSITY



2'X5' DETECTABLE WARNING SURFACE, INSTALL PER MDOT SPECIFICATIONS FOR ADA COMPLIANT TACTILE SURFACE



PROPOSED PATIO AREA, CONSTRUCTION MATERIAL PER OWNER SPECIFICATIONS



