

# PUBLIC NOTICE

## CITY OF BERKLEY, MICHIGAN REGULAR MEETING OF THE CITY PLANNING COMMISSION

Tuesday, July 26, 2022  
7:00PM – City Hall Council Chambers  
Information: 248-658-3320

CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
ROLL CALL  
APPROVAL OF AGENDA  
APPROVAL OF MINUTES – *Meeting minutes of June 28, 2022*  
COMMUNICATIONS  
CITIZEN COMMENTS

OLD BUSINESS

NONE

NEW BUSINESS

1. **PSP-13-22: 3120 Eleven Mile – Moses Roses:** Sketch Plan for the conversion of an existing building with a small addition for a total of 2,799 square feet to be used for a retail marihuana dispensary.

LIAISON REPORTS  
COMMISSIONER / STAFF COMMENTS  
ADJOURN

*Notice: Official Minutes of the City Planning Commission are stored and available for review at the office of the City Clerk. The City of Berkley will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon four working days notice to the city. Individuals with disabilities requiring auxiliary aids or services should contact the city by writing or calling: City Clerk, ADA Contact, Berkley City Hall, 3338 Coolidge, Berkley, Michigan 48072, (248) 658-3300.*

You can watch the meeting on Channel 10 for both Comcast and WOW, at <http://www.youtube.com/CityofBerkley> or <http://www.berkleymich.org/livestream>.

**THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, JUNE 28, 2022 AT BERKLEY CITY HALL BY VICE-CHAIR LISA KEMPNER.**

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*The minutes from this meeting are in summary form capturing the actions taken on each agenda item. To view the meeting discussions in their entirety, this meeting is broadcasted on the city's government access channel, WBRK, every day at 9AM and 9PM. The video can also be seen, on-demand, on the city's YouTube channel: <https://www.youtube.com/user/cityofberkley>.*

**PRESENT:** Shiloh Dahlin Joe Bartus  
Greg Patterson Julie Stearn  
Lisa Kempner Mark Richardson

**ABSENT:** Kristen Kapelanski

**ALSO, PRESENT:** Megan Masson-Minock, Interim Community Development Director  
Thea Donahue, 975 East Maple suite 210, Birmingham  
Harold Remlinger, 975 East Maple suite 210, Birmingham  
Daniel Amari, 3249 Wakefield, Berkley  
Teresa Forman, 2221 Princeton  
Jim McGowan, 33074 Curtis Rd, Livonia  
Joseph Anderson, 5371 Berwyck Dr, Troy

Motion by Commissioner Patterson to excuse the absence of Commissioner Kapelanski. Motion supported by Commissioner Stearn.

Voice Vote to approve the absence of Commissioner Kapelanski.

AYES: 6  
NAYS: 0  
ABSENT: Kapelanski

**MOTION CARRIED**

\* \* \* \* \*

**APPROVAL OF AGENDA**

Motion by Commissioner Richardson to approve the agenda supported by Commissioner Patterson.

Voice vote to approve the agenda

AYES: 6  
NAYS: 0  
ABSENT: Kapelanski

**MOTION CARRIED**

\* \* \* \* \*

**APPROVAL OF THE MINUTES**

Motion by Commissioner Patterson to approve the minutes from the special Planning Commission meeting on June 7, 2022 and supported by Commissioner Richardson.

Voice vote to approve the meeting minutes on June 7, 2022.

AYES: 6  
NAYS: 0  
ABSENT: Kapelanski

**MOTION CARRIED**

\* \* \* \* \*

**COMMUNICATIONS**

Email from McNally's on June 7, 2022 meeting  
Letter from City of Huntington Woods on 2222 W. 11 Mile  
Email from Katie and Nick Forte on Black Hop Brewery  
Michigan Planner Magazine

\* \* \* \* \*

## **CITIZEN COMMENTS**

NONE

\* \* \* \* \*

## **OLD BUSINESS**

1. **PSP-02-22: 2222 Eleven Mile Rd. - Butter Provisioning:** The applicant, Grant Jeffries, on behalf of Operation Grow, LLC, - d.b.a. Butter Provisioning Center, 2222 Eleven Mile Rd., Parcel #225-17-358-018, North side of Eleven Mile, between Berkley Ave. and Henley Ave., is requesting site plan approval for the renovation of the existing building to a retail marihuana dispensary and a separate warehouse tenant space.

Interim Community Development Director Masson-Minock provided an overview of the updated information from the last meeting, including options for the screen wall where the alley and sewer pipe exist. DPW and HRC have recommended approval for this site and approval for the traffic impact study. The fire inspector has also approved this. Interim Community Development Director Masson-Minock also stated that the applicant has bought 2200 Eleven Mile, bettering the site circulation and parking. The Planning Commission had three determinations on the parking waiver, landscaping, screening option, as well as the list of conditions in the staff letter.

Commissioners asked questions to Interim Community Development Director Masson-Minock related to items in the packet for this applicant.

## **APPLICANT PRESENTATION**

Grant Jeffries  
Five/Eights Architecture, Architect  
2321 Wolcott St  
Ferndale, MI 48220

Chris Klamkin, Founder of Operation Grow LLC, DBA Butter,  
Chief Executive Officer  
Dan Amory, Chief Executive Officer

Applicant Mr. Jeffries, provided an overview of what has changed since the Sketch Plan meeting in February, with main discussion on parking, site circulation, and dumpster access.

Mr. Jeffries summarized the major changes that have occurred. Mr. Jeffries discussed the purchasing agreement and current business with 2200 Eleven Mile that will better the parking at 2222 Eleven Mile. There was clarification on the dumpster placement that was addressed during the sketch plan. The parking agreement with the Masonic Temple was renegotiated and the new terms were presented. Mr. Jeffries addressed the site lighting and mural, as well as the masonry wall. There was discussion on 13361 Eleven Mile in Oak Park as well.

Commissioner Richardson asked the applicants questions regarding employee's numbers, parking circumstances, shared parking with the building that was purchased, and the building in Oak Park.

Commissioner Richardson also asked the applicants about the property line, sewer pipe and the location of the masonry wall. There was discussion with residents and Interim Community Development Director Masson-Minock on the sewer pipe and fencing options

Commissioner Dahlin asked for clarification on the lights located on the west side and the deputy of the sanitary sewer.

Joe Anderson from Giffels Webster Engineers answered Commissioner Dahlin's questions about the manhole and fencing.

Commissioner Bartus asked applicants about the specifics of the fence, and the signage they will be using for the parking lots.

Vice-Chair Kempner asked about the memo from McDowell and Associates and permeable pavers and drainage

#### **PUBLIC COMMENT**

Dave Losey, 2189 Princeton - Stated that he would prefer a block wall, because if it was going to be a fence, cars that would come into the parking lot the lights from the car shine above his eight (8) ft fence already. He suggested having a ten (10) ft fence instead of an eight (8) ft wall.

Theresa Forman, 2211 Princeton - Stated that this plan is much better, but has concerns about the wall. She also asked about the door usage on the north side. She prefers a masonry wall to keep the sound and light masked.

Denise Losey, 2189 Princeton - Stated that it would be nice to have some kind of privacy, which is what would be lost if they had the shorter fence. Something to help with the noise and light would be appreciated.

There was discussion between the Commissioners, applicant and the Community Development Director specifics on the height and neighboring wall and where the 10ft wall would be.

The Commissioners discussed the landscaping, stated that it met the ordinance, and suggested arborvitaes for the areas of concern, flower pots or boxes to put on the wall or fence.

There was general conversation on the sewer maintenance, placement of the easement and sewer pipe, and the future of fence repair if needed.

The Commissioners stated that the wood fence would be the best solution and want to see it ten (10) ft, agreed with the presented landscaping, and are in support of the parking waiver.

Motion by Commissioner Bartus to approve application PSP-02-22; with recommendation of allowing the parking waiver; recommended that the proposed landscaping meets the Ordinance 139-678, and a condition of the approval is the screening options of the wood fence with an eight (8) ft height with a ten (10) ft required for the section adjacent to the driveway, and conditional upon the following items 1-7 listed on the staff letter dated June 28, 2022. Supported by Commissioner Stearn.

AYES: Bartus, Kempner, Patterson, Stearn, Richardson, Dahlin

NAYS: 0

ABSENT: Kapelanski

#### **MOTION CARRIED**

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2. **PSP-06-22: 3737 Twelve Mile Rd. - The Phillip Rowhomes:** Daniel Stakhiv, on behalf of Berkley Deal LLC, 3737 Twelve Mile Road, Parcel #25-18-126-020, is requesting final site plan approval of a new seven-unit Row Homes development in the Twelve Mile District.

Interim Community Development Director Masson-Minock stated that one of the conditions from the March site plan approval is that conditions of approval are finalized with the review by the Planning Commission which is presented at this meeting. Interim Community Development Director Masson-Minock provided the reviews from DPW, and HRC.

#### **APPLICANT PRESENTATION**

Daniel Stakhiv

Applicant, Mr. Stakhiv, presented the changes that occurred since March including the front facade removing the balconies and putting a deck on the south part not affecting the setbacks that were approved in March. Mr. Stakhiv stated that the RCOC is still under review and clarified the dumpster enclosure confusion.



Commissioner Richardson asked the applicant about the roof deck, if the situation is unresolved. Interim Community Development Director Masson-Minock stated that the Planning Commission had discussed this at their prior meeting, and does not think those are outstanding issues.

#### **PUBLIC COMMENT**

NONE

The Planning Commission stated that they like the way everything is presented and the idea of composite for the gate on the dumpster

Motion by Commissioner Bartus to approve application PSP 06-22; with the following conditions referenced in the staff letter dated June 21, 2022 items 1-4 and the additional requirement to provide a wood composite fence gate on the dumpster, with all of the waivers and prior approvals. Supported by Commissioner Patterson.

AYES: Dahlin, Richardson, Stearn, Patterson, Bartus, Kempner

NAYS: 0

ABSENT: Kapelanski

#### **MOTION CARRIED**

\*\*\*\*\*

#### **NEW BUSINESS**

3. **PSU-01-22: 2684 - 2688 Coolidge Highway - The Black Hop Brewery:** The applicant, Dorian Hill on behalf of The Black Hop Brewery, 2684 Coolidge Hwy. Parcel #25-15-155-030, east side of Coolidge Hwy., between Catalpa Dr. and Franklin Rd, is requesting special land use approval for an outdoor seating/eating area accessory to a bar.

Interim Community Development Director Masson-Minock stated that the applicant has already received site plan approval, the facade and interior have been improved. The applicant is here for the meeting because the Berkley ordinance public seating/outdoor dining is a special land use in this district. Interim Community Development Director Masson-Minock presented the review for Carlisle/Wortman noting some topics of discussion. Interim Community Development Director Masson-Minock reviewed the standards for Special Land use.

#### **APPLICANT PRESENTATION**

Dorin Hall

Harold Remlinger, & Thea Donahue  
DesignTeam Plus

Mr. Remlinger stated that the exterior of the building design has been approved, and stated that this will be the third Black Owned Brewery in the State of Michigan, and it will be the first in Southeastern Michigan.

Ms. Donahue reviewed the changes that the team had made from each of the suggestions in the review.

Commissioner Richardson asked the applicant about seating numbers. Mr. Remlinger stated that occupancy is determined by building code with the number being at max.

Vice-Chair Kempner opened the floor to public hearing at 8:48 pm.

#### **PUBLIC COMMENT**

NONE

Email that is in favor of this

Vice-Chair Kempner closed the floor to public hearing at 8:48 pm.

The Planning Commission discussed the standards for special land use approval, including the lighting waiver and string lights, snow removal and noise.

The applicant and Planning Commission discussed the hours of operation and music with the noise level and the surrounding area not being affected by the noise too much.

Motion by Commissioner Patterson to approve PSU-01-22; with following condition that the lighting as shown on plans with a waiver to be used, if it changes, go back to staff review, snow removal is adequate, all other meetings must be held in accordance with staff letter based on discussion, and noise levels will comply with non-nuisance laws. Find that findings are sufficient with the discussion that was had. Supported by Commissioner Richardson.

AYES: Dahlin, Richardson, Stearn, Patterson, Bartus, Kempner

NAYS: 0

ABSENT: Kapelanski

#### **MOTION CARRIED**

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#### **LIAISON REPORT**

Commissioner Richardson stated that the Environmental Committee had a bike carrel at Art Bash located by Clarks Ice Cream. Although it did not have as much business in prior years, there was positive feedback and will take time to build back up and might expand to other Berkley events.

Vice-Chair Kempner stated that the DDA had a very successful Pride Block Party, and the committee is already ready for next year.

\* \* \* \* \*

#### **COMMISSIONER COMMENTS**

Commissioner Richardson stated this would be his last meeting after 11 years on the Planning Commission. It has been a rewarding experience, and would not leave if he did not think the Planning Commission was in good shape.

Commissioner Patterson wished Commissioner Richardson well, and thanked him for all the years on Commission and supporting them through the years.

Commissioner Stearn stated she will not be at the next meeting due to a conference

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#### **STAFF COMMENTS**

Interim Community Development Director Masson-Minock thanked Commissioner Richardson for his many years of service and involvement in the Master Plan.

The Planning Commission will be seeing a Sketch Plan from Vinsetta Garage and possibly a Sketch Plan from Yellow Tail.

Interim Community Development Director Masson-Minock also stated that Kristen Kapelanski will be the Community Development Director at Berkley. Two Commissioners will be joining, and if the Commissioners know of anyone that would be interested or add value to send the recommendations to Kristen.

Interim Community Development Director Masson-Minock thanked the board for helping her all these months, and has learned a lot from them.

### **ADJOURNMENT**

Motion to adjourn by Commissioner Patterson supported by Commissioner Stearn.

Voice vote for adjournment

AYES: 6

NAYS: 0

ABSENT: Kapelanski

**With no further business, the meeting was adjourned at 9:12 p.m.**



# CITY OF BERKLEY COMMUNITY DEVELOPMENT

3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

## MEMORANDUM

**To:** Planning Commissioners Smith, Dahlin, Kempner and Dahlin  
**From:** Kristen Kapelanski, Community Development Director  
**Subject:** **PSP-13-22, Site Plan for 3120 W. Eleven Mile – Moses Roses**  
**Date:** July 21, 2022

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The applicant has asked for a sketch plan review for the proposed renovation of and small addition to the existing building at 3120 W. Eleven Mile Road as a retail marihuana dispensary. Section 138-681 – Approval Process allow sketch plan review by the Planning Commission as follows:

*“Sketch plan (optional). An item may be submitted to the planning commission for informal discussion. No approval shall be granted. However, the applicant may wish to present and discuss a proposed project and any anticipated problems before applying for site plan approval.”*

As no fees are required for sketch plan, the plans have not been reviewed by this department, the Fire Inspector, DPW or the planning and engineering consultants.

Please come prepared to share your questions and concerns about the sketch plan.

Thank you.

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# CITY OF BERKLEY COMMUNITY DEVELOPMENT

3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

## APPLICATION FOR SITE PLAN REVIEW

**NOTICE TO APPLICANT:** Applications for Site Plan review by the Planning Commission must be submitted to the City of Berkley Building Department in **substantially complete form** at least 30 days prior to the Planning Commission's meeting at which the application will be considered. The application must be accompanied by the data specified in the Zoning Ordinance, including fully dimensioned site plans, plus the required review fees.

The Planning Commission meets the fourth Tuesday of the month at 7:00pm in the Council Chambers at the City of Berkley City Hall, 3338 Coolidge Hwy, Berkley, MI 48072.

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### TO BE COMPLETED BY APPLICANT:

I (We), the undersigned, do hereby respectfully request Site Plan Review and provide the following information to assist in the review:

Project Name: Moses Roses

Applicant: Joseph Aiello

Mailing Address: 32411 Mound Road, Warren MI 48092

Telephone: [REDACTED]

Email: michiganmedical@icloud.com

Property Owner(s), if different from Applicant: Ryszard Lada & Ewa Laskowska-Lada

Mailing Address: 5100 Wan Ta Wan, Clarkston, MI 48348

Telephone: [REDACTED]

Email: [REDACTED]

Applicant's Legal Interest in Property: Executed Purchase Agreement

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### LOCATION OF PROPERTY:

Street Address: 3120 W. 11 mile Rd

Nearest Cross Streets: 11 mile and Griffith Ave

Sidwell Number(s): 25-18-453-031

**PROPERTY DESCRIPTION:**

Provide lot numbers and subdivision: East, 15.54 feet of Lot 108 and  
all of Lots 109 and 110. Meadow Farms Subdivision

Property Size (Square Feet): \_\_\_\_\_ (Acres): 0.43 Acres.

**EXISTING ZONING DISTRICT** (please check):

- |                               |   |                                     |
|-------------------------------|---|-------------------------------------|
| <input type="checkbox"/> R-1A | <input type="checkbox"/> Local Business         | <input type="checkbox"/> Coolidge   |
| <input type="checkbox"/> R-1B | <input type="checkbox"/> Office                 | <input type="checkbox"/> Downtown   |
| <input type="checkbox"/> R-1C | <input type="checkbox"/> Community Centerpiece  | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> R-1D | <input type="checkbox"/> Woodward               | <input type="checkbox"/> Cemetery   |
| <input type="checkbox"/> RM   | <input checked="" type="checkbox"/> Eleven Mile | <input type="checkbox"/> Parking    |
| <input type="checkbox"/> RMH  | <input type="checkbox"/> Twelve Mile            |                                     |

Present Use of Property: Auto Repair Shop

Proposed Use of Property: Auto Repair Shop & Cannabis  
Retail

Is the property located within the Downtown Development Authority? ☐ Yes ☒ No

**PROJECT DESCRIPTION:**

Re-use existing Building, Add addition, Re-do  
Parking Lot + landscape, Ltg. Upgrade MEP Services, and add  
roof Eaveless

Does the proposed project / use of property require Special Land Use approval? ☐ Yes ☒ No

Does the proposed project require Variance(s) from the Zoning Board of Appeals? ☐ Yes ☒ No

If yes, please describe Variances required:



**PLEASE COMPLETE THE FOLLOWING CHART:**

Type of Development	Number of Units	Gross Floor Area	Number of Parking Spaces On Site	Number of Employees on Largest Shift
Attached Residential				
Office				
Commercial	2	2,799 S.F.	15 Spaces	4 max, 2 ea. Tenant
Industrial				
Other				

**PROFESSIONALS WHO PREPARED PLANS: JGA**

A. Name: Ken Nisch (Contact: Angela Hill)  
Mailing Address: 2910 Inkster Road Suite 800 / Southfield  
Telephone: [REDACTED]  
Email: [REDACTED]  
Design Responsibility (engineer, surveyor, architect, etc.): Architect

B. Name: Joseph Anderson, Giffels Webster  
Mailing Address: 1035 E. Maple Suite 100 / Birmingham  
Telephone: [REDACTED]  
Email: [REDACTED]  
Design Responsibility: Engineer

**SUBMIT THE FOLLOWING:**

1. Fifteen (15) individually folded copies of the site plans, measuring 24" x 36", sealed by a registered architect, engineer, or surveyor.
2. A pdf file of the site plans, submitted to the Community Development Director.
3. Proof of property ownership (title insurance policy or registered deed with County stamp).
4. Review comments or approval received from County, State or Federal agencies that have jurisdiction over the project, including, but not limited to:

- |   |  |
|---|--|
| <input type="checkbox"/> Road Commission for Oakland County | <input type="checkbox"/> Oakland County Health Division                |
| <input type="checkbox"/> MI Dept. of Transportation         | <input type="checkbox"/> MI Dept. of Environment, Great Lakes & Energy |

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**PLEASE NOTE:** The applicant, or a designated representative, **MUST BE PRESENT** at all scheduled meetings, or the Site Plan may be tabled due to lack of representation.

Failure to provide true and accurate information on this application shall provide sufficient grounds to deny approval of a Site Plan Application or to revoke any permits granted subsequent to the site plan approval.

We encourage applicants to make a presentation of the proposed project to the Planning Commission and City Council, as appropriate. To assist in this effort, we have available for your use at meetings a projector, laptop computer and screen. This will allow the Planning Commission and audience to be fully engaged so they can give your project the attention it deserves. Planning Commission meetings are recorded and televised.

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**PROPERTY OWNER'S APPROVAL: (Initial each line)**

R.2 C.L.L. I hereby authorize the employees and representatives of the City of Berkeley to enter upon and conduct an inspection and investigation of the above-referenced property.

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**APPLICANT'S ENDORSEMENT: (Initial each line)**

A All information contained therein is true and accurate to the best of my knowledge.

Dr I acknowledge that the Planning Commission will not review my application unless all information in this application and the Zoning Ordinance has been submitted. I further acknowledge that the City and its employees shall not be held liable for any claims that may arise as a result of acceptance, processing or approval of this site plan application.

J I hereby acknowledge that if engineering or other reviews are required, additional fees must be submitted. Should the review fees be greater than the required minimum, sufficient additional charges will be imposed to satisfy the additional review fees. All fee obligations must be satisfied prior to permit approval.

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**If an application is withdrawn more than three (3) weeks prior to the meeting date, 90% of the fee will be refunded. If the application is withdrawn less than three (3) weeks prior to the meeting, no refund will be given.**

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*Joseph Aiello*

June 29 2022

Signature of Applicant

Date

Joseph Aiello, President of Yellow Tail Ventures Inc.

Applicant Name (Print)

Signature of Applicant

Date

Applicant Name (Print)

*E. Leshowke - Looke*

6-29-22

Signature of Property Owner Authorizing this Application

Date

*Ryszard Lada*

Ryszard Lada, Member of Berkley Auto Service, LLC

6-29-22

Property Owner Name (Print)

**OFFICE USE ONLY**

Received \_\_\_\_\_ Receipt # \_\_\_\_\_ Meeting Date \_\_\_\_\_ Case # \_\_\_\_\_

Fees:            Site Plan Review \$600            Façade Change: \$200            Revision: \$300  
                 Extension \$200            Engineering: Multi-family \$1,500 + \$30/unit  
                 Escrow (New construction) \$1,000            Commercial \$1,000

# MOSES ROSES

BERKLEY

Moses Roses, Provisioning Center, Berkley Michigan  
3120 W. 11 Mile Rd. Berkley, Michigan

Design + Architecture: JGA, Southfield  
Civil engineering: Giffles Webster, Birmingham  
Landscape Design: Giffles Webster, Birmingham  
Geo-technical Engineering: McDowell & Associates, Ferndale



MOSES ROSES	BERKLEY, DESIGN DEVELOPMENT 3120 W. 11 MILE RD, BERKLEY, MI		I
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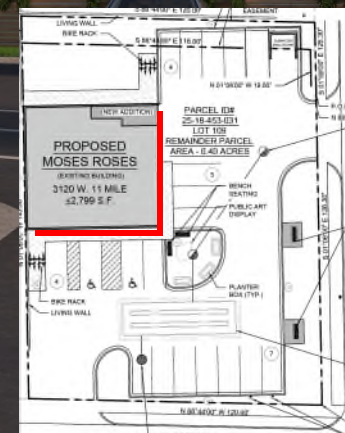
**MOSES ROSES**

**BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI**

**BUILDING ELEVATION, STORE FRONT, SOUTH FACING**

**3**





MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

BUILDING ELEVATION

4



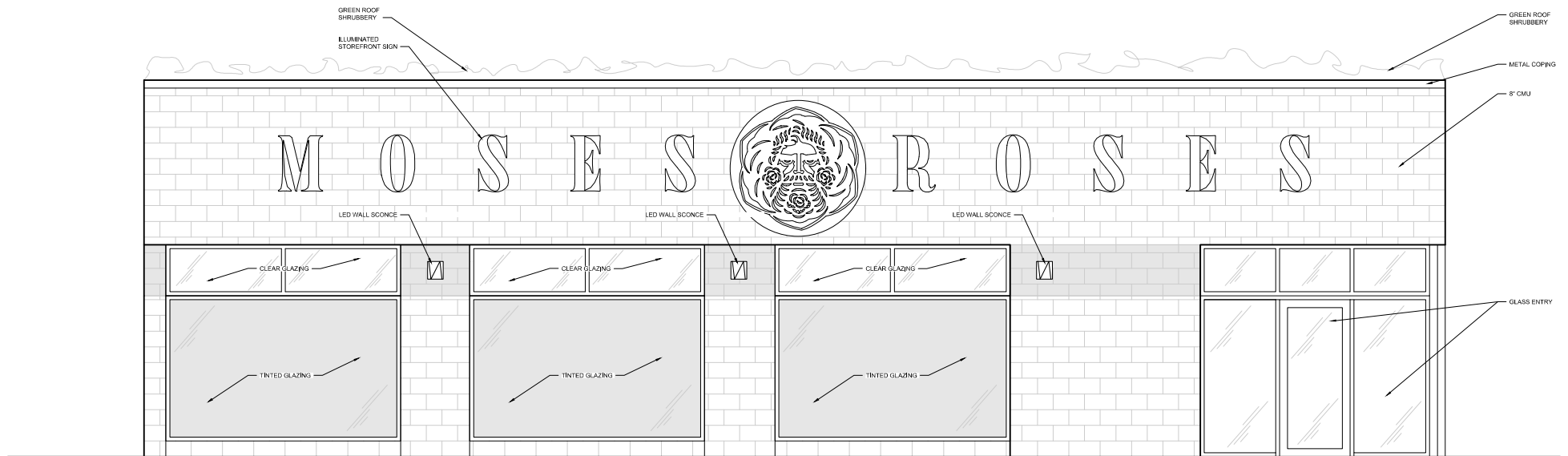


MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

BUILDING ELEVATION, EAST FACING

5



PROPOSED STOREFRONT GLAZING	
- BUILDING ELEVATION SQUARE FOOTAGE ON 11 MILE FRONTAGE =	885.5 S.F.
- REQUIRED STOREFRONT GLAZING SHALL BE 45 - 60% (354.2 S.F. - 531.3 S.F.)	
- STOREFRONT GLAZING PROVIDED =	360 S.F.

FRONT ELEVATION  
SCALE: 1/2" = 1'-0"

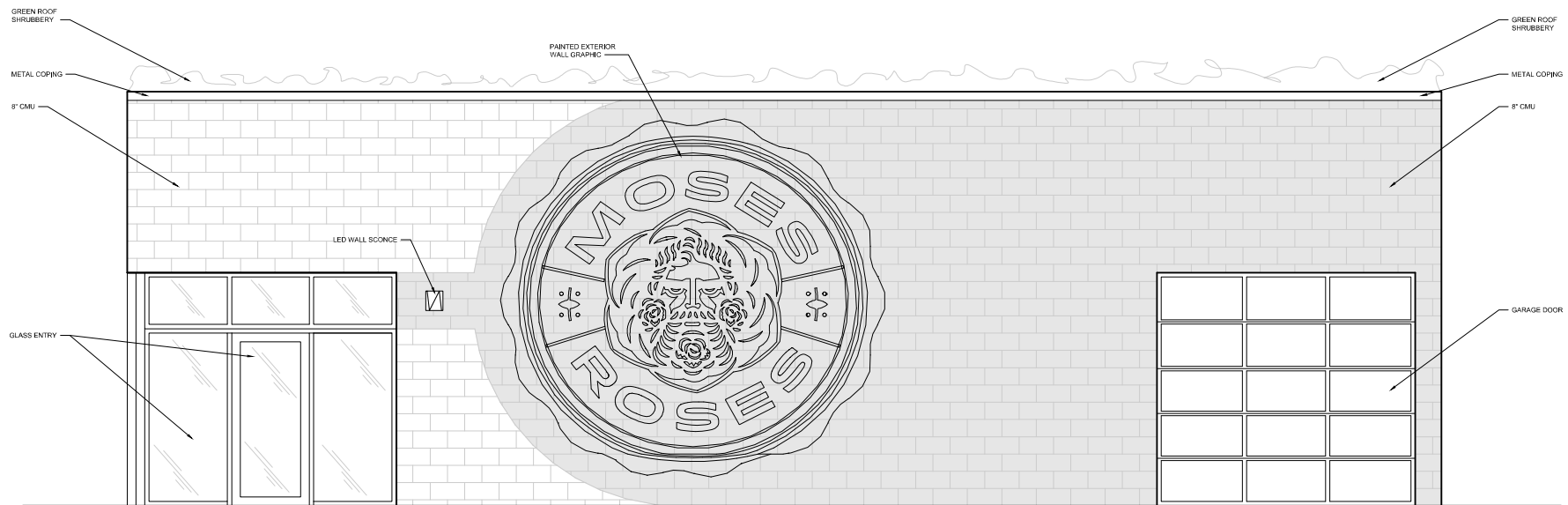
MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

BUILDING ELEVATION, SOUTH FACING 11 MILE RD.

6



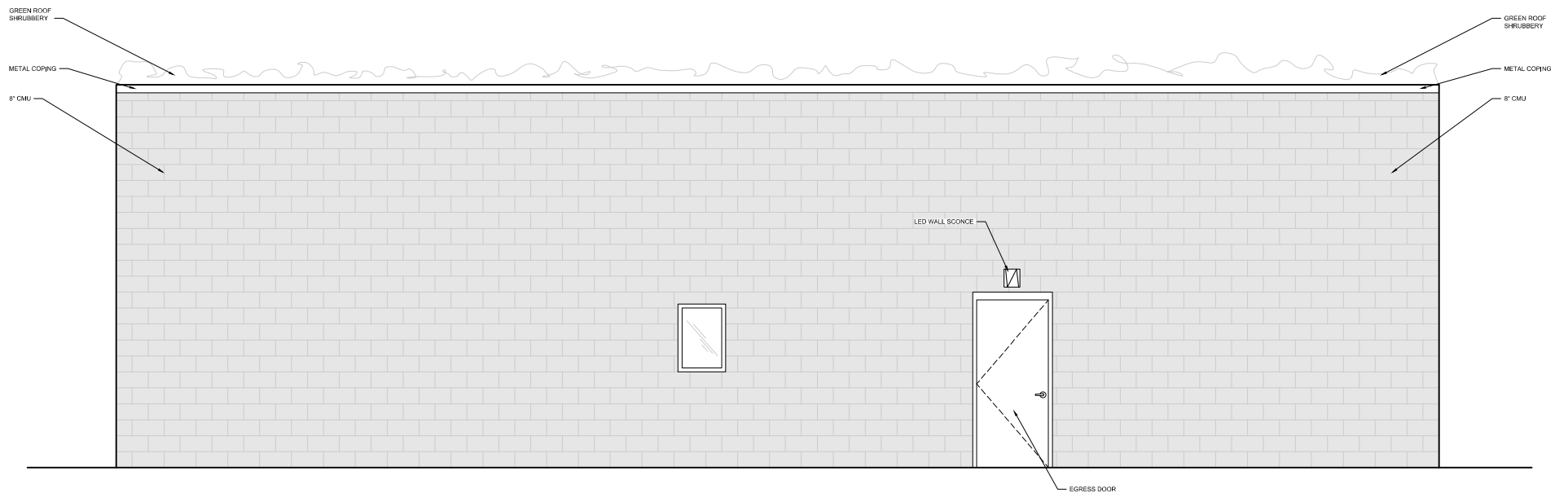


SIDE ELEVATION  
SCALE: 1/2" = 1'-0"

MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

BUILDING ELEVATION, EAST FACING



REAR ELEVATION

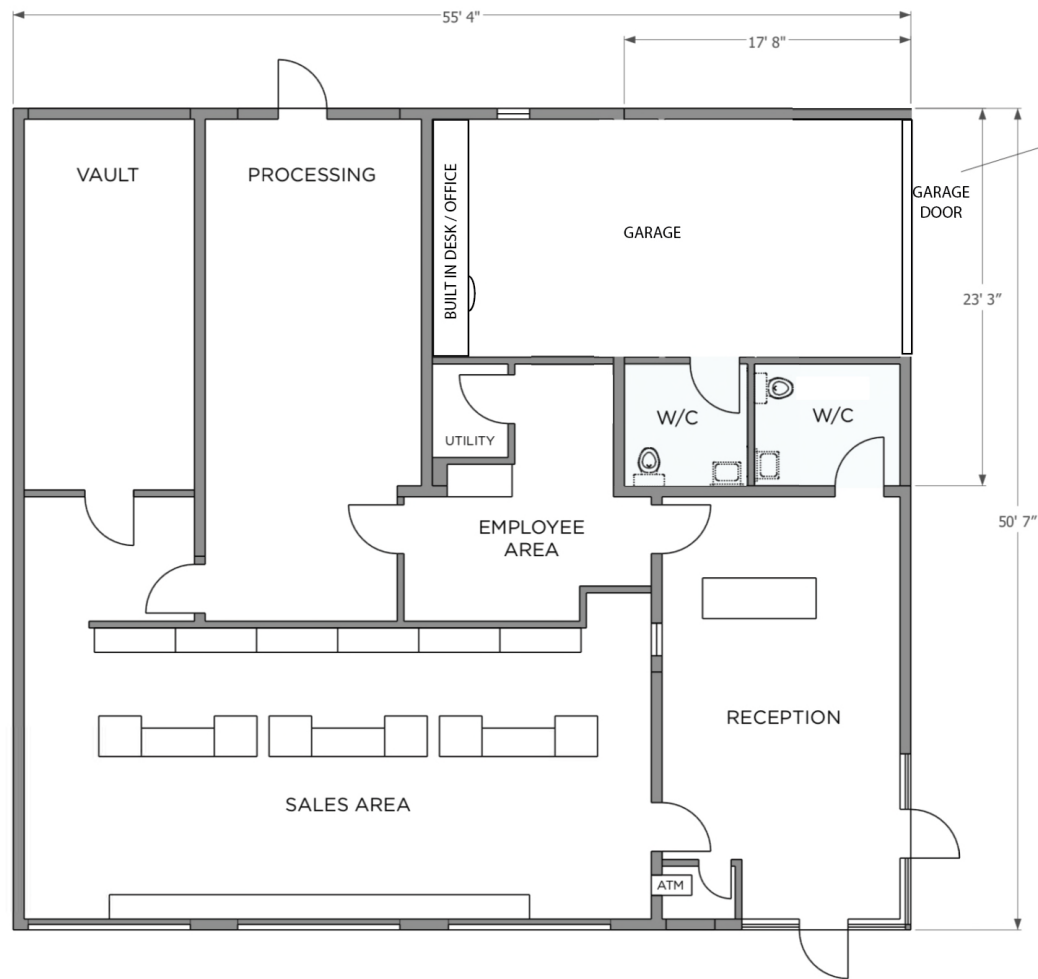
SCALE: 1/2" = 1'-0"

MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

BUILDING ELEVATION, NORTH FACING

8



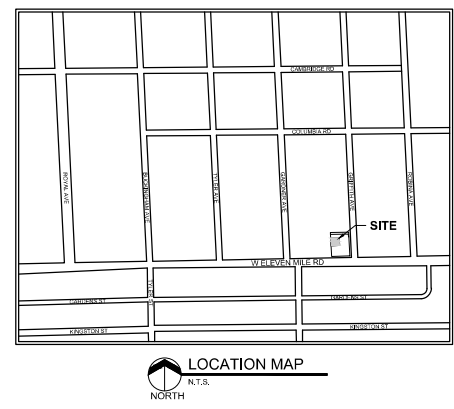
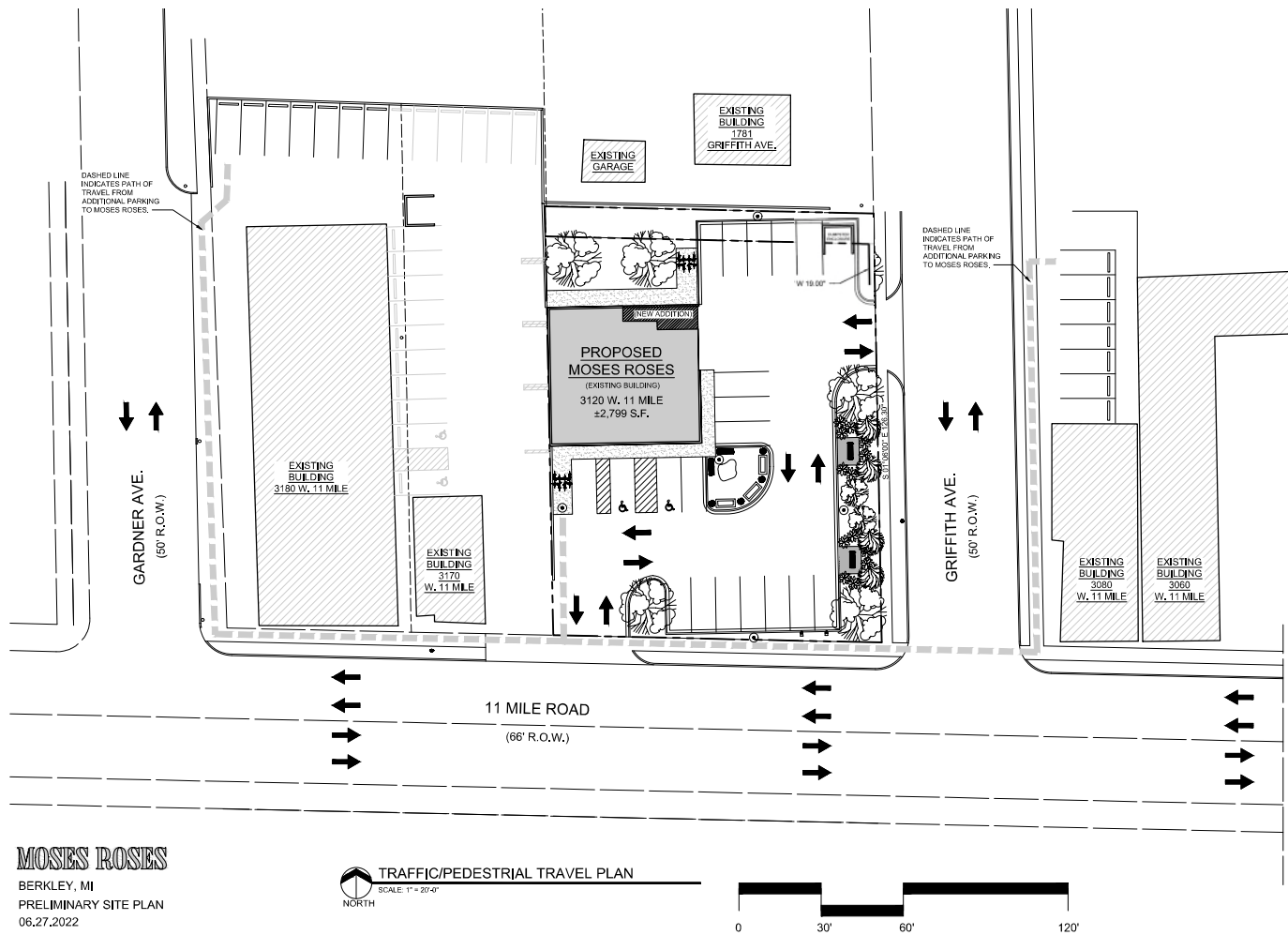


MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

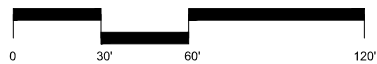
INTERIOR MATERIALS + DETAILS

10



**MOSES ROSES**  
 BERKLEY, MI  
 PRELIMINARY SITE PLAN  
 06.27.2022

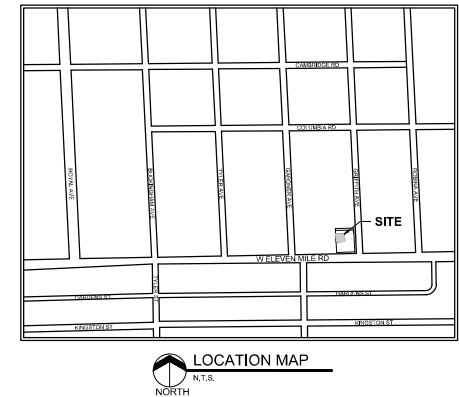
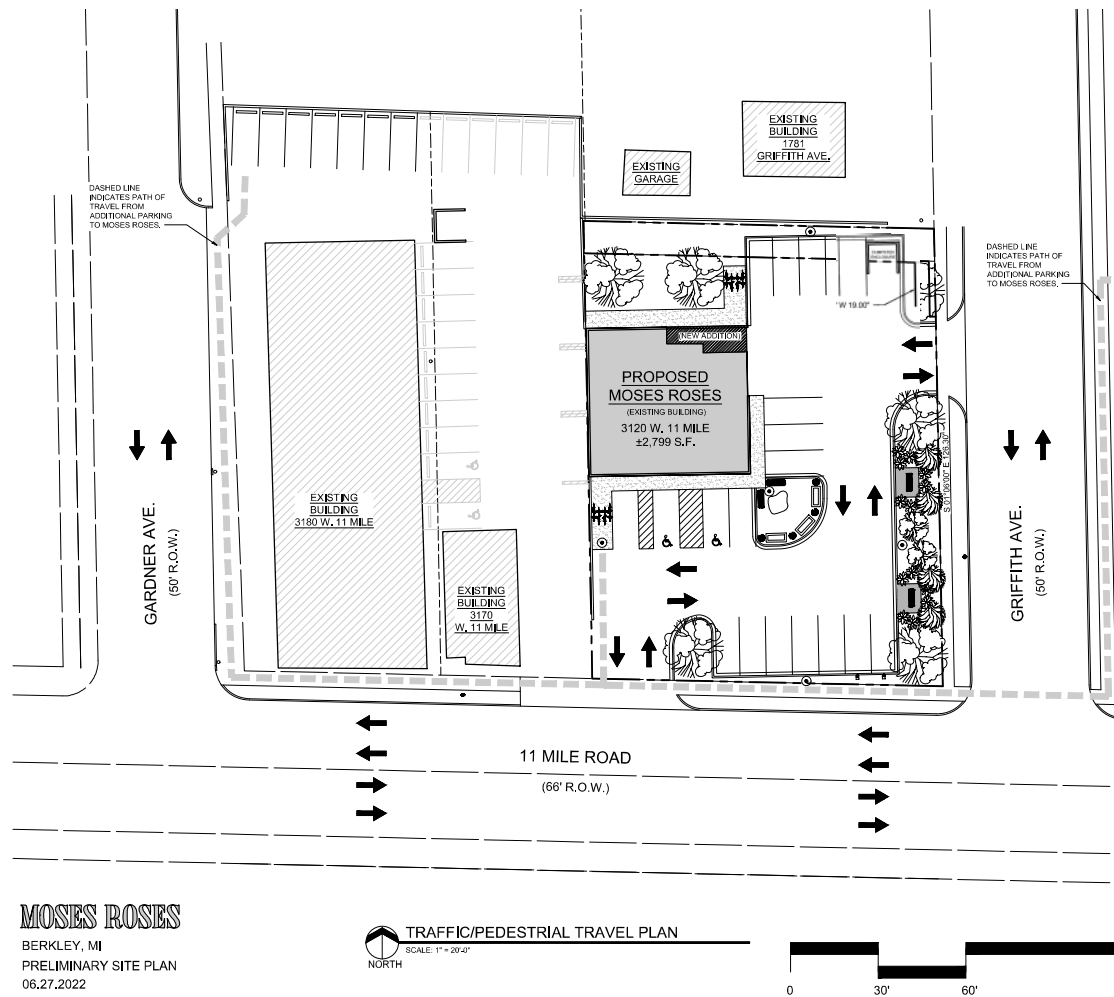
**TRAFFIC/PEDESTRIAN TRAVEL PLAN**  
 SCALE: 1" = 20'-0"  
 NORTH



**MOSES ROSES**

**BERKLEY, DESIGN DEVELOPMENT**  
**3120 W. 11 MILE RD, BERKLEY, MI**

**TRAFFIC FLOW**



#### PROPOSED PARKING

- STANDARD PARKING SPACES (9'x20') - 12
- STANDARD PARKING W/ CHARGING STATION - 2
- ADA ACCESSIBLE VAN SPACES (9'x20" W/ 8' ACCESS AISLE) - 1
- ADA ACCESSIBLE CAR SPACES (9'x20" W/ 5' ACCESS AISLE) - 1

#### - TOTAL PROPOSED ONSITE PARKING - 15 SPACES

- OFFSITE PARKING W/ AGREEMENTS - 14

#### - TOTAL PROPOSED ONSITE & OFFSITE PARKING COMBINED - 30 SPACES

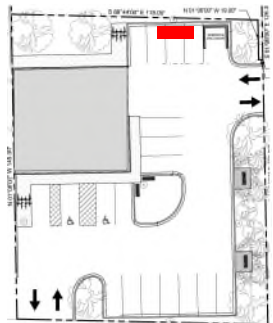
REQUIRED PARKING FOR RETAIL = 1 SPACE PER 225 S.F.  
 $\pm 2,799 \text{ S.F.} / 225 = 12.44$ , THEREFORE 13 REQUIRED PARKING SPACES

MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

PARKING PLAN

12



MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

FAST ELECTRIC CHARGING STATIONS

13

**UTILITY NARRATIVES**

**STORM MANAGEMENT**

THE SURFACE WATER RUNOFF WILL BE COLLECTED VIA STORM CATCH BASINS LOCATED THROUGHOUT THE PROPERTY. THE INCLUSION OF A BIORETENTION ISLAND AND MECHANICAL PRE-TREATMENT UNIT IS PLANNED TO PROVIDE STORM TREATMENT UPSTREAM OF THE PROPOSED UNDERGROUND DETENTION SYSTEM. RESTRICTED DISCHARGE FROM UNDERGROUND STORM SYSTEM WILL METER THE FLOW TO THE EXISTING CITY STORM SYSTEM. THE STORM QUALITY AND QUANTITY REQUIREMENTS OF THE CITY OF BERKLEY AND OCWRC WILL BE FOLLOWED IN FINAL DESIGN.

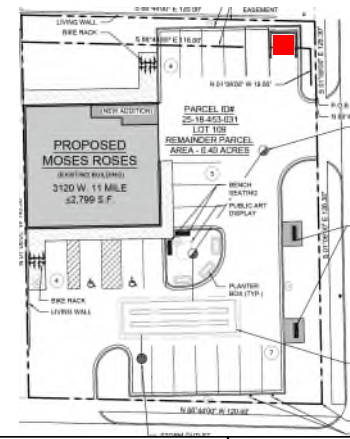
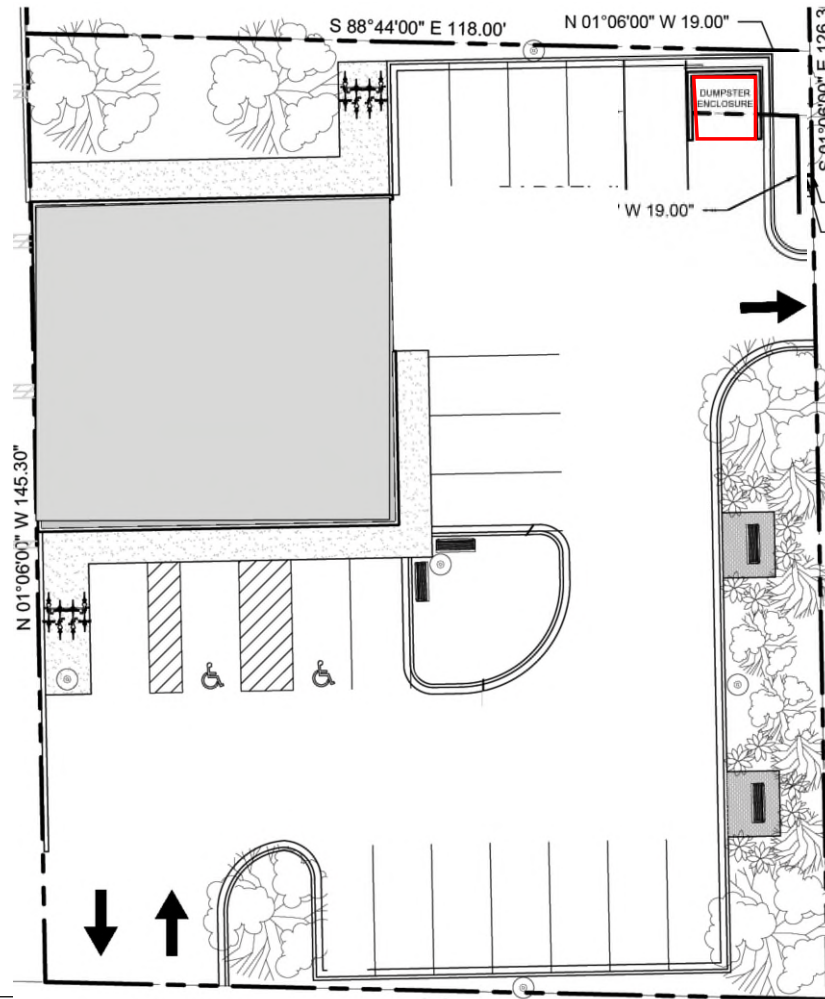
**WATER MAIN**

IT IS ANTICIPATED THAT THE EXISTING WATER SERVICE WILL BE UTILIZED, HOWEVER IN THE EVENT THAT THE EXISTING WATER SERVICE IS INSUFFICIENT, A NEW WATER SERVICE CONNECTION FROM THE EXISTING WATER NETWORK WILL BE EXTENDED TO SERVICE THE PROPOSED DEVELOPMENT.

**SANITARY SEWER**

IT IS ANTICIPATED THAT THE EXISTING SANITARY SERVICE WILL BE UTILIZED, HOWEVER IN THE EVENT THAT THE EXISTING SANITARY SERVICE IS INSUFFICIENT, A NEW SANITARY SERVICE CONNECTION FROM THE EXISTING SANITARY NETWORK WILL BE EXTENDED TO SERVICE THE PROPOSED DEVELOPMENT.



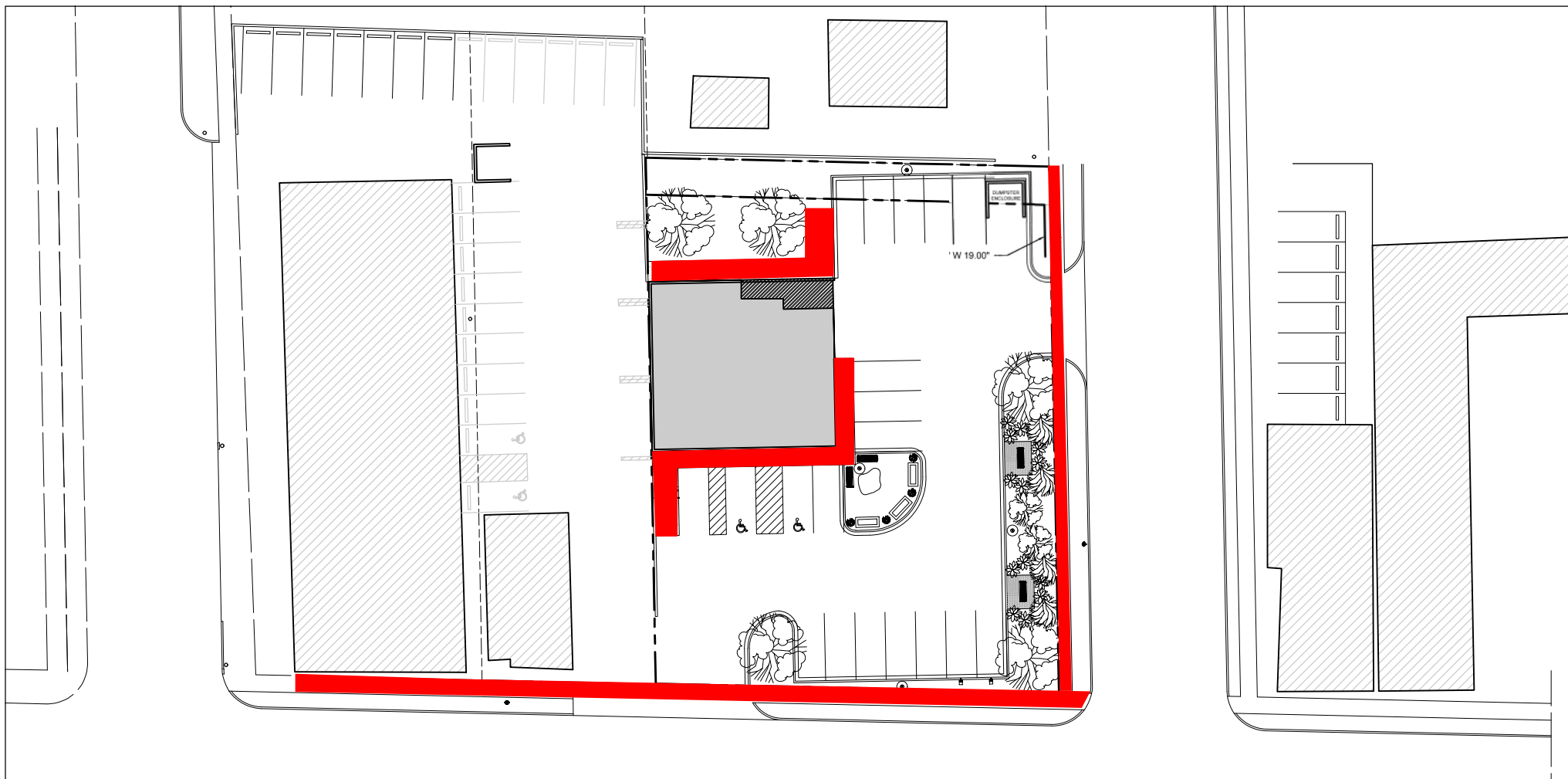




MOSES ROSES

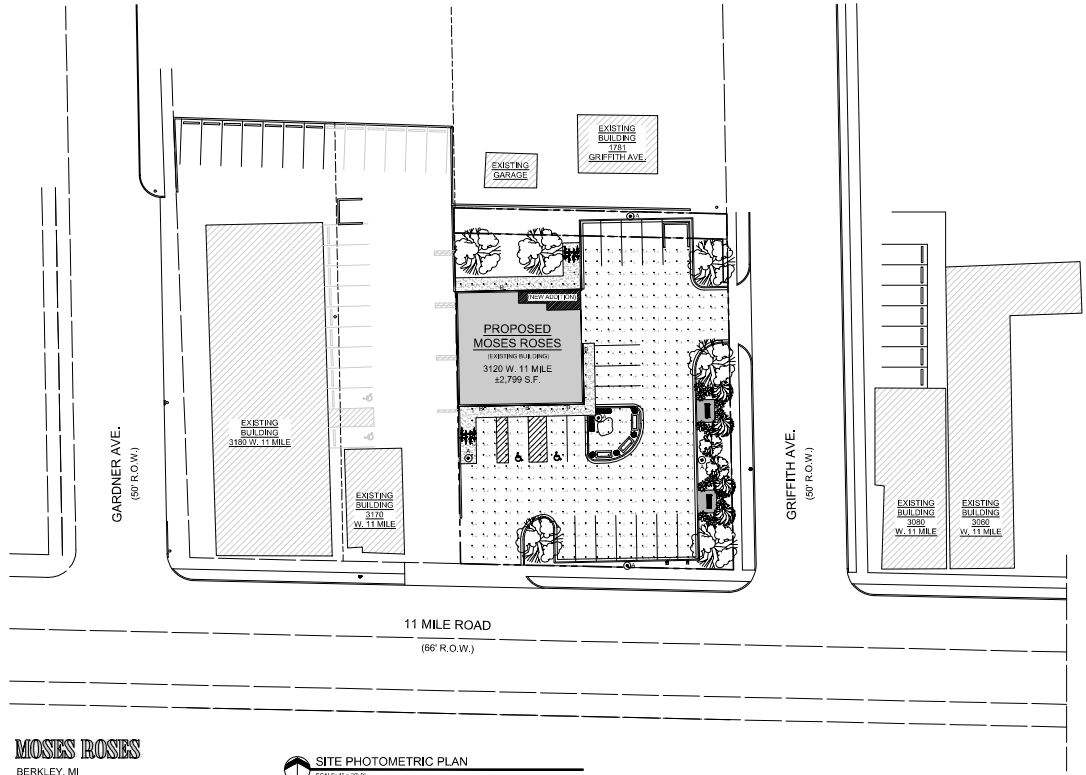
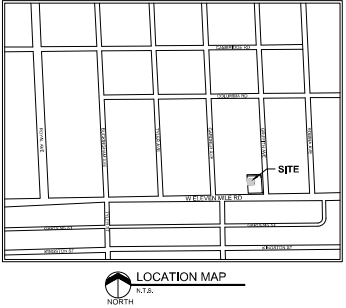
BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

DUMPSTER LOCATION

15



LIGHTING FIXTURE SCHEDULE									
TYPE	SYMBOL	MANUFACTURER	CATALOG NUMBER / INFORMATION	DESCRIPTION	TRIM & HENSL.	WATTS	VOLTS	LAMP TYPE	REMARKS
A		DESKLIGHTS CONSULTING	SRL119-1000M	LED POST TOP LIGHT - 100W - SHOPPING CART, 5000K	BLACK	100W	120V	LED	
B		LIGHTPOLOGY	CERB00149	CALK OUTDOOR DOWNLIGHT WALL SCONCE, 2700K	WHITE GREY	14W	120V	LED	
NOTE: THE CONTRACTOR IS RESPONSIBLE TO VERIFY ALL LOCAL CODES AND ORDINANCES THE USE OF THERMALLY PROTECTED LIGHTING FIXTURES, ALSO, RECESSED FIXTURES SHALL COMPLY WITH ARTICLES 4110-04, 4110-06 AND 4110-13 OF THE NATIONAL ELECTRICAL CODE REGARDING TEMPERATURE, CLEARANCE, CONSTRUCTION AND INSTALLATION.									



**MOSES ROSES**  
BERKLEY, MI  
PRELIMINARY SITE PLAN  
06.27.2022

**SITE PHOTOMETRIC PLAN**  
SCALE: 1" = 20'-0"  
NORTH



**MOSES ROSES**

**BERKLEY, DESIGN DEVELOPMENT**  
**3120 W. 11 MILE RD, BERKLEY, MI**

**LIGHTING FIXTURE SCHEDULE**

**17**

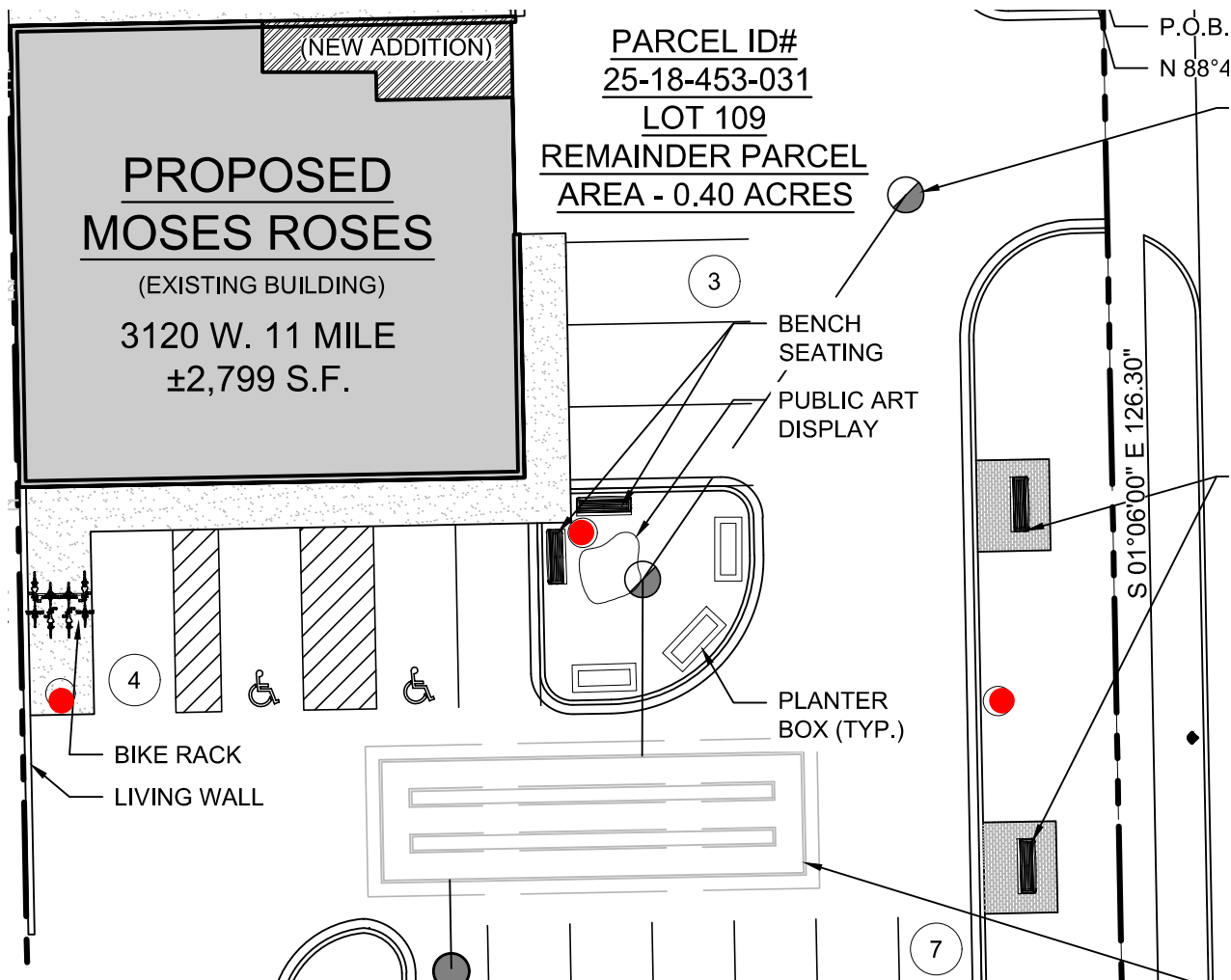


MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

EXTERIOR BUILDING LIGHTING

18



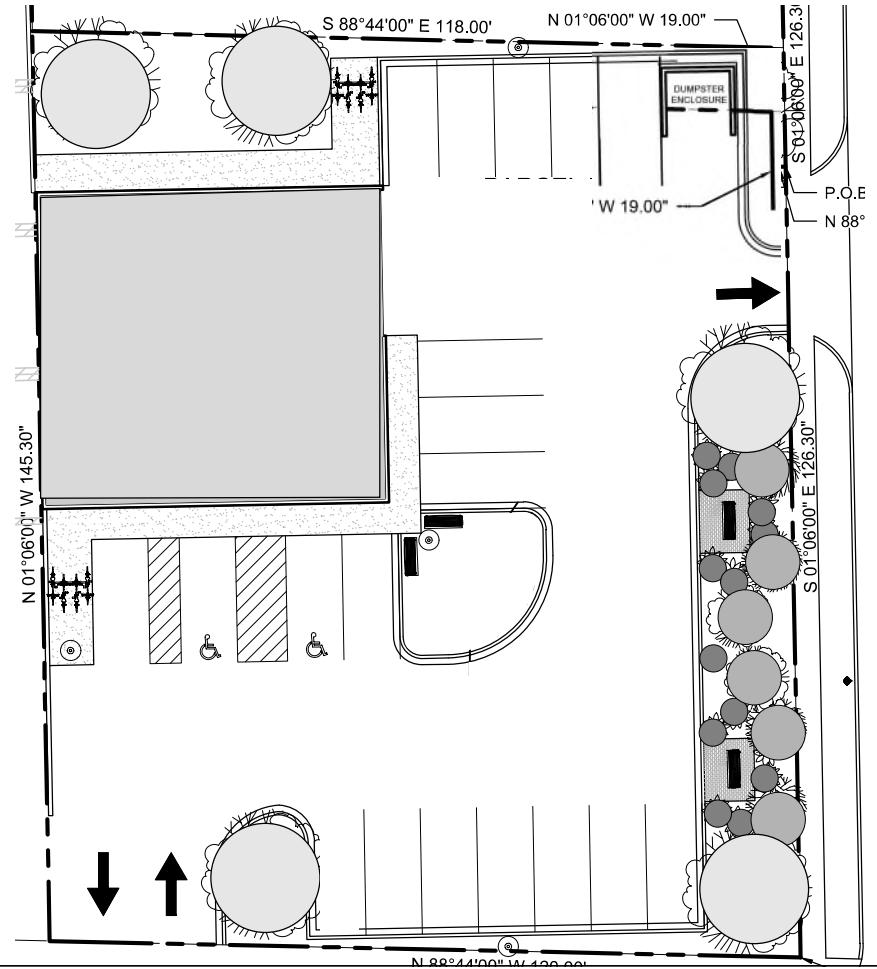
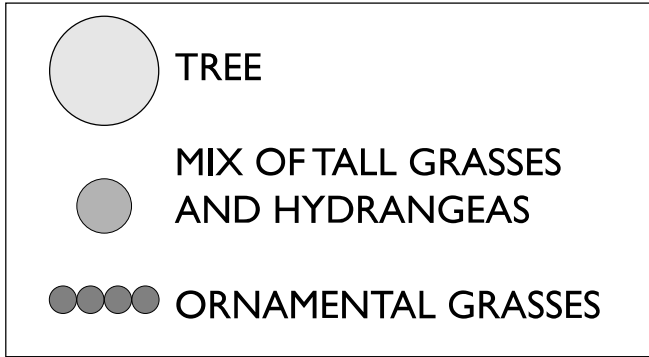
MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

LAMP POSTS

19



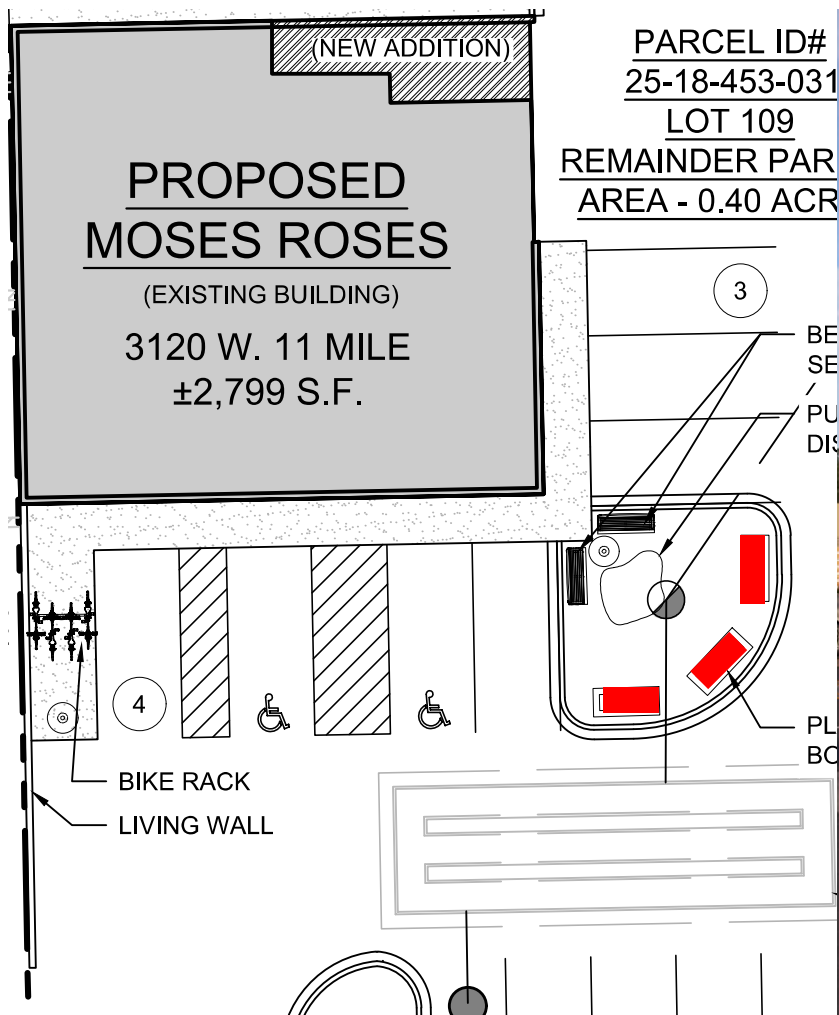


MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

LANDSCAPE DESIGN

20



PARCEL ID#  
25-18-453-031  
LOT 109  
REMAINDER PAR  
AREA - 0.40 ACR

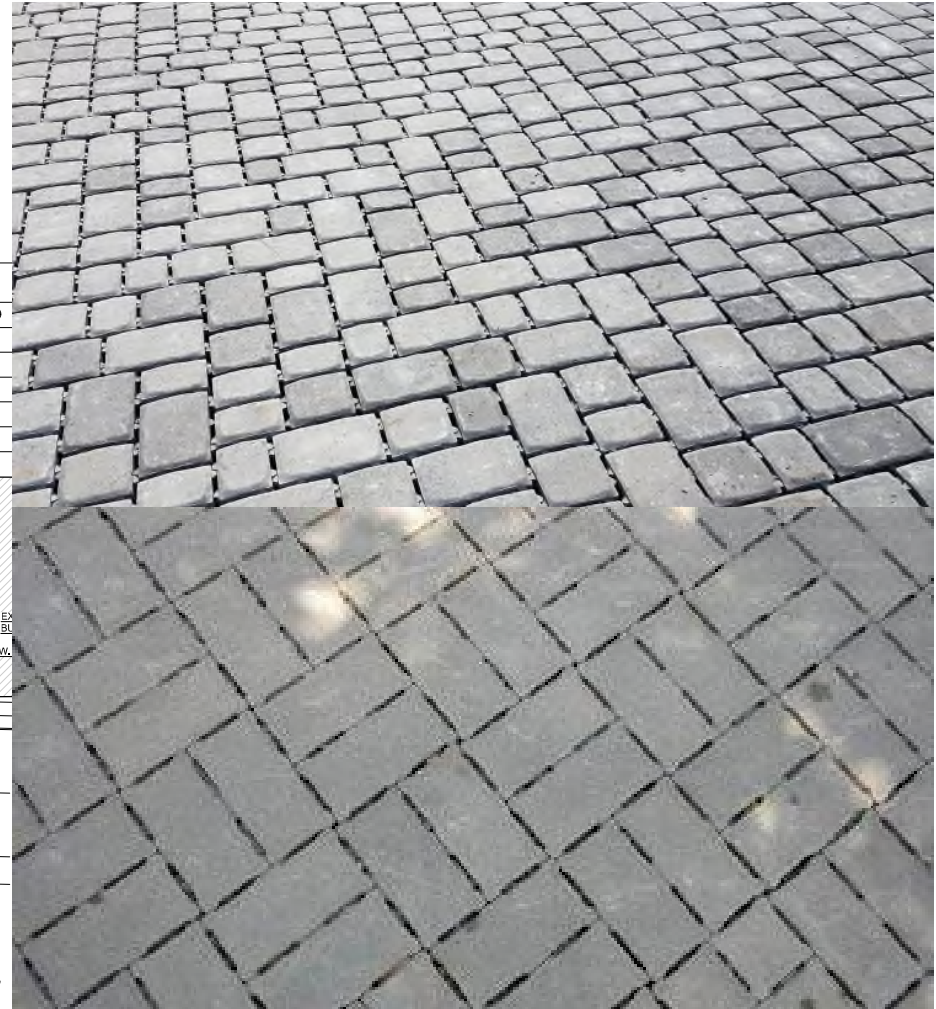
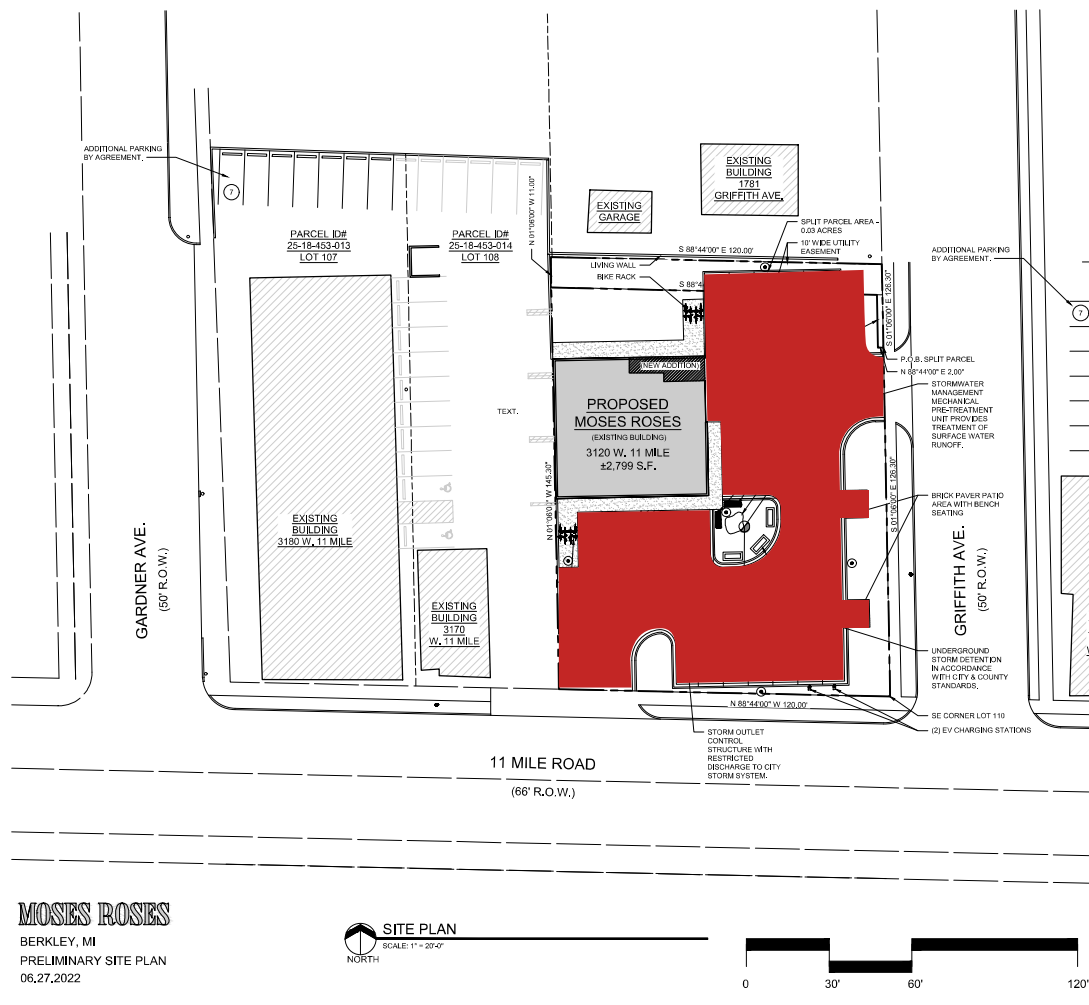


MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

PLANTERS

21



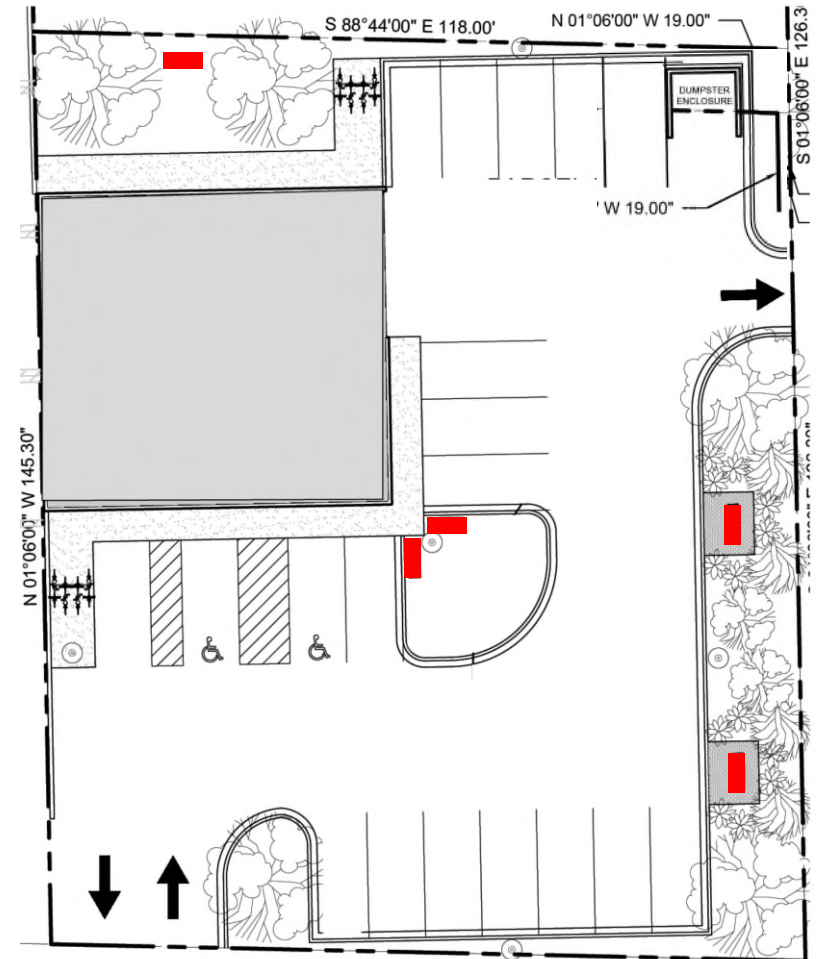
**MOSES ROSES**

**BERKLEY, DESIGN DEVELOPMENT**  
**3120 W. 11 MILE RD, BERKLEY, MI**

**PERMEABLE PAVEMENT SYSTEM**

**22**



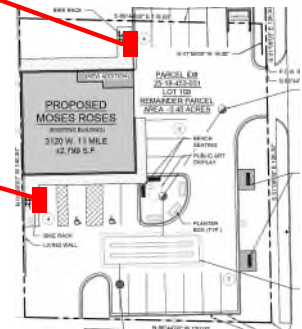
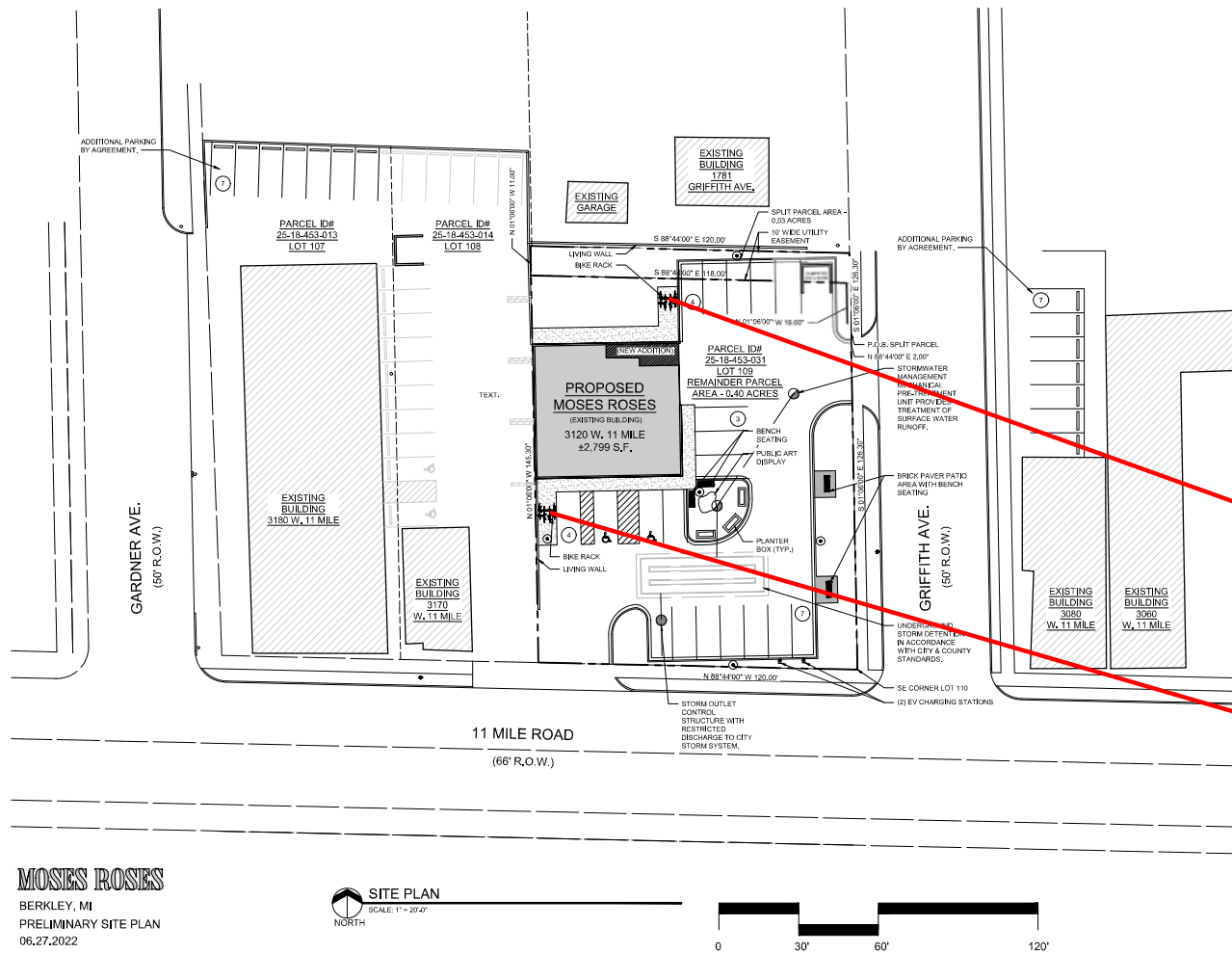


MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

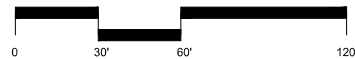
OUTDOOR SEATING

23



**MOSES ROSES**  
BERKLEY, MI  
PRELIMINARY SITE PLAN  
06.27.2022

**SITE PLAN**  
SCALE: 1" = 20'-0"  
NORTH



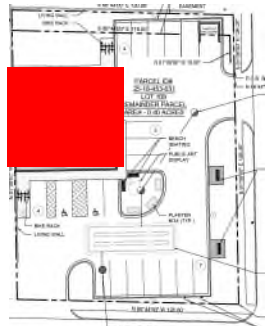
**MOSES ROSES**

**BERKLEY, DESIGN DEVELOPMENT**  
**3120 W. 11 MILE RD, BERKLEY, MI**

**BIKE RACK**

**24**





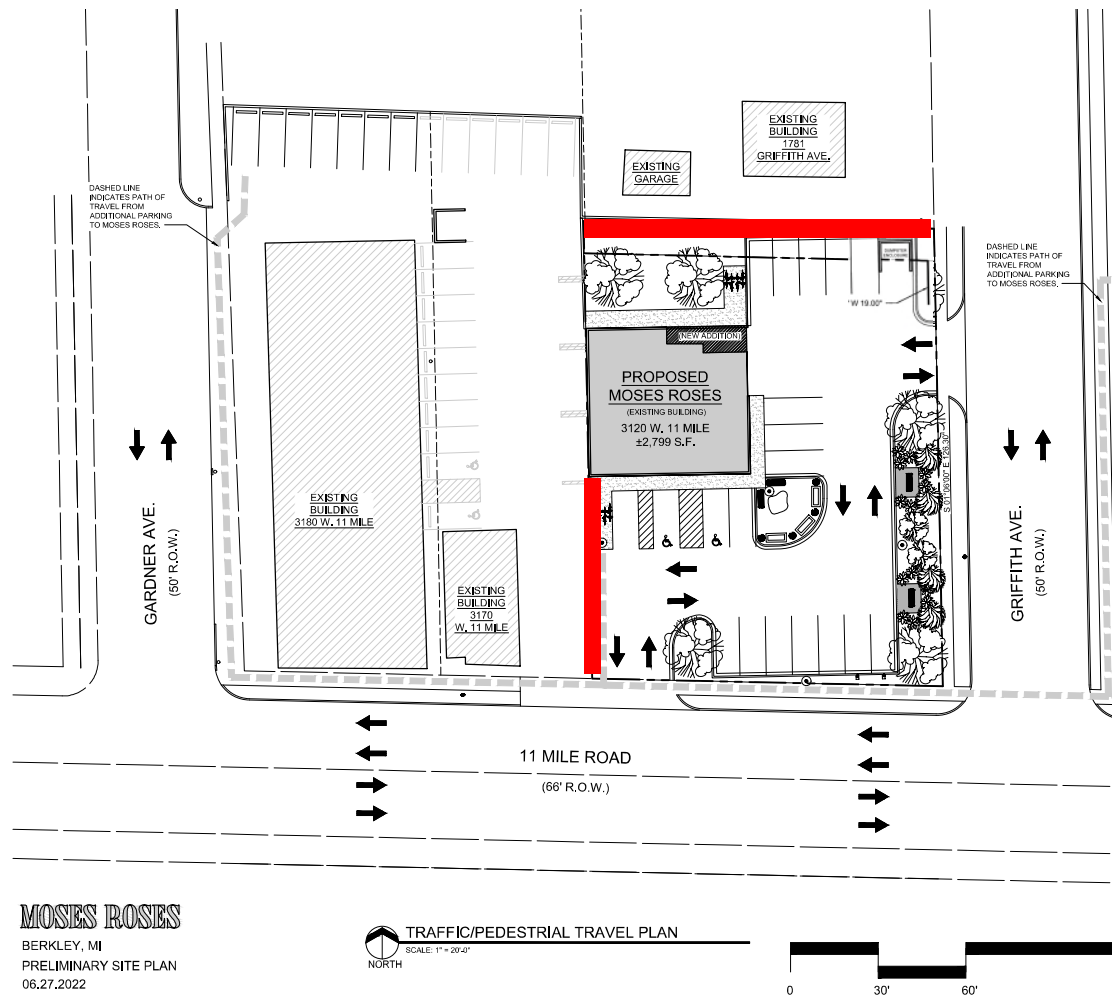
MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

LIVING GREEN ROOF, ECO NESTER BEE HIVES

25



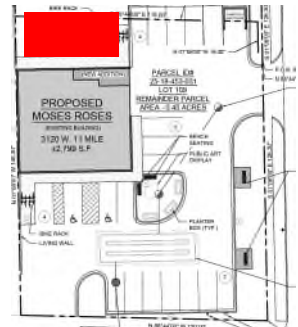


**MOSES ROSES**

**BERKLEY, DESIGN DEVELOPMENT**  
**3120 W. 11 MILE RD, BERKLEY, MI**

**LIVING WALLS**

**26**



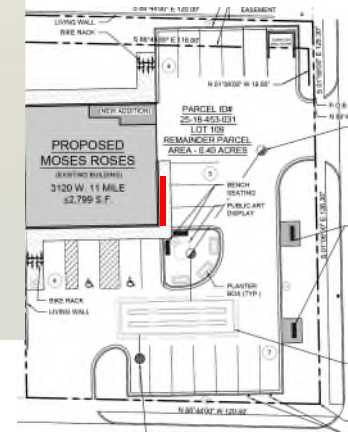
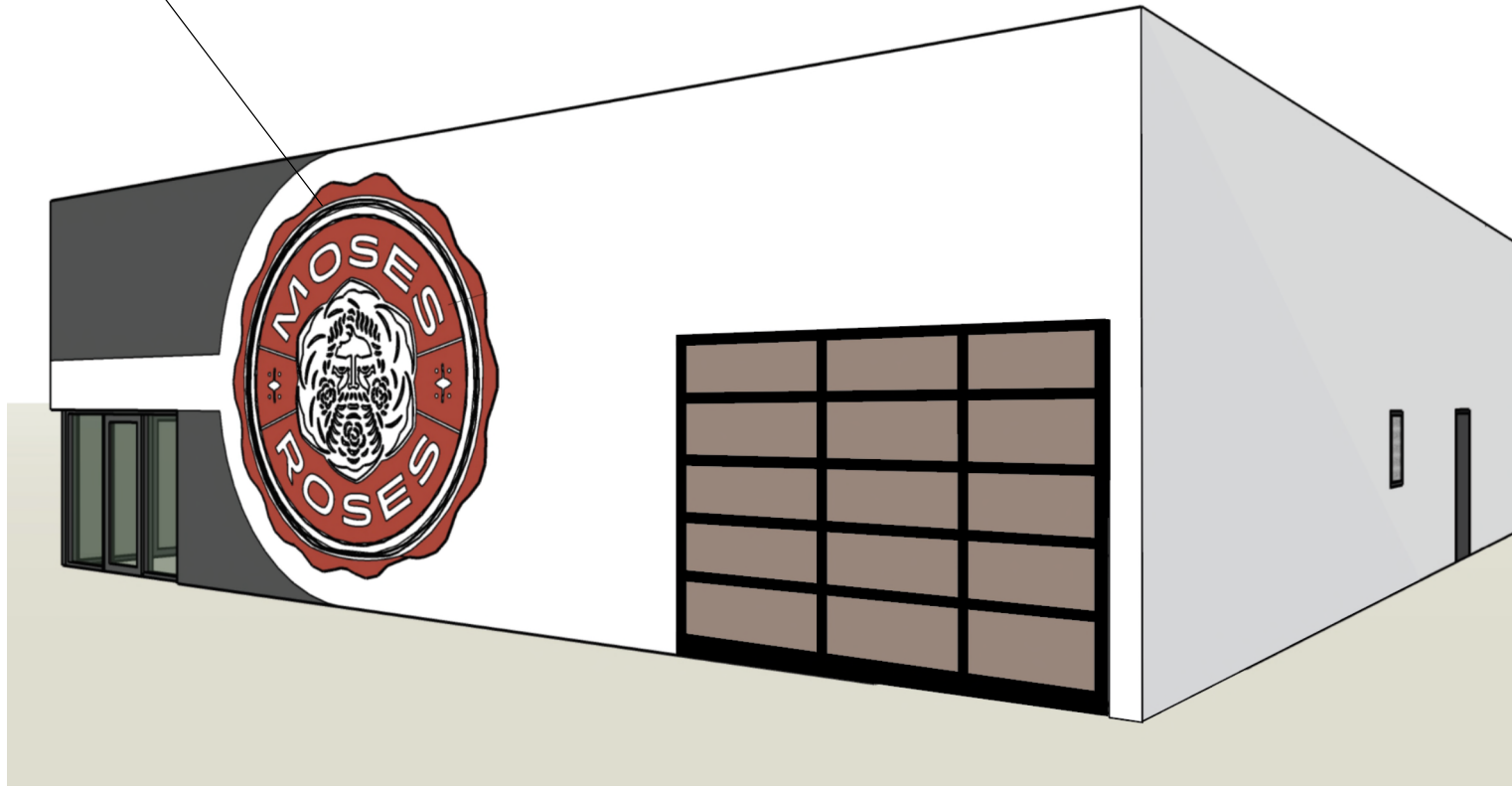
MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

ARTIFICIAL GRASS DOG RUN, LIVING WALL

27

PUBLIC ART LOCATION, NORTH FACADE WALL



MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

PUBLIC ART LOCATION, NORTH FACADE WALL

28



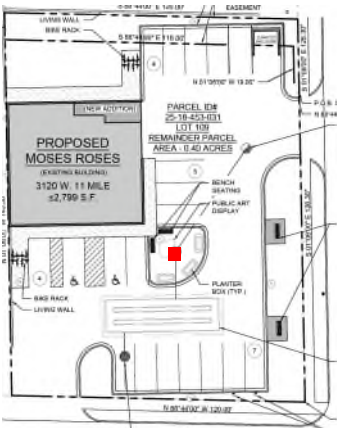
Tony Whlgn  
Visual artist from the eastside of Detroit, MI  
“My Art is an Imitation of my Life And a reflection of those I’ve encountered; people & experience teach us who we are. Through natural self-expression, I want my Art to inspire engagement with self-knowledge and knowledge of the whole world, which, in a sense, is Self. Oneself.”

Tony will incorporate brand elements to create a unique art piece on the north exterior wall, that will compliment the building facade.



MOSES ROSES	BERKLEY, DESIGN DEVELOPMENT 3120 W. 11 MILE RD, BERKLEY, MI	PUBLIC ART, TONY WHLGN	29
-------------	--	------------------------	----

David Rubello  
Born in Detroit in 1935, during the Motor City's heyday.  
David has had multiple murals in the city from the 70's to today.  
David is a Painter, sculptor, photographer, teacher, writer, poet.  
He has currently been working on interactive rotating public art installations. Moses Roses will be the first to commission one of his new pieces.



MOSES ROSES	BERKLEY, DESIGN DEVELOPMENT 3120 W. 11 MILE RD, BERKLEY, MI	PUBLIC ART, DAVID ROBELLO, INTERACTIVE SCULPTURE	30
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MOSES ROSES

BERKLEY, DESIGN DEVELOPMENT  
3120 W. 11 MILE RD, BERKLEY, MI

CURRENT SITE PHOTOS

31













THANK YOU



INFILTRATION STUDY  
PROPOSED STORMWATER MANAGEMENT SYSTEM  
3120 WEST 11 MILE ROAD  
BERKLEY, MICHIGAN

MR. CHRISTOPHER AIELLO  
32411 MOUND ROAD  
WARREN, MICHIGAN 48092

JULY 12, 2022  
BY  
McDOWELL & ASSOCIATES

# **McDowell & Associates**

***Geotechnical, Environmental & Hydrogeological Services • Materials Testing & Inspection***

21355 Hatcher Avenue • Ferndale, MI 48220  
Phone: (248) 399-2066 • Fax: (248) 399-2157  
www.mcdowasc.com

July 12, 2022

Mr. Christopher Aiello  
32411 Mound Road  
Warren, Michigan 48092

Job No. 22-263

Subject:           Infiltration Study  
                      Proposed Stormwater Management System  
                      3120 West 11 Mile Road  
                      Berkley, Michigan

Dear Mr. Aiello:

In accordance with your request, we have performed an Infiltration Study at the subject site. The purpose of this study is to evaluate infiltration capabilities of the subsoils relative to the proposed stormwater management system. Our findings are presented below.

Two Soil Test Borings, designated as 1 and 2, were performed at the subject property at the approximate locations shown on the Soil Boring Location Plan which accompanies this report. The boring locations were field located by our drillers. The borings were advanced to depths of about fifteen feet (15') below the existing ground surface. Soil descriptions, groundwater observations and the results of field and laboratory tests are to be found on the accompanying Logs of Soil Test Borings. Infiltration tests were not performed due to a relatively high water table and the presence of soil conditions not suitable for significant infiltration.

Soil descriptions and depths on the boring logs are approximate indications of change from one soil type to another and are not intended to represent an area of exact geologic change or stratification. Due to the manners of deposition, the transition from one soil type to the next may be gradual rather than abrupt.

It is understood that the proposed project consists of constructing a stormwater management system with an "infiltration to the ground" component at the subject property.

Groundwater was encountered in Borings 1 and 2 at initial respective depths of two feet (2') and one foot ten inches (1'10") below the existing ground surface. Upon completion of drilling, the groundwater level in Boring 1 was recorded at two feet eleven inches (2'11") below existing ground surface and Boring 2 was dry. It should be noted that short-term groundwater observations may not provide a reliable indication of the depth of the water table. In soils with significant fines content (clay and/or silt), this is due to the slow rate of infiltration of water into the borehole as well as the potential for water to become trapped in overlying layers of granular soils during periods of heavy rainfall. Water levels in granular soils fluctuate with seasonal and climatic changes as well as the amount of rainfall in the area immediately prior to the measurements. It should be expected that

groundwater fluctuations could occur on a seasonal basis and that seams of water-bearing sands or silts could be found within the various clay strata at the site.

Based on the project information provided and the results of field and laboratory tests, the indications are that the site soils at the locations of the two borings are not suitable for infiltration. It is understood that a minimum infiltration rate of 0.24 in/hr is required by the county. It is further understood that the county requires a minimum clearance between the invert of the proposed stormwater management system and the seasonal high water table of at least two feet (2'). The apparent native soils encountered in both borings consisted of stiff to extremely stiff silty clay. We would typically expect these clay-type soils to have permeabilities of less than  $1.0 \times 10^{-6}$  cm/s. The overlying apparent fill soils were primarily saturated and a slight to strong odor was observed during drilling. Because apparent native site soils suitable for infiltration were not encountered in the two borings, infiltration testing was not performed.

It must be recognized that this study did not include an environmental assessment of the property. Experience indicates that actual subsurface conditions at the site could vary from those found at the borings made at specific locations. It is, therefore, essential that McDowell & Associates be notified of any variation of soil conditions to determine their effects on the recommendations presented in this report.

If we can be of any further service, please feel free to call.

Very truly yours,

McDOWELL & ASSOCIATES



David Quintal, M.S., P.E.  
Geotechnical Engineer

DQ/

Attachments:     Log of Soil Boring sheets (2 pp)  
                         Soil Boring Location Plan (1 p)





McDOWELL & ASSOCIATES  
Geotechnical, Environmental, & Hydrogeologic Services  
21355 Hatcher Avenue • Ferndale, MI 48220  
Phone: (248) 399-2066 • Fax: (248) 399-2157

JOB NO. 22-263

SURFACE ELEV. DATE 7-06-2022

# LOG OF SOIL

BORING NO. 2

PROJECT Infiltration Study

Property Underground Detention System

LOCATION 3120 W. 11 Mile Road

Berkley, Michigan

Sample & Type	Depth	Legend	SOIL DESCRIPTION	Penetration Blows for 6"	Moisture %	Natural Wt. P.C.F.	Dry Den Wt. P.C.F.	Unc. Comp. Strength PSF.	Str. %
			0'3" ASPHALT						
	1		0'5" Moist brown silty SAND & GRAVEL, aggregate fill						
A	2		Compact moist to wet brown and discolored silty fine SAND with traces of gravel and clay and wet silt and fine sand seams (slight odor), fill	3	22.1				
UL	3			4					
	4			3					
	5								
B	5		5'0" Stiff moist variegated silty CLAY with sand and pebbles	2	14.1				
UL	6			4					
	7			7					
	8								
C	7		7'0" Extremely stiff moist variegated silty CLAY with sand and pebbles	5					
UL	8			10					
	9			12					
	10								
D	10			7					
UL	11			10					
	12			15					
	13								
	14		15'0" Extremely stiff moist blue silty CLAY with sand and pebbles	4					
E	15			8					
UL	16			11					
	17								
	18		NOTES:  (1) Used automatic hammer  (2) Patched boring upon completion with cold patch asphalt						
	19								
	20								
	21								
	22								
	23								
	24								
	25								

TYPE OF SAMPLE  
D. - DISTURBED  
U.L. - UNDIST. LINER  
S.T. - SHELBY TUBE  
S.S. - SPLIT SPOON  
R.C. - ROCK CORE  
( ) - PENETROMETER

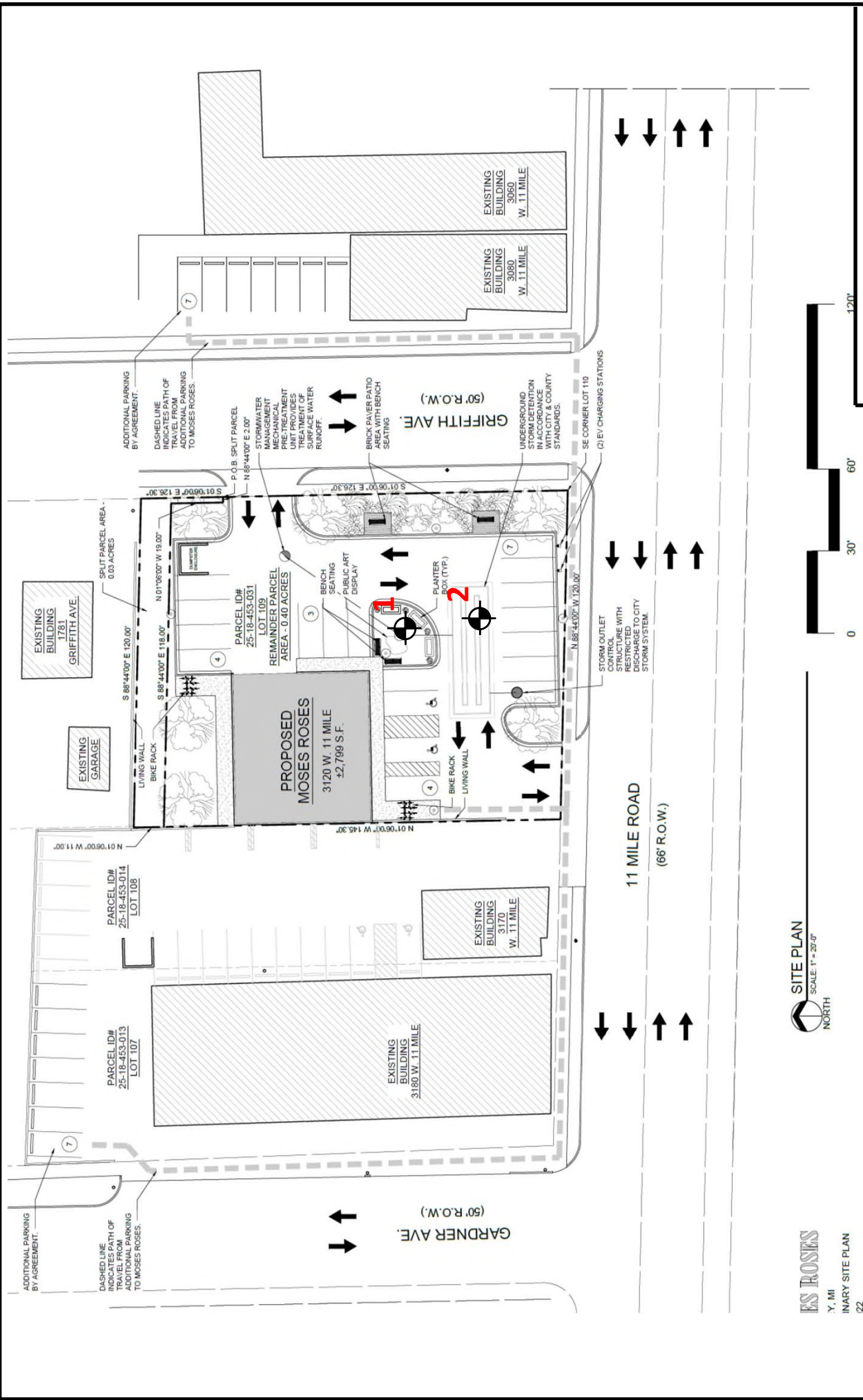
## REMARKS:

Standard Penetration Test - Driving 2" OD Sampler 1' With  
140# Hammer Falling 30": Count Made at 6" Intervals

## GROUND WATER OBSERVATIONS

G.W. ENCOUNTERED AT 1 FT. 10 INS.  
G.W. ENCOUNTERED AT FT. INS.  
G.W. AFTER COMPLETION Dry FT. INS.  
G.W. AFTER HRS. FT. INS.  
G.W. VOLUMES Light





BRICK TECH ARCHITECTURAL REALTY LL  
3040 11 MILE RD  
BERKLEY MI 48072 1206

Occupant  
14421 W 11 MILE RD  
OAK PARK MI 48237 1153

CORY MALOLEPSZY  
1863 GRIFFITH AVE  
BERKLEY MI 48072 1281

C & A ENTERPRISE LLC  
3080 11 MILE RD  
BERKLEY MI 48072 1206

QUALITY CAR WASH II INC  
PO BOX 7042  
HUNTINGTON WOODS MI 48070 7042

CORTNEY STROTHER  
1846 GARDNER AVE  
BERKLEY MI 48072 1271

3280 ELEVEN MILE LLC  
3280 11 MILE RD  
BERKLEY MI 48072 1208

ACME TUBE BENDING  
3180 11 MILE RD  
BERKLEY MI 48072

RICHARD B WILSON  
1839 ROBINA AVE  
BERKLEY MI 48072 4002

MAGER BERKLEY LLC  
3060 11 MILE RD  
BERKLEY MI 48072 1206

DANIEL PYLAR  
1798 GARDNER AVE  
BERKLEY MI 48072 1219

Occupant  
14283 W 11 MILE RD  
OAK PARK MI 48237 1152

ISWAG INC  
14231 W 11 MILE RD  
OAK PARK MI 48237 1152

TERRY WEINGARDEN  
SUSAN WEINGARDEN  
1781 ROBINA AVE  
BERKLEY MI 48072 1224

ADALAIDE KERWIN TRUSTEE  
14251 W 11 MILE RD  
OAK PARK MI 48237 1152

JONATHAN K JONAH  
1888 GRIFFITH AVE  
BERKLEY MI 48072 1279

EMMA NICKEL  
MATTHEW NICKEL  
1782 GRIFFITH AVE  
BERKLEY MI 48072 1223

CHRISTIAN BARR  
GENEVIEVE JONES  
1830 GRIFFITH AVE  
BERKLEY MI 48072 1279

Occupant  
14233 W 11 MILE RD  
OAK PARK MI 48237 1152

PAUL HENSON JR  
NANCY S COLLETT  
1805 GARDNER AVE  
BERKLEY MI 48072 1273

LELAND S JENNERS  
1846 GRIFFITH AVE  
BERKLEY MI 48072 1279

14233 INVESTMENTS LLC  
30119 LINCOLNSHIRE E  
BEVERLY HILLS MI 48025 4745

THOMAS PURCELL  
KIMBERLY PURCELL  
1795 GARDNER AVE  
BERKLEY MI 48072 1218

KATHRYN SCHWARB GREGORY  
1806 GARDNER AVE  
BERKLEY MI 48072 1271

ALICE R ROSS  
1864 GRIFFITH AVE  
BERKLEY MI 48072 1279

Occupant  
3224 11 MILE RD  
BERKLEY MI 48072 1208

ROBERT H COURTNEY  
1800 GRIFFITH AVE  
BERKLEY MI 48072 1279

ROBERT LATHROP  
AMY S LATHROP  
1829 GRIFFITH AVE  
BERKLEY MI 48072 1281

BERKLEY MOTORS LLC  
18413 UNIVERSITY PARK DR  
LIVONIA MI 48152 2629

ASHLEY A ARMBRUSTER  
1799 GRIFFITH AVE  
BERKLEY MI 48072 1222

Occupant  
3020 11 MILE RD  
BERKLEY MI 48072 1206

ADALAIDE KERWIN TRUSTEE  
14251 W 11 MILE RD  
OAK PARK MI 48237 1152

PAUL VANSLAMBROUCK  
BARBARA VANSLAMBROUCK  
1887 GRIFFITH AVE  
BERKLEY MI 48072 1281

GOLDY'S LANDSCAPING INC.  
1602 MIDLAND  
ROYAL OAK MI 48073

Occupant  
1829 GARDNER AVE  
BERKLEY MI 48072 1273

MC INVESTMENT GROUP LLC  
14211 W 11 MILE RD  
OAK PARK MI 48237 1152

Occupant  
3120 11 MILE RD  
BERKLEY MI 48072 1207

JAMES R HARTWICK  
39057 E ARCHER DR  
HARRISON TOWNSHIP MI 48045 1805

OCCUPANT  
1821 ROBINA AVE  
BERKLEY MI 48072 4002

BERKLEY AUTO SERVICE LLC  
5100 WAH TA WAH DR  
CLARKSTON MI 48348 3393

LUCAS M THOMAS  
1817 GARDNER AVE  
BERKLEY MI 48072 1273

ANDRE K WATKINS  
CANDACE COOK  
1813 GRIFFITH AVE  
BERKLEY MI 48072 1281

REBEKAH TURNER  
1814 GRIFFITH AVE  
BERKLEY MI 48072 1279

KIMBERLEY KOZLOWSKI  
JIMMY COLLINS  
1845 GRIFFITH AVE  
BERKLEY MI 48072 1281

ADALAIDE KERWIN TRUSTEE  
14251 W 11 MILE RD  
OAK PARK MI 48237 1152

Occupant  
14401 W 11 MILE RD  
OAK PARK MI 48237 1153

Occupant  
1843 GARDNER AVE  
BERKLEY MI 48072 1273

NICHOLAS ALLEN  
ANNELISE NIERMANN  
1830 GARDNER AVE  
BERKLEY MI 48072 1271

MARTHA EDWARD HOLDINGS LLC  
418 N WASHINGTON AVE  
ROYAL OAK MI 48067 1755

ALEXANDER E PALAFOX  
2446 OAKSHIRE AVE  
BERKLEY MI 48072 1291

CITY OF OAK PARK  
14000 OAK PARK BLVD  
OAK PARK MI 48237 2082

Occupant  
14241 W 11 MILE RD  
OAK PARK MI 48237 1152

CITY OF OAK PARK  
14000 OAK PARK BLVD  
OAK PARK MI 48237 2082

KELLY A KOSSUTH  
1864 GARDNER AVE  
BERKLEY MI 48072 1271

BEDS 4 KIDS  
821 W 11 MILE RD  
ROYAL OAK MI 48067 2447

LINDSEY ZACH  
1775 GARDNER AVE  
BERKLEY MI 48072 1218

DAVID KAUFFMAN  
1900 GARDNER AVE  
BERKLEY MI 48072 1272

DAVID DUNAJ  
JEANINE DUNAJ  
1873 ROBINA AVE  
BERKLEY MI 48072 4002

CONSTANCE HOFFMAN TRUST  
1781 GRIFFITH AVE  
BERKLEY MI 48072 1222

KJURSEL LLC  
3170 11 MILE RD  
BERKLEY MI 48072







THE CITY OF BERKLEY  
Building Department  
3338 Coolidge Hwy., Berkley MI 48072  
(248) 658-3320

**NOTICE OF PUBLIC MEETING**  
**BERKLEY PLANNING COMMISSION**

NOTICE IS HERBY GIVEN, in accordance with Section 138-528 and Section 30-806 of the Berkley City Code, that there will be a meeting of the Berkley Planning Commission to be held at the City of Berkley in the Council Chambers, 3338 Coolidge Hwy., Berkley Michigan, on Tuesday, July 26, 2022 at 7:10 pm, or as near thereto as the matter may be reached.

**APPLICATION PSP-13-22**

Joseph Aiello, on behalf of Moses Roses, is requesting a sketch plan for the renovation of the existing building to be a retail marihuana dispensary at 3120 W Eleven Mile Road, Parcel # 04-25-18-453-031, North side Eleven Mile Rd., East of Gardner Ave. and West of Griffith Ave.

Complete application information is available for review at  
[www.berkleymich.org/urbanplanning](http://www.berkleymich.org/urbanplanning).

Comments regarding the request may be made in person on the night of the meeting or may be made in writing. All written comments must be submitted to the Building Department or email to [comdirector@berkleymich.net](mailto:comdirector@berkleymich.net) before 5:00 pm on the date of the Planning Commission meeting.

You can watch the meeting: <https://www.berkleymich.org/livestream/index.php>

KRISTEN KAPELANSKI  
COMMUNITY DEVELOPMENT DIRECTOR

**Publish Once:**  
Royal Oak Tribune  
Friday, July 08, 2022

## **CITY OF BERKLEY PARKING AGREEMENT**

This conveyance is made on April 13 2022, by and between C & A Enterprise LLC, a Michigan Limited Liability Company, whose business address is 3080 West 11 Mile Road, Berkley, Michigan 40872 (Grantor-Landowner), and by Berkley 11 Mile Properties LLC, a Michigan Limited Liability Company, whose business address is 32411 Mound Road, Warren, Michigan 48092 ("Grantee"), upon the following terms and conditions.

**1. Purpose.** Grantor and Grantee occupy adjacent parcels of land in the City of Berkley, Oakland County, Michigan. Grantee wishes to obtain permission to park motor vehicles in the parking spaces on the Grantor's land that will burden Grantor's parcel for the benefit of Grantee's adjacent parcel. Grantor has the authority to grant the relief sought by the Grantee.

**2. Burdened Property.** Grantor is the owner of the real property commonly known as 3080 West 11 Mile Road, Berkley, Michigan more fully described as:

Lot 111, Assessor's Replat of Meadow Farms Subdivision, according to the recorded plat in Liber 49 of Plats, Page 18, Oakland County Records

PIN 25-18-454-024

**3. Benefited Property.** Grantee is the owner of real property commonly known as 3120 West 11 Mile Road, Berkley, Michigan more fully described as:

The Eastern 15.54 feet of Lot 108, and all of Lots 109 and 110 Assessor's Replat of Meadow Farms Subdivision, according to the recorded plat in Liber 49 of Plats, Page 18, Oakland County Records

PIN 25-18-453-031

**4. Description.** Grantor grants to the Grantee the ability for the Grantee to use and occupy six (6) parking spaces as needed located on the Grantor's property between the hours of 5:00 pm to 10:00 pm on Monday thru Friday, and between 8:00 am to 10:00 pm on Saturday and Sunday, with the ability to use and occupy Five (5) additional off-street spaces on Griffith Avenue.

**5. Consideration.** In consideration for this Parking Agreement, Grantee agrees to pay the sum of \$200.00 per month payable on the first day of the month commencing the date the Grantee is issued a Certificate of Occupancy so long as the Grantee is permitted permission to park on the Grantor's property.

**6. Indemnification.** Grantee agrees to indemnify and hold Grantor harmless from any and all claims, debts, causes of actions, or judgments for any damage to any property or injury to any person which may arise out of any of the Grantee's use by themselves, their agents, their employees, or their representatives.


**7. Termination.** This Easement may be terminated by mutual written consent.

GRANTOR:

  
\_\_\_\_\_  
C&A ENTERPRISE LLC

By: Curt Briggs  
Its: Member

GRANTEE:

  
\_\_\_\_\_  
BERKLEY 11 MILE PROPERTIES LLC

By: Joseph Aiello  
Its: Member