



Washtenaw County Brownfield Redevelopment Authority

IN-PERSON MEETING AGENDA

Thursday, November 14th 2024 9:00 a.m.

200 N. Main, Ann Arbor, Lower Level SMALL Conference Room

Zoom Link to Webinar for Public to Join the Meeting:

<https://washtenawcounty.zoom.us/j/89810263368?pwd=cUvAYyVoRGXB4JKFQrGWGkqkEkp49e.1>

Dial In Number: (number based on your current location):

+1 312 626 6799 US (Chicago) +1 470 250 9358 US (Atlanta) +1 470 381 2552 US (Atlanta) +1 267 831 0333 US (Philadelphia) +1 301 715 8592 US (Washington DC)

1. Call to Order

2. Public Comment*

3. Approval of Agenda

4. Approval of Minutes

- a. October 10th, 2024 Meeting

5. Board Member Conflict of Interest Disclosure

6. Business

- 1. 206 N. Grove Environmental Assessment Grant Application, Phase I, City of Ypsilanti – Action
- 2. Arbor South Brownfield Plan, Form Brownfield Plan Review Sub-Committee - Action
- 3. October 2024 Financial Report – Action

7. Other Business

8. Public Comment*

9. Adjournment

*All public comment will be limited to three (3) minutes per person

Washtenaw County
Brownfield Redevelopment Authority (WCBRA)
Meeting held in-person at 200 N. Main, downtown Ann Arbor
Lower Level LARGE Conference Room

DRAFT MEETING MINUTES
Thursday, October 10, 2024, 9:00 a.m.

Board Present: Allison Krueger, Colleen O'Toole – Chair, James Harless, Sam Baushke – Vice Chair, Christy Maier, Katie Jones - Secretary, Trevor Woollatt

Board Absent: Justin Hodge, Jenn Cornell,

Staff: Nathan Voght – OCED

Joining the Meeting: Ken Garber – a member of the public, David DiRitta – Roxbury, Heather Smith – EGLE, Joe Ziolkowski – MSPA on Zoom.

Handouts: None

1. Call to Order

Chair O'Toole called the meeting to order at 9:00 a.m.

2. Public Comment

Ken Garber commented on the Broadway Park Brownfield Plan amendment and the \$20M earmark. Also, ARPA funding was referenced. Will the tax capture be reduced in the Brownfield Plan Amendment?

3. Approval of Agenda

J. Harless moved to approve the agenda (2nd C. Maier), and the motion passed unanimously.

4. Approval of August 22nd, 2024 Meeting Minutes

J. Harless mentioned S. Baushke's last name misspelled and a typo in business Item #3 on the third line. T. Woollatt moved to approve the minutes as amended (2nd J. Harless) and the motion passed unanimously.

5. Board Member Conflict of Interest Disclosure

T. Woollatt declared a conflict with Business Item #1, Dorsey Estates Amended Act 381 Work Plan.

6. Business

1. Dorsey Estates Amended Act 381 Work Plan – Action

T. Woollatt removed himself from the meeting table.

Staff described the Amended Work Plan and the purpose. He gave a project update.

J. Harless moved to approve the Amended Work Plan for submittal to EGLE and the MEDC (C. Maier), and the motion passed unanimously, with one abstention, T. Woollatt.

2. Broadway Park Brownfield Plan Amendment – Form Review Sub-Committee

T. Woollatt rejoined the meeting table.

Staff updated the Board on the proposed Amendment. Mr. DiRitta, with Roxbury, the developer, is here to answer questions, and provided an update on the project.

Staff pulled up the Table 1, Eligible Activities Table, and the comparison between the original 2019 table, and proposed amended Table.

Board members C. Maier, J. Harless, A. Krueger, and S. Baushke volunteered on the sub-committee.

3. Main Street Park Alliance, Federal Screw Works Site, Chelsea, Amend LBRF Grant Budget – Action

Staff indicated the developer would like to reduce the budget in soil removal and add a tank removal category, with overall LBRF Grant budget staying the same. Due to timing, the tanks have already been pulled.

T. Woollatt moved to approve the budget amendment as presented (2nd S. Baushke), and the motion passed unanimously.

4. Maple Oaks Recommendation to BOC to Terminate Brownfield Plan – Action

The Board had discussed how to handle 2024 capture on the project at the last meeting. They had directed staff to determine the process for Brownfield Plan termination, and there is a recommended motion here to set the process in motion. It will go to the City, first, then to the BOC.

A motion was made by C. Maier to recommend to the City of Saline and County Board of Commissioners to take necessary action to Terminate the Maple Oaks Brownfield Plan. The following reasons are in support of this motion: 1) The majority of Eligible Activities are for a future development phase that has not been constructed, nor any application made for necessary Site Plan, Zoning, or other required approvals by the City of Saline; 2) The anticipated start date of construction of the northern phase and initial capture has passed, with no indication of intentions on the part of the developer to submit required plans or permit applications to proceed with this phase; 3) Tax Increment Capture is due for summer 2024, and it is not in the interest of the Authority or taxing jurisdictions to capture taxes where utilization of those taxes to reimburse for Eligible Activities is not imminent and clear; 4) the Termination of this Plan does not prevent the developer from seeking approval of a new Brownfield Plan, if appropriate, and 5) No development activity has occurred in the past 2 years that was contemplated in the Brownfield Plan. (2nd T. Woollatt), and the motion passed unanimously.

5. August/September 2024 Financial Report – Action

T. Woollatt moved to approve the Financial Report and all noted transactions (2nd J. Harless), and the motion passed unanimously.

7. Other Business

The Board asked if Rockwell in Chelsea went to the MEDC. The Scio Twp MSHDA Brownfield Plan for Urban Crossroads was discussed. The old depot in Depot Town at 90 Maple Street was discussed.

8. Public Comment:

Staff introduced Heather Smith, with EGLE, in attendance. She is our Grant representative for the 300 N. Zeeb and 2 W. Michigan Ave. EGLE grants.

9. Adjournment:

J. Harless moved to adjourn the meeting at 9:43 a.m. (2nd C. Maier), and the motion passed unanimously.

These minutes were approved by the Washtenaw County Brownfield Redevelopment Authority at the _____, 2024 meeting, held at 200 N. Main, lower level small conference room, downtown Ann Arbor.



Washtenaw County Brownfield Redevelopment Authority

Agenda Summary Memo

REGULAR IN-PERSON MEETING

9:00 a.m. Thursday, November 14th, 2024

200 N. Main, Lower Level SMALL Conference Room, Ann Arbor

TO: Washtenaw County Brownfield Authority

FROM: Nathan Voght, Washtenaw County Brownfield Coordinator

DATE: November 8th, 2024

This regular board meeting will be held in-person, at 200 N. Main, lower level SMALL Conference Room, downtown Ann Arbor. Any public wishing to participate can attend the meeting in-person, or use the provided Zoom Webinar link on the meeting agenda.

Business Items:

1. 206 N. Grove Environmental Assessment Grant Application, Phase I, City of Ypsilanti – Action

Please see the proposed application and cost proposal from AKT Peerless for a Phase I ESA, with a cost of \$2,750, for 206 N. Grove. The City DPW currently uses the site as open-air storage for some items, such as guardrails, recycle bins, bike racks, and metal downtown trash cans, but is interested in considering a structure on the site. Therefore, the City would like to check subsurface conditions before any construction. There is also adjacent residential to consider.

2. Arbor South Brownfield Plan, Form Brownfield Plan Review Sub-Committee – Action

We've received a formal application for this large development at State and Eisenhower, in the City of Ann Arbor. With \$400M in private investment, and a potential TIF request of \$200M, the majority of which would be reimbursable to the City of Ann Arbor to pay bonds issued to construct the public parking decks, this is by far the largest and most complicated proposal we've seen. The project is led by Oxford Companies, in Ann Arbor, with other development partners. Approximately 200 affordable housing units owned and operated by the Ann Arbor Housing Commission are included. Although affordable housing units are included, MSHDA Housing TIF subsidies are not requested. Staff is requesting volunteers to assist with review of the [Brownfield Plan](#).

3. October 2024 Financial Report – Action

Please see the financial report for October. All transactions from the October meeting are reflected in the report, and Grandview Commons Summer 2024 capture has been received from the City of Dexter.

Other Staff Updates:

Urban Crossroads MSHDA TIF Brownfield Plan, Scio Township: The draft Brownfield Plan included \$7M in MSHDA rent subsidies to support 43 affordable units at 80% AMI, and an additional \$11M in infrastructure and site preparation activities to support the development. Staff and the developer attended the October 22nd Township of Scio Board of Trustees meeting. There were concerns expressed

about the infrastructure items included in the Brownfield Plan, and those items already being promised as part of the Developer's "Community Benefits" in the Planned Unit Development. The item was tabled until after the new Township Board is seating on November 20th. In the meantime, staff sent out a revised Brownfield Plan to the Review Sub-Committee, which reduced overall TIF to \$14M. The Plan will go back to the Township in the next month of two for additional review.

Dorsey Estates: The lottery for the Affordable Housing units was held several weeks ago, and all units were designated to eligible buyers, with the exception of two 80% AMI units. The project is moving quickly now, with some affordable units being delivered this year. Construction on market rate units will commence soon. [Here are site pics from November 7.](#)



WASHTENAW COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY

Environmental Assessment Grant Program APPLICATION FORM

The WCBRA Environmental Assessment Grant Program provides grants for conducting Department Specific Activities, as defined by Act 381, by, or on behalf of, the Brownfield Authority on prospective eligible properties to be included in a Brownfield Plan. These include, but are not limited to, Phase I and II studies, as part of Baseline Environmental Assessments, Due Care Activities and Hazardous Materials Surveys.

The program is funded using available Brownfield Administrative Funds from active brownfield projects. Municipal and Non-Profit sites are eligible for 100% of the cost of eligible assessment activities, up to \$15,000, and privately-owned sites are eligible for 50% of the cost, up to \$15,000. Higher awards may be given on a case-by-case basis.

Type of Application

☒ Publicly-Owned or Non-Profit-Owned Property

☐ Privately-Owned Property

☐ Site is located within a Low or Very Low Opportunity Area, within the [Washtenaw County Opportunity Index](#)

Owner Information

Property Owner: City of Ypsilanti Contact: Bonnie Wessler

Property Address: 206 N. Grove Street Phone No.: 734-483-1421

Property Tax ID #: 11-11-09-112-010

Applicant Information

Applicant Name: City of Ypsilanti Phone No.: 734-891-1301

Address: 1 S. Huron Street

Developer (Entity) Name (if different than applicant): _____

Project Information

Project Name: 206 N. Grove Street

Project Description: Phase I ESA



Please provide a Site Map, Aerial, and/or Site Plan for the redevelopment.

Property Information

Previous Owners: Peet & Debacker (ca./prior to 1950); Disterle (ca. 1950); Hain (ca./prior to 1979); Busby (ca. 1979); State of Michigan (ca./prior to 1996); City (ca. 1996); 206 N Grove LLC (ca. 2004); City (tax rev., ca. 2016)

Historic Property Uses: Vacant (ca. 1927); contractors shop and warehouse (ca. 1950); warehouses, truck repair, oil tank farm and pump house (ca. 1964-1990s); vehicular parking/storage (ca. 2007-present)

Property Acreage: 0.625 acres

Zoning: CN-Mid - Core Neighborhood Mid

Surrounding Land Use: Residential, light industrial

Proposed Environmental Activities:

	Estimated Cost
☒ Phase I	\$2,750
☐ Phase II	
☐ BEA Report	
☐ Due Care Plan	
☐ Hazardous Material Survey	
TOTAL	

Please attach a price quote from a qualified environmental firm.

Please describe Previous Environmental Assessments Completed: Limited information on previous environmental assessments is publicly available. However, a BEA appears to have been prepared in 2004.

Please describe environmental conditions: Light industrial use beginning by 1950, including warehousing, truck repair, underground storage tanks, aboveground storage tanks, pump house, and miscellaneous exterior storage into the late 1990s/early 2000s. The 2004 BEA is not available on EGLE RIDE; subsurface data subject to FOIA request.

Please provide cloud links to any relevant environmental reports.

Please return the completed form and attachments to:

Nathan Voght
Economic Development Specialist
Washtenaw County Office of Community and Economic Development
415 W. Michigan Ave.
Ypsilanti, MI 48197
734-660-1061
voghtn@washtenaw.org

November 6, 2024

Ms. Katie Jones
City of Ypsilanti
1 S. Huron Street
Ypsilanti, Michigan 48197

Subject: Proposal to provide Phase I Environmental Site Assessment (ESA)
Proposal No. PF-36020

Ms. Jones:

AKT Peerless is pleased to present the attached proposal to provide Environmental Consulting Services for the following property:

- 206 N. Grove Street
Ypsilanti, Michigan

AKT Peerless will implement work immediately and will provide its Phase I ESA within five to six weeks of your authorization to proceed. AKT Peerless' estimated lump sum cost to complete the proposed scope of work is \$2,750.

Any other unexpected or extraordinary concerns that become apparent during the assessment may require a revision in the scope of work and cost and could delay the project. AKT Peerless will notify you of any concerns or necessary changes in the proposed scope of work.

For your convenience, this proposal is presented in a form that can be accepted as an agreement. To accept this proposal, please sign the signature page and return a copy to me.

We look forward to working with you on this project. If you have any questions or require additional information, please contact Kyle Sayyae at 248-506-6216 (M) or me at 248-910-0047 (M) or by email at sayyaek@aktpeerless.com or wasielewskis@aktpeerless.com.

Sincerely,

AKT PEERLESS



Scott Wasielewski
Senior Project Manager

Enclosure

PROPOSAL FOR ENVIRONMENTAL CONSULTING SERVICES

AKT Peerless Proposal No. PF-36020

Introduction

AKT Peerless is pleased to submit this proposal to provide environmental consulting services for the following property:

- 206 N. Grove Street
Ypsilanti, Michigan

The proposed Phase I ESA is not intended to satisfy the requirements a specific lender, the United States Small Business Administration (SBA), United States Department of Housing and Urban Development (HUD), and/or Michigan State Housing Development Authority (MSHDA) funding programs. If the Client anticipates using any of these funding sources, please contact AKT Peerless to provide a proposal to conduct a Phase I ESA that complies with the associated funding program requirements.

Phase I ESA Scope of Work

AKT Peerless is pleased to submit its proposal to provide a Phase I Environmental Site Assessment (ESA) of the subject property. AKT Peerless' Phase I ESA will be based on (1) the scope and limitations of ASTM International's *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process / Designation E 1527-21* (ASTM Standard Practice E 1527), which outlines good commercial and customary practice for conducting a Phase I ESA, and (2) United States Environmental Protection Agency (USEPA) Standards and Practices for All Appropriate Inquiries (AAI; 40 CFR Part 312).

Certain users of the proposed Phase I ESA may be able to satisfy one of the environmental due diligence requirements to qualify for the bona fide prospective purchaser, contiguous landowner, or innocent landowner liability protections available under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, the Superfund Amendments and Reauthorization Act (SARA) of 1986, and the Small Business Liability and Brownfields Revitalization Act (Brownfields Amendments) of 2002.

For the purpose of the proposed Phase I ESA, the Client will be the party that retains AKT Peerless to complete the Phase I ESA. AKT Peerless will not make an independent determination as to whether the Client is a *User* that satisfies the requirements to establish a Landowner Liability Protection (LLP) defense under CERCLA.

As described in ASTM Standard Practice E 1527, a *User* is the party seeking to use ASTM Standard Practice E 1527 to complete an environmental site assessment of the subject property. A *User* may include a potential purchaser of property, a potential tenant of property, an owner of property, a lender, or a property manager. The 2018 BUILD Act amended the CERCLA definition of bona fide prospective purchaser at §101(40) to include certain commercial tenants or lessees who acquire a leasehold interest in a property. Therefore, in certain cases, a person acquiring a leasehold interest in a commercial property may need to conduct a Phase I ESA for the purposes of AAI into the previous ownership and

uses of the leased commercial property to qualify for an LLP. Furthermore, a *User* seeking to qualify for an LLP under CERCLA has specific obligations for the successful application of this practice, including the Client and User Requirements described below. AKT Peerless' scope of work does not include an evaluation or completion of those specific *User* obligations under the ASTM Standard Practice E 1527, unless otherwise noted in this proposal.

The purpose of AKT Peerless' proposed Phase I ESA will be to provide an independent, professional opinion of the *recognized environmental conditions* (RECs)¹, *controlled recognized environmental conditions* (CRECs)², and *historical recognized environmental conditions* (HRECs)³ in connection with the subject property, if any. AKT Peerless' Phase I ESA is designed to identify these conditions and the possible need for a more definitive study addressing specific areas of concern, if any. The proposed Phase I ESA will be intended to reduce, but not eliminate, uncertainty regarding the potential for RECs, CRECs, and HRECs in connection with the subject property.

Client Requirements

AKT Peerless requests that the Client provide the following information to facilitate developing a history of the previous uses of the subject property and surrounding area, and to aid the identification of conditions of potential environmental concern in connection with the subject property:

- Environmental records or reports regarding potential or known environmental liabilities associated with the subject property.
- The precise geographic location of the subject property, either by address, legal description, land survey, site map, or assessor's parcel number (APN, a.k.a. parcel identification number, ward/item number, etc.), and its relation to neighboring sites and/or cross streets near the subject property.
- Completed "Client Environmental Questionnaire" and requested documents.
- User Obligations for LLP, if any, in accordance with ASTM Standard Practice E 1527 and AAI.

AKT Peerless' scope of services will not include conducting a search for land title records. However, AKT Peerless will comment on land title records if provided by the Client.

¹ ASTM Standard Practice E 1527-21 defines the term REC as (1) the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment.

² ASTM Standard Practice E 1527-21 defines the term CREC as a REC affecting the subject property resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority or authorities (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations or other property use limitations).

³ ASTM Standard Practice E 1527-21 defines the term HREC as a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (for example, activity and use limitations or other property use limitations). A HREC is not a REC.

In addition, if underground storage tanks (USTs) are known to be present at the subject property, AKT Peerless requests that the Client provide (or obtain from the current UST operator) copies of documentation (e.g., permits, registration records, insurance certificates, etc.) regarding the compliance status of on-site USTs relative to currently applicable engineering upgrade requirements for leak detection, corrosion protection, and overspill protection. If a UST system is present, the Client should also be prepared to disclose to AKT Peerless the financial assurance mechanism utilized by the owner/operator.

User Requirements

In order to qualify for one of the LLPs offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2002 (the “Brownfields Amendments”), a *User* must conduct certain inquiries as described in 40 CFR 312. If the Client intends to use ASTM Standard Practice E 1527 to qualify for an LLP to CERCLA liability, then AAI requires that certain tasks be performed by – or on behalf of – that party. As appropriate, these inquiries must also be conducted by USEPA Brownfield Assessment and Characterization grantees. While such information is not required to be provided to the Environmental Professional, AKT Peerless requests that the Client provide such information as prompted in our Questionnaire and Interviews as such information can assist AKT Peerless in identifying environmental conditions.

Scope of Work

In accordance with ASTM Standard Practice E 1527, AKT Peerless’ proposed Phase I ESA will include the following tasks:

- A reconnaissance of the subject property, as well as observation of the adjoining properties as feasible from the subject property and public rights-of-way, to identify uses or activities that may pose an environmental concern to the subject property, including a review of: (1) general activities occurring at the subject property, (2) existing subject property conditions, and (3) the uses of adjoining properties.
- A review of current environmental database information compiled by a variety of regulatory agencies to evaluate potential environmental risks associated with the subject property, adjoining properties, and select nearby sites that are (1) identified on target lists, and (2) within varying distances of up to one mile from the subject property⁴.
- A review of reasonably ascertainable agency file information associated with known or suspected sites of environmental concern maintained by regulatory agencies. Files will be reviewed for the subject property. Files for adjoining properties, and nearby sites that may present a concern to the subject property, will be reviewed, but additional fees may apply. If such records are not reviewed, AKT Peerless will provide written justification as to why a review was not completed.
- A review of reasonably ascertainable standard historical sources to develop a history of the previous uses of the subject property and surrounding area back to the obvious first developed uses, or 1940, whichever is earlier. Such sources may include aerial photographs, maps (e.g., topographic, fire insurance, plat, etc.), city directories/address indexes, previous environmental assessments, and municipal records, as appropriate.
- A review of reasonably ascertainable records pertaining to regulated waste generation, registered USTs, leaking UST (LUST) incidents, or other environmental events occurring on the subject property

⁴ AKT Peerless will use search radii consistent with ASTM recommended approximate minimum search distances.

or nearby sites that AKT Peerless judges to have a potential to pose an environmental concern to the subject property.

- The consideration of adjoining property uses and activity.
- A review of readily available environmental information and reports maintained for the subject property.
- Interviews with persons, including regulatory agency representatives, who are familiar with past and present uses, activities, and/or environmental concerns at the subject property and adjoining properties.
- Review and summary of information provided by the Client related to Activity and Use Limitations (AULs), environmental liens, or institutional controls (if any). AKT Peerless will also summarize such information if obtained during environmental regulatory record reviews.
- An evaluation of information obtained from these resources to determine if RECs, CRECs, or HRECs exist in connection with the subject property.

During the assessment, AKT Peerless will evaluate or consider: (1) the potential for contamination of soil, soil vapor, and groundwater at the subject property, (2) the possible presence of underground or aboveground storage tank systems at the subject property, (3) the possible presence of hazardous substances or petroleum products at the subject property, (4) the proximity of the subject property to known and/or suspected sites of environmental concern, and (5) the historical use of the subject property.

AKT Peerless will prepare a written report documenting the data and information gathered during the Phase I ESA. AKT Peerless' report will summarize the known environmental conditions associated with the subject property, if any. Unless advised otherwise by the Client, AKT Peerless will include recommendations for further investigation of the noted environmental concerns.

The conclusions and recommendations will reflect AKT Peerless' best professional judgment and will be based upon the conditions observed and information made available at the time of the assessment.

Schedule

AKT Peerless will implement work immediately and will provide its Phase I ESA within five to six weeks of your authorization to proceed. The overall time to complete the project may be delayed due to agency response times.

Fees

AKT Peerless proposes to provide the services described in this proposal for the total estimated cost described below:

Total Estimated Cost - Phase I ESA

\$2,750

The Michigan Department of Environment, Great Lakes and Energy (EGLE) Freedom of Information Act (FOIA) review policy includes an internal review of requested documents to evaluate the need for redactions. This can result in delays to the access of file information and increased FOIA response fees. In some cases, these time and cost increases may render certain information not reasonably ascertainable

as defined in ASTM Standard Practice E 1527. AKT Peerless will provide updates if such delays occur and additional fees are required.

AKT Peerless' proposal includes reviewing regulatory agency records for the subject property. AKT Peerless may charge an additional fee to review regulatory agency records to adequately and appropriately evaluate potential environmental concerns associated with uses of (or events at) adjoining or nearby sites determined to be a potential environmental concern to the subject property. Furthermore, the additional costs for municipal fees related to FOIA responses may be passed on to the Client. AKT Peerless will promptly apprise the Client of the relative cause for such additional fees but will not complete the extra activity without Client authorization.

AKT Peerless' cost estimate for its proposed scope of work includes one hour of consulting time after the project is complete. Follow-up services provided by AKT Peerless, such as additional research, post-publication modifications to the report, project meetings, etc., shall be billed based on AKT Peerless' standard professional service fee schedule for Phase I ESA modifications and/or project support outside of the scope of work.

Unless requested otherwise, AKT Peerless will provide an electronic copy of the final report. Hard copy reports, if requested, will be provided at a rate of \$75 per copy.

Limitations

EGLE's FOIA review policy includes an internal review of requested documents to evaluate the need for redactions. This can result in delays to the access of file information and increased FOIA response fees. In some cases, these time and cost increases may render certain information not reasonably ascertainable as defined in ASTM Standard Practice E 1527. AKT Peerless will provide updates if such delays occur and additional fees are required.

AKT Peerless will make reasonable efforts to determine if USTs or related equipment (collectively referred to as UST systems) are or have been present at the subject property. AKT Peerless defines reasonable efforts as obtaining and evaluating information from visual observations of unobstructed areas and from the historical resources described in this proposal. AKT Peerless recognizes, and urges users of the proposed assessment to acknowledge, that the accuracy of our conclusions relative to the on-site presence or use UST systems directly corresponds to the presence of obstructions (e.g., snow, densely growing vegetation, standing water, pavement, equipment, structures, storage, debris, etc.) at the time of the reconnaissance, or to our receipt and evaluation of incorrect or incomplete information.

AKT Peerless cannot warrant or guarantee that the information gathered from third parties during the proposed Phase I ESA is exhaustive, or that the information obtained from sources is complete or accurate.

Unless specifically noted otherwise, invasive investigation of any kind will not be performed during the proposed Phase I ESA, nor will observation under floors, above ceilings, behind walls, within the surface and subsurface soil, within groundwater, within confined spaces, roof tops, or inaccessible areas be performed.

Unless specifically noted in the proposed scope of work, AKT Peerless will not evaluate any potential environmental conditions (i.e., further areas of possible business/environmental concern and/or liability) that are outside the scope of ASTM Standard Practice E 1527. Examples of such non-ASTM Standard

Practice E 1527 potential environmental conditions that are beyond the scope of the proposed Phase I ESA include: asbestos containing materials (ACMs), biological agents, cultural and historic resources, ecological resources, endangered species, health and safety, indoor air quality, industrial hygiene, lead-based paints (LBPs), lead in drinking water, moisture intrusion/suspect mold or microbial growth, noise pollution, naturally-occurring radon, regulatory compliance/non-compliance, substances not defined as CERCLA hazardous substances, and/or wetlands. If the Client requires these services, please contact AKT Peerless for a proposal to conduct such tasks under a separate scope of work.

This proposal does not include sampling or analysis of the subject property or related building materials. If visual observations or information obtained during the Phase I ESA indicate the need for additional assessment, AKT Peerless will contact the Client to convey our findings and related opinions, and to discuss a proposed scope of services to address those concerns.

This proposal and the associated cost estimate are valid for 30 days. After 30 days have elapsed, AKT Peerless reserves the right to alter the scope of work and estimated cost. Any unexpected or extraordinary concerns that become apparent during the assessment may require a revision in the scope of work and cost and could delay the project. AKT Peerless will notify you of any concerns or necessary changes in the proposed scope of work. Changes in the scope of work and the estimated cost would be dependent on potential changes in the amount of available site information, regulatory requirements, seasons, economic conditions, etc. If necessary, AKT Peerless will provide an altered scope of work and the associated cost estimate for approval prior to initiating project activities.

This proposal, including: descriptive material, pricing, discussion of proposed methods to be used or implemented by AKT Peerless, and related information set forth herein are confidential; these items constitute trade secrets of and are proprietary to AKT Peerless. AKT Peerless is submitting this information for informational purposes only, based on the express understanding that it will be held in strict confidence; will not be disclosed, duplicated, or used, in whole or in part, for any purpose other than the evaluation of this information; and will not, in any event, be disclosed to third parties, without prior written consent of AKT Peerless.

Terms and Conditions

By signing this proposal, the Client agrees to the terms and conditions presented as Appendix A. Unless otherwise noted, AKT Peerless will prepare and render invoices for work performed to date on a monthly basis.

Please remit all payments to: AKT Peerless Environmental Services, LLC
214 Janes, Avenue, Michigan, 48607

Or for electronic payment, the following table provides AKT Peerless' bank routing information:

ACH Transactions	Domestic Fund Wires	International Fund Wires
AKT Peerless Environmental Services Account No. 01388362854 ABA No. 072403473	Huntington National Bank 7 Easton Oval – EA2W47 Columbus, Ohio 43219 Account No. 01388362854 ABA No. 044000024	Huntington National Bank 7 Easton Oval – EA2W47 Columbus, Ohio 43219 Account No. 01388362854 SWIFT CODE: HUNTUS33

AKT Peerless is prepared to initiate this project immediately upon receipt your written authorization to proceed. For your convenience, this proposal is presented in a form that can be accepted as an agreement. To accept this proposal, please endorse the signature page and return a copy to the undersigned.

PROPOSAL ACCEPTANCE FOR

Phase I Environmental Site Assessment

206 N. Grove Street, Ypsilanti, Michigan

This proposal submitted by:



Scott Wasielewski
Senior Project Manager

Proposal submitted on:

November 6, 2024

Please authorize the proposal by executing below:

Proposal amount:

\$2,750

Client contact:

Ms. Katie Jones

City of Ypsilanti

1 S. Huron Street

Ypsilanti, Michigan 48197

AKT Peerless Proposal No.

PF-36020

Acceptance:

(Signature)

City of Ypsilanti

Print Name:

Title

Date

TO EXPEDITE COMPLETION OF THIS PROJECT, PROVIDE THE FOLLOWING:

PROPERTY OWNER NAME:

PROPERTY OWNER CONTACT INFORMATION:

KEY SITE CONTACT NAME:

KEY SITE CONTACT INFORMATION:

LENDER NAME:

LENDER CONTACT INFORMATION:

October 18, 2024

Mr. Nathan Voght
Washtenaw County Brownfield Redevelopment Program
Office of Community And Economic Development

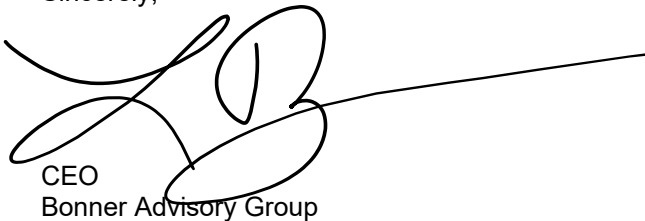
Re: Submittal Arbor South Brownfield Redevelopment Plan

Dear Mr. Voght:

Please accept this official submission of the Arbor South Brownfield Redevelopment Plan for your review. We look forward to collaborating with the County and City on this transformative project.

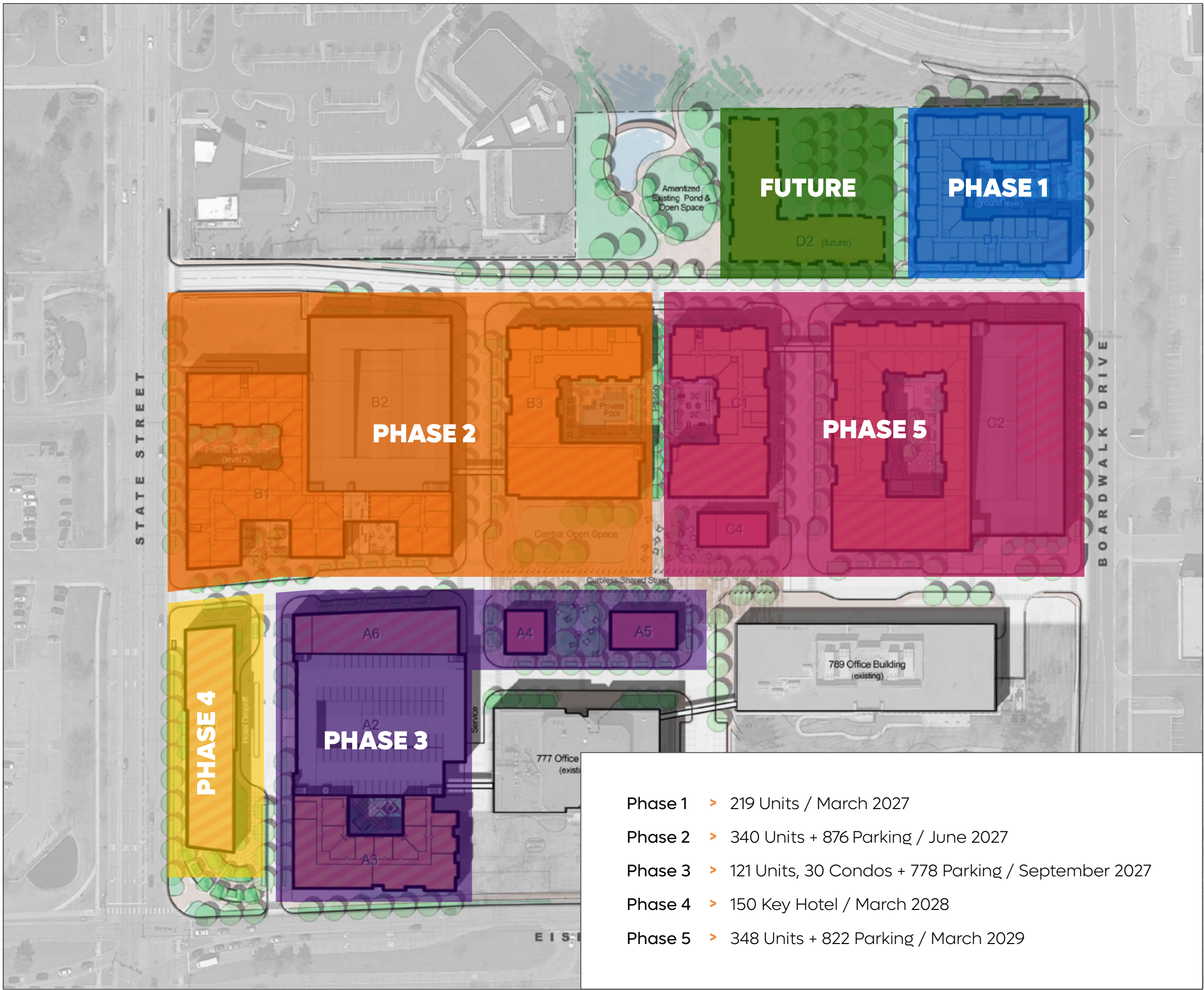
Please do not hesitate to contact me with any questions or comments. We would be grateful to meet and discuss this plan when you have a chance to conduct a preliminary review.

Sincerely,



CEO
Bonner Advisory Group

cc: Derek Delacourt – City of Ann Arbor
Jennifer Hall – Ann Arbor Housing Commission
Jeff Hauptman – Oxford
Jeremiah Thomas – Crawford Hoying
Jeff Roberts – Crawford Hoying
Andy Andre – Oxford
Tom Gritter – Gritter Real Estate Services
Beth Masserang - SME



Site Concept Plan Arbor South

Ann Arbor, Michigan

- Hotel
- Multifamily (for rent)
- Multifamily (for sale)
- Multifamily (affordable)
- Standalone Retail
- Ground Floor Retail / Active Use
- Structured Parking

- | | |
|---------|---|
| Phase 1 | > 219 Units / March 2027 |
| Phase 2 | > 340 Units + 876 Parking / June 2027 |
| Phase 3 | > 121 Units, 30 Condos + 778 Parking / September 2027 |
| Phase 4 | > 150 Key Hotel / March 2028 |
| Phase 5 | > 348 Units + 822 Parking / March 2029 |



Plan updated 05.16.2024





OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT

Washtenaw County Brownfield Redevelopment Authority Project Application Form

This application form must be completed by the applicant to initiate the brownfield process by the Washtenaw County Brownfield Redevelopment Authority (WCBRA). The completed application will then be submitted to the appropriate representative of the local municipality within which the proposed project is located. There are no deadlines for the submittal of applications -- applications will be accepted on an ongoing basis.

NOTE: The Project Concept Application (Application) is the first step for all brownfield redevelopment projects coming through the WCBRA. The Project Application is part of our commitment to partner with each Municipal Member throughout the brownfield redevelopment process.

Approval of the Application by the local municipality is **NOT approval of the brownfield project/plan** and the requested Tax Increment Financing (TIF). Approval gives Staff permission to assist the developer in creating a Brownfield Plan.

If a local municipality initially approves a project application, it is not obligated to approve the brownfield plan.

The following separate application fees are due upon processing and acceptance of the brownfield application.

County Brownfield Authority Fee, based on total project investment:

**\$0- \$5Million = \$3,000;
\$5M - \$10M = \$4,000; and
\$10 M and over = \$5,000**

Additional Application Fee for Projects within the City of Ann Arbor, due to administrative review costs associated with the Financial Proforma Return on Investment Analysis and review of environmental criteria above the County process:

\$2,000: If no environmental activities are proposed, and no City environmental consultant review is needed
\$4,000: If environmental activities are proposed that require City environmental consultant review

Submit a PDF of the completed application form and any supplemental materials must be submitted to the Washtenaw County Office of Community and Economic Development, Brownfield Program, 415 W. Michigan Ave., 2nd Floor, Ypsilanti, MI 48197.

For assistance in completing this application form, please contact the Washtenaw County Office of Community and Economic Development:

Nathan Voght, Brownfield Redevelopment Coordinator
voghtn@washtenaw.org

(734) 660-1061 phone
(734) 544-6749 fax

Additional information regarding Brownfield Applications and the Washtenaw County Brownfield Authority process is available online at <http://www.washtenaw.org/brownfields> .

Before submitting a project application, please make sure all items on the attached checklist are included. Project Application will not be reviewed until items are completed.



OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT

PROJECT APPLICANT INFORMATION

Date: _____ October 18, 2024

Project Applicant Name: _____ Arbor South – Eisenhower State Land Development Company, LLC

Mailing Address: _____ 6640 Riverside Dr Ste 500, Dublin, OH 43017

Contact Person for Applicant: _____ Luke Bonner

Telephone/Fax Numbers: _____ 734-846-9746

E-mail Address: _____ Luke.Bonner@BonnerAG.com

Property Owner Name: _____ Eisenhower State Land Development Company LLC

Mailing Address: _____ Same as above

Contact Person for Property Owner: _____ Jeremiah Thomas

Telephone/Fax Numbers: _____ 614-571-3784

E-mail Address: _____ jthomas@crawfordhoying.com

PROJECT INFORMATION

Project Address: _____ 2800 E. Boardwalk; 2845,2991, and 2803 S. State Street

Parcel ID Number(s): _____ 09-12-04-300-048; 09-12-04-300-044;
09-12-04-300-065; 09-12-04-300-067

Legal Description: _____ Available in Exhibit B

Located within WCBRA Member Municipality: ☒ YES ☐ NO



OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT

Is the project located within a Downtown Development Authority (DDA)? No

If yes, has the DDA been contacted? Do they support the project? If so, what level of support has been identified?

--

Proposed Project Description:

Redevelopment of vehicle fueling station, underutilized parking lots and structures into a 1,000 unit mixed-use development including 215 affordable housing units.

- ☐ *Attach copies of proposed preliminary site development or concept plans to illustrate how the proposed redevelopment and land uses will be situated on the subject property, and documenting access to all necessary utilities and infrastructure.*

Proposed Redevelopment Use(s):

Mixed-use multifamily and retail

Anticipated Project Schedule/Critical Dates:

Proposed start of construction summer of 2025
Close on financing March 2025

Status of Development Permits and Applications:

Currently in site plan review



OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT

Description of Known or Suspected Environmental Contamination Concerns

The subject property is a closed leaking underground storage tank (LUST) site with one release (C-0526-03) reported in 2003 and granted a Restricted Commercial III Closure in June 2010. Review of previous site assessment activities documents that contamination remains on-site above current Part 213 Residential and Nonresidential Risk Based Screening Levels (RBSLs).

- ☐ Attach environmental reports sufficient to document brownfield eligibility, such as Facility status, site history, and current site conditions. (i.e. Phase I, Phase II, BEA, etc)

Needed Eligible Activities and Projected Costs (if known):

- ☐ Attach a copy of Eligible Activity Table.
- ☐ Attach additional pages if needed and supporting documentation or reports if available.

Projected Private Investment in Redevelopment:

\$406,000,000

For City of Ann Arbor Projects:

- ☐ Prepare to provide, upon request, under separate cover, detailed proforma and project budget illustrating all related project expenses, sources of financing, and project financing gap.



Anticipated Job Creation or Retention Impacts:

Anticipated job creation is 250 between retail, hotel, and property management. This is a general estimate as the final proposed retail uses are still to be determined.

Other Significant Project Information:

The Ann Arbor Housing Commission and Developer are collaborating on delivering 150-215 units of affordable housing at or below 60% AMI.

PROJECT APPLICATION CHECKLIST

Before submitting the project application, please make sure all items on the checklist are included. Project Application will not be reviewed until items are completed.

Ownership Documentation

- ☐ If the project applicant does not own the property,, please attach documentation to adequately demonstrate authorization to proceed with development planning, such as a purchase or development agreement or notarized letter, to submit this application form for consideration by the WCBRA.
or;
- ☐ Attach copy of current title commitment and proof of ownership.

Site Plan



OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT

- ❑ Attach copies of proposed preliminary site development or concept plans to illustrate how the proposed redevelopment and land uses will be situated on the subject property, and documenting access to all necessary utilities and infrastructure.

Financial Information and Eligible Activities

- ❑ Attach a copy of Eligible Activity Table and TIF Table broken down by taxing jurisdiction.

For City of Ann Arbor Projects:

- ❑ *Prepare to provide, upon request, under separate cover, detailed proforma and project budget illustrating all related project expenses, sources of financing, and project financing gap.*

Environmental Work Completed

- ❑ Attach or otherwise provide access to environmental reports sufficient to document brownfield eligibility, such as Facility Status, site history, and current site conditions. (i.e. Phase I, Phase II, BEA, , etc)

