

From: [Victoria Pebbles](#)
To: [Bannister, Anne](#)
Subject: Re: meet about 325 E. Summit--background
Date: Wednesday, January 2, 2019 12:54:05 PM

Hi Anne and Happy New Year!

I'm reaching out about our project, the Garnet, at 325 E. Summit. As you know, we have officially begun moving the plans through review with city staff. We are responding to initial comments this week. The main reason for my email is to see if you would be willing to reach out to other City Council members, Elizabeth Nelson, Jeff Hayner, or Jack Eaton, to talk to them about the project and get their perspectives ...and hopefully support. I'd be happy to meet with you and any one of them, individually or as a group. Please let me know your thoughts. Thanks very much Anne.

-Victoria

On Tue, Jun 19, 2018 at 4:32 PM Victoria Pebbles <[REDACTED]> wrote:

Hi Again Anne,

I thought you might benefit from a bit more background on our project and what I'm hoping meeting with you can help with.

Here is some background.

Members of our project team began reaching out to city officials (mostly planning) back in January. After months individual conversations and emails trying to navigate how to move forward with the city (including a meeting with Derek on March 16) to figure out how to pursue using an adjacent alley to our property at 325 E. Summit, on April 13 we submitted a request for the city to vacate the alley; specifically the portion adjacent to our property. On June 14, *more than three months later*, we finally heard from planning staff that the city is unwilling to vacate only our half the alley. If we had known that up front, we would have asked for the city to vacate the entire alley (and saved ourselves \$3500). Instead, we are left with a "no" and not much else but guessing what our next options might be. The email further states that the city *might* be able to narrow the alley, but the email is vague and offers no clear process or certainty of conditions under which this can occur.

We are proposing an 11-unit residential building in a downtown that offers many benefits to the city. We must achieve a specific Floor to Area Ratio (FAR) required by the city that we need in order to build the 11-unit building we propose. Building fewer units is not financially viable. The three key issues tripping up our team and causing time, money and frustration are:

1. the alley
2. the conflicting land use buffer (CLUB)
3. the locust tree

Here is a bit more detail on each issue.

1. The Alley

We are proposing a relatively small redevelopment (11 units) in Kerrytown. We don't need the alley to build on; in fact we are willing to commit to maintain it as a pedestrian access (nicer than the city is currently doing) and still allow the city and all other adjacent land owners to access it for ingress/egress. We only

need the alley area (and only half of it) 'virtually' it in order to use it to meet the City's FAR requirements for our proposed 11 unit building. There is a public water main under the alley but public works department has noted that they intend to eventually abandon that line. Until such time, nothing we do to the alley would prevent anyone from using it because all we intend to do is resurface it so it's not a trip hazard and make it nicer!

2. The CLUB

We are proposing a multi-residential land use next to existing commercial and multi-residential land uses. Our engineer has been informed by city planning staff that there is a "conflicting land use" between our proposed redevelopment and the adjacent "barn" which is also a multi-unit residential building which requires us to create a relatively large buffer area between the two, which also impedes our ability to meet our FAR.

3. Honey Locust Tree

There is a honey locust tree that is greater than 12 inches in diameter on the property. This species of tree grows fast and is considered relatively short-lived. Also, this species is not threatened or endangered. As a nature lover, I always want to protect trees. Removing the tree to obtain the area needed for our FAR would be another option. We would be willing to plant other trees elsewhere in the city to offset this loss if this option is pursued.

Our team knows that affordability is a great concern for the City of Ann Arbor and we are sensitive to that, but with only 11 units proposed we cannot afford to dedicate a certain percentage of units as affordable and still make the project viable for the investors.

We also know that affordability is not the only thing that is important to the city. Here are some other great things about our project.

- It's very close to public transportation (a and walkable to downtown, the train station and nearby places of employment (e.g., the hospital). From a practical standpoint, it is downtown, depending on your definition. Nearby transit and walkability also means fewer cars and fewer emissions thus supporting the city's climate action plan. Three A2 transit lines stop within two blocks of the property (lines 21, 22, and 65; stops 173, 1885 and 1950). Notably, all three buses stop at stop 173 (Beakes and Summit).
- We propose a higher density urban design on the property in an area where more compact urban development is desired as stated in the City's Sustainability Framework.
- The project is a brownfields redevelopment: remediation undertaken by the project will allow a downtown property to be more fully and safely used--supporting the city's brownfields goals.
- We will be using a local (and woman-owned) building company for the construction.
- We will have state of the art heating and cooling for the building and hope to have a partial green roof also to minimize the carbon footprint and stormwater runoff.
- Our commitment to maintaining the alley for all current and, importantly, future pedestrian use supports recommendations regarding pedestrian access as outlined in the 2013 North Main Street/Huron River Corridor Vision for the Future Report

We are requesting an meeting to consider the all the issues and options holistically in context so that we can hopefully get a timely, clear and mutually-agreeable path forward that includes pursuing this project.

Thanks again in advance for your thoughtful attention and time to this project.

Sincerely,

Victoria Pebbles

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Victoria Pebbles

From: [Bannister, Anne](#)
To: [Victoria Pebbles](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Nelson, Elizabeth](#)
Subject: RE: meet about 325 E. Summit--background
Date: Saturday, January 5, 2019 2:58:55 PM

Dear Victoria Pebbles, Jack, Jeff and Elizabeth,

Please see details below about a new 11-unit residential building on East Summit, near the base of the Broadway Bridge (downtown side) and Casey's Tavern and the Train Station.

Note that they've experienced some frustrating and expensive delays with the planning process.

I've attended at least two meetings on this project during 2018 and think it will be good for Ward One.

Please put this on your radar, and let Ms. Pebbles and I know if you'd like to meet in-person to hear more details.

Thank you,

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Victoria Pebbles [REDACTED]
Sent: Wednesday, January 02, 2019 12:53 PM
To: Bannister, Anne
Subject: Re: meet about 325 E. Summit--background

Hi Anne and Happy New Year!

I'm reaching out about our project, the Garnet, at 325 E. Summit. As you know, we have officially begun moving the plans through review with city staff. We are responding to initial comments this week. The main reason for my email is to see if you would be willing to reach out to other City Council members, Elizabeth Nelson, Jeff Hayner, or Jack Eaton, to talk to them about the project and get their perspectives ...and hopefully support. I'd be happy to meet with you and any one of them, individually or as a group. Please let me know your thoughts.

Thanks very much Anne.

-Victoria

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Thanks again in advance for your thoughtful attention and time to this project.

Sincerely,

Victoria Pebbles

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Victoria Pebbles

From: [Kelly Anderson](#)
To: [Kelly Anderson](#)
Subject: Letters of Support for The Garnet SP18-044 and Z18-021
Date: Monday, March 4, 2019 5:14:02 PM
Attachments: [325 E Summit Letters of Support 3-4-19.pdf](#)

Good Afternoon,

Attached please find letters from residents and merchants in the Kerrytown area near our proposed project at 325 E Summit. We have reached out to our neighbors and store owners to talk about our development and to hear whether they have any questions or concerns we could address.

So far, we have had only positive reactions and good conversations. We have been asked a lot of questions and feel comfortable with the product we will be providing. This will be an excellent addition to the neighborhood and I am excited to be part of this project!

I have owned a building company in Ann Arbor since 1998 and worked for years before that in the industry. I started my career working at the small real estate business my mom owned on this site. I am proud to be part of a team who will build the landmark building named after her, The Garnet.

Thank you for your time and consideration,

Kelly Anderson

KLA Development Inc.

cell - (734) 260-2432

fax - (734) 741-8668

kladev@msn.com



February 28, 2019

City of Ann Arbor Planning Commission
Planning and Development Services
301 E. Huron Street
Ann Arbor, MI 48107

Re: 325 E. Summit-The Garnet

Dear Planning Commission,

As you are probably aware, we represent the ownership of a substantial amount of office and retail space in the City of Ann Arbor. This includes Marketplace at 303 Detroit Street in the Kerrytown district, which is a short walk from the above-referenced proposed project.

We have reviewed the project with the developer and fully support it along with the related rezoning of the site. The proposed housing will support Kerrytown and downtown businesses and increase the property tax base without a disproportionate burden to the city's infrastructure. The project will offer minimal traffic impact and will be walking distance to employment, shopping and entertainment areas. Through compliance with the city's storm water management requirements and the addition of a green roof, the project will improve the site's current runoff conditions thereby reducing pollutants to the Huron River watershed.

We consider the project's design attractive and in keeping with the architecture of the surrounding neighborhood. We also believe the scale of the building, both in terms of footprint and height, are appropriate.

We encourage you to support the proposed project and its related rezoning request. Thank you.

Respectfully,

A handwritten signature in blue ink, appearing to read "Robert A. Aldrich".

Robert A. Aldrich
President and CEO

From: Michael Martin mcmartin@firstmartin.com
Subject: The Garnet Site Plan and Rezoning
Date: Oct 29, 2018, 4:29:41 PM

Dear Planning Commission members,

I am writing on behalf of the ownership of 304 and 310 Depot Street, immediately to the West of the above referenced project. We would offer our support and encouragement of both the rezoning and approval of the project as proposed. We have met with the development team and project architect and believe that this high quality project will be a positive for the neighborhood and adjacent property owners. If you have any questions I can be reached via email at mcmartin@firstmartin.com or at my office [734-994-5050](tel:734-994-5050).

Respectfully,
Michael C. Martin

First Martin
Michael C. Martin

115 Depot Street, Ann Arbor, MI 48104

O: [734.994.5050](tel:734.994.5050)

C: [734.355.8483](tel:734.355.8483)

E: mcmartin@firstmartin.com

FIRSTMARTIN.COM

[FACEBOOK](#) | [TWITTER](#)

City of Ann Arbor Planning Commission

301 E. Huron Street

Ann Arbor, MI 48107

Re: 325 E. Summit Street (the Garnet Project)

Dear Planning Commission Members,

We are writing on behalf of the owners of 325 E. Summit, Ann Arbor, MI. and their proposed project called The Garnet Building. We offer our support for the rezoning and approval of the project as proposed. We believe this high quality project will enhance the neighborhood and is designed with comfortable living spaces for permanent residences who could enjoy and support all the facilities offered to people living in the Kerry Town area. The building height is within keeping with a lower density than Downtown Ann Arbor, the green roof will help mitigate any potential storm water issues. The Landscaping, as proposed, will enhance the area along the Broadway Bridge. This is a well thought out project.

Respectfully,



We can be contacted at



or reached via email

kerrytownencorestudio@gmail.com

Kim Easter

[REDACTED]
Ann Arbor, MI 48104

Planning Commission
301 E Huron St.
Ann Arbor, MI 48107

March 1, 2019

Dear Planning Commission Officials,

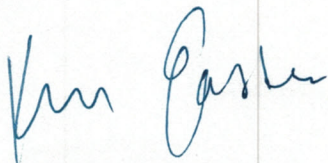
Thank you for your service to the community. I write regarding the proposed project at 325 E. Summit.

I am a lifetime resident of Ann Arbor and a proud graduate of our public schools. I have been a resident and homeowner at [REDACTED] for over twenty years. Since moving on to the northernmost block of N. Fifth Avenue in 1997, I have married, raised children, and watched this neighborhood evolve and change over the two decades. Nearly every day I walk across the Broadway Bridge, walk along the Cascades and the Huron River, and back across the Broadway Bridge. I am a regular at Casey's Tavern for their wonderful quesadilla. We enjoy the shops at Kerrytown. I am looking forward to the continued exciting changes in the near future with the Border to Border Trail, the Treeline, the development proposed for the DTE site, and whatever is to come for Lowertown.

I have talked to 2 of the developers about the proposed condominiums at 325 E. Summit, and believe the project is a perfect fit for the neighborhood. As the City of Ann Arbor is turning our face back toward the extraordinary Huron River, thoughtful residential development close to the River is key. This project is such a thoughtful development. Initial drawings indicate a look that honors the city's historic style with brick exterior but also offers quality living space and access to public amenities that residents of the city value. I understand the project is seeking rezoning to allow for a four-story building. Given the slope of the land in this vicinity, I see no issue whatsoever with this height. Other buildings nearby are similar in height. The residential use for condominiums is consistent with higher density that is characteristic of downtown living where people can walk to work and the farmers' market and other commercial shops in Kerrytown.

In sum, I fully support this proposed development and approval of the rezoning necessary to move the project forward.

Sincerely,



Dear Planning Commission Members,

We are writing on behalf of the owners of 325 E. Summit, Ann Arbor, MI. and their proposed project called The Garnet Building. We offer our support for the rezoning and approval of the project as proposed. We believe this high quality project will enhance the neighborhood and is designed with comfortable living spaces for permanent residences who could enjoy and support all the facilities offered to people living in the Kerry Town area.

We can be contacted at [REDACTED] or reached via email [REDACTED]

Sincerely,

A handwritten signature in black ink, appearing to be 'Hil'.

co-owner Mudpuddles Toy Store


NOMA

REAL ESTATE SERVICES

Dear Planning Commission members,

I am writing on behalf of the owners of 912-944 N. Main St., which is to the west of the the new Garnet Building at Broadway and Summit. We offer our support and encouragement of both the rezoning and approval of the project as proposed. We have met with the development team and project architect and believe that this high quality project that will have a positive impact on our neighborhood. If you have any questions I can be reached via email dla@nomares.com or at my office 734/882.8888.

Sincerely,



Douglas Allen, Owner
NOMA Real Estate Services


Dear Planning Commission Members,

We are writing on behalf of the owners of 325 E. Summit, Ann Arbor, MI.
and their proposed project called The Garnet Building. We offer our support
for the rezoning and approval of the project as proposed. We believe this
high quality project will enhance the neighborhood and is designed with
comfortable living spaces for permanent residences who could enjoy
and support all the facilities offered to people living in the Kerry Town area.

We can be contacted at

or reached via email Kim@urbanrider.bike

Sincerely,



Kim Mayes, Urban Rider Cargo Bikes
407 Fifth Ave, 2nd Fl.
Ann Arbor, 48104

City of Ann Arbor Planning Commission

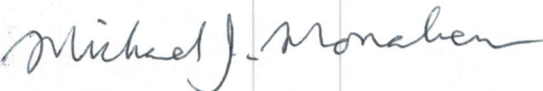
301 E. Huron Street

Ann Arbor, MI 48107

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Respectfully, 

We can be contacted at

or reached via email

monahan's
seafood market

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and support all the facilities offered to people living in the Kerry Town area.
We can be contacted at or reached via email

Sincerely,

JILL BAEWELL

FUSTINI'S OILS & VINEGARS
407 N 5TH AVE.

KERRY TOWN MARKET & SHOPS

24 February 2019

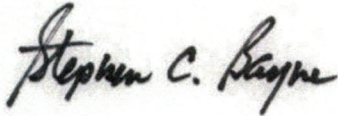
Ann Arbor Planning Commission
Planning & Development Services
301 E. Huron St.
Ann Arbor, MI

RE: Letter of Support for Garnett Site Plan and Rezoning

Dear Planning Commission Members:

I am in full support of the proposed project. I spent substantial time reviewing the proposal with Kelly Anderson. This is a high quality proposal that is thoughtfully planned with respect to existing structures and proposed developments within the same area of Ann Arbor. It is a valuable contribution to the existing neighborhood.

Respectfully,

A handwritten signature in black ink that reads "Stephen C. Bayne". The signature is written in a cursive, flowing style.

Stephen C. Bayne, PhD.

[REDACTED]
Ann Arbor, MI 48104-1020
[REDACTED]

February 25, 2019

City of Ann Arbor Planning Commission
Planning and Development Services
301 E. Huron Street
Ann Arbor, MI 48107

Re: 325 E. Summit Street – The Garnet (proposed).

Dear Planning Commission and Staff Members,

As a neighbor and property owner, I have a vested interest in our neighborhood, both emotionally and financially. I've discussed the project with the developer and am in total support of the project.

From my perspective, this is just the sort of development that is right for our neighborhood and Ann Arbor. The building is designed very nicely and the architectural details are attractive and in keeping with the neighborhood; the scale of the building seems proper to me as well (not too tall and not too big); the project will also help to clean up pollutants currently contaminating the Huron River which is important to all of us; the green roof will also help mitigate any potential storm water impacts from the proposed building; more housing near employment centers like the university, the university hospital and downtown will also help reduce car traffic in town and support the local business in Kerrytown and downtown.

Please support the rezoning request by the developer for the proposed project at 325 E. Summit Street (The Garnet).

Respectfully,



Mark Shotwell

Ann Arbor, MI 48104

City of Ann Arbor Planning Commission
301 E. Huron Street
Ann Arbor, MI 48107

Re: 325 E. Summit Street (the Garnet Project)

Dear Planning Commission Members,

We are writing on behalf of the owners of 325 E. Summit, Ann Arbor, MI. and their proposed project called The Garnet Building. We offer our support for the rezoning and approval of the project as proposed. We believe this high quality project will enhance the neighborhood and is designed with comfortable living spaces for permanent residences who could enjoy and support all the facilities offered to people living in the Kerry Town area. The building height is within keeping with a lower density than Downtown Ann Arbor, the green roof will help mitigate any potential storm water issues. The Landscaping, as proposed, will enhance the area along the Broadway Bridge. This is a well thought out project.

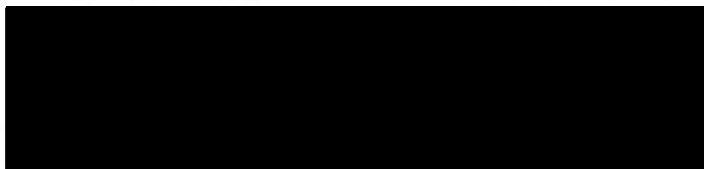
Respectfully,

Michael J. Whiting - owner

We can be contacted at

or reached via email

*SACON MW
303 Detroit St
Ann Arbor mi
48103*



February 24, 2010

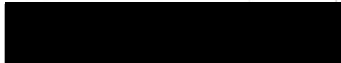
Re: Garnet Project Rezoning Request—Letter of Support

Dear Ann Arbor Planning Commissioners:

As a N. 5th Avenue neighbor, a frequent walker, biker and user of the B-2-B trail I have a keen interest in the esthetics and integrity of the Wheeler Park and E. Summit neighborhood. I met with Kelly Anderson, one of the developers of the Garnet project, to discuss the proposal and the impact of the project on the site and its surroundings. The plan for the Garnet project is solid and the structure will be a lovely enhancement to this area. I offer my unqualified support for the Garnet project and encourage you to approve the rezoning request.

Sharon K. Grayden
Wickliffe Place Condominiums
[REDACTED]
Ann Arbor, MI 48104

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Sincerely,

Elaine M. Johns Treasure Mart 529 Detroit St. A2 48104

Carl Johns

From: [Bannister, Anne](#)
To: [Kelly Anderson](#)
Cc: [Hayner, Jeff](#)
Subject: RE: Letters of Support for The Garnet SP18-044 and Z18-021
Date: Monday, March 4, 2019 5:17:56 PM

Dear Kelly Anderson,

Wow, you've been busy collection 14 pages of support! Great job and thank you!! I'm not sure who all you copied, so I'm including my Ward One colleague, CM Jeff Hayner in my response.

Please keep us posted on how progress goes from here.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Kelly Anderson [kladev@msn.com]
Sent: Monday, March 04, 2019 4:54 PM
To: Kelly Anderson
Subject: Letters of Support for The Garnet SP18-044 and Z18-021

Good Afternoon,

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So far, we have had only positive reactions and good conversations. We have been asked a lot of questions and feel comfortable with the product we will be providing. This will be an excellent addition to the neighborhood and I am excited to be part of this project!

I have owned a building company in Ann Arbor since 1998 and worked for years before that in the industry. I started my career working at the small real estate business my mom owned on this site. I am proud to be part of a team who will build the landmark building named after her, The Garnet.

Thank you for your time and consideration,

Kelly Anderson
[KLA Development Inc.](#)
cell - (734) 260-2432

fax - (734) 741-8668

kladev@msn.com

From: [Kelly Anderson](#)
To: [Kelly Anderson](#)
Subject: Letters of Support for The Garnet SP18-044 and Z18-021
Date: Tuesday, March 5, 2019 10:20:26 AM
Attachments: [The Garnet Letter of Support 3-5-19.pdf](#)

Good Morning,

Attached is another letter of support, we will continue to send them as they come in.

Thank you so much!

Kate Myers

KLA Development Inc.
office - (734) 669-8565
fax - (734) 741-8668
kladev@msn.com

From: Kelly Anderson <kladev@msn.com>
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cell - (734) 260-2432

fax - (734) 741-8668

kladev@msn.com

City of Ann Arbor Planning Commission

301 E. Huron Street

Ann Arbor, MI 48107

Re: 325 E. Summit Street (the Garnet Project)

Dear Planning Commission Members,

We are writing on behalf of the owners of 325 E. Summit, Ann Arbor, MI. and their proposed project called The Garnet Building. We offer our support for the rezoning and approval of the project as proposed. We believe this high quality project will enhance the neighborhood and is designed with comfortable living spaces for permanent residences who could enjoy and support all the facilities offered to people living in the Kerry Town area. The building height is within keeping with a lower density than Downtown Ann Arbor, the green roof will help mitigate any potential storm water issues. The Landscaping, as proposed, will enhance the area along the Broadway Bridge. This is a well thought out project.

Respectfully,

A handwritten signature in blue ink that reads "Maria Berke".

We can be contacted at [REDACTED] or reached via email [REDACTED]

From: [Kelly Anderson](#)
To: [Kelly Anderson](#); [Thacher, Jill](#); [Planning](#); [Bannister, Anne](#); [Hayner, Jeff](#); [Ackerman, Zach](#); [Taylor, Christopher \(Mayor\)](#); [Jeff Mahaney](#); [Barrett, Jon](#)
Subject: Re: Letters of Support for The Garnet SP18-044 and Z18-021
Date: Wednesday, March 6, 2019 2:09:25 PM
Attachments: [Letter of Support for the Garnet Building.pdf](#)

Thank you!

Kate Myers
KLA Development Inc.
office - (734) 669-8565
fax - (734) 741-8668
kladev@msn.com

From: Kelly Anderson <kladev@msn.com>
Sent: Tuesday, March 5, 2019 10:20 AM
To: Kelly Anderson
Subject: Letters of Support for The Garnet SP18-044 and Z18-021

Good Morning,

Attached is another letter of support, we will continue to send them as they come in.

Thank you so much!

Kate Myers

KLA Development Inc.
office - (734) 669-8565
fax - (734) 741-8668
kladev@msn.com

From: Kelly Anderson <kladev@msn.com>
Sent: Monday, March 4, 2019 4:54 PM
To: Kelly Anderson
Subject: Letters of Support for The Garnet SP18-044 and Z18-021

Good Afternoon,

Attached please find letters from residents and merchants in the Kerrytown area near our proposed project at 325 E Summit. We have reached out to our neighbors and store owners to talk about our development

and to hear whether they have any questions or concerns we could address.

So far, we have had only positive reactions and good conversations. We have been asked a lot of questions and feel comfortable with the product we will be providing. This will be an excellent addition to the neighborhood and I am excited to be part of this project!

I have owned a building company in Ann Arbor since 1998 and worked for years before that in the industry. I started my career working at the small real estate business my mom owned on this site. I am proud to be part of a team who will build the landmark building named after her, The Garnet.

Thank you for your time and consideration,

Kelly Anderson

KLA Development Inc.

cell - (734) 260-2432

fax - (734) 741-8668

kladev@msn.com



Dear Planning Commission members,

I am writing on behalf of the owners of 912-944 N. Main St., which is to the west of the the new Garnet Building at Broadway and Summit. We offer our support and encouragement of both the rezoning and approval of the project as proposed. We have met with the development team and project architect and believe that this high quality project that will have a positive impact on our neighborhood. If you have any questions I can be reached via email dla@nomares.com or at my office 734/882.8888.

Sincerely,

A handwritten signature in dark ink that reads "Douglas Allen". The script is cursive and fluid.

Douglas Allen, Owner
NOMA Real Estate Services

From: [JB It](#)
To: [Bannister, Anne](#)
Subject: keeping you in the loop
Date: Monday, April 1, 2019 10:15:24 AM

FYI my clients and I had our 3rd meeting with the First United Methodist church leadership last week to work through their issues with the impacts from the proposed 616 E Washington project and I'm hopeful we will get close to 90%+ of the churches concerns addressed. Some of them are however out of our control like the new mid block pedestrian crossing the Church wants (and that my clients support) across Washington east of the existing mid-block pedestrian crossing. I'd love to have the opportunity to meet with you to discuss the latter.

As regards The Garnet we have submitted over a dozen letters of neighborhood support for the project and hope to be before planning commission in May (hopefully you will have a chance to view all the letters of support - it not common to have so many in favor of a project).

Have a great day.

Brad

--

Brad Moore, AIA
President, J Bradley Moore & Associates Architects, Inc.
4844 Jackson Rd., STE #150
Ann Arbor, MI 48103

O 734-930-1500
F 734-994-1510
M 734-649-3404

From: [JB It](#)
To: [Ackerman, Zach](#)
Subject: re The Garnet
Date: Monday, May 20, 2019 3:25:52 PM
Attachments: [The Garnet DOC.pdf](#)

Dear Councilman Ackerman,

When I checked earlier this morning there was no evidence on eTrakit or on Legistar of the letters of neighborhood support for the proposed residential project known as The Garnet which will be before the Planning Commission tomorrow evening. I have attached a PDF of the letters of neighborhood support for the project that I have in my possession. If you know of any way to get it in the hands of the Planning Commissioners prior to the meeting please feel free to do so. I will also send a copy to the general PC email address in hopes it will get included in the materials the commissioners have access to ahead of the meeting Tuesday night. I will also bring hard copies to distribute at the meeting in case the electronic approach fails.

Thank you for your attention in this matter.

Sincerely,

Brad Moore

--

Brad Moore, AIA
President, J Bradley Moore & Associates Architects, Inc.
4844 Jackson Rd., STE #150
Ann Arbor, MI 48103

O 734-930-1500
F 734-994-1510
M 734-649-3404

Kim Easter

Ann Arbor, MI 48104

Planning Commission
301 E Huron St.
Ann Arbor, MI 48107

March 1, 2019

Dear Planning Commission Officials,

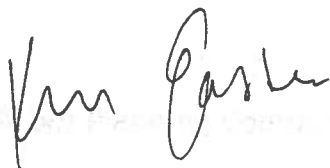
Thank you for your service to the community. I write regarding the proposed project at 325 E. Summit.

I am a lifetime resident of Ann Arbor and a proud graduate of our public schools. I have been a resident and homeowner at [REDACTED] for over twenty years. Since moving on to the northernmost block of N. Fifth Avenue in 1997, I have married, raised children, and watched this neighborhood evolve and change over the two decades. Nearly every day I walk across the Broadway Bridge, walk along the Cascades and the Huron River, and back across the Broadway Bridge. I am a regular at Casey's Tavern for their wonderful quesadilla. We enjoy the shops at Kerrytown. I am looking forward to the continued exciting changes in the near future with the Border to Border Trail, the Treeline, the development proposed for the DTE site, and whatever is to come for Lowertown.

I have talked to 2 of the developers about the proposed condominiums at 325 E. Summit, and believe the project is a perfect fit for the neighborhood. As the City of Ann Arbor is turning our face back toward the extraordinary Huron River, thoughtful residential development close to the River is key. This project is such a thoughtful development. Initial drawings indicate a look that honors the city's historic style with brick exterior but also offers quality living space and access to public amenities that residents of the city value. I understand the project is seeking rezoning to allow for a four-story building. Given the slope of the land in this vicinity, I see no issue whatsoever with this height. Other buildings nearby are similar in height. The residential use for condominiums is consistent with higher density that is characteristic of downtown living where people can walk to work and the farmers' market and other commercial shops in Kerrytown.

In sum, I fully support this proposed development and approval of the rezoning necessary to move the project forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Easter". The signature is fluid and cursive, with the first name "Kim" and last name "Easter" clearly distinguishable.

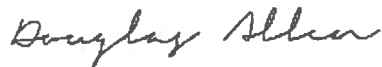
NOMA

REAL ESTATE SERVICES

Dear Planning Commission members,

I am writing on behalf of the owners of 912-944 N. Main St., which is to the west of the the new Garnet Building at Broadway and Summit. We offer our support and encouragement of both the rezoning and approval of the project as proposed. We have met with the development team and project architect and believe that this high quality project that will have a positive impact on our neighborhood. If you have any questions I can be reached via email dla@nomares.com or at my office 734/882.8888.

Sincerely,



Douglas Allen, Owner
NOMA Real Estate Services

From: **Michael Martin** mcmartin@firstmartin.com
Subject: **The Garnet Site Plan and Rezoning**
Date: **Oct 29, 2018, 4:29:41 PM**

Dear Planning Commission members,

I am writing on behalf of the ownership of 304 and 310 Depot Street, immediately to the West of the above referenced project. We would offer our support and encouragement of both the rezoning and approval of the project as proposed. We have met with the development team and project architect and believe that this high quality project will be a positive for the neighborhood and adjacent property owners. If you have any questions I can be reached via email at mcmartin@firstmartin.com or at my office [734-994-5050](tel:734-994-5050).

Respectfully,
Michael C. Martin

First Martin
Michael C. Martin

115 Depot Street, Ann Arbor, MI 48104

O: [734.994.5050](tel:734.994.5050)

C: [734.355.8483](tel:734.355.8483)

E: mcmartin@firstmartin.com

FIRSTMARTIN.COM

FACEBOOK | TWITTER

City of Ann Arbor Planning Commission

301 E. Huron Street

Ann Arbor, MI 48107

Re: 325 E. Summit Street (the Garnet Project)

Dear Planning Commission Members,

We are writing on behalf of the owners of 325 E. Summit, Ann Arbor, MI. and their proposed project called The Garnet Building. We offer our support for the rezoning and approval of the project as proposed. We believe this high quality project will enhance the neighborhood and is designed with comfortable living spaces for permanent residences who could enjoy and support all the facilities offered to people living in the Kerry Town area. The building height is within keeping with a lower density than Downtown Ann Arbor, the green roof will help mitigate any potential storm water issues. The Landscaping, as proposed, will enhance the area along the Broadway Bridge. This is a well thought out project.

Respectfully,



We can be contacted at



or reached via email

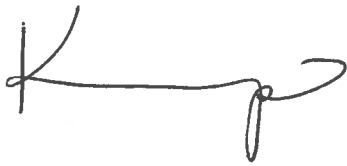
kerrytownencorestudio@gmail.com

Dear Planning Commission Members,

We are writing on behalf of the owners of 325 E. Summit, Ann Arbor, MI.
and their proposed project called The Garnet Building. We offer our support
for the rezoning and approval of the project as proposed. We believe this
high quality project will enhance the neighborhood and is designed with
comfortable living spaces for permanent residences who could enjoy
and support all the facilities offered to people living in the Kerry Town area.

We can be contacted at or reached via email Kim@urbanrider.bike

Sincerely,

A handwritten signature in black ink, appearing to be 'Kim Mayes', with a stylized, flowing script.

Kim Mayes, Urban Rider Cargo Bike
407 Fifth Ave, 2nd fl.
Ann Arbor, 48104

City of Ann Arbor Planning Commission

301 E. Huron Street

Ann Arbor, MI 48107

Re: 325 E. Summit Street (the Garnet Project)

Dear Planning Commission Members,

We are writing on behalf of the owners of 325 E. Summit, Ann Arbor, MI. and their proposed project called The Garnet Building. We offer our support for the rezoning and approval of the project as proposed. We believe this high quality project will enhance the neighborhood and is designed with comfortable living spaces for permanent residences who could enjoy and support all the facilities offered to people living in the Kerry Town area. The building height is within keeping with a lower density than Downtown Ann Arbor, the green roof will help mitigate any potential storm water issues. The Landscaping, as proposed, will enhance the area along the Broadway Bridge. This is a well thought out project.

Respectfully, 

We can be contacted at _____ or reached via email

monahan's
seafood market

Dear Planning Commission Members,

We are writing on behalf of the owners of 325 E. Summit, Ann Arbor, MI.
and their proposed project called The Garnet Building. We offer our support
for the rezoning and approval of the project as proposed. We believe this
high quality project will enhance the neighborhood and is designed with
comfortable living spaces for permanent residences who could enjoy
and support all the facilities offered to people living in the Kerry Town area.
We can be contacted at or reached via email

Sincerely,

JILL BAKWELL

FUSTIN'S OILS & VINEGARS

407 N 5TH AVE.

KERRY TOWN MARKET & SHOPS

February 25, 2019

City of Ann Arbor Planning Commission
Planning and Development Services
301 E. Huron Street
Ann Arbor, MI 48107

Re: 325 E. Summit Street – The Garnet (proposed).

Dear Planning Commission and Staff Members,

As a neighbor and property owner, I have a vested interest in our neighborhood, both emotionally and financially. I've discussed the project with the developer and am in total support of the project.

From my perspective, this is just the sort of development that is right for our neighborhood and Ann Arbor. The building is designed very nicely and the architectural details are attractive and in keeping with the neighborhood; the scale of the building seems proper to me as well (not too tall and not too big); the project will also help to clean up pollutants currently contaminating the Huron River which is important to all of us; the green roof will also help mitigate any potential storm water impacts from the proposed building; more housing near employment centers like the university, the university hospital and downtown will also help reduce car traffic in town and support the local business in Kerrytown and downtown.

Please support the rezoning request by the developer for the proposed project at 325 E. Summit Street (The Garnet).

Respectfully,



Mark Shotwell

Ann Arbor, MI 48104

City of Ann Arbor Planning Commission

301 E. Huron Street

Ann Arbor, MI 48107

Re: 325 E. Summit Street (the Garnet Project)

Dear Planning Commission Members,

We are writing on behalf of the owners of 325 E. Summit, Ann Arbor, MI. and their proposed project called The Garnet Building. We offer our support for the rezoning and approval of the project as proposed. We believe this high quality project will enhance the neighborhood and is designed with comfortable living spaces for permanent residences who could enjoy and support all the facilities offered to people living in the Kerry Town area. The building height is within keeping with a lower density than Downtown Ann Arbor, the green roof will help mitigate any potential storm water issues. The Landscaping, as proposed, will enhance the area along the Broadway Bridge. This is a well thought out project.

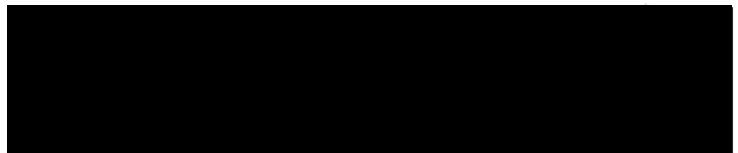
Respectfully,

Michael J. Whiting - owner

We can be contacted at

or reached via email

*SACON MW
303 Detroit St
Ann Arbor MI
48103*




February 24, 2010

Re: Garnet Project Rezoning Request—Letter of Support

Dear Ann Arbor Planning Commissioners:

As a N. 5th Avenue neighbor, a frequent walker, biker and user of the B-2-B trail I have a keen interest in the esthetics and integrity of the Wheeler Park and E. Summit neighborhood. I met with Kelly Anderson, one of the developers of the Garnet project, to discuss the proposal and the impact of the project on the site and its surroundings. The plan for the Garnet project is solid and the structure will be a lovely enhancement to this area. I offer my unqualified support for the Garnet project and encourage you to approve the rezoning request.

Sharon K. Grayden
Wickliffe Place Condominiums


Ann Arbor, MI 48104

Dear Planning Commission Members,

We are writing on behalf of the owners of 325 E. Summit, Ann Arbor, MI. and their proposed project called The Garnet Building. We offer our support for the rezoning and approval of the project as proposed. We believe this high quality project will enhance the neighborhood and is designed with comfortable living spaces for permanent residences who could enjoy and support all the facilities offered to people living in the Kerry Town area.

We can be contacted at  or reached via email

Sincerely,

Elaine M. Johns Treasure Mart 529 Detroit St. A2 48104

Carl Johns

From: [Bannister, Anne](#)
To: [Ackerman, Zach](#)
Subject: Re: Thinking of you
Date: Tuesday, May 21, 2019 9:10:48 PM

Thanks, Zach. It is creepy/scary. I'm watching Planning Commission tonight! The discussion about The Garnet makes me think we need more than 50 covered bike racks at Cottages at Barton Green. Anne

Get [Outlook for iOS](#)

On Tue, May 21, 2019 at 5:39 PM -0400, "Ackerman, Zach" <ZAckerman@a2gov.org> wrote:

Hi Anne,

I just wanted to drop a friendly note in sympathy. You mentioned last night that someone was harassing you. In my service of Council, I have received notes that have left me feeling quite unsettled, and sometimes even frightened.

It is one of the bizarre and unfortunate realities of a public life. I hope you find peace and the issue is resolved.

Your colleague,
Zach

Zachary Ackerman

Ann Arbor City Council

Ward 3



Emails sent to or from this address could be subject to public disclosure under the Freedom of Information Act (FOIA).

From: [Victoria Pebbles](#)
To: [Bannister, Anne](#)
Subject: Re: meet about 325 E. Summit--background
Date: Monday, June 10, 2019 1:05:25 PM

Hi Anne,

It was nice to see you briefly at Bill's beer garden last evening. I didn't get a chance to talk to you for long and we were so busy talking about other things that I forgot to ask you about the Garnet (the project at 325 E. Summit). I'm sure you saw that it passed the Planning Commission with unanimous approval. I wanted to circle back with you to see if you were still comfortable with the project or if you had any questions that might have come up since we last talked about it. It looks like it will come before City Council on July 15. I'm happy to meet with you or jump on the phone if that's easier.

Thanks much,
-Victoria

On Tue, Jun 19, 2018 at 4:32 PM Victoria Pebbles <[REDACTED]> wrote:

Hi Again Anne,

I thought you might benefit from a bit more background on our project and what I'm hoping meeting with you can help with.

Here is some background.

Members of our project team began reaching out to city officials (mostly planning) back in January. After months individual conversations and emails trying to navigate how to move forward with the city (including a meeting with Derek on March 16) to figure out how to pursue using an adjacent alley to our property at 325 E. Summit, on April 13 we submitted a request for the city to vacate the alley; specifically the portion adjacent to our property. On June 14, *more than three months later*, we finally heard from planning staff that the city is unwilling to vacate only our half the alley. If we had known that up front, we would have asked for the city to vacate the entire alley (and saved ourselves \$3500). Instead, we are left with a "no" and not much else but guessing what our next options might be. The email further states that the city *might* be able to narrow the alley, but the email is vague and offers no clear process or certainty of conditions under which this can occur.

We are proposing an 11-unit residential building in a downtown that offers many benefits to the city. We must achieve a specific Floor to Area Ratio (FAR) required by the city that we need in order to build the 11-unit building we propose. Building fewer units is not financially viable. The three key issues tripping up our team and causing time, money and frustration are:

1. the alley
2. the conflicting land use buffer (CLUB)
3. the locust tree

Here is a bit more detail on each issue.

1. The Alley

We are proposing a relatively small redevelopment (11 units) in Kerrytown. We don't need the

alley to build on; in fact we are willing to commit to maintain it as a pedestrian access (nicer than the city is currently doing) and still allow the city and all other adjacent land owners to access it for ingress/egress. We only need the alley area (and only half of it) 'virtually' it in order to use it to meet the City's FAR requirements for our proposed 11 unit building. There is a public water main under the alley but public works department has noted that they intend to eventually abandon that line. Until such time, nothing we do to the alley would prevent anyone from using it because all we intend to do is resurface it so it's not a trip hazard and make it nicer!

2. The CLUB

We are proposing a multi-residential land use next to existing commercial and multi-residential land uses. Our engineer has been informed by city planning staff that there is a "conflicting land use" between our proposed redevelopment and the adjacent "barn" which is also a multi-unit residential building which requires us to create a relatively large buffer area between the two, which also impedes our ability to meet our FAR.

3. Honey Locust Tree

There is a honey locust tree that is greater than 12 inches in diameter on the property. This species of tree grows fast and is considered relatively short-lived. Also, this species is not threatened or endangered. As a nature lover, I always want to protect trees. Removing the tree to obtain the area needed for our FAR would be another option. We would be willing to plant other trees elsewhere in the city to offset this loss if this option is pursued.

Our team knows that affordability is a great concern for the City of Ann Arbor and we are sensitive to that, but with only 11 units proposed we cannot afford to dedicate a certain percentage of units as affordable and still make the project viable for the investors.

We also know that affordability is not the only thing that is important to the city. Here are some other great things about our project.

- It's very close to public transportation (a and walkable to downtown, the train station and nearby places of employment (e.g., the hospital). From a practical standpoint, it is downtown, depending on your definition. Nearby transit and walkability also means fewer cars and fewer emissions thus supporting the city's climate action plan. Three A2 transit lines stop within two blocks of the property (lines 21, 22, and 65; stops 173, 1885 and 1950). Notably, all three buses stop at stop 173 (Beakes and Summit).
- We propose a higher density urban design on the property in an area where more compact urban development is desired as stated in the City's Sustainability Framework.
- The project is a brownfields redevelopment: remediation undertaken by the project will allow a downtown property to be more fully and safely used--supporting the city's brownfields goals.
- We will be using a local (and woman-owned) building company for the construction.
- We will have state of the art heating and cooling for the building and hope to have a partial green roof also to minimize the carbon footprint and stormwater runoff.
- Our commitment to maintaining the alley for all current and, importantly, future pedestrian use supports recommendations regarding pedestrian access as outlined in the 2013 North Main Street/Huron River Corridor Vision for the Future Report

We are requesting an meeting to consider the all the issues and options holistically in context so that we can hopefully get a timely, clear and mutually-agreeable path forward that includes pursuing this project.

Thanks again in advance for your thoughtful attention and time to this project.

Sincerely,

Victoria Pebbles

--

Victoria Pebbles

From: [Bannister, Anne](#)
To: [Victoria Pebbles](#)
Subject: RE: meet about 325 E. Summit--background
Date: Tuesday, June 11, 2019 10:31:48 AM

Hi Victoria,

Great to see you and Kelly at Yousef's event, too! Do you have time to talk by phone this week on Wednesday, Thursday, or Friday morning at 10 or 11?

We should discuss the zoning change from C1B to C1A on [Resolution 19-1030](#) and whether you've considered any other zoning categories.

I'm also going to Summer Festival on Friday evening, and Juneteenth on Saturday, if you're going to be there. You might also consider speaking for 3 minutes during public comment at Council Caucus on Sunday night at 7 p.m. at City Hall.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Victoria Pebbles [REDACTED]
Sent: Monday, June 10, 2019 1:05 PM
To: Bannister, Anne
Subject: Re: meet about 325 E. Summit--background

Hi Anne,

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Thanks again in advance for your thoughtful attention and time to this project.

Sincerely,

Victoria Pebbles

--

Victoria Pebbles

From: [Victoria Pebbles](#)
To: [Bannister, Anne](#)
Subject: Re: meet about 325 E. Summit--background
Date: Tuesday, June 11, 2019 2:56:27 PM

Hi Anne,

Sure, let's meet Friday at 10 am. Do you have a place in mind? Coffeeshop downtown perhaps?

I might have our architect join us since he's the one who has advised our team about the specific zoning category for the change.

Unfortunately, I leave for work related meetings in Milwaukee on Friday afternoon and will be there through mid next week so no summer festival (or city council) this weekend. If you think it's advisable, I could see if another person on our team attends on Sunday.

Let me know where you'd like to meet on Friday.

-Victoria

From: [Bannister, Anne](#)
To: [Victoria Pebbles](#)
Subject: Re: meet about 325 E. Summit--background
Date: Tuesday, June 11, 2019 3:07:48 PM

Would Friday at 10 by phone work? That's fine if you'd like to have Bradley Moore on the phone too.

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On Tue, Jun 11, 2019 at 2:56 PM -0400, "Victoria Pebbles" <> wrote:

Hi Anne,

Sure, let's meet Friday at 10 am. Do you have a place in mind? Coffeeshop downtown perhaps?

I might have our architect join us since he's the one who has advised our team about the specific zoning category for the change.

Unfortunately, I leave for work related meetings in Milwaukee on Friday afternoon and will be there through mid next week so no summer festival (or city council) this weekend. If you think it's advisable, I could see if another person on our team attends on Sunday.

Let me know where you'd like to meet on Friday.

-Victoria

From: [Victoria Pebbles](#)
To: [Bannister, Anne](#)
Subject: Re: meet about 325 E. Summit--background
Date: Wednesday, June 12, 2019 1:04:44 PM

By phone could work too Anne. What number shall I call? Thanks lol call you and conference Brad in.

-Victoria

On Jun 11, 2019, at 3:07 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

Would Friday at 10 by phone work? That's fine if you'd like to have Bradley Moore on the phone too.


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<[REDACTED]> wrote:

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-Victoria

From: [Bannister, Anne](#)
To: [Victoria Pebbles](#)
Subject: Re: meet about 325 E. Summit--background
Date: Thursday, June 13, 2019 9:44:32 AM

 Talk with you tomorrow.

From: Victoria Pebbles <
Sent: Wednesday, June 12, 2019 1:04 PM
To: Bannister, Anne
Subject: Re: meet about 325 E. Summit--background


By phone could work too Anne. What number shall I call? Thanks lol call you and conference Brad in.

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Let me know where you'd like to meet on Friday.


-Victoria

From: [Bannister, Anne](#)
To: [Hayner, Jeff](#); [Eaton, Jack](#); [Lumm, Jane](#)
Subject: Fwd: meet about 325 E. Summit--background
Date: Thursday, June 13, 2019 10:07:25 AM

FYI — if any of you have time to join a call Friday at 10 with Brad Moore and the developers of The Garnet, I'm going to ask them more about why a request for C1A zoning and 65 feet, etc.

From: Bannister, Anne <abannister@a2gov.org>
Sent: Thursday, June 13, 2019 9:44 AM
To: Victoria Pebbles
Subject: Re: meet about 325 E. Summit--background

 Talk with you tomorrow.

From: Victoria Pebbles < >
Sent: Wednesday, June 12, 2019 1:04 PM
To: Bannister, Anne
Subject: Re: meet about 325 E. Summit--background


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Let me know where you'd like to meet on Friday.

-Victoria

From: [Bannister, Anne](#)
To: [Janet Kreger](#)
Cc: [Hayner, Jeff](#); [Mills, Corey](#); [Forsberg, Jason](#)
Subject: RE: Contacting you from Riverside Park Place Condominium about neighborhood car break-ins
Date: Thursday, June 20, 2019 11:42:44 AM

Hello Janet and all,

I'm looking forward to tonight's meeting. For background, people may wish to subscribe to Crimemapping.com for reports like this one:



Vehicle Break-In / Theft

LARCENY - PERSONAL PROPERTY FROM VEHICLE - LFA

Incident #: 190025148

1500 BLOCK CEDAR BEND DR | 6/4/2019 @ 12:00 AM

Ann Arbor Police

Councilmember Hayner may be able to join us tonight, too. If you have any suggestions for additional topics for discussion beyond car break-ins, please let us know. I have folders on various topics and can bring them along, as need be. Other issues might include:

- the development projects at 1140 Broadway, Broadway Park, The Garnet, The Glen Hotel, the UM Parking Structure, etc.
- traffic studies, roundabouts, crosswalks, etc.
- serving on Boards and Commissions, how to participate, etc.

Thanks,

Anne Bannister
Ward One Council Member



Messages to and from me regarding City matters are subject to disclosure under the Michigan Freedom of Information Act.

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Monday, June 17, 2019 10:37 AM
To: Janet Kreger <[REDACTED]>
Cc: Hayner, Jeff <JHayner@a2gov.org>; Mills, Corey <CMills@a2gov.org>; Forsberg, Jason <JForsberg@a2gov.org>
Subject: RE: Contacting you from Riverside Park Place Condominium about neighborhood car break-ins

I am available to join the board meeting this Thursday at 6:30 p.m.

See you then!

Anne Bannister
Ward One Councilmember
cell: [REDACTED]

From: Janet Kreger [REDACTED]
Sent: Friday, June 14, 2019 2:52 PM
To: Bannister, Anne; Request For Information Chief Pfannes; Forsberg, Jason
Cc: Hayner, Jeff; Mills, Corey
Subject: RE: Contacting you from Riverside Park Place Condominium about neighborhood car break-ins

Hello Council Member Bannister:

Thank you for the quick response, and also from you, Police Chief Forsberg and Sergeant Mills.

We appreciate the offer to attend our Riverside Park Place Condo Board meeting on short notice, if available. I sent an alert message to the rest of the Board and our management company after you wrote, seeking go-ahead to plan Thursday's meeting in this way. I've heard back already with full endorsement of extending the invitation.

Because Sergeant Mills has confirmed ability to attend, the meeting on Thursday will proceed with notice going out to the community immediately. Council members Bannister and Hayner, we welcome your attendance as well if that's workable. If you can let me know next week, I'll then update the announcement to the community to let residents know. Although this is short notice, I believe we will have a good turnout from the building because of the interest and concern everyone has.

DETAILS: As noted, our monthly Board meeting is this Thursday, June 20. It runs from 6:30 PM – 8:30 PM. We would ask you to come at 6:30 PM; the first hour would be for you to use, in full or in part, to talk with us and field questions. The address for Riverside Park Place is 1050 Wall Street; guest parking is on the street, which is not busy after 5:00 PM and has no meters. The meeting takes place in the ground floor Community Room; you can buzz from either the front entranceway, or, more directly, from the east or west side doors on the ground floor level. My cell-phone, below, is also good to let us know you've arrived. There will be beverages and light snacks.

Janet Kreger
Secretary
Riverside Park Place Condominium

Janet L. Kreger
1050 Wall Street, No. 4F
Ann Arbor, Michigan 48105-1981
PHONE: 734-222-9310
FAX: 734-222-9311

CELL: [REDACTED]

E-MAIL: [REDACTED]

From: Bannister, Anne [<mailto:ABannister@a2gov.org>]
Sent: Friday, June 14, 2019 9:36 AM
To: Janet Kreger; Request For Information Chief Pfannes; Forsberg, Jason
Cc: Hayner, Jeff
Subject: RE: Contacting you from Riverside Park Place Condominium about neighborhood car break-ins

Dear Janet Kreger and Interm Police Chief Jason Forsberg,

Thank you, Janet, for the update on the car break-ins at Riverside Park Place Condominium (RPPC). I'm including Chief Forsberg to see if there's any additional information to share at the June 20 board of directors meeting, and also if the AAPD would like to send a representative to the meeting.

Janet, would it be all right if Councilmember Hayner and I also attend the meeting, if we are available?

Thanks again,

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Janet Kreger [REDACTED]
Sent: Thursday, June 13, 2019 8:05 PM
To: Bannister, Anne
Subject: Contacting you from Riverside Park Place Condominium about neighborhood car break-ins

Anne Bannister
1st Ward Council Member
Ann Arbor City Hall
612 N. Main Street
Ann Arbor, MI 48104
[REDACTED]
ABannister@a2gov.org

Dear Council Member Bannister:

I'm writing you on behalf of the Board of Directors of Riverside Park Place Condominium (RPPC) located at 1050 Wall Street. I'm the Secretary of the Board and am touching base with you prior to our next board meeting on Thursday evening, June 20.

I have already heard from other Co-Owners at RPPC that you are aware of the rash of car break-ins that has taken place in our neighborhood and included our neighbors at Nielson Court, Island Drive,

Kellogg Eye Center, and the University's Wall Street parking deck. We're aware that you've already briefed the Interim Police Chief who has increased patrolling in our neighborhoods and assigned a detective to do follow up. Thank you for all of this!

When we first heard about these break-ins, we pro-actively reached out to our entire RPPC community of 60 co-owned units with our new e-blast system developed two years ago. The response was immediate. Half a dozen co-owners revealed for the first time that their cars had been rifled through and small things taken. These residents thought their incidents were one-offs and that they were to blame for having left car doors unlocked. No one filed a police report or spoke about it in-house. Over the past 5 days, however, we had what we believe are the first actual car break-ins that caused damage. Police reports have been filed.

I'm writing to say that the RPPC community sees an escalation of the problem and we are worried. We feel particularly vulnerable because our property is right on the park. It is commonly traversed by people who play ball, park, picnic, and, when rafting on the river, pull out to sunbath in Riverside Park. We stand away from our other neighbors, the closest building being the UM parking deck. And if you drive around Wall Street and Maiden Lane at night, you realize how dark it is. (The fact that hundreds of neighborhood people walk to and from the hospital at all hours of day and night, with very sparse nighttime street lighting, is another issue for another time.)

I feel as if I have enough information to share at the Board meeting next Thursday. If there is anything to add, however, I would be happy to bring the group up to date. Our own next step: Invite a member of the Police Department to come and speak to the community. This will be tricky, however, inasmuch as term is over and the RPPC community is easily reduced by half.

Thank you so much! We love our neighborhood and enjoy the park, so we realize it's a delicate balance to have accessibility and safety both well-served!

Janet Kreger
Secretary
Riverside Park Place Condominium

Janet L. Kreger
1050 Wall Street, No. 4F
Ann Arbor, Michigan 48105-1981
PHONE: 734-222-9310
FAX: 734-222-9311
CELL: [REDACTED]
E-MAIL: [REDACTED]

From: [Bannister, Anne](#)
To: [Higgins, Sara](#)
Cc: [Lazarus, Howard](#); [Hayner, Jeff](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Lumm, Jane](#)
Subject: Bannister Agenda Questions
Date: Wednesday, July 10, 2019 12:00:07 PM

Dear Sara,

These are my Agenda Questions:

CA-8, 19-1204 -- Sidewalk Gaps on Barton Drive

- Public Process -- Could an initial exploratory outreach to the 22 parcels/households be done before the approval of \$25,000 to start the whole process?
- If we're using the City's Complete Streets policy, why are bike lanes not mentioned?
- Please send the Project Manager name, and include Councilmember Hayner and me on all communications related to this project.
- Please send the contact information (name, address, email, phone) for the 22 parcels/households.
- Have any phone calls or emails been received by the residents so far, beyond the petition from the two households (151 and 195 Barton Drive)?
- Tree Inventory -- Please send any preliminary information on the current age and lifespan of any trees that will be impacted by the proposed sidewalks.
- The resolution mentions this project was but is no longer part of the Northside STEAM SRTS grant project. Please elaborate on recent developments with the SRTS grants and how this project might become a SRTS project.

• PH-2 and DS-1, 19-1016 -- Sidewalk at 1425 Pontiac Trail (Beckley House)

- a. Based on a January 4 email from Sara Higgins (subject: Sidewalk installation on Longshore Drive, Ottawa, and Amherst), staff reached out to 6 property owners and received a response from 10 property owners that they strongly opposed sidewalks, to which staff responded they would cancel the sidewalks. Why did staff not also include the strong opposition from the owners of the Beckley House and could they also be included in the cancellation?

• PH-4 and DS-3, 19-1167 -- Sidewalks on DhuVarren

- a. In a June 24 email from Nicholas Hutchinson (subject: Sidewalk Gap Prioritization between Foxfire and Olson Park), the City's use of the prioritization system, including automatic scoring using Geographical Information System (GIS) was mentioned as having been in use for a few years, and that a team of staff members are getting ready to discuss making changes to it. How many years has it been since the last update? Please send a timeline for changes to the prioritization system.
- b. Please send any communications via phone, email, or in-person that staff has received from affected residents about this project. This is similar to the larger request that Councilmember Hayner and I be copied on all significant communications with residents from Ward One.

- C1, 19-1186 The Garnet Rezoning
 - Page 8, Exhibit B of The Garnet Conditions PDF does not show an image. Is this my computer or is the exhibit missing?
 - Has City staff discussed with the developers what their options and future actions might be if City Council declines to pass the rezoning? Please copy Councilmember Hayner and me on all communications with residents and/or the developer.
 - Please any communications via phone, email, or in-person that have been received by staff about this rezoning, especially if any concerns have been discussed.
 - How does C1B compare to C1A and other similar zoning?
- DS-4, 19-1368 City Council Authority to Review Master and Zoning Plans
 - Please add me as a co-sponsor
- F-4, 19-1288 Expansion of Environmental Commission to Add Two Youth Members
 - Please add me as a co-sponsor
 - What can be done to strengthen the ongoing, recurring invitation to residents, via the City's communication channels, to apply for all boards and commissions?
 - How specifically will the City communications be directed to regularly inform youth residents of this new opportunity with the Environmental Commission?
 - How many other boards and commissions allow for 15 members? Please send a list of the maximum membership in other BOC.

Thanks,
Anne

From: Tom Stulberg
To: Griswold, Kathy; Bannister, Anne
Subject: Fwd: [A2NA] Campus Business Zoning
Date: Friday, July 12, 2019 9:55:15 AM

This is what I wrote kind of off the cuff. Tell me if it makes sense or if it is not clear enough and if I should make something more clear.

Thanks

Sent from my iPhone

Begin forwarded message:

From: Tom Stulberg <[REDACTED]>
Date: July 11, 2019 at 4:38:12 PM EDT
To: Neighborhood Alliance <a2na@googlegroups.com>
Subject: [A2NA] Campus Business Zoning
Reply-To: a2na@googlegroups.com

Thanks for that citation Jack.

Note that anything already zoned C1A or C1A/R has no height limit and can be 100% residential, mixed use, or 100% commercial. So when rezoning something TO C1A or C1A/R thus making it BY RIGHT to be any of what I just mentioned, it is important to read the INTENT clause in the UDC (Zoning ordinance). While something zoned C1A can be developed entirely as residential under the code, something should not be rezoned TO C1A unless it is meeting the INTENT of the code for that category. The application coming to council Monday fails that test.

The size of the lot for this application is about the size for a standard duplex lot. Should more units be allowed at this location than just two - maybe. Should they use an inappropriate zoning category to achieve that greater unit density - no.

C1A and C1A/R were intended as Core zoning categories to be used in and near the student (gown) Core. (We have D1 and D2 for the townies Core. We did rezone some of the gown Core to D1 as well.) Core zoning categories are not intended for use outside the Core and have characteristics that reflect that. Smaller setbacks, less or no open space, less parking... these make sense in a Core area.

Claims that the CAMPUS area should be allowed to "migrate" fall flat. The Medical Center is not as close at people claiming this would need it to be, AND it does not have the characteristics of the student Core area even if it was closer and you call it a Medical Campus. Do medical students go to the medical center, yes. But the medical center is not at all like South U or State and Packard. It is a service center and a place of employment, and a massive one at that. Just picture undergrads walking along South U compared to people driving in from all over the county to work at the Med Center or getting medical treatment or visiting a loved one in the hospital. This is not what is meant in our code by CAMPUS.

And now for unlimited height and conditional zoning: C1A and C1A/R have unlimited height, only constrained by FAR (floor area ratio). So if you allow them outside of the Core, you can have tall buildings in the Core, drop down to 60 foot max in the D2 transitional zoning areas, then go back up to downtown heights?!!! LowerTown and The Garnett rely on putting voluntary conditions to limit the height (higher than 60 feet, but not unlimited). But the law forbids the city to require or even ask for those voluntary conditions. They must be voluntary. So a lot next to or nearby a newly approved C1A or C1A/R rezoning can ask for that category too, with no voluntary height limit. If the city turns them down... lawsuit. And the city loses that lawsuit because that height limit must be voluntary. So if we approve something like LowerTown or The Garnett, we effectively are inviting neighboring properties to have the same rezoning but with no height limit. Downtown now gets to "migrate" where the developers tell us, not where we plan it.

I have done a lot of reading of legal cases on conditional zoning recently. Conditional zoning can be ok sometimes and is sometimes upheld in court, BUT courts approving of rezoning with conditions have also held such rezonings invalid when found to primarily benefit a private owner rather than the general welfare. The Garnett would claim to serve the general welfare by limiting the height to 65 feet (rather than the allowable unlimited height of C1A), but that would be misleading since what that project's conditional zoning really does is harm the general welfare by opening the door to unlimited height on neighboring and nearby parcels.

I will be urging council to vote no on The Garnett rezoning for the reasons above and Jack's comments below. Whatever one might think of the project or the applicants, it is the zoning category and its disastrous consequences that make this a must to reject. Our lawsuit against the city regarding the use of C1A/R at LowerTown includes this issue too.

From: a2na@googlegroups.com <a2na@googlegroups.com> on behalf of Jack Eaton <[REDACTED]>
Sent: Thursday, July 11, 2019 2:48 PM
To: Neighborhood Alliance
Subject: Re: [A2NA] Ann Arbor residents suing city over Lower Town development - mlive.com

Please note the UDC definition of C1A, which is being requested for the Broadway Bridge project:

"5.12.3 C1A Campus Business District

"This district is intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day- to-day needs, specialty shops, and recreation. While the primary function of this district is to serve

as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population. These districts shall be located in close proximity to the central area of the City."

Tom has noted the problem created by granting rezoning requests for some property owners if a subsequent request is denied. In a recent Court of Appeals case, Gamut Group, LLC v. City of Lansing (March 19, 2019), the court found a City's denial of a rezoning request granted to other similar properties violated the due process rights of a property owner:

"Finally, the city contends that its denial of the rezoning request did not amount to arbitrary and capricious "spot zoning." To show arbitrariness and capriciousness, a plaintiff must show that the city did not have a valid reason to exclude other uses from a particular piece of property. Kropf, 391 Mich at 158. The city did treat Gamut Group differently than the landowners on the other three corners of the intersection. The city council had rezoned the other parcels to F, but refused Gamut Group's request to do the same at its property. The city proffered no logical reason for this differential treatment. On this record, we discern no error in the circuit court's conclusion based on the record evidence that the rezoning denial was arbitrary and capricious and merited reversal."

Allowing some properties to be rezoned Campus Business District (C1A) or Campus Business Residential District (C1A/R) allows a subsequent request for that zoning to argue that the denial was arbitrary and capricious. The City has considerable discretion in zoning decisions but faces legal challenges if it denies a rezoning without good reason.

Jack

On Jul 11, 2019, at 2:16 PM, Rita <[REDACTED]> wrote:

Thanks, Tom.

For all who have not looked yet, the location of the rezoning is at the south end of the Broadway Bridge, where Broadway becomes Beakes, and there is a short segment of Summit St that runs between Beakes and Fifth Ave. at Wheeler Park, just up from Casey's. There is currently a small dark red house on the lot, used for office space.

In this diagram, from the staff report, it's the trapezoid-ish parcel where numbers 325 and 403 are printed.

<PastedGraphic-1.tiff>

Rita

On Jul 11, 2019, at 1:40 PM, Tom Stulberg <[REDACTED]> wrote:

C1A is a Campus Business Zoning. So yes I oppose it. And I need to write about it.

I'm at a gas and food stop on the way back to town. I'll get to it before the meeting

Sent from my iPhone

On Jul 11, 2019, at 11:54 AM, Rita <[REDACTED]> wrote:

Sorry for the repetition. Open the agenda. Click on the link that is posted with agenda item C-1 to see the rezoning that I described. Is this following the pattern of rezoning that Tom foretold and that supports the lawsuit? Please look and weigh in! I want to understand.

Rita

On Jul 11, 2019, at 11:50 AM, Rita <[REDACTED]> wrote:

and here's the agenda (below).

From: Rita <[REDACTED]>
Subject: Re: [A2NA] Ann Arbor residents suing city over Lower Town development - mlive.com
Date: July 11, 2019 at 11:37:35 AM EDT
To: Neighborhood Alliance <a2na@googlegroups.com>

Great going, Tom. Thank you for speaking out.

BTW, Monday's Council agenda has a proposal for rezoning from C1/B to C1/A. I don't know the zoning categories well enough to determine whether the upcoming proposal is comparable to that in Lowertown, but it shows a creeping change. Attached is the staff report, and the agenda as of this morning. See agenda item C-1, First reading for The Garnet. You can also get to other supporting documents for the project, from the agenda link.

Rita

<Agenda-74.pdf>

On Jul 11, 2019, at 7:46 AM, Tom Stulberg
<[REDACTED]> wrote:

<https://www.mlive.com/news/ann-arbor/2019/07/ann-arbor-residents-suing-city-over-lower-town-development.html>

Sent from my iPhone

--
Visit our page: www.a2na.org

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To view this discussion on the web visit <https://groups.google.com/d/msgid/a2na/BL0PR06MB44672F4BEDAE0C28950BD8D4B5F30%40BL0PR06MB4467.namprd06.prod.outlook.com>.
For more options, visit <https://groups.google.com/d/optout>.

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Visit our page: www.a2na.org

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To post to this group, send email to a2na@googlegroups.com.
To view this discussion on the web visit <https://groups.google.com/d/msgid/a2na/B6DDADF8-F92C-4720-9E6D-B8B9421A8792%40gmail.com>.
For more options, visit <https://groups.google.com/d/optout>.

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To view this discussion on the web visit <https://groups.google.com/d/msgid/a2na/DM5PR03MB287522F0515DF1F62E1C5848D1F30%40DM5PR03MB2875.namprd03.prod.outlook.com>.
For more options, visit <https://groups.google.com/d/optout>.

--

Visit our page: www.a2na.org

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To unsubscribe from this group and stop receiving emails from it, send an email to a2na+unsubscribe@googlegroups.com.

To post to this group, send email to a2na@googlegroups.com.

To view this discussion on the web visit

<https://groups.google.com/d/msgid/a2na/BL0PR06MB4467A4DC3384401ECA77A3D8B5F30%40BL0PR06MB4467.namprd06.prod.outlook.com>.

For more options, visit <https://groups.google.com/d/optout>.

From: [Bannister, Anne](#)
To: [Tom Stulberg](#); [Griswold, Kathy](#)
Subject: Re: [A2NA] Campus Business Zoning
Date: Friday, July 12, 2019 10:58:58 AM

Tom, this is super helpful. Plus with the Gamut vs. Lansing lawsuit background from Jack.

If you have time, please consider one of your bulleted summaries and send it to all of Council.

It really should go to the developer, the property owners (Kelly and Victoria) and the Planning Department and Commission, and City Administrator.

Thank goodness we have residents like you looking out for the City's best interests.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Tom Stulberg <[REDACTED]>
Sent: Friday, July 12, 2019 9:55 AM
To: Griswold, Kathy; Bannister, Anne
Subject: Fwd: [A2NA] Campus Business Zoning

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Thanks

Sent from my iPhone

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From: Tom Stulberg <[REDACTED]>
Date: July 11, 2019 at 4:38:12 PM EDT
To: Neighborhood Alliance <a2na@googlegroups.com>
Subject: [A2NA] Campus Business Zoning
Reply-To: a2na@googlegroups.com

Thanks for that citation Jack.

Note that anything already zoned C1A or C1A/R has no height limit and can be 100% residential, mixed use, or 100% commercial. So when rezoning something TO C1A or C1A/R thus making it BY RIGHT to be any of what I just mentioned, it is important to read the INTENT clause in the UDC (Zoning ordinance). While something zoned C1A can be developed entirely as residential under the code, something should not be rezoned TO C1A unless it is meeting the INTENT of the code for that category. The application coming to council Monday fails that test.

The size of the lot for this application is about the size for a standard duplex lot. Should more units be allowed at this location than just two - maybe. Should they use an inappropriate zoning category to achieve that greater unit density - no.

C1A and C1A/R were intended as Core zoning categories to be used in and near the student (gown) Core. (We have D1 and D2 for the townies Core. We did rezone some of the gown Core to D1 as well.) Core zoning categories are not intended for use outside the Core and have characteristics that reflect that. Smaller setbacks, less or no open space, less parking... these make sense in a Core area.

Claims that the CAMPUS area should be allowed to "migrate" fall flat. The Medical Center is not as close at people claiming this would need it to be, AND it does not have the characteristics of the student Core area even if it was closer and you call it a Medical Campus. Do medical students go to the medical center, yes. But the medical center is not at all like South U or State and Packard. It is a service center and a place of employment, and a massive one at that. Just picture undergrads walking along South U compared to people driving in from all over the county to work at the Med Center or getting medical treatment or visiting a loved one in the hospital. This is not what is meant in our code by CAMPUS.

And now for unlimited height and conditional zoning: C1A and C1A/R have unlimited height, only constrained by FAR (floor area ratio). So if you allow them outside of the Core, you can have tall buildings in the Core, drop down to 60 foot max in the D2 transitional zoning areas, then go back up to downtown heights?!!! LowerTown and The Garnett rely on putting voluntary conditions to limit the height (higher than 60 feet, but not unlimited). But the law forbids the city to require or even ask for those voluntary conditions. They must be voluntary. So a lot next to or nearby a newly approved C1A or C1A/R rezoning can ask for that category too, with no voluntary height limit. If the city turns them down... lawsuit. And the city loses that lawsuit because that height limit must be voluntary. So if we approve something like LowerTown or The Garnett, we effectively are inviting neighboring properties to have the same rezoning but with no height limit. Downtown now gets to "migrate" where the developers tell us, not where we plan it.

I have done a lot of reading of legal cases on conditional zoning recently. Conditional zoning can be ok sometimes and is sometimes upheld in court, BUT courts approving of rezoning with conditions have also held such rezonings invalid when found to primarily benefit a private

owner rather than the general welfare. The Garnett would claim to serve the general welfare by limiting the height to 65 feet (rather than the allowable unlimited height of C1A), but that would be misleading since what that project's conditional zoning really does is harm the general welfare by opening the door to unlimited height on neighboring and nearby parcels.

I will be urging council to vote no on The Garnett rezoning for the reasons above and Jack's comments below. Whatever one might think of the project or the applicants, it is the zoning category and its disastrous consequences that make this a must to reject. Our lawsuit against the city regarding the use of C1A/R at LowerTown includes this issue too.

From: a2na@googlegroups.com <a2na@googlegroups.com> on behalf of Jack Eaton <[REDACTED]>
Sent: Thursday, July 11, 2019 2:48 PM
To: Neighborhood Alliance
Subject: Re: [A2NA] Ann Arbor residents suing city over Lower Town development - mlive.com

Please note the UDC definition of C1A, which is being requested for the Broadway Bridge project:

"5.12.3 C1A Campus Business District

"This district is intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day- to-day needs, specialty shops, and recreation. While the primary function of this district is to serve as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population. These districts shall be located in close proximity to the central area of the City."

Tom has noted the problem created by granting rezoning requests for some property owners if a subsequent request is denied. In a recent Court of Appeals case, Gamut Group, LLC v. City of Lansing (March 19, 2019), the court found a City's denial of a rezoning request granted to other similar properties violated the due process rights of a property owner:

"Finally, the city contends that its denial of the rezoning request did not amount to arbitrary and capricious "spot zoning." To show arbitrariness and capriciousness, a plaintiff must show that the city did not have a valid reason to exclude other uses from a particular piece of property. Kropf, 391 Mich at 158. The city did treat Gamut Group differently than the landowners on the other three corners of the intersection. The city council had rezoned the other parcels to F, but refused Gamut Group's request to do the same at its property. The city proffered no logical reason for this differential treatment. On this record, we discern no error in the circuit court's conclusion based on the record evidence that the rezoning denial was arbitrary and capricious and merited reversal."

Allowing some properties to be rezoned Campus Business District (C1A) or Campus Business Residential District (C1A/R) allows a subsequent request for that zoning to argue that the denial was arbitrary and capricious. The City has considerable discretion in zoning decisions but faces legal challenges if it denies a rezoning without good reason.

Jack

On Jul 11, 2019, at 2:16 PM, Rita <[REDACTED]> wrote:

Thanks, Tom.

For all who have not looked yet, the location of the rezoning is at the south end of the Broadway Bridge, where Broadway becomes Beakes, and there is a short segment of Summit St that runs between Beakes and Fifth Ave. at Wheeler Park, just up from Casey's. There is currently a small dark red house on the lot, used for office space.

In this diagram, from the staff report, it's the trapezoid-ish parcel where numbers 325 and 403 are printed.

<PastedGraphic-1.tiff>

Rita

On Jul 11, 2019, at 1:40 PM, Tom Stulberg <[REDACTED]> wrote:

C1A is a Campus Business Zoning. So yes I oppose it. And I need to write about it.

I'm at a gas and food stop on the way back to town. I'll get to it before the meeting

Sent from my iPhone

On Jul 11, 2019, at 11:54 AM, Rita <[REDACTED]> wrote:

Sorry for the repetition. Open the agenda. Click on the link that is posted with agenda item C-1 to see the rezoning that I described. Is this following the pattern of rezoning that Tom foretold and that supports the lawsuit? Please look and weigh in! I want to understand.

Rita

On Jul 11, 2019, at 11:50 AM, Rita <[REDACTED]> wrote:

and here's the agenda (below).

From: Rita <[REDACTED]>
Subject: Re: [A2NA] Ann Arbor residents suing city over Lower Town development - mlive.com
Date: July 11, 2019 at 11:37:35 AM EDT
To: Neighborhood Alliance <a2na@googlegroups.com>

Great going, Tom. Thank you for speaking out.

BTW, Monday's Council agenda has a proposal for rezoning from C1/B to C1/A. I don't know the zoning categories well enough to determine whether the upcoming proposal is comparable to that in Lowertown, but it shows a creeping change. Attached is the staff report, and the agenda as of this morning. See agenda item C-1, First reading for The Garnet. You can also get to other supporting documents for the project, from the agenda link.

Rita

<Agenda-74.pdf>

On Jul 11, 2019, at 7:46 AM, Tom Stulberg
<[REDACTED]> wrote:

<https://www.mlive.com/news/ann-arbor/2019/07/ann-arbor-residents-suing-city-over-lower-town-development.html>

Sent from my iPhone

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From: [Bannister, Anne](#)
To: [Tom Stulberg](#); [Mary Underwood](#); [Laura Strowe](#); [Christine Crockett](#); [Jeff Crockett](#)
Cc: [Hayner, Jeff](#)
Subject: Fw: 7/15/19 Packet Updates
Date: Friday, July 12, 2019 5:26:37 PM
Attachments: [07-15-19 Agenda.pdf](#)
[Agenda Responses 7-15-19 Final.pdf](#)

Hello Ward One Neighborhood Leaders! Please find Monday night's Agenda and Agenda Responses (attached).

Note that questions related to The Garnet rezoning are answered beginning on page 6 of the Agenda Responses.

Questions related to sidewalks at the Guy Beckley House and on Dhu Varren are answered on pages 10 and 11.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Bowden, Anissa
Sent: Friday, July 12, 2019 4:59 PM
To: *City Council Members (All); Alexa, Jennifer; Beattie, Kelly; Beaudry, Jacqueline; Crawford, Tom; CTN; Delacourt, Derek; Fournier, John; Gerhart, Stephen; Harris, David; Higgins, Sara; Lazarus, Howard; McDonald, Gregory; Michailuk, Greg; Orcutt, Wendy; Postema, Stephen; Satterlee, Joanna; Schopieray, Christine; Wondrash, Lisa
Subject: 7/15/19 Packet Updates

The packet has been updated as follows:

Add: AC-1 July 15, 2019 Agenda Response Memo and eComments
Add: AC-2 Response to Council Resolution R-18-497 - Resolution to Address Crosswalk Improvements and Maintenance Monthly Update - July 15, 2019
Add: INT-1 Communication from City Administrator: Welcome and Introduction of City of Ann Arbor Police Chief Michael Cox
Add: DC-4 Resolution to Reject the Determination of Salaries for the Mayor and City Council Members Approved by the Local Officers Compensation Commission on June 17, 2019 (8 Votes Required)
Revise DS-3 Resolution No. 4 Dhu Varren Sidewalk Improvements Project, Special Assessment District No. 53, File No. 19-0881

(Attachment added.)

Enjoy your day!



Thankfulness finds something good in every circumstance.



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City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Meeting Agenda - Final-revised City Council

Monday, July 15, 2019

7:00 PM

Larcom City Hall, 301 E Huron St, Second floor,
City Council Chambers

Council meets in Caucus at 7:00 p.m. on the Sunday prior to each Regular Session.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [19-1386](#) July 15, 2019 Agenda Response Memo and eComments

(City Administrator - Howard S. Lazarus, City Administrator)

(Added 7/11/19)

AC-2 [19-1388](#) Response to Council Resolution R-18-497 - Resolution to Address
Crosswalk Improvements and Maintenance Monthly Update - July 15, 2019

(City Administrator - Howard S. Lazarus, City Administrator)

Attachments: 190712 Response to R-18-497 July 2019 Monthly Crosswalk Update.pdf

(Added 7/12/19)

INT INTRODUCTIONS

INT-1 [19-1378](#) Communication from City Administrator: Welcome and Introduction of City
of Ann Arbor Police Chief Michael Cox

(City Administrator - Howard S. Lazarus, City Administrator)

(Added 7/10/19)

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

CC COMMUNICATIONS FROM COUNCIL**MC COMMUNICATIONS FROM THE MAYOR**

MC-1 [19-1303](#) Appointments - Confirmations
(Mayor's Office)

CA CONSENT AGENDA

CA-1 [19-1314](#) Resolution to Approve Changes to Traffic Patterns and Parking on Certain City Streets for the 2019 University of Michigan Student Move-In Program from August 28 - August 30, 2019
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: U of M Student Move-In Closings Map 2018.pdf

CA-2 [19-1278](#) Resolution to Approve Street Closure of Washington Street between Fletcher and Thayer Streets for the University of Michigan Go Blue Mix on Saturday, August 31, 2019 from 11:00 AM until 9:00 PM
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: Go Blue Mix Map.pdf

CA-3 [19-1294](#) Resolution Recognizing Ozone House as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
(City Clerk - Jacqueline Beaudry)
Attachments: Charitable Gaming License for Ozone House.pdf

CA-4 [19-1245](#) Resolution to Approve Fairview Cemetery Rules and Regulations
(City Clerk - Jacqueline Beaudry)
Attachments: Fairview Cemetery Rules and Regulations.pdf

CA-5 [19-1262](#) Resolution to Appoint Gerard Markey as the Ann Arbor City Assessor
(Financial and Administrative Services - Tom Crawford, CFO)

CA-6 [19-1191](#) Resolution to Approve a Contract with the Michigan Department of

Transportation for the Allen Creek Railroad Berm Opening Project
(\$5,160,500.00)

(Engineering - Craig Hupy, Public Services Area Administrator)

Attachments: site_plan_010419.pdf, Allen Creek City State Agreement.pdf

CA-7 [19-1201](#)

Resolution to Approve an Amendment to the Professional Services Agreement with Bergmann Associates for Construction Support Services for the Allen Creek Railroad Berm Opening Project (\$34,920.00)

(Engineering - Craig Hupy, Public Services Area Administrator)

Attachments: site_plan_010419.pdf, Executed PSA Bergmann.pdf, Bergmann Amd 1.pdf, Bergmann Amd 2.pdf

CA-8 [19-1204](#)

Resolution No. 1 - Prepare Plans and Specifications for the Proposed Barton Drive Resurfacing Project's Sidewalk Gap Portion- Special Assessment (District #55), and Appropriate \$25,000.00 from the General Fund Balance for the Design of the Project **(8 Votes Required)**

(Engineering - Craig Hupy, Public Services Area Administrator)

Attachments: Petition to construct a sidewalk on Barton Dr 06102019.pdf, Barton Sidewalk Map.pdf

CA-9 [19-1142](#)

Resolution to Authorize a Contract with Margolis Companies, Inc. for the Purchase, Delivery and Planting of Trees along City Street Rights-of-Way (\$321,550.00; Bid No. ITB-4578)

(Public Works - Craig Hupy, Public Services Area Administrator)

Attachments: BidTab Comparisons FY20.pdf, FY20 Street Tree Planting Plan.pdf, ITB4578_FY20StreetTreePlanting.pdf, Service Agreement between Margolis Companies for Street Tree Planting FY20.pdf

CA-10 [19-1150](#)

Resolution to Approve Purchase of Certified Laboratory PFAS Testing for Water Treatment Service Unit from SGS North America Inc., RFP #19-14 (estimated \$32,410.00/year)

(Water Treatment Plant Services - Craig Hupy, Public Services Administrator)

Attachments: PROPOSAL_SGS, RFP_19-14_ProposalTab, PFAS Bid Pricing Comparison, SGS PSA_Over_25K_with_No_Auto_AI

CA-11 [19-1190](#)

Resolution to Approve an Agreement with West Shore Services, Inc. for Repairs, Upgrades, and Maintenance to the Outdoor Emergency Siren System (\$72,417)

(Fire Services - Mike Kennedy, Fire Chief)

Attachments: West Shore Inc GSA EXT 7-2-19.pdf

CA-12 [19-1095](#)

Resolution to Authorize the Purchase of a 2020 Vector Combination Sewer and Catch Basin Cleaner from Jack Doheny Companies

(Sourcewell Bid - \$571,090.00)

(Fleet & Facilities Services - John Fournier, Assistant City Administrator)

Attachments: Sourcewell Contract - Vactor.pdf, Doheny Vactor Recycler Quote.pdf

CA-13 [19-1199](#)

Resolution to Approve a Lease with Enterprise Leasing Company of Detroit LLC for Facilities at the Ann Arbor Municipal Airport

(Fleet & Facilities Services - John Fournier, Assistant City Administrator)

Attachments: Enterprise Lease - Final Agreement.pdf

CA-14 [19-1202](#)

Resolution to Approve the Purchase of Heavy Equipment/Truck Tires and Tire Repair Services from Tredroc Tire Services LLC (MiDeal; Not To Exceed \$150,000.00 Annually)

(Fleet & Facilities Services - John Fournier, Assistant City Administrator)

Attachments: MiDeal 190000000369.pdf

CA-15 [19-1267](#)

Resolution to Approve a Two Year Contract with Harper Electric Inc., for On-Call Electrical Services (Not to Exceed \$75,000.00 Annually) RFP #19-17

(Fleet & Facilities Services - John Fournier, Assistant City Administrator)

Attachments: RFP 19-17 - Electrical Services.pdf, Harper Electric Compliance Docs 0619.pdf, Harper Electric RFP 19-17 Proposal.pdf, Harper Electric Contract 7-2-19

CA-16 [19-1308](#)

Resolution to Accept an Easement for Public Right-of-Way at 900 South Seventh Street from West Side United Methodist Church **(8 Votes Required)**

(City Attorney Services - Stephen K. Postema, City Attorney)

Attachments: WestSideUMC ROW Map .pdf

CA-17 [19-1307](#)

Resolution to Accept a Water Main Easement at 900 South Seventh Street from West Side United Methodist Church **(8 Votes Required)**

(City Attorney Services - Stephen K. Postema, City Attorney)

Attachments: WestSideUMC Water Map.pdf

CA-18 [19-1312](#)

Resolution to Accept a Sidewalk Easement at 151 East Hoover Avenue from Hoover Greene Owner, LLC **(8 Votes Required)**

(City Attorney Services - Stephen K. Postema, City Attorney)

Attachments: 950 Greene Sidewalk Esmnt.pdf

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [19-1139](#)

An Ordinance to Amend Sections 1:311, 1:316, 1:317, 1:319, and 1:324 in

Chapter 14 (Purchasing, Contracting and Selling Procedure) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-19-23)

(Financial and Administrative Services - Tom Crawford, CFO)

Attachments: ORD-19-23 Briefed as Amended on 070119.pdf, ORD-19-23 As Amended and Briefed.pdf, Chapter 14 - Ordinance Amendment 6-2-19.doc.pdf

(See B-1)

PH-2 [19-1016](#)

Resolution No. 4 Confirming the Single Lot Special Assessment - 1425 Pontiac Street Project Special Assessment Roll **(8 Votes Required)**

(City Assessor Services - Mark Perry, Assessor)

Attachments: Argo Sidewalk Gap SAD #54 Roll.pdf, Letter for June 17 city council meeting - 1425 Pontiac Trail.pdf

(See DS-1)

PH-3 [19-1156](#)

Resolution No. 4 - Scio Church Improvements Project, Curb and Gutter & Sidewalk Special Assessment District No. 52, File No. 19-0064

(City Assessor Services - Mark Perry, Assessor)

Attachments: Scio Church SAD Assessment Roll #52 (003).pdf

(See DS-2)

PH-4 [19-1167](#)

Resolution No. 4 Dhu Varren Sidewalk Improvements Project, Special Assessment District No. 53, File No. 19-0881

(City Assessor Services - Mark Perry, Assessor)

Attachments: Dhu Varren SAD Assessment Roll.pdf, Communication from Joanne and Beni Tang regarding Proposed Dhu Varren Road Improvements.pdf

(See DS-3)

A APPROVAL OF COUNCIL MINUTES

A-1 [19-1319](#)

Special Session of June 24 and Regular Session Meeting Minutes of July 1, 2019

(City Clerk - Jacqueline Beaudry)

Attachments: 06-24-19 Special Session Minutes.pdf, 07-01-19 Draft Minutes.pdf, Council Emails 7-1-2019.pdf

B ORDINANCES - SECOND READING

B-1 [19-1139](#)

An Ordinance to Amend Sections 1:311, 1:316, 1:317, 1:319, and 1:324 in Chapter 14 (Purchasing, Contracting and Selling Procedure) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-19-23)

(Financial and Administrative Services - Tom Crawford, CFO)

Attachments: ORD-19-23 Briefed as Amended on 070119.pdf, ORD-19-23 As Amended and Briefed.pdf, Chapter 14 - Ordinance Amendment 6-2-19.doc.pdf

(See PH-1)

C ORDINANCES - FIRST READING

C New Business - Staff:

- C-1** [19-1186](#) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: The Garnet Ordinance.pdf, The Garnet Conditions.pdf, The Garnet Staff Report.pdf

- C-2** [19-1209](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 1.19 Acres from TWP (Township District) to R1A (Single-Family Dwelling District), 2705 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: 2705 Newport Rezoning Ordinance.pdf, 2705 Newport Road A & Z Staff Report w Attachments 3-19-2019 .pdf, 3-19-2019 CPC Minutes FINAL.pdf

- C-3** [19-1087](#) An Ordinance to Amend Sections 5.15 (Table 5-15), 5.17.3, 5.17.5 (Table 5:17-5), and Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Permitted Use Table, Parkland Donations, Dimensional Standards Table, Front Lot Line)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: Ordinance to Amend Chapter 55 Unified Development Code (UDC).pdf, Planning Staff Report May 7, 2019

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1** [19-1273](#) Resolution to Approve an Addendum to Council Administrative Rules: Rule 3 - Reimbursement of Council Expenses

(Council Rules Committee)

Sponsors: Taylor, Grand, Smith and Nelson

Attachments: 190618 -Addendum to Resolution to Approve A Procedure for Council Allowances (Revised).docx

(Revised 7/8/19)

- DC-2** [19-1304](#) Resolution to Appoint Geoffrey Perkins to the Building Board of Appeals **(7**

Votes Required)

(Mayor's Office)

*(Referred from 7/1/19 Regular Session)***DC-3 [19-1349](#) Resolution to Override Mayor's Veto of R-19-325 (8 Votes Required)**

(City Council)

Sponsors: Hayner, Lumm, Ramlawi, Eaton and Griswold**Attachments:** R-19-325.pdf, Mayor Veto of R-19-325.pdf*(Added 7/9/19)***DC-4 [19-1383](#) Resolution to Reject the Determination of Salaries for the Mayor and City Council Members Approved by the Local Officers Compensation Commission on June 17, 2019 (8 Votes Required)**

(City Council)

Sponsors: Ackerman**Attachments:** LOCC 2019 Determination-Filed.pdf*(Added 7/12/19)***DB New Business - Boards and Commissions:****DS New Business - Staff:****DS-1 [19-1016](#) Resolution No. 4 Confirming the Single Lot Special Assessment - 1425 Pontiac Street Project Special Assessment Roll (8 Votes Required)**

(City Assessor Services - Mark Perry, Assessor)

Attachments: Argo Sidewalk Gap SAD #54 Roll.pdf, Letter for June 17 city council meeting - 1425 Pontiac Trail.pdf*(See PH-2)***DS-2 [19-1156](#) Resolution No. 4 - Scio Church Improvements Project, Curb and Gutter & Sidewalk Special Assessment District No. 52, File No. 19-0064**

(City Assessor Services - Mark Perry, Assessor)

Attachments: Scio Church SAD Assessment Roll #52 (003).pdf*(See PH-3)***DS-3 [19-1167](#) Resolution No. 4 Dhu Varren Sidewalk Improvements Project, Special Assessment District No. 53, File No. 19-0881**

(City Assessor Services - Mark Perry, Assessor)

Attachments: Dhu Varren SAD Assessment Roll.pdf, Communication from Joanne and Beni Tang regarding Proposed Dhu Varren Road Improvements.pdf*(See PH-4) (Attachment added 7/12/19)*

E COMMUNICATIONS FROM THE CITY ATTORNEY**F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS****F The following communications were referred as indicated:**

- F-1** [19-1309](#) Communication from the State of Michigan Public Service Commission regarding Public Hearing Notice to Customers of DTE Electric Company in Case No. U-20521, scheduled for July 23, 2019 - City Attorney, Energy, Systems Planning
(City Clerk - Jacqueline Beaudry)
Attachments: DTE Public Hearing U-20521.pdf
- F-2** [19-1315](#) S. Kerene Moore - Resignation from the Human Rights Commission
Attachments: Moore HRC Resignation.pdf
- F-3** [19-1339](#) Communication from Deputy City Clerk Steve Gerhart Regarding Receipt of Veto of Resolution R-19-325 by Mayor Christopher Taylor on Friday, July 5, 2019
(City Clerk - Steve Gerhart)
Attachments: Mayor Veto of R-19-325.pdf
(Added 7/5/19)
- F-4** [19-1288](#) Expansion of the Number of Environmental Commission Seats to Include Two New Seats for Youth Members
(Added 7/8/19)
- F-5** [19-1371](#) Communication from the MLCC regarding New Class C License (National Sporting Event License) for August 7, 2019 to August 13, 2019, issued under MCL 436.1531(7), Non Transferable for Sodexo Management, Inc., located at 1201 S. Main Street
(City Clerk - Jacqueline Beaudry)
(Added 7/9/19)

G The following minutes were received for filing:

- G-1** [19-1053](#) Minutes of the April 16, 2019 PAC Meeting
Attachments: 4-16-2019 PAC Minutes .pdf
- G-2** [19-1154](#) Council Rules Meeting Minutes from May 28, 2019
(Council Rules Committee)
Attachments: Meeting minutes for May 28th.pdf

- G-3 [19-1181](#) Minutes of the May 9, 2019, HDC Meeting
(Planning and Development Services)
Attachments: 5-9-2019 HDC Approved Minutes w Live Links1.pdf
- G-4 [19-1216](#) LDFA Board Meeting Minutes - April 16, 2019
(Local Development Finance Authority (LDFA) - Tom Crawford, CFO)
Attachments: LDFA Board Meeting Minutes - April 16, 2019.pdf
- G-5 [19-1231](#) Minutes of the February 26, 2019 LAC Meeting
Attachments: 2-26-2019 LAC Minutes .pdf
- G-6 [19-1192](#) Transportation Commission Meeting Minutes of May 15, 2019
(Transportation Commission)
Attachments: May_Meeting Minutes- DRAFT.pdf
- G-7 [19-1280](#) Commission on Disability Issues, May 2019 Meeting Minutes
(Disabilities Commission - John Fournier, Assistant City Administrator)
Attachments: CODI Meeting Minutes 5.15.2019 FINAL.pdf
- G-8 [19-1297](#) City Council Caucus Meeting Minutes of June 16, 2019
(City Clerk - Jacqueline Beaudry)
Attachments: 06-16-19 Caucus minutes.pdf
- G-9 [19-1320](#) Insurance Board Meeting Minutes - June 27, 2019
(Insurance Administration, Board of - Tom Crawford, CFO)
Attachments: Insurance Board Minutes 062719.pdf
- G-10 [19-1263](#) Independent Community Police Oversight Commission Meeting Minutes
from May 28, 2019
(Independent Community Police Oversight Commission - Denise Jeanes)
Attachments: May 28 Meeting Minutes12-Jun-2019-10-33-56.pdf, Final Meeting Minutes
ICPOC 5-28-19.pdf
(Added 7/5/19)
- G-11 [19-1264](#) Independent Community Police Oversight Commission Special Meeting
Minutes from May 14, 2019
(Independent Community Police Oversight Commission - Denise Jeanes)
Attachments: Special Meeting Minutes14-May-2019-03-29-56.pdf, Final Meeting Minutes
ICPOC 5-14-19.pdf
(Added 7/5/19)

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)**COMMUNICATIONS FROM COUNCIL**

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).

ADJOURNMENT**COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**

LIVE: MONDAY, JULY 15, 2019 @ 7:00 P.M.

REPLAYS: WEDNESDAY, JULY 17, 2019 @ 8:00 A.M. AND FRIDAY, JULY 19, 2019 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

CTN's Government Channel live televised public meetings can be viewed in a variety of ways:

Live Web Streaming: <https://a2gov.org/watchctn>

Video on Demand: <https://a2ctn.viebit.com>

Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

**City Clerk's Office
301 E. Huron St.
Ann Arbor, MI 48104**

Requests made with less than two business days' notice may not be able to be accommodated.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's Office.



TO: Mayor and Council

FROM: Howard S. Lazarus, City Administrator

CC: Tom Crawford, CFO
Derek Delacourt, Community Services Area Administrator
John Fournier, Assistant City Administrator
Craig Hupy, Public Services Area Administrator
Nick Hutchinson, City Engineer
Matthew J. Kulhanek, Fleet and Facilities Manager
Brett Lenart, Planning Manager
Molly Maciejewski, Public Works Manager
Brian Steglitz, Water Treatment Plant Manager

SUBJECT: July 15 Council Agenda Responses

DATE: July 11, 2019

CA-1 - Resolution to Approve Changes to Traffic Patterns and Parking on Certain City Streets for the 2019 University of Michigan Student Move-In Program from August 28 - August 30, 2019

Question: Are these restrictions the same as applied for the 2018 student move-in, as to the areas affected? (Councilmember Eaton)

Response: The closures remain the same as 2018.

Question: Will the City post notices of the changes on buildings within the affected areas? (Councilmember Eaton)

Response: If there were changes, it would be incumbent upon the University of Michigan to effectively communicate those changes to those impacted within the areas. The City would only post through GovDelivery.

CA-6 – Resolution to Approve a Contract with the Michigan Department of Transportation for the Allen Creek Railroad Berm Opening Project (\$5,160,500.00)

Question: Regarding CA-6 and CA-7 (Allen Creek Railroad Berm Opening resolutions), it's great to see the construction agreement on the agenda as it's been quite an effort by staff to get to this point. CA-7 references an August 2020 "substantial completion date". That's not a long time for a project of this magnitude - to meet that date, when does construction have to begin and if the completion date isn't met, does that have an impact on receiving any of the grant funds? (Councilmember Lumm)

Response: While the project is large and complex, it is only estimated that there will be approximately four months of active construction, so based on that estimate construction would need to start no later than March/April of 2020. In terms of grant funding, the stormwater portion of the project needs to be substantially completed by June of 2020, which staff believes to be entirely feasible.

Question: The memo accompanying the resolution provides that \$811,300.00 will be spent on Design Costs & Easements. Can you provide a breakdown of how much will be spent on Design and how much on easements? (Councilmember Eaton)

Response: \$811,300 was the projected budget previously established for design and easement acquisition. As of June 30, 2019, the following had been spent:
Design Engineering (Bergmann) - \$671,965.50
Easements (DTE) - \$114,000
Easements (First Martin) - \$7,000
Total \$792,965.50

Staff considers both of these tasks to be 100% complete as of June 30th.

CA – 7 - Resolution to Approve an Amendment to the Professional Services Agreement with Bergmann Associates for Construction Support Services for the Allen Creek Railroad Berm Opening Project (\$34,920.00)

Question: Also on CA-7, is Bergmann Associates essentially acting as an as-needed advisor to FTC&H for the construction engineering work? (Councilmember Lumm)

Response: Yes. As the designer of the project, it will be worthwhile to have access to Bergmann's engineering staff, depending on what questions may come up during the construction phase of the project. Bergmann will only be consulted on an as-needed basis, and only with staff's authorization.

Question: The memo notes that the City needs "the services of a team, including experts in structural engineering, and underground utility and roadway construction, and members who know the requirements of Amtrak and MDOT." When RFP R-19-105 was

offered for bids, did it include a request for those needed services that will be provided by Bergmann Associates? If not, why not? (Councilmember Eaton)

Response: It is anticipated that the vast majority of the construction phase work will be handled by FTC&H (who was awarded the work in Resolution No. R-19-105). While FTC&H has capable staff to provide the services referenced, it will be worthwhile to have access to Bergmann's engineering staff as the designers of the project. This will potentially save time and resources for questions that may be easily responded to by Bergman. Bergmann will only be consulted on an as-needed basis, and only with staff's authorization.

CA-8 – Resolution No. 1 - Prepare Plans and Specifications for the Proposed Barton Drive Resurfacing Project's Sidewalk Gap Portion- Special Assessment (District #55), and Appropriate \$25,000.00 from the General Fund Balance for the Design of the Project (8 Votes Required)

Question: Regarding CA-8, the cover memo indicates the \$25K from GF fund balance is to fund the design and public engagement for the sidewalk gap project and I'm a bit confused about that. Is it typical to front money from the GF for a sidewalk gap project? Also, is the money paid back to the GF once the assessments are received? Finally, what is the rationale for the source of the \$25K being the GF rather than the Alternative Transportation Fund or Street/Sidewalk millage? (Councilmember Lumm)

Response: Funding the design portion of the project from the General Fund protects that Street, Bridge, and Sidewalk Millage funding in the event that the Special Assessment for the proposed project is not approved. If construction does not ultimately occur, then the design would not be an eligible expense for the Street, Bridge, and Sidewalk Millage. Sidewalk gap installation costs are not eligible expenditures under the Alternative Transportation Fund. Yes, if the Special Assessment is approved, the General Fund is reimbursed for its contribution.

Question: Also on CA-8, it seems from the cover memo that the specific scope of the sidewalk gap project is not determined ("staff will consider..."). Assuming that's accurate, what criteria will be used to make the decision on specific scope and will the decision/recommendation be made as part of the deliverables of Resolution No. 1? (Councilmember Lumm)

Response: The scope of the sidewalk gap portion of the project will include the eastern segment from Brede to Pontiac (which was already in the scope of the project in the CIP), and the western piece (for which the petition was received). The portion under further consideration will be the segment in the middle, as it would be desirable to connect the two ends. The initial concerns for this segment center around vegetation and the slopes adjacent to the roadway. Further information will be available once staff is able to begin

the design, and that will help to inform the public discussion on the issue of sidewalks in this area.

Question: Public Process -- Could an initial exploratory outreach to the 22 parcels/households be done before the approval of \$25,000 to start the whole process? (Councilmember Bannister)

Response: Resolution #1 is the resolution that authorizes staff to begin working on the design and special assessment portion of the project, and establishes the budget to do so. Unless Resolution #1 is approved, these activities cannot proceed.

Question: If we're using the City's Complete Streets policy, why are bike lanes not mentioned? (Councilmember Bannister)

Response: This resolution pertains only to the special assessment for sidewalks. The feasibility for adding bike lanes along Barton Drive will be reviewed as part of the design of the road and would not be part of the special assessment process.

Question: Have any phone calls or emails been received by the residents so far, beyond the petition from the two households (151 and 195 Barton Drive)? (Councilmember Bannister)

Response: No.

Question: Tree Inventory -- Please send any preliminary information on the current age and lifespan of any trees that will be impacted by the proposed sidewalks. (Councilmember Bannister)

Response: Staff does not yet have this information, and would not be able to provide it until design work is underway.

Question: The resolution mentions this project was but is no longer part of the Northside STEAM SRTS grant project. Please elaborate on recent developments with the SRTS grants and how this project might become a SRTS project. (Councilmember Bannister)

Response: Only a portion of this project was previously included in the STEAM SRTS project, namely the properties at the intersection of Barton and Starwick. With City Council denial of Special Assessment Resolution #4, the STEAM SRTS project is no longer active. The City is not currently directly involved in any active SRTS grant projects for capital improvements. The Barton Drive project would not be able to "become" a SRTS project, as SRTS grants need to be originated by school groups, and no such grant application has been initiated for the Barton Drive project to the knowledge of City staff.

CA-9 - Resolution to Authorize a Contract with Margolis Companies, Inc. for the Purchase, Delivery and Planting of Trees along City Street Rights-of-Way (\$321,550.00; Bid No. ITB-4578)

Question: Are the trees that will be purchased and planted pursuant to this contract native species? (Councilmember Eaton)

Response: Over half of the trees to be planted each season are native. The city plants non-native trees because locally-proven non-natives, like dawn redwood (*Metasequoia glyptostroboides*) and ginkgo (*Ginkgo biloba*) can survive the stresses of the urban environment such as compacted or undernourished soils, paved surfaces and high traffic. They contribute to species diversity, which is extremely important as we try to protect our urban forest from deforestation like we encountered with the emerald ash borer.

CA-10 - Resolution to Approve Purchase of Certified Laboratory PFAS Testing for Water Treatment Service Unit from SGS North America Inc., RFP #19-14 (estimated \$32,410.00/year)

Question: Regarding CA-10, the resolution indicates that the agreement can be extended for up to (4) additional one- year periods “if the vendor is agreeable and if in the best interest of the city.” While one or two additional years isn’t unusual, four years is a lot and typically it’s specified that renewals are at the same terms and conditions . Can you please explain what criteria you’ll use to determine if the renewal is “in the best interest of the city”? (Councilmember Lumm)

Response: The City would evaluate both the vendor’s performance and cost. There are no provisions for cost escalation in the contract, so if the vendor is meeting the city’s quality control and response time requirements, and the costs remain competitive with the market rate for these services, then the city would opt to renew. Analytical testing costs for contract labs are publicly available, so the city is able to evaluate whether a better rate may be available before opting to renew.

CA-12 – Resolution to Authorize the Purchase of a 2020 Vactor Combination Sewer and Catch Basin Cleaner from Jack Doheny Companies (Sourcewell Bid - \$571,090.00)

Question: Regarding CA-12, how much is the water recycler adding to the purchase of the equipment? (Councilmember Lumm)

Response: The water recycler option is \$112,500.00, which is included in the total cost of the Vactor in the resolution.

CA-15 - Resolution to Approve a Two Year Contract with Harper Electric Inc., for On-Call Electrical Services (Not to Exceed \$75,000.00 Annually) RFP #19-17

Question: Regarding CA-15, the cover memo indicates that of the two RFP responses, Harper's response was considered most responsive – was it also lowest cost? If not, why was it selected (as it seems this is a rather straightforward service need)? (Councilmember Lumm)

Response: Harper's rate was the higher of the two proposers. In reviewing the rates, staff noted that the lowest priced vendor's rate barely covered the current prevailing wage rate for an electrician in Washtenaw County. When asked about it during the interview, they stated that they did not build the prevailing wage into their billing rate under the proposal even though they had signed the City's Prevailing Wage Rate Compliance form. There were other non-financial reasons for selecting Harper as the most responsive, but the non-sustainability of the other vendor's rate was a significant component in making the recommendation.

C-1 – An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street.

Question: Q1. The staff report states that “Based on the Master Plan land use designation, it is appropriate to keep this small block consistently zoned commercial.” Given that, why is the re-zoning being recommended? (Councilmember Lumm)

Response: The rezoning is from one commercial district to another. The entire block would remain commercial if the rezoning is enacted.

Question: Q2. The staff report states that the re-zoning is “generally consistent” with the Master Plan, Land Use Element. What does “generally consistent” mean, and can you please reconcile that with “Based on the Master Plan land use designation, it is appropriate to keep this small block consistently zoned commercial.”? (Councilmember Lumm)

Response: In this case, “generally consistent” means in line with the overall goals of the Master Plan. The entire block is zoned commercial now, and would remain commercially zoned if the petition is approved. Both the existing and proposed zoning are consistent with the master plan recommendation of commercial/office.

Question: Q3. The proposal here is for four stories and the staff report indicates that “the surrounding neighborhood is primarily 1 to 2 ½ story structures.” The staff report also states, “As offered, at 65 feet, a structure on this lot would be one floor taller than is

allowed on the rest of the block.” Given that, why would staff recommend approval of the zoning and of the site plan? (Councilmember Lumm)

Response: It is not desirable to restrict a commercially zoned block to match the height of surrounding residential structures in the neighborhood. On the other hand, commercial buildings across the street from residential should not overwhelm them. Staff believes the design and massing of the proposed four-story, 57 foot building on average (60 feet max on the west end, 50 feet max on the east) is appropriate. Wholesale C1A zoning would not be appropriate – the conditions proposed restrict the district from no height limit to a 65 foot maximum.

Question: Q4. The staff report also states that C1A zoning is “intended primarily to serve as a neighborhood shopping area for the university oriented population that is concentrated around it.” This proposal does not seem at all consistent with that – what am I missing? (Councilmember Lumm)

Response: The C1A District has evolved over time to allow much more than shopping. Permitted uses in the district now also include business, financial, medical and dental offices, and all forms of residential. In the application of ordinances, the ordinance itself is primary, while the intent is utilized only in the circumstance of refining an interpretation. In this circumstance, the proposed uses are clearly permitted in the district.

Question: Q5. The staff report indicates that, “It has been suggested that the proposed site is not in the shadows of the University of Michigan Central Campus and therefore the requested rezoning to C1A (Campus Business) district is not appropriate.” Who suggested that, are there any other C1A zoning designations in this area, and since the suggestions seems valid, what is staff’s response? (Councilmember Lumm)

Response: Staff raised the argument early in the review to assist in providing the Planning Commission and City Council with another view of the proposed application. As a result of the completed zoning analysis (see Staff Comments in the staff report), staff concurs that the argument is not valid. There are three small parcels zoned C1A at the corner of Catherine and Glen (Angelo’s restaurant and parking) and 19 small parcels around Packard, State, and Hill.

Question: Q6. In terms of the contamination on the site, the staff report states that, “a paragraph has been added to the development agreement to allow City Staff to request analytical results of water discharged by the buildings sump pump. If contamination is found, the city may require the developers to disconnect from the city storm sewer system, filter the water, and/or other remedial action.” Can you please provide a copy of that paragraph and also please elaborate on the process required and what “other remedial action” might be? (Councilmember Lumm)

Response: From the draft development agreement:

(P-14) The DEVELOPER shall provide, upon request by city staff, analytical results of water discharged by the sump pump. City staff are to witness the collection of the sample and will provide a list of testing parameters. The parameters may include: BTEX, SVOC's, Arsenic, Barium, Cadmium, Chromium, Copper, Lead, Manganese, Mercury, Selenium, Silver, Zinc, available Cyanide, and ammonia. Testing results are to be provided to the City Public Services Area. If at any point, sampling results show the presence of contamination, one or more of the following actions may be required: (a) disconnection of the sump discharge from the city storm sewer system, (b) routing the sump pump discharge to an alternative location, (c) the installation of an appropriate filtration system, designed to handle to constitute(s) found during sampling.

Question: Q7. One of the conditions is that the building elevation may not exceed 850 feet. I'm assuming elevation is referenced because of a slope in the property – is that correct, and can you please explain the intent/what we're trying to accomplish by including this condition in addition to the condition on maximum building height? (Councilmember Lumm)

Response: To staff this is mostly redundant. It does prevent the developer from significantly raising the grade before construction.

Question: When Council deliberated on the rezoning request for 1140 Broadway, residents provided Council members with a City staff memo dated November 13, 1987 titled "Analysis of the C1A/R, C2A/R, and C2B/R Zoning Districts in the Downtown Area". Can you provide a similar analysis of the use of the C1A (Campus Business District) zoning classification? (Councilmember Eaton)

Response: There are 22 parcels zoned C1A (Campus Business District) in the city. The C1A zoning district was created in 1966. By 1987, two and a half blocks of South University from East University to just past Forest were zoned C1A, as was a portion of Packard between Hill and slightly south of S. State. In this area, C1A/R zoning was used as a buffer between C1A and some residential and public land (University) parcels. Today, 19 small parcels remain zoned C1A on Packard. For reference, current tenants here include Jimmy John's, Ali Baba, BTB, other small business, and apartments and former single-family residences. The South University parcels are now zoned D1 Downtown Core. C1A is found in one other location, on the Angelo's restaurant site at the corner of Catherine and Glen.

Question: When was the most recent occasion where a property was rezoned to C1A (Campus Business District) and what property was involved? (Councilmember Eaton)

Response: In 1990 , Angelo's requested a rezoning to C1A.

Question: The UDC defines the C1A (Campus Business District) as follows:

"5.12.3 C1A Campus Business District

"This district is intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-

to-day needs, specialty shops, and recreation. While the primary function of this district is to serve as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population. These districts shall be located in close proximity to the central area of the City.” The proposed development is residential, not retail. How is the C1A zoning classification appropriate for a residential project? (Councilmember Eaton)

Response: Residential is allowed as a principal use in all commercial zoning districts. The various C zoning districts are distinguished by their area, height, and placement standards.

Question: The proposed residential project is not located in an area where a “university-oriented population that is concentrated around it”. How is this project consistent with that stated purpose? (Councilmember Eaton)

Response: In presenting the recommendation, staff felt that the proposed rezoning is consistent with other excerpts of the intent referencing a “community-wide orientation” and appropriate location in proximity to the central area of the City. The site is less than a half-mile walk to both the Kellogg Eye Center and the university’s nursing school on N. Ingalls.

Question: Page 8, Exhibit B of The Garnet Conditions PDF does not show an image. Is this my computer or is the exhibit missing? (Councilmember Bannister)

Response: If the site plan for The Garnet is approved, it will be added as Exhibit B. For now it is a placeholder.

Question: Has City staff discussed with the developers what their options and future actions might be if City Council declines to pass the rezoning? (Councilmember Bannister)

Response: Staff have discussed other proposals prior to this one with the developer, but have not discussed future actions if denied.

Question: Please any communications via phone, email, or in-person that have been received by staff about this rezoning, especially if any concerns have been discussed.

Response: Fifteen letters of support for the Garnet were received, and are attached in Legistar to the City Planning Commission file 19-1030. Staff received no other phone calls, inquiries, or emails about the petition.

Question: How does C1B compare to C1A and other similar zoning? (Councilmember Bannister)

Response:

- The property is currently zoned C1B (Community Convenience Center), as is the rest of this block. This district is intended to “...serve the needs of the surrounding community. This includes establishments that although they primarily serve a surrounding neighborhood, could also serve a larger trade or service area.”^[1] It goes on to say that office could be appropriate if adequate parking can be provided.
- The requested zoning is C1A (Campus Business), which is “...intended primarily to serve as a neighborhood shopping area for the university oriented population that is concentrated around it.” It adds, “These districts shall be located in close proximity to the central area of the city.”^[2] It has been suggested that the proposed site is not in the shadows of the University of Michigan Central Campus and therefore the requested rezoning to C1A (Campus Business) district is not appropriate. The C1A/R (Campus Business Residential) district was originally a companion to the C1A (Campus Business) district and its intent is integrally related to the C1A. When the current zoning format was adopted in 1963, residential uses were not permitted in commercial districts. Later, so-called “slash R” districts were created for most commercial districts as companions to allow both commercial and residential mixed use buildings. The C1A/R is “designed to encourage the orderly clustering and placement of high-density residential and complementary commercial development near the campus business district.”^[3] Then, residential uses were added to the commercial districts (while the slash-R districts remained).
- In general, all of the C1 districts (C1, C1A, C1A/R, C1B) are designed to allow mixed uses to serve the residents within and nearby to that particular district location. Retail shops ideally providing goods necessary for day-to-day needs, as described in the C1 district intent, are permitted. Business, financial, medical and dental offices are also permitted. And, all forms of residential, including single and two-family, townhouses, and multiple-family apartments are permitted.
- The primary difference between the various C1 districts is scale and location. The C1 and C1B districts allow 100% or 150% FAR, respectively, and have height limits of 3 and 4 stories. Although exceptions abound, these districts were designed to be pedestrian-oriented but still accommodating to cars, small commercial nodes throughout the city, well outside of downtown.
- The C1A and C1A/R districts respectively allow 200% and 300% FAR. Neither has a height limit. These two districts were established to enable downtown-like development surrounding the University of Michigan campus at a time when downtown Ann Arbor solely meant the Main Street shopping district, and there was only one central campus. Today, downtown encompasses 66 blocks – including the Main Street, East Liberty Street corridor, South State Street, Kerrytown and

^[1] Unified Development Code (UDC), Chapter 55, Section 5.12.4

^[2] UDC, Chapter 55, Section 5.12.3

^[3] UDC, Chapter 55, Section 5.12.5

South University areas. The University of Michigan now has North, Central, South and Medical campuses.

- This building is 60' tall on the west side (with the garage entrance) and 50' tall above the sidewalk on the east (Broadway) side. (The building sits a couple of feet below the public sidewalk, which helps it look two feet shorter from Broadway.) The surrounding neighborhood is primarily 1 to 2 ½ story structures. There are a few exceptions – the former brewery building at East Summit and North Fifth Ave is 3 ½ stories on the downhill side (at the corner), and there is a 3-story brick apartment building across Broadway on High Street. When requested by staff, the petitioner declined to provide massing drawings showing this building in relation to surrounding structures.

DC-1 - Resolution to Approve an Addendum to Council Administrative Rules: Rule 3 - Reimbursement of Council Expenses

Question: Regarding DC-1, the cover memo indicates the new Rule 3 is attached, but it's not attached. Can you please forward it? (Councilmember Lumm)

Response: The document is attached to the [Legistar file](#).

DS-1 – Resolution No. 4 Confirming the Single Lot Special Assessment - 1425 Pontiac Street Project Special Assessment Roll (8 Votes Required)

Question: Based on a January 4 email from Sara Higgins (subject: Sidewalk installation on Longshore Drive, Ottawa, and Amherst), staff reached out to 6 property owners and received a response from 10 property owners that they strongly opposed sidewalks, to which staff responded they would cancel the sidewalks. Why did staff not also include the strong opposition from the owners of the Beckley House and could they also be included in the cancellation? (Councilmember Bannister)

Response: As staff developed the scope for the current watermain and resurfacing project, there were two areas of sidewalk gaps that were reviewed: 1) the current gap along Argo; and 2) gaps near the west end of Indianola and Amherst and the east side of Longshore. Reviewing the City's sidewalk gap prioritization, area #1 was ranked fairly high in the prioritization (80th percentile); whereas the gaps at #2 were much lower (15th to 35th percentile). Thus, staff decided to include area #1 in the project. However, staff also reached out to the property owners in area #2 to see if there was a strong interest from them in adding sidewalks to the project. Since there was not, this lower priority area was not added to the project.

DS-3 – Resolution No. 4 Dhu Varren Sidewalk Improvements Project, Special Assessment District No. 53, File No. 19-0881

Question: In a June 24 email from Nicholas Hutchinson (subject: Sidewalk Gap Prioritization between Foxfire and Olson Park), the City's use of the prioritization system, including automatic scoring using Geographical Information System (GIS) was mentioned as having been in use for a few years, and that a team of staff members are getting ready to discuss making changes to it. How many years has it been since the last update? Please send a timeline for changes to the prioritization system. (Councilmember Bannister)

Response: The prioritization system for sidewalk gaps has not been updated since it was created in 2016. Staff has an initial meeting scheduled for next week to discuss modifying the system. No timeline has yet been established for this update.

From: [Tom Stulberg](#)
To: [Lumm, Jane](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Griswold, Kathy](#); [Bannister, Anne](#); [Ramlawi, Ali](#); [Nelson, Elizabeth](#)
Subject: The Garnet C1A rezoning
Date: Saturday, July 13, 2019 11:23:45 AM
Attachments: [The Garnet Agenda Questions.pdf](#)

As I have mentioned to a couple of you already, this proposal is highly problematic, would set a precedent that will impact neighborhoods in every ward, and is part of what we are suing the city over at LowerTown: Campus Business District zoning being inappropriately used. I urge you to vote this down at first reading.

I will write about this before the council meeting, but I cannot be there to speak Monday night. I am attaching the agenda questions and the responses, which are quite frustrating to read because the logic is just so flawed. I will not be addressing any site plan or issues specific to this proposal other than the inappropriate zoning category being requested.

In short, this zoning category was intended for a certain area, intend as a Core zoning, and has no height limit. If allowed to be used beyond where it was intended, we completely defeat the idea of Core zoning with transition zoning like D2. We will have proposals for C1A and C1A/R which have unlimited height and can only be limited VOLUNTARILY, and if the city says no to them we will get sued and lose. We will have D1, transitioning down to D2 at 60 feet max, then back up to downtown heights. Then the D2 property owners will sue for being more restricted than other properties farther from D1. If we allow this location to be Campus then "Campus" can apply all over: The Argus complex in the Old West Side, the North Campus Research Center, The Athletic Campuses, Fingerle now - anywhere within a half mile or so of a U of M building if you agree with the planning department's logic.

Raising the alarm,

Tom

The link to the agenda item is below for the full details.

<http://a2gov.legistar.com/LegislationDetail.aspx?ID=4053136&GUID=03DC0F32-A206-429F-BC2A-BD81170C1142>

CA-15 - Resolution to Approve a Two Year Contract with Harper Electric Inc., for On-Call Electrical Services (Not to Exceed \$75,000.00 Annually) RFP #19-17

Question: Regarding CA-15, the cover memo indicates that of the two RFP responses, Harper's response was considered most responsive – was it also lowest cost? If not, why was it selected (as it seems this is a rather straightforward service need)? (Councilmember Lumm)

Response: Harper's rate was the higher of the two proposers. In reviewing the rates, staff noted that the lowest priced vendor's rate barely covered the current prevailing wage rate for an electrician in Washtenaw County. When asked about it during the interview, they stated that they did not build the prevailing wage into their billing rate under the proposal even though they had signed the City's Prevailing Wage Rate Compliance form. There were other non-financial reasons for selecting Harper as the most responsive, but the non-sustainability of the other vendor's rate was a significant component in making the recommendation.

C-1 – An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street.

Question: Q1. The staff report states that “Based on the Master Plan land use designation, it is appropriate to keep this small block consistently zoned commercial.” Given that, why is the re-zoning being recommended? (Councilmember Lumm)

Response: The rezoning is from one commercial district to another. The entire block would remain commercial if the rezoning is enacted.

Question: Q2. The staff report states that the re-zoning is “generally consistent” with the Master Plan, Land Use Element. What does “generally consistent” mean, and can you please reconcile that with “Based on the Master Plan land use designation, it is appropriate to keep this small block consistently zoned commercial.”? (Councilmember Lumm)

Response: In this case, “generally consistent” means in line with the overall goals of the Master Plan. The entire block is zoned commercial now, and would remain commercially zoned if the petition is approved. Both the existing and proposed zoning are consistent with the master plan recommendation of commercial/office.

Question: Q3. The proposal here is for four stories and the staff report indicates that “the surrounding neighborhood is primarily 1 to 2 ½ story structures.” The staff report also states, “As offered, at 65 feet, a structure on this lot would be one floor taller than is

allowed on the rest of the block.” Given that, why would staff recommend approval of the zoning and of the site plan? (Councilmember Lumm)

Response: It is not desirable to restrict a commercially zoned block to match the height of surrounding residential structures in the neighborhood. On the other hand, commercial buildings across the street from residential should not overwhelm them. Staff believes the design and massing of the proposed four-story, 57 foot building on average (60 feet max on the west end, 50 feet max on the east) is appropriate. Wholesale C1A zoning would not be appropriate – the conditions proposed restrict the district from no height limit to a 65 foot maximum.

Question: Q4. The staff report also states that C1A zoning is “intended primarily to serve as a neighborhood shopping area for the university oriented population that is concentrated around it.” This proposal does not seem at all consistent with that – what am I missing? (Councilmember Lumm)

Response: The C1A District has evolved over time to allow much more than shopping. Permitted uses in the district now also include business, financial, medical and dental offices, and all forms of residential. In the application of ordinances, the ordinance itself is primary, while the intent is utilized only in the circumstance of refining an interpretation. In this circumstance, the proposed uses are clearly permitted in the district.

Question: Q5. The staff report indicates that, “It has been suggested that the proposed site is not in the shadows of the University of Michigan Central Campus and therefore the requested rezoning to C1A (Campus Business) district is not appropriate.” Who suggested that, are there any other C1A zoning designations in this area, and since the suggestions seems valid, what is staff’s response? (Councilmember Lumm)

Response: Staff raised the argument early in the review to assist in providing the Planning Commission and City Council with another view of the proposed application. As a result of the completed zoning analysis (see Staff Comments in the staff report), staff concurs that the argument is not valid. There are three small parcels zoned C1A at the corner of Catherine and Glen (Angelo’s restaurant and parking) and 19 small parcels around Packard, State, and Hill.

Question: Q6. In terms of the contamination on the site, the staff report states that, “a paragraph has been added to the development agreement to allow City Staff to request analytical results of water discharged by the buildings sump pump. If contamination is found, the city may require the developers to disconnect from the city storm sewer system, filter the water, and/or other remedial action.” Can you please provide a copy of that paragraph and also please elaborate on the process required and what “other remedial action” might be? (Councilmember Lumm)

Response: From the draft development agreement:

(P-14) The DEVELOPER shall provide, upon request by city staff, analytical results of water discharged by the sump pump. City staff are to witness the collection of the sample and will provide a list of testing parameters. The parameters may include: BTEX, SVOC's, Arsenic, Barium, Cadmium, Chromium, Copper, Lead, Manganese, Mercury, Selenium, Silver, Zinc, available Cyanide, and ammonia. Testing results are to be provided to the City Public Services Area. If at any point, sampling results show the presence of contamination, one or more of the following actions may be required: (a) disconnection of the sump discharge from the city storm sewer system, (b) routing the sump pump discharge to an alternative location, (c) the installation of an appropriate filtration system, designed to handle to constitute(s) found during sampling.

Question: Q7. One of the conditions is that the building elevation may not exceed 850 feet. I'm assuming elevation is referenced because of a slope in the property – is that correct, and can you please explain the intent/what we're trying to accomplish by including this condition in addition to the condition on maximum building height? (Councilmember Lumm)

Response: To staff this is mostly redundant. It does prevent the developer from significantly raising the grade before construction.

Question: When Council deliberated on the rezoning request for 1140 Broadway, residents provided Council members with a City staff memo dated November 13, 1987 titled "Analysis of the C1A/R, C2A/R, and C2B/R Zoning Districts in the Downtown Area". Can you provide a similar analysis of the use of the C1A (Campus Business District) zoning classification? (Councilmember Eaton)

Response: There are 22 parcels zoned C1A (Campus Business District) in the city. The C1A zoning district was created in 1966. By 1987, two and a half blocks of South University from East University to just past Forest were zoned C1A, as was a portion of Packard between Hill and slightly south of S. State. In this area, C1A/R zoning was used as a buffer between C1A and some residential and public land (University) parcels. Today, 19 small parcels remain zoned C1A on Packard. For reference, current tenants here include Jimmy John's, Ali Baba, BTB, other small business, and apartments and former single-family residences. The South University parcels are now zoned D1 Downtown Core. C1A is found in one other location, on the Angelo's restaurant site at the corner of Catherine and Glen.

Question: When was the most recent occasion where a property was rezoned to C1A (Campus Business District) and what property was involved? (Councilmember Eaton)

Response: In 1990 , Angelo's requested a rezoning to C1A.

Question: The UDC defines the C1A (Campus Business District) as follows:

"5.12.3 C1A Campus Business District

"This district is intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-

to-day needs, specialty shops, and recreation. While the primary function of this district is to serve as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population. These districts shall be located in close proximity to the central area of the City.” The proposed development is residential, not retail. How is the C1A zoning classification appropriate for a residential project? (Councilmember Eaton)

Response: Residential is allowed as a principal use in all commercial zoning districts. The various C zoning districts are distinguished by their area, height, and placement standards.

Question: The proposed residential project is not located in an area where a “university-oriented population that is concentrated around it”. How is this project consistent with that stated purpose? (Councilmember Eaton)

Response: In presenting the recommendation, staff felt that the proposed rezoning is consistent with other excerpts of the intent referencing a “community-wide orientation” and appropriate location in proximity to the central area of the City. The site is less than a half-mile walk to both the Kellogg Eye Center and the university’s nursing school on N. Ingalls.

Question: Page 8, Exhibit B of The Garnet Conditions PDF does not show an image. Is this my computer or is the exhibit missing? (Councilmember Bannister)

Response: If the site plan for The Garnet is approved, it will be added as Exhibit B. For now it is a placeholder.

Question: Has City staff discussed with the developers what their options and future actions might be if City Council declines to pass the rezoning? (Councilmember Bannister)

Response: Staff have discussed other proposals prior to this one with the developer, but have not discussed future actions if denied.

Question: Please any communications via phone, email, or in-person that have been received by staff about this rezoning, especially if any concerns have been discussed.

Response: Fifteen letters of support for the Garnet were received, and are attached in Legistar to the City Planning Commission file 19-1030. Staff received no other phone calls, inquiries, or emails about the petition.

Question: How does C1B compare to C1A and other similar zoning? (Councilmember Bannister)

Response:

- The property is currently zoned C1B (Community Convenience Center), as is the rest of this block. This district is intended to “...serve the needs of the surrounding community. This includes establishments that although they primarily serve a surrounding neighborhood, could also serve a larger trade or service area.”^[1] It goes on to say that office could be appropriate if adequate parking can be provided.
- The requested zoning is C1A (Campus Business), which is “...intended primarily to serve as a neighborhood shopping area for the university oriented population that is concentrated around it.” It adds, “These districts shall be located in close proximity to the central area of the city.”^[2] It has been suggested that the proposed site is not in the shadows of the University of Michigan Central Campus and therefore the requested rezoning to C1A (Campus Business) district is not appropriate. The C1A/R (Campus Business Residential) district was originally a companion to the C1A (Campus Business) district and its intent is integrally related to the C1A. When the current zoning format was adopted in 1963, residential uses were not permitted in commercial districts. Later, so-called “slash R” districts were created for most commercial districts as companions to allow both commercial and residential mixed use buildings. The C1A/R is “designed to encourage the orderly clustering and placement of high-density residential and complementary commercial development near the campus business district.”^[3] Then, residential uses were added to the commercial districts (while the slash-R districts remained).
- In general, all of the C1 districts (C1, C1A, C1A/R, C1B) are designed to allow mixed uses to serve the residents within and nearby to that particular district location. Retail shops ideally providing goods necessary for day-to-day needs, as described in the C1 district intent, are permitted. Business, financial, medical and dental offices are also permitted. And, all forms of residential, including single and two-family, townhouses, and multiple-family apartments are permitted.
- The primary difference between the various C1 districts is scale and location. The C1 and C1B districts allow 100% or 150% FAR, respectively, and have height limits of 3 and 4 stories. Although exceptions abound, these districts were designed to be pedestrian-oriented but still accommodating to cars, small commercial nodes throughout the city, well outside of downtown.
- The C1A and C1A/R districts respectively allow 200% and 300% FAR. Neither has a height limit. These two districts were established to enable downtown-like development surrounding the University of Michigan campus at a time when downtown Ann Arbor solely meant the Main Street shopping district, and there was only one central campus. Today, downtown encompasses 66 blocks – including the Main Street, East Liberty Street corridor, South State Street, Kerrytown and

^[1] Unified Development Code (UDC), Chapter 55, Section 5.12.4

^[2] UDC, Chapter 55, Section 5.12.3

^[3] UDC, Chapter 55, Section 5.12.5

South University areas. The University of Michigan now has North, Central, South and Medical campuses.

- This building is 60' tall on the west side (with the garage entrance) and 50' tall above the sidewalk on the east (Broadway) side. (The building sits a couple of feet below the public sidewalk, which helps it look two feet shorter from Broadway.) The surrounding neighborhood is primarily 1 to 2 ½ story structures. There are a few exceptions – the former brewery building at East Summit and North Fifth Ave is 3 ½ stories on the downhill side (at the corner), and there is a 3-story brick apartment building across Broadway on High Street. When requested by staff, the petitioner declined to provide massing drawings showing this building in relation to surrounding structures.

DC-1 - Resolution to Approve an Addendum to Council Administrative Rules: Rule 3 - Reimbursement of Council Expenses

Question: Regarding DC-1, the cover memo indicates the new Rule 3 is attached, but it's not attached. Can you please forward it? (Councilmember Lumm)

Response: The document is attached to the [Legistar file](#).

DS-1 – Resolution No. 4 Confirming the Single Lot Special Assessment - 1425 Pontiac Street Project Special Assessment Roll (8 Votes Required)

Question: Based on a January 4 email from Sara Higgins (subject: Sidewalk installation on Longshore Drive, Ottawa, and Amherst), staff reached out to 6 property owners and received a response from 10 property owners that they strongly opposed sidewalks, to which staff responded they would cancel the sidewalks. Why did staff not also include the strong opposition from the owners of the Beckley House and could they also be included in the cancellation? (Councilmember Bannister)

Response: As staff developed the scope for the current watermain and resurfacing project, there were two areas of sidewalk gaps that were reviewed: 1) the current gap along Argo; and 2) gaps near the west end of Indianola and Amherst and the east side of Longshore. Reviewing the City's sidewalk gap prioritization, area #1 was ranked fairly high in the prioritization (80th percentile); whereas the gaps at #2 were much lower (15th to 35th percentile). Thus, staff decided to include area #1 in the project. However, staff also reached out to the property owners in area #2 to see if there was a strong interest from them in adding sidewalks to the project. Since there was not, this lower priority area was not added to the project.

From: [Vivienne Armentrout](#)
To: [Ramlawi, Ali](#)
Subject: rezoning to C1A on Council agenda
Date: Saturday, July 13, 2019 2:44:25 PM

CM Ramlawi,

Please vote against item C-1, the Garnet Rezoning.

https://linkproTECT.cudasvc.com/url?a=http%3a%2fa2gov.legistar.com%2fLegislationDetail.aspx%3fID%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142%26Options%3d%26Search%3d&c=E,1.Yp36YiSh11mGCECmQo0SJqgxofHuPrr_it_Cgg9n0kuVloy5tAuBhUdUWMoRJBwwS3bifAliFgUZFJqtlFjz0Bs0BWKLO4UIM0BHpu3XER7WxKOo,&typo=1

I oppose this rezoning for policy reasons.?? I do not oppose the proposed development, which I believe can be accomplished with the current zoning, or perhaps with a different zoning classification that I am unfamiliar with.?? I have been following the steps of the Garnet assembly and planning and thought it seemed a good addition to the area.

The rezoning to a Campus commercial area is, in my opinion, in violation of the Master Plan.?? The staff report intimates that this area is assuming the nature of a Campus district because of its (relative) proximity to the Medical Campus.?? Such reconfiguration of near-downtown areas should be done within an integral master planning process, not in a piecemeal fashion by staff fiat.?? We are now considering a new Master Plan process and that is where such discussions should be held.?? (I recently posted a summary about the Master Plan process, https://linkproTECT.cudasvc.com/url?a=https%3a%2f%2flocalinannarbor.com%2f2019%2f07%2f06%2fthe-master-plan-and-ann-arbor-emergent%2f.&c=E,1.Tt8X9XHkeCcq3wXCKFbSa8lph0UIZtbMvc22nLa8UwUWdzby_3HiysPFV5C0sLsWWZMoAcflvZaK7Z66uNhPbrArU_1pA7q7r1P9iSaP63Wa2tF&typo=1) Considering that the footprint of the UM has been continuing to expand in Ann Arbor, we should have such discussions in a broader context than in a spot zoning one-by-one.?? We are unable to contain the plans of the UM but we should retain control of our existing land area.

The use of conditional zoning to apply inappropriate zoning for a given area should be discouraged.?? Perhaps if that is needed, the applicant should consider a PUD.

I also opposed to this rezoning because of those assumptions being promulgated by the staff, which could negative affect a sensitive area.?? This Depot Street neighborhood has historical significance and still retains many residences of the historical neighborhood.?? In addition, the fate of the Amtrak Rail station there is still under discussion. This rezoning would set a precedent for that new (staff-imposed) interpretation of the Master Plan which could leave the City vulnerable to insistence that other parcels be rezoned to this permissive standard.

I am excited by the potential of the Roxbury development (which is utilizing a PUD) and clearly this entire area will be of much interest to the future shape of Ann Arbor and to those who wish to profit by the changing nature of the area. But we should not move precipitately without those broader discussions.

Vivienne Armentrout

From: [Vivienne Armentrout](#)
To: [Hayner, Jeff](#); [Bannister, Anne](#)
Subject: Fwd: rezoning to C1A on Council agenda
Date: Saturday, July 13, 2019 3:18:42 PM

FYI.?? I believe this area is in your ward.

----- Forwarded Message -----

Subject: rezoning to C1A on Council agenda
Date: Sat, 13 Jul 2019 14:44:08 -0400
From: Vivienne Armentrout <[REDACTED]>
To: Ali Ramlawi <ARamlawi@a2gov.org>

CM Ramlawi,

Please vote against item C-1, the Garnet Rezoning.

<https://linkprotect.cudasvc.com/url?>

[a=http%3a%2f%2fa2gov.legistar.com%2fLegislationDetail.aspx%3fid%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142%26Options%3d%26Search%3d%26c=E,1,GjgbCLlzzvlu367Uua28RBGmlMTxlLj8xqhFjp9TI7-3XuXxfyX4qBGsVPtg4oUHRjkny4LK9j3augGn2pC9UUY7oId4fxhNLvS-58ppue7yA.,&typo=1](https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fa2gov.legistar.com%2fLegislationDetail.aspx%3fid%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142%26Options%3d%26Search%3d%26c=E,1,GjgbCLlzzvlu367Uua28RBGmlMTxlLj8xqhFjp9TI7-3XuXxfyX4qBGsVPtg4oUHRjkny4LK9j3augGn2pC9UUY7oId4fxhNLvS-58ppue7yA.,&typo=1)

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Vivienne Armentrout

From: [Bannister, Anne](#)
To: [Vivienne Armentrout](#); [Hayner, Jeff](#)
Cc: [Tom Stulberg](#)
Subject: RE: rezoning to C1A on Council agenda
Date: Saturday, July 13, 2019 4:26:53 PM

Thanks, Vivienne! Yes, I share your concerns, and sadly, because residents do like this project, just not the rezoning and the far-reaching impact.

Do you know Tom Stulberg? He's also been writing about this issue. I've copied him here, and will forward his latest "report."

Anne Bannister
Ward One Council Member
[REDACTED]

Messages to and from me regarding City matters are subject to disclosure under the Michigan Freedom of Information Act.

-----Original Message-----

From: Vivienne Armentrout <[REDACTED]>
Sent: Saturday, July 13, 2019 3:18 PM
To: Hayner, Jeff <JHayner@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>
Subject: Fwd: rezoning to C1A on Council agenda

FYI?? I believe this area is in your ward.

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Subject: rezoning to C1A on Council agenda
Date: Sat, 13 Jul 2019 14:44:08 -0400
From: Vivienne Armentrout <[REDACTED]>
To: Ali Ramlawi <ARamlawi@a2gov.org>

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Vivienne Armentrout

From: [Bannister, Anne](#)
To: [Vivienne Armentrout](#)
Subject: FW: The Garnet C1A rezoning
Date: Saturday, July 13, 2019 4:27:00 PM
Attachments: [The Garnet Agenda Questions.pdf](#)

FYI

Anne Bannister
Ward One Council Member

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From: Tom Stulberg <[REDACTED]>
Sent: Saturday, July 13, 2019 11:08 AM
To: Lumm, Jane <JLumm@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>; Ramlawi, Ali <ARamlawi@a2gov.org>; Nelson, Elizabeth <ENelson@a2gov.org>
Subject: The Garnet C1A rezoning

As I have mentioned to a couple of you already, this proposal is highly problematic, would set a precedent that will impact neighborhoods in every ward, and is part of what we are suing the city over at LowerTown: Campus Business District zoning being inappropriately used. I urge you to vote this down at first reading.

I will write about this before the council meeting, but I cannot be there to speak Monday night. I am attaching the agenda questions and the responses, which are quite frustrating to read because the logic is just so flawed. I will not be addressing any site plan or issues specific to this proposal other than the inappropriate zoning category being requested.

In short, this zoning category was intended for a certain area, intend as a Core zoning, and has no height limit. If allowed to be used beyond where it was intended, we completely defeat the idea of Core zoning with transition zoning like D2. We will have proposals for C1A and C1A/R which have unlimited height and can only be limited VOLUNTARILY, and if the city says no to them we will get sued and lose. We will have D1, transitioning down to D2 at 60 feet max, then back up to downtown heights. Then the D2 property owners will sue for being more restricted than other properties farther from D1. If we allow this location to be Campus then "Campus" can apply all over: The Argus complex in the Old West Side, the North Campus Research Center, The Athletic Campuses, Fingerle now - anywhere within a half mile or so of a U of M building if you agree with the planning department's logic.

Raising the alarm,

Tom

The link to the agenda item is below for the full details.

<http://a2gov.legistar.com/LegislationDetail.aspx?ID=4053136&GUID=03DC0F32-A206-429F-BC2A-BD81170C1142>

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Question: Regarding CA-15, the cover memo indicates that of the two RFP responses, Harper's response was considered most responsive – was it also lowest cost? If not, why was it selected (as it seems this is a rather straightforward service need)? (Councilmember Lumm)

Response: Harper's rate was the higher of the two proposers. In reviewing the rates, staff noted that the lowest priced vendor's rate barely covered the current prevailing wage rate for an electrician in Washtenaw County. When asked about it during the interview, they stated that they did not build the prevailing wage into their billing rate under the proposal even though they had signed the City's Prevailing Wage Rate Compliance form. There were other non-financial reasons for selecting Harper as the most responsive, but the non-sustainability of the other vendor's rate was a significant component in making the recommendation.

C-1 – An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street.

Question: Q1. The staff report states that “Based on the Master Plan land use designation, it is appropriate to keep this small block consistently zoned commercial.” Given that, why is the re-zoning being recommended? (Councilmember Lumm)

Response: The rezoning is from one commercial district to another. The entire block would remain commercial if the rezoning is enacted.

Question: Q2. The staff report states that the re-zoning is “generally consistent” with the Master Plan, Land Use Element. What does “generally consistent” mean, and can you please reconcile that with “Based on the Master Plan land use designation, it is appropriate to keep this small block consistently zoned commercial.”? (Councilmember Lumm)

Response: In this case, “generally consistent” means in line with the overall goals of the Master Plan. The entire block is zoned commercial now, and would remain commercially zoned if the petition is approved. Both the existing and proposed zoning are consistent with the master plan recommendation of commercial/office.

Question: Q3. The proposal here is for four stories and the staff report indicates that “the surrounding neighborhood is primarily 1 to 2 ½ story structures.” The staff report also states, “As offered, at 65 feet, a structure on this lot would be one floor taller than is

allowed on the rest of the block.” Given that, why would staff recommend approval of the zoning and of the site plan? (Councilmember Lumm)

Response: It is not desirable to restrict a commercially zoned block to match the height of surrounding residential structures in the neighborhood. On the other hand, commercial buildings across the street from residential should not overwhelm them. Staff believes the design and massing of the proposed four-story, 57 foot building on average (60 feet max on the west end, 50 feet max on the east) is appropriate. Wholesale C1A zoning would not be appropriate – the conditions proposed restrict the district from no height limit to a 65 foot maximum.

Question: Q4. The staff report also states that C1A zoning is “intended primarily to serve as a neighborhood shopping area for the university oriented population that is concentrated around it.” This proposal does not seem at all consistent with that – what am I missing? (Councilmember Lumm)

Response: The C1A District has evolved over time to allow much more than shopping. Permitted uses in the district now also include business, financial, medical and dental offices, and all forms of residential. In the application of ordinances, the ordinance itself is primary, while the intent is utilized only in the circumstance of refining an interpretation. In this circumstance, the proposed uses are clearly permitted in the district.

Question: Q5. The staff report indicates that, “It has been suggested that the proposed site is not in the shadows of the University of Michigan Central Campus and therefore the requested rezoning to C1A (Campus Business) district is not appropriate.” Who suggested that, are there any other C1A zoning designations in this area, and since the suggestions seems valid, what is staff’s response? (Councilmember Lumm)

Response: Staff raised the argument early in the review to assist in providing the Planning Commission and City Council with another view of the proposed application. As a result of the completed zoning analysis (see Staff Comments in the staff report), staff concurs that the argument is not valid. There are three small parcels zoned C1A at the corner of Catherine and Glen (Angelo’s restaurant and parking) and 19 small parcels around Packard, State, and Hill.

Question: Q6. In terms of the contamination on the site, the staff report states that, “a paragraph has been added to the development agreement to allow City Staff to request analytical results of water discharged by the buildings sump pump. If contamination is found, the city may require the developers to disconnect from the city storm sewer system, filter the water, and/or other remedial action.” Can you please provide a copy of that paragraph and also please elaborate on the process required and what “other remedial action” might be? (Councilmember Lumm)

Response: From the draft development agreement:

(P-14) The DEVELOPER shall provide, upon request by city staff, analytical results of water discharged by the sump pump. City staff are to witness the collection of the sample and will provide a list of testing parameters. The parameters may include: BTEX, SVOC's, Arsenic, Barium, Cadmium, Chromium, Copper, Lead, Manganese, Mercury, Selenium, Silver, Zinc, available Cyanide, and ammonia. Testing results are to be provided to the City Public Services Area. If at any point, sampling results show the presence of contamination, one or more of the following actions may be required: (a) disconnection of the sump discharge from the city storm sewer system, (b) routing the sump pump discharge to an alternative location, (c) the installation of an appropriate filtration system, designed to handle to constitute(s) found during sampling.

Question: Q7. One of the conditions is that the building elevation may not exceed 850 feet. I'm assuming elevation is referenced because of a slope in the property – is that correct, and can you please explain the intent/what we're trying to accomplish by including this condition in addition to the condition on maximum building height? (Councilmember Lumm)

Response: To staff this is mostly redundant. It does prevent the developer from significantly raising the grade before construction.

Question: When Council deliberated on the rezoning request for 1140 Broadway, residents provided Council members with a City staff memo dated November 13, 1987 titled "Analysis of the C1A/R, C2A/R, and C2B/R Zoning Districts in the Downtown Area". Can you provide a similar analysis of the use of the C1A (Campus Business District) zoning classification? (Councilmember Eaton)

Response: There are 22 parcels zoned C1A (Campus Business District) in the city. The C1A zoning district was created in 1966. By 1987, two and a half blocks of South University from East University to just past Forest were zoned C1A, as was a portion of Packard between Hill and slightly south of S. State. In this area, C1A/R zoning was used as a buffer between C1A and some residential and public land (University) parcels. Today, 19 small parcels remain zoned C1A on Packard. For reference, current tenants here include Jimmy John's, Ali Baba, BTB, other small business, and apartments and former single-family residences. The South University parcels are now zoned D1 Downtown Core. C1A is found in one other location, on the Angelo's restaurant site at the corner of Catherine and Glen.

Question: When was the most recent occasion where a property was rezoned to C1A (Campus Business District) and what property was involved? (Councilmember Eaton)

Response: In 1990 , Angelo's requested a rezoning to C1A.

Question: The UDC defines the C1A (Campus Business District) as follows:

"5.12.3 C1A Campus Business District

"This district is intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-

to-day needs, specialty shops, and recreation. While the primary function of this district is to serve as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population. These districts shall be located in close proximity to the central area of the City.” The proposed development is residential, not retail. How is the C1A zoning classification appropriate for a residential project? (Councilmember Eaton)

Response: Residential is allowed as a principal use in all commercial zoning districts. The various C zoning districts are distinguished by their area, height, and placement standards.

Question: The proposed residential project is not located in an area where a “university-oriented population that is concentrated around it”. How is this project consistent with that stated purpose? (Councilmember Eaton)

Response: In presenting the recommendation, staff felt that the proposed rezoning is consistent with other excerpts of the intent referencing a “community-wide orientation” and appropriate location in proximity to the central area of the City. The site is less than a half-mile walk to both the Kellogg Eye Center and the university’s nursing school on N. Ingalls.

Question: Page 8, Exhibit B of The Garnet Conditions PDF does not show an image. Is this my computer or is the exhibit missing? (Councilmember Bannister)

Response: If the site plan for The Garnet is approved, it will be added as Exhibit B. For now it is a placeholder.

Question: Has City staff discussed with the developers what their options and future actions might be if City Council declines to pass the rezoning? (Councilmember Bannister)

Response: Staff have discussed other proposals prior to this one with the developer, but have not discussed future actions if denied.

Question: Please any communications via phone, email, or in-person that have been received by staff about this rezoning, especially if any concerns have been discussed.

Response: Fifteen letters of support for the Garnet were received, and are attached in Legistar to the City Planning Commission file 19-1030. Staff received no other phone calls, inquiries, or emails about the petition.

Question: How does C1B compare to C1A and other similar zoning? (Councilmember Bannister)

Response:

- The property is currently zoned C1B (Community Convenience Center), as is the rest of this block. This district is intended to “...serve the needs of the surrounding community. This includes establishments that although they primarily serve a surrounding neighborhood, could also serve a larger trade or service area.”^[1] It goes on to say that office could be appropriate if adequate parking can be provided.
- The requested zoning is C1A (Campus Business), which is “...intended primarily to serve as a neighborhood shopping area for the university oriented population that is concentrated around it.” It adds, “These districts shall be located in close proximity to the central area of the city.”^[2] It has been suggested that the proposed site is not in the shadows of the University of Michigan Central Campus and therefore the requested rezoning to C1A (Campus Business) district is not appropriate. The C1A/R (Campus Business Residential) district was originally a companion to the C1A (Campus Business) district and its intent is integrally related to the C1A. When the current zoning format was adopted in 1963, residential uses were not permitted in commercial districts. Later, so-called “slash R” districts were created for most commercial districts as companions to allow both commercial and residential mixed use buildings. The C1A/R is “designed to encourage the orderly clustering and placement of high-density residential and complementary commercial development near the campus business district.”^[3] Then, residential uses were added to the commercial districts (while the slash-R districts remained).
- In general, all of the C1 districts (C1, C1A, C1A/R, C1B) are designed to allow mixed uses to serve the residents within and nearby to that particular district location. Retail shops ideally providing goods necessary for day-to-day needs, as described in the C1 district intent, are permitted. Business, financial, medical and dental offices are also permitted. And, all forms of residential, including single and two-family, townhouses, and multiple-family apartments are permitted.
- The primary difference between the various C1 districts is scale and location. The C1 and C1B districts allow 100% or 150% FAR, respectively, and have height limits of 3 and 4 stories. Although exceptions abound, these districts were designed to be pedestrian-oriented but still accommodating to cars, small commercial nodes throughout the city, well outside of downtown.
- The C1A and C1A/R districts respectively allow 200% and 300% FAR. Neither has a height limit. These two districts were established to enable downtown-like development surrounding the University of Michigan campus at a time when downtown Ann Arbor solely meant the Main Street shopping district, and there was only one central campus. Today, downtown encompasses 66 blocks – including the Main Street, East Liberty Street corridor, South State Street, Kerrytown and

^[1] Unified Development Code (UDC), Chapter 55, Section 5.12.4

^[2] UDC, Chapter 55, Section 5.12.3

^[3] UDC, Chapter 55, Section 5.12.5

South University areas. The University of Michigan now has North, Central, South and Medical campuses.

- This building is 60' tall on the west side (with the garage entrance) and 50' tall above the sidewalk on the east (Broadway) side. (The building sits a couple of feet below the public sidewalk, which helps it look two feet shorter from Broadway.) The surrounding neighborhood is primarily 1 to 2 ½ story structures. There are a few exceptions – the former brewery building at East Summit and North Fifth Ave is 3 ½ stories on the downhill side (at the corner), and there is a 3-story brick apartment building across Broadway on High Street. When requested by staff, the petitioner declined to provide massing drawings showing this building in relation to surrounding structures.

DC-1 - Resolution to Approve an Addendum to Council Administrative Rules: Rule 3 - Reimbursement of Council Expenses

Question: Regarding DC-1, the cover memo indicates the new Rule 3 is attached, but it's not attached. Can you please forward it? (Councilmember Lumm)

Response: The document is attached to the [Legistar file](#).

DS-1 – Resolution No. 4 Confirming the Single Lot Special Assessment - 1425 Pontiac Street Project Special Assessment Roll (8 Votes Required)

Question: Based on a January 4 email from Sara Higgins (subject: Sidewalk installation on Longshore Drive, Ottawa, and Amherst), staff reached out to 6 property owners and received a response from 10 property owners that they strongly opposed sidewalks, to which staff responded they would cancel the sidewalks. Why did staff not also include the strong opposition from the owners of the Beckley House and could they also be included in the cancellation? (Councilmember Bannister)

Response: As staff developed the scope for the current watermain and resurfacing project, there were two areas of sidewalk gaps that were reviewed: 1) the current gap along Argo; and 2) gaps near the west end of Indianola and Amherst and the east side of Longshore. Reviewing the City's sidewalk gap prioritization, area #1 was ranked fairly high in the prioritization (80th percentile); whereas the gaps at #2 were much lower (15th to 35th percentile). Thus, staff decided to include area #1 in the project. However, staff also reached out to the property owners in area #2 to see if there was a strong interest from them in adding sidewalks to the project. Since there was not, this lower priority area was not added to the project.

From: [Vivienne Armentrout](#)
To: [Bannister, Anne](#); [Hayner, Jeff](#)
Cc: [Tom Stulberg](#)
Subject: Re: rezoning to C1A on Council agenda
Date: Saturday, July 13, 2019 5:12:12 PM

I wonder whether the project itself as presented might actually be in jeopardy if the loosened zoning is passed.?? It might have more earning potential to hold for a future more massive development.?? Once zoning has been amended, the owner would not be obligated to build that particular proposal.

On 7/13/2019 4:26 PM, Bannister, Anne wrote:

> Thanks, Vivienne! Yes, I share your concerns, and sadly, because residents do like this project, just not the rezoning and the far-reaching impact.

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>

> Anne Bannister

> Ward One Council Member

> [REDACTED]

>

> Messages to and from me regarding City matters are subject to disclosure under the Michigan Freedom of Information Act.

>

> -----Original Message-----

> From: Vivienne Armentrout <[REDACTED]>

> Sent: Saturday, July 13, 2019 3:18 PM

> To: Hayner, Jeff <JHayner@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>

> Subject: Fwd: rezoning to C1A on Council agenda

>

> FYI.?? I believe this area is in your ward.

>

>

>

> ----- Forwarded Message -----

> Subject: rezoning to C1A on Council agenda

> Date: Sat, 13 Jul 2019 14:44:08 -0400

> From: Vivienne Armentrout <[REDACTED]>

> To: Ali Ramlawi <ARamlawi@a2gov.org>

>

>

>

> CM Ramlawi,

>

> Please vote against item C-1, the Garnet Rezoning.

> [https://linkprotect.cudasvc.com/url?](https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fa2gov.legistar.com%2fLegislationDetail.aspx%3fid%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142%26Options%3d%26Search%3d%26c=E,1,GjgbCLlzzvlu367Uua28RBGmlMTxlLl8xqhFjp9TI7-3XuXxfxyX4qBGsVPtg4oUHRjkny4LK9j3augGn2pC9UUY7oId4fxhNLvS-58ppue7yA,,&typo=1)

[a=http%3a%2f%2fa2gov.legistar.com%2fLegislationDetail.aspx%3fid%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142%26Options%3d%26Search%3d%26c=E,1,GjgbCLlzzvlu367Uua28RBGmlMTxlLl8xqhFjp9TI7-3XuXxfxyX4qBGsVPtg4oUHRjkny4LK9j3augGn2pC9UUY7oId4fxhNLvS-58ppue7yA,,&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2flocalinannarbor.com%2f2019%2f07%2f06%2fthe-master-plan-and-ann-arbor-emergent%2f%26c=E,1,WQUGP5Kd8fGcnHe-_WWrc-_UCQZuXhR9IR5FVeIh7XmzPdmDQvX62zwGkHEV9LiR2ai5nZOH3IhGMrXVkhOc8xOSScZF51ZWbnmIFQt4jq75c,&typo=1)

>

> I oppose this rezoning for policy reasons.?? I do not oppose the proposed development, which I believe can be accomplished with the current zoning, or perhaps with a different zoning classification that I am unfamiliar with.?? I have been following the steps of the Garnet assembly and planning and thought it seemed a good addition to the area.

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> [_UCQZuXhR9IR5FVeIh7XmzPdmDQvX62zwGkHEV9LiR2ai5nZOH3IhGMrXVkhOc8xOSScZF51ZWbnmIFQt4jq75c,&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2flocalinannarbor.com%2f2019%2f07%2f06%2fthe-master-plan-and-ann-arbor-emergent%2f%26c=E,1,WQUGP5Kd8fGcnHe-_WWrc-_UCQZuXhR9IR5FVeIh7XmzPdmDQvX62zwGkHEV9LiR2ai5nZOH3IhGMrXVkhOc8xOSScZF51ZWbnmIFQt4jq75c,&typo=1)

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>

> Vivienne Armentrout

>

>

From: [Bannister, Anne](#)
To: [Vivienne Armentrout](#); [Hayner, Jeff](#)
Cc: [Tom Stulberg](#)
Subject: RE: rezoning to C1A on Council agenda
Date: Saturday, July 13, 2019 5:26:23 PM

Yes, I think you're right, that big buildings could spring up around The Garnet itself, if the zoning is loosened. I've discussed that with the developrs, in June and yesterday...

Anne Bannister
Ward One Council Member
[REDACTED]

Messages to and from me regarding City matters are subject to disclosure under the Michigan Freedom of Information Act.

-----Original Message-----

From: Vivienne Armentrout <[REDACTED]>
Sent: Saturday, July 13, 2019 5:12 PM
To: Bannister, Anne <ABannister@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>
Cc: Tom Stulberg <[REDACTED]>
Subject: Re: rezoning to C1A on Council agenda

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> Subject: rezoning to C1A on Council agenda

> Date: Sat, 13 Jul 2019 14:44:08 -0400

> From: Vivienne Armentrout <[REDACTED]>

> To: Ali Ramlawi <ARamlawi@a2gov.org>

>

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> 2A-BD81170C1142%26Options%3d%26Search%3d&c=E,1,GjgbCLlzzvIu367Uua28RBG

> mlMTxlLl8xqhFjp9TI7-3XuXxfyX4qBGsVPtg4oUhrjkny4LK9j3augGn2pC9UUY7oId4

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> m%2f2019%2f07%2f06%2fthe-master-plan-and-ann-arbor-emergent%2f.&c=E,1,

> WQUGP5Kd8fGcnHe-_WWrc-_UCQZuXhrJ9IR5FVeh7XmzPdmDQvX62zwGkHEV9LtIR2ai5

> nZOH3lhGMrXVkhOoc8xOSScZF51ZWbnmIFQt4jq75c,&typo=1)

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> Vivienne Armentrout

>

>

From: [Victoria Pebbles](#)
To: [CityCouncil](#)
Subject: The Garnet
Date: Sunday, July 14, 2019 9:25:05 AM
Attachments: [City Council Memo-Garnet.pdf](#)

Dear Members of the Ann Arbor City Council:

Tomorrow evening you will hear the first reading regarding proposed rezoning for a small downtown redevelopment project known as The Garnet. This project is being named after my mother--a longstanding member of the Ann Arbor community. We hope the attached memo provides some additional clarity to the proposed request and look forward to answering any questions you may have.

Sincerely,

Kelly Anderson

The Garnet Development Team

MEMO

To: Members of the Ann Arbor City Council

From: Kelly Anderson, KLA Development, Co-Owner and Developer of the Garnet

Date: July 10, 2019

Re: Re: Proposed Zoning for the Garnet Development at 352 E. Summit

This memo aims to help clarify some of the potentially confusing information regarding the proposed zoning designation for the Garnet at 425 E. Summit Street in Ann Arbor, which was unanimously approved by the Ann Arbor Planning Commission on May 21.

The proposed change from C1B to C1A zoning is a "sister" zoning: both are C1 category zonings and the uses are compatible with each other. Both permit a mixture of uses including commercial and/or residential uses. Much, if not most, of the area South-east (and North-east for that matter) of the site is housing for, or directly used by, the University of Michigan – especially the University Medical Center and related units (such as for instance the Nursing School). The neighborhood contains a "University Oriented" population. While the description of the C1A district indicates it is intended to "primarily" serve a neighborhood shopping function it does not say that uses in the district are to be *exclusively* for such uses. In fact, the UDC expressly permits residential and other uses in the C1A districts.

Importantly, the development proposes voluntary conditions/restrictions (detailed in the staff report) making this a unique proposed rezoning rather than just a blanket rezoning and thus significantly restricts any claim of setting precedence. Only other proposed rezoning from C1B to C1A that also included conditions limiting height and floor area commensurately could claim the Garnet project as a precedent.

Unlike another controversial project in the general area, the proposed rezoning to C1A does not undermine or remove any required by the zoning ordinance.

As identified in the planning staff report, the proposed rezoning from C1B to C1A fulfills many elements of the Ann Arbor Master Plan: Land Use Element and also enables significant environmental cleanup of the site. The Garnet has been crafted to be a significant contribution to the neighborhood and area, like the relatively new "flat iron" building, and has significant neighborhood support as evidenced by the many letters submitted to the city in support of the project from surrounding residents and business owners.

Please do not hesitate to contact me if you have further questions about our project. I can be reached at 734-260-2432 or kladev@msn.com.

A handwritten signature in dark ink, appearing to read "Kelly Anderson", with a long horizontal flourish extending to the right.

From: [Victoria Pebbles](#)
To: [CityCouncil](#)
Subject: Re: The Garnet
Date: Sunday, July 14, 2019 9:41:52 AM
Attachments: [Council MEMO Garnet zoning071219-2.pdf](#)

Hello Again City Council Members:

Please ignore the previous memo and use this version instead which has the correct address for the proposed redevelopment.

On Sun, Jul 14, 2019 at 9:24 AM Victoria Pebbles <[REDACTED]> wrote:

Dear Members of the Ann Arbor City Council:

Tomorrow evening you will hear the first reading regarding proposed rezoning for a small downtown redevelopment project known as The Garnet. This project is being named after my mother--a longstanding member of the Ann Arbor community. We hope the attached memo provides some additional clarity to the proposed request and look forward to answering any questions you may have.

Sincerely,

Kelly Anderson

The Garnet Development Team

--

Victoria Pebbles

MEMO

To: Members of the Ann Arbor City Council

From: Kelly Anderson, KLA Development, Co-Owner and Developer of the Garnet

Date: July 10, 2019

Re: Re: Proposed Zoning for the Garnet Development at 325 E. Summit

This memo aims to help clarify some of the potentially confusing information regarding the proposed zoning designation for the Garnet at 325 E. Summit Street in Ann Arbor, which was unanimously approved by the Ann Arbor Planning Commission on May 21.

The proposed change from C1B to C1A zoning is a “sister” zoning: both are C1 category zonings and the uses are compatible with each other. Both permit a mixture of uses including commercial and/or residential uses. Much, if not most, of the area South-east (and North-east for that matter) of the site is housing for, or directly used by, the University of Michigan – especially the University Medical Center and related units (such as for instance the Nursing School). The neighborhood contains a “University Oriented” population. While the description of the C1A district indicates it is intended to “primarily” serve a neighborhood shopping function it does not say that uses in the district are to be *exclusively* for such uses. In fact, the UDC expressly permits residential and other uses in the C1A districts.

Importantly, the development proposes voluntary conditions/restrictions (detailed in the staff report) making this a unique proposed rezoning rather than just a blanket rezoning and thus significantly restricts any claim of setting precedence. Only other proposed rezoning from C1B to C1A that also included conditions limiting height and floor area commensurately could claim the Garnet project as a precedent.

Unlike another controversial project in the general area, the proposed rezoning to C1A does not undermine or remove any required by the zoning ordinance.

As identified in the planning staff report, the proposed rezoning from C1B to C1A fulfills many elements of the Ann Arbor Master Plan: Land Use Element and also enables significant environmental cleanup of the site. The Garnet has been crafted to be a significant contribution to the neighborhood and area, like the relatively new “flat iron” building, and has significant neighborhood support as evidenced by the many letters submitted to the city in support of the project from surrounding residents and business owners.

Please do not hesitate to contact me if you have further questions about our project. I can be reached at 734-260-2432 or kladev@msn.com.

From: [Ramlaw, Ali](#)
To: [Vivienne Armentrout](#)
Subject: Re: rezoning to C1A on Council agenda
Date: Sunday, July 14, 2019 11:17:33 AM

Vivienne.

Thank you for the input on the Garnet Rezoning request. I have more reading and research on the matter @ this time and most favor allowing more time for discussions to continue. As you know, tomorrow is only the first reading of the request.

Best wishes.
Ali

Sent from my iPad

> On Jul 13, 2019, at 2:44 PM, Vivienne Armentrout <[REDACTED]> wrote:
>
> CM Ramlawi,
>
> Please vote against item C-1, the Garnet Rezoning. https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fa2gov.legistar.com%2flegislationDetail.aspx%3fID%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142%26Options%3d%26Search%3d&c=E,1,Yp36YiSh1ImGCECmQo0SJjqxxoFHuPrr_it_Cgg9n0kuVIoy5IAuBhUdUWMoRJBwwS3bifAliF1gUZfJqtlFjz0Bs0BWKLO4UIM0BHpu3XER7WxKOo,&typo=1
>
> I oppose this rezoning for policy reasons.?? I do not oppose the proposed development, which I believe can be accomplished with the current zoning, or perhaps with a different zoning classification that I am unfamiliar with.?? I have been following the steps of the Garnet assembly and planning and thought it seemed a good addition to the area.
>
> The rezoning to a Campus commercial area is, in my opinion, in violation of the Master Plan.?? The staff report intimates that this area is assuming the nature of a Campus district because of its (relative) proximity to the Medical Campus.?? Such reconfiguration of near-downtown areas should be done within an integral master planning process, not in a piecemeal fashion by staff fiat.?? We are now considering a new Master Plan process and that is where such discussions should be held.?? (I recently posted a summary about the Master Plan process, https://linkprotect.cudasvc.com/url?a=https%3a%2f%2flocalinannarbor.com%2f2019%2f07%2f06%2fthe-master-plan-and-ann-arbor-emergent%2f.&c=E,1,Tt8X9XHkeCcQ3wXCKFbSa8lph0UIZibMvc22nLa8UwUWdzY_3HiysPFV5Co5LsWWZMoAcIvZaK7Z66uNhFbrArU_lP7r1P9iSaP63Wa2tF&typo=1) Considering that the footprint of the UM has been continuing to expand in Ann Arbor, we should have such discussions in a broader context than in a spot zoning one-by-one.?? We are unable to contain the plans of the UM but we should retain control of our existing land area.
>
> The use of conditional zoning to apply inappropriate zoning for a given area should be discouraged.?? Perhaps if that is needed, the applicant should consider a PUD.
>
> I also opposed to this rezoning because of those assumptions being promulgated by the staff, which could negative affect a sensitive area.?? This Depot Street neighborhood has historical significance and still retains many residences of the historical neighborhood.?? In addition, the fate of the Amtrak Rail station there is still under discussion. This rezoning would set a precedent for that new (staff-imposed) interpretation of the Master Plan which could leave the City vulnerable to insistence that other parcels be rezoned to this permissive standard.
>
> I am excited by the potential of the Roxbury development (which is utilizing a PUD) and clearly this entire area will be of much interest to the future shape of Ann Arbor and to those who wish to profit by the changing nature of the area. But we should not move precipitately without those broader discussions.
>
> Vivienne Armentrout
>
>

From: [Vivienne Armentrout](#)
To: [Ramlawi, Ali](#)
Subject: Re: rezoning to C1A on Council agenda
Date: Sunday, July 14, 2019 12:54:12 PM

Thank you. I had not picked up that it was the first reading and only recently was made aware of the zoning request.

On 7/14/2019 11:17 AM, Ramlawi, Ali wrote:

> Vivienne.

>

> Thank you for the input on the Garnet Rezoning request. I have more reading and research on the matter @ this time and most favor allowing more time for discussions to continue. As you know, tomorrow is only the first reading of the request.

>

> Best wishes.

> Ali

>

> Sent from my iPad

>

>> On Jul 13, 2019, at 2:44 PM, Vivienne Armentrout <[\[REDACTED\]](#)> wrote:

>>

>> CM Ramlawi,

>>

>> Please vote against item C-1, the Garnet Rezoning. https://linkprotect.cudasvc.com/url?u=http%3a%2f%2fa2gov.legistar.com%2flegislationDetail.aspx%3fID%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142%26Options%3d%26Search%3d%3c=E.I.Yp36YiSh11mGCECmQo0SJJqpxoFHuPrr_it_Cgg9n0kuVloy5lAuBhUdUWMoRJBwwS3bifAliFlgUZFJqtlFjz0Bs0BWKLO4UIM0BHp3XER7WxKOo,&typo=1

>>

>> I oppose this rezoning for policy reasons.?? I do not oppose the proposed development, which I believe can be accomplished with the current zoning, or perhaps with a different zoning classification that I am unfamiliar with.?? I have been following the steps of the Garnet assembly and planning and thought it seemed a good addition to the area.

>>

>> The rezoning to a Campus commercial area is, in my opinion, in violation of the Master Plan.?? The staff report intimates that this area is assuming the nature of a Campus district because of its (relative) proximity to the Medical Campus.?? Such reconfiguration of near-downtown areas should be done within an integral master planning process, not in a piecemeal fashion by staff fiat.?? We are now considering a new Master Plan process and that is where such discussions should be held.?? (I recently posted a summary about the Master Plan process, https://linkprotect.cudasvc.com/url?u=https%3a%2f%2focalinann Arbor.com%2f2019%2f07%2f06%2fthe-master-plan-and-ann-arbor-emergent%2f.&c=E.I.Ti8X9XHkeCc3wXCKFbSa8lph0UIZibMvc22nLa8UwUWdzY_3HiysPFV5Co5LsWWZMoAcflvZaK7Z66uNhfPbrArU_1pA7q7r1P9iSaP63Wa2f&typo=1) Considering that the footprint of the UM has been continuing to expand in Ann Arbor, we should have such discussions in a broader context than in a spot zoning one-by-one.?? We are unable to contain the plans of the UM but we should retain control of our existing land area.

>>

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>>

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>>

>> I am excited by the potential of the Roxbury development (which is utilizing a PUD) and clearly this entire area will be of much interest to the future shape of Ann Arbor and to those who wish to profit by the changing nature of the area. But we should not move precipitately without those broader discussions.

>>

>> Vivienne Armentrout

>>

>>

>>

From: [Tom Stulberg](#)
To: [Lumm, Jane](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Griswold, Kathy](#); [Bannister, Anne](#); [Ramlawi, Ali](#); [Nelson, Elizabeth](#)
Subject: More on The Garnet C1A rezoning
Date: Sunday, July 14, 2019 4:30:39 PM
Attachments: [1140 Broadway Rezoning Comments SKF.pdf](#)

I have been too busy to do a proper write-up on this very important issue. I will try to do so tomorrow. But to prepare you a bit more for caucus here is a little more. Also see the appendix A starting on page 8 of the attachment for a ton of detail on Campus Business zoning.

Things to consider on why to vote against this at first reading:

The LowerTown lawsuit challenges the appropriateness of this similar rezoning: "114. The C1A/R district like the C2A, C2A/R, C2B/R, and C1A districts have traditionally been unique to the downtown area and the campus business district. The downtown area is defined as the land generally within the boundaries of the Downtown Development Authority (DDA). The Campus Business District is partly located within the DDA. The Property is not located within the DDA or the Campus Business District. The Lower Town area has different land use characteristics than the DDA district area or the Campus Business District." This applies to this E. Summit location as well.

The property is not currently zoned C1A. Residential development on an existing C1A would be acceptable and By Right if it met the zoning code without variances. But there is no By Right to develop this parcel as C1A. The applicant can choose to develop conforming to the current zoning. They have no "rights" to a rezoning to C1A.

A rezoning to a new category should meet the intent of that new category. The proposed use of the development does not meet the INTENT of the chosen zoning category. 100% Residential is allowable under this category, but it is not the intent. Nor is that what is Master Planned for this block.

Less protection for the surrounding neighbors than D2: Page 5 of 6 from Susan Friedlaender's 11/17/17 letter: "Moreover, there is also a question of equal protection when some similarly situated landowners get the full protection of setback regulations while others do not. For example, "R" zoned neighborhoods in the near downtown area have the protection of the less intense D2 zoning and the increased setbacks that apply when D2 property is adjacent to R zoned property. We urge each council member to question why property owners in the near downtown neighborhoods are entitled to more protection from D2 zoned property, which permits even less intense development than C1A/R, than the neighborhoods that adjoin the subject property?" The same argument holds for C1A as for C1A/R. This rezoning sets a precedent that effectively destroys D2 as a transitional zoning category. Properties further from D1 would then be open for more intense development than

D2.

From: Tom Stulberg <[REDACTED]>
Sent: Saturday, July 13, 2019 11:08 AM
To: Lumm, Jane; Eaton, Jack; JHayner@a2gov.org; Griswold, Kathy; Bannister, Anne; Ramlawi, Ali; Nelson, Elizabeth
Subject: The Garnet C1A rezoning

As I have mentioned to a couple of you already, this proposal is highly problematic, would set a precedent that will impact neighborhoods in every ward, and is part of what we are suing the city over at LowerTown: Campus Business District zoning being inappropriately used. I urge you to vote this down at first reading.

I will write about this before the council meeting, but I cannot be there to speak Monday night. I am attaching the agenda questions and the responses, which are quite frustrating to read because the logic is just so flawed. I will not be addressing any site plan or issues specific to this proposal other than the inappropriate zoning category being requested.

In short, this zoning category was intended for a certain area, intend as a Core zoning, and has no height limit. If allowed to be used beyond where it was intended, we completely defeat the idea of Core zoning with transition zoning like D2. We will have proposals for C1A and C1A/R which have unlimited height and can only be limited VOLUNTARILY, and if the city says no to them we will get sued and lose. We will have D1, transitioning down to D2 at 60 feet max, then back up to downtown heights. Then the D2 property owners will sue for being more restricted than other properties farther from D1. If we allow this location to be Campus then "Campus" can apply all over: The Argus complex in the Old West Side, the North Campus Research Center, The Athletic Campuses, Fingerle now - anywhere within a half mile or so of a U of M building if you agree with the planning department's logic.

Raising the alarm,

Tom

The link to the agenda item is below for the full details.

<http://a2gov.legistar.com/LegislationDetail.aspx?ID=4053136&GUID=03DC0F32-A206-429F-BC2A-BD81170C1142>



Susan K. Friedlaender
sfriedlaender@fnrplc.com
Direct: (248) 406-6088

November 17, 2017

VIA EMAIL

Mayor and City Council Members
City of Ann Arbor
301 E. Huron St.
Ann Arbor, MI 48104

RE: 1140 Broadway Rezoning Second Reading

Dear Mayor and City Council Members:

I represent members of Project Lower Town. I first want to emphasize that my clients do not oppose the development of the subject land and support the Lower Town mixed use village concept that the City envisioned for the property in its Master Land Use Plan. The plan that the applicant has presented is a good start but it should not be the finally approved project without fully examining the alternatives that best serve the community, the applicant and the adjacent property owners and occupants. As further discussed below, while my clients do not oppose development of the property, they do oppose interference with their due process and equal protection rights by allowing the development to proceed under the C1A/R zoning designation and planned project provisions rather than as a PUD as the Master Plan recommends. This does not mean that the applicant should be tied to the PUD site plan that was approved and which expired years ago but only that the development should proceed as a PUD with an appropriate new site plan for the reasons further discussed in this letter.

INTRODUCTION

The Michigan Zoning Enabling Act, MCL 125.3101, *et seq* (MZEA) requires as a general rule that uniform development regulations apply within the same zoning districts. The uniformity principle protects the rights of property owners located both within and adjacent to a particular zoning district by requiring that the same published rules apply to all. The uniformity principle further requires that the rules are strictly enforced unless a land owner can establish that because of unique circumstances he or she cannot reasonably use his or her land as regulated. In that theoretically rare case, the landowner might be entitled to a variance from the rules as long as the hardship was not self-created and will not unnecessarily harm the rights of others. The C1A/R ordinance is a traditional zoning ordinance which provisions should not be altered absent hardship caused by unique circumstances. Any lesser standards for departing from published regulations meant to apply uniformly tend to foster favoritism and the unequal treatment of those persons for whose protection the regulations were intended. The lesser standards also dilute the justifications that existed for the regulation in the first place and expose them to invalidation based on claims of arbitrariness.

Traditional zoning districts can hamper more innovative development because of its uniformity and rigidity. The “planned unit development” (PUD) concept was created to allow more flexibility

Friedlaender Nykanen & Rogowski PLC

40700 Woodward Avenue, Suite 302 ■ Bloomfield Hills, Michigan 48304
(248) 629-0880

in the regulations that define the design and uses of a site. They are especially suited to mixed use developments. The development of land under a PUD allows departure from the uniformity principle and flexibility regarding regulations for buffers, setbacks, open space, height limits, land use density and other regulations as long as “equitable procedures recognizing due process principles and avoiding arbitrary decisions... are followed.” MCL 125.3503 (3). The problem with the 1140 Broadway project is that the City is dispensing with the uniformity principle without the application of the equitable procedures that the PUD process requires to ensure the protection of due process and other rights.

It does not seem that staff or the planning commission has critically considered the suitability of C1A/R zoning for this site or the possible ramifications if the City rezones the property as requested. The issue is not in the name of the zoning district but in its application and the precedent that will be set by this rezoning. The balance of this letter discusses the consequences that should be considered if the City rezones the property to C1A/R and why the rezoning will impact my clients in an inequitable manner.

HISTORY AND PURPOSE OF C1A/R ZONING

The C1A/R ordinance was adopted in 1966 and was intended to be used “near the campus business district” as an incentive to add residential uses to commercial buildings in established commercial areas. It was also intended as a transitional zoning area between higher intensity downtown zoning and adjacent residential neighborhoods. (“The original intent of the /R regulations was to provide incentives to provide amenities enhancing property values, provide greater public open space, and add to the quality of the general appearance of the downtown core.”) See 1987 Downtown Zoning History Memo, p. 4 (Attached as Ex A)

Very much like the later D1 and D2 zoning ordinances, the commercial “/R” districts were drafted based on the character and existing conditions of a distinct geographical area to further specific land use goals. The character of the lots in the proposed district dictated the increased FAR and limitless height restriction that the C1A/R ordinance allows. Those lots were generally small and therefore limited the potential density and height of buildings. By 1987 there were 70 parcels zoned C1A/R. (Ex A) The City has since rezoned the C1A/R parcels that used to exist on Washtenaw, South University and Willard as part of the A2D2 process. The only C1A/R parcels that currently exist are located in the Packard/State area. There is one parcel located at 417 S. Fourth Street. There are approximately 37 parcels zoned C1A/R that contain approximately 145 residential units. The district covers an area of approximately 195,087.5 square feet. The average lot size is around 5272 square feet. The tallest buildings have 3.5 stories. The overall residential density is 30 units per acre. Based on available information it appears that there have not been any new C1A/R developments since the late 1960’s.

The 1987 Memo discussed “perceived issues” with the C1A/R district which included in relevant part how to determine residential density because of “the dual use of FAR and dwelling units per acre in limiting development density.” The 1987 planning staff questioned whether the limit was 75 units/acre. The current staff seems to presume that only FAR is used to determine residential density despite the fact that there has been no opportunity to apply this zoning classification in 50 years. The staff’s 1987 predecessors questioned the appropriate formula without reaching any definitive conclusion. It is true that the former C2A zoning district, which was replaced by the downtown zoning classifications, posed a similar density question. There have been several high-rise buildings developed under the former C2A designation including the Landmark, which caused controversy and surprise at the intensity of development that could be achieved under C2A when

applied to larger aggregated parcels. The original Landmark proposal was for a 23-story building that was allowed by right. Council members at the time expressed surprise at the right to aggregate lots to achieve such heights and density. There was much opposition from neighbors in the nearby residential neighborhoods.

It is worth contemplating that under staff's interpretation of the C1A/R ordinance, the residential density of the subject site exceeds the allowable density in any other "R" zoning district. It also appears to exceed the unit density in any of the residential high-rises built since 2000. (See Ex B attached, Downtown Development Projects from 2000-2013). Despite the "C" in the classification name, the reality is that the Broadway site will contain almost exclusively residential land uses that will look like any other multiple family development in the City. The only difference will be that because of the "C" -and even without the development of a true mixed-use development - this residential housing project will be allowed an "intensity of development"¹ that is not allowed anywhere else in the City under any other residential zoning district classification. By developing under C1A/R, with the token commercial, the applicant can limit the Council's discretion to deny any site plan, increase residential density, increase allowable FAR and building heights (even with the self-imposed restriction), limit setbacks, and avoid the useable open space requirements that a multifamily district requires to protect the residents of the development and surrounding uses.

POSSIBLE RAMIFICATIONS OF REZONING TO C1A/R

The City Council may not be aware that the elimination of the C2A and C2A/R zoning classifications left the C1A/R zone as the second most intense zoning classification behind the D1 classification. This is an important consideration because the original intent of the C1A/R district was as a transitional zone between the higher intensity downtown zoning and adjoining residential neighborhoods. It no longer serves that purpose because it allows significantly more dense development than even the D2 zone which serves as a transition between D1 and the near downtown neighborhoods. The C1A/R zone no longer serves a transitional purpose because it is now the most intense commercial zoning district outside of the downtown area. In fact, in some situations, C1A/R zoning theoretically could allow taller buildings than permitted in some D1 overlay zones with height restrictions. It is inaccurate therefore to describe the development as providing any transition function. Moreover, as shown in the staff report, the self-imposed height restriction still allows the landowner more development intensity than was allowed under the PUD zoning of the site or could be allowed under D2 and the most intense R4 zoning district.

The successful rezoning of 1140 Broadway to C1A/R should make this zoning classification very attractive to other landowners who did not consider that it would be a development option because as stated, it apparently has not been used for development for at least 50 years. There are many other places that are arguably "near" or within the campus district that could similarly qualify for C1A/R rezoning or be combined and built by right in the existing C1A/R zone. The City will be open to a legal challenge if it denies the rezoning of other similarly situated land to C1A/R. The Master Plan will not help support a denial in those cases, because the 1140 Broadway rezoning is inconsistent with the Master Plan recommendation that the site be redeveloped as a PUD in a village type concept. The failure to zone consistent with the Master Plan places the City at risk

¹ The MZEA defines "intensity of development" as "the height, bulk, area, density, setback, use, and other similar characteristics of development."

because it compromises the ability to deny other rezoning requests that also are inconsistent with the Master Plan or only somewhat in compliance. In order to preserve the efficacy of a Master Plan it should be amended before the City allows a rezoning that is inconsistent or somewhat compliant with it. If the public's vision for a PUD in Lower Town has changed, the proper course is to first review and change the Master Plan before rezoning the site to a classification that cannot reasonably achieve the Master Plan goals.

THE UNFAIR IMPACT ON SURROUNDING PROPERTY CAUSED BY THE PLANNED PROJECT AND OTHER VARIANCES

Exhibit B shows that approximately 70% of the downtown developments canvassed required no variances. The document appropriately classifies the "planned project" as variances. Setting aside for another day the questionable legality of the "planned project" and how it is utilized, the more pressing issue here is that it prejudices my clients.

Developing land under a traditional zoning ordinance that allows the desired use by right brings many benefits to the builder because it is transparent and restricts the City's discretion to deny approval of the use. An adjoining owner, however, also is benefitted because that same transparency provides notice of what can be developed. Traditional zoning districts likewise ensure owners with property in the same zoning district that they will be treated equally and need not worry about favoritism because zoning law requires the application of uniform regulations in the same zoning districts. A landowner can only get the benefit of a "by right" use if its plan complies with all the development regulations that apply in the district. In other words, its proposal requires no variances. The by right approval is lost if the plan cannot conform to the ordinance unless the owner is entitled to a variance. The purpose of the variance is to provide justice for the landowner who because of unique conditions, which he or she did not create, cannot reasonably comply with a regulation without losing substantial rights. To get the variance, the landowner must also establish that the grant will not impair the rights of adjoining land owners who might lose the benefit of the regulation. The hardship in complying with the ordinance must be sufficiently severe to justify allowing the exception without being unfair to other land owners in the same zoning district who had to comply with the same regulation despite the loss of some development rights.

Staff and the planning commission have recommended approval of several significant setback variances for the 1140 Broadway development as a "planned project." They also recommended approval of a parking variance which has been approved. The developer has asked for planned project variances to set back requirements claiming that it will enhance the project's ability to "activate street frontage," "strengthen urban character," "enhance retail space access and visibility," "optimize open space and allow for appealing, harmonious architecture." Neither staff nor the planning commission seriously questioned these justifications for the variance even though the project has almost no commercial component and opinions differ regarding the architectural appeal. The August 1, 2017 staff memo recharacterized the applicant's justification to better meet the intent of the ordinance and additionally found that the proposed development included affordable housing which was another basis for approving a "planned project" variance. The need for the substantial variances illustrates the inappropriateness of the zoning classification for this site. The more variances required, the better the case for developing the property as a PUD, which is intended to provide the flexibility that traditional zoning classifications like C1A/R lack.

The fundamental problem with the "planned project" is that it allows the granting of a variance without the need for any unique circumstances or undue hardship. There is no evidence in the

minutes or staff reports that the planning commission reasonably considered or analyzed the unfair impact of the variances on the surrounding land owners.

The planned project variances proposed here diminish the importance of setback regulations meant to protect adjoining property owners. The City presumably requires that buildings adjacent to residential districts provide open space equal to the abutting district's setback requirement plus even more setback based on the height and length of the new building for public health, safety and welfare reasons. If setbacks can be relaxed so easily and for reasons that merely enhance the development or provide some amorphous public benefit, then it dilutes the justification for having the setback in the first place. If the setback is required for valid public purposes then it should always be required unless (1) it creates an unreasonable hardship that prevents the beneficial use of land (2) and can be relaxed without unreasonably diminishing the rights of others. If the setback formula is not meant to protect the health, safety and welfare of the abutting property owners then it is a purely arbitrary restriction that should be invalidated in every case. It is also troubling that the full setback protection can be waived for providing alleged affordable housing. While a laudable goal, there is a due process issue when adjoining landowners are forced to give up their rights without any compensation to allow the housing from which the applicant will obviously benefit. It is also troubling when the variance is recommended for alleged site improvements that are supposed to enhance nonexistent commercial amenities. Moreover, there is also a question of equal protection when some similarly situated landowners get the full protection of setback regulations while others do not. For example, "R" zoned neighborhoods in the near downtown area have the protection of the less intense D2 zoning and the increased setbacks that apply when D2 property is adjacent to R zoned property. We urge each council member to question why property owners in the near downtown neighborhoods are entitled to more protection from D2 zoned property, which permits even less intense development than C1A/R, than the neighborhoods that adjoin the subject property? The applicant's justification for the variances and staff's interpretation of them do not provide any legitimate basis to treat my clients more adversely than other residents in the near downtown neighborhoods.

The proposed project also has been granted substantial parking variances that required no showing of hardship or impact on surrounding property owners. The ordinance presumes that granting the variance based only on the amorphous "harmony" standard will ensure protection of adjoining property owners. Only time, however, will tell whether the reduction in parking will create a problem for the existing residents in the adjoining neighborhood. The City has no way of knowing beforehand whether the reduction in parking requirements will burden the adjacent neighborhoods. It is a leap of faith based upon theory that the future occupants will have fewer vehicles. My clients reasonably believe based on their experience of living in the neighborhood that they will bear the brunt of reducing the parking requirement.

The numerous concessions for this development along with the self-imposed conditions illustrate that C1A/R is not the proper zoning for the site. The property is actually being rezoned in a site-specific manner that is not allowed unless the land is being developed as a PUD. At a minimum, this is bad practice, bad precedent and injurious to other's rights.

Very truly yours,

SKF/do

Susan K. Friedlaender

Cc: Mayor Christopher Taylor (via e-mail: ctaylor@a2gov.org)
Anne Bannister (via e-mail: abannister@a2gov.org)
Sumi Kailasapathy (via e-mail: skailasapathy@a2gov.org)
Jane Lumm (via e-mail: jlumm@a2gov.org)
Kirk Westphal (via e-mail: kwestphal@a2gov.org)
Zachary Ackerman (via e-mail: zackerman@a2gov.org)
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MEMORANDUM

TO: City Planning Commission

November 13, 1987

FROM: Martin Overhiser, Planning Director
Glenn Bowles, City Planner **GB**

SUBJECT: **Analysis of the C1A/R, C2A/R, and C2B/R Zoning Districts
in the Downtown Area**

On September 22, 1987 at its regular meeting, the City Planning Commission tabled action on The Pizza House Rezoning and Site Plan so staff could complete an analysis of the "/R" zoning districts in the downtown area.

In response to the City Planning Commission request, staff inventoried all C1A/R, C2A/R, and C2B/R zoning districts in the downtown area and has researched the history of zoning in the downtown. The results of these investigations are detailed below.

INVENTORY

C1A/R

Seventy parcels are zoned C1A/R with only 15 located in the Downtown Development Authority (DDA)/parking exempt district. The 15 DDA parcels contain 76 dwelling units (4.6 percent of the DDA total), 110 parking spaces (1.0 percent of the DDA total), 2.83 acres (1.4 percent of the DDA land area), and 97,312 square feet of gross building floor area (0.8 percent of the DDA building area).

The entire C1A/R area contains 9.46 acres, 310 dwelling units, and over 313,200 square feet of gross floor area. Over twice as much C1A/R land area is found outside as is found inside the DDA district. The district is centered south of South University along Willard and in the Packard/State commercial concentration. Exclusive apartment or residential use is found in 47 of the 70 C1A/R parcels.

Forsythe Park at the corner of Packard and Arch Streets consists of three parcels containing a total of 0.303 acres is zoned C1A/R.

C2A/R

All of the 109 properties of the C2A/R zoning district are found within the DDA/parking exempt district. The properties contain 640 dwelling units (38.4 percent of the DDA total), 814 parking spaces (7.6 percent of the DDA total), 22.2 acres (11.1 percent of the DDA land area), and 1,351,700 square feet of gross building floor area (11.6 percent of the DDA building area). Five parcels containing 0.84 acres are in public use. They are Liberty Plaza, the AATA Transfer Station and the Kempf House.

When the average floor area ratio (total building floor area divided by the parcel size) for the entire DDA district is compared to the entire C2A/R zoning district (1.39:1.33), the C2A/R district is nearly five percent more

dense. Nearly 45 percent or 49 properties in the C2A/R zoning district are used exclusively for residential or apartment use. On occupied parcels, floor area ratios (FAR) range 10.97 and 10.76 for the Tower Plaza and Maynard House properties respectively to less than one, but average just less than two. The typical building contains two stories with an occupied basement.

C2B/R

Like the C2A/R, the C2B/R zoning district is contained completely within the DDA/parking exempt district. The 186 parcels contain 144 dwelling units (8.6 percent of the DDA total), 2,258 parking spaces (21.1 percent of the DDA total), 32.6 acres (16.3 percent of the DDA land area, and 1,348,300 square feet of gross building floor area (11.6 percent of the DDA total). The total C2B/R floor area ratio is 80 percent of the total DDA floor area ratio.

Thirteen parcels in the C2B/R zoning district are publicly-owned. However, five of them (Ashley Plaza and the Packard/Main properties) are proposed to be sold to a private interest for the development of downtown housing. The remaining eight parcels (Washtenaw County office buildings-3, Farmers' Market-2, the Fourth and Catherine parking lot and the Community Dental Clinic-2) contain 2.50 acres.

The inventory for all three zoning districts is attached. Parcel maps locating the various zoning districts and a zoning district map demonstrating the relationships with the surrounding zoning districts are also attached.

ZONING DISTRICT COMPARISONS

C1A/R

The C1A/R serves as a transition or buffer zone of use between the campus-oriented commercial concentrations along South University Avenue (between Washtenaw Avenue and East University) and the Packard-State intersection and the surrounding multiple-family dwelling districts.

Residential densities in the C1A/R for parcels with residential uses is 35.9 dwelling units per acre (du/ac). The density allowable for residential density in the C1A/R zoning district seems to be the R4C/D level of 75 du/ac.

The C1A/R residential density in the South University area (28.5 du/ac) is less than the Packard-State area (38.6 du/ac).

C2A/R

The C2A/R provides an area for high density residential development within the downtown core to encourage the orderly clustering and placement of high-rise housing between the two core commercial concentrations (South Main and South State Streets). Residential densities within the zoning district average 75.32 with a range of 622 du/ac in Tower Plaza to six du/ac for the apartments at 303 South Division Street, and are comparable to the R4C/D density of 75 du/ac referenced in the zoning regulations.

Six buildings exceed the maximum floor area ratio of 3 times the lot area without floor area premiums being provided. They are the Campus Inn, the Handicraft building, the Michigan Bell building, Tower Plaza, the 350 Thompson Street apartments, and the Maynard House. Only the Campus Inn and Tower Plaza provide any pedestrian plaza space.

C2B/R

The C2B/R serves as a buffer or transition in density and use between the downtown commercial core and the surrounding residential neighborhoods to the west and north by allowing higher floor area ratios in exchange for residential use. The district allows highway-oriented uses such as vehicle sales and service uses that were operating at the time of passage in 1966. Several old corner gasoline service stations and car dealerships in the commercial core area along Huron Street are now zoned C2B/R. The zoning district contains fewer residential units at a lower density than the other two downtown residential zoning districts, but contains a greater percentage of parking spaces. The C2A/R and the C2B/R contain nearly equivalent floor area, but the latter has a lower average floor area.

Only the retail/office buildings at 209 and 221 North Main Street, Tally Hall (Liberty Square) and the Danish News building exceed the maximum 3.00 FAR without providing premiums. Tally Hall provides an inner atrium but does not exceed the maximum 6.00 FAR.

Residential densities for C2B/R parcels with residential use average 28.37 du/ac with a range of over 60 in the Bilakos Block to five per acre for the residence at 415 North Main Street. The actual residential density of the zoning district is well above the 20 du/ac referenced in the C2B/R zoning regulations.

Difference Between the Downtown Commercial and the Commercial/Residential Zoning Districts

The following chart compares the six downtown zoning districts.

	<u>Maximum FAR</u>		<u>Setbacks</u>			<u>Maximum Height</u>	<u>Minimum Gross Lot Size/ Width</u>	<u>Maximum Residential Density</u>	<u>Minimum Residential Lot Size/ Width</u>
	<u>Without Premiums</u>	<u>With Premiums</u>	<u>Front</u>	<u>Window Wall</u>	<u>Abutting Residential</u>				
C1A	200%	400%	0	X	Yes	None	None	75 du/ac (unclear)	14,000 sqft/120 ft
C1A/R	300%	600%	10 ft*	X	Yes	None	None	75 du/ac (unclear)	14,000 sqft/120 ft
C2A	400%	600%	0	X	Yes	None	None	75 du/ac (R4C/D)	14,000 sqft/120 ft
C2A/R	300%	600%	10 ft*	X	Yes	None	None	75 du/ac (R4C/D)	14,000 sqft/120 ft
C2B	200%	200%	40 ft		Yes	60 ft	4,000 sqft/ 40 ft	20 du/ac (R4C)	8,500 sqft/60 ft
C2B/R	300%	600%	40 ft*	X	Yes	None	None	20 du/ac (R4C)	8,500 sqft/60 ft

- * When a building containing any residential use does not exceed five stories in height, the total square footage of the front, rear, and side yards shall not be less than 30 percent of the lot area.

As an inducement for new housing in the downtown, potential FARs were generally increased in exchange for an increased front yard setback. The C2A/R does not increase FARs over the C2A. All other aspects of the zoning districts including window wall setbacks, maximum heights, minimum lot size and width and residential density. The C2B/R eliminates the minimum gross lot size and width requirements. The original intent of the /R regulations was to provide incentives to provide amenities enhancing property values, provide greater public open space, and add to the quality of the general appearance of the downtown core.

HISTORIC BACKGROUND

Ann Arbor's first zoning ordinance was adopted by a 9-4 vote by the Common Council on September 4, 1923. The vote was changed to 12-1 after the zoning map was amended to change the zoning on the west side of North State Street between Huron and Ann Streets from "C" (Commercial) to "B" (Residential). The ordinance established four use districts within the City: "A" (Single-Family) Residential, "B" (Duplex and Rooming House) Residential, "C" Commercial, and "D" Industrial. The Ordinance was a classical pyramid arrangement with "A" uses allowed in all districts; "B" uses allowed in B, C and D; "C" allowed on in C and D; and "D" allowed only in its own district. The Ordinance was established for the public interest, health, comfort, convenience, preservation of the public peace, safety, morals, order, and public welfare of the City under the police powers of the City.

Between 1923 and 1930, the ordinance was amended seven times. Four of the changes being mapping amendments. Most were a more precise recognition of existing uses, but these amendments point out that an ambiguity existed 64 years ago concerning the ultimate activity allowed in the northwest portion of the DDA district. As has been pointed out in the 1987 version of the Downtown Plan, the ambiguity and debate continues today. Attached are a copy of the original ordinance and map illustrating use district changes between 1923 and 1929. All of the use district changes were in the downtown or directly adjacent to the district in this period.

In 1929, the first of a series of major revisions to the text of the ordinance were adopted by the Common Council. Several definitional amendments were made to the Code for "inner court", "height and length of court", "curb level", and the like that made the Ordinance more applicable to construction practices of the day and were probably reflective of the general experience of other cities in the country. For example, the concept of rear and side yard setbacks were introduced, as well as, height and residential density (dwelling units per square foot). No longer were the districts called "use" districts, but rather use, height and area districts. As the automobile became more common, different land uses were created to accommodate the motoring public. For example, no mention in 1923 of a gasoline or motor fuel filling station was made. In 1929 they were added.

The original use district map established three districts in the downtown. Residential "B" north of the South University frontage east of East University, the Community High block, the area north of Catherine west of Fourth, and the

Washington Street area east of Division. Commercial and Industrial "D" for Kerrytown and either side of the Ann Arbor Railroad tracks generally west of First Street and south of Packard extending to Ashley Street. The remaining parcels were zoned "C" Commercial except the University of Michigan Campus on the "Diag" block. In 1929, a local business use district was added so that what were shown as "C" along Chapin Street, the Brauer Building at Catherine and Fifth and South University Avenue, were changed to "C" Local Business and the former "C" Commercial district became the "D" Commercial district. The "D" district was found only in the downtown core area.

One should be aware that even into the mid-1930's, the Ann Arbor downtown was a manufacturing, wholesaling, and agricultural processing center for the general western Washtenaw County area. The concept of large modern grocery and department stores was only in its infancy. Most people bought fresh vegetables, used a blacksmith to make minor repairs, and still made most of their own clothes. Mail ordering was very popular. Kerrytown was a laundry and light manufacturing area. The downtown did not become a strong retailing center until the late 1940's.

Between September 1932 and January 1955, the number of use, height and area districts in the downtown area was expanded from four to nine by including a second local business district, two residential districts, and another industrial district. Motels were defined as well as self-service laundries, and junkyards. The Depression had its effects on land uses too. More people were doubling up in existing dwelling units. More types of higher density housing had to be defined. Junkyards were becoming a local concern and finally became regulated through the use, height, and area ordinance. Provisions for requiring off-street parking within certain districts were added to the ordinance in 1953.

Between 1932 and 1939, very few mapping or text amendments were passed. More significantly though during this time was the first official establishment of the Planning Commission which met for the first time on July 25, 1938. The Common Council had made the appointments on June 6, 1938. An early attempt to establish a planning commission had not been successful. Previously, the Common Council had handled all map and text amendments itself. A Board of Appeals was established in 1923 to hear any appeals of the decision of the Building Inspector. City Engineering processed all petitions since there was no Building Inspector. On June 3, 1939, the first City Planning Department employee was hired. Harold Spoden, a part-time draftsman, was retained to make mapping changes.

Between 1939 and 1956, nearly 30 amendments to the map and text of the Ordinance were approved. The attached map illustrates the map amendments and the attached time line plots the text amendments.

By the early 1960's (see the attached map), a downtown zoning district arrangement had evolved boundaries that closely follow the present zoning and DDA district boundaries. Two high-rise buildings were constructed in the early 1960's which radically changed the philosophy of the Zoning Ordinance. As a direct reaction to the University Towers, the Maynard House, and plans for the

Tower Plaza, the City commissioned the landscape architectural firm of Johnson, Johnson and Roy, Inc. of Ann Arbor to develop recommendations concerning high-rise development and parking for the Ann Arbor downtown. The resulting Central City High-Rise and Parking report was instrumental in making sweeping changes to the Zoning Ordinance in regard to floor area ratios, parking exemptions, and the placement of high-rise buildings in the downtown core area.

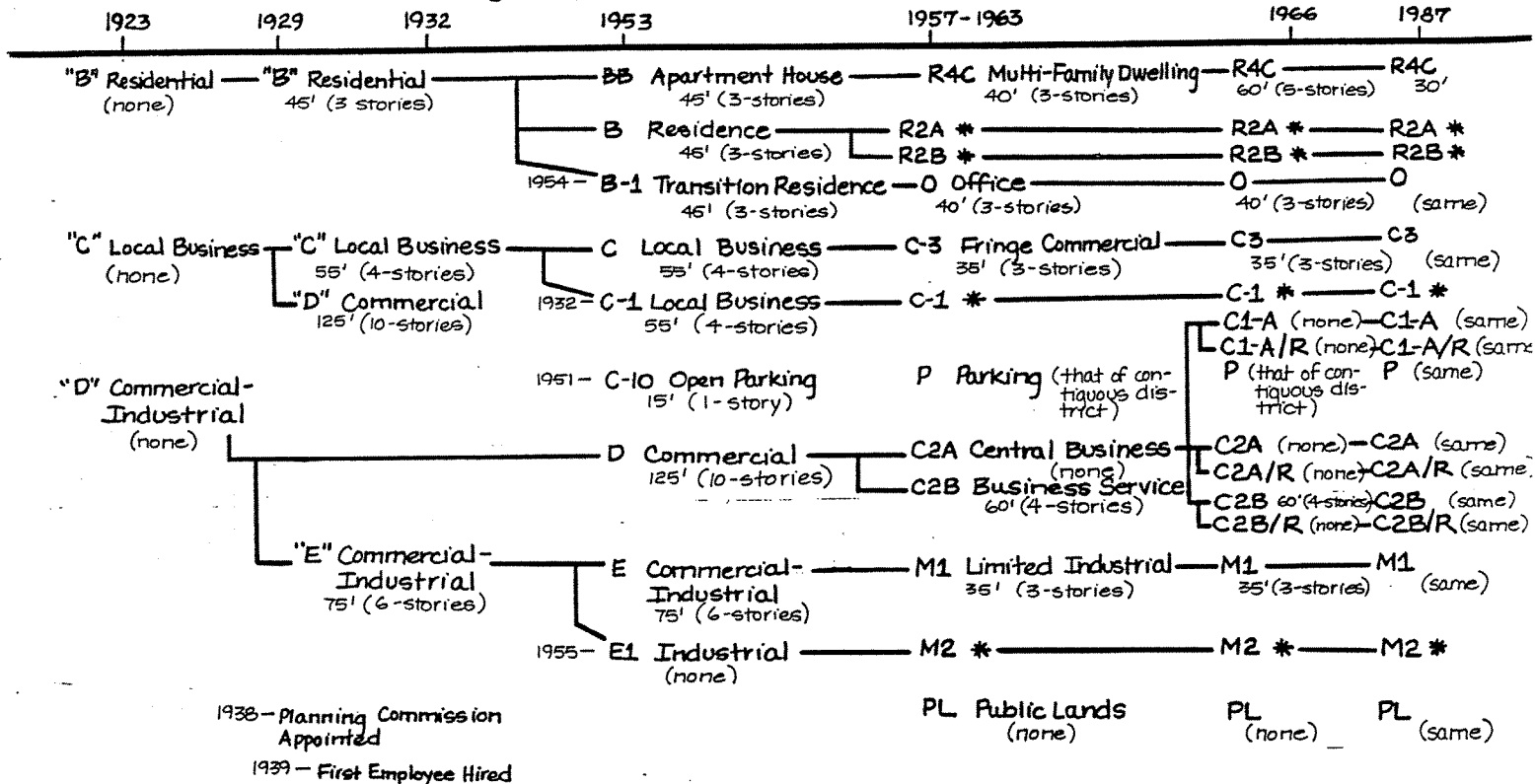
Before this effort, the City had amended its Zoning Ordinance on January 14, 1963 which codified the Ordinance and added a table of contents, an index and reference maps in the same document. This was the culmination of a seven-year effort to overhaul the entire Zoning Ordinance.

In order to better understand the intent of the complete revision to the Zoning Ordinance in 1963 and the reaction to the new downtown regulations which culminated with substantiate revisions being adopted in 1966, a graphic description of the changes in types and number of downtown zoning districts and their regulation of height, setback and density is displayed below.

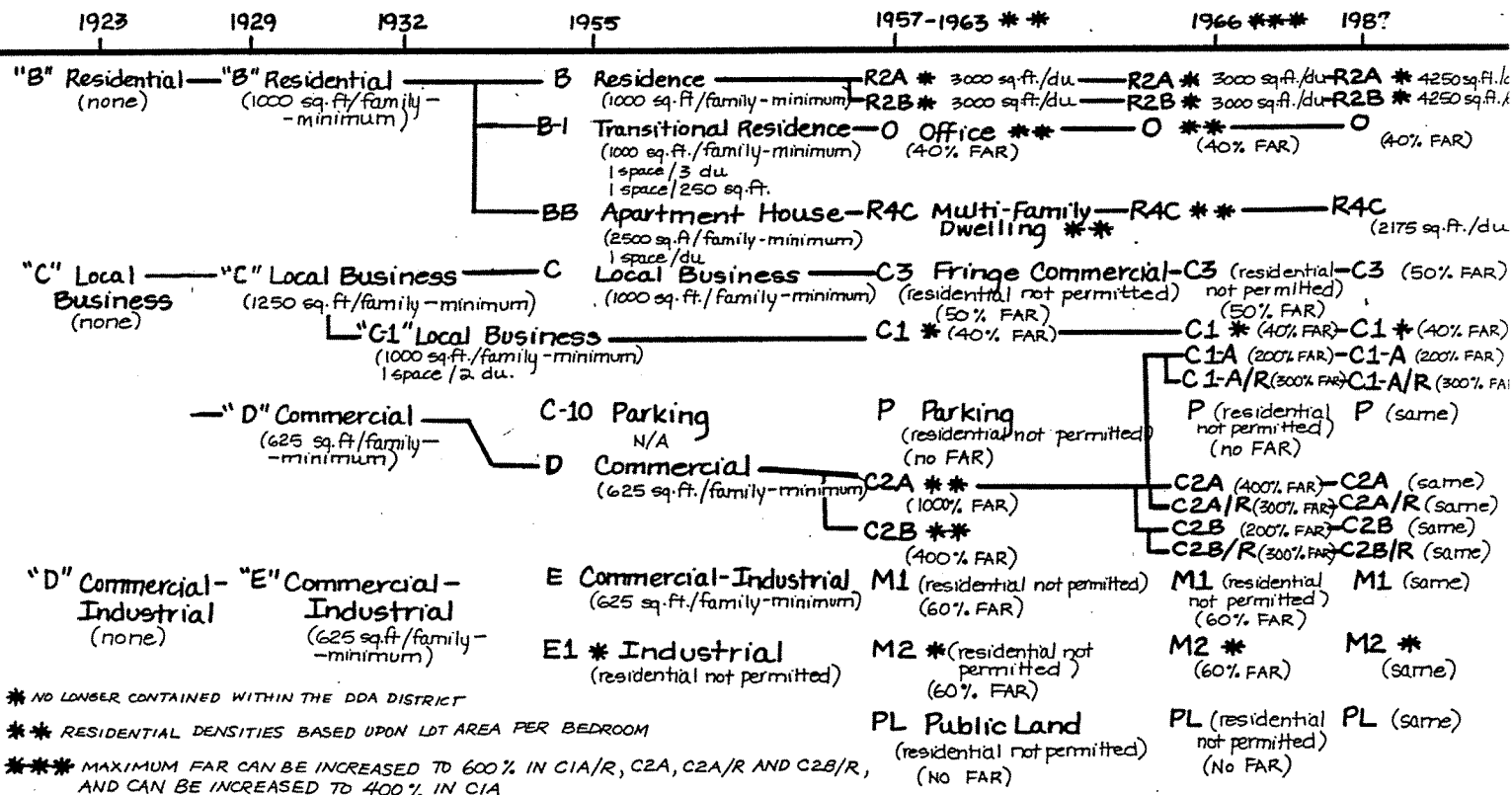
DOWNTOWN ZONING			FRONT SETBACKS			
1923	1929	1932	1957-1963	1963	1966	1987
"B" Residential (25 feet)	"B" Residential (inner/outer court)		B Residence (25 feet)	R2A * R2B *	R2A * R2B *	R2A * R2B *
			B-1 Transitional Residence (25 feet)	O Office (25 feet)	O (25 feet)	O (same)
			BB Apartment House (25 feet)	R4C Multi-Family Dwelling (15 feet)	R4C (15 feet)	R4C (25 feet)
"C" Local Business (10 feet)	"C" Local Business (inner/outer court)		C (inner/outer court)	C3 Fringe Commercial (40 feet)	C3-4 (0 feet)	C3 (same)
	C-1 Local Business		C-1 (inner/outer court)	C-1 *	C1 * C1-A (none) C1-A/R (10 feet)	C-1 * C1-A (same) C1-A/R (same)
	"D" Commercial (inner/outer court)		C-10 Parking (none)	P Parking (none)	P (none)	P (same)
			D Commercial (inner/outer court)	C2A (none)	C2A (none)	C2A (same)
				C2B (none)	C2A/R (10 feet)	C2A/R (same)
"D" Commercial- Industrial (none)	"E" Commercial- Industrial (inner/outer court)		E Commercial-Industrial (inner/outer court)	M1 (30% up to 40%)	C2B (20 feet) C2B/R (10 feet)	C2B (40 feet) C2B/R (40 feet)
			E1 * Industrial (25 % of frontage)	M2 *	M1 (30% up to 40%)	M1 (same)
				PL Public Land (none)	M2 * PL (none)	M2 * PL (same)

* NO LONGER CONTAINED WITHIN THE DOWNTOWN DEVELOPMENT AUTHORITY DISTRICT

BUILDING HEIGHT



DENSITY



* NO LONGER CONTAINED WITHIN THE DDA DISTRICT

*** RESIDENTIAL DENSITIES BASED UPON LOT AREA PER BEDROOM

*** MAXIMUM FAR CAN BE INCREASED TO 600% IN CIA/R, C2A, C2A/R AND C2B/R,
AND CAN BE INCREASED TO 400% IN CIA

1953- Parking Requirement
Established

1963 - Parking Taken out
of Zoning Ordinance

1966 - Downtown
Becomes Park-
ing Exempt

1987- Premium
Floor Areas Sub-
jected to Parking
Standards.

The 1957 to 1963 Ordinance revisions establish the basic Ordinance text and format that is used today. The existing zoning maps are derived from this effort. This last generation of Ordinance first established the concept of Floor Area Ratio and modified parking requirements in the zoning ordinance that were first added in 1953. The 1963 Ordinance was also unique in that it digressed from the historic use of pyramid zoning by not allowing residential use in the fringe commercial (C3), parking (P), public lands (PL), and the industrial (M) zoning districts. Public lands were first segregated from other zoning districts at this time. The adoption of the 1963 Zoning Ordinance corresponded closely to the publication of "A Guide to Action - The Ann Arbor Central Area" in December, 1962.

A second downtown study was commissioned in 1965 as a "continuing refinement and implementation of A Guide to Action." The Central City High-Rise and Parking, recommendations served as the basis for the downtown zoning revisions adopted in 1966. The joint committee formed to evaluate the condition of downtown zoning regulations felt that more precise standards and parking exemptions were needed. The Ordinance revisions:

- 1) Established the concept of floor area premiums. In exchange for pedestrian-oriented plazas and atriums, the developer is allowed to exceed the established FAR maximums. It is interesting to note that the original concept of the roof plaza premium was for a plaza on top of a parking structure where the "surface area is designed to provide usable space and landscape elements for the building occupants and an interesting surface viewable from surrounding buildings."
- 2) Rezoned the South University retail area from C2A (Central Business District) to C1A (Local Business District) so that the area could more properly relate to its physical surroundings.
- 3) Created new residential districts in the downtown to provide general areas for high density residential development and to encourage the orderly clustering and placement of high-rise housing with commercial on the first two floors. Essentially portions of the two downtown commercial districts (C2A and C2B) and the newly-proposed C1A would be given the residential designation /R. Residential use was proposed to be then eliminated from the standard downtown commercial zoning district (C1A, C2A, and C2B). However, residential use was never removed by right from the downtown.

The /R downtown residential districts would require a ten-foot front yard. To encourage residential development in the /R districts, increases in FAR were provided.

- 4) Window wall setbacks were established above the second floor where windows are required by building code.
- 5) Land use was exempted from the provisions of Chapter 59 (Off-Street Parking Ordinance) except for residential use. Different parking exempt zones were established within the downtown area, each with slightly differing degrees of exemption.

This third generation of downtown zoning regulations seemed to be a direct reaction to the construction of the Maynard House in 1962, to University Towers built in 1965 and plans developing for Tower Plaza built from 1967 to 1969.

Many existing non-residential buildings were made nonconforming as a result of the 1966 Ordinance revisions in the newly-created C1A/R, C2A/R, and C2B/R zoning districts. Because of this, Section 5:88 was added to allow existing non-residential uses or structures, or the abutting site of expansion to be registered as a development of record. Essentially, the City recognized the nonconformity and allowed it to exist indefinitely. The attached map plots each of the developments of record in the downtown /R zones.

Several other amendments revised the Zoning Ordinance text since January 10, 1966. The revisions that directly affect the Downtown districts are:

- a) August 14, 1967 - established window wall setbacks in the C1A/R, C2A, C2A/R and C2B/R zoning districts.
- b) October 30, 1967 - set minimum front yard setbacks in the P (Parking District).
- c) July 15, 1968 - technical text amendment providing a direct reference from Schedule of Area, height and Placement Regulations to Section 5:67.
- d) January 20, 1969 - Technical adjustment to window wall provisions.
- e) March 16, 1970 - Revisions to definitions of street, structure, lot, usable open space, distance between buildings, removed residential uses as permitted uses in the O (Office District), removed the provision that the P (Parking District) may act as a buffer between residential and commercial or industrial uses.
- f) November 15, 1971 - the official copy of the Zoning Ordinance, certified by the City Clerk, shall be kept in the Planning Department. R4C/D added as a principle permitted use in the C2A/R, C2B and C2B/R zoning districts.
- g) September 8, 1980 - revised permitted uses in all districts and established the existing multiple-family dwelling densities.
- h) August 3, 1981 - established a 40-foot front yard setback for the C2B and C2B/R districts and 75-foot front and rear setbacks and a 50-foot side setback in the P district.
- i) March 4, 1985 - technical amendment that allows a building setback based on the average setback of nearby buildings in the C2B and C2B/R districts and residential uses in the C2B/R districts must comply with the R4C area, height, placement and density regulations.

j) July, 1987 - revision to the parking ordinance.

CONCLUSIONS

C1A/R

Derived from the C2A (Core Commercial District), the C1A/R attempts to form a transition between the South University Campus commercial and the surrounding multiple-family neighborhood. The district also seems to recognize the existence of office and retail uses in a few of the structures and the future need to expand retail floor area in the South University area. The perceived issues in the C1A/R are:

- 1) The relationship of the ten-foot front setback requirement and the transition between campus commercial and the R4C multiple-family dwelling district.
- 2) Several (four buildings) are exempted from the front yard setback requirements and effectively cut the C1A/R South University area in two.
- 3) Is there a need to extend retail uses to Willard Street?
- 4) Is there a need for front yard setbacks?
- 5) The ensurance of residential use in new developments.
- 6) The confusion in the dual use of FAR and dwelling units per acre in limiting development density.
- 7) The marketing of new residential buildings would require on-site parking, yet none is legally required if premiums are not exceeded.
- 8) Several tax parcels are used exclusively for parking.
- 9) Forsythe Park at the corner of Arch and Packard is zoned C1A/R.
- 10) Residential density in the C1A/R is 38 du/acre.
- 11) Illegal front yard parking is widespread.

C2A/R

Development of Record registration in 1966 effectively rezoned 30 percent of the C2A/R zoning district back to C2A. There does not seem to be an incentive to use the C2A/R district to develop high-rise housing because of the front yard setback and lower premium FAR requirements. The Huron Street corridor is intended to be a high intensity development corridor according to the proposed Downtown Plan and the adopted Downtown Conservation and Development Strategy. However, an interface with the Perry School R4C neighborhood to the south and the fact that several buildings to the north in the Old Fourth Ward and Division Street Historical District are located in the C2A/R district must be taken into account.

The simultaneous application of the FAR and dwelling units per acre density regulations is confusing. The average housing density in the C2A/R district area is 75 du/acre, that of the maximum density in the R4C/D (Downtown Multiple-Family Housing District).

As with the C1A/R district, parking is the exclusive use on many single parcels not zoned P (Parking District) and several public land parcels are not zoned PL (Public Land District). Illegal front yard parking is an issue along Division and Thompson Streets.

C2B/R

Again, several publicly-owned parcels are not zoned PL and nine parcels with parking as its exclusive use are not zoned P. The C2B/R district was established as a transition between the C2A core commercial and the surrounding R4C multiple-family neighborhoods and accommodate many formerly-existing highway-oriented uses such as car dealerships and car repair and service stations. All of these uses have disappeared from the downtown core.

The Development of Record exempted nearly a third of the C2B/R land area and nearly one-half of the building floor area. Section 5:61(4) make the Development of Record contradictory and confusing in the C2B/R district. The 40-foot setback requirement is excessive in the downtown area.

Furthermore, the use of both dwelling units per acre and the FAR to control density can be confusing. The residential density in the C2B/R district is 28 du/ac (R4D maximum density is 25 du/ac). R4C/D and R4D front yard setback (25 feet) and minimum lot size are not compatible with the downtown situation.

PROPOSALS

C1A/R

For the City Planning Commission immediate consideration, staff would recommend that the C1A (Campus Commercial District) boundary be extended to include all parcels on the west side of Church Street within the Downtown Development Authority district. This would include 618 (The Pizza House), 620, and 624 Church Street.

Furthermore, 621 Church Street and all the Developments of Record should also be zoned C1A as should Bell's Pizza at 716 Packard Street. Forsythe park should be zoned PL.

All C1A/R-zoned property along Willard, Forest, Church and East University should be zoned R4C/D (Downtown Multiple-Family Dwelling District) to better serve as a transition in density between the downtown and the R4C-zoned neighborhood. Front yard setbacks required should be revised to allow an averaging of existing setbacks within the block face and minimum lot sizes should be lowered to 5,800 square feet. Parking regulations should be more strictly administered. This would bring most of the properties into compliance and would not allow any significant expansion of residential densities because of the existing dwelling unit per acre density and 1.5 spaces per unit parking regulations. This higher density residential zoning change would be offered in exchange for no commercial or office expansion in the existing residential structures. The existing office use in 621 Forest can continue as a home occupation and the mall (824 square feet) restaurant at 627 East University could continue as a nonconforming use.

The C1A/R does still make sense along Washtenaw Avenue where the setbacks should be maintained as an entry corridor into the downtown and the University of Michigan Central Campus.

Other residential uses zoned C1A/R in the Packard/State area should be zoned R4C/D with the understanding that front setback regulations will be revised to allow averaging and the minimum lot area be reduced to 5,800 square feet. The properties with predominately commercial or office use should be rezoned to C1B.

C2A/R

This district does not seem to serve the original purpose for which it was intended. All Development of Record-registered properties and all other non-residential and non-public parcels should be rezoned to C2A (Core Commercial District). This would include the Maynard House block, Tower Plaza, and the Huron, Washington and Liberty Streets frontages. The block bounded by Liberty, Division, Thompson and William needs to be studied in detail to establish a future land use policy. All City-owned parcels presently zoned C2A/R should be rezoned to PL.

All William and all Division and Thompson Streets frontage south of Liberty Street not already mentioned should be rezoned to R4C/D that will more closely reflect existing use and densities and will not increase residential densities. This will affect a density transition from the downtown core into the Perry School R4C neighborhood.

C2B/R

All C2B/R-zoned parcels east of North Fifth Street and South of Ann Street should be rezoned to C2A (Core Commercial) because the former uses established and the present uses are no longer in use. All publicly-owned parcels presently zoned C2B/R should be rezoned to PL.

Because of the contradictory nature and confusion involved with the Development of Record in the C2B/R district, the balance of the district should be rezoned back to C2B with the exception of the Kingsley frontage east of North Main Street to R4D.

The existing C2B downtown zoning district front yard setback should be revised to allow an averaging of the block face not to exceed 25 feet.

GB/jsj/m

Attachments: Zoning Ordinance of 1923
Zoning Ordinance of 1929
Zoning Ordinance of 1932
Map of Use District Changes Between 1923 and 1966
Time Line of Text Amendments to Zoning Ordinance
Land Use Maps for Each "/R" Zoning District - 11/87
Spreadsheet Inventory for Each "/R" Zoning District - 11/87
Map of Residentially-Zoned Properties (/R)
Map of Development of Record Parcels in the Downtown - 11/87

APPENDIX B



Summary of Downtown Projects Since 2000

Downtown Development Projects by Character Area – 2000 to Present

State Street Character Area

Project	Approval Timeframe	Variances	Built	District/ Rezoning	Floor Area Ratio	Height	Parking	Premiums	Dwelling Units	Historic District	Contri- butions
<i>The Collegian</i> 333 Maynard 9294V21.5d	6.10.2002 8.5.2002 2 months	Yes Chap 55 (Planned Project)	Yes 2004	C2A	390% 27,730 sf	5 stories (68 feet) 1 – retail 2-5 – office	Required – 0 Provided – 0	No	None	Yes State Street	None
<i>The Collegian – Addition</i> 333 Maynard 9294V21.5e	10.10.2005 1.9.2006 3 months	Yes Chap 55 (Planned Project)	No Expired	C2A	600% 42,660 sf	8 stories 1 – retail 2-4 – office 5-8 – residential	Required – 15 Provided – 15 off-site	Yes Residential	27 units	Yes State Street	\$15,611 - Parks
<i>Cornerhouse (State Street) Lofts</i> 205 S. State 9282C1.5b	3.30.2001 5.21.2001 2 months	No	Yes 2003	C2A	660% 71,845 sf	8 stories (99 feet) 1 – retail 2-8 – residential	Required – 29 Provided – 29 off-site	Yes Residential	42 units (3 affordable)	No	\$17,188 - Parks
<i>McKinley Liberty Retail</i> 505 E. Liberty 9291A19.05	8.2007 1.7.2008 5 months	No	Yes 2009	PUD (from C2A)	593% total (139% retail, 454% - parking)	7 stories (102 feet) 1-2 – retail 2-7 – parking	Required – 0 Provided – 0 (reserved spaces in structure)	No	None	No	\$125,000 – Stormwater requirement
<i>McKinley Town Center</i> 401 E. Liberty 9291B17.5	9.9.2005 10.18.2005 1 month	Yes Chap 62	Yes 2007	C2A/R	277% 132,349 sf	5 stories 1 – retail 2-5 – office	Required – 0 Provided – 62	No	None	No	None
<i>Thayer Arms</i> 224 S. Thayer 9282A2.5	8.11.2000 12.4.2000 4 months	Yes Chap 55	No Expired	C2A	381% 16,846 sf	6 stories (77 feet) 1 – garden 2-6 – office	Required – 0 Provided – 0	No	None	No	None
<i>Zaragon West</i> 500 E. William SP10-013	4.26.2010 8.5.2010 3.5 months	No	Yes 2012	D1	682% 96,685 sf	14 stories (174 feet) 1 – retail 2-3 – parking 4-14 – residential	Required – 40 Provided – 40	Yes Residential	99 units (200 bedrooms)	No	\$48,000 - Parks

Downtown Development Projects by Character Area – 2000 to Present

East Huron 1 Character Area

Project	Approval Timeframe	Variances	Built	District/ Rezoning	Floor Area Ratio	Height	Parking	Premiums	Dwelling Units	Historic District	Contri- butions
413 E. Huron 413 E. Huron St. SP12-036	11.28.2012 Under Review	No	No	D1	680% 271,855 sf	14 stories (150 feet) B1-2 – parking 1 – retail 2-14 residential	Required – 112 Provided – 132	Yes	216 units (533 bedrooms)	No	\$133,920 - Parks

East Huron 2 Character Area

Project	Approval Timeframe	Variances	Built	District/ Rezoning	Floor Area Ratio	Height	Parking	Premiums	Dwelling Units	Historic District	Contri- butions
Ann Arbor Municipal Center 100 N. Fifth Ave.	Not applicable	No	Yes 2011	PL	228% 199,600 sf	5 stories – new building 6 stories – existing building (99 feet)	Required – 0 Provided – 52	No	No	No	No
4 Eleven Lofts (Washington Terrace) 301 E. Washington 9291A17.5	2.27.2006 6.5.2006 3.5 months	No	Yes 2009	C2A/R	603% 132,610 sf	11 stories (110 feet) B1-3 – parking 1 – retail 2-11 – residential	Required – 68 Provided – 107	Yes Residential	96 units (342 bedrooms)	No (former Individual Historic District site)	\$54,564 - Parks
The Varsity 425 E. Washington SP11-023	7.28.2011 11.10.2011 3.5 months	No	Under Constr.	D1	695% 177,180 sf	13 stories (148 ft) B1-2 – parking 1-13 residential	Required – 76 Provided – 78	Yes Residential	181 units (415 bedrooms)	No	On-site plaza amenities

Downtown Development Projects by Character Area – 2000 to Present

Liberty/Division Character Area

Project	Approval Timeframe	Variances	Built	District/ Rezoning	Floor Area Ratio	Height	Parking	Premiums	Dwelling Units	Historic District	Contri- butions
<i>Metro Lofts</i> 320 E. Liberty 9291A13.5	4.14.2003 8.4.2003 4 months	Yes Chap 55	Yes 2007	C2A/R	445% 38,782 sf	4 stories (59 feet) 1-4 residential	Required – 3 Provided – 14	Yes Residential	14 units	Yes East Liberty	None

Midtown Character Area

Project	Approval Timeframe	Variances	Built	District/ Rezoning	Floor Area Ratio	Height	Parking	Premiums	Dwelling Units	Historic District	Contri- butions
<i>Fifth Avenue Building</i> 221-225 E. Washington 9291D11.5	9.11.2000 1.8.2001 4 months	Yes Chap 55	Yes	C2A	258% Revised in 2003 to 263% 21,659 sf	4 stories 1 – retail/pkg 2-3 – office 4 - residential	Required – 0 Provided – 4	No	1 unit	Yes Main Street	None
<i>Metro 202</i> 202 S. Division 9291C15.5	6.19.2005 9.5.2006 15 months	Yes Chap 55 (Planned Project)	No Expired	C2A/R (from C2B/R)	610% 53,454 sf	9 stories (105 feet) 1 – retail 2-9 - residential	Required – 27 Provided – 44 off-site	Yes Residential	44 units	No	\$26,734 - Parks
<i>UM Credit Union</i> 340 E. Huron SP11-027	9.12.2011 Under review	No	Yes 2012	D1	181% 89,174 sf	3 stories	Required – 0 Provided – 31	No	None	No	None
<i>William Street Station</i> 9294W9.5	11.28.2005 2.21.2006 3 months	Yes Chap 47	No Expired	C2A/R	610% 320,000 sf	West 12 stories (175 feet) East 14 stories (195 feet)	Required – 163 Provided – 163 off-site	Yes Residential	160 units (100 affordable)	No	Pedestrian amenities

Downtown Development Projects by Character Area – 2000 to Present

Main Street Character Area

Project	Approval Timeframe	Variances	Built	District/ Rezoning	Floor Area Ratio	Height	Parking	Premiums	Dwelling Units	Historic District	Contri- butions
215 N. Fifth Ave SP11-002	1.26.2011 4.18.2011 3 months	No	No	D2	96% 4,000 sf	2 stories 1-2 – residential	Required – 0 Provided – 2	No	1 unit	Yes	No
112 W. Liberty 9291B3.5	3.10.2003 5.5.2003 2 months	No	No Expired	C2A	280% 4,923 sf	3 stories 1 – retail 2-3 residential	Required – 0 Provided – 0	No	1 unit	Yes Main Street	None
303-307 S. Main 9291A6.5	2.11.2002 4.11.2002 2.5 months	No	Yes 2005	C2A	390% 30,520 sf	3 stories 1 – Retail 2-3 Office	Required – 0 Provided – 0	No	None	Yes Main Street	None
Ann Arbor City Apartments W. Washington 9291D1.05	1.28.2008 12.1.2008 10 months	No	Under Constr.	PUD (from P)	681% 168,027 sf	9 stories (104 feet) B1-B2 – parking 1-2 – parking 3-9 – residential	Required – 70 Provided – 244 (a portion to be available to public)	No	156 units (16 affordable)	No	\$36,208 – Parks \$90,000 – Public art (DDA)
Ashley Terrace 202-212 W. Huron 9291J2.5c	5.2.2005 9.6.2005 4 months	No	Yes 2008	C2A (from C2B/R)	600% 156,889 sf	11 stories (132 feet) B1-3 – parking 1-2 – retail/office 3-11 – residential	Required – 52 Provided - 124	Yes Residential	93 units	No	\$53,773 - Parks TBD – Traffic mitigation
Downtown Home & Garden 212 S. Ashley SP11-003	1.31.2011 4.20.2011 4 months	No	Yes 2011	D1	140% 22,903 sf	1 story greenhouse	Required – 0 Provided - 11	No	None	Yes Main Street	No
Mayer Schairer 110-112 S. Main 9291F5.5	5.10.2004 7.19.2004 2 months	Yes Chap 55	Yes 2006	C2A	350% 16,075 sf	5 stories (71 feet) 1-2 retail/office 3-5 residential	Required – 0 Provided – 2	No	1 unit	Yes Main Street	None
Schlecte Building 116 N. Fourth Ave 9291J9.5	11.13.2000 1.8.2001 2 months	No	Yes	C2A	337% 7,613 sf	3 stories (38 feet) 1 – office 2-3 – residential	Required – 0 Provided – 0	No	1 unit	Yes Fourth/ Ann	None

Downtown Development Projects by Character Area – 2000 to Present

Main Street Character Area - Continued

Project	Approval Timeframe	Variances	Built	District/ Rezoning	Floor Area Ratio	Height	Parking	Premiums	Dwelling Units	Historic District	Contri- butions
<i>Tierra on Ashley</i> 200 S. Ashley 9291D2.5 * Superseded* (see below)	10.2.2006 3.5.2007 5 months	No	No Expired	C2A	638% 28,935 sf	8 stories (116 feet) 1-2 – retail 3-5 – office 6-8 – residential	Required – 11 Provided – 7 (Council modification received)	Yes Residential	6 units	No	None
<i>Tierra on Ashley- Revised</i> 200 S. Ashley 9291D2.5a	1.28.2008 5.19.2008 4 months	No	No Expired	C2A	629% 28,939 sf	8 stories (108 feet) 1-2 – retail 3-6 – office 7-8 – residential	Required – 11 Provided – 4 (Council modification granted)	Yes Residential	4 units	No	None
<i>Washington Bldg</i> 215-217 E. Washington 9291D10.5 & 5a	11.12.2002 2.4.2002 3 months Revised 8.13.2002	Yes Chap 55 (Planned Project)	No Expired	C2A	281% Revised in 2002 to 214% 13,410 sf	4 stories 1- retail 2-3 – office 4 – residential	Required – 0 Provided – 0	No	1 unit	Yes Main Street	None
<i>Washtenaw County Bldg.</i> 200 N. Main	Not Reviewed	No	Yes 2000	C2B/R	450% 41,000 sf	4 stories B-4 – office	Required – NA Provided – 0	No	None	No	None

Downtown Development Projects by Character Area – 2000 to Present

Kerrytown Character Area

Project	Approval Timeframe	Variances	Built	District/ Rezoning	Floor Area Ratio	Height	Parking	Premiums	Dwelling Units	Historic District	Contri- butions
<i>Kingsley Lane (Revised)</i> W. Kingsley 9291T4.05a	9.29.2003 2.2.2004 4 months 12.12.2005 4.3.2006 5 months	No	No Expired	PUD (from C2B/R)	365% 59,800 sf	9 stories (105 feet)	Required – 24 Provided – 24	N/A	40-54 units (6 affordable)	No	\$31,223 - Parks \$50,000 - Greenbelt TBD - Affordable Housing
<i>The Gallery</i> 414 N. Main 9291S7.05a	9.26.2005 8.10.2006 12 months	No	No	PUD (from C2B/R)	599% 199,642 sf	11 stories (158 feet)	Required – 162 Provided – 224	N/A	123 units (18 affordable)	No	\$71,118 – Parks \$1,107,000 Affordable Housing
<i>Wolverine Temporaries</i> 315 N. Main 9291Q5.5	2.15.2000 4.3.2000 2 months	No	Yes 2003	C2B/R	47% 4,126 sf	2 stories (27 feet) 1-2 – office	Required – 0 Provided – 10	No	None	No	None
<i>Zingerman's Deli</i> 422 Detroit St. SP10-009	3.31.2010 7.19.2010 4 months	No	Yes 2012	D2	129% 21,603 sf	2 stories (32 feet)	Required – 0 Provided – 0	No	None	Yes Old Fourth Ward	None

Downtown Development Projects by Character Area – 2000 to Present

First Street Character Area

Project	Approval Timeframe	Variances	Built	District/ Rezoning	Floor Area Ratio	Height	Parking	Premiums	Dwelling Units	Historic District	Contri- butions
<i>Ann Arbor Y</i> 400 W. Washington 9292G18.05	2.11.2002 4.1.2002 2.5 months	No	Yes 2005	PUD (from M1)	79% 78,371 sf	4 stories (65 feet)	Required – 55 Provided – 64	N/A	None	Yes Old West Side	None
<i>Delonis Center</i> E. Huron 9292K19.0a	7.6.2000 12.18.2001 5 months	N.A.	Yes	C2B/R	131% 22,896 sf	4 stories	Required – 0 Provided – 5	No	None	No	None
<i>Liberty Lofts</i> 315 S. First Street 9293Y21.5	6.1.2004 11.8.2004 5 months	Yes Chap 62	Yes 2006	C2A (from M1)	142% 131,522 sf	5 stories (59 feet)	Required – 0 Provided – 152	No	60 units	Yes Old West Side	\$28,910 - Parks
<i>344 S. Ashley</i> 9294W1.5	9.11.2006 11.9.2006 2 months	No	No Expired	C2A	154% 2,933 sf	3 stories 1 – Retail 2-3 - Residential	Required – 0 Provided - 1	No	2 units (existing)	No	None
<i>326 W. Liberty</i> SP08-012	6.8.2008 9.22.2008 3.5 months	No	No Expired	C3	38% 6,914 sf	3 stories 1- Retail service & residential 2-3 Office	Required – 0 Provided – 17	No	1 unit	Yes Old West Side	No
<i>618 south main</i> 618 S. Main SP11-035	11.30.2011 6.18.2012 7 months	Yes – Planned project	No	D2	355% 153,133 sf	7 stories (85 feet)	Required – 67 Provided – 121	Yes Residential	190 units (231 bedrooms)	No	\$58,900 – Parks

Downtown Development Projects by Character Area – 2000 to Present

South University Character Area

Project	Approval Timeframe	Variances	Built	District/ Rezoning	Floor Area Ratio	Height	Parking	Premiums	Dwelling Units	Historic District	Contri- butions
<i>Pizza House</i> 618-620 Church 9283G14.5b	9.13.2004 5.2.2005 7.5 months	No	Yes	C1A/R (later rezoned to C2A)	178% 16,416 sf	2 stories (30 ft)	Required – 0 Provided -- 0	No	None	No	None
<i>Landmark (601 Forest)</i> 1304 S. University 9283H19.5	1.3.2008 10.20.2008 10.5 months	No	Under Constr.	C2A	657% 227,223 sf	14 stories (163 ft)	Required – 88 Provided – 97 below grade; 5 surface	Yes Residential	175 units (610 bedrooms)	No	\$50,000 - Parks
<i>Zaragon</i> 619 E. University 9283G13.5	12.21.2006 6.4.2007 5.5 months	No	Yes 2009	C2A	658% 99,982 sf	10 stories (116 ft) 1 – Retail 2-10 - Residential	Required – 39 Provided – 40	Yes Residential	66 units (248 bedrooms)	No	\$40,400 – Parks
<i>624 Church</i> 624 Church St. SP12-035	11.28.2012 3.4.13 3 months	No	No	D1	665% 99,675 sf	14 stories (150 ft) 1 – retail 2 – office 3-14 - residential	Required – 40 Provided – 40 (off-site contribution in lieu)	Yes Residential LEED Silver	76 units (175-185 bedrooms)	No	\$35,000 - Parks

**Ann Arbor Downtown, Central Campus and Medical Center
Building Height Inventory
Greater than 4 Stories**

Downtown Building	Address	Zoning	Stories	Estimated Height	FAR	Tower Diagonal
Tower Plaza	555 E WILLIAM ST	C2A/R	26	267 ft	1853%	145 ft
University Tower	536 S FOREST AVE	C1A	18	205 ft	979%	165 ft
Campus Inn	615 E HURON ST	C2A/R	15	144 ft	342%	180 ft
601 Forest *	601 FOREST AVE	C2A	14	163 ft	657%	265 ft
Courthouse Square	100 S FOURTH AVE	C2A	11	120 ft	873%	175 ft
Ashley Terrace	202 W HURON ST	C2A	11	132 ft	660%	230 ft
4 Eleven Lofts	301 E. WASHINGTON	C2A/R	11	110 ft	603%	
The Gallery*	414 N MAIN	PUD	11	158 ft	599%	
Maynard House	518 E WILLIAM ST	C2A/R	10	120 ft	926%	100 ft
One North Main	101 N MAIN ST	PUD	10	136 ft + 12	874%	185 ft
First National Building	201 S MAIN ST	PUD	10	122 ft + 10	584%	70 ft
Zaragon	619 E UNIVERSITY	C2A	10	116 ft	658%	175 ft
Ashley Mews	414 S MAIN ST	PUD	9	112 ft + 10	422%	200 ft
Metro 202*	202 S DIVISION	C2A/R	9	105 ft	610%	
Kingsley Lane*	W KINGSLEY	PUD	9	105 ft	365	
Ann Arbor City Apartments*	W WASHINGTON	PUD	9	94 ft	645%	
Cornerhouse Lofts	205 S STATE ST	C2A	8	99 ft	660%	130 ft
Sloan Plaza	505 E HURON ST	C2B/R	8	111 ft	258%	165 ft
Tierra on Ashley*	200 S ASHLEY	C2A	8	108 ft	629%	
301 E. Liberty	301 E LIBERTY ST	PUD	7	87 ft+ 12	589%	175 ft
City Center Building	218 E HURON ST	C2A	7	75 ft	664%	160 ft
200 E. Washington	200 E WASHINGTON ST	C2A	7	84 ft	601%	90 ft
Glazier Building	100 S MAIN ST	C2A	7	84 ft	716%	105 ft
City Hall	100 N FIFTH AVE	PL	6	74 ft+ 20	71%	140 ft
Thayer Arms*	224 S THAYER	C2A	6	77 ft	381%	
Ameritech Building	316 E HURON ST	C2A/R	5	68 ft	410%	200 ft
Collegian	333 MAYNARD ST	C2A	5	68 ft	390%	275
Mayer Schairer Building	110 S MAIN ST	C2A	5	74 ft	350%	95 ft
Old Salvation Army Building	220 E WASHINGTON ST	C2A	5	46 ft	349%	95 ft
McKinley Town Centre	401 E LIBERTY ST	C2A/R	5	63 ft + 12	277%	200 ft
Liberty Lofts	315 S FIRST	C2A	5	59 ft	142%	300 ft
Baker Commons	106 PACKARD ST	PL	5	60 ft	114%	200 ft
Ann Arbor Municipal Center*	100 N. FIFTH AVE	PL	5	99 ft	228%	

* Proposed/Under Construction

**Ann Arbor Downtown, Central Campus and Medical Center
Building Height Inventory
Greater than 4 Stories**

Downtown Parking Structure	Address	Zoning	Stories	Estimated Height	FAR	Tower Diagonal
Fourth & William Parking Structure	115 E WILLIAM ST	P	7	74 ft	n/a	355 ft
Forest Street Parking Structure	616 S FOREST	P	7	68 ft + 22	n/a	290 ft
Fourth & Washington Parking Structure	119 E WASHINGTON ST	P	7	62 ft + 20	n/a	180 ft
Liberty Square Parking Structure	500 E WASHINGTON ST	PUD	7	73 ft + 22	n/a	270 ft
Ann/Ashley Parking Structure	120 W ANN ST	P	7	50 ft + 22	n/a	400 ft
Maynard Parking Structure	316 MAYNARD ST	P	7	65 ft + 23	n/a	300 ft

University of Michigan Structure	Address	Zoning	Stories	Estimated Height	FAR	Tower Diagonal
Denison Building	E University	PL	12	142 ft		
C.S. Mott Children's & Women's Hospital*	E Medical Center	PL	12			
University Hospital	E Medical Center	PL	11			
Cancer Center	E Medical Center	PL	11			
Wolverine Tower	S State	PL	11			
North Ingalls Building	N Ingalls	PL	10	115 ft + 12		
North Quad*	E Huron	PL	10			
Burton Tower	N University Ave	PL	10	212 ft		
Kellogg Eye Center	Wall Street	PL	9	170 ft		
Brehm Tower*	Wall Street	PL	8			
Lurie Tower	Beal Ave	PL	3	165 ft		
Ross School of Business	Tappan	PL	7			
School of Public Health	Washington Heights	PL	7			
Cardiovascular Center	Observatory	PL	6	118 ft		
Biomedical Science Research	E Huron	PL	6	100 ft		
Thayer Building	202 Thayer	C2A	6	90 ft + 16		
Weill Hall	Hill Street	PL	5			

* Proposed/Under Construction

Sources: City of Ann Arbor Site Plan Files
Emporis.com
Microsoft Virtual Earth (3D)
University of Michigan Architecture, Engineering and Construction

From: [Tom Stulberg](#)
To: [Lumm, Jane](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Griswold, Kathy](#); [Bannister, Anne](#); [Ramlawi, Ali](#); [Nelson, Elizabeth](#)
Subject: The Garnet C1A rezoning staff questions for Monday morning
Date: Monday, July 15, 2019 12:09:33 AM

Will someone please ask staff to generate a map for tomorrow that shows all areas that would be considered acceptable for Campus Business Zoning (C1A and C1A/R) and all areas not acceptable.

This is zoning. It is the codified law we follow. It is supposed to be precise.

Such a map would illuminate how wide spread their "interpretation" of Campus is.

Also, would someone please ask staff what happens to D2 zoning when we allow more intense categories further out than D2 boundaries?

As we go from D1 in the Core, next to transitional zoning D2, then back to potentially taller and definitely more intense with C1A and/or C1A/R, then don't D2 property owners have the right to claim they are unfairly restricted? They could apply for Campus Business Zoning too. They would seem to have a winning lawsuit on their hands if turned down since properties further from the Core are being permitted higher intensity development than D2.

By the way, I watched the caucus from home. Jack is 100% right on everything on this matter.

Also, there is no way that planning staff could have told the development team that any future neighboring or nearby development would have to adhere to the same VOLUNTARY restrictions that The Garnet is voluntarily subjecting itself to, as the development the claimed. It just doesn't work that way. I guess that question could be asked of staff tomorrow morning too.

Please remember that the applicant has zero right to this rezoning. It destroys near downtown zoning and planning. It greatly impacts areas in every ward in the city, far from this block. It would encourage the accumulation of multiple lots for tear downs and building high rises outside of the (town and gown) Core areas. These Campus Business categories have no height limit and are only limited by FAR, so combining lots makes sense and it will happen. City Place on Fifth Ave where R4C Lora we're combined is nothing compared to the negative possibilities if this one is approved.

One last thought for the night, Brad Moore's suggestion of approving this one then putting height limits on afterwards is problematic for two reasons. First, height isn't the only advantage of C1A and C1A/R. Second, he is suggesting special treatment for his clients. If they were already zoned C1A, they would have some rights. They aren't. So they don't. However much you might like this development team or their proposal, we cannot treat people unequally, be in favorably or unfavorably, without opening a legal can of worms.

In summary, this is monstrously legally dangerous if it gets approved. Disclaimer, I am not a lawyer and not advising you as one.

Good night and good luck to us all.

Tom

Sent from my iPhone

> On Jul 14, 2019, at 4:30 PM, Tom Stulberg <[REDACTED]> wrote:

>

> I have been too busy to do a proper write-up on this very important issue. I will try to do so tomorrow. But to prepare you a bit more for caucus here is a little more. Also see the appendix A starting on page 8 of the attachment for a ton of detail on Campus Business zoning.

>

> Things to consider on why to vote against this at first reading:

>

> The LowerTown lawsuit challenges the appropriateness of this similar rezoning: "114. The C1A/R district like the C2A, C2A/R, C2B/R, and C1A districts have traditionally been unique to the downtown area and the campus business district. The downtown area is defined as the land generally within the boundaries of the Downtown Development Authority (DDA). The Campus Business District is partly located within the DDA. The Property is not located within the DDA or the Campus Business District. The Lower Town area has different land use characteristics than the DDA district area or the Campus Business District." This applies to this E. Summit location as well.

>

> The property is not currently zoned C1A. Residential development on an existing C1A would be acceptable and By Right if it met the zoning code without variances. But there is no By Right to develop this parcel as C1A. The applicant can choose to develop conforming to the current zoning. They have no "rights" to a rezoning to C1A.

>

> A rezoning to a new category should meet the intent of that new category. The proposed use of the development does not meet the INTENT of the chosen zoning category. 100% Residential is allowable under this category, but it is not the intent. Nor is that what is Master Planned for this block.

>

> Less protection for the surrounding neighbors than D2: Page 5 of 6 from Susan Friedlaender's 11/17/17 letter: "Moreover, there is also a question of equal protection when some similarly situated landowners get the full protection of setback regulations while others do not. For example, "R" zoned neighborhoods in the near downtown area have the protection of the less intense D2 zoning and the increased setbacks that apply when D2 property is adjacent to R zoned property. We urge each council member to question why property owners in the near downtown neighborhoods are entitled to more protection from D2 zoned property, which permits even less intense development than C1A/R, than the neighborhoods that adjoin the subject property?" The same argument holds for C1A as for C1A/R. This rezoning sets a precedent that effectively destroys D2 as a transitional zoning category. Properties further from D1 would then be open for more intense development than D2.

>

>

>

>

> From: Tom Stulberg <[REDACTED]>

> Sent: Saturday, July 13, 2019 11:08 AM

> To: Lummm, Jane; Eaton, Jack; JHayner@a2gov.org; Griswold, Kathy; Bannister, Anne; Ramlawi, Ali; Nelson, Elizabeth

> Subject: The Garnet C1A rezoning

>

> As I have mentioned to a couple of you already, this proposal is highly problematic, would set a precedent that will impact neighborhoods in every ward, and is part of what we are suing the city over at LowerTown: Campus Business District zoning being inappropriately used. I urge you to vote this down at first reading.

>

> I will write about this before the council meeting, but I cannot be there to speak Monday night. I am attaching the agenda questions and the responses, which are quite frustrating to read because the logic is just so flawed. I will not be addressing any site plan or issues specific to this proposal other than the inappropriate zoning category being requested.

>

> In short, this zoning category was intended for a certain area, intend as a Core zoning, and has no height limit. If allowed to be used beyond where it was intended, we completely defeat the idea of Core zoning with transition zoning like D2. We will have proposals for C1A and C1A/R which have unlimited height and can only be limited VOLUNTARILY, and if the city says no to them we will get sued and lose. We will have D1, transitioning down to D2 at 60 feet max, then back up to downtown heights. Then the D2 property owners will sue for being more restricted than other properties farther from D1. If we allow this location to be Campus then "Campus" can apply all over: The Argus complex in the Old West Side, the North Campus Research Center, The Athletic Campuses, Fingerle now - anywhere within a half mile or so of a U of M building if you agree with the planning department's logic.

>

> Raising the alarm,

>

> Tom

>

>

> The link to the agenda item is below for the full details.

>

> [https://linkprotect.cudasvc.com/url?](https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fa2gov.legistar.com%2fLegislationDetail.aspx%3fID%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142&c=E,1,9IOSgwlNCBR-hhiJ3yJY2Iz9vXZAs76UTCfDnIc-d4J05BBO3Nq69JajoLzPzl41CTyB1oHCozlH7Op8OWGcIysGSv4F6phAts8NL0zrrSEbPAAadohoZ3FV&typo=1)

[a=http%3a%2f%2fa2gov.legistar.com%2fLegislationDetail.aspx%3fID%3d4053136%26GUID%3d03DC0F32-](https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fa2gov.legistar.com%2fLegislationDetail.aspx%3fID%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142&c=E,1,9IOSgwlNCBR-hhiJ3yJY2Iz9vXZAs76UTCfDnIc-d4J05BBO3Nq69JajoLzPzl41CTyB1oHCozlH7Op8OWGcIysGSv4F6phAts8NL0zrrSEbPAAadohoZ3FV&typo=1)

[A206-429F-BC2A-BD81170C1142&c=E,1,9IOSgwlNCBR-hhiJ3yJY2Iz9vXZAs76UTCfDnIc-](https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fa2gov.legistar.com%2fLegislationDetail.aspx%3fID%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142&c=E,1,9IOSgwlNCBR-hhiJ3yJY2Iz9vXZAs76UTCfDnIc-d4J05BBO3Nq69JajoLzPzl41CTyB1oHCozlH7Op8OWGcIysGSv4F6phAts8NL0zrrSEbPAAadohoZ3FV&typo=1)

[d4J05BBO3Nq69JajoLzPzl41CTyB1oHCozlH7Op8OWGcIysGSv4F6phAts8NL0zrrSEbPAAadohoZ3FV&typo=1](https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fa2gov.legistar.com%2fLegislationDetail.aspx%3fID%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142&c=E,1,9IOSgwlNCBR-hhiJ3yJY2Iz9vXZAs76UTCfDnIc-d4J05BBO3Nq69JajoLzPzl41CTyB1oHCozlH7Op8OWGcIysGSv4F6phAts8NL0zrrSEbPAAadohoZ3FV&typo=1)

>

> <1140 Broadway Rezoning Comments SKF.pdf>

From: [Bannister, Anne](#)
To: [Tom Stulberg](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Ramlawi, Ali](#); [Nelson, Elizabeth](#)
Subject: Re: More on The Garnet C1A rezoning
Date: Monday, July 15, 2019 5:23:30 AM

Thanks for your research and explanation. CM Eaton spoke to these issues during Caucus, which was attended by The Garnet team.

“We urge each council member to question why property owners in the near downtown neighborhoods are entitled to more protection from D2 zoned property, which permits even less intense development than C1A/R, than the neighborhoods that adjoin the subject property?”

From: Tom Stulberg <[REDACTED]>

Sent: Sunday, July 14, 2019 4:30 PM

To: Lumm, Jane; Eaton, Jack; Hayner, Jeff; Griswold, Kathy; Bannister, Anne; Ramlawi, Ali; Nelson, Elizabeth

Subject: More on The Garnet C1A rezoning

I have been too busy to do a proper write-up on this very important issue. I will try to do so tomorrow. But to prepare you a bit more for caucus here is a little more. Also see the appendix A starting on page 8 of the attachment for a ton of detail on Campus Business zoning.

Things to consider on why to vote against this at first reading:

The LowerTown lawsuit challenges the appropriateness of this similar rezoning: "114. The C1A/R district like the C2A, C2A/R, C2B/R, and C1A districts have traditionally been unique to the downtown area and the campus business district. The downtown area is defined as the land generally within the boundaries of the Downtown Development Authority (DDA). The Campus Business District is partly located within the DDA. The Property is not located within the DDA or the Campus Business District. The Lower Town area has different land use characteristics than the DDA district area or the Campus Business District." This applies to this E. Summit location as well.

The property is not currently zoned C1A. Residential development on an existing C1A would be acceptable and By Right if it met the zoning code without variances. But there is no By Right to develop this parcel as C1A. The applicant can choose to develop conforming to the current zoning. They have no "rights" to a rezoning to C1A.

A rezoning to a new category should meet the intent of that new category. The proposed use of the development does not meet the INTENT of the chosen zoning category. 100% Residential

is allowable under this category, but it is not the intent. Nor is that what is Master Planned for this block.

Less protection for the surrounding neighbors than D2: Page 5 of 6 from Susan Friedlaender's 11/17/17 letter: "Moreover, there is also a question of equal protection when some similarly situated landowners get the full protection of setback regulations while others do not. For example, "R" zoned neighborhoods in the near downtown area have the protection of the less intense D2 zoning and the increased setbacks that apply when D2 property is adjacent to R zoned property. We urge each council member to question why property owners in the near downtown neighborhoods are entitled to more protection from D2 zoned property, which permits even less intense development than C1A/R, than the neighborhoods that adjoin the subject property?" The same argument holds for C1A as for C1A/R. This rezoning sets a precedent that effectively destroys D2 as a transitional zoning category. Properties further from D1 would then be open for more intense development than D2.

From: Tom Stulberg <[REDACTED]>

Sent: Saturday, July 13, 2019 11:08 AM

To: Lumm, Jane; Eaton, Jack; JHayner@a2gov.org; Griswold, Kathy; Bannister, Anne; Ramlawi, Ali; Nelson, Elizabeth

Subject: The Garnet C1A rezoning

As I have mentioned to a couple of you already, this proposal is highly problematic, would set a precedent that will impact neighborhoods in every ward, and is part of what we are suing the city over at LowerTown: Campus Business District zoning being inappropriately used. I urge you to vote this down at first reading.

I will write about this before the council meeting, but I cannot be there to speak Monday night. I am attaching the agenda questions and the responses, which are quite frustrating to read because the logic is just so flawed. I will not be addressing any site plan or issues specific to this proposal other than the inappropriate zoning category being requested.

In short, this zoning category was intended for a certain area, intend as a Core zoning, and has no height limit. If allowed to be used beyond where it was intended, we completely defeat the idea of Core zoning with transition zoning like D2. We will have proposals for C1A and C1A/R which have unlimited height and can only be limited VOLUNTARILY, and if the city says no to them we

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Raising the alarm,

Tom

The link to the agenda item is below for the full details.

<http://a2gov.legistar.com/LegislationDetail.aspx?ID=4053136&GUID=03DC0F32-A206-429F-BC2A-BD81170C1142>

From: [Bannister, Anne](#)
To: [Tom Stulberg](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Griswold, Kathy](#); [Ramlawi, Ali](#); [Nelson, Elizabeth](#)
Subject: Re: The Garnet C1A rezoning staff questions for Monday morning
Date: Monday, July 15, 2019 5:33:28 AM

Thanks Tom. I'll ask these questions this morning and encourage other CMs to also do so, if they have time.

From: Tom Stulberg <[REDACTED]>
Sent: Monday, July 15, 2019 12:09:13 AM
To: Lumm, Jane; Eaton, Jack; Hayner, Jeff; Griswold, Kathy; Bannister, Anne; Ramlawi, Ali; Nelson, Elizabeth
Subject: The Garnet C1A rezoning staff questions for Monday morning

Will someone please ask staff to generate a map for tomorrow that shows all areas that would be considered acceptable for Campus Business Zoning (C1A and C1A/R) and all areas not acceptable.

This is zoning. It is the codified law we follow. It is supposed to be precise.

Such a map would illuminate how wide spread their "interpretation" of Campus is.

Also, would someone please ask staff what happens to D2 zoning when we allow more intense categories further out than D2 boundaries?

As we go from D1 in the Core, next to transitional zoning D2, then back to potentially taller and definitely more intense with C1A and/or C1A/R, then don't D2 property owners have the right to claim they are unfairly restricted? They could apply for Campus Business Zoning too. They would seem to have a winning lawsuit on their hands if turned down since properties further from the Core are being permitted higher intensity development than D2.

By the way, I watched the caucus from home. Jack is 100% right on everything on this matter.

Also, there is no way that planning staff could have told the development team that any future neighboring or nearby development would have to adhere to the same VOLUNTARY restrictions that The Garnet is voluntarily subjecting itself to, as the development the claimed. It just doesn't work that way. I guess that question could be asked of staff tomorrow morning too.

Please remember that the applicant has zero right to this rezoning. It destroys near downtown zoning and planning. It greatly impacts areas in every ward in the city, far from this block. It would encourage the accumulation of multiple lots for tear downs and building high rises outside of the (town and gown) Core areas. These Campus Business categories have no height limit and are only limited by FAR, so combining lots makes sense and it will happen. City Place on Fifth Ave where R4C Lora we're combined is nothing compared to the negative possibilities if this one is approved.

One last thought for the night, Brad Moore's suggestion of approving this one then putting height limits on

afterwards is problematic for two reasons. First, height isn't the only advantage of C1A and C1A/R. Second, he is suggesting special treatment for his clients. If they were already zoned C1A, they would have some rights. They aren't. So they don't. However much you might like this development team or their proposal, we cannot treat people unequally, be in favorably or unfavorably, without opening a legal can of worms.

In summary, this is monstrously legally dangerous if it gets approved. Disclaimer, I am not a lawyer and not advising you as one.

Good night and good luck to us all.

Tom

Sent from my iPhone

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>

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> From: Tom Stulberg <

> Sent: Saturday, July 13, 2019 11:08 AM

> To: Lumm, Jane; Eaton, Jack; JHayner@a2gov.org; Griswold, Kathy; Bannister, Anne; Ramlawi, Ali; Nelson, Elizabeth

> Subject: The Garnet C1A rezoning

>

> As I have mentioned to a couple of you already, this proposal is highly problematic, would set a precedent that will impact neighborhoods in every ward, and is part of what we are suing the city over at LowerTown: Campus Business District zoning being inappropriately used. I urge you to vote this down at first reading.

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[a=http%3a%2f%2fa2gov.legistar.com%2fLegislationDetail.aspx%3fid%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142&c=E.1.9IOSgwlNCBR-hhiJ3yJY2Iz9vXZAs76UTCfDnlc-d4J05BBO3Nq69JajoLzPzl41CTyB1oHCozlH7Op8OWGcIysGSv4F6phAts8NL0zrrSEbPAAdohoZ3FV&typo=1](http%3a%2f%2fa2gov.legistar.com%2fLegislationDetail.aspx%3fid%3d4053136%26GUID%3d03DC0F32-A206-429F-BC2A-BD81170C1142&c=E.1.9IOSgwlNCBR-hhiJ3yJY2Iz9vXZAs76UTCfDnlc-d4J05BBO3Nq69JajoLzPzl41CTyB1oHCozlH7Op8OWGcIysGSv4F6phAts8NL0zrrSEbPAAdohoZ3FV&typo=1)

>

> <1140 Broadway Rezoning Comments SKF.pdf>

From: [Tom Stulberg](#)
To: [Bannister, Anne](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Griswold, Kathy](#); [Ramlawi, Ali](#); [Nelson, Elizabeth](#)
Subject: I apologize
Date: Monday, July 15, 2019 8:21:44 AM

I'm sorry if I put you all in any problematic position. I was so concerned about near downtown planning and zoning essentially being thrown on the garbage heap that I kind of forgot that I am suing the city on a related issue and that these communications might be interpreted problematically by someone else.

I stand by the content of my comments. I shared them out of genuine concern for our city. I have no problem having my comments on this matter being more broadly known. I have been very publicly open about our lawsuit and the need to remove the precedent of improper use of Campus Business zoning. My comments on this proposal are all consistent with that very public position.

Thank you for listening,

Tom

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Monday, July 15, 2019 5:33 AM
To: Tom Stulberg; Eaton, Jack; Hayner, Jeff; Griswold, Kathy; Ramlawi, Ali; Nelson, Elizabeth
Subject: Re: The Garnet C1A rezoning staff questions for Monday morning

Thanks Tom. I'll ask these questions this morning and encourage other CMs to also do so, if they have time.

From: Tom Stulberg <[REDACTED]>
Sent: Monday, July 15, 2019 12:09:13 AM
To: Lumm, Jane; Eaton, Jack; Hayner, Jeff; Griswold, Kathy; Bannister, Anne; Ramlawi, Ali; Nelson, Elizabeth
Subject: The Garnet C1A rezoning staff questions for Monday morning

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In summary, this is monstrously legally dangerous if it gets approved. Disclaimer, I am not a lawyer and not advising you as one.

Good night and good luck to us all.

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> From: Tom Stulberg <[REDACTED]>
> Sent: Saturday, July 13, 2019 11:08 AM
> To: Lumm, Jane; Eaton, Jack; JHayner@a2gov.org; Griswold, Kathy; Bannister, Anne; Ramlawi, Ali; Nelson, Elizabeth
> Subject: The Garnet C1A rezoning
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> <1140 Broadway Rezoning Comments SKF.pdf>

From: [Bannister, Anne](#)
To: [Lenart, Brett](#); [Thacher, Jill](#)
Cc: [Request For Information Derek Delacourt](#); [McDonald, Kevin](#); [Postema, Stephen](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Nelson, Elizabeth](#); [Griswold, Kathy](#)
Subject: The Garnet C1A rezoning
Date: Monday, July 15, 2019 11:25:55 AM

Dear Jill and Brett,

At Council Caucus last night, more questions were raised about the impact of rezoning The Garnet.

1. Is there a solution that doesn't involve rezoning?
2. Please generate a map that shows all areas that would be considered acceptable for Campus Business Zoning (C1A and C1A/R) and all areas not acceptable.
3. What happens to D2 zoning when we allow more intense categories further out than D2 boundaries?
4. Do D2 property owners have the right to claim they are unfairly restricted (or even apply for Campus Business Zoning, too)?
5. With regard to the unlimited height, is it true that Conditions are *purely voluntary* from developers? How challenging would it be for Council to change the ordinance and add height limits after approval of this project?

Thank you,
Anne

From: [Bannister, Anne](#)
To: [Lumm, Jane](#)
Subject: Fw: The Garnet C1A rezoning
Date: Monday, July 15, 2019 12:20:11 PM

FYI -- I sent the questions, too!

Also, I hope we can reach a solution about [REDACTED]
[REDACTED]

From: Bannister, Anne
Sent: Monday, July 15, 2019 11:25 AM
To: Lenart, Brett; Thacher, Jill
Cc: Request For Information Derek Delacourt; McDonald, Kevin; Postema, Stephen; Eaton, Jack; Hayner, Jeff; Nelson, Elizabeth; Griswold, Kathy
Subject: The Garnet C1A rezoning

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Thank you,
Anne

From: [Victoria Pebbles](#)
To: [Bannister, Anne](#)
Subject: Re: meet about 325 E. Summit--background
Date: Monday, July 15, 2019 12:29:57 PM

Hi Anne,

We met with planning staff this morning and were told that, according to the zoning ordinance, the Planned Project option cannot that Jack Eaton suggested last night at City Council caucus cannot be used to increase floor area and so it Is NOT an option for us with the Garnet.


We have already spent a lot of time and money trying to do the right thing every step of the way. It seems everyone likes our project but that our relatively small project that is proposed by a small local business owner/builder is at risk of being held hostage to outdated zoning ordinances and now also fear of the "big developers" suing later on.


We are frustrated that we were advised by city staff to go for this re-zoning proposal and now, after over a year working toward what we thought was the right path, there are concerns at the level we heard last evening.

I hope we can count on your continued leadership and support for this project.

-Victoria

On Jun 13, 2019, at 9:44 AM, Bannister, Anne <ABannister@a2gov.org> wrote:

 Talk with you tomorrow.

From: Victoria Pebbles <>
Sent: Wednesday, June 12, 2019 1:04 PM
To: Bannister, Anne
Subject: Re: meet about 325 E. Summit--background

By phone could work too Anne. What number shall I call? Thanks lol call you and conference Brad in.

-Victoria

On Jun 11, 2019, at 3:07 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

Would Friday at 10 by phone work? That's fine if you'd like to have Bradley Moore on the phone too.

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On Tue, Jun 11, 2019 at 2:56 PM -0400, "Victoria
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summer festival (or city council) this weekend. If you think it's
advisable, I could see if another person on our team attends on
Sunday.

Let me know where you'd like to meet on Friday.

-Victoria

From: [Lumm, Jane](#)
To: [Bannister, Anne](#)
Subject: RE: The Garnet C1A rezoning
Date: Monday, July 15, 2019 12:30:00 PM

Thanks, Anne! Great minds... :-) I'm not supporting the rezoning.

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Monday, July 15, 2019 12:20 PM
To: Lumm, Jane <JLumm@a2gov.org>
Subject: Fw: The Garnet C1A rezoning

FYI -- I sent the questions, too!

Also, I hope we can [REDACTED]
[REDACTED]

From: Bannister, Anne
Sent: Monday, July 15, 2019 11:25 AM
To: Lenart, Brett; Thacher, Jill
Cc: Request For Information Derek Delacourt; McDonald, Kevin; Postema, Stephen; Eaton, Jack; Hayner, Jeff; Nelson, Elizabeth; Griswold, Kathy
Subject: The Garnet C1A rezoning

Dear Jill and Brett,

At Council Caucus last night, more questions were raised about the impact of rezoning The Garnet.

1. Is there a solution that doesn't involve rezoning?
2. Please generate a map that shows all areas that would be considered acceptable for Campus Business Zoning (C1A and C1A/R) and all areas not acceptable.
3. What happens to D2 zoning when we allow more intense categories further out than D2 boundaries?
4. Do D2 property owners have the right to claim they are unfairly restricted (or even apply for Campus Business Zoning, too)?
5. With regard to the unlimited height, is it true that Conditions are *purely voluntary* from developers? How challenging would it be for Council to change the ordinance and add height limits after approval of this project?

Thank you,
Anne

From: [Lumm, Jane](#)
To: [Tom Stulberg](#)
Subject: RE: More on The Garnet C1A rezoning
Date: Monday, July 15, 2019 12:48:00 PM

Thanks for all your helpful research and insight, Tom! Greatly appreciated! All best, Jane

From: Tom Stulberg <[REDACTED]>
Sent: Sunday, July 14, 2019 4:30 PM
To: Lumm, Jane <JLumm@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>; Ramlawi, Ali <ARamlawi@a2gov.org>; Nelson, Elizabeth <ENelson@a2gov.org>
Subject: More on The Garnet C1A rezoning

I have been too busy to do a proper write-up on this very important issue. I will try to do so tomorrow. But to prepare you a bit more for caucus here is a little more. Also see the appendix A starting on page 8 of the attachment for a ton of detail on Campus Business zoning.

Things to consider on why to vote against this at first reading:

The LowerTown lawsuit challenges the appropriateness of this similar rezoning: "114. The C1A/R district like the C2A, C2A/R, C2B/R, and C1A districts have traditionally been unique to the downtown area and the campus business district. The downtown area is defined as the land generally within the boundaries of the Downtown Development Authority (DDA). The Campus Business District is partly located within the DDA. The Property is not located within the DDA or the Campus Business District. The Lower Town area has different land use characteristics than the DDA district area or the Campus Business District." This applies to this E. Summit location as well.

The property is not currently zoned C1A. Residential development on an existing C1A would be acceptable and By Right if it met the zoning code without variances. But there is no By Right to develop this parcel as C1A. The applicant can choose to develop conforming to the current zoning. They have no "rights" to a rezoning to C1A.

A rezoning to a new category should meet the intent of that new category. The proposed use of the development does not meet the INTENT of the chosen zoning category. 100% Residential is allowable under this category, but it is not the intent. Nor is that what is Master Planned for this block.

Less protection for the surrounding neighbors than D2: Page 5 of 6 from Susan Friedlaender's 11/17/17 letter: "Moreover, there is also a question of equal protection when

some similarly situated landowners get the full protection of setback regulations while others do not. For example, "R" zoned neighborhoods in the near downtown area have the protection of the less intense D2 zoning and the increased setbacks that apply when D2 property is adjacent to R zoned property. We urge each council member to question why property owners in the near downtown neighborhoods are entitled to more protection from D2 zoned property, which permits even less intense development than C1A/R, than the neighborhoods that adjoin the subject property?" The same argument holds for C1A as for C1A/R. This rezoning sets a precedent that effectively destroys D2 as a transitional zoning category. Properties further from D1 would then be open for more intense development than D2.

From: Tom Stulberg <[REDACTED]>
Sent: Saturday, July 13, 2019 11:08 AM
To: Lumm, Jane; Eaton, Jack; JHayner@a2gov.org; Griswold, Kathy; Bannister, Anne; Ramlawi, Ali; Nelson, Elizabeth
Subject: The Garnet C1A rezoning

As I have mentioned to a couple of you already, this proposal is highly problematic, would set a precedent that will impact neighborhoods in every ward, and is part of what we are suing the city over at LowerTown: Campus Business District zoning being inappropriately used. I urge you to vote this down at first reading.

I will write about this before the council meeting, but I cannot be there to speak Monday night. I am attaching the agenda questions and the responses, which are quite frustrating to read because the logic is just so flawed. I will not be addressing any site plan or issues specific to this proposal other than the inappropriate zoning category being requested.

In short, this zoning category was intended for a certain area, intend as a Core zoning, and has no height limit. If allowed to be used beyond where it was intended, we completely defeat the idea of Core zoning with transition zoning like D2. We will have proposals for C1A and C1A/R which have unlimited height and can only be limited VOLUNTARILY, and if the city says no to them we will get sued and lose. We will have D1, transitioning down to D2 at 60 feet max, then back up to downtown heights. Then the D2 property owners will sue for being more restricted than other properties farther from D1. If we allow this location to be Campus then "Campus" can apply all over: The Argus complex in the Old West Side, the North Campus Research Center, The Athletic Campuses, Fingerle now - anywhere within a half mile or so of a U of M building if you agree with the planning department's logic.

Raising the alarm,

Tom

The link to the agenda item is below for the full details.

<http://a2gov.legistar.com/LegislationDetail.aspx?ID=4053136&GUID=03DC0F32-A206-429F-BC2A-BD81170C1142>

From: [Bannister, Anne](#)
To: [Victoria Pebbles](#)
Subject: Re: meet about 325 E. Summit--background
Date: Monday, July 15, 2019 1:10:51 PM

Hi Victoria,

I'm really upset about the situation, too. There seem to be several disconnects here.

One of the main concerns of residents is that allowing unlimited height with C1A outside the boundaries of D1 and D2 is potentially legally problematic.

Councilmembers and staff continue to try and find a solution.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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Sent: Monday, July 15, 2019 12:29 PM
To: Bannister, Anne
Subject: Re: meet about 325 E. Summit--background

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We have already spent a lot of time and money trying to do the right thing every step of the way. It seems everyone likes our project but that our relatively small project that is proposed by a small local business owner/builder is at risk of being held hostage to outdated zoning ordinances and now also fear of the "big developers" suing later on.

We are frustrated that we were advised by city staff to go for this re-zoning proposal and now, after over a year working toward what we thought was the right path, there are concerns at the level we heard last evening.

I hope we can count on your continued leadership and support for this project.

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Let me know where you'd like to meet on Friday.
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From: [Victoria Pebbles](#)
To: [Bannister, Anne](#)
Subject: Re: meet about 325 E. Summit--background
Date: Monday, July 15, 2019 4:26:25 PM

Hello Again Anne:

Thank you very much for the quick reply. I am concerned that you may be getting one-sided legal advice and that advice may be unduly influencing your decision-making and that of other council members. There are technical elements of the zoning code—namely the FAR—that effectively limit the height of buildings in any zoning district. We would like to meet with you and/or other members of city council who share your concern to discuss this further.

Would you be willing to get back to me with a few dates and times that work for you (and other council members who may be interested)?

Thanks again for your leadership and service,

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Term Nov. 2017 - Nov. 2020

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Let me know where you'd like to meet on Friday.

-Victoria

From: [Kitty B. Kahn](#)
To: [CityCouncil](#)
Subject: C-1 19-1186 Rezoning
Date: Monday, July 15, 2019 6:40:16 PM

I am writing to object to the proposed Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street.

This location is not on or close to campus. I am concerned that, if this rezoning goes forward, it will set a precedent to rezone as C1A other parts of Ann Arbor that are also not on or close to campus. This zoning category was intended for a certain area as a Core zoning and it has no height limit. If allowed to go forward, this rezoning could result in many other Ann Arbor areas that are not on or even close to campus being defined as Campus Business Districts. I encourage you to vote this down at first reading.

Thank you. -Peace, Kitty

From: [Rita Mitchell](#)
To: [Taylor, Christopher \(Mayor\)](#); [Ramlawi Ali](#); [Griswold Katherine](#); [Eaton, Jack](#); [Grand, Julie](#); [Ackerman, Zach](#); [Smith, Chip](#); [Bannister Anne](#); [Jeff Hayner](#); [Nelson, Elizabeth](#); [Lumm Jane](#)
Subject: Please Vote NO on Agenda Item C-1, 19-1186, Rezoning for The Garnet
Date: Monday, July 15, 2019 6:55:45 PM

Dear Mayor and Council Members,

Please vote NO on the request to rezone property the the proposed development called The Garnet, item C-1 on your agenda for tonight's meeting. The proposal is out of line with the intent of the Master Plan, and is not located near the UM campus area that would support a campus-oriented zoning designation. We are approaching the Master Planning process, and reconsideration of the area within the scope of the Master Plan makes sense. Please, avoid future unintended consequences in which future developers may request similar zoning, and at the same time take advantage of the unlimited height that is allowed by the campus zoning designation. Use campus zoning where it makes sense, near the core of campus properties.

Please vote NO on Agenda Item C-1.

Thank you.

Sincerely,

Rita Mitchell

From: [Bannister, Anne](#)
To: [Victoria Pebbles](#)
Cc: [Hayner, Jeff](#); [Eaton, Jack](#)
Subject: Re: meet about 325 E. Summit--background
Date: Tuesday, July 16, 2019 12:55:07 AM

CM Hayner said he'd like to meet with us, and maybe CM Eaton and others. Maybe we could go to Casey's or Northside Grill. We are all short on time, so a brief visit might be all we can do before it is back on the agenda.

About the FAR, my understanding is that multiple lots can be combined to make a taller building.

It's not your project that's residents are objecting to so much, but the other parcels around town that could ask to be rezoned C1A and have unlimited height, including D2 properties. Staff has been asked to prepare a map and provide further information.

Thanks, and sorry it's complicated.

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From: [Anne Bannister](#)
To: [Mitchell, Rita](#)
Cc: [Bannister, Anne](#)
Subject: Re: Please Vote NO on Agenda Item C-1, 19-1186, Rezoning for The Garnet
Date: Tuesday, July 16, 2019 8:09:04 AM

Well said, you should run for Council! I voted no, but it's moving forward anyway. The new Councilmembers, namely Ali and Elizabeth, need to be brought up to speed better on the risk of precedent. They both voted yes. -- Anne

P.S. I'm just getting this now and forwarding to my city email. Most city email is first initial, last name.

On Mon, Jul 15, 2019 at 6:55 PM Rita Mitchell <[REDACTED]> wrote:

Dear Mayor and Council Members,

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Please vote NO on Agenda Item C-1.

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From: [Rita Mitchell](#)
To: [Anne Bannister](#); [Bannister, Anne](#)
Subject: Re: Please Vote NO on Agenda Item C-1, 19-1186, Rezoning for The Garnet
Date: Tuesday, July 16, 2019 8:45:42 AM

Hi Anne,
I went to Elizabeth's coffee hour on Sunday and brought this up. Jack was there and commented as he did in the council meeting. I don't recall her saying anything. Really bad. What does this mean for master planning?

Rita

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From: [Victoria Pebbles](#)
To: [Bannister, Anne](#)
Cc: [Hayner, Jeff](#); [Eaton, Jack](#)
Subject: Re: meet about 325 E. Summit--background
Date: Tuesday, July 16, 2019 9:28:30 AM

Casey's sounds perfect. It's right by the property so we could walk over there if there is interest. Can you suggest some dates and times when interested Councilmembers are available to meet before July 25 or after August 4?

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To: [Victoria Pebbles](#)
Cc: [Hayner, Jeff](#); [Eaton, Jack](#)
Subject: Re: meet about 325 E. Summit--background
Date: Wednesday, July 17, 2019 3:00:27 PM

I'm available to meet at Casey's on August 7, 12, 13, and 15. Anytime from 5:30 p.m. onward.

I hope that works for others!

Thanks everyone,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
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Thanks, and sorry it's complicated.

From: Victoria Pebbles <[REDACTED]>
Sent: Monday, July 15, 2019 4:26 PM

To: Bannister, Anne

Subject: Re: meet about 325 E. Summit--background

Hello Again Anne:

Thank you very much for the quick reply. I am concerned that you may be getting one-sided legal advice and that advice may be unduly influencing your decision-making and that of other council members. There are technical elements of the zoning code—namely the FAR—that effectively limit the height of buildings in any zoning district. We would like to meet with you and/or other members of city council who share your concern to discuss this further. Would you be willing to get back to me with a few dates and times that work for you (and other council members who may be interested)?

Thanks again for your leadership and service,

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Hi Victoria,

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Councilmembers and staff continue to try and find a solution.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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Let me know where you'd like to meet on
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From: [Victoria Pebbles](#)
To: [Bannister, Anne](#)
Cc: [Hayner, Jeff](#); [Eaton, Jack](#); [Brad Moore It](#)
Subject: Re: meet about 325 E. Summit--background
Date: Thursday, July 18, 2019 12:47:11 PM

Let's do August 13, 5:30 at Casey's. Looking forward to it.

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On Jul 17, 2019, at 3:00 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

I'm available to meet at Casey's on August 7, 12, 13, and 15. Anytime from 5:30 p.m. onward.

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From: [Tim Durham](#)
To: [Ramlawi, Ali](#)
Subject: The Garnet Rezoning
Date: Friday, July 19, 2019 5:28:39 PM

Hello Ali,

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Moore said the project is named after Garnet Johnson, mother of one of the developers, "who has been instrumental in revitalizing this neighborhood in part of the town which was known historically for having the stockyards, not being a particularly desirable part of town, but is now one of the nicest places in the city to live."

So when black folks could afford to live there (and when this was one of the only places they were ALLOWED to live) Moore says it was "not particularly desirable." Only after clearing out all those red-lined folks is it now "one of the nicest places in the city to live" and furthermore, Garnet Johnson, being the one developer most responsible for the displacement and gentrification, should be honored by having this last vestige of the old neighborhood bulldozed and and "revitalized."

Those former residents (who were indeed happy to live in this area before, red-lined or not), Moore suggests, should be commemorated with "a plaque." So people living there in the much nicer future can be reminded of the other, lesser, "not particularly desirable" lives lived here.

But I am not against this project, per se. Only the rezoning they have asked for. I believe THIS project should be the first step in bringing some of those gentrified-out, former residents BACK to Kerrytown. **Inclusion, not Exclusion.**

I suggest allowing a PUD zoning here, and demanding (as the required public benefit) that 20% of this, and ALL future, projects in Kerrytown include housing affordable to those earning 60% of the average income for the county (\$70K). Let's re-integrate the near downtown neighborhoods!

That means two units out of the ten MUST be affordable to those earning 60% of the average income- I happen to know that The University Bank is ready to make these loans today, as expressed by bank president Stephen Lange Ranzini.

Don't take my word on that, though.

So that is my suggestion for this project. 2 units affordable as a PUD. But we should hold firm AGAINST any off-campus use of the Campus Business zoning. That is a dangerous precedent.

Thanks for listening, Ali, and keep up the good work. There are many of us ready to support you and holding firm.

Regards,
Tim J Durham

.

From: [Tim Durham](#)
To: [Eaton, Jack](#)
Cc: [Kathy Griswold](#); [Bannister, Anne](#); [Nelson, Elizabeth](#); [Lumm, Jane](#); [Hayner, Jeff](#)
Subject: Garnet rezoning
Date: Friday, July 19, 2019 5:54:27 PM

Hello Councilfolks,

Hope you are staying cool as the temps get up into the 90s. I wanted to express my opposition to this particular rezoning of the Garnet property as proposed.

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Furthermore, honoring the one developer "instrumental in revitalizing this neighborhood" (responsible for the displacement/gentrification), by having this near-to-last vestige of the old neighborhood bulldozed and "revitalized" is a bit gauche. Those former residents (who were indeed happy to live in this area before, red-lined or not), Moore suggests, should be commemorated with "a plaque." So people living there in the (much nicer) future can be reminded of the other, lesser, "not particularly desirable" lives lived here.

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From: [Bannister, Anne](#)
To: [Tim Durham](#); [Eaton, Jack](#)
Cc: [Kathy Griswold](#); [Nelson, Elizabeth](#); [Hayner, Jeff](#)
Subject: Re: Garnet rezoning
Date: Friday, July 19, 2019 7:40:14 PM

Thanks Tim for the valuable history, and for suggesting a PUD with 20% affordable housing, plus the offer from University Bank.

You might consider reading your email during public comment at the August 5 Council meeting.

— Anne

PS- I removed CM Lumm because there's a 5 CM limit to OMA, and she's also out of town I heard.

From: Tim Durham [REDACTED]
Sent: Friday, July 19, 2019 5:54 PM
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[REDACTED]

From: [Tim](#)
To: [Bannister, Anne](#)
Subject: Re: Garnet rezoning
Date: Friday, July 19, 2019 8:08:37 PM

Thanks for the reminder, Anne!

After re-reading, looks like I deleted a chunk which rendered the first few paragraphs hard to figure out. Whoops. You get the gist, though...

Regards,
Timothy J Durham
[REDACTED]

On Jul 19, 2019, at 19:40, Bannister, Anne <ABannister@a2gov.org> wrote:

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From: [Ramlawi, Ali](#)
To: [Tim Durham](#)
Subject: Re: The Garnet Rezoning
Date: Friday, July 19, 2019 8:40:52 PM

Tim.

Appreciate your email and explanation behind your opposition of the request to rezone the Garnet property.

At this moment, I don't see support from 8 members on council to approval the rezoning of the property.

Warm regards
CM Ramlawi

Sent from my iPad

On Jul 19, 2019, at 5:28 PM, Tim Durham [REDACTED] wrote:

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Hope you are staying cool as the temps get up into the 90s. I wanted to express my opposition to the rezoning of the Garnet property as proposed. There was recently a very eloquent personal story posted on NextDoor by an elderly woman who grew up in Kerrytown back when it was a red-lined "Blacks-only" neighborhood. A time architect J. Brad Moore described to the Planning Commission this way:

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So when black folks could afford to live there (and when this was one of the only places they were ALLOWED to live) Moore says it was "not particularly desirable." Only after clearing out all those red-lined folks is it now "one of the nicest places in the city to live" and furthermore, Garnet Johnson, being the one developer most responsible for the displacement and gentrification, should be honored by having this last vestige of the old neighborhood bulldozed and and "revitalized."

Those former residents (who were indeed happy to live in this area before, red-lined or not), Moore suggests, should be commemorated with "a plaque." So people living there in the much nicer future can be reminded of the other, lesser, "not particularly desirable" lives lived here.

But I am not against this project, per se. Only the rezoning they have asked for. I believe THIS project should be the first step in bringing some of those gentrified-out, former residents BACK to Kerrytown. **Inclusion, not Exclusion.**

I suggest allowing a PUD zoning here, and demanding (as the required public benefit) that 20% of this, and ALL future, projects in Kerrytown include housing affordable to those earning 60% of the average income for the county (\$70K). Let's re-integrate the near downtown neighborhoods!

That means two units out of the ten MUST be affordable to those earning 60% of the average income- I happen to know that The University Bank is ready to make these loans today, as expressed by bank president Stephen Lange Ranzini.

Don't take my work on that, though.

So that is my suggestion for this project. 2 units affordable as a PUD. But we should hold firm AGAINST any off-campus use of the Campus Business zoning. That is a dangerous precedent.

Thanks for listening, Ali, and keep up the good work. There are many of us ready to support you and holding firm.

Regards,
Tim J Durham

[REDACTED]

From: [Hayner, Jeff](#)
To: [Tim Durham](#)
Subject: RE: Garnet rezoning
Date: Saturday, July 20, 2019 11:55:00 AM

Dear Tim,

Great points, and I agree completely. This supports my long-standing idea that Ann Arbor is such a desirable place to build, we as a city should set the bar very high for developers – especially those seeking re-zoning to allow for larger developments. I was disappointed by my colleagues roll-over on the Michcon Site re-development, again, we have put ourselves in a position to get less for our valuable development rights than we could.

Thanks for your input,

Sincerely,

Jeff Hayner
Ward 1 City Council

From: Tim Durham <[REDACTED]>
Sent: Friday, July 19, 2019 5:54 PM
To: Eaton, Jack <JEaton@a2gov.org>
Cc: Kathy Griswold <[REDACTED]> Bannister, Anne <ABannister@a2gov.org>; Nelson, Elizabeth <ENelson@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>
Subject: Garnet rezoning

Hello Councilfolks,

Hope you are staying cool as the temps get up into the 90s. I wanted to express my opposition to this particular rezoning of the Garnet property as proposed.

There was recently a very eloquent personal story posted on NextDoor by a resident, Sandra Nelson, who grew up in Kerrytown back when it was a red-lined "Blacks-only" neighborhood.

A time MLive noted architect J. Brad Moore described to the Planning Commission this way:

Moore said the project is named after Garnet Johnson, mother of one of the developers, "who has been instrumental in revitalizing this neighborhood in part of the town which was known historically for having the stockyards, not being a particularly desirable part of town, but is now one of the nicest places in the city to live."

So when black folks could afford to live there (and when this was one of the only places they were ALLOWED to live) Moore says it was "not particularly desirable." Only after clearing out all those red-lined folks, is it now "one of the nicest places in the city to live."

Furthermore, honoring the one developer "instrumental in revitalizing this neighborhood" (responsible for the displacement/gentrification), by having this near-to-last vestige of the old neighborhood bulldozed and "revitalized" is a bit gauche. Those former residents (who were indeed happy to live in this area before, red-lined or not), Moore suggests, should be commemorated with "a plaque." So people living there in the (much nicer) future can be reminded of the other, lesser, "not particularly desirable" lives lived here.

But I am not against this project, per se. Only the rezoning they have asked for. This project, as described, would indeed be exclusive, but why should it be? They are asking for something from the city, we should ask for something in return. I believe THIS project should be the first step in bringing some (at least financial) diversity back to Kerrytown. Inclusion, not Exclusion.

I suggest allowing a PUD zoning here, and demanding (as the required public benefit) that 20% of this, and ALL future projects in Kerrytown, include housing affordable to those earning 60% of the average income for the county (\$70K). Time to re-integrate the near downtown neighborhoods and bring affordability back as a minimum requirement, not something that can be bought off.

That means two units out of the ten MUST be affordable to those earning 60% of the average income- I happen to know that The University Bank is ready to make these loans today, as expressed by bank president Stephen Lange Ranzini, and there can be deed restrictions that guarantee and future owners also meet the 60% requirement.

Just an idea, not a lawyer.

So that is my suggestion for this project. 2 units affordable as a PUD. But you all should hold firm AGAINST any off-campus use of the Campus Business zoning. That is a dangerous precedent.

Thanks for listening, and keep up the good work. There are many of us ready to support you in holding firm.

Regards,
Tim J Durham

.

From: [Bannister, Anne](#)
To: [Laura Strowe](#)
Cc: [Hayner, Jeff](#)
Subject: Re: watching council meetings
Date: Saturday, July 20, 2019 12:51:52 PM

The public hearing for The Garnet is scheduled for July 15.
<http://a2gov.legistar.com/Legislation.aspx>

Search by “Garnet” for the details.

Anne

From: Laura Strowe <[REDACTED]>
Sent: Friday, July 19, 2019 9:21 AM
To: Bannister, Anne
Subject: Re: watching council meetings

Thanks. Do you know when the public hearing will be?

Laura

On Thursday, July 18, 2019, 5:47:59 PM EDT, Bannister, Anne <ABannister@a2gov.org> wrote:

Thanks for approving of my no vote on the Summit Street project, for the reasons you mention. A solution has not been found yet. You might want to write to CM Ramlawi and Nelson to help them understand the situation.

CM Hayner may have voted yes just because he wants the public hearing.

About the videos, the YouTube version is available almost immediately and I think the “on demand” option is too, because it offers “live streaming” during the meeting, for people who want to watch on their computer and not on CTN.

Please let me know if you have further questions or comments!!

Thanks,

Anne

Get [Outlook for iOS](#)

From: Laura Strowe <[REDACTED]>

Sent: Thursday, July 18, 2019 4:17:24 PM

To: Bannister, Anne

Subject: Re: watching council meetings

Dear Anne,

Thanks for this; it worked. Is this option always available? Is there a delay in when it is available?

Thanks too for your "no" vote on the first reading of the Summit St project. What is zoning for if we ignore it? This is not a commercial business, and therefore it is totally inappropriate to use a zoning that is "campus business district", never mind that it is also not near campus anymore than the whole city is!!! I don't object to the proposal, but we are in dangerous waters to ignore zoning categories.

Laura

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Hi Laura,

Well, the other way is the "on demand" option:

<https://www.a2gov.org/departments/communications/ctn/Pages/watch.aspx>

[Watch CTN - The City of Ann Arbor](https://www.a2gov.org/departments/communications/ctn/Pages/watch.aspx)



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www.a2gov.org

But I personally like YouTube better...

Hope all is well.

Anne Bannister

Ward One Councilmember

cell: [REDACTED]

abannister@a2gov.org

Term Nov. 2017 - Nov. 2020

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Laura

From: [Laura Stowe](#)
To: [Bannister, Anne](#)
Subject: Re: watching council meetings
Date: Saturday, July 20, 2019 9:44:59 PM

Wasn't that the date for the First Reading?

Laura

On Saturday, July 20, 2019, 12:51:54 PM EDT, Bannister, Anne <ABannister@a2gov.org> wrote:

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Please let me know if you have further questions or comments!!

Thanks,
Anne

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---	--

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Hope all is well.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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Laura

From: [Bannister, Anne](#)
To: [Laura Stowe](#)
Subject: Re: watching council meetings
Date: Sunday, July 21, 2019 1:34:11 AM

My mistake, it's on the agenda for August 19!
Resolution 19-1186.

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From: Laura Stowe <[REDACTED]>
Sent: Saturday, July 20, 2019 9:44:46 PM
To: Bannister, Anne <ABannister@a2gov.org>
Subject: Re: watching council meetings

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Term Nov. 2017 - Nov. 2020

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Should we have to do that in order to watch city council? or is there another way to see the meetings?

Laura

From: [Tom Stulberg](#)
To: [Eaton, Jack](#); [Lumm, Jane](#)
Subject: The Garnet rezoning
Date: Friday, July 26, 2019 12:53:57 PM

Jack and Jane,

I asked Susan Friedlaender to watch the video of council's deliberation on the Garnet rezoning to C1A, an inappropriate Campus Business zoning category. I am sharing her thoughts with you two. I don't think anyone else on council could digest her comments. I will find a way to communicate in plainer English the issues with that particular application. The comments below also raise broader concerns that I share with Susan.

I watched the video. The problem I see is that many council members have lost sight of their role when asked to rezone property. The question is not whether they like the project or architecture. The issue is not whether the use is needed or not. The question is whether the existing zoning is no longer suitable or does not make sense for planning reasons. The additional question is whether the proposed zoning is suitable. Some of the members questioned the latter. The issue is that the zoning ordinances must first be changed. The planning staff and planning commission should be hard at work drafting new ordinances that promote the kind of land uses that the city wants rather than trying to retrofit existing ordinances that were never intended to be used as proposed. This is ad hoc zoning at its worst. The council does not seem to be getting any direction on these issues.

I am including the text from the UDC chapter on Rezoning. These are the standards that the Council should be reviewing and the analysis that it should be doing.

Rezoning

A. Purpose

For the purpose of establishing and maintaining sound, stable and desirable development within the territorial limits of the City, the boundaries of any zoning district as shown on the zoning map shall not be amended except to correct an error, because of a change in municipal policy, or because of changed or changing conditions in a particular area or in the municipality generally, to rezone an area, extend the boundary of an existing zoning district or to change the regulations and restrictions of that district.

Here is what the applicant is supposed to provide as part of the rezoning application:

- e. The alleged error in the zoning map, if any, that would be corrected by the proposed amendment together with a detailed explanation of the alleged error in the zoning map, and detailed reasons as to how the proposed amendment will correct that error.
- e. The changed or changing conditions, if any, in the area or in the municipality generally, that make the proposed amendment reasonably necessary.
- f. All other circumstances, factors and reasons which Applicant offers in support of the proposed amendment.

From: [Tom Stulberg](#)
To: [Eaton, Jack](#)
Subject: Fw: The Garnet C1A rezoning
Date: Tuesday, July 30, 2019 1:27:21 PM
Attachments: [Mixed Use Zoning table UDC.pdf](#)
[Lenart map LowerTown omission.pdf](#)

Jack,

I have attached a map showing a couple properties that I would consider vulnerable to rezoning to Campus Business that are not included in Brett Lenart's map. I'm not sure why.

Tom

From: Tom Stulberg <[REDACTED]>
Sent: Saturday, July 27, 2019 9:39 PM
To: Jack Eaton <[REDACTED]>
Subject: Re: The Garnet C1A rezoning

Jack,

Thanks for sharing this. It is great. It seems clear that there are a lot of properties that would be vulnerable to rezoning to more intense categories than would be appropriate for their location. I see some properties that should be included but are NOT included in this map, but there are plenty here to make the point.

I am curious about the response to #3:

What happens to D2 zoning when we allow more intense categories further out than D2 boundaries? D2 is a more intense category than the C1B or C1A districts when considered by floor area ratio or the quantity of uses that are listed for the districts. No change to the D2 zoning happens when other properties are rezoned.

Per the attached table, D2 and C1A seem pretty close in "intensity". I am curious about why he states that D2 is more intense than C1A. By FAR it is not. By uses? He also fails to include C1A/R in this response, which is significantly more intense than D2. While the Garnet is not asking for C1A/R, the same logic would apply if it was or if another similar parcel was asking for C1A/R within a similar radius from a University building.

Response to Question #4: Lots outside of D2 are supposed to be less intensely developed than D2, not about the same, so the response to this question does not address the lack of a "transition" from D2. C1A would be close to the same as D2. The point becomes more obvious if there is a C1A/R rezoning within the "Campus Business" radius. The owner of a D2

lot would indeed be more restricted than an owner of a property within the radius but farther from downtown, negating the concept of D2 being a transition and making a D2 owner's claim of being more restricted valid.

A point worth making, but perhaps not to push, is that many other properties could still be vulnerable. The Lockwood project was proposed for a residentially master planned and zoned parcel. Planning didn't mind that rezoning. So would planning not mind changing a similar parcel within the radius? Such a parcel, or conglomeration of parcels, are not contemplated in this map's analysis. They represent an even more threatening situation.

Thanks,

Tom

From: Jack Eaton <[REDACTED]>
Sent: Saturday, July 27, 2019 3:32 PM
To: Tom Stulberg <[REDACTED]> Lynn Borset <[REDACTED]>
Subject: Fwd: The Garnet C1A rezoning

FYI

Jack

Begin forwarded message:

From: "Lenart, Brett" <BLenart@a2gov.org>
Subject: RE: The Garnet C1A rezoning
Date: July 18, 2019 at 2:13:12 PM EDT
To: "Bannister, Anne" <ABannister@a2gov.org>
Cc: "Delacourt, Derek" <DDelacourt@a2gov.org>, "McDonald, Kevin" <KMcDonald@a2gov.org>, "Postema, Stephen" <SPostema@a2gov.org>, "Eaton, Jack" <JEaton@a2gov.org>, "Hayner, Jeff" <JHayner@a2gov.org>, "Nelson, Elizabeth" <ENelson@a2gov.org>, "Griswold, Kathy" <KGriswold@a2gov.org>, "Thacher, Jill" <JThacher@a2gov.org>, "Higgins, Sara" <SHiggins@a2gov.org>

Hello Councilmember Bannister-

I've added responses below, please let me know if you'd like to discuss any further.

Sincerely,
-Brett

At Council Caucus last night, more questions were raised about the impact of rezoning The Garnet.

1. Is there a solution that doesn't involve rezoning? To develop the same structure, a planned project site plan could be considered, which sought modifications to setbacks and height requirements in exchange for the provision of affordable housing or solar readiness/energy conserving design. There are other potential standards for modification that appear less applicable to this design (e.g. increased open space, natural features protection)
2. Please generate a map that shows all areas that would be considered acceptable for Campus Business Zoning (C1A and C1A/R) and all areas not acceptable. City Policy documents and codes are not declarative in this regard. I have attached a map that indicates potential applicable areas in relationship to campus. Generally, as you are closer to campus ½ mile or less, there is likely greater potential than sites ½ mile out and farther for such designation. However, unique circumstances of a site would always be considered in the course of rezoning analysis.
3. What happens to D2 zoning when we allow more intense categories further out than D2 boundaries? D2 is a more intense category than the C1B or C1A districts when considered by floor area ratio or the quantity of uses that are listed for the districts. No change to the D2 zoning happens when other properties are rezoned.
4. Do D2 property owners have the right to claim they are unfairly restricted (or even apply for Campus Business Zoning, too)? Property owners always have a right to seek a rezoning, however the Master Plan clearly identifies areas of the City as appropriate for Downtown Interface district (D2). A property owner could seek to rezone such a property from D2, but based on location, it is likely this would not be supported by the Master Plan.
5. With regard to the unlimited height, is it true that Conditions are *purely voluntary* from developers? How challenging would it be for Council to change the ordinance and add height limits after approval of this project?
Conditions offered by a petitioner under a Conditional Rezoning are purely voluntary. City Council has the legislative authority to consider any ordinance amendments, and could amend height limits for zoning districts.

Thank you,
Anne

Jack Eaton

Ann Arbor 48103

5.17.4 Mixed Use Zoning Districts

Dimensional standards for mixed use zoning districts are provided in Table 5:17-4.

TABLE 5:17-4: MIXED USE ZONING DISTRICT DIMENSIONS											
NOTE: The requirements in this table may be superseded by the standards in Section 5.18 .											
DISTRICT	MAXIMUM FAR (% OF LOT AREA)		MAXIMUM FLOOR AREA PER NON RESIDENTIAL USE (SQ. FT.)	REQUIRED SETBACK (FT.)				MINIMUM / MAXIMUM HEIGHT		MINIMUM GROSS LOT DIMENSIONS	
	NORMAL	WITH PREMIUMS (SEE SEC. 5.18.6)		MINIMUM FRONT	MAXIMUM FRONT	MINIMUM SIDE	MINIMUM REAR	(FT.)	STORIES	AREA (SQ. FT.)	WIDTH (FEET)
O	75	N/A	None	15	40 [A]	[B][C]		[D]	[D]	6,000	50
C1	100	N/A	8,000 [E]	10	25	[B][C]		35	3	2,000	20
C1B	150	N/A	None	10	25	[B][C]		50	4	3,000	20
C1A	200	400	None	None	None	[F]		None	None	None	None
C1A/R	300	600	None	10	None	[F]		None	None	None	None
C2B	200	N/A	None	10	25	[B][C]		55	4	4,000	40
C3	200	N/A	None	10	[B][C][G]	[B][C]	20 [B][C]	55	4	6,000	60
D1	400	700; 900 with affordable housing premiums	None	See Table 5:17-7		See Table 5:17-6		(H)/ Table 5:17-6		None	None
D2 (I)	200	400	None	See Table 5:17-7		See Table 5:17-6		(H)/ Table 5:17-6		None	None

NOTES:

[A] Applies only to new detached Buildings constructed or for which a site plan was approved after January 16, 2011, otherwise none. For Lots with more than one Front Lot Line, Required Setbacks shall only apply to one Front Lot Line.

[B] 30 ft. where abutting residentially zoned land, otherwise none.

[C] Plus one foot of additional setback for each foot of Building Height above 30 feet when abutting residentially zoned land.

[D] No minimum. No maximum except in any area on a parcel extending 300 feet from an abutting residentially zoned land, the maximum height limits shall be 55 feet and 4 stories.

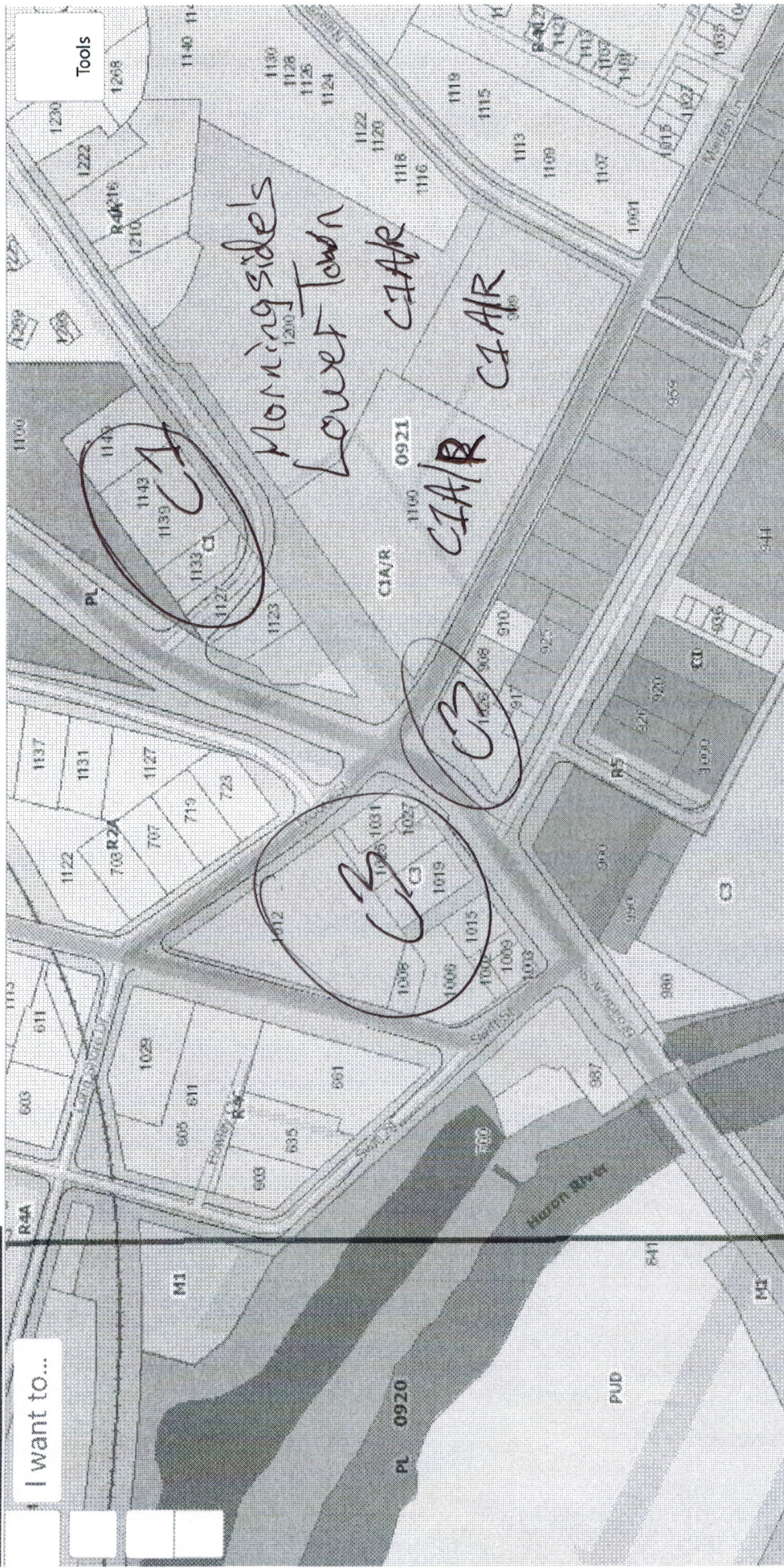
[E] Maximum Floor Area for each nonresidential use in a Principal or Accessory Building.

[F] Equal to the minimum side and minimum rear setback for the abutting district when abutting a residential district.

[G] 30 ft where abutting residentially zoned land.

[H] The minimum height is 24 ft. and 2 stories. This requirement shall apply only to new principal use buildings constructed after December 26, 2009; otherwise none. The Floor Area of the required second Story must be a minimum of 75 %of the Floor Area of the first Story.

[I] All Development in the D2 district shall provide a minimum of 10% of the Lot Area as Open Space, and no Development shall have Building Coverage greater than 80% of the Lot Area.



C1 & C3 parcels don't seem to be included in Brett Lenart's map (fitted Mixed-Use Future Land Use Areas)

From: [Eaton, Jack](#)
To: [Tom Stulberg](#)
Subject: Re: The Garnet C1A rezoning
Date: Tuesday, July 30, 2019 6:20:18 PM

Thanks,

I'll ask.

Jack

Sent from my iPhone

> On Jul 30, 2019, at 1:27 PM, Tom Stulberg <[REDACTED]> wrote:

>

> Jack,

>

> I have attached a map showing a couple properties that I would consider vulnerable to rezoning to Campus Business that are not included in Brett Lenart's map. I'm not sure why.

>

> Tom

>

>

> From: Tom Stulberg <[REDACTED]>

> Sent: Saturday, July 27, 2019 9:39 PM

> To: Jack Eaton <[REDACTED]>

> Subject: Re: The Garnet C1A rezoning

>

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>

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> Per the attached table, D2 and C1A seem pretty close in "intensity". I am curious about why he states that D2 is more intense than C1A. By FAR it is not. By uses? He also fails to include C1A/R in this response, which is significantly more intense than D2. While the Garnet is not asking for C1A/R, the same logic would apply if it was or if another similar parcel was asking for C1A/R within a similar radius from a University building.

>

> Response to Question #4: Lots outside of D2 are supposed to be less intensely developed than D2, not about the same, so the response to this question does not address the lack of a "transition" from D2. C1A would be close to the same as D2. The point becomes more obvious if there is a C1A/R rezoning within the "Campus Business" radius. The owner of a D2 lot would indeed be more restricted than an owner of a property within the radius but farther from downtown, negating the concept of D2 being a transition and making a D2 owner's claim of being more restricted valid.

>

> A point worth making, but perhaps not to push, is that many other properties could still be vulnerable. The Lockwood project was proposed for a residentially master planned and zoned parcel. Planning didn't mind that rezoning. So would planning not mind changing a similar parcel within the radius? Such a parcel, or conglomeration of parcels, are not contemplated in this map's analysis. They represent an even more threatening situation.

>
> Thanks,
>
> Tom
>
>
> _____
> From: Jack Eaton <[REDACTED]>
> Sent: Saturday, July 27, 2019 3:32 PM
> To: Tom Stulberg <[REDACTED]> Lynn Borset <[REDACTED]>
> Subject: Fwd: The Garnet C1A rezoning
>
> FYI
>
> Jack
>
> Begin forwarded message:
>
> From: "Lenart, Brett" <BLenart@a2gov.org<<mailto:BLenart@a2gov.org>>>
> Subject: RE: The Garnet C1A rezoning
> Date: July 18, 2019 at 2:13:12 PM EDT
> To: "Bannister, Anne" <ABannister@a2gov.org<<mailto:ABannister@a2gov.org>>>
> Cc: "Delacourt, Derek" <DDelacourt@a2gov.org<<mailto:DDelacourt@a2gov.org>>>, "McDonald, Kevin"
> <KMcDonald@a2gov.org<<mailto:KMcDonald@a2gov.org>>>, "Postema, Stephen"
> <SPostema@a2gov.org<<mailto:SPostema@a2gov.org>>>, "Eaton, Jack"
> <JEaton@a2gov.org<<mailto:JEaton@a2gov.org>>>, "Hayner, Jeff"
> <JHayner@a2gov.org<<mailto:JHayner@a2gov.org>>>, "Nelson, Elizabeth"
> <ENelson@a2gov.org<<mailto:ENelson@a2gov.org>>>, "Griswold, Kathy"
> <KGriswold@a2gov.org<<mailto:KGriswold@a2gov.org>>>, "Thacher, Jill"
> <JThacher@a2gov.org<<mailto:JThacher@a2gov.org>>>, "Higgins, Sara"
> <SHiggins@a2gov.org<<mailto:SHiggins@a2gov.org>>>
>
> Hello Councilmember Bannister-
>
> I've added responses below, please let me know if you'd like to discuss any further.
>
> Sincerely,
> -Brett
>
>
> At Council Caucus last night, more questions were raised about the impact of rezoning The Garnet.
>
> 1. Is there a solution that doesn't involve rezoning? To develop the same structure, a planned project site plan could be considered, which sought modifications to setbacks and height requirements in exchange for the provision of affordable housing or solar readiness/energy conserving design. There are other potential standards for modification that appear less applicable to this design (e.g. increased open space, natural features protection)
> 2. Please generate a map that shows all areas that would be considered acceptable for Campus Business Zoning (C1A and C1A/R) and all areas not acceptable. City Policy documents and codes are not declarative in this regard. I have attached a map that indicates potential applicable areas in relationship to campus. Generally, as you are closer to campus ½ mile or less, there is likely greater potential than sites ½ mile out and farther for such designation. However, unique circumstances of a site would always be considered in the course of rezoning analysis.
> 3. What happens to D2 zoning when we allow more intense categories further out than D2 boundaries? D2 is a more intense category than the C1B or C1A districts when considered by floor area ratio or the quantity of uses that are listed for the districts. No change to the D2 zoning happens when other properties are rezoned.
> 4. Do D2 property owners have the right to claim they are unfairly restricted (or even apply for Campus Business Zoning, too)? Property owners always have a right to seek a rezoning, however the Master Plan clearly identifies areas of the City as appropriate for Downtown Interface district (D2). A property owner could seek to rezone such a

property from D2, but based on location, it is likely this would not be supported by the Master Plan.

> 5. With regard to the unlimited height, is it true that Conditions are purely voluntary from developers? How challenging would it be for Council to change the ordinance and add height limits after approval of this project? Conditions offered by a petitioner under a Conditional Rezoning are purely voluntary. City Council has the legislative authority to consider any ordinance amendments, and could amend height limits for zoning districts.

>

>

> Thank you,

>

> Anne

>

> ---

> Jack Eaton

>

> Ann Arbor 48103

>

> <mailto:jack.eaton@cityofannarbor.org>

>

>

>

>

>

> <Mixed Use Zoning table UDC.pdf>

> <Lenart map LowerTown omission.pdf>

From: [Bannister, Anne](#)
To: [Christine Crockett](#); [Julie Ritter](#); [Laura Strowe](#); [Mary Underwood](#); [Tom Stulberg](#); [Rita Rita](#); [Jeff Crockett](#); [Nancy T L Stoll](#); [Philip Stoll](#)
Cc: [Hayner, Jeff](#)
Subject: Fw: 8/19/19 Packet and Agenda
Date: Friday, August 9, 2019 1:01:41 PM
Attachments: [08-19-19 Agenda.pdf](#)

Hello Neighbors -- If you have any "agenda questions," please send them to me before August 14 so that I can submit them to City staff (the deadline is noon on 8/14).

Highlights on the agenda include:

- [415 West Washington](#)
- Revisions to [Affordable Housing Contributions -- Fee In Lieu](#)
- [The Garnet](#) rezoning and site plan
- Others that you might see!

Thanks,

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Bowden, Anissa <ABowden@a2gov.org>
Sent: Thursday, August 8, 2019 3:55 PM
To: *City Council Members (All) <CityCouncilMembersAll@a2gov.org>; Alexa, Jennifer <JAlexa@a2gov.org>; Beattie, Kelly <KBeattie@a2gov.org>; Beaudry, Jacqueline <JBeaudry@a2gov.org>; ConfRoom - Guest Services <ConfRoomGuestServices@a2gov.org>; Crawford, Tom <TCrawford@a2gov.org>; CTN <CTN@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>; Fournier, John <JFournier@a2gov.org>; Gerhart, Stephen <SGerhart@a2gov.org>; Harris, David <DHarris@a2gov.org>; Higgins, Sara <SHiggins@a2gov.org>; Lazarus, Howard <HLazarus@a2gov.org>; McDonald, Gregory <GMcDonald@a2gov.org>; Michailuk, Greg <GMichailuk@a2gov.org>; Orcutt, Wendy <WOrcutt@a2gov.org>; Postema, Stephen <SPostema@a2gov.org>; Satterlee, Joanna <JESatterlee@a2gov.org>; Schopieray, Christine <CSchopieray@a2gov.org>; Wondrash, Lisa <LWondrash@a2gov.org>
Subject: 8/19/19 Packet and Agenda

The packet for the 8/19/19 is available for viewing on the web. The agenda is attached for your convenience. Thanks.

Enjoy your day!



Thankfulness finds something good in every circumstance.



Think Green! Don't print this e-mail unless you need to.

CONFIDENTIALITY NOTICE: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to which they are addressed. If you are not the intended recipient, you may not review, copy or distribute this message. If you have received this email in error, please notify the sender immediately and delete the original message. Neither the sender nor the company for which he or she works accepts any liability for any damage caused by any virus transmitted by this email.



City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Meeting Agenda - Final-revised City Council

Monday, August 19, 2019

7:00 PM

Larcom City Hall, 301 E Huron St, Second floor,
City Council Chambers

Council meets in Caucus at 7:00 p.m. on the Sunday prior to each Regular Session.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

INT INTRODUCTIONS

INT-1 [19-1492](#) Welcome and Introduction of City Assessor, Gerard Markey
(Financial and Administrative Services - Tom Crawford, CFO)

INT-2 [19-1494](#) Welcome and Introduction of City Treasurer, Michael Pettigrew
(Financial and Administrative Services - Tom Crawford, CFO)

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN
ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE
ADDRESSING COUNCIL**

CC COMMUNICATIONS FROM COUNCIL

MC COMMUNICATIONS FROM THE MAYOR

CA CONSENT AGENDA

- CA-1 [19-1486](#) Resolution to Approve the Closing of State Street from William to Liberty Streets and North University between State and Fletcher Streets for the Game Watch on State Street Event from 6:00 AM on Saturday, September 21, 2019 until 1:00 AM on Sunday, September 22, 2019
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: Watch the Game on State Street Map
- CA-2 [19-1500](#) Resolution to Approve Street Closures for the South University Area Association Block Party on Saturday, September 14, 2019 from 2:00 PM until 1:00 AM on Sunday, September 15, 2019
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: South University Block Party Map.pdf
- CA-3 [19-1501](#) Resolution to Approve Street Closings for the Dicken Run 5K - Sunday, October 13, 2019 from 8:00 AM until 12:00 PM
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: Dicken Run 5K Map.pdf, Dicken Run Proposal.pdf
- CA-4 [19-1497](#) Resolution to Approve a Contract with SmithGroup, Inc. to Conduct Public Engagement, Develop Potential Building Concepts and Evaluate Feasibility of the Property Located at 415 W. Washington **(8 Votes Required)**
(Community Services - Derek Delacourt, Community Services Area Administrator)
Sponsors: Ramlawi and Smith
Attachments: SmithGroup PSA 415 W Washington EXT.pdf
- CA-5 [19-1474](#) Resolution to Approve a Supplemental Fire Services Agreement between The City of Ann Arbor and The Regents of the University of Michigan from September 1, 2019 through August 31, 2024
(Fire Services - Mike Kennedy, Fire Chief)
Attachments: Memo U-M Supplemental Fire Services, Memo U-M Supplement Fire Services.pdf, Supplemental Fire Services final.docx, Supplemental Fire Services final.pdf
- CA-6 [19-1411](#) Resolution to Set Revised Fee in Lieu of Affordable Housing Formula and Adopt 2019 Annual Fee in Lieu Rate
(Housing and Human Services Advisory Board - Teresa Gillotti, Director, Office of Community & Economic Development)
- CA-7 [19-1193](#) Resolution to Approve a Construction Phase Agreement with the National Railroad Passenger Corporation (Amtrak) for \$136,635.00 for the Allen Creek Railroad Berm Opening Project

(Engineering - Craig Hupy, Public Services Area Administrator)

Attachments: site_plan_010419.pdf, City of Ann Arbor CN Agmt_Allen Creek
Project_Execution Copy.pdf

- CA-8 [19-1316](#) Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Hubbell, Roth & Clark, Inc. for General Civil Engineering and Surveying Services (\$110,000.00)

(Engineering - Craig Hupy, Public Services Area Administrator)

Attachments: HRC Amendment 2.pdf

- CA-9 [19-1470](#) Resolution to Approve a Professional Services Agreement with Hennessey Engineers, Inc. for Construction Engineering Services for Pavement Condition Rating Services (\$54,580.00)

(Engineering - Craig Hupy, Public Services Area Administrator)

Attachments: Hennessey PSA.pdf

- CA-10 [19-1380](#) Resolution to Approve a Contract with Niles Industrial Coatings, LLC to Paint the Interior of the Retention Building at the Wastewater Treatment Plant, ITB No. 4587 (\$70,768.00)

(Public Services - Craig Hupy, Public Services Area Administrator)

Attachments: Niles Contract 8-2-19, Resolution Attachment.pdf

- CA-11 [19-0663](#) Resolution to Approve a General Services Agreement with Tyndale Enterprises, Inc. to Implement the Public Services Area Managed Clothing (Uniform) Program (RFP# 19-15)

(Public Services - Craig Hupy, Public Services Administrator)

Attachments: RFP_19-15_Document.pdf, RFP_19-15_Addendum1.pdf,
RFP_19-15_ProposalTab.pdf, 032218 PS Managed Clothing Program
Signed.pdf, Tyndale GSA 7-31-19.pdf

- CA-12 [19-1453](#) Resolution to Approve an Administrative Services Agreement with the Ann Arbor/Ypsilanti SmartZone LDFA for Administrative and Support Services (\$164,800.00 over a two-year period)

(Financial and Administrative Services - Tom Crawford, CFO)

Attachments: FY2020 LDFA AA Admin Service Agr.pdf

- CA-13 [19-1493](#) Resolution to Appoint Michael Pettigrew as the City of Ann Arbor City Treasurer

(Financial and Administrative Services - Tom Crawford, CFO)

- CA-14 [19-1454](#) Resolution Authorizing a Resident Taxpayer Protest before the Board of Review by Letter without a Personal Appearance

(City Assessor Services - Gerard Markey, Assessor)

- CA-15 [19-1466](#) Resolution to Approve a Professional Services Agreement with SDS Global Enterprises, Inc. for Diversity, Equity, and Inclusion Plan Services (\$161,000.00)

(Human Resources - John Fournier, Interim Director)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [19-1087](#) An Ordinance to Amend Sections 5.15 (Table 5-15), 5.17.3, 5.17.5 (Table 5:17-5), and Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Permitted Use Table, Parkland Donations, Dimensional Standards Table, Front Lot Line) (Ordinance No. ORD-19-26)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: ORD-19-26 Briefed.pdf, Ordinance to Amend Chapter 55 Unified Development Code (UDC).pdf, Planning Staff Report May 7, 2019

(See B-1)

- PH-2 [19-1186](#) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-19-24)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: ORD-19-24 Briefed.pdf, The Garnet Ordinance.pdf, The Garnet Conditions.pdf, The Garnet Staff Report.pdf, The Garnet - CPC Minutes 5-21-2019 .pdf

(See B-2)

- PH-3 [19-1185](#) Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: The Garnet Staff Report w Att.pdf, 325 E Summit - The Garnet - Development Agreement 5-16-19.pdf

(See DB-1)

- PH-4 [19-1209](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 1.19 Acres from TWP (Township District) to R1A (Single-Family Dwelling District), Erb-Downward/Picazo Property, 2705 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-19-25)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: ORD-19-25 Briefed.pdf, 2705 Newport Rezoning Ordinance.pdf, 2705 Newport Road A & Z Staff Report w Attachments 3-19-2019 .pdf, 3-19-2019 CPC Minutes FINAL.pdf

(See B-3)

A APPROVAL OF COUNCIL MINUTES

- A-1 [19-1529](#) Regular Session of August 5, 2019
(City Clerk - Jacqueline Beaudry)

B ORDINANCES - SECOND READING

- B-1 [19-1087](#) An Ordinance to Amend Sections 5.15 (Table 5-15), 5.17.3, 5.17.5 (Table 5:17-5), and Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Permitted Use Table, Parkland Donations, Dimensional Standards Table, Front Lot Line) (Ordinance No. ORD-19-26)
(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: ORD-19-26 Briefed.pdf, Ordinance to Amend Chapter 55 Unified Development Code (UDC).pdf, Planning Staff Report May 7, 2019

(See PH-1)

- B-2 [19-1186](#) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-19-24)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: ORD-19-24 Briefed.pdf, The Garnet Ordinance.pdf, The Garnet Conditions.pdf, The Garnet Staff Report.pdf, The Garnet - CPC Minutes 5-21-2019 .pdf

(See PH-2)

- B-3 [19-1209](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 1.19 Acres from TWP (Township District) to R1A (Single-Family Dwelling District), Erb-Downward/Picazo Property, 2705 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-19-25)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: ORD-19-25 Briefed.pdf, 2705 Newport Rezoning Ordinance.pdf, 2705 Newport Road A & Z Staff Report w Attachments 3-19-2019 .pdf, 3-19-2019 CPC Minutes FINAL.pdf

(See PH-4)

C ORDINANCES - FIRST READING**C New Business - Staff:**

- C-1 [19-1448](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: PUD Legal Attachment The Glen 2019.pdf, The Glen Staff Report & Attachments 071619.pdf, The Glen Zoning Map.pdf

D MOTIONS AND RESOLUTIONS**DC New Business - Council:****DB New Business - Boards and Commissions:**

- DB-1 [19-1185](#) Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: The Garnet Staff Report w Att.pdf, 325 E Summit - The Garnet - Development Agreement 5-16-19.pdf

(See PH-3)

DS New Business - Staff:**E COMMUNICATIONS FROM THE CITY ATTORNEY****F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS****F The following communications were referred as indicated:**

- F-1 [19-1364](#) Transportation Commission Meeting Minutes of June 2019
(Transportation Commission)

Attachments: June_Meeting Minutes- FINAL.pdf

- F-2 [19-1485](#) Second Quarter 2019 Investment Portfolio Report
(Treasury Services - Michael Pettigrew, Interim Treasurer)

Attachments: 06-30-2019 City of Ann Arbor.pdf

- F-3 [19-1505](#) Ann Arbor SPARK Semi-Annual Report - January 1, 2019 - June 30, 2019
(Howard S. Lazarus, City Administrator)

Attachments: SPARK Semi annual report Jan - June 2019.PDF

G The following minutes were received for filing:

- G-1 [19-0273](#) Housing and Human Services Advisory Board Minutes from 01-10-2019
(OCED - Teresa Gillotti, Manager)

Attachments: HHSAB Minutes 1-10-2019.pdf

- G-2 [19-0751](#) Brownfield Plan Review Committee Meeting Minutes of March 25, 2019

Attachments: 3-25-2019 BRC Minutes .pdf

- G-3 [19-0868](#) Environmental Commission Minutes for 3-28-19

Attachments: Env Commission minutes from March 2019.pdf

- G-4 [19-1391](#) Airport Advisory Committee Minutes - May 15, 2019

(Fleet & Facilities Services - Matthew J Kulhanek)

Attachments: AAC minutes 051519.pdf

- G-5 [19-1416](#) Public Market Advisory Commission Meeting Minutes of May 16, 2019

(Parks and Recreation Services - Stephanie Willette)

Attachments: May 16, 2019 PMAC Meeting Minutes.pdf

- G-6 [19-1455](#) Ann Arbor Board of Review Minutes - July 16, 2019

(City Assessor Services - Michael Gonzales, Deputy Assessor)

Attachments: JULY 16, 2019 BOARD OF REVIEW MINUTES.pdf

- G-7 [19-1472](#) Greenbelt Advisory Commission Meeting Minutes of July 11, and July 29, 2019

Attachments: 07-11-19 GAC Minutes.pdf, 07-29-19 Special GAC Minutes.pdf

- G-8 [19-1502](#) Insurance Board Meeting Minutes - August 1, 2019

(Financial and Administrative Services - Tom Crawford, CFO)

Attachments: Insurance Board Minutes 080119.pdf, Insurance Board Loss Run - June 2019.pdf

- G-9 [19-1507](#) Ann Arbor Public Art Commission Meeting Minutes - March 2019

Attachments: AAPAC Meeting Minutes - March 2019 Minutes.pdf

- G-10 [19-1509](#) Ann Arbor Public Art Commission Meeting Minutes - May 2019

Attachments: AAPAC Meeting Minutes - May 2019.pdf

- G-11 [19-1528](#) Ann Arbor Area Transportation Authority Board Meeting Minutes of February 21, March 21, April 18, May 16 and June 20, 2019 (AAATA)

Attachments: AAATA_Meeting Minutes February 21.2019_Aproved.pdf, AAATA_Meeting Minutes March 21.2019_Aproved.pdf, AAATA_Meeting Minutes April 18. 2019_Aproved.pdf, AAATA Board Meeting Minutes 05.16.19_Aproved.pdf, AAATA Board Meeting Minutes 06.20.19_Aproved.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

COMMUNICATIONS FROM COUNCIL

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).

ADJOURNMENT

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, AUGUST 19, 2019 @ 7:00 P.M.

REPLAYS: WEDNESDAY, AUGUST 21, 2019 @ 8:00 A.M. AND FRIDAY, AUGUST 23, 2019 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

CTN's Government Channel live televised public meetings can be viewed in a variety of ways:

Live Web Streaming: <https://a2gov.org/watchctn>

Video on Demand: <https://a2ctn.viebit.com>

Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

City Clerk's Office
301 E. Huron St.
Ann Arbor, MI 48104

Requests made with less than two business days' notice may not be able to be accommodated.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's Office.

From: [Victoria Pebbles](#)
To: [Bannister, Anne](#)
Cc: [Hayner, Jeff](#); [Eaton, Jack](#); [Brad Moore It](#)
Subject: Re: meet about 325 E. Summit--background
Date: Monday, August 12, 2019 2:53:05 PM

Hello Anne:

I'm looking forward to meeting with you and other members of Ann Arbor City Council tomorrow to discuss the Garnet at 325 E. Summit Street--and how it supports the master plan and aligns with current Michigan law and local zoning ordinances.

See you at Casey's at 5:30.

-Victoria Pebbles

On Thu, Jul 18, 2019 at 2:02 PM Bannister, Anne <ABannister@a2gov.org> wrote:
Sounds great! Tuesday, August 13 at 5:30 at Casey's. — Anne

Get [Outlook for iOS](#)

From: Victoria Pebbles <[REDACTED]>
Sent: Thursday, July 18, 2019 12:47:00 PM
To: Bannister, Anne
Cc: Hayner, Jeff; Eaton, Jack; Brad Moore It
Subject: Re: meet about 325 E. Summit--background

Let's do August 13, 5:30 at Casey's. Looking forward to it.

-Victoria

On Jul 17, 2019, at 3:00 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

I'm available to meet at Casey's on August 7, 12, 13, and 15. Anytime from 5:30 p.m. onward.

I hope that works for others!

Thanks everyone,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Victoria Pebbles <[REDACTED]>
Sent: Tuesday, July 16, 2019 9:28 AM
To: Bannister, Anne
Cc: Hayner, Jeff; Eaton, Jack
Subject: Re: meet about 325 E. Summit--background

Casey's sounds perfect. It's right by the property so we could walk over there if there is interest. Can you suggest some dates and times when interested Councilmembers are available to meet before July 25 or after August 4?

-Victoria

On Jul 16, 2019, at 12:55 AM, Bannister, Anne <ABannister@a2gov.org> wrote:

CM Hayner said he'd like to meet with us, and maybe CM Eaton and others. Maybe we could go to Casey's or Northside Grill. We are all short on time, so a brief visit might be all we can do before it is back on the agenda.

About the FAR, my understanding is that multiple lots can be combined to make a taller building. It's not your project that's residents are objecting to so much, but the other parcels around town that could ask to be rezoned C1A and have unlimited height, including D2 properties. Staff has been asked to prepare a map and provide further information.

Thanks, and sorry it's complicated.

From: Victoria Pebbles <[REDACTED]>
Sent: Monday, July 15, 2019 4:26 PM
To: Bannister, Anne
Subject: Re: meet about 325 E. Summit--background

Hello Again Anne:

Thank you very much for the quick reply. I am concerned that you may be getting one-sided legal advice and that advice may be unduly influencing your decision-making and that of other council members. There are technical elements of the zoning code—namely the FAR—that effectively limit the height of buildings in any zoning district. We would like to meet with you and/or and other members of city council who share your concern to discuss this further. Would you be willing to get back to me with a few dates and times that work for you (and other council members who may be interested)?

Thanks again for your leadership and service,

-Victoria

On Jul 15, 2019, at 1:10 PM, Bannister, Anne
<ABannister@a2gov.org> wrote:

Hi Victoria,

I'm really upset about the situation, too. There seem to be several disconnects here.

One of the main concerns of residents is that allowing unlimited height with C1A outside the boundaries of D1 and D2 is potentially legally problematic.

Councilmembers and staff continue to try and find a solution.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Victoria Pebbles <[REDACTED]>
Sent: Monday, July 15, 2019 12:29 PM
To: Bannister, Anne
Subject: Re: meet about 325 E. Summit--background

Hi Anne,

We met with planning staff this morning and were told that, according to the zoning ordinance, the Planned Project option cannot that Jack Eaton suggested last night at City Council caucus cannot be used to increase floor area and so it Is NOT an option for us with the Garnet.

We have already spent a lot of time and money trying to do the right thing every step of the way. It seems everyone likes our project but that our relatively small project that is proposed by a small local business owner/builder is at risk of being held hostage to

outdated zoning ordinances and now also fear of the “big developers” suing later on.

We are frustrated that we were advised by city staff to go for this re-zoning proposal and now, after over a year working toward what we thought was the right path, there are concerns at the level we heard last evening.

I hope we can count on your continued leadership and support for this project.

-Victoria

On Jun 13, 2019, at 9:44 AM, Bannister, Anne <ABannister@a2gov.org> wrote:

 Talk with you tomorrow.

From: Victoria Pebbles

< >

Sent: Wednesday, June 12, 2019 1:04 PM

To: Bannister, Anne

Subject: Re: meet about 325 E. Summit--background

By phone could work too Anne. What number shall I call? Thanks lol call you and conference Brad in.

-Victoria

On Jun 11, 2019, at 3:07 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

Would Friday at 10 by phone work? That's fine if you'd like to have Bradley Moore on the phone too.

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On Tue, Jun 11, 2019 at 2:56
PM -0400, "Victoria
Pebbles"<[REDACTED]>
wrote:

Hi Anne,
Sure, let's meet Friday at 10
am. Do you have a place in
mind? Coffeeshop
downtown perhaps?
I might have our architect
join us since he's the one
who has advised our team
about the specific zoning
category for the change.
Unfortunately, I leave for
work related meetings in
Milwaukee on Friday
afternoon and will be there
through mid next week so
no summer festival (or city
council) this weekend. If
you think it's advisable, I
could see if another person
on our team attends on
Sunday.
Let me know where you'd
like to meet on Friday.
-Victoria

--

Victoria Pebbles

From: [Laura Strowe](#)
To: [CityCouncil](#)
Subject: The Garnet
Date: Monday, August 12, 2019 3:18:52 PM

Dear City Council members,

Monday the 19th you will again have the rezoning of The Garnet property on your agenda.

I have no objection to the plan, but I object to the zoning change. C1A is not a residential zoning category. It is, in fact, called "Campus Business District." Why have zoning categories, why have names for those categories....if these distinctions are going to be ignored? More importantly, the categories were created for a reason, and that was to have control of what is built and where. So back in history, the city created C1A to allow businesses near campus. That is, the main campus that surrounds the quad. If you define "campus" as being within walking distance of university buildings, as was suggested at First Reading, then virtually the whole city can be zoned C1A or C1A/R, since the university owns and rents all over town. Which means that virtually the whole city can be subject to a zoning that has no height limits, and not enough control over use, density and intensity.

This flies in the face of our careful (and not always helpful) work in creating the D1 and D2 districts, which were meant to protect the neighborhoods that abut downtown. By allowing C1A outside the true campus area, outside downtown, you are allowing more intense use than D2. Approving C1A in a location such as this totally destroys the concept of a buffer zone, as embodied in the D2 category. Once approved, any other developer in this same area can legitimately ask for the same zoning, and that developer might not have the limiting conditions that The Garnet developer has embedded in his zoning request.

Furthermore, C1A is not a residential zoning. Why, you should ask the developer, is the new zoning being requested not a residential zoning category? I suspect the question is: What is the developer avoiding by seeking a non-residential zoning for a residential plan?

It was suggested that those of us who are objecting to this zoning change are "vilifying" density. No, we are not. We are merely vilifying using the mantra of the need for density as an excuse for improper zoning. Yes, this plan is fine. It is not too high, not too dense. It is totally appropriate for this neighborhood which is already a diverse area. However, this is the wrong zoning. We need to have the proper zoning to protect the area from a use of this zoning in the future that will not be as acceptable.

Thank you.

Laura Strowe




From: [Bannister, Anne](#)
To: [Victoria Pebbles](#)
Cc: [Hayner, Jeff](#); [Eaton, Jack](#); [Brad Moore It](#); [Griswold, Kathy](#); [Lumm, Jane](#)
Subject: Re: meet about 325 E. Summit--background
Date: Monday, August 12, 2019 3:33:03 PM

Hi Victoria,

Yes, I look forward to meeting tomorrow at Casey's at 5:30, and will remind other Councilmembers that they're invited.

One question we can discuss tomorrow is whether you have considered a PUD? I continue to hear that the request to rezone to C1A is an obstacle, even more-so than the increased height and decreased setbacks. I'm optimistic that a PUD is worth exploring further.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Victoria Pebbles <[REDACTED]>
Sent: Monday, August 12, 2019 2:52 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: Hayner, Jeff <JHayner@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Brad Moore It <brad@jbradleymoore.com>
Subject: Re: meet about 325 E. Summit--background

Hello Anne:

I'm looking forward to meeting with you and other members of Ann Arbor City Council tomorrow to discuss the Garnet at 325 E. Summit Street--and how it supports the master plan and aligns with current Michigan law and local zoning ordinances.

See you at Casey's at 5:30.

-Victoria Pebbles

On Thu, Jul 18, 2019 at 2:02 PM Bannister, Anne <ABannister@a2gov.org> wrote:
Sounds great! Tuesday, August 13 at 5:30 at Casey's. — Anne

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From: Victoria Pebbles <[REDACTED]>
Sent: Thursday, July 18, 2019 12:47:00 PM
To: Bannister, Anne

Cc: Hayner, Jeff; Eaton, Jack; Brad Moore It
Subject: Re: meet about 325 E. Summit--background

Let's do August 13, 5:30 at Casey's. Looking forward to it.

-Victoria

On Jul 17, 2019, at 3:00 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

I'm available to meet at Casey's on August 7, 12, 13, and 15. Anytime from 5:30 p.m. onward.

I hope that works for others!

Thanks everyone,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Victoria Pebbles <[REDACTED]>
Sent: Tuesday, July 16, 2019 9:28 AM
To: Bannister, Anne
Cc: Hayner, Jeff; Eaton, Jack
Subject: Re: meet about 325 E. Summit--background

Casey's sounds perfect. It's right by the property so we could walk over there if there is interest. Can you suggest some dates and times when interested Councilmembers are available to meet before July 25 or after August 4?

-Victoria

On Jul 16, 2019, at 12:55 AM, Bannister, Anne <ABannister@a2gov.org> wrote:

CM Hayner said he'd like to meet with us, and maybe CM Eaton and others. Maybe we could go to Casey's or Northside Grill. We are all short on time, so a brief visit might be all we can do before it is back on the agenda.

About the FAR, my understanding is that multiple lots can be combined to make a taller building. It's not your project that's residents are objecting to so much, but the other parcels around

town that could ask to be rezoned C1A and have unlimited height, including D2 properties. Staff has been asked to prepare a map and provide further information.

Thanks, and sorry it's complicated.

From: Victoria Pebbles <[REDACTED]>
Sent: Monday, July 15, 2019 4:26 PM
To: Bannister, Anne
Subject: Re: meet about 325 E. Summit--background

Hello Again Anne:

Thank you very much for the quick reply. I am concerned that you may be getting one-sided legal advice and that advice may be unduly influencing your decision-making and that of other council members. There are technical elements of the zoning code—namely the FAR—that effectively limit the height of buildings in any zoning district. We would like to meet with you and/or and other members of city council who share your concern to discuss this further. Would you be willing to get back to me with a few dates and times that work for you (and other council members who may be interested)?

Thanks again for your leadership and service,

-Victoria

On Jul 15, 2019, at 1:10 PM, Bannister, Anne
<ABannister@a2gov.org> wrote:

Hi Victoria,

I'm really upset about the situation, too. There seem to be several disconnects here.

One of the main concerns of residents is that allowing unlimited height with C1A outside the boundaries of D1 and D2 is potentially legally problematic.

Councilmembers and staff continue to try and find a solution.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org

Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Victoria Pebbles <[REDACTED]>
Sent: Monday, July 15, 2019 12:29 PM
To: Bannister, Anne
Subject: Re: meet about 325 E. Summit--background

Hi Anne,

We met with planning staff this morning and were told that, according to the zoning ordinance, the Planned Project option cannot that Jack Eaton suggested last night at City Council caucus cannot be used to increase floor area and so it is NOT an option for us with the Garnet.

We have already spent a lot of time and money trying to do the right thing every step of the way. It seems everyone likes our project but that our relatively small project that is proposed by a small local business owner/builder is at risk of being held hostage to outdated zoning ordinances and now also fear of the "big developers" suing later on.

We are frustrated that we were advised by city staff to go for this re-zoning proposal and now, after over a year working toward what we thought was the right path, there are concerns at the level we heard last evening.

I hope we can count on your continued leadership and support for this project.

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On Jun 13, 2019, at 9:44 AM, Bannister, Anne
<ABannister@a2gov.org> wrote:

[REDACTED] Talk with you tomorrow.

From: Victoria Pebbles

<[REDACTED]>
Sent: Wednesday, June 12, 2019 1:04 PM
To: Bannister, Anne
Subject: Re: meet about 325 E. Summit--
background

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number shall I call? Thanks lol call you
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I might have our architect
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who has advised our team
about the specific zoning
category for the change.
Unfortunately, I leave for
work related meetings in
Milwaukee on Friday
afternoon and will be there
through mid next week so
no summer festival (or city
council) this weekend. If
you think it's advisable, I
could see if another person

on our team attends on
Sunday.
Let me know where you'd
like to meet on Friday.
-Victoria

--
Victoria Pebbles

From: [Bannister, Anne](#)
To: [Laura Strowe](#)
Cc: [Hayner, Jeff](#)
Subject: Re: The Garnet
Date: Monday, August 12, 2019 3:40:25 PM

Thanks, Laura! You do your homework. I'm meeting with the development team for The Garnet tomorrow evening. Would it be all right if I forward your email to them, or is that a bad idea? Either way is fine.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
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From: Laura Strowe <[REDACTED]>
Sent: Monday, August 12, 2019 3:18 PM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: The Garnet

Dear City Council members,

Monday the 19th you will again have the rezoning of The Garnet property on your agenda.

I have no objection to the plan, but I object to the zoning change. C1A is not a residential zoning category. It is, in fact, called "Campus Business District." Why have zoning categories, why have names for those categories....if these distinctions are going to be ignored? More importantly, the categories were created for a reason, and that was to have control of what is built and where. So back in history, the city created C1A to allow businesses near campus. That is, the main campus that surrounds the quad. If you define "campus" as being within walking distance of university buildings, as was suggested at First Reading, then virtually the whole city can be zoned C1A or C1A/R, since the university owns and rents all over town. Which means that virtually the whole city can be subject to a zoning that has no height limits, and not enough control over use, density and intensity.

This flies in the face of our careful (and not always helpful) work in creating the D1 and D2 districts, which were meant to protect the neighborhoods that abut downtown. By allowing C1A outside the true campus area, outside downtown, you are allowing more intense use than D2. Approving C1A in a location such as this totally destroys the concept of a buffer zone, as embodied in the D2 category. Once approved, any other developer in this same area can legitimately ask for the same zoning, and that developer might not have the limiting conditions that The Garnet developer has embedded in his zoning request.

Furthermore, C1A is not a residential zoning. Why, you should ask the developer, is the new zoning being requested not a residential zoning category? I suspect the question is: What is the developer avoiding by seeking a non-residential zoning for a residential plan?

It was suggested that those of us who are objecting to this zoning change are "vilifying" density. No, we are not. We are merely vilifying using the mantra of the need for density as an excuse for improper zoning. Yes, this plan is fine. It is not too high, not too dense. It is totally appropriate for this neighborhood which is already a diverse area. However, this is the wrong zoning. We need to have the proper zoning to protect the area from a use of this zoning in the future that will not be as acceptable.

Thank you.

Laura Strowe



From: [Laura Strowe](#)
To: [Bannister, Anne](#)
Cc: [Hayner, Jeff](#)
Subject: Re: The Garnet
Date: Tuesday, August 13, 2019 1:14:45 PM

I have no objection to your forwarding it to them. I would have used it as a speech, but I feel that sending it ahead of the hearing is best, so that CMs can actually read it and think about it before they make up their minds. Which they seem to do well in advance.....before they hear the public at the hearings.

I probably will also come and speechify, maybe the same words. Never hurts, eh?

Laura

On Monday, August 12, 2019, 3:40:27 PM EDT, Bannister, Anne <ABannister@a2gov.org> wrote:

Thanks, Laura! You do your homework. I'm meeting with the development team for The Garnet tomorrow evening. Would it be all right if I forward your email to them, or is that a bad idea? Either way is fine.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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Thank you.

Laura Strowe



From: [JB It](#)
To: [Kelly Anderson](#); [Victoria Pebbles](#)
Cc: [Bannister, Anne](#)
Subject: confirming question
Date: Wednesday, August 14, 2019 7:41:14 AM

Just to make sure I have the question right please review the question text below;

If City Council approves the proposed Garnet conditional CIA rezoning is it then obligated to approve any future/other conditional CIA rezoning requests that come before it (has precedent been set) or is each and every future/other conditional rezoning request completely discretionary as regards City Council approval?

Brad

From: [JB It](#)
To: [Kelly Anderson](#); [Victoria Pebbles](#)
Cc: [Bannister, Anne](#)
Subject: Re: confirming question
Date: Wednesday, August 14, 2019 8:27:18 AM

Another question to the same point:

Are conditional zonings like PUD's in that each request is completely discretionary & not dependent on previous zoning approvals and bind the specific site to a specific set of conditions that run with the property irrespective of ownership?

On 8/14/2019 7:41 AM, JB It wrote:

Just to make sure I have the question right please review the question text below;

If City Council approves the proposed Garnet conditional CIA rezoning is it then obligated to approve any future/other conditional CIA rezoning requests that come before it (has precedent been set) or is each and every future/other conditional rezoning request completely discretionary as regards City Council approval?

Brad

--

Brad Moore, AIA
President, J Bradley Moore & Associates Architects, Inc.
4844 Jackson Rd., STE #150
Ann Arbor, MI 48103

O 734-930-1500
F 734-994-1510
M 734-649-3404

From: [Victoria Pebbles](#)
To: [JB It](#)
Cc: [Kelly Anderson](#); [Bannister, Anne](#)
Subject: Re: confirming question
Date: Wednesday, August 14, 2019 8:55:32 AM

I am not sure I understand this question.

Are conditional zonings like PUD's in that each request is completely discretionary & not dependent on previous zoning approvals and bind the specific site to a specific set of conditions that run with the property irrespective of ownership?

It seems that it's intended to read :

Are conditional zoning approvals like PUD's completely discretionary & not dependent on previous zoning approvals and do PUD approvals bind the specific site to a specific set of conditions that run with the property irrespective of ownership?

On Wed, Aug 14, 2019 at 8:27 AM JB It <brad@jbradleymoore.com> wrote:

Another question to the same point:

Are conditional zonings like PUD's in that each request is completely discretionary & not dependent on previous zoning approvals and bind the specific site to a specific set of conditions that run with the property irrespective of ownership?

On 8/14/2019 7:41 AM, JB It wrote:

Just to make sure I have the question right please review the question text below;

If City Council approves the proposed Garnet conditional C1A rezoning is it then obligated to approve any future/other conditional C1A rezoning requests that come before it (has precedent been set) or is each and every future/other conditional rezoning request completely discretionary as regards City Council approval?

Brad

--
Brad Moore, AIA
President, J Bradley Moore & Associates Architects, Inc.
4844 Jackson Rd., STE #150
Ann Arbor, MI 48103

O 734-930-1500
F 734-994-1510
M 734-649-3404

--

Victoria Pebbles

From: [Bannister, Anne](#)
To: [Higgins, Sara](#)
Cc: [Lazarus, Howard](#); [Hayner, Jeff](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Lumm, Jane](#)
Subject: Bannister Agenda Questions
Date: Wednesday, August 14, 2019 12:03:43 PM

Dear Sara,

These are my agenda questions:

The Garnet: PH-2 and B-2 regarding Resolution 19-1186 and PH-3 and DB-1 regarding Resolution 19-1185:

1. Community members have asked City Council to consider whether the same or similar site plan could be used if the rezoning was changed from C1A with conditions, to other options such as PUD with Affordable Housing, or R4E with PPM? Please suggest other zoning options that might be eligible for consideration.
2. In addition to other maps that have been provided, what geographical areas might be eligible city-wide for Campus-Business zoning, regardless of their current zoning? Please provide a map of all properties that could reasonably be close enough to be called Campus-Business, including C1 and C3 close to Lowertown and other residential properties, etc.
3. What is the process if a tabling and/or postponement of this project is needed? Who would request this, i.e. City Council or the developer? Any detail on how this process would work is appreciated.
4. Please define "spot zoning" and any relevant details and related historical information.
5. Please describe how D1 and D2 have height limits, whereas C1A is limited by 8,000 square feet, with use of the Pedestrian Amenity Premium. Please include staff's opinion on the economics of building heights as it relates to the cost of elevators, staircases, and building materials requirements.
6. Please confirm the maximum premium FAR attainable in C1A.
7. Referring to 5-15 Permitted Use Table, what other uses are eligible in C1A and C1B?
8. Are unpublished Appellate Court decisions precedent setting or binding?
9. Are conditional zoning approvals like PUD's completely discretionary and not dependent on previous zoning approvals, and do PUD approvals bind the specific site to a specific set of conditions that run with the property irrespective of ownership?
10. If City Council approves the proposed Garnet conditional C1A rezoning is it then obligated to approve any future/other conditional C1A rezoning requests that come before it (has precedent been set) or is each and every future/other conditional rezoning request completely discretionary as regards City Council approval?
11. In zoning districts without specific height limits defined in the UDC are there other factors, including (but not necessarily limited to) building codes, construction technologies, and economics that work to establish practical or realistic / implied limits to building height?

12. Is there a maximum amount of premium floor area obtainable in the C1A zoning district irrespective of the size of a parcel/site? If so what is it? If so is it possible to reach the max FAR, with premiums, of 400% in the C1A zoning classification as indicated in table 5:17-4 of the UDC?

Thanks,
Anne

From: [Bannister, Anne](#)
To: [Victoria Pebbles](#); [JB It](#)
Cc: [Kelly Anderson](#)
Subject: Re: confirming question
Date: Wednesday, August 14, 2019 12:04:16 PM

Thanks everyone. I think I have captured all of them! Will forward my email to staff...

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Victoria Pebbles <[REDACTED]>
Sent: Wednesday, August 14, 2019 8:55 AM
To: JB It <brad@jbradleymoore.com>
Cc: Kelly Anderson <kladev@msn.com>; Bannister, Anne <ABannister@a2gov.org>
Subject: Re: confirming question

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Ann Arbor, MI 48103

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--

Victoria Pebbles

From: [Bannister, Anne](#)
To: [Bradley Moore](#); [Victoria Pebbles](#); [Kelly Anderson](#)
Subject: Fw: Bannister Agenda Questions
Date: Wednesday, August 14, 2019 12:05:18 PM

FYI

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Bannister, Anne
Sent: Wednesday, August 14, 2019 12:03 PM
To: Higgins, Sara <SHiggins@a2gov.org>
Cc: Lazarus, Howard <HLazarus@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>
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Thanks,
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From: [Kelly Anderson](#)
To: [Bannister, Anne](#)
Cc: [Bradley Moore](#); [Victoria Pebbles](#)
Subject: Re: Bannister Agenda Questions
Date: Wednesday, August 14, 2019 1:29:48 PM

Fabulous questions Anne! Thank you so much for your time last night. It meant so much to me that you stayed and listened for as long as you did. I appreciate your need to be clear on these questions and I'm hopeful you will be a champion for the Garnet project.

Thanks again,

Kelly

Kelly Anderson
KLA Development
734-260-2432 c
7341669-8565 w

On Aug 14, 2019, at 12:05 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

FYI

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Bannister, Anne
Sent: Wednesday, August 14, 2019 12:03 PM
To: Higgins, Sara <SHiggins@a2gov.org>
Cc: Lazarus, Howard <HLazarus@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>
Subject: Bannister Agenda Questions

Dear Sara,

These are my agenda questions:

The Garnet: PH-2 and B-2 regarding Resolution 19-1186 and PH-3 and DB-1 regarding Resolution 19-1185:

1. Community members have asked City Council to consider whether

the same or similar site plan could be used if the rezoning was changed from C1A with conditions, to other options such as PUD with Affordable Housing, or R4E with PPM? Please suggest other zoning options that might be eligible for consideration.

2. In addition to other maps that have been provided, what geographical areas might be eligible city-wide for Campus-Business zoning, regardless of their current zoning? Please provide a map of all properties that could reasonably be close enough to be called Campus-Business, including C1 and C3 close to Lowertown and other residential properties, etc.
3. What is the process if a tabling and/or postponement of this project is needed? Who would request this, i.e. City Council or the developer? Any detail on how this process would work is appreciated.
4. Please define "spot zoning" and any relevant details and related historical information.
5. Please describe how D1 and D2 have height limits, whereas C1A is limited by 8,000 square feet, with use of the Pedestrian Amenity Premium. Please include staff's opinion on the economics of building heights as it relates to the cost of elevators, staircases, and building materials requirements.
6. Please confirm the maximum premium FAR attainable in C1A.
7. Referring to 5-15 Permitted Use Table, what other uses are eligible in C1A and C1B?
8. Are unpublished Appellate Court decisions precedent setting or binding?
9. Are conditional zoning approvals like PUD's completely discretionary and not dependent on previous zoning approvals, and do PUD approvals bind the specific site to a specific set of conditions that run with the property irrespective of ownership?
10. If City Council approves the proposed Garnet conditional C1A rezoning is it then obligated to approve any future/other conditional C1A rezoning requests that come before it (has precedent been set) or is each and every future/other conditional rezoning request completely discretionary as regards City Council approval?
11. In zoning districts without specific height limits defined in the UDC are there other factors, including (but not necessarily limited to) building codes, construction technologies, and economics that work to establish practical or realistic / implied limits to building height?
12. Is there a maximum amount of premium floor area obtainable in the C1A zoning district irrespective of the size of a parcel/site? If so what is it? If so is it possible to reach the max FAR, with premiums, of 400% in the C1A zoning classification as indicated in table 5:17-4 of the UDC?

Thanks,
Anne

From: [Scott Trudeau](#)
To: [CityCouncil](#)
Subject: Support for The Garnet
Date: Thursday, August 15, 2019 12:44:31 PM

CM Bannister, CM Hayner & Mayor Taylor,

I am writing in support of the rezoning and site plan for The Garnet at 325 E Summit. This is a couple blocks from our home and we frequently walk & bike past this site on our way over the Broadway Bridges. The design is high quality and will fit nicely into the intersection at the base of the bridge, fitting well to the buildings around it. Planning Commission received an unusually high number of letters in support of the project from adjacent neighbors, both businesses and residents. I don't recall a single piece of public input against the project. The more high quality, modestly sized infill projects like this we can encourage, the less we will need to rely on larger scale projects to create enough housing for everyone. Let's make these good projects easy wins.

Thank you,

Scott Trudeau
Ward 1

From: [Bannister, Anne](#)
To: [Scott Trudeau: CityCouncil](#)
Subject: Re: Support for The Garnet
Date: Thursday, August 15, 2019 12:58:37 PM

Dear Scott Trudeau,

Thanks for sending your insights. There have been many ongoing discussions about The Garnet, and my feeling is that the issues are not with the site plan, but with the rezoning to C1A (with conditions).

For further information, this is the link to the July 15 City Council Agenda Responses, with The Garnet starting on page 6: <http://a2gov.legistar.com/LegislationDetail.aspx?ID=4061044&GUID=4C793C68-C932-4814-9A85-48B5B6AE6F4E&Options=&Search=>

The new round of Agenda Responses for August 5 will be released and added to this link later today: <http://a2gov.legistar.com/DepartmentDetail.aspx?ID=4166&GUID=695084DA-6854-4B69-A3E0-760D51EE2D71&Mode=MainBody>

Thanks again for your input,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Scott Trudeau [REDACTED]
Sent: Thursday, August 15, 2019 12:44 PM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Support for The Garnet

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Thank you,

Scott Trudeau
Ward 1

From: [Bannister, Anne](#)
To: [Scott Trudeau: CityCouncil](#)
Subject: Re: Support for The Garnet
Date: Thursday, August 15, 2019 1:01:17 PM

TYPO -- I meant for August 19.

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, August 15, 2019 12:58 PM
To: Scott Trudeau <[REDACTED]> CityCouncil <CityCouncil@a2gov.org>
Subject: Re: Support for The Garnet

Dear Scott Trudeau,

Thanks for sending your insights. There have been many ongoing discussions about The Garnet, and my feeling is that the issues are not with the site plan, but with the rezoning to C1A (with conditions).

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Thanks again for your input,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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Sent: Thursday, August 15, 2019 12:44 PM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Support for The Garnet

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more high quality, modestly sized infill projects like this we can encourage, the less we will need to rely on larger scale projects to create enough housing for everyone. Let's make these good projects easy wins.

Thank you,

Scott Trudeau
Ward 1

From: [Bannister, Anne](#)
To: [Mary Underwood](#); [Laura Strowe](#); [Tom Stulberg](#); [Christine Crockett](#); [Jeff Crockett](#); [Beth Collins](#)
Cc: [Hayner, Jeff](#)
Subject: Fw: Support for The Garnet
Date: Thursday, August 15, 2019 1:11:11 PM
Attachments: [Agenda-34.pdf](#)

FYI -- As you may know, The Garnet rezoning to C1A with conditions is on the agenda for August 19 (attached).

Also on the Agenda for first reading will be The Glen Hotel (mixed use development). This is the link to it: <http://a2gov.legistar.com/LegislationDetail.aspx?ID=4080697&GUID=BDBFA2E0-77E9-4BC9-8D77-C8AB3E0BCC72>

Larry Deitch called earlier this week and said he believes he has the support of the Old Fourth Ward for The Glen. If you have any further comments, please let CM Hayner and me know.

Both sets of developers for The Garnet and The Glen have indicated they will attend and speak during Council Caucus this Sunday night at City Hall at 7 p.m.

Thanks!

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, August 15, 2019 1:01 PM
To: Scott Trudeau <[REDACTED]> CityCouncil <CityCouncil@a2gov.org>
Subject: Re: Support for The Garnet

TYPO -- I meant for August 19.

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, August 15, 2019 12:58 PM
To: Scott Trudeau <[REDACTED]> CityCouncil <CityCouncil@a2gov.org>
Subject: Re: Support for The Garnet

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Thanks again for your input,
Anne

Anne Bannister
Ward One Councilmember
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Term Nov. 2017 - Nov. 2020

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Thank you,

Scott Trudeau
Ward 1



City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Meeting Agenda - Final-revised City Council

Monday, August 19, 2019

7:00 PM

Larcom City Hall, 301 E Huron St, Second floor,
City Council Chambers

Council meets in Caucus at 7:00 p.m. on the Sunday prior to each Regular Session.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

INT INTRODUCTIONS

INT-1 [19-1492](#) Welcome and Introduction of City Assessor, Gerard Markey
(Financial and Administrative Services - Tom Crawford, CFO)

INT-2 [19-1494](#) Welcome and Introduction of City Treasurer, Michael Pettigrew
(Financial and Administrative Services - Tom Crawford, CFO)

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN
ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE
ADDRESSING COUNCIL**

CC COMMUNICATIONS FROM COUNCIL

MC COMMUNICATIONS FROM THE MAYOR

CA CONSENT AGENDA

- CA-1 [19-1486](#) Resolution to Approve the Closing of State Street from William to Liberty Streets and North University between State and Fletcher Streets for the Game Watch on State Street Event from 6:00 AM on Saturday, September 21, 2019 until 1:00 AM on Sunday, September 22, 2019
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: Watch the Game on State Street Map
- CA-2 [19-1500](#) Resolution to Approve Street Closures for the South University Area Association Block Party on Saturday, September 14, 2019 from 2:00 PM until 1:00 AM on Sunday, September 15, 2019
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: South University Block Party Map.pdf
- CA-3 [19-1501](#) Resolution to Approve Street Closings for the Dicken Run 5K - Sunday, October 13, 2019 from 8:00 AM until 12:00 PM
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: Dicken Run 5K Map.pdf, Dicken Run Proposal.pdf
- CA-4 [19-1497](#) Resolution to Approve a Contract with SmithGroup, Inc. to Conduct Public Engagement, Develop Potential Building Concepts and Evaluate Feasibility of the Property Located at 415 W. Washington **(8 Votes Required)**
(Community Services - Derek Delacourt, Community Services Area Administrator)
Sponsors: Ramlawi and Smith
Attachments: SmithGroup PSA 415 W Washington EXT.pdf
- CA-5 [19-1474](#) Resolution to Approve a Supplemental Fire Services Agreement between The City of Ann Arbor and The Regents of the University of Michigan from September 1, 2019 through August 31, 2024
(Fire Services - Mike Kennedy, Fire Chief)
Attachments: Memo U-M Supplemental Fire Services, Memo U-M Supplement Fire Services.pdf, Supplemental Fire Services final.docx, Supplemental Fire Services final.pdf
- CA-6 [19-1411](#) Resolution to Set Revised Fee in Lieu of Affordable Housing Formula and Adopt 2019 Annual Fee in Lieu Rate
(Housing and Human Services Advisory Board - Teresa Gillotti, Director, Office of Community & Economic Development)
- CA-7 [19-1193](#) Resolution to Approve a Construction Phase Agreement with the National Railroad Passenger Corporation (Amtrak) for \$136,635.00 for the Allen Creek Railroad Berm Opening Project

(Engineering - Craig Hupy, Public Services Area Administrator)

Attachments: site_plan_010419.pdf, City of Ann Arbor CN Agmt_Allen Creek
Project_Execution Copy.pdf

- CA-8 [19-1316](#) Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Hubbell, Roth & Clark, Inc. for General Civil Engineering and Surveying Services (\$110,000.00)

(Engineering - Craig Hupy, Public Services Area Administrator)

Attachments: HRC Amendment 2.pdf

- CA-9 [19-1470](#) Resolution to Approve a Professional Services Agreement with Hennessey Engineers, Inc. for Construction Engineering Services for Pavement Condition Rating Services (\$54,580.00)

(Engineering - Craig Hupy, Public Services Area Administrator)

Attachments: Hennessey PSA.pdf

- CA-10 [19-1380](#) Resolution to Approve a Contract with Niles Industrial Coatings, LLC to Paint the Interior of the Retention Building at the Wastewater Treatment Plant, ITB No. 4587 (\$70,768.00)

(Public Services - Craig Hupy, Public Services Area Administrator)

Attachments: Niles Contract 8-2-19, Resolution Attachment.pdf

- CA-11 [19-0663](#) Resolution to Approve a General Services Agreement with Tyndale Enterprises, Inc. to Implement the Public Services Area Managed Clothing (Uniform) Program (RFP# 19-15)

(Public Services - Craig Hupy, Public Services Administrator)

Attachments: RFP_19-15_Document.pdf, RFP_19-15_Addendum1.pdf,
RFP_19-15_ProposalTab.pdf, 032218 PS Managed Clothing Program
Signed.pdf, Tyndale GSA 7-31-19.pdf

- CA-12 [19-1453](#) Resolution to Approve an Administrative Services Agreement with the Ann Arbor/Ypsilanti SmartZone LDFA for Administrative and Support Services (\$164,800.00 over a two-year period)

(Financial and Administrative Services - Tom Crawford, CFO)

Attachments: FY2020 LDFA AA Admin Service Agr.pdf

- CA-13 [19-1493](#) Resolution to Appoint Michael Pettigrew as the City of Ann Arbor City Treasurer

(Financial and Administrative Services - Tom Crawford, CFO)

- CA-14 [19-1454](#) Resolution Authorizing a Resident Taxpayer Protest before the Board of Review by Letter without a Personal Appearance

(City Assessor Services - Gerard Markey, Assessor)

- CA-15** [19-1466](#) Resolution to Approve a Professional Services Agreement with SDS Global Enterprises, Inc. for Diversity, Equity, and Inclusion Plan Services (\$161,000.00)
- (Human Resources - John Fournier, Interim Director)
- Attachments:** SDS Fee Proposal to City of Ann Arbor Diversity Equity and Inclusion Plan RFP Revised Jun 2019.pdf, SDS Agreement EXT.pdf
- (Attachment added 8/9/19)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1** [19-1087](#) An Ordinance to Amend Sections 5.15 (Table 5-15), 5.17.3, 5.17.5 (Table 5:17-5), and Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Permitted Use Table, Parkland Donations, Dimensional Standards Table, Front Lot Line) (Ordinance No. ORD-19-26)
- (City Planning Commission - Derek Delacourt, Community Services Area Administrator)
- Attachments:** ORD-19-26 Briefed.pdf, Ordinance to Amend Chapter 55 Unified Development Code (UDC).pdf, Planning Staff Report May 7, 2019
- (See B-1)
- PH-2** [19-1186](#) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Years and 0 Days) (Ordinance No. ORD-19-24)
- (City Planning Commission - Derek Delacourt, Community Services Area Administrator)
- Attachments:** ORD-19-24 Briefed.pdf, The Garnet Ordinance.pdf, The Garnet Conditions.pdf, The Garnet Staff Report.pdf, The Garnet - CPC Minutes 5-21-2019 .pdf
- (See B-2)
- PH-3** [19-1185](#) Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Years and 0 Days)
- (City Planning Commission - Derek Delacourt, Community Services Area Administrator)
- Attachments:** The Garnet Staff Report w Att.pdf, 325 E Summit - The Garnet - Development Agreement 5-16-19.pdf
- (See DB-1)
- PH-4** [19-1209](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 1.19 Acres from TWP (Township District) to R1A (Single-Family Dwelling District), Erb-Downward/Picazo Property, 2705 Newport Road

(CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-19-25)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: ORD-19-25 Briefed.pdf, 2705 Newport Rezoning Ordinance.pdf, 2705 Newport Road A & Z Staff Report w Attachments 3-19-2019 .pdf, 3-19-2019 CPC Minutes FINAL.pdf

(See B-3)

A APPROVAL OF COUNCIL MINUTES

A-1 [19-1529](#) Regular Session of August 5, and Special Session of August 12, 2019

(City Clerk - Jacqueline Beaudry)

Attachments: 08-05-19 Draft Minutes.pdf, Council Emails 8-5-2019.pdf, 08-12-19 Draft Special Session Minutes.pdf, Council Emails 2019-08-12 Special.pdf

(Attachments added 8/13/19)

B ORDINANCES - SECOND READING

B-1 [19-1087](#) An Ordinance to Amend Sections 5.15 (Table 5-15), 5.17.3, 5.17.5 (Table 5:17-5), and Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Permitted Use Table, Parkland Donations, Dimensional Standards Table, Front Lot Line) (Ordinance No. ORD-19-26)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: ORD-19-26 Briefed.pdf, Ordinance to Amend Chapter 55 Unified Development Code (UDC).pdf, Planning Staff Report May 7, 2019

(See PH-1)

B-2 [19-1186](#) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-19-24)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: ORD-19-24 Briefed.pdf, The Garnet Ordinance.pdf, The Garnet Conditions.pdf, The Garnet Staff Report.pdf, The Garnet - CPC Minutes 5-21-2019 .pdf

(See PH-2)

B-3 [19-1209](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 1.19 Acres from TWP (Township District) to R1A (Single-Family Dwelling District), Erb-Downward/Picazo Property, 2705 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No.

ORD-19-25)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: ORD-19-25 Briefed.pdf, 2705 Newport Rezoning Ordinance.pdf, 2705 Newport Road A & Z Staff Report w Attachments 3-19-2019 .pdf, 3-19-2019 CPC Minutes FINAL.pdf

(See PH-4)

C ORDINANCES - FIRST READING

C New Business - Staff:

- C-1 [19-1448](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Years and 0 Days)
- (City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: PUD Legal Attachment The Glen 2019.pdf, The Glen Staff Report & Attachments 071619.pdf, The Glen Zoning Map.pdf

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DB New Business - Boards and Commissions:

- DB-1 [19-1185](#) Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Years and 0 Days)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: The Garnet Staff Report w Att.pdf, 325 E Summit - The Garnet - Development Agreement 5-16-19.pdf

(See PH-3)

DS New Business - Staff:

E COMMUNICATIONS FROM THE CITY ATTORNEY

F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

F The following communications were referred as indicated:

- F-1 [19-1485](#) Second Quarter 2019 Investment Portfolio Report

(Treasury Services - Michael Pettigrew, Interim Treasurer)

Attachments: 06-30-2019 City of Ann Arbor.pdf

- F-2 [19-1505](#) Ann Arbor SPARK Semi-Annual Report - January 1, 2019 - June 30, 2019
(Howard S. Lazarus, City Administrator)

Attachments: SPARK Semi annual report Jan - June 2019.PDF

- F-3 [19-1552](#) Communication from the State of Michigan Public Service Commission
Regarding Notice of a Public Hearing for Electric Customers of DTE
Electric Company in Case No. U-20373 Scheduled for September 4, 2019
- City Attorney, Systems Planning

(City Clerk Services - Jacqueline Beaudry, City Clerk)

Attachments: DTE Public Hearing Notice from State.pdf
(Added 8/13/19)

G The following minutes were received for filing:

- G-1 [19-0273](#) Housing and Human Services Advisory Board Minutes from 01-10-2019
(OCED - Teresa Gillotti, Manager)

Attachments: HHSAB Minutes 1-10-2019.pdf

- G-2 [19-0751](#) Brownfield Plan Review Committee Meeting Minutes of March 25, 2019

Attachments: 3-25-2019 BRC Minutes .pdf

- G-3 [19-0868](#) Environmental Commission Minutes for 3-28-19

Attachments: Env Commission minutes from March 2019.pdf

- G-4 [19-1391](#) Airport Advisory Committee Minutes - May 15, 2019

(Fleet & Facilities Services - Matthew J Kulhanek)

Attachments: AAC minutes 051519.pdf

- G-5 [19-1416](#) Public Market Advisory Commission Meeting Minutes of May 16, 2019

(Parks and Recreation Services - Stephanie Willette)

Attachments: May 16, 2019 PMAC Meeting Minutes.pdf

- G-6 [19-1455](#) Ann Arbor Board of Review Minutes - July 16, 2019

(City Assessor Services - Michael Gonzales, Deputy Assessor)

Attachments: JULY 16, 2019 BOARD OF REVIEW MINUTES.pdf

- G-7 [19-1472](#) Greenbelt Advisory Commission Meeting Minutes of July 11, and July 29,
2019

Attachments: 07-11-19 GAC Minutes.pdf, 07-29-19 Special GAC Minutes.pdf

- G-8 [19-1502](#) Insurance Board Meeting Minutes - August 1, 2019
(Financial and Administrative Services - Tom Crawford, CFO)
Attachments: Insurance Board Minutes 080119.pdf, Insurance Board Loss Run - June 2019.pdf
- G-9 [19-1507](#) Ann Arbor Public Art Commission Meeting Minutes - March 2019
Attachments: AAPAC Meeting Minutes - March 2019 Minutes.pdf
- G-10 [19-1509](#) Ann Arbor Public Art Commission Meeting Minutes - May 2019
Attachments: AAPAC Meeting Minutes - May 2019.pdf
- G-11 [19-1528](#) Ann Arbor Area Transportation Authority Board Meeting Minutes of February 21, March 21, April 18, May 16 and June 20, 2019
(AAATA)
Attachments: AAATA_Meeting Minutes February 21.2019_Approved.pdf, AAATA_Meeting Minutes March 21.2019_Approved.pdf, AAATA_Meeting Minutes April 18. 2019_Approved.pdf, AAATA Board Meeting Minutes 05.16.19_Approved.pdf, AAATA Board Meeting Minutes 06.20.19_Approved.pdf
- G-12 [19-1364](#) Transportation Commission Meeting Minutes of June 2019
(Transportation Commission)
Attachments: June_Meeting Minutes- FINAL.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

COMMUNICATIONS FROM COUNCIL

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).

ADJOURNMENT

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, AUGUST 19, 2019 @ 7:00 P.M.

REPLAYS: WEDNESDAY, AUGUST 21, 2019 @ 8:00 A.M. AND FRIDAY, AUGUST 23, 2019 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

CTN's Government Channel live televised public meetings can be viewed in a variety of ways:

Live Web Streaming: <https://a2gov.org/watchctn>

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Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

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**City Clerk's Office
301 E. Huron St.
Ann Arbor, MI 48104**

Requests made with less than two business days' notice may not be able to be accommodated.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's Office.

From: [Christine Crockett](#)
To: [Bannister, Anne](#)
Cc: [Beth Collins](#); [Hayner, Jeff](#); [Jeff Crockett](#); [Laura Strowe](#); [Mary Underwood](#); [Tom Stulberg](#)
Subject: Re: Fw: Support for The Garnet
Date: Thursday, August 15, 2019 1:18:38 PM

Thanks so much, Anne. I plan on being at the CC meeting on August 19, and I will speak on the Garnet. I am opposed to the rezoning, and I believe all of the OFW is also opposed. We are not opposed to the project, as it was first envisioned, but the zoning change is unacceptable spot zoning that will set a dangerous precedent for residential neighborhoods. Many A2 neighborhoods are within a half mile of some campus building, as is the case with the Garnet, but that does not make the area campus.

The Glen Hotel team did meet with us last spring and showed the changes they were making. There is no opposition to what they presented, that I know of.

Chris

On Thu, Aug 15, 2019 at 1:11 PM Bannister, Anne <ABannister@a2gov.org> wrote:
FYI -- As you may know, The Garnet rezoning to C1A with conditions is on the agenda for August 19 (attached).

Also on the Agenda for first reading will be The Glen Hotel (mixed use development). This is the link to it: <http://a2gov.legistar.com/LegislationDetail.aspx?ID=4080697&GUID=BDBFA2E0-77E9-4BC9-8D77-C8AB3E0BCC72>

Larry Deitch called earlier this week and said he believes he has the support of the Old Fourth Ward for The Glen. If you have any further comments, please let CM Hayner and me know.

Both sets of developers for The Garnet and The Glen have indicated they will attend and speak during Council Caucus this Sunday night at City Hall at 7 p.m.

Thanks!

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, August 15, 2019 1:01 PM
To: Scott Trudeau <[REDACTED]> CityCouncil <CityCouncil@a2gov.org>
Subject: Re: Support for The Garnet

TYPO -- I meant for August 19.

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, August 15, 2019 12:58 PM
To: Scott Trudeau <[REDACTED]> CityCouncil <CityCouncil@a2gov.org>
Subject: Re: Support for The Garnet

Dear Scott Trudeau,

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The new round of Agenda Responses for August 5 will be released and added to this link later today: <http://a2gov.legistar.com/DepartmentDetail.aspx?ID=4166&GUID=695084DA-6854-4B69-A3E0-760D51EE2D71&Mode=MainBody>

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Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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Sent: Thursday, August 15, 2019 12:44 PM
To: CityCouncil <CityCouncil@a2gov.org>
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Ward 1

From: [Jeff Crockett](#)
To: [Christine Crockett](#)
Cc: [Bannister, Anne](#); [Beth Collins](#); [Hayner, Jeff](#); [Laura Strowe](#); [Mary Underwood](#); [Tom Stulberg](#)
Subject: Re: Fw: Support for The Garnet
Date: Thursday, August 15, 2019 1:36:56 PM

Hi Anne,

I am totally in sync with Chris's comments. I would add that while the developers showed Chris the initial plans, there was no communication in regards to zoning changes. We expect to be sending a position statement on the Garnet to Council over the weekend and will be speaking Monday evening.

Thanks for your vigilance on this, Anne.

Jeff

On Thu, Aug 15, 2019 at 1:18 PM Christine Crockett <[REDACTED]> wrote:

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Sent: Thursday, August 15, 2019 1:01 PM

To: Scott Trudeau <[REDACTED]> CityCouncil <CityCouncil@a2gov.org>

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Scott Trudeau
Ward 1

From: [Scott Trudeau](#)
To: [Bannister, Anne](#)
Cc: [CityCouncil](#)
Subject: Re: Support for The Garnet
Date: Thursday, August 15, 2019 2:06:28 PM

I'm familiar with the questions about this rezoning. What the specific concern is that would be sufficient to deny it? I find staff's reasoning in the linked responses reasonable and supportive of the rezoning. Everyone seems to agree that this is a great project and this zoning category makes it possible; and the conditions offered mitigate specific possible scale concerns with an unconditional C1A. What's the worry? We get more, nicely designed, modestly scaled infill projects in already mixed-use zoned areas near campus & downtown? That sounds like a good thing to me!

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Ward 1

From: [Bannister, Anne](#)
To: [Scott Trudeau](#)
Cc: [CityCouncil](#)
Subject: Re: Support for The Garnet
Date: Thursday, August 15, 2019 2:26:15 PM

Please join us at Council Caucus on Sunday and the Council meeting on Monday to learn more from the public comments and hearing, and the Councilmember discussion at the meetings.

Anne

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From: Scott Trudeau <[REDACTED]>
Sent: Thursday, August 15, 2019 2:05:57 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: CityCouncil <CityCouncil@a2gov.org>
Subject: Re: Support for The Garnet

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From: [Bannister, Anne](#)
To: [Mary Underwood](#); [Laura Strowe](#); [Tom Stulberg](#); [Beth Collins](#); [Christine Crockett](#); [Jeff Crockett](#)
Cc: [Hayner, Jeff](#)
Subject: Fw: August 19 Agenda Responses
Date: Thursday, August 15, 2019 6:00:59 PM
Attachments: [Agenda Responses 8-19-19 Final.pdf](#)

FYI -- The Garnet is on page 4 - 8, plus a map at the end.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Higgins, Sara <SHiggins@a2gov.org>
Sent: Thursday, August 15, 2019 4:48 PM
To: *City Council Members (All) <CityCouncilMembersAll@a2gov.org>
Cc: Lazarus, Howard <HLazarus@a2gov.org>; Fournier, John <JFournier@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>; Williams, Debra <DeWilliams@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>; Thacher, Jill <JThacher@a2gov.org>; Hupy, Craig <CHupy@a2gov.org>; Hutchinson, Nicholas <NHutchinson@a2gov.org>; Praschan, Marti <MPraschan@a2gov.org>; Hess, Raymond <RHess@a2gov.org>; Harrison, Venita <VHarrison@a2gov.org>; Kennedy, Mike <MKennedy@a2gov.org>; Postema, Stephen <SPostema@a2gov.org>; McDonald, Kevin <KMcdonald@a2gov.org>; Blake, Betsy <BBlake@a2gov.org>; Frost, Christopher <CFrost@a2gov.org>; Crawford, Tom <TCrawford@a2gov.org>
Subject: August 19 Agenda Responses

Mayor and Council,

Attached are staff responses to August 19 Council Agenda questions. The referenced attachment is at the end of the document. This memo will be included as a written communication item from the City Administrator on the August 19 Council Agenda.

Sara Higgins, Strategic Planning Coordinator

Ann Arbor City Administrator's Office | Guy C. Larcom City Hall | 301 E. Huron, 3rd Floor · Ann Arbor · MI · 48104
734.794.6110 (O) · 734.994.8296 (F) | Internal Extension 41102
shiggins@a2gov.org | www.a2gov.org



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a2gov.org/A2BeSafe



TO: Mayor and Council

FROM: Howard S. Lazarus, City Administrator

CC: Tom Crawford, CFO
Derek Delacourt, Community Services Area Administrator
Craig Hupy, Public Services Area Administrator
Nick Hutchinson, City Engineer
Mike Kennedy, Fire Chief
Brett Lenart, Planning Manager
Marti Praschan, Chief of Staff, Public Services

SUBJECT: August 19 Council Agenda Responses

DATE: August 15, 2019

CA-3 - Resolution to Approve Street Closings for the Dicken Run 5K - Sunday, October 13, 2019 from 8:00 AM until 12:00 PM

Question: Regarding CA-3, the cover memo indicates the neighbors will be “boxed” in during the race. While the cover memo also indicates there will be notice provided to neighbors through various sources, and neighbors will be encouraged to park outside the race area should they need to get out of the neighborhood during the time of the race, I’m wondering what happens in the event of an emergency? (Councilmember Lumm)

Response: All events require a fire lane and in the event of an emergency, the race will be suspended or ended to accommodate any necessary access or egress.

CA-4 – Resolution to Approve a Contract with SmithGroup, Inc. to Conduct Public Engagement, Develop Potential Building Concepts and Evaluate Feasibility of the Property Located at 415 W. Washington (8 Votes Required)

Question: Q1. The cover memo notes that the Historic District Commission has purview over the site and as we know, this is a key property in the Treeline Trail plan. Given that,

it would seem to make sense to include the HDC and the Treeline Conservancy folks in the review/public engagement process as key stakeholders, and can you please confirm that is part of the plan? (Councilmember Lumm)

Response: It is part of the plan, both groups will be engaged as part of the process.

Question: Q2. I agree that mirroring the review process (and team) used for the Y Lot makes sense. How much is that Y Lot consulting contract and is it also based on hourly consulting rates and a not to exceed total amount? If so, are the hourly rates the same? (Councilmember Lumm)

Response: The Y-Lot contract is also for \$75,000, (split evenly between the DDA, AAATA & the City). Yes, it is based on the same rates.

Question: Q3. When will SmithGroup begin the public engagement aspect of this and what is the expected duration of the whole review process? (Councilmember Lumm)

Response: Staff recently met with SmithGroup to start that process, a project schedule will be available in the next 2-3 week. Determining if the this project is going forward has an impact on the schedule. The total project timeline is 3 – 6 months.

Question: Q4. Not a big deal obviously, but since this is a Council-sponsored resolution, why is it in the Consent Agenda and not a DC item? (Councilmember Lumm)

Response: This item was submitted to the agenda by staff however, staff wanted to recognize the conversations with the ward representatives who helped bring the project forward.

CA – 5 – Resolution to Approve a Supplemental Fire Services Agreement between The City of Ann Arbor and The Regents of the University of Michigan from September 1, 2019 through August 31, 2024

Question: Regarding CA-5, are the rates billed to UM fully-burdened rates? (Councilmember Lumm)

Response: Yes, the rates billed to U-M are fully-burdened rates. This rates are calculated by finance annually.

Question: Also on CA-5, in the April 26th staff response to my budget question related to Station #5 on North Campus, it was indicated that the City had requested UM include the new construction cost (~\$5M) in its capital improvement program and that UM also provide confirmation to the City of its intent to provide a replacement station. What is the status of that request (perhaps I missed it, but don't recall seeing anything on it)? (Councilmember Lumm)

Response: There has been no update, since that last communication. Mr. Fournier and Chief Kennedy are meeting with U-M on this matter on August 21, 2019.

CA-9 - Resolution to Approve a Professional Services Agreement with Hennessey Engineers, Inc. for Construction Engineering Services for Pavement Condition Rating Services (\$54,580.00)

Question: Regarding CA-9, I'm glad to see this resolution and that we will be conducting the road condition assessment this year and then every other year. Did Hennessey perform the two prior assessments? If not, who did and will the methodology in conducting the assessments be the same as in past years? (Councilmember Lumm)

Response: The most recent assessments were performed by Trans Map in 2014 and 2017. These, and all previous assessments, were performed using the PCI rating system. The 2019 assessment and all future assessments will be done using the PASER rating system. Pavement condition data is required to be submitted to the State, and is required to be in the PASER rating system. Previously, the assessments were done using the PCI system, then converted to the PASER system. Shifting to using PASER directly will provide more accurate information and bring the City into alignment with other communities in the State.

CA-11- Resolution to Approve a General Services Agreement with Tyndale Enterprises, Inc. to Implement the Public Services Area Managed Clothing (Uniform) Program (RFP# 19-15)

Question: Regarding CA-11, the cover memo indicates that “existing labor contracts with WWTP employees exclude them from the managed clothing policy.” Can you please elaborate on what that means – does it mean the nature of the WWTP jobs are such that special clothing isn't necessary for safety, or mean that it is left to the employee to decide on clothing even if special clothing would be appropriate, or mean something else altogether? (Councilmember Lumm)

Response: WWTP employees do require special clothing. When the decision to stop providing laundered uniform services was made in 2011, a grievance was filed on behalf of WWTP AFSCME employees. This grievance was settled through a Memorandum of Understanding between the City and AFSCME that reinstated laundered uniform services. Subsequently, WWTP Teamsters negotiated resumption of laundered uniform services as well. Consequently, WWTP employees are excluded from the Public Services Managed Clothing Policy and continue to receive laundered uniform services.

CA-12 - Resolution to Approve an Administrative Services Agreement with the Ann Arbor/Ypsilanti SmartZone LDFA for Administrative and Support Services (\$164,800.00 over a two-year period)

Question: Regarding CA-12, is the scope of services the City provides to the LDFA any different under this agreement than its been in prior years? Also, what was the reimbursement amount in FY19? (Councilmember Lumm)

Response: The overall scope is the same but the effort to support the LDFA has increased given its increased size and activity. In FY19, the LDFA was charged \$64,100. The increase in FY20 to \$81,500 (27%) was discussed with the board prior to the Board's approval.

B-2 – An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

DB-1 - Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Question: Q1. In the staff report and at first reading, the issue of the developer not providing massing drawings was raised. The developer indicated to me he would be preparing massing drawings/renderings. Have they been provided, and if so, can you please share them? (Councilmember Lumm)

Response: These have not been provided to staff.

Question: Q2. In response to one of the questions at first reading regarding the appropriateness of the C1A zoning, the staff response stated that, "In the application of ordinances, the ordinance itself is primary while the intent is utilized only in the circumstance of refining an interpretation." Can you please clarify what that means? (Councilmember Lumm)

Response: The intent is a more broad description than the list of allowed uses, which is utilized when further interpretation of the ordinance would be necessary. An example of such interpretation could be adding additional permitted uses to a district.

Question: Q3. As noted in the staff report, C1A is "intended primarily to serve as neighborhood shopping area for the university oriented population concentrated around it." This site and proposal are neither a shopping area nor surrounded by a university-oriented population. Given that, why wouldn't PUD zoning (or a residential zoning) be more appropriate in this instance? (Councilmember Lumm)

Response: The C1A District has evolved over time to allow much more than shopping. Permitted uses now also include business, financial, medical and dental offices, and all forms of residential. A PUD zoning proposal could potentially accommodate the proposed development if the City determined that adequate public benefit was provided. Residential zoning districts could be more challenging based on the commercial/office master plan designation.

Question: Q4. Have any additional letters of support or letters indicating opposition (or concern) been received since first reading a month ago? (Councilmember Lumm)

Response: No.

Question: Q5. I am a bit confused about the question of contamination on the site. At first reading it was stated (as an argument for the proposal) that the developer would be cleaning up a contaminated site at no public expense. The staff memo seemed to indicate the site MAY contain contaminants and that provisions in the Development agreement were included to address that eventuality. Can you please clarify? (Councilmember Lumm)

Response: The site contains identified contaminants which are intended to be remediated during excavation of the site during construction. The contamination isn't confined to this site, however, and could appear in stormwater because of migration or residual contamination after cleanup. The Development Agreement language proactively addresses this possibility.

Question: Q6. At first reading, there were several questions regarding the appropriateness of the C1A zoning. The staff responses focused not on what zoning best fit the proposal, or on the fact the proposal here does not fit the C1A intent at all, but rather that residential is a permitted use in C1A. I can understand looking at permitted uses within an existing zoning, but when re-zoning is occurring, it would seem to me that we'd strive for best fit and meeting intent. To me, focusing on permitted uses in a rezoning does not seem logical from the city's perspective. This approach provides maximum flexibility for a developer, but I do not see the benefit to the City. Can you please speak to this – what am I missing? (Councilmember Lumm)

Response: When a property owner proposes a rezoning, staff responds to that petition when reviewing the request. There are times when a different zoning district could be more appropriate, but what's in the petition is what is reviewed. In this case, planning staff met with the petitioner and discussed other zoning classifications. In the end, the petitioner decided that the requested zoning was the best fit for their needs and the project they want to build. Evaluating permitted uses is logical to consider whether the proposed uses that accompany a zoning designation are appropriate for any proposed rezoning.

Question: Q7. Also on zoning, is it fair to say that city staff and CPC are inclined to support/prefer/recommend the zoning/permitted use combination that maximizes density? (Councilmember Lumm)

Response: Recently, the Planning Commission has forwarded recommendations that have supported additional density, and recommended against additional density. Both staff and the Planning Commission consider rezoning petitions based on the request, the circumstances of particular sites, and consistency with the City's Master Plan recommendations.

Question: Q1. Community members have asked City Council to consider whether the same or similar site plan could be used if the rezoning was changed from C1A with conditions, to other options such as PUD with Affordable Housing, or R4E with PPM? Please suggest other zoning options that might be eligible for consideration. (Councilmember Bannister)

Response: The building proposed on this site plan was designed to fit the proposed conditional C1A zoning. As such, it is not directly transferrable to any other zoning district except PUD (and in that case, would need to provide a public benefit). Other zoning districts would result in a different building, with different setbacks, height limits, etc. The Master Plan shows a future land use designation of commercial, which would mean rezoning to an R residential district would be less appropriate. The mixed-use zoning districts are considered commercial – O, C, and D. The D districts are utilized in the downtown. The O district allows 75% FAR, which is half of the 150% allowed by the current C1B zoning. C2 and C3 are intended for more intensive uses that people travel to from outside the neighborhood. The C1 districts are reasonable to consider in this context.

Question: Q2. In addition to other maps that have been provided, what geographical areas might be eligible city-wide for Campus-Business zoning, regardless of their current zoning? Please provide a map of all properties that could reasonably be close enough to be called Campus-Business, including C1 and C3 close to Lowertown and other residential properties, etc. (Councilmember Bannister)

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Response: No, the maximum amount of premium floor area is dependent upon the size of the parcel. To reach the maximum 400% FAR, the parcel would have to be 4,000 square feet or less. Once a parcel that exceeds that size, even with the maximum premium of 8,000 square feet, the maximum FAR drops off as the parcel increases in size. This is demonstrated in the table below:

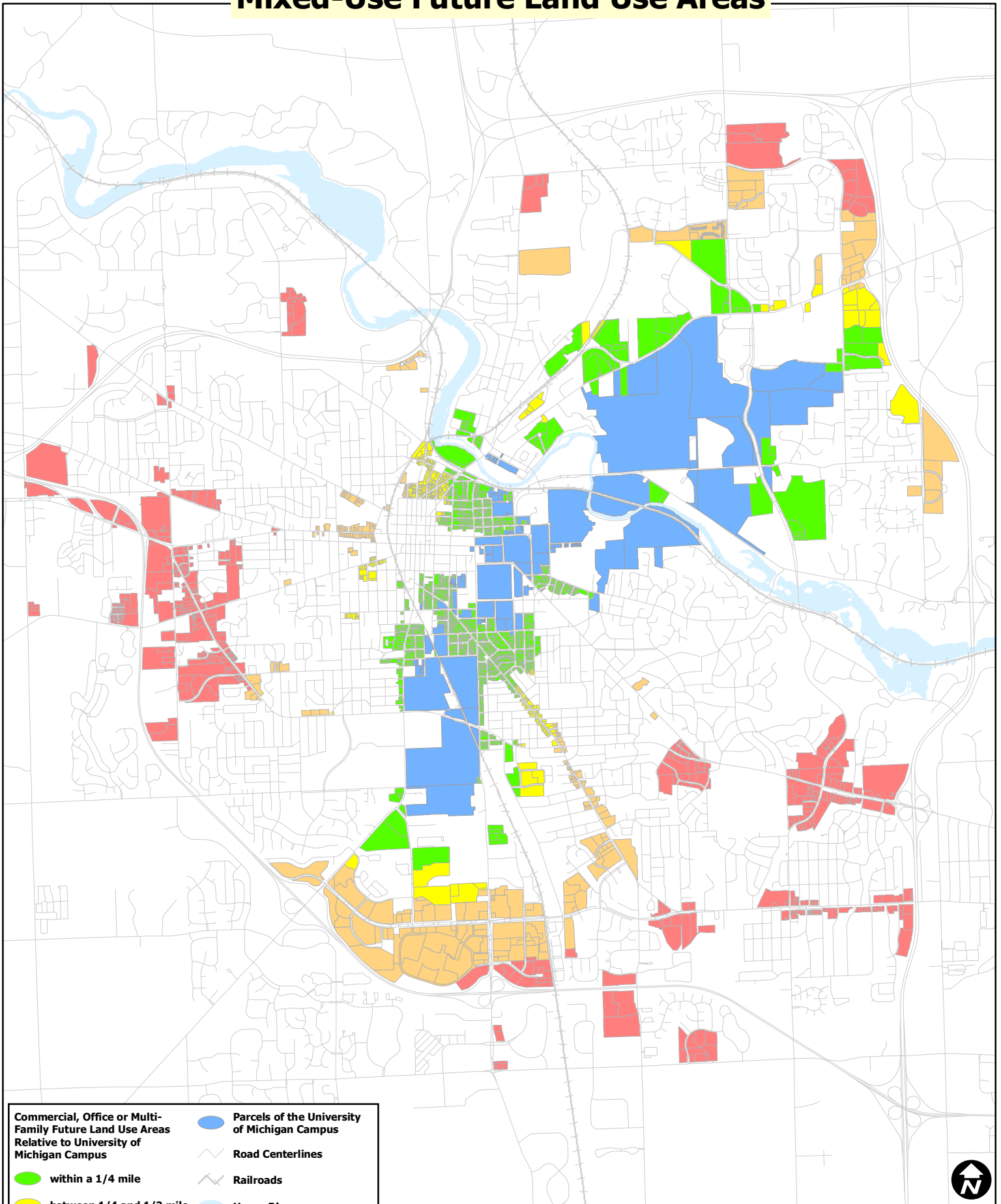
	Lot Size	2, 000	3, 000	4, 000	5, 000	6, 000	8, 571	10, 000	15, 000
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Mixed-Use Future Land Use Areas



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Map date 7/18/2019
 Any aerial imagery is circa 2018
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From: [Bannister, Anne](#)
To: [Victoria Pebbles](#); [Kelly Anderson](#); [Bradley Moore](#)
Cc: [Hayner, Jeff](#)
Subject: Fw: August 19 Agenda Responses
Date: Thursday, August 15, 2019 6:01:57 PM
Attachments: [Agenda Responses 8-19-19 Final.pdf](#)

FYI -- The Garnet responses are on pages 4 - 8 plus the map at the end.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Higgins, Sara <SHiggins@a2gov.org>
Sent: Thursday, August 15, 2019 4:48 PM
To: *City Council Members (All) <CityCouncilMembersAll@a2gov.org>
Cc: Lazarus, Howard <HLazarus@a2gov.org>; Fournier, John <JFournier@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>; Williams, Debra <DeWilliams@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>; Thacher, Jill <JThacher@a2gov.org>; Hupy, Craig <CHupy@a2gov.org>; Hutchinson, Nicholas <NHutchinson@a2gov.org>; Praschan, Marti <MPraschan@a2gov.org>; Hess, Raymond <RHess@a2gov.org>; Harrison, Venita <VHarrison@a2gov.org>; Kennedy, Mike <MKennedy@a2gov.org>; Postema, Stephen <SPostema@a2gov.org>; McDonald, Kevin <KMcdonald@a2gov.org>; Blake, Betsy <BBlake@a2gov.org>; Frost, Christopher <CFrost@a2gov.org>; Crawford, Tom <TCrawford@a2gov.org>
Subject: August 19 Agenda Responses

Mayor and Council,

Attached are staff responses to August 19 Council Agenda questions. The referenced attachment is at the end of the document. This memo will be included as a written communication item from the City Administrator on the August 19 Council Agenda.

Sara Higgins, Strategic Planning Coordinator

Ann Arbor City Administrator's Office | Guy C. Larcom City Hall | 301 E. Huron, 3rd Floor · Ann Arbor · MI · 48104
734.794.6110 (O) · 734.994.8296 (F) | Internal Extension 41102
shiggins@a2gov.org | www.a2gov.org



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a2gov.org/A2BeSafe



TO: Mayor and Council

FROM: Howard S. Lazarus, City Administrator

CC: Tom Crawford, CFO
Derek Delacourt, Community Services Area Administrator
Craig Hupy, Public Services Area Administrator
Nick Hutchinson, City Engineer
Mike Kennedy, Fire Chief
Brett Lenart, Planning Manager
Marti Praschan, Chief of Staff, Public Services

SUBJECT: August 19 Council Agenda Responses

DATE: August 15, 2019

CA-3 - Resolution to Approve Street Closings for the Dicken Run 5K - Sunday, October 13, 2019 from 8:00 AM until 12:00 PM

Question: Regarding CA-3, the cover memo indicates the neighbors will be “boxed” in during the race. While the cover memo also indicates there will be notice provided to neighbors through various sources, and neighbors will be encouraged to park outside the race area should they need to get out of the neighborhood during the time of the race, I’m wondering what happens in the event of an emergency? (Councilmember Lumm)

Response: All events require a fire lane and in the event of an emergency, the race will be suspended or ended to accommodate any necessary access or egress.

CA-4 – Resolution to Approve a Contract with SmithGroup, Inc. to Conduct Public Engagement, Develop Potential Building Concepts and Evaluate Feasibility of the Property Located at 415 W. Washington (8 Votes Required)

Question: Q1. The cover memo notes that the Historic District Commission has purview over the site and as we know, this is a key property in the Treeline Trail plan. Given that,

it would seem to make sense to include the HDC and the Treeline Conservancy folks in the review/public engagement process as key stakeholders, and can you please confirm that is part of the plan? (Councilmember Lumm)

Response: It is part of the plan, both groups will be engaged as part of the process.

Question: Q2. I agree that mirroring the review process (and team) used for the Y Lot makes sense. How much is that Y Lot consulting contract and is it also based on hourly consulting rates and a not to exceed total amount? If so, are the hourly rates the same? (Councilmember Lumm)

Response: The Y-Lot contract is also for \$75,000, (split evenly between the DDA, AAATA & the City). Yes, it is based on the same rates.

Question: Q3. When will SmithGroup begin the public engagement aspect of this and what is the expected duration of the whole review process? (Councilmember Lumm)

Response: Staff recently met with SmithGroup to start that process, a project schedule will be available in the next 2-3 week. Determining if the this project is going forward has an impact on the schedule. The total project timeline is 3 – 6 months.

Question: Q4. Not a big deal obviously, but since this is a Council-sponsored resolution, why is it in the Consent Agenda and not a DC item? (Councilmember Lumm)

Response: This item was submitted to the agenda by staff however, staff wanted to recognize the conversations with the ward representatives who helped bring the project forward.

CA – 5 – Resolution to Approve a Supplemental Fire Services Agreement between The City of Ann Arbor and The Regents of the University of Michigan from September 1, 2019 through August 31, 2024

Question: Regarding CA-5, are the rates billed to UM fully-burdened rates? (Councilmember Lumm)

Response: Yes, the rates billed to U-M are fully-burdened rates. This rates are calculated by finance annually.

Question: Also on CA-5, in the April 26th staff response to my budget question related to Station #5 on North Campus, it was indicated that the City had requested UM include the new construction cost (~\$5M) in its capital improvement program and that UM also provide confirmation to the City of its intent to provide a replacement station. What is the status of that request (perhaps I missed it, but don't recall seeing anything on it)? (Councilmember Lumm)

Response: There has been no update, since that last communication. Mr. Fournier and Chief Kennedy are meeting with U-M on this matter on August 21, 2019.

CA-9 - Resolution to Approve a Professional Services Agreement with Hennessey Engineers, Inc. for Construction Engineering Services for Pavement Condition Rating Services (\$54,580.00)

Question: Regarding CA-9, I'm glad to see this resolution and that we will be conducting the road condition assessment this year and then every other year. Did Hennessey perform the two prior assessments? If not, who did and will the methodology in conducting the assessments be the same as in past years? (Councilmember Lumm)

Response: The most recent assessments were performed by Trans Map in 2014 and 2017. These, and all previous assessments, were performed using the PCI rating system. The 2019 assessment and all future assessments will be done using the PASER rating system. Pavement condition data is required to be submitted to the State, and is required to be in the PASER rating system. Previously, the assessments were done using the PCI system, then converted to the PASER system. Shifting to using PASER directly will provide more accurate information and bring the City into alignment with other communities in the State.

CA-11- Resolution to Approve a General Services Agreement with Tyndale Enterprises, Inc. to Implement the Public Services Area Managed Clothing (Uniform) Program (RFP# 19-15)

Question: Regarding CA-11, the cover memo indicates that “existing labor contracts with WWTP employees exclude them from the managed clothing policy.” Can you please elaborate on what that means – does it mean the nature of the WWTP jobs are such that special clothing isn't necessary for safety, or mean that it is left to the employee to decide on clothing even if special clothing would be appropriate, or mean something else altogether? (Councilmember Lumm)

Response: WWTP employees do require special clothing. When the decision to stop providing laundered uniform services was made in 2011, a grievance was filed on behalf of WWTP AFSCME employees. This grievance was settled through a Memorandum of Understanding between the City and AFSCME that reinstated laundered uniform services. Subsequently, WWTP Teamsters negotiated resumption of laundered uniform services as well. Consequently, WWTP employees are excluded from the Public Services Managed Clothing Policy and continue to receive laundered uniform services.

CA-12 - Resolution to Approve an Administrative Services Agreement with the Ann Arbor/Ypsilanti SmartZone LDFA for Administrative and Support Services (\$164,800.00 over a two-year period)

Question: Regarding CA-12, is the scope of services the City provides to the LDFA any different under this agreement than its been in prior years? Also, what was the reimbursement amount in FY19? (Councilmember Lumm)

Response: The overall scope is the same but the effort to support the LDFA has increased given its increased size and activity. In FY19, the LDFA was charged \$64,100. The increase in FY20 to \$81,500 (27%) was discussed with the board prior to the Board's approval.

B-2 – An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

DB-1 - Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Question: Q1. In the staff report and at first reading, the issue of the developer not providing massing drawings was raised. The developer indicated to me he would be preparing massing drawings/renderings. Have they been provided, and if so, can you please share them? (Councilmember Lumm)

Response: These have not been provided to staff.

Question: Q2. In response to one of the questions at first reading regarding the appropriateness of the C1A zoning, the staff response stated that, "In the application of ordinances, the ordinance itself is primary while the intent is utilized only in the circumstance of refining an interpretation." Can you please clarify what that means? (Councilmember Lumm)

Response: The intent is a more broad description than the list of allowed uses, which is utilized when further interpretation of the ordinance would be necessary. An example of such interpretation could be adding additional permitted uses to a district.

Question: Q3. As noted in the staff report, C1A is "intended primarily to serve as neighborhood shopping area for the university oriented population concentrated around it." This site and proposal are neither a shopping area nor surrounded by a university-oriented population. Given that, why wouldn't PUD zoning (or a residential zoning) be more appropriate in this instance? (Councilmember Lumm)

Response: The C1A District has evolved over time to allow much more than shopping. Permitted uses now also include business, financial, medical and dental offices, and all forms of residential. A PUD zoning proposal could potentially accommodate the proposed development if the City determined that adequate public benefit was provided. Residential zoning districts could be more challenging based on the commercial/office master plan designation.

Question: Q4. Have any additional letters of support or letters indicating opposition (or concern) been received since first reading a month ago? (Councilmember Lumm)

Response: No.

Question: Q5. I am a bit confused about the question of contamination on the site. At first reading it was stated (as an argument for the proposal) that the developer would be cleaning up a contaminated site at no public expense. The staff memo seemed to indicate the site MAY contain contaminants and that provisions in the Development agreement were included to address that eventuality. Can you please clarify? (Councilmember Lumm)

Response: The site contains identified contaminants which are intended to be remediated during excavation of the site during construction. The contamination isn't confined to this site, however, and could appear in stormwater because of migration or residual contamination after cleanup. The Development Agreement language proactively addresses this possibility.

Question: Q6. At first reading, there were several questions regarding the appropriateness of the C1A zoning. The staff responses focused not on what zoning best fit the proposal, or on the fact the proposal here does not fit the C1A intent at all, but rather that residential is a permitted use in C1A. I can understand looking at permitted uses within an existing zoning, but when re-zoning is occurring, it would seem to me that we'd strive for best fit and meeting intent. To me, focusing on permitted uses in a rezoning does not seem logical from the city's perspective. This approach provides maximum flexibility for a developer, but I do not see the benefit to the City. Can you please speak to this – what am I missing? (Councilmember Lumm)

Response: When a property owner proposes a rezoning, staff responds to that petition when reviewing the request. There are times when a different zoning district could be more appropriate, but what's in the petition is what is reviewed. In this case, planning staff met with the petitioner and discussed other zoning classifications. In the end, the petitioner decided that the requested zoning was the best fit for their needs and the project they want to build. Evaluating permitted uses is logical to consider whether the proposed uses that accompany a zoning designation are appropriate for any proposed rezoning.

Question: Q7. Also on zoning, is it fair to say that city staff and CPC are inclined to support/prefer/recommend the zoning/permitted use combination that maximizes density? (Councilmember Lumm)

Response: Recently, the Planning Commission has forwarded recommendations that have supported additional density, and recommended against additional density. Both staff and the Planning Commission consider rezoning petitions based on the request, the circumstances of particular sites, and consistency with the City's Master Plan recommendations.

Question: Q1. Community members have asked City Council to consider whether the same or similar site plan could be used if the rezoning was changed from C1A with conditions, to other options such as PUD with Affordable Housing, or R4E with PPM? Please suggest other zoning options that might be eligible for consideration. (Councilmember Bannister)

Response: The building proposed on this site plan was designed to fit the proposed conditional C1A zoning. As such, it is not directly transferrable to any other zoning district except PUD (and in that case, would need to provide a public benefit). Other zoning districts would result in a different building, with different setbacks, height limits, etc. The Master Plan shows a future land use designation of commercial, which would mean rezoning to an R residential district would be less appropriate. The mixed-use zoning districts are considered commercial – O, C, and D. The D districts are utilized in the downtown. The O district allows 75% FAR, which is half of the 150% allowed by the current C1B zoning. C2 and C3 are intended for more intensive uses that people travel to from outside the neighborhood. The C1 districts are reasonable to consider in this context.

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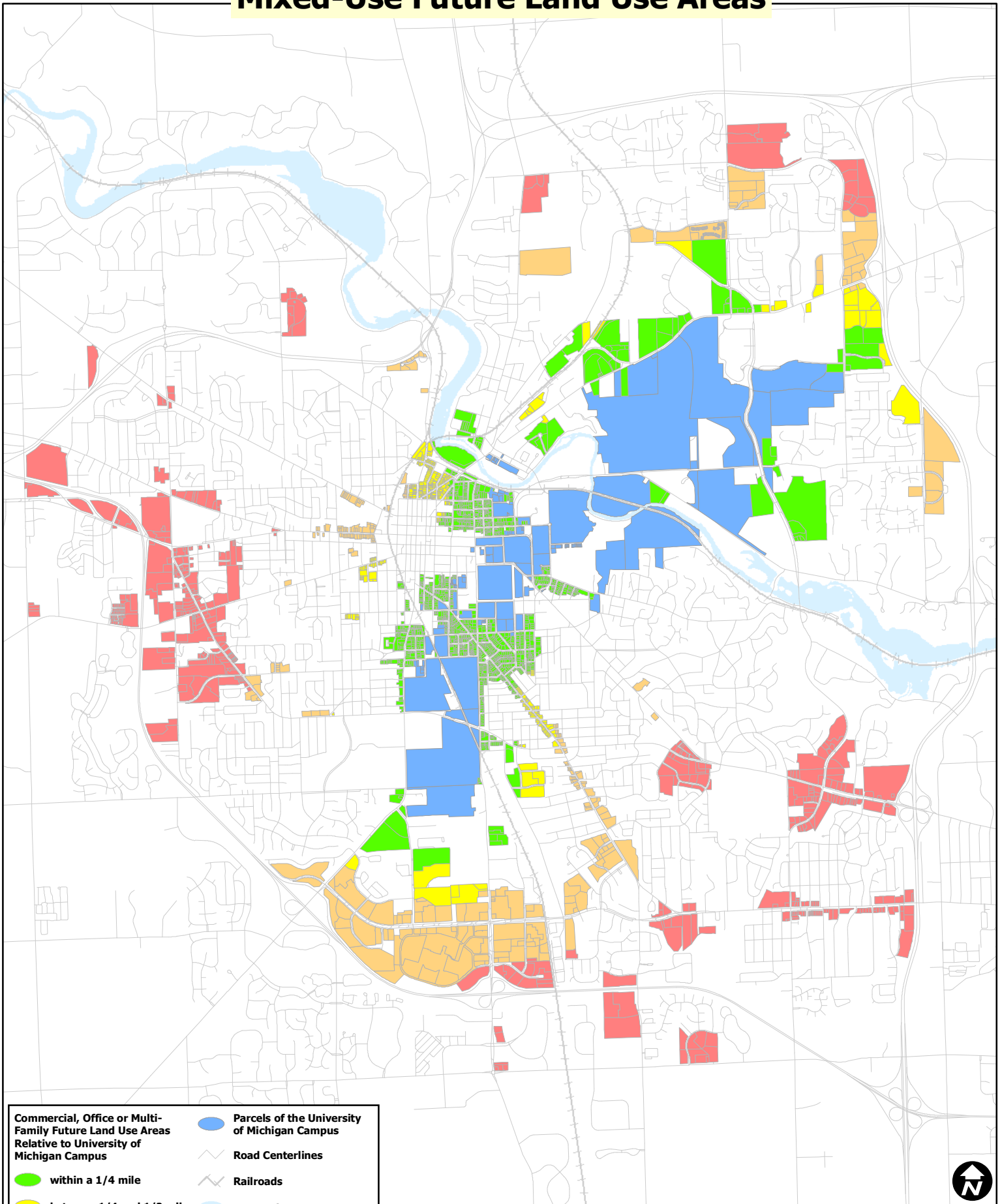
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From: [Bannister, Anne](#)
To: [Scott Trudeau](#)
Cc: [Hayner, Jeff](#)
Subject: Fw: August 19 Agenda Responses
Date: Thursday, August 15, 2019 6:04:24 PM
Attachments: [Agenda Responses 8-19-19 Final.pdf](#)

Hello Scott -- You may find the responses about The Garnet on pages 4 - 8 of interest, including the map on page 10.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Higgins, Sara <SHiggins@a2gov.org>
Sent: Thursday, August 15, 2019 4:48 PM
To: *City Council Members (All) <CityCouncilMembersAll@a2gov.org>
Cc: Lazarus, Howard <HLazarus@a2gov.org>; Fournier, John <JFournier@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>; Williams, Debra <DeWilliams@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>; Thacher, Jill <JThacher@a2gov.org>; Hupy, Craig <CHupy@a2gov.org>; Hutchinson, Nicholas <NHutchinson@a2gov.org>; Praschan, Marti <MPraschan@a2gov.org>; Hess, Raymond <RHess@a2gov.org>; Harrison, Venita <VHarrison@a2gov.org>; Kennedy, Mike <MKennedy@a2gov.org>; Postema, Stephen <SPostema@a2gov.org>; McDonald, Kevin <KMcdonald@a2gov.org>; Blake, Betsy <BBlake@a2gov.org>; Frost, Christopher <CFrost@a2gov.org>; Crawford, Tom <TCrawford@a2gov.org>
Subject: August 19 Agenda Responses

Mayor and Council,

Attached are staff responses to August 19 Council Agenda questions. The referenced attachment is at the end of the document. This memo will be included as a written communication item from the City Administrator on the August 19 Council Agenda.

Sara Higgins, Strategic Planning Coordinator

Ann Arbor City Administrator's Office | Guy C. Larcom City Hall | 301 E. Huron, 3rd Floor · Ann Arbor · MI · 48104
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TO: Mayor and Council

FROM: Howard S. Lazarus, City Administrator

CC: Tom Crawford, CFO
Derek Delacourt, Community Services Area Administrator
Craig Hupy, Public Services Area Administrator
Nick Hutchinson, City Engineer
Mike Kennedy, Fire Chief
Brett Lenart, Planning Manager
Marti Praschan, Chief of Staff, Public Services

SUBJECT: August 19 Council Agenda Responses

DATE: August 15, 2019

CA-3 - Resolution to Approve Street Closings for the Dicken Run 5K - Sunday, October 13, 2019 from 8:00 AM until 12:00 PM

Question: Regarding CA-3, the cover memo indicates the neighbors will be “boxed” in during the race. While the cover memo also indicates there will be notice provided to neighbors through various sources, and neighbors will be encouraged to park outside the race area should they need to get out of the neighborhood during the time of the race, I’m wondering what happens in the event of an emergency? (Councilmember Lumm)

Response: All events require a fire lane and in the event of an emergency, the race will be suspended or ended to accommodate any necessary access or egress.

CA-4 – Resolution to Approve a Contract with SmithGroup, Inc. to Conduct Public Engagement, Develop Potential Building Concepts and Evaluate Feasibility of the Property Located at 415 W. Washington (8 Votes Required)

Question: Q1. The cover memo notes that the Historic District Commission has purview over the site and as we know, this is a key property in the Treeline Trail plan. Given that,

it would seem to make sense to include the HDC and the Treeline Conservancy folks in the review/public engagement process as key stakeholders, and can you please confirm that is part of the plan? (Councilmember Lumm)

Response: It is part of the plan, both groups will be engaged as part of the process.

Question: Q2. I agree that mirroring the review process (and team) used for the Y Lot makes sense. How much is that Y Lot consulting contract and is it also based on hourly consulting rates and a not to exceed total amount? If so, are the hourly rates the same? (Councilmember Lumm)

Response: The Y-Lot contract is also for \$75,000, (split evenly between the DDA, AAATA & the City). Yes, it is based on the same rates.

Question: Q3. When will SmithGroup begin the public engagement aspect of this and what is the expected duration of the whole review process? (Councilmember Lumm)

Response: Staff recently met with SmithGroup to start that process, a project schedule will be available in the next 2-3 week. Determining if the this project is going forward has an impact on the schedule. The total project timeline is 3 – 6 months.

Question: Q4. Not a big deal obviously, but since this is a Council-sponsored resolution, why is it in the Consent Agenda and not a DC item? (Councilmember Lumm)

Response: This item was submitted to the agenda by staff however, staff wanted to recognize the conversations with the ward representatives who helped bring the project forward.

CA – 5 – Resolution to Approve a Supplemental Fire Services Agreement between The City of Ann Arbor and The Regents of the University of Michigan from September 1, 2019 through August 31, 2024

Question: Regarding CA-5, are the rates billed to UM fully-burdened rates? (Councilmember Lumm)

Response: Yes, the rates billed to U-M are fully-burdened rates. This rates are calculated by finance annually.

Question: Also on CA-5, in the April 26th staff response to my budget question related to Station #5 on North Campus, it was indicated that the City had requested UM include the new construction cost (~\$5M) in its capital improvement program and that UM also provide confirmation to the City of its intent to provide a replacement station. What is the status of that request (perhaps I missed it, but don't recall seeing anything on it)? (Councilmember Lumm)

Response: There has been no update, since that last communication. Mr. Fournier and Chief Kennedy are meeting with U-M on this matter on August 21, 2019.

CA-9 - Resolution to Approve a Professional Services Agreement with Hennessey Engineers, Inc. for Construction Engineering Services for Pavement Condition Rating Services (\$54,580.00)

Question: Regarding CA-9, I'm glad to see this resolution and that we will be conducting the road condition assessment this year and then every other year. Did Hennessey perform the two prior assessments? If not, who did and will the methodology in conducting the assessments be the same as in past years? (Councilmember Lumm)

Response: The most recent assessments were performed by Trans Map in 2014 and 2017. These, and all previous assessments, were performed using the PCI rating system. The 2019 assessment and all future assessments will be done using the PASER rating system. Pavement condition data is required to be submitted to the State, and is required to be in the PASER rating system. Previously, the assessments were done using the PCI system, then converted to the PASER system. Shifting to using PASER directly will provide more accurate information and bring the City into alignment with other communities in the State.

CA-11- Resolution to Approve a General Services Agreement with Tyndale Enterprises, Inc. to Implement the Public Services Area Managed Clothing (Uniform) Program (RFP# 19-15)

Question: Regarding CA-11, the cover memo indicates that “existing labor contracts with WWTP employees exclude them from the managed clothing policy.” Can you please elaborate on what that means – does it mean the nature of the WWTP jobs are such that special clothing isn't necessary for safety, or mean that it is left to the employee to decide on clothing even if special clothing would be appropriate, or mean something else altogether? (Councilmember Lumm)

Response: WWTP employees do require special clothing. When the decision to stop providing laundered uniform services was made in 2011, a grievance was filed on behalf of WWTP AFSCME employees. This grievance was settled through a Memorandum of Understanding between the City and AFSCME that reinstated laundered uniform services. Subsequently, WWTP Teamsters negotiated resumption of laundered uniform services as well. Consequently, WWTP employees are excluded from the Public Services Managed Clothing Policy and continue to receive laundered uniform services.

CA-12 - Resolution to Approve an Administrative Services Agreement with the Ann Arbor/Ypsilanti SmartZone LDFA for Administrative and Support Services (\$164,800.00 over a two-year period)

Question: Regarding CA-12, is the scope of services the City provides to the LDFA any different under this agreement than its been in prior years? Also, what was the reimbursement amount in FY19? (Councilmember Lumm)

Response: The overall scope is the same but the effort to support the LDFA has increased given its increased size and activity. In FY19, the LDFA was charged \$64,100. The increase in FY20 to \$81,500 (27%) was discussed with the board prior to the Board's approval.

B-2 – An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

DB-1 - Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Question: Q1. In the staff report and at first reading, the issue of the developer not providing massing drawings was raised. The developer indicated to me he would be preparing massing drawings/renderings. Have they been provided, and if so, can you please share them? (Councilmember Lumm)

Response: These have not been provided to staff.

Question: Q2. In response to one of the questions at first reading regarding the appropriateness of the C1A zoning, the staff response stated that, "In the application of ordinances, the ordinance itself is primary while the intent is utilized only in the circumstance of refining an interpretation." Can you please clarify what that means? (Councilmember Lumm)

Response: The intent is a more broad description than the list of allowed uses, which is utilized when further interpretation of the ordinance would be necessary. An example of such interpretation could be adding additional permitted uses to a district.

Question: Q3. As noted in the staff report, C1A is "intended primarily to serve as neighborhood shopping area for the university oriented population concentrated around it." This site and proposal are neither a shopping area nor surrounded by a university-oriented population. Given that, why wouldn't PUD zoning (or a residential zoning) be more appropriate in this instance? (Councilmember Lumm)

Response: The C1A District has evolved over time to allow much more than shopping. Permitted uses now also include business, financial, medical and dental offices, and all forms of residential. A PUD zoning proposal could potentially accommodate the proposed development if the City determined that adequate public benefit was provided. Residential zoning districts could be more challenging based on the commercial/office master plan designation.

Question: Q4. Have any additional letters of support or letters indicating opposition (or concern) been received since first reading a month ago? (Councilmember Lumm)

Response: No.

Question: Q5. I am a bit confused about the question of contamination on the site. At first reading it was stated (as an argument for the proposal) that the developer would be cleaning up a contaminated site at no public expense. The staff memo seemed to indicate the site MAY contain contaminants and that provisions in the Development agreement were included to address that eventuality. Can you please clarify? (Councilmember Lumm)

Response: The site contains identified contaminants which are intended to be remediated during excavation of the site during construction. The contamination isn't confined to this site, however, and could appear in stormwater because of migration or residual contamination after cleanup. The Development Agreement language proactively addresses this possibility.

Question: Q6. At first reading, there were several questions regarding the appropriateness of the C1A zoning. The staff responses focused not on what zoning best fit the proposal, or on the fact the proposal here does not fit the C1A intent at all, but rather that residential is a permitted use in C1A. I can understand looking at permitted uses within an existing zoning, but when re-zoning is occurring, it would seem to me that we'd strive for best fit and meeting intent. To me, focusing on permitted uses in a rezoning does not seem logical from the city's perspective. This approach provides maximum flexibility for a developer, but I do not see the benefit to the City. Can you please speak to this – what am I missing? (Councilmember Lumm)

Response: When a property owner proposes a rezoning, staff responds to that petition when reviewing the request. There are times when a different zoning district could be more appropriate, but what's in the petition is what is reviewed. In this case, planning staff met with the petitioner and discussed other zoning classifications. In the end, the petitioner decided that the requested zoning was the best fit for their needs and the project they want to build. Evaluating permitted uses is logical to consider whether the proposed uses that accompany a zoning designation are appropriate for any proposed rezoning.

Question: Q7. Also on zoning, is it fair to say that city staff and CPC are inclined to support/prefer/recommend the zoning/permitted use combination that maximizes density? (Councilmember Lumm)

Response: Recently, the Planning Commission has forwarded recommendations that have supported additional density, and recommended against additional density. Both staff and the Planning Commission consider rezoning petitions based on the request, the circumstances of particular sites, and consistency with the City's Master Plan recommendations.

Question: Q1. Community members have asked City Council to consider whether the same or similar site plan could be used if the rezoning was changed from C1A with conditions, to other options such as PUD with Affordable Housing, or R4E with PPM? Please suggest other zoning options that might be eligible for consideration. (Councilmember Bannister)

Response: The building proposed on this site plan was designed to fit the proposed conditional C1A zoning. As such, it is not directly transferrable to any other zoning district except PUD (and in that case, would need to provide a public benefit). Other zoning districts would result in a different building, with different setbacks, height limits, etc. The Master Plan shows a future land use designation of commercial, which would mean rezoning to an R residential district would be less appropriate. The mixed-use zoning districts are considered commercial – O, C, and D. The D districts are utilized in the downtown. The O district allows 75% FAR, which is half of the 150% allowed by the current C1B zoning. C2 and C3 are intended for more intensive uses that people travel to from outside the neighborhood. The C1 districts are reasonable to consider in this context.

Question: Q2. In addition to other maps that have been provided, what geographical areas might be eligible city-wide for Campus-Business zoning, regardless of their current zoning? Please provide a map of all properties that could reasonably be close enough to be called Campus-Business, including C1 and C3 close to Lowertown and other residential properties, etc. (Councilmember Bannister)

Response: The City's master plan is not specific in where such districts should and should not be applied. The attached map describes how such zoning could be considered.

Question: Q3. What is the process if a tabling and/or postponement of this project is needed? Who would request this, i.e. City Council or the developer? Any detail on how this process would work is appreciated. (Councilmember Bannister)

Response: This would be similar to any City Council tabling and/or postponement, by motion and vote of the Council. The City Council has this option independent of the petitioner. If the petitioner requested postponement, then it would remain at the discretion of the Council to take action or not, though traditionally, such petitioner requests are honored.

Question: Q4. Please define "spot zoning" and any relevant details and related historical information. (Councilmember Bannister)

Response: Spot Zoning is rezoning a lot or parcel to the benefit of an owner that is incompatible with surrounding land uses and is not in conformance with the Master Plan. Historically, spot zoning has been misunderstood to mean that any zoning that does not result in large areas of common zoning, was spot zoning.

Question: Q5. Please describe how D1 and D2 have height limits, whereas C1A is limited by 8,000 square feet, with use of the Pedestrian Amenity Premium. Please include staff's opinion on the economics of building heights as it relates to the cost of elevators, staircases, and building materials requirements. (Councilmember Bannister)

Response: In C1A, only the pedestrian amenity premium applies. On the Garnet site, an inner arcade wouldn't be applicable, which leaves an open plaza as the only available premium. Ten square feet of additional floor area, up to 8,000 square feet, is allowed for each square foot of plaza. If the Garnet proposed an 800 square foot plaza at the corner of Summit and Broadway, it could qualify for 8,000 square feet of additional floor area. The lot is 8,571 square feet and allows 200% FAR without premiums, or 17,142 square feet. The premium 8,000 square feet would bring the total maximum allowed floor area to 25,713 square feet or 293% FAR.

Building code requires two egress stairs in commercial buildings. Buildings over three stories also require an elevator. Providing two stairwells and an elevator takes up a fixed amount of space inside a building. This is a disincentive to build a tall skinny building because the floors would be more shallow and not as usable as a lower, squatty building with larger, more flexible floors. It is also more expensive to build taller buildings because non-combustible framing is required on buildings five stories and over, instead of cheaper wood framing. Further, buildings above 55' tall are considered high-rises, and many additional, fire and code requirements apply. On the Garnet, care is being taken by the petitioner to keep the building both below 55', so it's not a high-rise, and at four stories, so wood framing may be used.

Question: Q6. Please confirm the maximum premium FAR attainable in C1A. (Councilmember Bannister)

Response: See response #5 above. 400% is the maximum specified in the UDC. The actual maximum however, will vary with the size of the site. The Garnet site could reach a maximum 293% FAR by constructing the maximum size (800 square feet) of plaza.

Question: Q7. Referring to 5-15 Permitted Use Table, what other uses are eligible in C1A and C1B? (Councilmember Bannister)

Response: There are no differences in permitted uses between the C1A and C1B districts. Uses eligible (special exception uses noted with "SEU") in both districts are: Adult Foster Care; Assisted Living Dwelling Unit; Multi-family Dwelling Unit; Single-Family

Dwelling Unit; Townhome Dwelling; Two-Family Dwelling; Emergency Shelters; Fraternities, Sororities, and Student Housing Cooperatives; Group Housing; Guest House; Club Headquarters or Community Center; Funeral Services; Government Offices and Courts; Library; Religious Assembly; Adult Day Care Center; Child Care Center; Public and Private Institutions of Higher Learning; Private, Public and Trade/Industrial Schools; Hospital SEU; Nursing Care Facility; Hotel; Artist Studio; General Entertainment; Indoor Recreation; Outdoor Sales; Medical Marijuana Provisioning Center SEU; Restaurant/Bar; Retail; Laundry/Cleaning Services; Personal Services; Veterinary, Kennel and Animal Boarding SEU; Banks/Financial Services; Offices; Medical/Dental Offices; Non-Profit Offices; Medical Marijuana Grower; and Data Processing and Computer Center.

Question: Q8. In zoning districts without specific height limits defined in the UDC are there other factors, including (but not necessarily limited to) building codes, construction technologies, and economics that work to establish practical or realistic / implied limits to building height? (Councilmember Bannister)

Response: See response #5 above.

Question: Q9. Is there a maximum amount of premium floor area obtainable in the C1A zoning district irrespective of the size of a parcel/site? If so what is it? If so is it possible to reach the max FAR, with premiums, of 400% in the C1A zoning classification as indicated in table 5:17-4 of the UDC? (Councilmember Bannister)

Response: No, the maximum amount of premium floor area is dependent upon the size of the parcel. To reach the maximum 400% FAR, the parcel would have to be 4,000 square feet or less. Once a parcel that exceeds that size, even with the maximum premium of 8,000 square feet, the maximum FAR drops off as the parcel increases in size. This is demonstrated in the table below:

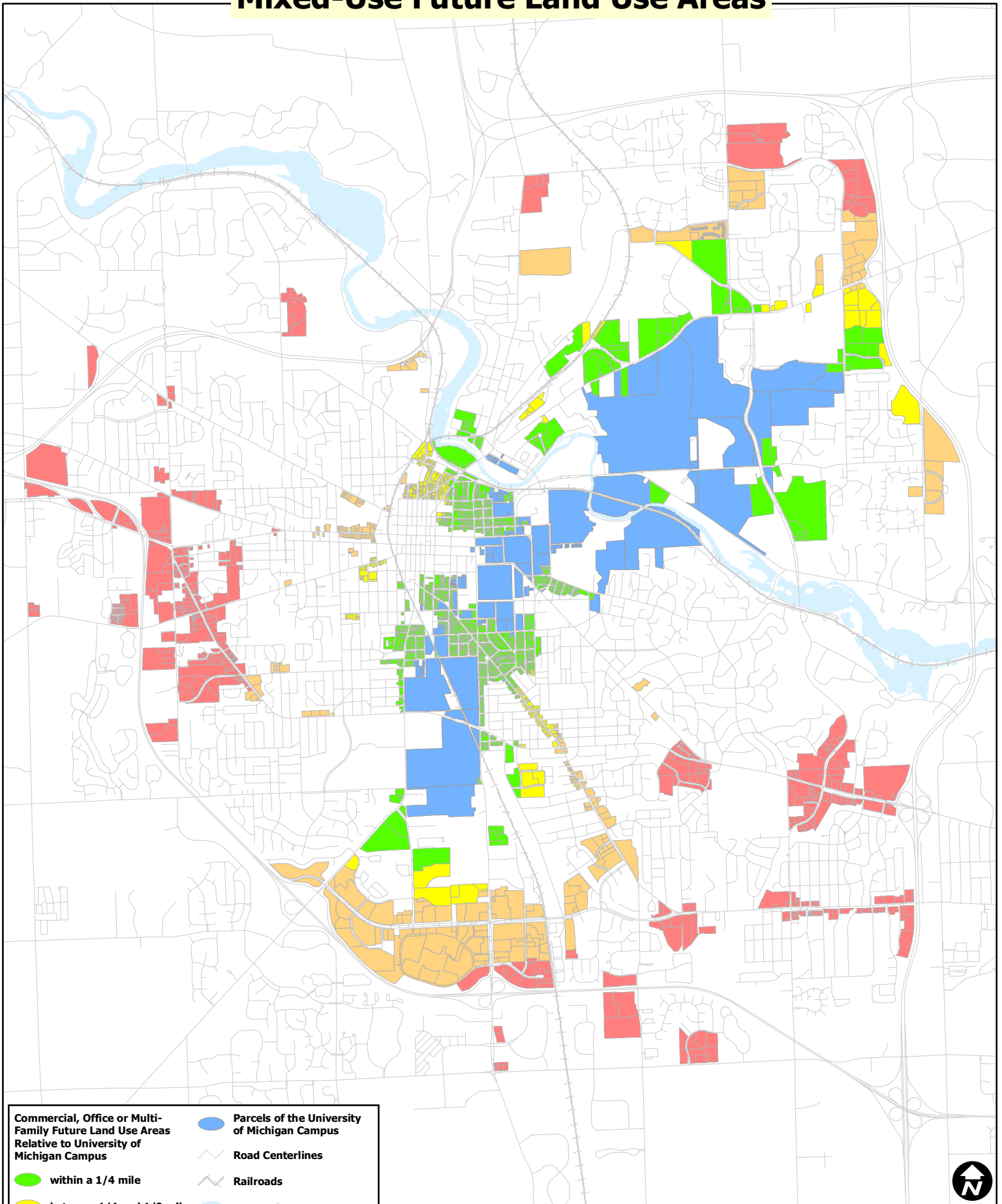
	Lot Size	2, 000	3, 000	4, 000	5, 000	6, 000	8, 571	10, 000	15, 000
Normal FAR	200%	4,000	6,000	8,000	10,000	2,000 ¹	7,142 ¹	20,000	30,000
Max Premium SF	8,000	2,000 ¹	4,000 ¹	6,000 ¹	18,000	0,000 ²	5,142 ²	28,000	38,000
Final FAR		600% Max 400%	467% Max 400%	400%	360%	333%	293%	280%	253%

C-1 – An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Question: Regarding C-1, the original project approved in December 2017 included an affordable housing contribution of \$500K and parks contribution of \$15K. Are those contributions still planned? Also, the original project included a site clean-up without any public funds. Is that still part of the project? (Councilmember Lumm)

Response: Yes to both questions.

Mixed-Use Future Land Use Areas



Commercial, Office or Multi-Family Future Land Use Areas Relative to University of Michigan Campus

within a 1/4 mile

between 1/4 and 1/2 mile

between 1/2 and 1 mile

more than 1 mile

Parcels of the University of Michigan Campus

Road Centerlines

Railroads

Huron River



Map date 7/18/2019

Any aerial imagery is circa 2018 unless otherwise noted

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From: [Christine Crockett](#)
To: [Bannister, Anne](#)
Cc: [Beth Collins](#); [Hayner, Jeff](#); [Jeff Crockett](#); [Laura Strowe](#); [Mary Underwood](#); [Tom Stulberg](#)
Subject: Re: Fw: August 19 Agenda Responses
Date: Thursday, August 15, 2019 6:37:37 PM

Thank you, Anne. I read through the many questions and responses and will do so again to understand all the details in the many (and much appreciated) questions and answers. I still don't support the zoning change.

Chris

On Thu, Aug 15, 2019 at 6:01 PM Bannister, Anne <ABannister@a2gov.org> wrote:
FYI -- The Garnet is on page 4 - 8, plus a map at the end.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Higgins, Sara <SHiggins@a2gov.org>
Sent: Thursday, August 15, 2019 4:48 PM
To: *City Council Members (All) <CityCouncilMembersAll@a2gov.org>
Cc: Lazarus, Howard <HLazarus@a2gov.org>; Fournier, John <JFournier@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>; Williams, Debra <DeWilliams@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>; Thacher, Jill <JThacher@a2gov.org>; Hupy, Craig <CHupy@a2gov.org>; Hutchinson, Nicholas <NHutchinson@a2gov.org>; Praschan, Marti <MPraschan@a2gov.org>; Hess, Raymond <RHess@a2gov.org>; Harrison, Venita <VHarrison@a2gov.org>; Kennedy, Mike <MKennedy@a2gov.org>; Postema, Stephen <SPostema@a2gov.org>; McDonald, Kevin <KMcdonald@a2gov.org>; Blake, Betsy <BBlake@a2gov.org>; Frost, Christopher <CFrost@a2gov.org>; Crawford, Tom <TCrawford@a2gov.org>
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Attached are staff responses to August 19 Council Agenda questions. The referenced attachment is at the end of the document. This memo will be included as a written communication item from the City Administrator on the August 19 Council Agenda.

Sara Higgins, Strategic Planning Coordinator

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From: [Tom Stulberg](#)
To: [Lumm, Jane](#)
Subject: Fw: Campus Business rezoning and the Garnet application DRAFT
Date: Thursday, August 15, 2019 6:49:12 PM

Jane,

This is just a rough draft, but I just read the staff responses and saw your questions and thought I would share my rough draft. I think you are on target.

One thing staff keeps saying is that rezoning it to a commercial category though it will be a 100% residential project makes it a better fit for the master plan than rezoning it to a residential category. And I think they are volunteering the site plan to be part of their conditions, so they cannot change it. So that all makes no sense at all.

I will be working on this more tomorrow.

From: Tom Stulberg <[REDACTED]>
Sent: Thursday, August 15, 2019 4:26 PM
To: Tom Stulberg <[REDACTED]>
Subject: Campus Business rezoning and the Garnet application DRAFT

Intro to rezoning in general:

Many council members and planning commissioners do not know their role when asked to rezone property. They are not getting the proper directions from our planning department. The question is not whether they like the project or architecture. The issue is not whether the use is needed or not. The question is whether the **existing** zoning is no longer suitable or does not make sense for planning reasons. The additional question is whether the **proposed** zoning is suitable. We should not be trying to retrofit existing ordinances that were never intended to be used as proposed. This is ad hoc zoning at its worst.

Here is the text from the UDC chapter on Rezoning. These are the standards that the Council should be reviewing and the analysis that it should be doing.

Rezoning

A. Purpose

For the purpose of establishing and maintaining sound, stable and desirable development within the territorial limits of the City, the boundaries of any zoning district as shown on the zoning map **shall not be amended except** to correct an error, because of a change in municipal policy, or because of changed or changing conditions in a particular area or in the municipality generally, to rezone an area, extend the boundary of an existing zoning district or to change the regulations and restrictions of that district.

Here is what the applicant is supposed to provide as part of the rezoning application:

- e. The alleged error in the zoning map, if any, that would be corrected by the proposed amendment together with a detailed explanation of the alleged error in the zoning map, and detailed reasons as to how the proposed amendment will correct that error.
- f. The changed or changing conditions, if any, in the area or in the municipality generally, that make the proposed amendment reasonably necessary.
- g. All other circumstances, factors and reasons which Applicant offers in support of the proposed amendment.

You can see that this has nothing to do with the building's architecture and many other comments from speakers, writers, commissioners, and council members.

There is a difference in zoning vs. rezoning:

There are certain rights a property owner has to use and develop their property **as currently zoned**. If they meet the standards of that zoning category, they have a by-right to develop it that way. We have a zoning system that is "hierarchical", allowing less intense uses in more intense categories. So you can build 100% residential in an office or a commercial zoning category **if** you are already zoned that way. These are mixed use categories. If you are asking for a rezoning to a new category, you should be meeting the intent of that category. For example, you should not be rezoning to a mixed use category if the intent is to develop an entirely residential project. That doesn't meet the criteria for a rezoning. What is the error or reason, merely to get increased density on a parcel by parcel basis? If you have a C1B zoned parcel on a block of C1B parcels, why can you not use C1B to develop a residential project? You do not have any **by-right** to a more intensive mixed used category to create the same use you already can.

Here is the text from the UDC for C1A, which is proposed for the Garnet

5.12.3 C1A Campus Business District

"This district is intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day- to-day needs, specialty shops, and recreation. While the primary function of this district is to serve as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population. These districts shall be located in close proximity to the central area of the City."

I will deal with the "campus" issue later, but you can see that the **intent** of this zoning category is for commercial, not residential. Remember that this zoning ordinance is our law; it is the codification of our master plan into laws that are to be enforced. Intent clauses are a deliberate part of that law. Can residential be built in mixed use categories such as this category: yes, because of the hierarchical permitted use nature of our zoning ordinance. Should we be rezoning parcels one at a time that do not meet the intent of the ordinance: no. That defies the purpose of planning and zoning and the purpose of the intent clause being in our ordinance.

Here is the text from the UDC for C1A/R

5.12.5 C1A/R Campus Business Residential District

A. Purpose Statement This district is intended to encourage the orderly clustering and placement of

high density residential and complementary commercial development near the campus Business district

Again setting the Campus issue aside for now, did you notice that there is specifically a companion zoning category to C1A Campus **Business** District that does have the intent for residential that C1A does not have? If one is asking for a residential project that meets the Campus Business District "qualifications", shouldn't the request be for C1A/R which would meet that residential intent? It sure seems like C1A/R exists specifically to provide for the residential intent that does not exist in the intent of C1A.

I have deliberately not addressed any site plan issues for the Garnet proposal, because they are not part of the rezoning decision. That is a separate decision and a separate vote **after** the rezoning decision. I feel those issues are irrelevant to the rezoning question. At this point I hope I have addressed the question of why this property should be rezoned from C1B to C1A without needing to address the site plan or even the Campus issue. But now...

Campus Business District

Where is the Campus Business District, how is it defined, how can it grow or migrate, and who gets to decide that? If you can see a University of Michigan blue sign from where you are standing, does that make it the Campus Business District? What if Sarah Palin can see Russia from her house? (For a fun break: <https://www.snopes.com/fact-check/sarah-palin-russia-house/>).

If the U of M calls it the Medical Center vs. the Medical Campus, does that define whether it's Campus or not? If the U of M rents a cluster of buildings, is that Campus? If the U of M buys more property (Fingerle) does that instantly change the boundaries of Campus? What about North Campus? What about the Argus Complex in the heart of the Old West side? How close do you have to be to be "near" Campus? Does this mean the U of M controls the boundaries of our zoning districts and can alter the city's zoning ordinance without the city doing anything? Can someone else have a Campus, like when we had Cooley Law School on Plymouth Road? What happens to our zoning boundaries when a "Campus" closes?

The answer is a very simple: none of that should matter and fortunately it doesn't. The boundaries for the Campus Business District are not defined by a radius from single buildings nor even clusters of buildings, it is not North Campus, it is not the Medical Center (especially satellite buildings not part of the main Medical Center), and it is not defined by the U of M without any input from the city, which makes its own laws thank you very much.

The Campus Business District is the Gown part of our Town and Gown downtown urban core areas. It is essentially along South University Ave along with the streets immediately abutting it to the south, and the State and Packard intersection. It is not anything called "Campus"; it is the Campus **Business** District. It isn't merely defined by physical location but also by character. Downtown or Core zoning categories have requirements and standards particular to the character of an urban core. Picture either the Town or Gown urban core and certain things make sense like small front setbacks and zero side setbacks that wouldn't make sense in a neighborhood. Urban core characteristics usually include taller heights, greater density, less parking, and more flexibility in mixed use. Picture the herds of undergrads walking up and down South University Ave going to class or finding a place for a

meal or beverage. Our planning documents and zoning code support such an urban core, and differentiated our town and gown urban cores. After a study of these core areas, some of the gown core was changed to D1 and D2 which we have in the town core, and a couple gown zoning categories were dropped. C1A and C1A/R were actually contemplated being dropped and similarly replaced. When these categories were created and later changed, the basic area of what our urban cores were did not change!

C1A and C1A/R are core area zoning categories. While a case could be made to stretch them a little, perhaps to immediately adjacent properties, that would have more to do with the expansion of the core urban character, not the sign on a U of M building. The character of these categories are specifically design for core urban areas, like D1 and D2 are. They are not to be used elsewhere where that character and the standards and requirements of those zoning categories do not fit.

Precedent:

Does rezoning a property create a precedent for other properties? In layperson language: hell yes! If you ask that question academically you might get an answer like: "All applications are evaluated on their own individual merits and council has full discretion to approve or deny them." If you ask an attorney, they might focus on the special meaning of the word "precedent" that has a different meaning to them than a layperson. It has to do with court cases, especially appellate cases, where the fact patterns match up with the one in question. It is like the word "theory" to a scientist vs. a layperson. What is certain is that in real world practice, by rezoning a property you make it real hard to deny someone else the same or similar zoning if they are nearby or have similar circumstances. You say no, they have a lot at stake financially so they take you to court and you can't show why they were treated differently than the one you approved... you lose.

If the city had turned down Morningside's LowerTown request for C1A/R, we might not be seeing the Garnet application for C1A. The lawsuit against the city by me and my neighborhood association in part seeks to close the door that was left open by that approval. We are in settlement talks and that is one of the main things we are asking for: removing the precedent of C1A/R (and C1A) being allowed to migrate outside of our urban core areas. Our lawsuit actually helps the city slam that door shut.

Note to self: below is important but getting esoteric

Transition Zoning:

The city deliberately created a transition zoning category, D2. Here is the text from the UDC:

D2 - Downtown Interface District

This district is intended to be an area of transition between the D1 and surrounding residential neighborhoods. This district is appropriate for medium density residential and mixed-use Development.

Additionally, when a mixed use zoning district abuts a residential district, the setbacks and sometimes heights are changed (see the footnotes in Table 5:17-4 on page 60 of the UDC) to create a buffer between the core area and the surrounding residential area. The concept of a core and a transition between it and what lies beyond the core was clearly the intention of

creating and later modifying D2 in our zoning ordinance. Allowing core zoning categories beyond that defies our planning and zoning documents and philosophy. It is absurd to deliberately create a transition zone, then increase the intensity or height beyond that transition zone. If we want to do that, if we want to create some mini-downtowns, we could, but we would have to do that with a master plan revision and new zoning categories. Our current master plan and zoning ordinance does not support that.

Unlimited Height:

C1A and C1A/R have no height limit. Their maximum height is controlled only by FAR (Floor Area Ratio). That means if you have a decent sized lot or combine a few lots, the sky is the limit, literally. C1A's FAR is similar to D2, but C1A/R is one and a half times more than those. So, even a C1A building can be taller than D2 if it takes up less of the ground area and leaves some open space of surface parking. And C1A/R can easily create buildings as tall as those you would only expect in the core. Excessive height isn't the only thing you get if you let these categories spread beyond the core. Remember the other core characteristics like setbacks that are eschewed in core zoning categories. They go away too. So that tall out of place building also is perhaps closer to the lot line of its modest residential neighbors. Preventing this was exactly what was addressed by increasing the setbacks in the footnotes to Table 5:17-4.

Note to self: Need to look at 5:17-6 too for D1 and D2

From: [Lumm, Jane](#)
To: [Scott Trudeau](#)
Cc: [Hayner, Jeff](#); [Bannister, Anne](#); [Eaton, Jack](#)
Subject: RE: Support for The Garnet
Date: Friday, August 16, 2019 1:49:43 PM

Thank you for your input, Scott, and thank you, Anne for your helpful responses to Scott's questions.

Scott, yes, staff is supportive of the rezoning and my unconfirmed sense is Mr. Moore was guided by staff to utilize this zoning. We are seeing more and more zoning applications and recommendations with conditions for the particular zoning category, and perhaps this suggests the zoning category isn't a perfect/ideal "fit"? Hard to say. With this specific rezoning, I wouldn't necessarily conclude that this is the only zoning category that would make this a feasible project. I, for one, think, e.g., this same project could be approved with a PUD zoning. I have no other issues with the project.

Thanks again, Jane Lumm

From: Scott Trudeau <[REDACTED]>
Sent: Thursday, August 15, 2019 2:06 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: CityCouncil <CityCouncil@a2gov.org>
Subject: Re: Support for The Garnet

I'm familiar with the questions about this rezoning. What the specific concern is that would be sufficient to deny it? I find staff's reasoning in the linked responses reasonable and supportive of the rezoning. Everyone seems to agree that this is a great project and this zoning category makes it possible; and the conditions offered mitigate specific possible scale concerns with an unconditional C1A. What's the worry? We get more, nicely designed, modestly scaled infill projects in already mixed-use zoned areas near campus & downtown? That sounds like a good thing to me!

Scott

On Thu, Aug 15, 2019 at 12:58 PM Bannister, Anne <ABannister@a2gov.org> wrote:

Dear Scott Trudeau,

Thanks for sending your insights. There have been many ongoing discussions about The Garnet, and my feeling is that the issues are not with the site plan, but with the rezoning to C1A (with conditions).

For further information, this is the link to the July 15 City Council Agenda Responses, with The Garnet starting on page 6: <http://a2gov.legistar.com/LegislationDetail.aspx?ID=4061044&GUID=4C793C68-C932-4814-9A85-48B5B6AE6F4E&Options=&Search=>

The new round of Agenda Responses for August 5 will be released and added to this link later today: <http://a2gov.legistar.com/DepartmentDetail.aspx?ID=4166&GUID=695084DA-6854-4B69-A3E0-760D51EE2D71&Mode=MainBody>

Thanks again for your input,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Scott Trudeau <[REDACTED]>
Sent: Thursday, August 15, 2019 12:44 PM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Support for The Garnet

CM Bannister, CM Hayner & Mayor Taylor,

I am writing in support of the rezoning and site plan for The Garnet at 325 E Summit. This is a couple blocks from our home and we frequently walk & bike past this site on our way over the Broadway Bridges. The design is high quality and will fit nicely into the intersection at the base of the bridge, fitting well to the buildings around it. Planning Commission received an unusually high number of letters in support of the project from adjacent neighbors, both businesses and residents. I don't recall a single piece of public input against the project. The more high quality, modestly sized infill projects like this we can encourage, the less we will need to rely on larger scale projects to create enough housing for everyone. Let's make these good projects easy wins.

Thank you,

Scott Trudeau
Ward 1

From: [David Silkworth](#)
To: [CityCouncil](#)
Subject: Regarding the Garnet Rezoning
Date: Saturday, August 17, 2019 10:00:26 AM
Attachments: [Garnet Rezoning Letter.PDF](#)

To: Ann Arbor Mayor and City Council,

Please read the attached letter regarding the Garnet Rezoning.

Sincerely,

David Silkworth
Ward 5 Resident

To: Ann Arbor Mayor and City Council

Regarding the Garnett Rezoning Application: I urge you to reject the spot rezoning of this parcel from C1B Community Convenience Center to C1A Campus Business because it's a misapplication of our zoning laws and a clear deviation from our Master Plan.

Chapter Seven (Central Area section) of the City of Ann Arbor Master Plan Land Use Element provides for higher development densities and a wider variety of building uses inside our urban core to promote a healthy downtown commercial business environment and to accommodate the residential, service and entertainment needs of downtown residents which in some areas includes many students of the University of Michigan.

This plan calls for a very dense urban core designated by D-1 and D-2, but it also calls for buffer or transition areas between the densest urban core areas and the surrounding established residential neighborhoods which are intended to ensure their continued viability.

I would like to direct you to the stated Goals in the Central Area plan:

“Goal A - To promote sound and attractive residential neighborhoods which meet the housing needs of the current and future population, which are adequately served by urban services, infrastructure and facilities and which conserve environmental quality.

- 1) Objective 1: To protect, preserve and enhance the character, scale and integrity of existing housing in established residential areas, recognizing the distinctive qualities of each neighborhood.
- 2) Objective 2: To encourage the preservation of existing small neighborhood grocery stores and the re-establishment of vacated neighborhood grocery stores.
- 3) Objective 3: To minimize the displacement of residential uses by commercial and institutional uses.
- 4) Objective 4: To encourage the development of new architecture, and modifications to existing architecture that compliments the scale and character of the neighborhood.
- 5) Objective 5: To develop density thresholds for each neighborhood that are appropriate in relation to the character, available services and infrastructure of the neighborhood, and in accordance with the norms of that neighborhood, resulting in improved quality of life for all residents.”

and,

“Goal B: To encourage sensitive, attractive, and innovative development and renovation in downtown Ann Arbor and in adjacent neighborhoods.

- 1) Objective 1: To pay special attention to the interface zones between downtown Ann Arbor and Central Area residential neighborhoods; and to insure that projects in these

areas both contribute to downtown liveliness and help buffer established neighborhoods from further erosion.

- 2) Objective 2: To promote compatible development of sites now vacant, underutilized or uninviting, wherever this would help achieve the plan's overall goals.
- 3) Objective 3: To identify appropriate locations for compatible and well-designed multiple-family residential development, or mixed use development, particularly near campus and downtown.
- 4) Objective 4: To protect housing stock from demolition or conversion to business use, and to retain the residential character of established, sometimes fragile, neighborhoods adjacent to commercial or institutional uses.
- 5) Objective 5: To encourage housing and neighborhood-oriented businesses in the downtown interface area zones that will improve the quality of life in nearby neighborhoods.
- 6) Objective 6: To create inviting streetscape corridors and improve the links between commercial and residential areas, encouraging access between the nearby neighborhoods and downtown.
- 7) Objective 7: To encourage the construction of buildings whose scale and detailing is appropriate to their surroundings."

Campus Business zoning designations of C1A and C1A/R were intended to be used in various locations around the University of Michigan Central Campus adjacent to some of the densest urban core areas of our city. These Campus Business zoning designations were not intended to be used outside of those areas, and any proposed use of them outside of those areas is a clear misapplication of the zoning and a violation of the stated goals of our Master Plan.

Furthermore, continued misapplication of C1A and C1A/R zoning could be harmful to other neighborhoods around University of Michigan properties, because it could establish a legal precedent that could be difficult for the city to defend against if additional similar speculative rezoning requests are made in the future.

Because all of the Goals in the Central Area can be reached using the current zoning for this property, there is absolutely no reason to approve this rezoning at this time. Our Zoning Ordinances are laws that must be followed, and our Master Plan must also be adhered to because it has provided us with a stable foundation upon which our city's prosperity has been and will continue to be built.

Sincerely,

David Silkworth

From: [Bannister, Anne](#)
To: [David Silkworth](#)
Cc: [Hayner, Jeff](#)
Subject: Re: Regarding the Garnet Rezoning
Date: Saturday, August 17, 2019 3:33:20 PM

Thanks so much, David. This is really helpful. I hope everyone reads it.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: David Silkworth <[REDACTED]>
Sent: Saturday, August 17, 2019 10:00 AM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Regarding the Garnet Rezoning

To: Ann Arbor Mayor and City Council,

Please read the attached letter regarding the Garnet Rezoning.

Sincerely,

David Silkworth
Ward 5 Resident

From: [REDACTED]
To: [Bannister, Anne](#)
Cc: [Hayner, Jeff](#)
Subject: Re: Regarding the Garnet Rezoning
Date: Saturday, August 17, 2019 5:36:21 PM

Thanks Anne. I hope they do too.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Bannister, Anne" <ABannister@a2gov.org>
Date: 8/17/19 3:33 PM (GMT-05:00)
To: David Silkworth <[REDACTED]>
Cc: "Hayner, Jeff" <JHayner@a2gov.org>
Subject: Re: Regarding the Garnet Rezoning

Thanks so much, David. This is really helpful. I hope everyone reads it.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: David Silkworth <[REDACTED]>
Sent: Saturday, August 17, 2019 10:00 AM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Regarding the Garnet Rezoning

To: Ann Arbor Mayor and City Council,

Please read the attached letter regarding the Garnet Rezoning.

Sincerely,

David Silkworth
Ward 5 Resident

From: [Bannister, Anne](#)
To: [REDACTED]
Subject: Re: Regarding the Garnet Rezoning
Date: Saturday, August 17, 2019 5:44:02 PM

I hope you'll share your letter with other residents who may be interested in your research and opinion. --
Anne

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: [REDACTED] <[REDACTED]>
Sent: Saturday, August 17, 2019 5:36 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: Re: Regarding the Garnet Rezoning

Thanks Anne. I hope they do too.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Bannister, Anne" <ABannister@a2gov.org>
Date: 8/17/19 3:33 PM (GMT-05:00)
To: David Silkworth <[REDACTED]>
Cc: "Hayner, Jeff" <JHayner@a2gov.org>
Subject: Re: Regarding the Garnet Rezoning

Thanks so much, David. This is really helpful. I hope everyone reads it.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: David Silkworth <[REDACTED]>
Sent: Saturday, August 17, 2019 10:00 AM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Regarding the Garnet Rezoning

To: Ann Arbor Mayor and City Council,

Please read the attached letter regarding the Garnet Rezoning.

Sincerely,

David Silkworth
Ward 5 Resident

From: [Kitty B. Kahn](#)
To: [CityCouncil](#)
Subject: Re-zoning
Date: Saturday, August 17, 2019 7:09:19 PM

I have noticed several re-zoning requests lately and I am also aware of the proposed revision of the City's Master Plan. Please consider carefully the repercussions of your actions before you vote on these issues. It seems to me that some of the requested re-zonings, such as that of Garnet, are not necessary to achieve the proposed developments. Were this re-zoning approved, it would set a precedent for future such requests. I hope you take seriously my concerns when you consider how to vote. I would appreciate a reply. -Peace, Kitty

From: [Smith, Chip](#)
To: [Kitty B. Kahn](#)
Subject: Re: Re-zoning
Date: Saturday, August 17, 2019 7:54:13 PM

Received. Thank you

Sent from my iPhone

On Aug 17, 2019, at 7:09 PM, Kitty B. Kahn <[REDACTED]> wrote:

I have noticed several re-zoning requests lately and I am also aware of the proposed revision of the City's Master Plan. Please consider carefully the repercussions of your actions before you vote on these issues. It seems to me that some of the requested re-zonings, such as that of Garnet, are not necessary to achieve the proposed developments. Were this re-zoning approved, it would set a precedent for future such requests. I hope you take seriously my concerns when you consider how to vote. I would appreciate a reply.
-Peace, Kitty

From: [Griswold, Kathy](#)
To: [Kitty B. Kahn](#)
Subject: Re: Re-zoning
Date: Saturday, August 17, 2019 8:02:54 PM

Hi Kitty,

I like the building but will not support rezoning to C1A.

Thanks for taking the time to write to council.

Kathy

Get [Outlook for Android](#)

From: Kitty B. Kahn <[REDACTED]>
Sent: Saturday, August 17, 2019 7:09:08 PM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Re-zoning

I have noticed several re-zoning requests lately and I am also aware of the proposed revision of the City's Master Plan. Please consider carefully the repercussions of your actions before you vote on these issues. It seems to me that some of the requested re-zonings, such as that of Garnet, are not necessary to achieve the proposed developments. Were this re-zoning approved, it would set a precedent for future such requests. I hope you take seriously my concerns when you consider how to vote. I would appreciate a reply. -Peace, Kitty

From: [Kitty B. Kahn](#)
To: [Griswold, Kathy](#)
Subject: Re: Re-zoning
Date: Saturday, August 17, 2019 8:05:28 PM

Thanks, Kathy. -Peace, Kitty

[We Saved Our Center!](#)

[“The struggle continues.” -Bernie Sanders](#)

From: "Griswold, Kathy" <KGriswold@a2gov.org>
Date: Saturday, August 17, 2019 at 8:02 PM
To: "Kitty B. Kahn" <[REDACTED]>
Subject: Re: Re-zoning

Hi Kitty,

I like the building but will not support rezoning to C1A.

Thanks for taking the time to write to council.

Kathy

Get [Outlook for Android](#)

From: Kitty B. Kahn <[REDACTED]>
Sent: Saturday, August 17, 2019 7:09:08 PM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Re-zoning

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From: [Bannister, Anne](#)
To: [Kitty B. Kahn](#)
Cc: [Eaton, Jack](#)
Subject: Re: Re-zoning
Date: Saturday, August 17, 2019 9:13:40 PM

Thanks for writing, Kitty. Yes, I take these concerns very seriously, including consideration of the Master Plan and the possible precedents (“equal protection claims”) created by rezoning, particularly from CIB to C1A.

Thanks for your input,

Anne

Get [Outlook for iOS](#)

From: Kitty B. Kahn <[REDACTED]>
Sent: Saturday, August 17, 2019 7:09:08 PM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Re-zoning

I have noticed several re-zoning requests lately and I am also aware of the proposed revision of the City's Master Plan. Please consider carefully the repercussions of your actions before you vote on these issues. It seems to me that some of the requested re-zonings, such as that of Garnet, are not necessary to achieve the proposed developments. Were this re-zoning approved, it would set a precedent for future such requests. I hope you take seriously my concerns when you consider how to vote. I would appreciate a reply. -Peace, Kitty

From: [Kitty B. Kahn](#)
To: [Bannister, Anne](#)
Subject: Re: Re-zoning
Date: Saturday, August 17, 2019 9:56:08 PM

Thanks, Anne. -Peace, Kitty

[We Saved Our Center!](#)

[“The struggle continues.” -Bernie Sanders](#)

From: Anne Bannister <ABannister@a2gov.org>
Date: Saturday, August 17, 2019 at 9:13 PM
To: "Kitty B. Kahn" <[REDACTED]>
Cc: "Eaton, Jack" <JEaton@a2gov.org>
Subject: Re: Re-zoning

Thanks for writing, Kitty. Yes, I take these concerns very seriously, including consideration of the Master Plan and the possible precedents (“equal protection claims”) created by rezoning, particularly from CIB to C1A.

Thanks for your input,
Anne

Get [Outlook for iOS](#)

From: Kitty B. Kahn <[REDACTED]>
Sent: Saturday, August 17, 2019 7:09:08 PM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Re-zoning

I have noticed several re-zoning requests lately and I am also aware of the proposed revision of the City's Master Plan. Please consider carefully the repercussions of your actions before you vote on these issues. It seems to me that some of the requested re-zonings, such as that of Garnet, are not necessary to achieve the proposed developments. Were this re-zoning approved, it would set a precedent for future such requests. I hope you take seriously my concerns when you consider how to vote. I would appreciate a reply. -Peace, Kitty

From: [Jeff Crockett](#)
To: [CityCouncil](#)
Subject: Major Concerns with the Garnet's Proposed Zoning Change
Date: Sunday, August 18, 2019 9:19:31 AM
Attachments: [Mixed Use Future Land Use Areas Relative to Campus Map.pdf](#)

Dear City Council Representatives,

The Garnet proposal to change the zoning from a C1B to C1A to increase the height and FAR (Floor to Area Ratio) of their condo development is seductive on the surface. After all, what could be wrong about a modest increase in height and a 25% increase in FAR to a project in a downtown area where more housing is needed?

Well, as it turns out, there are many reasons why the Garnet proposal should send up a red flag for all of us. Here are but a few:

First, there is a great deal of confusion about what constitutes a Campus Business District. According to Section 5.12.3 in the UDC, a C1A Campus Business District is ... "intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-to-day needs, specialty shops, and recreation." Currently, the Garnet property is designated as C1B, a Community Convenience Center. Re-zoning this as a campus area is a radical change and calls into question what other areas in Ann Arbor could be called a Campus Business District. If you look at the attached chart of University-owned land across the city, it is clear that developers could easily request C1A zoning for their own developments near city-owned land simply to make them more profitable without any contribution to affordable housing. So, in effect, changing this designation for the Garnet proposal is creating a huge **loophole**. Consequently, you should reject the Garnet proposal and, instead, direct the planning department to define a Campus Business District more specifically and clarify what areas in the city should be and should not be considered Campus Business Districts. Only then should you re-consider the Garnet proposal.

Second, in exchange for this upzoned project with units priced at \$450 per square foot targeting young professionals and empty-nesters (see <https://expo.mlive.com/news/erry->

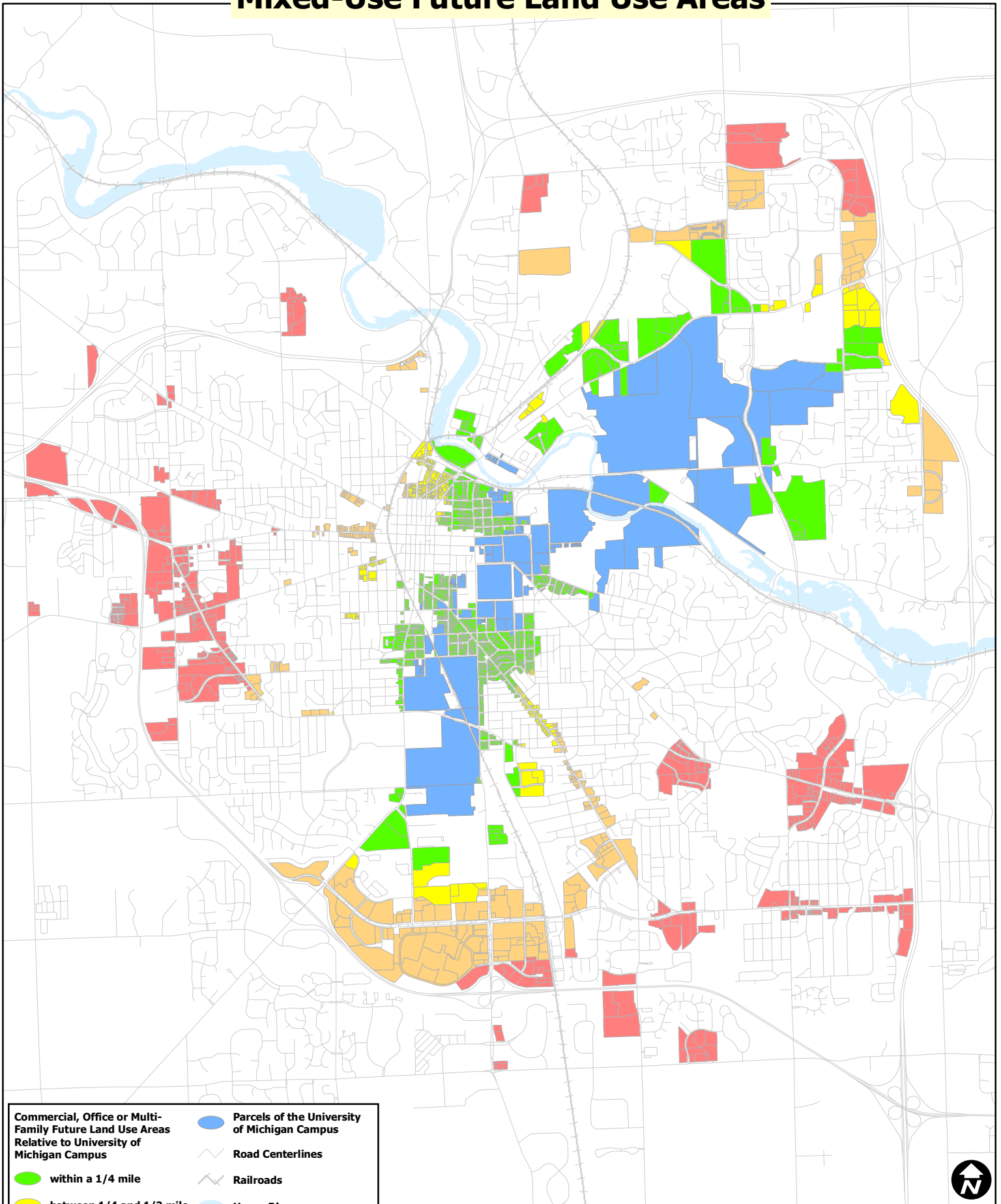
[2018/11/9308e8ccbc4692/see-plans-for-the-garnet-condo.html](https://www.annarbor.mi.gov/2018/11/9308e8ccbc4692/see-plans-for-the-garnet-condo.html)), the Ann Arbor community gets zero affordable housing units. This is nothing more than a giveaway.









Third, rezoning this property could very well be interpreted by pro-density advocates as an incentive to continue to chip away at local zoning laws with the ultimate goal of removing them altogether. They would like us to believe that relaxing zoning restrictions will improve affordability. But, as we have seen here and in other cases, relaxing zoning restrictions has only actually benefited wealthy folks who can afford high rents and mortgages of newer construction. Before approving spot zoning for properties such as this, the Council should first allow the Master Plan revision process to conclude, which hopefully will include authentic community engagement. Only then will we know what the Ann Arbor community as a whole wants in regards to the future of planning and development in Ann Arbor.

Thanks for your consideration,

Jeff and Christine Crockett

Mixed-Use Future Land Use Areas



- | | |
|--|---|
| Commercial, Office or Multi-Family Future Land Use Areas Relative to University of Michigan Campus |  Parcels of the University of Michigan Campus |
|  within a 1/4 mile |  Road Centerlines |
|  between 1/4 and 1/2 mile |  Railroads |
|  between 1/2 and 1 mile |  Huron River |
|  more than 1 mile | |



Map date 7/18/2019
 Any aerial imagery is circa 2018
 unless otherwise noted
 Terms of use: www.a2gov.org/terms

From: [Jeff Crockett](#)
To: [City Council](#)
Subject: Major Concerns with the Garnet's Proposed Zoning Change (Updated to Correct a Typo)
Date: Sunday, August 18, 2019 10:42:42 AM
Attachments: [Must Use Future Land Use Areas Relative to Campus Map.pdf](#)

Dear City Council Representatives,

The Garnet proposal to change the zoning from a C1B to C1A to increase the height and FAR (Floor to Area Ratio) of their condo development is seductive on the surface. After all, what could be wrong about a modest increase in height and a 25% increase in FAR to a project in a downtown area where more housing is needed?

Well, as it turns out, there are many reasons why the Garnet proposal should send up a red flag for all of us. Here are but a few:

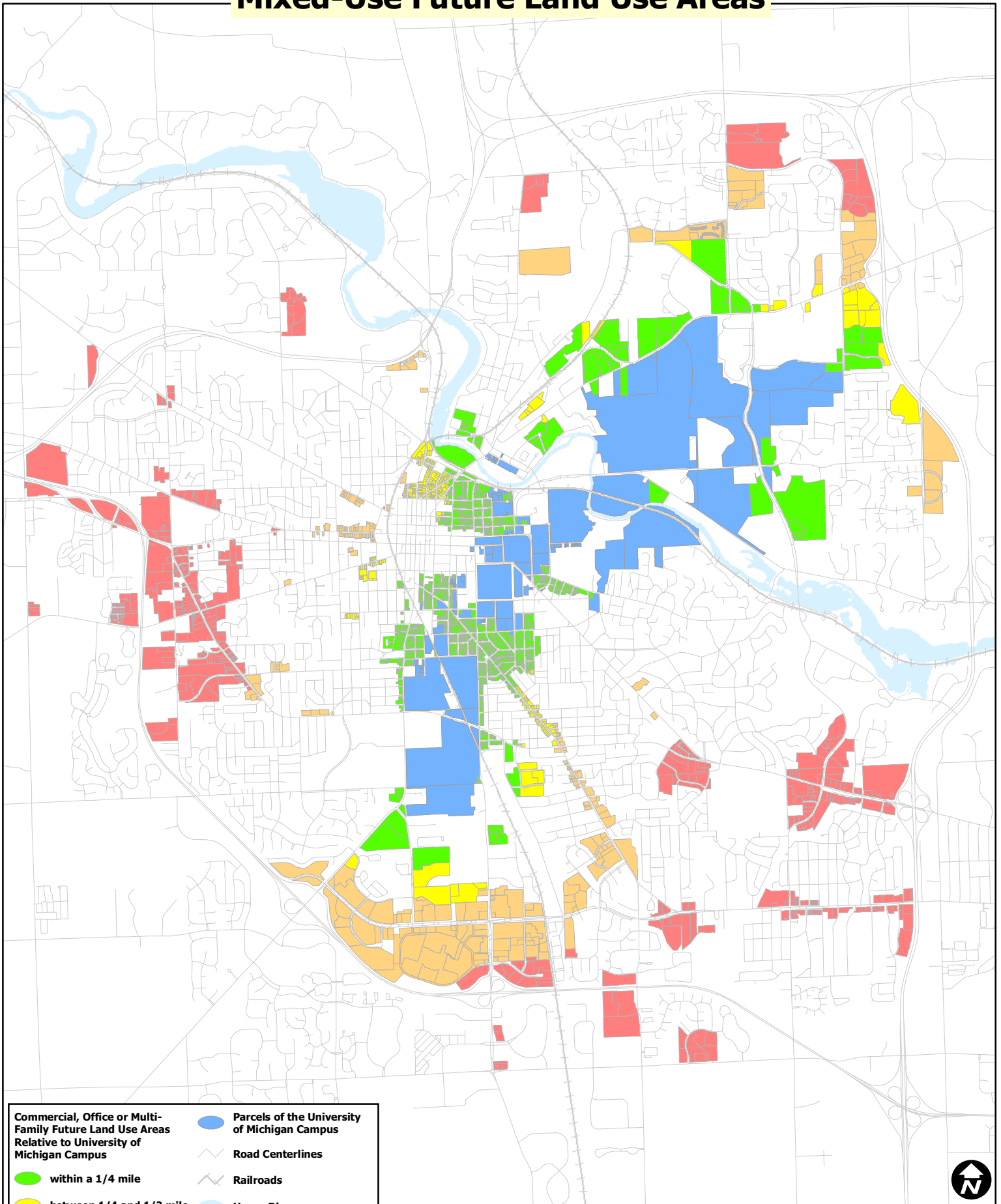
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Second, in exchange for this upzoned project with units priced at \$450 per square foot targeting young professionals and empty-nesters (see <https://expo.mlive.com/news/erry-2018/11/3308e8c0bc4692/see-plans-for-the-garnet-condo.html>), the Ann Arbor community gets zero affordable housing units. This is nothing more than a giveaway.

Third, rezoning this property could very well be interpreted by pro-density advocates as an incentive to continue to chip away at local zoning laws with the ultimate goal of removing them altogether. They would like us to believe that relaxing zoning restrictions will improve affordability. But, as we have seen here and in other cases, relaxing zoning restrictions has only actually benefited wealthy folks who can afford high rents and mortgages of newer construction. Before approving spot zoning for properties such as this, the Council should first allow the Master Plan revision process to conclude, which hopefully will include authentic community engagement. Only then will we know what the Ann Arbor community as a whole wants in regards to the future of planning and development in Ann Arbor.

Thanks for your consideration,

Mixed-Use Future Land Use Areas



- | | |
|--|---|
| Commercial, Office or Multi-Family Future Land Use Areas Relative to University of Michigan Campus |  Parcels of the University of Michigan Campus |
|  within a 1/4 mile |  Road Centerlines |
|  between 1/4 and 1/2 mile |  Railroads |
|  between 1/2 and 1 mile |  Huron River |
|  more than 1 mile | |



Map date 7/18/2019
 Any aerial imagery is circa 2018
 unless otherwise noted
 Terms of use: www.a2gov.org/terms

From: [Griswold, Kathy](#)
To: [Jeff Crockett](#)
Cc: [Baronster, Anne](#); [Haynes, Jeff](#)
Subject: Re: Major Concerns with the Garnet's Proposed Zoning Change (Updated to Correct a Typo)
Date: Sunday, August 18, 2019 11:52:46 AM

Thank you for your excellent analysis's I agree with all points.

Kathy

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From: Jeff Crockett <[\[REDACTED\]](#)>
Sent: Sunday, August 18, 2019 10:42:02 AM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Major Concerns with the Garnet's Proposed Zoning Change (Updated to Correct a Typo)

Dear City Council Representatives,

The Garnet proposal to change the zoning from a C1B to C1A to increase the height and FAR (Floor to Area Ratio) of their condo development is seductive on the surface. After all, what could be wrong about a modest increase in height and a 25% increase in FAR to a project in a downtown area where more housing is needed?

Well, as it turns out, there are many reasons why the Garnet proposal should send up a red flag for all of us. Here are but a few:

First, there is a great deal of confusion about what constitutes a Campus Business District. According to Section 5.12.3 in the UDC, a C1A Campus Business District is ... "intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-to-day needs, specialty shops, and recreation." Currently, the Garnet property is designated as C1B, a Community Convenience Center. Re-zoning this as a campus area is a radical change and calls into question what other areas in Ann Arbor could be called a Campus Business District. If you look at the attached chart of University-owned land across the city, it is clear that developers could easily request C1A zoning for their own developments near university-owned land simply to make them more profitable without any contribution to affordable housing. So, in effect, changing this designation for the Garnet proposal is creating a huge **loophole**. Consequently, you should reject the Garnet proposal and, instead, direct the planning department to define a Campus Business District more specifically and clarify what areas in the city should be and should not be considered Campus Business Districts. Only then should you re-consider the Garnet proposal.

Second, in exchange for this upzoned project with units priced at \$450 per square foot targeting young professionals and empty-nesters (see <https://expo.mlive.com/news/eryv-2018/11/8308e88c9bc4692/see-plans-for-the-garnet-condo.html>), the Ann Arbor community gets zero affordable housing units. This is nothing more than a giveaway.

Third, rezoning this property could very well be interpreted by pro-density advocates as an incentive to continue to chip away at local zoning laws with the ultimate goal of removing them altogether. They would like us to believe that relaxing zoning restrictions will improve affordability. But, as we have seen here and in other cases, relaxing zoning restrictions has only actually benefited wealthy folks who can afford high rents and mortgages of newer construction. Before approving spot zoning for properties such as this, the Council should first allow the Master Plan revision process to conclude, which hopefully will include authentic community engagement. Only then will we know what the Ann Arbor community as a whole wants in regards to the future of planning and development in Ann Arbor.

Thanks for your consideration,

From: [Tom Stulberg](#)
To: [Bannister, Anne](#); [Hayner, Jeff](#); [Lumm, Jane](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Nelson, Elizabeth](#); [Ramlawi, Ali](#)
Subject: Campus Business rezoning and the Garnet application
Date: Sunday, August 18, 2019 12:21:00 PM

The application to rezone 325 E. Summit (The Garnet) must be denied.

I was going to try to make a short version of this letter, but I think the full version is valuable, so I beg your indulgence in reading it. I can meet with you personally to discuss it in whole or in part.

Thank you,

Tom

Intro to rezoning in general:

The zoning ordinance provides specific standards that must be applied when considering the rezoning of property.

Council members and planning commissioners are not getting the proper directions from our planning department. The question is not whether they like the project or architecture. The issue is not whether the use is needed or not. The question is whether the **existing** zoning is no longer suitable or does not make sense for planning reasons. The additional question is whether the **proposed** zoning is suitable. We should not be trying to retrofit existing ordinances that were never intended to be used as proposed. This is ad hoc zoning at its worst.

Here is the text from the UDC chapter on Rezoning. These are the standards that the Council should be reviewing and the analysis that it should be doing.

5.29.9 Rezoning

"A. Purpose For the purpose of establishing and maintaining sound, stable and desirable development within the territorial limits of the City, the boundaries of any zoning district as shown on the zoning map **shall not be amended except** to correct an error, because of a change in municipal policy, or because of changed or changing conditions in a particular area or in the municipality generally, to rezone an area, extend the boundary of an existing zoning district or to change the regulations and restrictions of that district."

Here is part of what the applicant is supposed to provide as part of the rezoning application:

"5.29.9.F.2

- e. The alleged error in the zoning map, if any, that would be corrected by the proposed amendment together with a detailed explanation of the alleged error in the zoning map, and detailed reasons as to how the proposed amendment will correct that error.
- f. The changed or changing conditions, if any, in the area or in the municipality generally, that make the proposed amendment reasonably necessary.
- g. All other circumstances, factors and reasons which Applicant offers in support of the proposed amendment."

You can see that this has nothing to do with the building's architecture and many other comments from speakers, writers, commissioners, and council members. Neither the application nor the planning memo nor the planning department's response to council member questions appropriately address the language from the ordinance which makes it mandatory for the council to find that there was an error in the zoning classification or changing conditions.

There is a difference in zoning vs. rezoning:

There are certain rights a property owner has to use and develop their property **as currently zoned**. If they meet the standards of that zoning category, they have a by-right to develop it that way. We have a zoning system that is "hierarchical", allowing "less intense" uses in "more intense" categories. These "less intense" uses are permitted uses, but not the primary uses. So you can build 100% residential in an office or a commercial zoning category by right **if** you are already zoned that way. If you are asking for a rezoning to a new category, you should be meeting the intent of that new category.

For example, you should not be rezoning to a commercial or mixed use category if the intent is to develop an entirely residential project. That doesn't meet the criteria for a rezoning. What is the error or reason, merely to get increased density on a parcel by parcel basis? If you have a C1B zoned parcel on a block of C1B parcels, why can you not use C1B to develop a residential project? You do not have any **by-right** to a more intensive mixed used category to create the same use you already can.

Here is the intent statement of the C1A district from the UDC, which is proposed for the Garnet:

5.12.3 C1A Campus Business District

"This district is intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day- to-day needs, specialty shops, and recreation. While the primary function of this district is to serve as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population. These districts shall be located in close proximity to the central area of the City."

I will deal with the "campus" issue later, but you can see that the **intent** of this zoning category is for commercial, not residential. Remember that this zoning ordinance is our law; it is the codification of our master plan into laws that are to be enforced. Intent clauses are a deliberate part of that law. Can residential be built in nonresidential categories such as this category: yes, because of the hierarchical permitted use origin of our zoning ordinance. Should we be rezoning parcels one at a time that do not meet the intent of the ordinance: no. That defies the purpose of planning and zoning and the purpose of the intent clause being in our ordinance.

Here is the text from the UDC for C1A/R

5.12.5 C1A/R Campus Business Residential District

"A. Purpose Statement This district is intended to encourage the orderly clustering and placement of high density residential and complementary commercial development near the campus Business district"

Again setting the "Campus" issue aside for now, did you notice that there is specifically a companion

zoning category to C1A Campus **Business** District that does have the intent for residential that C1A does not have? If one is asking for a residential project that meets the Campus Business "qualifications", shouldn't the request be for C1A/R Campus Business **Residential** District which would meet that residential intent? It sure seems like C1A/R exists specifically to provide for the residential intent that does not exist in the intent of C1A.

I have deliberately not addressed any site plan issues for the Garnet proposal, because they are not part of the rezoning decision. That is a separate decision and a separate vote **after** the rezoning decision. I feel those issues are irrelevant to the rezoning question. At this point I hope I have addressed the question of why this property should be rezoned from C1B to C1A without needing to address the site plan or even the Campus issue. But now...

Where is the Campus Business District?

Where is the Campus Business District, how is it defined, how can it grow or migrate, and who gets to decide that? If you can see a University of Michigan blue sign from where you are standing, does that make it the Campus Business District? What if Sarah Palin can see Russia from her house? (For a fun break: <https://www.snopes.com/fact-check/sarah-palin-russia-house/>).

If the U of M calls it the Medical Center vs. the Medical Campus, does that define whether it's Campus or not? If the U of M rents a cluster of buildings, is that Campus? If the U of M buys more property (Fingerle) does that instantly change the boundaries of Campus? What about North Campus? What about the Argus Complex in the heart of the Old West side and does that U of M complex permit Campus Business Zoning for 415 W. Washington?! How close do you have to be to be "near" Campus? Does this mean the U of M controls the boundaries of our zoning districts and can alter the city's zoning ordinance without the city doing anything? Can someone else have a Campus, like when we had Cooley Law School on Plymouth Road? What happens to our zoning boundaries when a "Campus" closes?

The answer is a very simple: none of that should matter and fortunately it doesn't. The boundaries for the Campus Business District are not defined by a radius from single buildings nor even clusters of buildings, it is not North Campus, it is not the Medical Center (especially satellite buildings not part of the main Medical Center), and it is not defined by the U of M without any input from the city, which makes its own laws thank you very much.

The Campus Business District is the Gown part of our Town and Gown downtown urban core areas. It is essentially along South University Ave along with the streets immediately abutting it to the south, and the State and Packard intersection. It is not anything simply called "Campus"; it is the Campus **Business** District. It isn't merely defined by physical location but also by character. Urban Core zoning categories have requirements and standards particular to the character of an urban core. Picture either the Town or Gown urban core and certain things make sense like small front setbacks and zero side setbacks, but those things wouldn't make sense in a neighborhood. Urban core characteristics usually include taller heights, greater density, less parking, and more flexibility in mixed use. Picture the herds of undergrads walking up and down South University Ave going to class or finding a place for a meal or beverage. Our planning documents and zoning code support such an urban core, and differentiated our town and gown urban cores from other areas of the city. After a study of these core areas, some of the gown core was changed to D1 and D2 which we have in the town core, and a couple gown zoning categories were dropped. C1A and C1A/R were actually contemplated being dropped and similarly replaced. When these categories were created and later changed, the basic boundaries of what our urban cores were did not change!

C1A and C1A/R are core area zoning categories. While a case could be made to stretch the boundaries a little, perhaps to immediately adjacent properties, that would have more to do with the expansion of the urban core character, not the sign on a U of M building. The character of these categories are specifically designed for urban core areas, like D1 and D2 are. They are not to be used elsewhere where that character and the standards and requirements of those zoning categories do not fit.

Precedent:

Does rezoning a property create a precedent for other properties? In layperson language: hell yes! If you ask that question academically you might get an answer like: "All applications are evaluated on their own individual merits and council has full discretion to approve or deny them." If you ask an attorney, they might focus on the special meaning of the word "precedent" that has a different meaning to them than a layperson. It has to do with court cases, especially appellate cases, where the fact patterns match up with the one in question. It is like the word "theory" to a scientist vs. a layperson. What is certain is that in real world practice, by rezoning a property you make it real hard to deny someone else the same or similar zoning if they are nearby or have similar circumstances. If you deny a new applicant, they can take you to court, and you can't show why they were treated differently than the one you approved... so you lose.

If the city had turned down Morningside's LowerTown request for C1A/R, we might not be seeing the Garnet application for C1A. The lawsuit against the city by me and my neighborhood association in part seeks to close the door that was left open by that approval. We are in settlement talks and that is one of the main things we are asking for: removing the precedent of Campus Business zoning being allowed to migrate outside of our urban core areas. Our lawsuit actually helps the city slam that door shut.

Side note: The next topic is important but a little esoteric.

Transition Zoning:

The city deliberately created a transition zoning category, D2. Here is the text from the UDC:

D2 - Downtown Interface District

This district is intended to be an area of transition between the D1 and surrounding residential neighborhoods. This district is appropriate for medium density residential and mixed-use Development.

Additionally, when a mixed use zoning district abuts a residential district, the setbacks and sometimes heights are changed (see the footnotes in Table 5:17-4 and the full Table 5:17-6 on pages 60 and 62 of the UDC) to create a buffer between the core area and the neighboring residential area. For example, the South University Overlay says: "For D1 a minimum 30 foot setback from a Lot Line abutting any R zoning district. For D2, a minimum 40 foot setback. This setback shall be measured from the rear and side exterior walls of the Building to any R zoning district boundary on the same block as the Building."

The concept of a core and a transition between it and what lies beyond the core was clearly the intention of creating and later modifying D2 in our zoning ordinance. Allowing core zoning categories beyond that transition zone defies our planning and zoning documents and philosophy. It is absurd to deliberately create a transition zone, then increase the intensity or height beyond that transition zone. If we want to do that, for example to create some mini-downtowns or mixed use hubs on transit corridors, we could, but we would have to do that with a master plan revision and

some new zoning categories. Our current master plan and zoning ordinance do not support that.

Unlimited Height:

C1A and C1A/R have no height limit. Their maximum height is controlled only by FAR (Floor Area Ratio). That means if you have a decent sized lot or combine a few lots, the sky is the limit, literally. C1A's FAR is similar to D2, but C1A/R is one and a half times more than those. So, even a C1A building can be taller than D2 if it takes up less of the ground area and leaves some open space or surface parking. And C1A/R can easily create high-rise buildings as tall as those you would only expect in the core.

Excessive height isn't the only thing you get if you let these categories spread beyond the core. Remember the other core characteristics like setbacks that are eschewed in core zoning categories. They go away too. So that tall out of place building can also be closer to the lot line of its modest residential neighbors. Preventing this was exactly what was addressed by increasing the setbacks in the footnotes to Table 5:17-4 and in Table 5:17-6.

Premiums:

Here is the text from the UDC for Premiums:

5.18.6 Premiums and Affordable Housing

A premium is an increase in allowable Floor Area to exceed the normal maximum Floor Area Ratio established by this chapter for Structures in the C1A, C1A/R, D1 and D2 Zoning Districts.

A. Purpose

The intent of incorporating premiums into this chapter is:

1. To provide an incentive for residential development in and in close proximity to the City's downtown and to encourage affordable housing opportunities in situations where such opportunities might not otherwise be provided.
2. To encourage Development which reinforces pedestrian activity along streets within the central Business core and to achieve a greater mixture of land uses and intensities than might occur in the absence of such premiums in order to strengthen the economic vitality and diversity which is essential to a healthy and vibrant street life.

Notice which zoning categories allow these premiums and what they have in common? They are the urban core and the urban core transition categories. Also, the planning commission just passed suggested changes to the premiums to encourage creation of more affordable housing units or more money to the affordable housing fund. Allowing Campus Business District zoning outside of the urban core and transition area effectively allows developers to get "premiums" without the required trade off such as additional affordable housing. Properties all over the city outside the core will get to increase their allowable density without adding any benefit to the city (other than more market rate housing).

That is what the Garnet rezoning does. It increases the number of units on that lot without requiring affordable housing on site or money paid to the affordable housing fund instead. If developed as a PUD, there is a formula for calculating the number of units and the amount of money per unit. So we have tools in our zoning code like PUDs and Premiums, but this rezoning effectively gives away increased density with nothing in return and even worse it creates an opportunity for many other parcels around town to benefit from increased intensity of development with no trade off to benefit the city. From a planning and zoning standpoint, this is moving us in the opposite direction that we

are clearly stating we want to go.

Conditional Zoning:

The city of Ann Arbor does not apply zoning law appropriately, which includes how it deals with conditional zoning. It is getting it wrong again here.

Conditions are supposed to benefit the community not merely benefit the applicant. Planning department is trying to claim the benefit to the public is that the Garnet can't be replaced by a different (taller) building once the zoning is approved. Their conditions make it so they can't change their site plan without asking for a rezoning. But that is not a benefit to the community because the status quo already protects us from that. Leave it C1B and there is no issue of inappropriate height. Further, their conditional rezoning makes the community worse off because now someone else can get C1A or C1A/R nearby and there do not have to be any VOLUNTARY conditions on the next one.

I have a 10MB document that has excerpts and comments on many legal cases around the country specifically about conditional zoning. Yes, I read the whole thing. If anyone wants it, I'll share it. It is from "the" treatise on zoning law.

Here are applicable highlights from it:

"In this respect, a rezoning with conditions may be held invalid where the police power is bargained away, where the conditions imposed are illegal or unreasonable or where the rezoning primarily furthers private interests rather than the general welfare or otherwise constitutes illegal spot zoning."

"courts approving of rezoning with conditions have held such rezonings invalid when found to primarily benefit a private owner rather than the general welfare or when such action constitutes otherwise illegal spot zoning."

"the imposition of restrictive conditions usually benefits the surrounding properties and adversely affects the owner of the rezoned"

From: [Lumm, Jane](#)
To: [Kitty B. Kahn](#)
Subject: RE: Re-zoning
Date: Sunday, August 18, 2019 12:23:00 PM

Thank you very much, Kitty. I share your concerns re: the Master Plan revision, and these re-zonings and how they may be precedent setting.

Kind regards, Jane

From: Kitty B. Kahn <[REDACTED]>
Sent: Saturday, August 17, 2019 7:09 PM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Re-zoning


I have noticed several re-zoning requests lately and I am also aware of the proposed revision of the City's Master Plan. Please consider carefully the repercussions of your actions before you vote on these issues. It seems to me that some of the requested re-zonings, such as that of Garnet, are not necessary to achieve the proposed developments. Were this re-zoning approved, it would set a precedent for future such requests. I hope you take seriously my concerns when you consider how to vote. I would appreciate a reply. -Peace, Kitty

From: [Eaton, Jack](#)
To: [Tom Stulberg](#)
Subject: Re: Campus Business rezoning and the Garnet application
Date: Sunday, August 18, 2019 1:10:27 PM

Thank you Tom,

This is very useful. Near the end of your discussion, you include quotes from "the" treatise on zoning law. Could you provide me with the title and author (or editor) of that treatise. It would be handy to have for future zoning issues..

Best wishes,
Jack

On Aug 18, 2019, at 12:20 PM, Tom Stulberg <> wrote:

The application to rezone 325 E. Summit (**The Garnet**) must be denied.

I was going to try to make a short version of this letter, but I think the full version is valuable, so I beg your indulgence in reading it. I can meet with you personally to discuss it in whole or in part.

Thank you,

Tom

Intro to rezoning in general:

The zoning ordinance provides specific standards that must be applied when considering the rezoning of property.

Council members and planning commissioners are not getting the proper directions from our planning department. The question is not whether they like the project or architecture. The issue is not whether the use is needed or not. The question is whether the **existing** zoning is no longer suitable or does not make sense for planning reasons. The additional question is whether the **proposed** zoning is suitable. We should not be trying to retrofit existing ordinances that were never intended to be used as proposed. This is ad hoc zoning at its worst.

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any zoning district as shown on the zoning map **shall not be amended except** to correct an error, because of a change in municipal policy, or because of changed or changing conditions in a particular area or in the municipality generally, to rezone an area, extend the boundary of an existing zoning district or to change the regulations and restrictions of that district."

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- e. The alleged error in the zoning map, if any, that would be corrected by the proposed amendment together with a detailed explanation of the alleged error in the zoning map, and detailed reasons as to how the proposed amendment will correct that error.
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Additionally, when a mixed use zoning district abuts a residential district, the setbacks and sometimes heights are changed (see the footnotes in Table 5:17-4 and the full Table 5:17-6 on pages 60 and 62 of the UDC) to create a buffer between the core area and the neighboring residential area. For example, the South University Overlay says: "For D1 a minimum 30 foot setback from a Lot Line abutting any R zoning district. For D2, a minimum 40 foot setback. This setback shall be measured from the rear and side exterior walls of the Building to any R zoning district boundary on the same block as the Building."

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Notice which zoning categories allow these premiums and what they have in common? They are the urban core and the urban core transition categories. Also, the planning commission just passed suggested changes to the

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"the imposition of restrictive conditions usually benefits the surrounding properties and adversely affects the owner of the rezoned"

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jeaton@a2gov.org



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Join me for coffee on the first and third Monday each month at Roos Roast Coffee, 1155 Rosewood St., from 8:00 to 9:30 am.

From: [Eaton, Jack](#)
To: [Kitty B. Kahn](#)
Subject: Re: C-1 19-1186 Rezoning
Date: Sunday, August 18, 2019 1:15:15 PM

Kitty,

Thank you for writing to Council with you concerns about the proposed rezoning of 325 E. Summit Street (the Garnet). I voted against this rezoning at the first reading and will likely vote against it again, unless some compelling reason for approval arises. I fear that these instances of spot zoning will create a precedent that will cause the City unforeseen problems in the future. I also believe the particular zoning sought for this site is inappropriate because the property is nowhere near the core campus business district.

Best wishes,
Jack

On Jul 15, 2019, at 6:40 PM, Kitty B. Kahn <[REDACTED]> wrote:

I am writing to object to the proposed Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street.

This location is not on or close to campus. I am concerned that, if this rezoning goes forward, it will set a precedent to rezone as C1A other parts of Ann Arbor that are also not on or close to campus. This zoning category was intended for a certain area as a Core zoning and it has no height limit. If allowed to go forward, this rezoning could result in many other Ann Arbor areas that are not on or even close to campus being defined as Campus Business Districts. I encourage you to vote this down at first reading.

Thank you. -Peace, Kitty

Jack Eaton
Ward 4 Council member
jeaton@a2gov.org
[REDACTED]

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From: [Tom Stulberg](#)
To: [Eaton, Jack](#)
Subject: Re: Campus Business rezoning and the Garnet application
Date: Sunday, August 18, 2019 1:25:41 PM

I copied and pasted this from the beginning of what was forwarded to me. It is messy:

Chapter 44 Rezoning With Conditions, Contract and Conditional Rezoning, and Development Agreements* § 44:1 An overview I. REZONING WITH SITE-SPECIFIC CONDITIONS §44:2 Generally § 44:3 Held ultra vires and criticized §44:4 Authority upheld as flexible zoning device §44:5 Conditioning on future event §44:6 Reverter provisions §44:7 Judicial review—Generally §44:8 —^Validity of conditions imposed §44:9 —Illegal when spot zoning II. REZONING BY CONCOMITANT AGREEMENTS §44:10 §44:11 §44:12 §44:13 §44:14 §44:15 §44:16 §44:17 §44:18 §44:19 §44:20 §44:21 §44:22 Research References West's Key Number Digest Zoning and Planning 160, 161, 162, 163, 164, 165, 166, 167, 167.1 Developer-municipality agreements—Generally —Illegal contract zoning —Valid conditional zoning —Developer challenge and promissory estoppel —Developer representations and equitable fraud —Protection from subsequent rezoning —Development agreements—Nature and authority ^Validity and enforceability Developer-private party agreements Developer-public agency agreements Intergovernmental agreements Annexation agreements Developer remedies when zoning not enacted or held invalid *By Edward H. Ziegler, Jr. Edward Ziegler is Professor of Law at the —^ University of Denver College of Law. He is a frequent author and speaker on planning and zoning law issues and is the principal author for revision of this treatise. ©2005 Thomson/West, 5/2005 44-1 The Law of Zoning and Planning A.L.R. Library

From: Eaton, Jack <JEaton@a2gov.org>
Sent: Sunday, August 18, 2019 1:10 PM
To: Tom Stulberg <[REDACTED]>
Subject: Re: Campus Business rezoning and the Garnet application

Thank you Tom,

This is very useful. Near the end of your discussion, you include quotes from "the" treatise on zoning law. Could you provide me with the title and author (or editor) of that treatise. It would be handy to have for future zoning issues..

Best wishes,
Jack

On Aug 18, 2019, at 12:20 PM, Tom Stulberg <[REDACTED]>

wrote:

The application to rezone 325 E. Summit (**The Garnet**) must be denied.

I was going to try to make a short version of this letter, but I think the full version is valuable, so I beg your indulgence in reading it. I can meet with you personally to discuss it in whole or in part.

Thank you,

Tom

Intro to rezoning in general:

The zoning ordinance provides specific standards that must be applied when considering the rezoning of property.

Council members and planning commissioners are not getting the proper directions from our planning department. The question is not whether they like the project or architecture. The issue is not whether the use is needed or not. The question is whether the **existing** zoning is no longer suitable or does not make sense for planning reasons. The additional question is whether the **proposed** zoning is suitable. We should not be trying to retrofit existing ordinances that were never intended to be used as proposed. This is ad hoc zoning at its worst.

Here is the text from the UDC chapter on Rezoning. These are the standards that the Council should be reviewing and the analysis that it should be doing.

5.29.9 Rezoning

"A. Purpose For the purpose of establishing and maintaining sound, stable and desirable development within the territorial limits of the City, the boundaries of any zoning district as shown on the zoning map **shall not be amended except** to correct an error, because of a change in municipal policy, or because of changed or changing conditions in a particular area or in the municipality generally, to rezone an area, extend the boundary of an existing zoning district or to change the regulations and restrictions of that district."

Here is part of what the applicant is supposed to provide as part of the rezoning application:

"5.29.9.F.2

- e. The alleged error in the zoning map, if any, that would be corrected by the proposed amendment together with a detailed explanation of the alleged error in the zoning map, and detailed reasons as to how the proposed amendment will correct that error.
- f. The changed or changing conditions, if any, in the area or in the municipality generally, that make the proposed amendment reasonably necessary.

- g. All other circumstances, factors and reasons which Applicant offers in support of the proposed amendment."

You can see that this has nothing to do with the building's architecture and many other comments from speakers, writers, commissioners, and council members. Neither the application nor the planning memo nor the planning department's response to council member questions appropriately address the language from the ordinance which makes it mandatory for the council to find that there was an error in the zoning classification or changing conditions.

There is a difference in zoning vs. rezoning:

There are certain rights a property owner has to use and develop their property **as currently zoned**. If they meet the standards of that zoning category, they have a by-right to develop it that way. We have a zoning system that is "hierarchical", allowing "less intense" uses in "more intense" categories. These "less intense" uses are permitted uses, but not the primary uses. So you can build 100% residential in an office or a commercial zoning category by right **if** you are already zoned that way. If you are asking for a rezoning to a new category, you should be meeting the intent of that new category.

For example, you should not be rezoning to a commercial or mixed use category if the intent is to develop an entirely residential project. That doesn't meet the criteria for a rezoning. What is the error or reason, merely to get increased density on a parcel by parcel basis? If you have a C1B zoned parcel on a block of C1B parcels, why can you not use C1B to develop a residential project? You do not have any **by-right** to a more intensive mixed used category to create the same use you already can.

Here is the intent statement of the C1A district from the UDC, which is proposed for the Garnet:

5.12.3 C1A Campus Business District

"This district is intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day- to-day needs, specialty shops, and recreation. While the primary function of this district is to serve as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population. These districts shall be located in close proximity to the central area of the City."

I will deal with the "campus" issue later, but you can see that the **intent** of this zoning category is for commercial, not residential. Remember that this zoning ordinance is our law; it is the codification of our master plan into laws that are to be enforced. Intent clauses are a deliberate part of that law. Can residential be built in nonresidential categories such as this category: yes, because of the

hierarchical permitted use origin of our zoning ordinance. Should we be rezoning parcels one at a time that do not meet the intent of the ordinance: no. That defies the purpose of planning and zoning and the purpose of the intent clause being in our ordinance.

Here is the text from the UDC for C1A/R

5.12.5 C1A/R Campus Business Residential District

"A. Purpose Statement This district is intended to encourage the orderly clustering and placement of high density residential and complementary commercial development near the campus Business district"

Again setting the "Campus" issue aside for now, did you notice that there is specifically a companion zoning category to C1A Campus **Business** District that does have the intent for residential that C1A does not have? If one is asking for a residential project that meets the Campus Business "qualifications", shouldn't the request be for C1A/R Campus **Business Residential** District which would meet that residential intent? It sure seems like C1A/R exists specifically to provide for the residential intent that does not exist in the intent of C1A.

I have deliberately not addressed any site plan issues for the Garnet proposal, because they are not part of the rezoning decision. That is a separate decision and a separate vote **after** the rezoning decision. I feel those issues are irrelevant to the rezoning question. At this point I hope I have addressed the question of why this property should be rezoned from C1B to C1A without needing to address the site plan or even the Campus issue. But now...

Where is the Campus Business District?

Where is the Campus Business District, how is it defined, how can it grow or migrate, and who gets to decide that? If you can see a University of Michigan blue sign from where you are standing, does that make it the Campus Business District? What if Sarah Palin can see Russia from her house? (For a fun break: <https://www.snopes.com/fact-check/sarah-palin-russia-house/>).

If the U of M calls it the Medical Center vs. the Medical Campus, does that define whether it's Campus or not? If the U of M rents a cluster of buildings, is that Campus? If the U of M buys more property (Fingerle) does that instantly change the boundaries of Campus? What about North Campus? What about the Argus Complex in the heart of the Old West side and does that U of M complex permit Campus Business Zoning for 415 W. Washington?! How close do you have to be to be "near" Campus? Does this mean the U of M controls the boundaries of our zoning districts and can alter the city's zoning ordinance without the city doing anything? Can someone else have a Campus, like when we had Cooley Law School on Plymouth Road? What happens to our zoning boundaries when a "Campus" closes?

The answer is a very simple: none of that should matter and fortunately is doesn't. The boundaries for the Campus Business District are not defined by a radius from single buildings nor even clusters of buildings, it is not North Campus, it is not the Medical Center (especially satellite buildings not part of the main Medical Center), and it is not defined by the U of M without any input from the city, which makes its own laws thank you very much.

The Campus Business District is the Gown part of our Town and Gown downtown urban core areas. It is essentially along South University Ave along with the streets immediately abutting it to the south, and the State and Packard intersection. It is not anything simply called "Campus"; it is the Campus **Business** District. It isn't merely defined by physical location but also by character. Urban Core zoning categories have requirements and standards particular to the character of an urban core. Picture either the Town or Gown urban core and certain things make sense like small front setbacks and zero side setbacks, but those things wouldn't make sense in a neighborhood. Urban core characteristics usually include taller heights, greater density, less parking, and more flexibility in mixed use. Picture the herds of undergrads walking up and down South University Ave going to class or finding a place for a meal or beverage. Our planning documents and zoning code support such an urban core, and differentiated our town and gown urban cores from other areas of the city. After a study of these core areas, some of the gown core was changed to D1 and D2 which we have in the town core, and a couple gown zoning categories were dropped. C1A and C1A/R were actually contemplated being dropped and similarly replaced. When these categories were created and later changed, the basic boundaries of what our urban cores were did not change!

C1A and C1A/R are core area zoning categories. While a case could be made to stretch the boundaries a little, perhaps to immediately adjacent properties, that would have more to do with the expansion of the urban core character, not the sign on a U of M building. The character of these categories are specifically designed for urban core areas, like D1 and D2 are. They are not to be used elsewhere where that character and the standards and requirements of those zoning categories do not fit.

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From: [Eaton, Jack](#)
To: [Tom Stulberg](#)
Subject: Re: Campus Business rezoning and the Garnet application
Date: Sunday, August 18, 2019 1:41:45 PM
Attachments: [TheLawof Zoning.png](#)

Thanks,

The price for the six volume treatise is \$3,636.00. I guess I won't be buying a copy. If I need to look at it I can go to the UM Law Library.

Thanks for the excerpts.

Jack

On Aug 18, 2019, at 1:25 PM, Tom Stulberg <[REDACTED]> wrote:

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Rathkopf's The Law of Zoning and Planning, 4th

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From: [Tom Stulberg](#)
To: [Eaton, Jack](#)
Subject: Re: Campus Business rezoning and the Garnet application
Date: Sunday, August 18, 2019 1:45:10 PM
Attachments: [TheLawof Zoning.png](#)

Hmmmm. It is than your council member expense allowance.

Do you have coffee hours tomorrow morning?

Sent from my iPhone


On Aug 18, 2019, at 1:41 PM, Eaton, Jack <JEaton@a2gov.org> wrote:

Thanks,

The price for the six volume treatise is \$3,636.00. I guess I won't be buying a copy. If I need to look at it I can go to the UM Law Library.

Thanks for the excerpts.

Jack

On Aug 18, 2019, at 1:25 PM, Tom Stulberg
< wrote:

I copied and pasted this from the beginning of what was forwarded to me. It is messy:

Chapter 44 Rezoning With Conditions, Contract and Conditional Rezoning, and Development Agreements* § 44:1 A n o v e r v i e w
I. REZONING WITH SITE-SPECIFIC CONDITIONS §44:2 Generally § 44:3 H e l d u l t r a v i r e s a n d c r i t i c i z e d §44:4 Authority upheld as flexible zoning device §44:5 Conditioning on future event §44:6 Reverter provisions §44:7 Judicial review—Generally §44:8 —
^Validity of conditions imposed §44:9 —Illegal when spot zoning I I .
R E Z O N I N G B Y C O N C O M I T A N T A G R E E M E N T S §44:10
§44:11 §44:12 §44:13 §44:14 §44:15 §44:16 §44:17 §44:18 §44:19
§44:20 §44:21 §44:22 R e s e a r c h R e f e r e n c e s West's Key
Number Digest Zoning and Planning 160, 161, 162, 163, 164, 165,
166, 167, 167.1 Developer-municipality agreements—Generally —
Illegal contract zoning —Valid conditional zoning —Developer
chedlenge and promissory estoppel —Developer representations and
equitable fraud —Protection from subsequent rezoning —

Development agreements—Nature and authority ^Validity and enforceability Developer-private party agreements Developer-public agency agreements Intergovernmental agreements Annexation agreements Developer remedies when zoning not enacted or held invalid *By Edward H. Ziegler, Jr. Edward Ziegler is Professor of Law at the —^ University of Denver College of Law. He is afrequent author and speaker on planning and zoning law issues and is the principal author for revision of this treatise. ©2005 Thomson/West, 5/2005 44-1 T h e L a w o f Z o n i n g a n d P l a n n i n g A.L.R. Library

Jack Eaton
Ward 4 Council member
jeaton@a2gov.org


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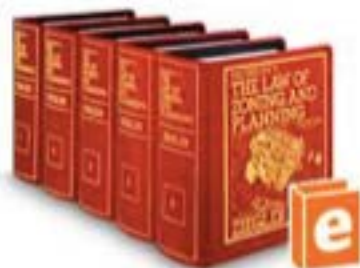
Follow me on FaceBook: <http://www.facebook.com/CouncilMemberEaton/>

Join me for coffee on the first and third Monday each month at Roos Roast Coffee, 1155 Rosewood St., from 8:00 to 9:30 am.

<TheLawof Zoning.png>

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From: [Lumm, Jane](#)
To: [Jeff Crockett](#); [Christine Crockett](#)
Subject: RE: Major Concerns with the Garnet's Proposed Zoning Change (Updated to Correct a Typo)
Date: Sunday, August 18, 2019 1:55:00 PM

Dear Jeff and Christine,

Your very thoughtful letter and attached map are exceedingly insightful and helpful – thank you so very much! Honestly, your precisely articulated letter is a [wow](#) in so many respects, and I thank you most sincerely for taking the time to share your critical and greatly appreciated insight.

With my sincere thanks for your excellent letter, and for your enduring helpfulness, care and attention to protecting our fair city for the generations to come. Most gratefully, Jane

From: Jeff Crockett <[REDACTED]>
Sent: Sunday, August 18, 2019 10:42 AM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Major Concerns with the Garnet's Proposed Zoning Change (Updated to Correct a Typo)

Dear City Council Representatives,

The Garnet proposal to change the zoning from a C1B to C1A to increase the height and FAR (Floor to Area Ratio) of their condo development is seductive on the surface. After all, what could be wrong about a modest increase in height and a 25% increase in FAR to a project in a downtown area where more housing is needed?

Well, as it turns out, there are many reasons why the Garnet proposal should send up a red flag for all of us. Here are but a few:

First, there is a great deal of confusion about what constitutes a Campus Business District. According to Section 5.12.3 in the UDC, a C1A Campus Business District is ... "intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-to-day needs, specialty shops, and recreation." Currently, the Garnet property is designated as C1B, a Community Convenience Center. Re-zoning this as a campus area is a radical change and calls into question what other areas in Ann Arbor could be called a Campus Business District. If you look at the attached chart of University-owned land across the city, it is clear that developers could easily request C1A zoning for their own developments near university-owned land simply to make them more profitable without any contribution to affordable housing. So, in effect, changing this designation for the Garnet proposal is creating a huge **loophole**. Consequently, you should reject the Garnet proposal and, instead, direct the planning department to define a Campus Business District more specifically and clarify what areas in the city should be and should not be considered Campus Business Districts. Only then should you re-consider the Garnet proposal.

Second, in exchange for this upzoned project with units priced at \$450 per square foot targeting young professionals and empty-nesters (see <https://expo.mlive.com/news/erry-2018/11/9308e8ccbc4692/see-plans-for-the-garnet-condo.html>), the Ann Arbor community gets zero affordable housing units. This is nothing more than a giveaway.

Third, rezoning this property could very well be interpreted by pro-density advocates as an incentive to continue to chip away at local zoning laws with the ultimate goal of removing them altogether. They would like us to believe that relaxing zoning restrictions will improve affordability. But, as we have seen here and in other cases, relaxing zoning restrictions has only actually benefited wealthy folks who can afford high rents and mortgages of newer construction. Before approving spot zoning for properties such as this, the Council should first allow the Master Plan revision process to conclude, which hopefully will include authentic community engagement. Only then will we know what the Ann Arbor community as a whole wants in regards to the future of planning and development in Ann Arbor.

Thanks for your consideration,

Jeff and Christine Crockett

From: [Kitty](#)
To: [Lumm, Jane](#)
Subject: Re: Re-zoning
Date: Sunday, August 18, 2019 2:55:31 PM

Thanks, Jane. -Peace, Kitty

Love is the answer.
- John Lennon

On Aug 18, 2019, at 12:23 PM, Lumm, Jane <JLumm@a2gov.org> wrote:

Thank you very much, Kitty. I share your concerns re: the Master Plan revision, and these re-zonings and how they may be precedent setting.

Kind regards, Jane

From: Kitty B. Kahn <[REDACTED]>
Sent: Saturday, August 17, 2019 7:09 PM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Re-zoning

I have noticed several re-zoning requests lately and I am also aware of the proposed revision of the City's Master Plan. Please consider carefully the repercussions of your actions before you vote on these issues. It seems to me that some of the requested re-zonings, such as that of Garnet, are not necessary to achieve the proposed developments. Were this re-zoning approved, it would set a precedent for future such requests. I hope you take seriously my concerns when you consider how to vote. I would appreciate a reply.
-Peace, Kitty

From: [Kitty](#)
To: [Eaton, Jack](#)
Subject: Re: C-1 19-1186 Rezoning
Date: Sunday, August 18, 2019 2:56:09 PM

Thanks, Jack. -Peace, Kitty


Love is the answer.
- John Lennon

On Aug 18, 2019, at 1:15 PM, Eaton, Jack <JEaton@a2gov.org> wrote:

Kitty,

Thank you for writing to Council with you concerns about the proposed rezoning of 325 E. Summit Street (the Garnet). I voted against this rezoning at the first reading and will likely vote against it again, unless some compelling reason for approval arises. I fear that these instances of spot zoning will create a precedent that will cause the City unforeseen problems in the future. I also believe the particular zoning sought for this site is inappropriate because the property is nowhere near the core campus business district.

Best wishes,
Jack

On Jul 15, 2019, at 6:40 PM, Kitty B. Kahn <> wrote:

I am writing to object to the proposed Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street.

This location is not on or close to campus. I am concerned that, if this rezoning goes forward, it will set a precedent to rezone as C1A other parts of Ann Arbor that are also not on or close to campus. This zoning category was intended for a certain area as a Core zoning and it has no height limit. If allowed to go forward, this rezoning could result in many other Ann Arbor areas that are not on or even close to campus being defined as Campus Business Districts. I

encourage you to vote this down at first reading.

Thank you. -Peace, Kitty

Jack Eaton
Ward 4 Council member
jeaton@a2gov.org


Messages to and from me regarding City matters are subject to disclosure under the Michigan Freedom of Information Act (FOIA) without regard to what email account they are sent or received.

Follow me on FaceBook: <http://www.facebook.com/CouncilMemberEaton/>

Join me for coffee on the first and third Monday each month at Roos Roast Coffee, 1155 Rosewood St., from 8:00 to 9:30 am.

From: [Ramlawi, Ali](#)
To: [Kitty B. Kahn](#)
Subject: Re: Re-zoning
Date: Sunday, August 18, 2019 5:39:15 PM

Kitty.


Thank you for your continued interest in land use issues with respects to petitions in having properties rezoned. Yes it is true we are taking a comprehensive look @ land use as we revisit the Master Plan, we cannot place a moratorium on rezoning request. I believe this is a case of where we need to “cook while eating”, I know that isn’t the best way to eat, but all the low hanging fruit has been picked.

The Garnet property rezoning request is unique like many other petitions that come to council, each one needs to be evaluated on those unique set of circumstances in addition to our overall land use policy.

The petitioner in this case has asked for a postponed til September so that they can provide council with more information that has been requested.

Hope Steve & Jimmy are doing well.

Warm regards
Ali
Sent from my iPad

On Aug 17, 2019, at 7:09 PM, Kitty B. Kahn < wrote:

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-Peace, Kitty

From: [Kitty](#)
To: [Ramlawi, Ali](#)
Subject: Re: Re-zoning
Date: Sunday, August 18, 2019 5:44:58 PM

Thanks, Ali. -Peace, Kitty

Love is the answer.
- John Lennon

On Aug 18, 2019, at 5:39 PM, Ramlawi, Ali <ARamlawi@a2gov.org> wrote:

Kitty.


Thank you for your continued interest in land use issues with respects to petitions in having properties rezoned. Yes it is true we are taking a comprehensive look @ land use as we revisit the Master Plan, we cannot place a moratorium on rezoning request. I believe this is a case of where we need to “cook while eating”, I know that isn’t the best way to eat, but all the low hanging fruit has been picked.

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would appreciate a reply. -Peace, Kitty

From: [Vivienne Armentrout](#)
To: [Grand, Julie](#); [Hayner, Jeff](#); [Bannister, Anne](#); [Ramiawi, Ali](#); [Lumm, Jane](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Nelson, Elizabeth](#); [Taylor, Christopher \(Mayor\)](#); [Ackerman, Zach](#); [Smith, Chip](#)
Subject: Garnet rezoning
Date: Sunday, August 18, 2019 6:23:43 PM

Councilmembers and Mayor Taylor:

??Please do not approve item B-2 on the August 19 agenda, which would grant a rezoning of 325 Summit from C1B to CIA.I would like to stress two reasons:

(1) The inadvisability of spot zoning in this area; and

(2) The need to avoid major changes to the area (such as awarding Campus business district zoning) prior to the Master Plan revision process, which is now beginning.(I recently wrote a review that summarizes some current descriptions:

<https://linkprotect.cudasvc.com/url?a=https%3a%2f%2flocalinannarbor.com%2f2019%2f07%2f06%2fthe-master-plan-and-ann-arbor-emergent%2f&c=E,1,bd9Zs1SejICIIbzeBrMU-OywdFR5A2xxJgld0pjfrkjm9mHwksNqEZF6Kq5BGo9Cj4MyUhHF5lh8oBvgUMPmnaLf45dJSYYf7DvVzCIXuQ7fMLgr6iN&typo=1>)

??While this project in itself appears to be a good use of this location, granting this rezoning merely to allow the developer more leeway in his design is a textbook example of ???*spot zoning*???, which is generally regarded as poor planning practice.More to the point, it creates a precedent which could result in a *cascade* of effects that could change the character of the entire area.

??I have been told that such a precedent could give another property owner a good legal basis on which to ask for a similar favor.It should be recognized that awarding a CIA zoning amounts to a cash gift handed to the property owner, since it automatically increases the value of the parcel. It would surely only be a matter of time before offers were made for other parcels nearby on the expectation of being treated in the same way as this requester.It would be difficult to argue that this was contrary to our zoning code once it has already been breached in this manner.

??The *North Central neighborhood* adjacent to the Depot is one of Ann Arbor???'s oldest neighborhoods, and it has a special history. At one time it was a segregated Black neighborhood of proud homeowners and the North Central Property Owners Association (founded 1958) fought back vigorously against the urban renewal of the 1960s that would have demolished most of the neighborhood and many of the historic buildings that now enliven the Kerrytown area.Many cities lost their inner city Black and working-class neighborhoods at the time, but this remains one of Ann Arbor???'s treasures.

*Please refer to the attached diagram showing the location of the parcel (highlighted in red).*Note that it is surrounded by R4A residential-zoned blocks.These are a mix of single-family homes and multifamily buildings that have retained the scale and style of older buildings, often with ingenious reuse. It is one of Ann Arbor???'s most charming areas and is an asset to the entire city. But because it is so close to the Downtown and now to the ever-expanding University of Michigan, it is vulnerable.Once those blocks are broken up by insertion of tall, high-market-value buildings, it is likely that the entire area could be lost.

??Perhaps some would say that this is a better fate for this area (density being so prized now).But that is a matter that should be resolved on a community-wide basis (the Master Plan process) rather than by scattershot spot zoning awards.

??Thank you for your attention.


From: [Jeff Crockett](#)
To: [Bannister, Anne](#)
Cc: [Tom Stulberg](#); [Christine Crockett](#)
Subject: Has The Garnet proposal been delayed?
Date: Sunday, August 18, 2019 8:25:19 PM

Hi Anne,

Ali Ramlawi, in a response to Kitty Kahn, said that the Garnet proposal has been pulled from tomorrow night's agenda. Is this what you understand?

Jeff

From: [Cendra Lynn](#)
To: [Taylor, Christopher \(Mayor\)](#); [Bannister, Anne](#); [Hayner, Jeff](#); [Lumm, Jane](#); [Griswold, Kathy](#); [Ackerman, Zach](#); [Grand, Julie](#); [Eaton, Jack](#); [Nelson, Elizabeth](#); [Smith, Chip](#); [Ramlawi, Ali](#)
Subject: Garnet proposal
Date: Monday, August 19, 2019 1:52:55 AM


Ann Arbor, 48103
19 August 2019

Dear Mayor and City Council Members,

I am writing in support of the thoughts expressed in two letters you have received objecting to the proposal to rezone the property at 325 Summit St. I believe they have thoroughly covered the objections to this plan. I urge you to vote against it for all the reasons they give.

It is a shame that any of you would even consider trying to subvert the master plan which is coming into being. This looks like another attempt to sneak one past those of us who are trying to keep control of the ambiance of Ann Arbor in the hands of the people who live here. You seem to be fighting an underground war against us, so that we always have another bad plan by outside developers to fight against.

I don't think any of you are bad people, so I do not understand why you so often try to do things that you know will cause upset and bad will. The only thing I can imagine that would lead you in this direction is money, though I do not understand how that works. This is what Karen Sidney was discovering just before she died, but we never got to learn what she had found.

Please realize that what I would call normal citizens do not want our city run by outsiders. We feel we are quite capable of managing with our own resources. Please focus on our more urgent problems: the worst streets in the USA, pedestrian crossings, affordable housing...to name just a few.

Respectfully,
Cendra Lynn

From: [Bannister, Anne](#)
To: [Cendra Lynn](#)
Subject: Re: Garnet proposal
Date: Monday, August 19, 2019 8:01:24 AM

Thanks, Cendra Lynn, for your support! I'm sorry I didn't know Karen Sidney, but I've heard about her work.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Cendra Lynn <[REDACTED]>
Sent: Monday, August 19, 2019 1:52 AM
To: Taylor, Christopher (Mayor) <CTaylor@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>; Ackerman, Zach <ZAckerman@a2gov.org>; Grand, Julie <JGrand@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Nelson, Elizabeth <ENelson@a2gov.org>; Smith, Chip <ChSmith@a2gov.org>; Ramlawi, Ali <ARamlawi@a2gov.org>
Subject: Garnet proposal

[REDACTED]
Ann Arbor, 48103
19 August 2019

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I don't think any of you are bad people, so I do not understand why you so often try to do things that you know will cause upset and bad will. The only thing I can imagine that would lead you in this direction is money, though I do not understand how that works. This is what Karen Sidney was discovering just before she died, but we never got to learn what she had found.

Please realize that what I would call normal citizens do not want our city run by outsiders. We feel

we are quite capable of managing with our own resources. Please focus on our more urgent problems: the worst streets in the USA, pedestrian crossings, affordable housing...to name just a few.

Respectfully,
Cendra Lynn

From: [Bannister, Anne](#)
To: [Christine Crockett](#)
Cc: [Jeff Crockett](#); [Tom Stulberg](#); [Beth Collins](#); [David Silkworth](#)
Subject: Re: Caucus
Date: Monday, August 19, 2019 8:34:08 AM

I saw the pictures on Facebook! Sorry for the loss, but it is fortunate that no one was in its path.

Today is going to be action-packed over here:

- Broadway roundabout
- The Garnet -- 19-1186
- Fee in Lieu of Affordable Housing Formula and Rate -- 19-1411
- Green Rd. reconfiguration -- 19-1567
- FOIA requests

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Christine Crockett <[REDACTED]>
Sent: Sunday, August 18, 2019 6:39 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: Jeff Crockett <[REDACTED]> Tom Stulberg <[REDACTED]> Beth Collins <[REDACTED]> David Silkworth <[REDACTED]>
Subject: Caucus

Dear Anne,

A huge section of the burr oak tree in our front yard just broke off. Fortunately, nothing and no one was hurt. It just happened, so we won't be able to make it to caucus tonight. It's so large that it's covering a large part of our shared driveway. We are sawing it up and trying to clear it away right now. Please send our best to everyone.

We will be there at council tomorrow.

Chris

From: [Bannister, Anne](#)
To: [Jeff Crockett](#); [Eaton, Jack](#)
Cc: [Tom Stulberg](#); [Christine Crockett](#)
Subject: Re: Has The Garnet proposal been delayed?
Date: Monday, August 19, 2019 8:51:53 AM

Last Friday, Kelly Anderson, the developer, formally requested a postponement, but that would need to be approved by Council and they may not have the 6 votes.

I'll be talking with them today about whether they want to withdraw their plan instead, which would not require a vote of Council.

Anne Bannister
Ward One Councilmember

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Jeff Crockett <[REDACTED]>
Sent: Sunday, August 18, 2019 8:25 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: Tom Stulberg <[REDACTED]> Christine Crockett <[REDACTED]>
Subject: Has The Garnet proposal been delayed?

Hi Anne,

Ali Ramlawi, in a response to Kitty Kahn, said that the Garnet proposal has been pulled from tomorrow night's agenda. Is this what you understand?

Jeff

From: [Rita](#)
To: [Taylor, Christopher \(Mayor\)](#); [Ramlawi Ali](#); [Griswold Katherine](#); [Eaton, Jack](#); [Grand, Julie](#); [Ackerman, Zach](#); [Smith, Chip](#); [Bannister Anne](#); [Jeff Hayner](#); [Nelson, Elizabeth](#); [Lumm Jane](#)
Subject: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street
Date: Monday, August 19, 2019 10:26:23 AM

Dear Mayor and Council,

I am writing to request that you vote NO on tonight's agenda item DB-1 [19-1185](#)

Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street

Reason: The proposed structure distorts the purpose of the requested zoning, by including only residential units, and the developer wants to include conditions that exceed the zoning requirements.

The city has initiated the process of reviewing the Master Plan. It is time to both focus on that process and to follow the guidance of the existing Master Plan until it is changed according to the direction of the people of the city. It appears that a developer is trying to modify the Master Plan before the citizens have had a chance to weigh in on changes.

I know that some will invoke the point of providing additional housing. I understand our needs for more housing spaces. The development under your review will add exactly 10 units, all of which are not of the affordable pricing range that is a major concern. In addition, by providing only residential spaces, the developer is further distorting the requested zoning that supports commercial uses, and the mixed quality of services that are provided by the zoning. Lastly, the location is not comparable to the Campus Business District zoning.

Please reject the request to rezone the property for the proposed building described in DB-1.

Thank you.

Sincerely,

Rita Mitchell



Ann Arbor, MI 48103

From: [Rita](#)
To: [Taylor, Christopher \(Mayor\)](#); [Ramlawi, Ali](#); [Griswold, Katherine](#); [Eaton, Jack](#); [Grand, Julie](#); [Ackerman, Zach](#); [Smith, Chip](#); [Bannister, Anne](#); [Jeff Hayner](#); [Nelson, Elizabeth](#); [Lumm, Jane](#)
Subject: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street
Date: Monday, August 19, 2019 10:42:41 AM

Noted after I sent my message: The Developer Agreement for The Garnet is specific on the chemicals to be tested for from sump pump water discharge, to the point of the list being limited to the chemicals named. I suggest that in our current era of concern with toxics entering public waters, that the list be more open-ended to avoid the possibility of excluding a chemical of concern, and that at a minimum PFOS/PFAS be added to the list.

Rita Mitchell

On Aug 19, 2019, at 10:26 AM, Rita <[REDACTED]> wrote:

Dear Mayor and Council,

I am writing to request that you vote NO on tonight's agenda item DB-1 [19-1185](#)

Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street

Reason: The proposed structure distorts the purpose of the requested zoning, by including only residential units, and the developer wants to include conditions that exceed the zoning requirements.

The city has initiated the process of reviewing the Master Plan. It is time to both focus on that process and to follow the guidance of the existing Master Plan until it is changed according to the direction of the people of the city. It appears that a developer is trying to modify the Master Plan before the citizens have had a chance to weigh in on changes.

I know that some will invoke the point of providing additional housing. I understand our needs for more housing spaces. The development under your review will add exactly 10 units, all of which are not of the affordable pricing range that is a major concern. In addition, by providing only residential spaces, the developer is further distorting the requested zoning that supports commercial uses, and the mixed quality of services that are provided by the zoning. Lastly, the location is not comparable to the Campus Business District zoning.

Please reject the request to rezone the property for the proposed building described in DB-1.

Thank you.

Sincerely,

Rita Mitchell



Ann Arbor, MI 48103

From: [Tom Stulberg](#)
To: [CityCouncil](#)
Subject: Vote NO on the Garnet rezoning rather than postpone
Date: Monday, August 19, 2019 11:16:18 AM

The applicant has stated they would like to have council postpone the vote on the rezoning application known as the Garnet. They have stated that they will submit additional drawings that were previously requested of the developer but not provided. That is a site plan consideration, not a zoning consideration.

The zoning category chosen by the applicant is inappropriate for that parcel. That will not be changing in their application. Please deny their request to postpone tonight, and please deny their rezoning request.

Thank you,

Tom Stulberg



48105

From: [Beth Collins](#)
To: [CityCouncil](#)
Subject: Garnet Developer trying to Postpone
Date: Monday, August 19, 2019 11:48:55 AM

Hello City Council and Mayor Taylor,

I have heard that the developer for the Garnet will be asking for a postponement for 2 weeks at tonights scheduled Second Reading and Public Hearing of rezone and site plan.

This appears to be clearly a "stall tactic", similar to what Lockwood tried. To wait for more support, or when they notice that they don't have the votes, mostly for the REZONE to an inappropriate zoning category. Zoning should matter, and it seems that City Staff and the Planning Commission doesn't regard our zoning as important, especially when spot zoning or up zoning. It's like the wild west.

This is a beautiful condo complex, similar to the hundreds of others which have been approved and built. Why try to sneak a zoning change to Campus in??

I urge you to deny the postponement and proceed with the voting. The plans will not be changing.....nothing will be changing in 2 weeks, except some more drawings.

Thank you for your consideration and I appreciate all that you do for our wonderful city,

Sincerely,

Beth Collins



Ann Arbor

From: [Bannister, Anne](#)
To: [Beth Collins](#)
Subject: Re: Garnet Developer trying to Postpone
Date: Monday, August 19, 2019 12:07:02 PM

Thanks, Beth! We're working on it.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Beth Collins <[REDACTED]>
Sent: Monday, August 19, 2019 11:48 AM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Garnet Developer trying to Postpone

Hello City Council and Mayor Taylor,
I have heard that the developer for the Garnet will be asking for a postponement for 2 weeks at tonight's scheduled Second Reading and Public Hearing of rezone and site plan.

This appears to be clearly a "stall tactic", similar to what Lockwood tried. To wait for more support, or when they notice that they don't have the votes, mostly for the REZONE to an inappropriate zoning category. Zoning should matter, and it seems that City Staff and the Planning Commission doesn't regard our zoning as important, especially when spot zoning or up zoning. It's like the wild west.

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Sincerely,

Beth Collins

[REDACTED]d

Ann Arbor

From: [Lumm, Jane](#)
To: [Tom Stulberg](#)
Subject: RE: Vote NO on the Garnet rezoning rather than postpone
Date: Monday, August 19, 2019 12:10:00 PM

Hi Tom, Thanks for your helpful and detailed email's re: this. I think the project is not problematic, but the rezoning is, and do not and will not support the rezoning. Honestly, and sorry for my cynicism, I think the postponement is triggered b/c the Mayor is absent and the developer needs his support.

Generally, we support postponements when requested by the developer/petitioner, so will likely support but am also torn b/c I won't be supporting the rezoning request. Thanks, Tom! Jane

From: Tom Stulberg <[REDACTED]>
Sent: Monday, August 19, 2019 11:16 AM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Vote NO on the Garnet rezoning rather than postpone

The applicant has stated they would like to have council postpone the vote on the rezoning application known as the Garnet. They have stated that they will submit additional drawings that were previously requested of the developer but not provided. That is a site plan consideration, not a zoning consideration.

The zoning category chosen by the applicant is inappropriate for that parcel. That will not be changing in their application. Please deny their request to postpone tonight, and please deny their rezoning request.

Thank you,

Tom Stulberg
[REDACTED] 48105

From: [Lumm, Jane](#)
To: [Beth Collins](#)
Subject: RE: Garnet Developer trying to Postpone
Date: Monday, August 19, 2019 12:20:00 PM

Thanks, Beth! I do think the postponement is more of a delay tactic than anything, but generally, we grant postponements when requested. I share your concerns, and do not support the rezoning. Many thanks! Jane

From: Beth Collins <[REDACTED]>
Sent: Monday, August 19, 2019 11:49 AM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Garnet Developer trying to Postpone

Hello City Council and Mayor Taylor,

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This appears to be clearly a "stall tactic", similar to what Lockwood tried. To wait for more support, or when they notice that they don't have the votes, mostly for the REZONE to an inappropriate zoning category. Zoning should matter, and it seems that City Staff and the Planning Commission doesn't regard our zoning as important, especially when spot zoning or up zoning. It's like the wild west.

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Sincerely,

Beth Collins

[REDACTED]

Ann Arbor

From: [Vince Caruso](#)
To: [CityCouncil: a2na](#)
Subject: Fwd: Re: [A2NA] the letter I sent mayor and council
Date: Monday, August 19, 2019 1:52:10 PM

I agree with these comments on zoning C1A

In addition the **Broadway DTE site** was proposed Campus Zoning and was stopped for good reason. This should be the same outcome.

Thanks,
Vince

----- Original Message -----

From: Tom Stulberg <[REDACTED]>
To: "a2na@googlegroups.com" <a2na@googlegroups.com>
Date: August 19, 2019 at 11:07 AM
Subject: Re: [A2NA] the letter I sent mayor and council

Here is what one of my neighbors wrote. I like it. I would have gone further and said that our zoning ordinance includes INTENT statements for zoning categories for a reason, and that is being ignored in this application.:

Dear City Council members,

Monday the 19th you will again have the rezoning of The Garnet property on your agenda.

I have no objection to the plan, but I object to the zoning change. C1A is not a residential zoning category. It is, in fact, called "Campus Business District." Why have zoning categories, why have names for those categories....if these distinctions are going to be ignored? More importantly, the categories were created for a reason, and that was to have control of what is built and where. So back in history, the city created C1A to allow businesses near campus. That is, the main campus that surrounds the quad. If you define "campus" as being within walking distance of university buildings, as was suggested at First Reading, then virtually the whole city can be zoned C1A or C1A/R, since the university owns and rents all over town. Which means that virtually the whole city can be subject to a zoning that has no height limits, and not enough control over use, density and intensity.

This flies in the face of our careful (and not always helpful) work in creating the D1 and D2 districts, which were meant to protect the neighborhoods that abut downtown. By allowing C1A outside the true campus area, outside downtown, you are allowing more intense use than D2. Approving C1A in a location such as this totally destroys the concept of a buffer zone, as embodied in the D2 category. Once approved, any other developer in this same area can legitimately ask for the same zoning, and that developer might not have the limiting conditions that The Garnet developer has embedded in his zoning request.

Furthermore, C1A is not a residential zoning. Why, you should ask the developer, is the new zoning being requested not a residential zoning category? I suspect the question is: What is the developer avoiding by seeking a non-residential zoning for a residential plan?

It was suggested that those of us who are objecting to this zoning change are "vilifying" density. No, we are not. We are merely vilifying using the mantra of the need for density as an excuse for improper zoning. Yes, this plan is fine. It is not too high, not too dense. It is totally appropriate for this neighborhood which is already a diverse area. However, this is the wrong zoning. We need to have the proper zoning to protect the area from a use of this zoning in the future that will not be as acceptable.

From: a2na@googlegroups.com <a2na@googlegroups.com> on behalf of M Hathaway [REDACTED]
Sent: Monday, August 19, 2019 10:28 AM
To: a2na@googlegroups.com <a2na@googlegroups.com>
Subject: Re: [A2NA] the letter I sent mayor and council

Beautifully said, Cendra.

On Monday, August 19, 2019, 02:06:37 AM EDT, [REDACTED] wrote:

[REDACTED]
Ann Arbor, 48103
19 August 2019

Dear Mayor and City Council Members,

I am writing in support of the thoughts expressed in two letters you have received objecting to the proposal to rezone the property at 325 Summit St. I believe they have thoroughly covered the objections to this plan. I urge you to vote against it for all the reasons they give.

It is a shame that any of you would even consider trying to subvert the master plan which is coming into being. This looks like another attempt to

sneak one past those of us who are trying to keep control of the ambiance of Ann Arbor in the hands of the people who live here. You seem to be fighting an underground war against us, so that we always have another bad plan by outside developers to fight against.

I don't think any of you are bad people, so I do not understand why you so often try to do things that you know will cause upset and bad will. The only thing I can imagine that would lead you in this direction is money, though I do not understand how that works. This is what Karen Sidney was discovering just before she died, but we never got to learn what she had found.

Please realize that what I would call normal citizens do not want our city run by outsiders. We feel we are quite capable of managing with our own resources. Please focus on our more urgent problems: the worst streets in the USA, pedestrian crossings, affordable housing...to name just a few.

Respectfully,

Cendra Lynn

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From: [Bannister, Anne](#)
To: [Vince Caruso](#)
Subject: Re: [A2NA] the letter I sent mayor and council
Date: Monday, August 19, 2019 2:31:36 PM

Thanks, Vince. We're working on it nonstop.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Vince Caruso <[REDACTED]>
Sent: Monday, August 19, 2019 1:51 PM
To: CityCouncil <CityCouncil@a2gov.org>; a2na <a2na@googlegroups.com>
Subject: Fwd: Re: [A2NA] the letter I sent mayor and council

I agree with these comments on zoning C1A

In addition the **Broadway DTE site** was proposed Campus Zoning and was stopped for good reason. This should be the same outcome.

Thanks,
Vince

----- Original Message -----

From: Tom Stulberg <[REDACTED]>
To: "a2na@googlegroups.com" <a2na@googlegroups.com>
Date: August 19, 2019 at 11:07 AM
Subject: Re: [A2NA] the letter I sent mayor and council

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From: a2na@googlegroups.com <a2na@googlegroups.com> on behalf of M Hathaway <hathapond@sbcglobal.net>
Sent: Monday, August 19, 2019 10:28 AM
To: a2na@googlegroups.com <a2na@googlegroups.com>
Subject: Re: [A2NA] the letter I sent mayor and council

Beautifully said, Cendra.

On Monday, August 19, 2019, 02:06:37 AM EDT, <cendralynn@gmail.com> wrote:

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From: [Lumm, Jane](#)
To: [Vince Caruso](#)
Subject: RE: Re: [A2NA] the letter I sent mayor and council
Date: Monday, August 19, 2019 2:41:00 PM

Thanks, Vince, and, I agree! Best! Jane

From: Vince Caruso <[REDACTED]>
Sent: Monday, August 19, 2019 1:51 PM
To: CityCouncil <CityCouncil@a2gov.org>; a2na <a2na@googlegroups.com>
Subject: Fwd: Re: [A2NA] the letter I sent mayor and council

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Thanks,
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To: "a2na@googlegroups.com" <a2na@googlegroups.com>
Date: August 19, 2019 at 11:07 AM
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[REDACTED]
Ann Arbor, 48103

19 August 2019

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Cendra Lynn

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From: [Thomas Bletcher](#)
To: [CityCouncil: a2na@googlegroups.com](#)
Cc: [REDACTED]
Subject: another vote "no" on Garnet Zoning...
Date: Monday, August 19, 2019 3:42:05 PM

...I concur fully with the comments of Vince Caruso...

...the CIA Zoning is even less appropriate for this site than the Gasworks Site...Residential Use = Residential Zoning...when the HOOVER GREEN project fails, the foreclosing or purchasing party will be free to open their Used Car Lot[maybe a Sundance Auto, so we can go horseback riding, too--it is after all the "Athletic Campus"] on the site, because of the unwise zoning change there...when will we ever learn?

...Tom....

Thomas E. Bletcher

[REDACTED] or to this address which is like the hollow tree down by the corner.
[REDACTED]

From: [Bannister, Anne](#)
To: [Request For Information Derek Delacourt](#)
Cc: [Rita Rita](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Ramlawi, Ali](#)
Subject: Re: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street
Date: Monday, August 19, 2019 3:59:48 PM

Dear Mr. Delacourt,

Would it be possible to expand our list of chemicals in Development Agreements, to be more open-ended and include, at a minimum, PFOS/PFAS chemicals?

Please see more detail below from Rita Mitchell, Ward 5 environmental steward.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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----- Forwarded message -----

From: Rita <[REDACTED]>
Date: Mon, Aug 19, 2019 at 10:42 AM
Subject: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street
To: Taylor Christopher <CTaylor@a2gov.org>, Ramlawi Ali <[REDACTED]>
Griswold Katherine <[REDACTED]> Eaton J <JEaton@a2gov.org>, Grand Julie <jgrand@a2gov.org>, Ackerman Zachary <zackerman@a2gov.org>, Smith Chip <ChSmith@a2gov.org>, Bannister Anne <[REDACTED]> Jeff Hayner <[REDACTED]> Nelson Elizabeth <ENelson@a2gov.org>, Lumm Jane <[REDACTED]>

Noted after I sent my message: The Developer Agreement for The Garnet is specific on the chemicals to be tested for from sump pump water discharge, to the point of the list being limited to the chemicals named. I suggest that in our current era of concern with toxics entering public waters, that the list be more open-ended to avoid the possibility of excluding a chemical of concern, and that at a minimum PFOS/PFAS be added to the list.

Rita Mitchell

On Aug 19, 2019, at 10:26 AM, Rita <[REDACTED]> wrote:

Dear Mayor and Council,

I am writing to request that you vote NO on tonight's agenda item DB-1 [19-1185](#)

Resolution to Approve The Garnet Site Plan and Development
Agreement, 325 East Summit Street

Reason: The proposed structure distorts the purpose of the requested zoning, by including only residential units, and the developer wants to include conditions that exceed the zoning requirements.

The city has initiated the process of reviewing the Master Plan. It is time to both focus on that process and to follow the guidance of the existing Master Plan until it is changed according to the direction of the people of the city. It appears that a developer is trying to modify the Master Plan before the citizens have had a chance to weigh in on changes.


I know that some will invoke the point of providing additional housing. I understand our needs for more housing spaces. The development under your review will add exactly 10 units, all of which are not of the affordable pricing range that is a major concern. In addition, by providing only residential spaces, the developer is further distorting the requested zoning that supports commercial uses, and the mixed quality of services that are provided by the zoning. Lastly, the location is not comparable to the Campus Business District zoning.

Please reject the request to rezone the property for the proposed building described in DB-1.

Thank you.

Sincerely,

Rita Mitchell



Ann Arbor, MI 48103

From: [Rita](#)
To: [Bannister, Anne](#); [Request For Information Derek Delacourt](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Ramlawi, Ali](#)
Subject: Re: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street
Date: Monday, August 19, 2019 4:13:04 PM

Dear Council Members, and Mr. Delacourt,

While I stand by my note regarding the testing of sump pump fluids for chemicals, it was not a great decision on my part to address the chemical testing, because I oppose the rezoning request in the first place.

My priority for your vote on The Garnet proposal remains: Please vote NO on rezoning, as the project does not conform with the zoning requested, regardless of conditions, because of the precedent that will be set, and because the Master Plan does not support the zoning request.

Thank you,

Rita Mitchell

On Aug 19, 2019, at 3:59 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

Dear Mr. Delacourt,

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Please see more detail below from Rita Mitchell, Ward 5 environmental steward.

Thanks,
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Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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Date: Mon, Aug 19, 2019 at 10:42 AM
Subject: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit

Street

To: Taylor Christopher <CTaylor@a2gov.org>,
Ramlawi Ali <[REDACTED]> Griswold
Katherine <[REDACTED]> Eaton J
<JEaton@a2gov.org>, Grand Julie
<jgrand@a2gov.org>, Ackerman Zachary
<zackerman@a2gov.org>, Smith Chip
<ChSmith@a2gov.org>, Bannister Anne
<[REDACTED]> Jeff Hayner
<[REDACTED]> Nelson Elizabeth
<ENelson@a2gov.org>, Lumm Jane
<[REDACTED]>

Noted after I sent my message: The Developer Agreement for The Garnet is specific on the chemicals to be tested for from sump pump water discharge, to the point of the list being limited to the chemicals named. I suggest that in our current era of concern with toxics entering public waters, that the list be more open-ended to avoid the possibility of excluding a chemical of concern, and that at a minimum PFOS/PFAS be added to the list.

Rita Mitchell

On Aug 19, 2019, at 10:26 AM, Rita
<[REDACTED]> wrote:

Dear Mayor and Council,

I am writing to request that you vote NO on tonight's agenda item DB-1 [19-1185](#) Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street

Reason: The proposed structure distorts the purpose of the requested zoning, by including only residential units, and the developer wants to include conditions that exceed the zoning requirements.

The city has initiated the process of reviewing the Master Plan. It is time to both focus on that process and to follow the guidance of the existing Master Plan until it is changed according to the direction of the people of the city. It appears that a developer is trying to modify the Master Plan before the citizens have had a chance to weigh in on changes.

I know that some will invoke the point of providing additional housing. I understand our needs for more housing spaces. The development under your review will add exactly 10 units, all of which are not of the affordable pricing range that is a major concern. In addition, by providing only

residential spaces, the developer is further distorting the requested zoning that supports commercial uses, and the mixed quality of services that are provided by the zoning. Lastly, the location is not comparable to the Campus Business District zoning.

Please reject the request to rezone the property for the proposed building described in DB-1.

Thank you.

Sincerely,

Rita Mitchell

[REDACTED]

Ann Arbor, MI 48103

From: [Bannister, Anne](#)
To: [Thomas Bletcher](#)
Cc: [REDACTED]
Subject: Re: another vote "no" on Garnet Zoning...
Date: Monday, August 19, 2019 4:15:30 PM

Thanks, Tom and Vince. We're working on it! Stay tuned.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Thomas Bletcher <[REDACTED]>
Sent: Monday, August 19, 2019 3:41 PM
To: CityCouncil <CityCouncil@a2gov.org>; a2na@googlegroups.com <a2na@googlegroups.com>
Cc: [REDACTED] <[REDACTED]>
Subject: another vote "no" on Garnet Zoning...

...I concur fully with the comments of Vince Caruso...

...the CIA Zoning is even less appropriate for this site than the Gasworks Site...Residential Use = Residential Zoning...when the HOOVER GREEN project fails, the foreclosing or purchasing party will be free to open their Used Car Lot[maybe a Sundance Auto, so we can go horseback riding, too--it is after all the "Athletic Campus"] on the site, because of the unwise zoning change there...when will we ever learn?

...Tom....

Thomas E. Bletcher

[REDACTED] or to this address which is like the hollow tree down by the corner.
[REDACTED]

From: [Braxton Blake](#)
To: [Anne Bannister](#)
Cc: [Jeffrey Hayner](#); [CityCouncil](#)
Subject: 325 Summit rezoning
Date: Monday, August 19, 2019 4:31:57 PM

Dear City Council -

I write to express my agreement with the positions below. (Sorry I don't have time to write my own missive.) Please vote accordingly and reject the rezoning change.

As always, thanks for your time and efforts on behalf of all of us!

Braxton

Dear City Council Representatives,

The Garnet proposal to develop a 5 story condominium at 325 Summit by changing the zoning from a C1B to C1A is seductive on the surface. After all, what could be wrong about adding just one more floor of housing to a project in a downtown area where more housing is needed?

Well, as it turns out, there are many reasons why the Garnet proposal should send up a red flag for all of us. Here are but a few:

First, there is a great deal of confusion about what constitutes a Campus Business District. According to Section 5.12.3 in the UDC, a C1A Campus Business District is ... "intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-to-day needs, specialty shops, and recreation." Currently, the Garnet property is designated as C1B, a Community Convenience Center. Re-zoning this as a campus area is a radical change and calls into question what other areas in Ann Arbor could be called a Campus Business District. If you look at the attached chart of University-owned land across the city, it is clear that developers could easily request C1A zoning for their own developments simply to make them more profitable without any contribution to affordable housing. So, in effect, changing this designation for the Garnet proposal is creating a huge **loophole**. Consequently, you should reject the Garnet proposal and, instead, direct the planning department to define a Campus Business District more specifically and clarify what areas in the city should be and

should not be considered Campus Business Districts. Only then should you re-consider the Garnet proposal.

Second, in exchange for permission to add an additional floor of housing, priced at \$450 per square foot targeting young professionals and empty-nesters (see <https://expo.mlive.com/news/erry-2018/11/9308e8ccbc4692/see-plans-for-the-garnet-condo.html>), the Ann Arbor community gets zero affordable housing units. This is nothing more than a giveaway. Third, rezoning this property could very well be interpreted by pro-density advocates as an incentive to continue to chip away at local zoning laws with the ultimate goal of removing them altogether. They would like us to believe that relaxing zoning restrictions will improve affordability. But, as we have seen here and in other cases, relaxing zoning restrictions has only actually benefited wealthy folks who can afford high rents and mortgages of newer construction. Before approving spot zoning for properties such as this, the Council should first allow the Master Plan revision process to conclude, which hopefully will include authentic community engagement. Only then will we know what the Ann Arbor community as a whole wants in regards to the future of planning and development in Ann Arbor.

Silkworth letter:

To: Ann Arbor Mayor and City Council

Regarding the Garnett Rezoning Application: I urge you to reject the spot rezoning of this parcel from C1B Community Convenience Center to C1A Campus Business because it's a misapplication of our zoning laws and a clear deviation from our Master Plan.

Chapter Seven (Central Area section) of the City of Ann Arbor Master Plan Land Use Element provides for higher development densities and a wider variety of building uses inside our urban core to promote a healthy downtown commercial business environment and to accommodate the residential, service and entertainment needs of downtown residents which in some areas includes many students of the University of Michigan.

This plan calls for a very dense urban core designated by D-1 and D-2, but it also calls for buffer or transition areas between the densest urban core areas and the surrounding established residential neighborhoods which are intended to ensure their continued viability.

I would like to direct you to the stated Goals in the Central Area plan:

“Goal A - To promote sound and attractive residential neighborhoods which meet the housing needs of the current and future population, which are adequately served by urban services, infrastructure and facilities and which conserve environmental quality.

- 1) Objective 1: To protect, preserve and enhance the character, scale and integrity of existing housing in established residential areas, recognizing the distinctive qualities of each neighborhood.
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- 5) Objective 5: To develop density thresholds for each neighborhood that are appropriate in relation to the character, available services and infrastructure of the neighborhood, and in accordance with the norms of that neighborhood, resulting in improved quality of life for all residents.”

and,

“Goal B: To encourage sensitive, attractive, and innovative development and renovation in downtown Ann Arbor and in adjacent neighborhoods.

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areas both contribute to downtown liveliness and help buffer established neighborhoods from further erosion.

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appropriate to their surroundings.”

Campus Business zoning designations of C1A and C1A/R were intended to be used in various locations around the University of Michigan Central Campus adjacent to some of the densest urban core areas of our city. These Campus Business zoning designations were not intended to be used outside of those areas, and any proposed use of them outside of those areas is a clear misapplication of the zoning and a violation of the stated goals of our Master Plan.

Furthermore, continued misapplication of C1A and C1A/R zoning could be harmful to other neighborhoods around University of Michigan properties, because it could establish a legal precedent that could be difficult for the city to defend against if additional similar speculative rezoning requests are made in the future.

Because all of the Goals in the Central Area can be reached using the current zoning for this property, there is absolutely no reason to approve this rezoning at this time. Our Zoning Ordinances are laws that must be followed, and our Master Plan must also be adhered to because it has provided us with a stable foundation upon which our city's prosperity has been and will continue to be built.

Sincerely, David Silkworth

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[REDACTED]-1632
[REDACTED]

From: [Bannister, Anne](#)
To: [Braxton Blake](#)
Cc: [Hayner, Jeff](#)
Subject: Re: 325 Summit rezoning
Date: Monday, August 19, 2019 4:41:41 PM

Thanks, Braxton, great to receive your input! We're working on it! As usual, it's complex and a struggle, but we seem to be on the right path.

If you're free, join us tonight after 7 p.m. for the discussion and vote, or on CTN 16.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Braxton Blake <[REDACTED]>
Sent: Monday, August 19, 2019 4:31 PM
To: Anne Bannister <bannister4council@gmail.com>
Cc: Jeffrey Hayner <jeffhayner@firstforjeff.or>; CityCouncil <CityCouncil@a2gov.org>
Subject: 325 Summit rezoning

Dear City Council -

I write to express my agreement with the positions below. (Sorry I don't have time to write my own missive.) Please vote accordingly and reject the rezoning change.

As always, thanks for your time and efforts on behalf of all of us!

Braxton

Dear City Council Representatives,

The Garnet proposal to develop a 5 story condominium at 325 Summit by changing the zoning from a C1B to C1A is seductive on the surface. After all, what could be wrong about adding just one more floor of housing to a project in a downtown area where more housing is needed?

Well, as it turns out, there are many reasons why the Garnet proposal should send up a red flag for all of us. Here are but a few:

First, there is a great deal of confusion about what constitutes a Campus Business District. According to Section 5.12.3 in the UDC, a C1A Campus Business District is ... "intended primarily to serve as a neighborhood shopping area for the university-

oriented population that is concentrated around it, providing goods that are day-to-day needs, specialty shops, and recreation." Currently, the Garnet property is designated as C1B, a Community Convenience Center. Re-zoning this as a campus area is a radical change and calls into question what other areas in Ann Arbor could be called a Campus Business District. If you look at the attached chart of University-owned land across the city, it is clear that developers could easily request C1A zoning for their own developments simply to make them more profitable without any contribution to affordable housing. So, in effect, changing this designation for the Garnet proposal is creating a huge **loophole**. Consequently, you should reject the Garnet proposal and, instead, direct the planning department to define a Campus Business District more specifically and clarify what areas in the city should be and should not be considered Campus Business Districts. Only then should you re-consider the Garnet proposal.

Second, in exchange for permission to add an additional floor of housing, priced at \$450 per square foot targeting young professionals and empty-nesters (see <https://expo.mlive.com/news/erry-2018/11/9308e8ccbc4692/see-plans-for-the-garnet-condo.html>), the Ann Arbor community gets zero affordable housing units. This is nothing more than a giveaway. Third, rezoning this property could very well be interpreted by pro-density advocates as an incentive to continue to chip away at local zoning laws with the ultimate goal of removing them altogether. They would like us to believe that relaxing zoning restrictions will improve affordability. But, as we have seen here and in other cases, relaxing zoning restrictions has only actually benefited wealthy folks who can afford high rents and mortgages of newer construction. Before approving spot zoning for properties such as this, the Council should first allow the Master Plan revision process to conclude, which hopefully will include authentic community engagement. Only then will we know what the Ann Arbor community as a whole wants in regards to the future of planning and development in Ann Arbor.

Silkworth letter:

To: Ann Arbor Mayor and City Council

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Chapter Seven (Central Area section) of the City of Ann Arbor Master Plan Land Use Element provides for higher development densities and a wider variety of building uses inside our urban core to promote a healthy downtown commercial business environment and to accommodate the residential, service and entertainment needs of downtown residents which in some areas includes many students of the University of Michigan.

This plan calls for a very dense urban core designated by D-1 and D-2, but it also calls for buffer or transition areas between the densest urban core areas and the surrounding established residential neighborhoods which are intended to ensure their continued viability.

I would like to direct you to the stated Goals in the Central Area plan: "Goal A - To promote sound and attractive residential neighborhoods which meet the housing needs of the current and future population, which are adequately served by urban services, infrastructure and facilities and which conserve environmental quality.

- 1) Objective 1: To protect, preserve and enhance the character, scale and integrity of existing housing in established residential areas, recognizing the distinctive qualities of each neighborhood.
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and,

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areas both contribute to downtown liveliness and help buffer established neighborhoods from further erosion.

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[REDACTED]
[REDACTED] -1632

From: [Lumm, Jane](#)
To: [Thomas Bletcher](#)
Cc: [REDACTED] [Eaton, Jack](#)
Subject: Re: another vote "no" on Garnet Zoning...
Date: Monday, August 19, 2019 5:27:53 PM

Thanks, Tom! Excellent pts., and I agree! All best, Jane

Sent from my iPhone

On Aug 19, 2019, at 3:42 PM, Thomas Bletcher <[REDACTED]> wrote:

...I concur fully with the comments of Vince Caruso...

...the CIA Zoning is even less appropriate for this site than the Gasworks Site...Residential Use = Residential Zoning...when the HOOVER GREEN project fails, the foreclosing or purchasing party will be free to open their Used Car Lot[maybe a Sundance Auto, so we can go horseback riding, too--it is after all the "Athletic Campus"] on the site, because of the unwise zoning change there...when will we ever learn?

...Tom....

Thomas E. Bletcher

[REDACTED] or to this address which is like the hollow tree down by the corner.
[REDACTED]

From: [Lumm, Jane](#)
To: [Braxton Blake](#)
Subject: RE: 325 Summit rezoning
Date: Monday, August 19, 2019 5:46:00 PM

Thanks so much, Braxton! I will vote accordingly. :-) Many thanks, and all best! Jane

From: Braxton Blake <[REDACTED]>
Sent: Monday, August 19, 2019 4:32 PM
To: Anne Bannister <bannister4council@gmail.com>
Cc: Jeffrey Hayner <jeffhayner@firstforjeff.or>; CityCouncil <CityCouncil@a2gov.org>
Subject: 325 Summit rezoning

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[REDACTED] -1632
[REDACTED]

From: [Braxton Blake](#)
To: [Lumm, Jane](#)
Subject: RE: 325 Summit rezoning
Date: Monday, August 19, 2019 7:26:15 PM

Jane, you are the best!!!

www.braxtonblake.com

[REDACTED]
Ann Arbor, MI 48105

Tel. (01) [REDACTED]

----- Original message -----

From: "Lumm, Jane" <JLumm@a2gov.org>

Date: 8/19/19 17:46 (GMT-05:00)

To: Braxton Blake <[REDACTED]>

Subject: RE: 325 Summit rezoning

Thanks so much, Braxton! I will vote accordingly. :-) Many thanks, and all best! Jane

From: Braxton Blake <[REDACTED]>
Sent: Monday, August 19, 2019 4:32 PM
To: Anne Bannister <bannister4council@gmail.com>
Cc: Jeffrey Hayner <jeffhayner@firstforjeff.or>; CityCouncil <CityCouncil@a2gov.org>
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on the surface. After all, what could be wrong about adding just one more floor of housing to a project in a downtown area where more housing is needed?

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First, there is a great deal of confusion about what constitutes a Campus Business District. According to Section 5.12.3 in the UDC, a C1A Campus Business District is ... "intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-to-day needs, specialty shops, and recreation." Currently, the Garnet property is designated as C1B, a Community Convenience Center. Re-zoning this as a campus area is a radical change and calls into question what other areas in Ann Arbor could be called a Campus Business District. If you look at the attached chart of University-owned land across the city, it is clear that developers could easily request C1A zoning for their own developments simply to make them more profitable without any contribution to affordable housing. So, in effect, changing this designation for the Garnet proposal is creating a huge **loophole**. Consequently, you should reject the Garnet proposal and, instead, direct the planning department to define a Campus Business District more specifically and clarify what areas in the city should be and should not be considered Campus Business Districts. Only then should you re-consider the Garnet proposal.

Second, in exchange for permission to add an additional floor of housing, priced at \$450 per square foot targeting young professionals and empty-nesters (see <https://expo.mlive.com/news/erry-2018/11/9308e8ccbc4692/see-plans-for-the-garnet-condo.html>), the Ann Arbor community gets zero affordable housing units. This is nothing more than a giveaway.

Third, rezoning this property could very well be interpreted by pro-density advocates as an incentive to continue to chip away

at local zoning laws with the ultimate goal of removing them altogether. They would like us to believe that relaxing zoning restrictions will improve affordability. But, as we have seen here and in other cases, relaxing zoning restrictions has only actually benefited wealthy folks who can afford high rents and mortgages of newer construction. Before approving spot zoning for properties such as this, the Council should first allow the Master Plan revision process to conclude, which hopefully will include authentic community engagement. Only then will we know what the Ann Arbor community as a whole wants in regards to the future of planning and development in Ann Arbor.

Silkworth letter:

To: Ann Arbor Mayor and City Council

Regarding the Garnett Rezoning Application: I urge you to reject the spot rezoning of this parcel from C1B Community Convenience Center to C1A Campus Business because it's a misapplication of our zoning laws and a clear deviation from our Master Plan.

Chapter Seven (Central Area section) of the City of Ann Arbor Master Plan Land Use Element provides for higher development densities and a wider variety of building uses inside our urban core to promote a healthy downtown commercial business environment and to accommodate the residential, service and entertainment needs of downtown residents which in some areas includes many students of the University of Michigan.

This plan calls for a very dense urban core designated by D-1 and D-2, but it also calls for buffer or transition areas between the densest urban core areas and the surrounding established residential neighborhoods which are intended to ensure their continued viability.

I would like to direct you to the stated Goals in the Central Area plan:

“Goal A - To promote sound and attractive residential neighborhoods which meet the housing needs of the current and future population, which are adequately served by urban services, infrastructure and facilities and which conserve environmental quality.

<!--[if !supportLists]-->1. <!--[endif]-->1) Objective 1: To protect, preserve and enhance the character, scale and integrity of existing housing in established residential areas, recognizing the distinctive qualities of each neighborhood.

- <!--[if !supportLists]-->2. <!--[endif]-->2) Objective 2: To encourage the preservation of existing small neighborhood grocery stores and the re-establishment of vacated neighborhood grocery stores.
- <!--[if !supportLists]-->3. <!--[endif]-->3) Objective 3: To minimize the displacement of residential uses by commercial and institutional uses.
- <!--[if !supportLists]-->4. <!--[endif]-->4) Objective 4: To encourage the development of new architecture, and modifications to existing architecture that compliments the scale and character of the neighborhood.
- <!--[if !supportLists]-->5. <!--[endif]-->5) Objective 5: To develop density thresholds for each neighborhood that are appropriate in relation to the character, available services and infrastructure of the neighborhood, and in accordance with the norms of that neighborhood, resulting in improved quality of life for all residents.”

and,

“Goal B: To encourage sensitive, attractive, and innovative development and renovation in downtown Ann Arbor and in adjacent neighborhoods.

1) Objective 1: To pay special attention to the interface zones between downtown Ann Arbor and Central Area residential neighborhoods; and to insure that projects in these

areas both contribute to downtown liveliness and help buffer established neighborhoods from further erosion.

- <!--[if !supportLists]-->2. <!--[endif]-->2) Objective 2: To promote compatible development of sites now vacant, underutilized or uninviting, wherever this would help achieve the plan's overall goals.
- <!--[if !supportLists]-->3. <!--[endif]-->3) Objective 3: To identify appropriate locations for compatible and well-designed multiple-family residential development, or mixed use development, particularly near campus and downtown.

<!--[if !supportLists]-->4. <!--[endif]-->4) Objective 4: To protect

housing stock from demolition or conversion to business use,
and to retain the residential character of established, sometimes
fragile,

neighborhoods adjacent to commercial or institutional uses.

<!--[if !supportLists]-->5. <!--[endif]-->5) Objective 5: To encourage
housing and neighborhood-oriented businesses in the

downtown interface area zones that will improve the quality of life
in nearby

neighborhoods.

<!--[if !supportLists]-->6. <!--[endif]-->6) Objective 6: To create
inviting streetscape corridors and improve the links between

commercial and residential areas, encouraging access between
the nearby

neighborhoods and downtown.

<!--[if !supportLists]-->7. <!--[endif]-->7) Objective 7: To encourage
the construction of buildings whose scale and detailing is

appropriate to their surroundings.”

Campus Business zoning designations of C1A and C1A/R were
intended to be used in various locations around the University of
Michigan Central Campus adjacent to some of the densest urban core
areas of our city. These Campus Business zoning designations were not
intended to be used outside of those areas, and any proposed use of
them outside of those areas is a clear misapplication of the zoning and a
violation of the stated goals of our Master Plan.

Furthermore, continued misapplication of C1A and C1A/R zoning could
be harmful to other neighborhoods around University of Michigan
properties, because it could establish a legal precedent that could be
difficult for the city to defend against if additional similar speculative
rezoning requests are made in the future.

Because all of the Goals in the Central Area can be reached using the
current zoning for this property, there is absolutely no reason to approve
this rezoning at this time. Our Zoning Ordinances are laws that must be
followed, and our Master Plan must also be adhered to because it has
provided us with a stable foundation upon which our city’s prosperity
has been and will continue to be built.

Sincerely, David Silkworth

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braxtonblake.com

[REDACTED]

Ann Arbor, MI 48105-1632

[REDACTED]

From: [Scott Trudeau](#)
To: [Ramlawi, Ali](#)
Subject: Thanks for talking sense on The Garnet rezoning
Date: Tuesday, August 20, 2019 10:37:18 AM

Hi Ali,

I caught some snippets of last night's meeting including your thoughts on The Garnet rezoning and I really appreciate you challenging the inaccurate fear-mongering from Bannister, Lumm, et al on that one. I am not privy to the City Attorney's office advice you all receive but everything I can find suggests that the fears about "precedent setting" for this rezoning are entirely unfounded. This project doesn't solve every problem but if we can't even say yes to modest-scale, well-designed, small-parcel infill with broad neighborhood support like this, what can we say yes to?

Scott

From: [Hayner, Jeff](#)
To: [Jeff Crockett](#)
Subject: RE: Major Concerns with the Garnet's Proposed Zoning Change
Date: Tuesday, August 20, 2019 1:48:00 PM

Thanks for your take on this, I agree that this rezoning request, if approved, is more than problematic in it's potential to send the wrong message to developers and those who are seeking equitable housing options. In my view, for someone to ask to build a project that is outside of, or above, a site's current zoning - they need to show that the project is bringing benefits commensurate with the change. Look at our needs – now and in the future. Our hierarchy of needs in my view is for the creation of more affordable housing, more sustainable housing, and more mixed uses in neighborhoods which support our Climate Action Plan goals. This project offers none of that, it is as you say a giveaway.

Jeff Hayner

From: Jeff Crockett <[REDACTED]>
Sent: Sunday, August 18, 2019 9:19 AM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Major Concerns with the Garnet's Proposed Zoning Change

Dear City Council Representatives,

The Garnet proposal to change the zoning from a C1B to C1A to increase the height and FAR (Floor to Area Ratio) of their condo development is seductive on the surface. After all, what could be wrong about a modest increase in height and a 25% increase in FAR to a project in a downtown area where more housing is needed?

Well, as it turns out, there are many reasons why the Garnet proposal should send up a red flag for all of us. Here are but a few:

First, there is a great deal of confusion about what constitutes a Campus Business District. According to Section 5.12.3 in the UDC, a C1A Campus Business District is ... "intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-to-day needs, specialty shops, and recreation." Currently, the Garnet property is designated as C1B, a Community Convenience Center. Re-zoning this as a campus area is a radical change and calls into question what other areas in Ann Arbor could be called a Campus Business District. If you look at the attached chart of University-owned land across the city, it is clear that developers could easily request C1A zoning for their own developments near city-owned land simply to make them more profitable without any contribution to affordable housing. So, in effect, changing this designation for the Garnet proposal is creating a huge **loophole**.

Consequently, you should reject the Garnet proposal and, instead, direct the planning department to define a Campus Business District more specifically and clarify what areas in the city should be and should not be considered Campus Business Districts. Only then should you re-consider the Garnet proposal.

Second, in exchange for this upzoned project with units priced at \$450 per square foot targeting young professionals and empty-nesters (see <https://expo.mlive.com/news/erry-2018/11/9308e8ccbc4692/see-plans-for-the-garnet-condo.html>), the Ann Arbor community gets zero affordable housing units. This is nothing more than a giveaway.

Third, rezoning this property could very well be interpreted by pro-density advocates as an incentive to continue to chip away at local zoning laws with the ultimate goal of removing them altogether. They would like us to believe that relaxing zoning restrictions will improve affordability. But, as we have seen here and in other cases, relaxing zoning restrictions has only actually benefited wealthy folks who can afford high rents and mortgages of newer construction. Before approving spot zoning for properties such as this, the Council should first allow the Master Plan revision process to conclude, which hopefully will include authentic community engagement. Only then will we know what the Ann Arbor community as a whole wants in regards to the future of planning and development in Ann Arbor.

Thanks for your consideration,

Jeff and Christine Crockett


From: [Ramlawi, Ali](#)
To: [Scott Trudeau](#)
Subject: Re: Thanks for talking sense on The Garnet rezoning
Date: Tuesday, August 20, 2019 2:47:30 PM

Thank you Scott.

I can't not agree with you more on this particular vote for rezoning.
Appreciate your words today as last night was brutal.

Warm regards
Ali

Sent from my iPad

> On Aug 20, 2019, at 10:37 AM, Scott Trudeau < wrote:

>

>

> Hi Ali,

>

> I caught some snippets of last night's meeting including your thoughts on The Garnet rezoning and I really appreciate you challenging the inaccurate fear-mongering from Bannister, Lumm, et al on that one. I am not privy to the City Attorney's office advice you all receive but everything I can find suggests that the fears about "precedent setting" for this rezoning are entirely unfounded. This project doesn't solve every problem but if we can't even say yes to modest-scale, well-designed, small-parcel infill with broad neighborhood support like this, what can we say yes to?


>

> Scott

From: [Ackerman, Zach](#)
To: [Karen Wight](#)
Subject: Garnet Staff Report
Date: Tuesday, August 20, 2019 8:00:31 PM
Attachments: [The Garnet Staff Report \(4\).pdf](#)

Great to see you! Attached.

Best,
Zach

Zachary Ackerman
Ann Arbor City Council
Ward 3


Emails sent to or from this address could be subject to public disclosure under the Freedom of Information Act (FOIA).

ANN ARBOR PLANNING DEPARTMENT STAFF REPORT

For Planning Commission Meeting of May 21, 2019

**SUBJECT: The Garnet – Zoning & Site Plan for City Council Approval
(325 East Summit)
Project Nos. Z18-044, SP18-021**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve The Garnet Rezoning Petition to C1A (Campus Business District) based on the proposed zoning and recommended commercial-office land use designation and accept these conditions:

- The maximum building height is four stories and 65 feet.
- The highest elevation is limited to elevation 850.00 feet.
- The parcel is limited to a floor area ratio (FAR) of 199%.

The approval is subject to executing a Conditional Zoning Statement of Conditions.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve The Garnet Site Plan and Development Agreement.

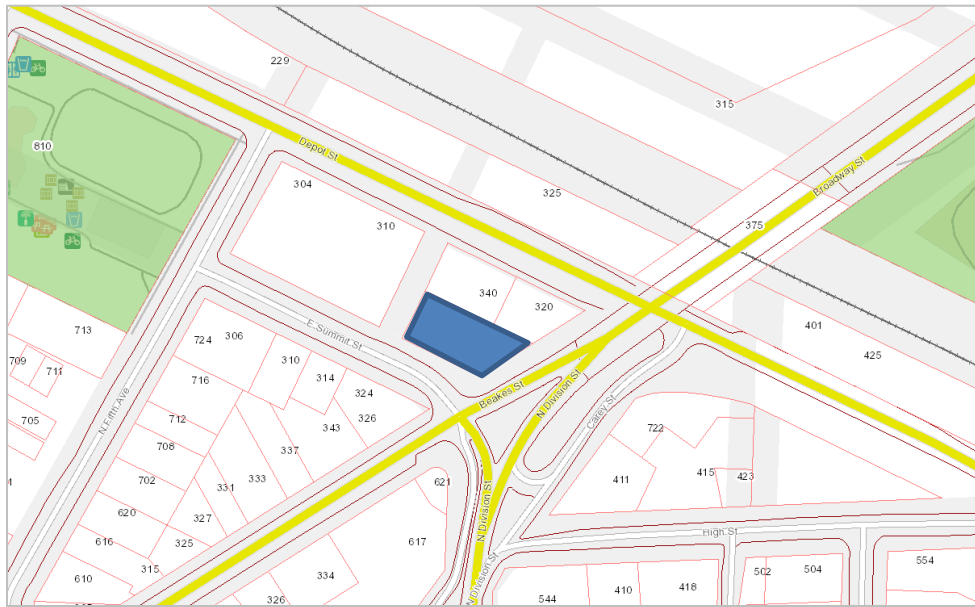
STAFF RECOMMENDATION:

Staff recommends that the **zoning petition** be **approved** because, with the offer for a height limit for this district location, it is generally consistent with the Master Plan: Land Use Element and is compatible with the surrounding zoning designations and land uses.

Staff recommends that the **site plan** be **approved**, because the contemplated development would comply with all applicable state, local, and federal law, ordinances, standards and regulations; and the development would not cause a public or private nuisance, limits the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, and would not have a detrimental effect on the public health, safety or welfare; and the modifications meet the required conditions.

LOCATION:

This site is located on East Summit at the corner of Broadway Street (which is a continuation of Beakes). It is one block east of North Fifth Avenue, and one parcel south of Depot Street.



SUMMARY:

A proposal to rezone a 0.2 acre (8,571 square foot) parcel that lies north of the intersection of East Summit Street and Beakes Street from C1B (Community Convenience Center) to C1A (Campus Business District) With Conditions and to develop one mid-rise residential building with parking underneath (partially at grade and partially below grade).

- The C1A district does not have a height limit. The applicant has offered to condition the rezoning to include a maximum building height of four stories and 65 feet. In addition, the building may not exceed elevation 850.00.
- The floor area ratio in the C1A district is capped at 200%. The applicant has offered to condition the rezoning to include a maximum floor area ratio of 199%.
- The site plan proposes 10 residential units in one building, with 14 parking spaces.

REZONING PETITION:

Current Zoning – The site is currently zoned C1B (Community Convenience Center). Permitted principal uses allowed include residential, religious assembly, day care centers, schools, hotel, retail, restaurants, office, and medical/dental. The district is intended to primarily serve the needs of the surrounding community. This means the surrounding neighborhood, but could also include a larger service area.

Proposed Zoning – The applicant requests rezoning the site from C1B to C1A (Campus Business District) with the conditions listed above, as offered in a [signed letter](#).

SITE PLAN PETITION:

Existing Conditions – The 8,571 square foot site consists of one lot which contains a 2,500 square foot single-family home.

Proposed Development – The proposed [site plan](#) is for a 16,790 square foot, four-story residential condominium building over 14 parking spaces in a ground-floor-entry parking garage. A driveway from the public alley on the west side of the site leads into the garage and solid waste/recycling storage area. The proposed FAR is 196%.

Other development details include:

- Dwelling Units – The proposed site plan provides 10 dwelling units. Mixed use zoning districts are regulated by FAR and not dwelling unit density. Therefore, the number of dwelling units may increase or decrease at the developer's discretion as long as the size and shape of the building does not change.
- Landmark Trees – There are two landmark trees on the site that are proposed to be removed. Mitigation will be provided for the landmark trees.
- Storm Water Management – Storm water management for the first flush volume is required. Storm water will be captured by a green roof with a minimum size of 3,075 square feet that will cover much of the building's roof. Infiltration is not proposed on the site because of known soil contamination.
- Parkland Contribution –The PROS Plan suggests a formula that equates to a contribution of \$625 per dwelling unit in order to maintain the current ratio of acres of parkland per dwelling unit in the City. For 10 dwelling units, the requested contribution would be \$6,250.00, which the petitioner has agreed to contribute.

	EXISTING	EXISTING REQUIRED	PROPOSED	PROPOSED REQUIRED
ZONING	C1B	n/a	C1A	n/a
USES	Office	n/a	Residential	n/a
NUMBER OF UNITS	n/a	n/a	10	n/a
BUILDING				
EXISTING BUILDINGS	2,500 sf	n/a	n/a	n/a
USABLE SQUARE FOOTAGE	2,500 sf	n/a	16,790 sf	n/a
PROPERTY REGULATIONS				
LOT AREA MIN	8,571 sf	3,000 sf	8,571 sf	None
LOT WIDTH MIN	77.42 ft	20.00 ft	77.42 ft	None
BUILDING HEIGHT AVE	25 ft	4 stories/50 ft	56 ft 6.75 in	None
USABLE FLOOR AREA (FAR) MAX	29%	150%	196%	200%
PROPERTY SETBACKS				
FRONT SUMMIT	9.26 ft	10 ft to 25 ft	10.30 ft	None
FRONT BROADWAY	63.40 ft	10 ft to 25 ft	7.18 ft	None
SIDE NORTH	19.71 ft	None	0.31 ft	None
SIDE WEST	1.00 ft	None	0.01 ft	None
OFF STREET PARKING				
PARKING: 1 SPACE PER UNIT RESIDENTIAL 1/333 sf to 1/250 sf OFFICE	6	7.5	11	10
BICYCLE PARKING 1 PER 5 UNITS RESIDENTIAL 1/3000 sf OFFICE	0	0 Total 30%A, 70% C	3 A	2 Total 50% A, 50%C

* MAX BUILDING HEIGHT 61 ft 3.5 in. MIN BUILDING HEIGHT 51 ft 1.75 in.

• SITE PLAN DATA ANALYSIS:

LAND USE ANALYSIS (SURROUNDING LAND USES AND ZONING):

	LAND USE	ZONING
NORTH	Commercial & Multiple-Family Residential	C1B (Community Convenience Center)
EAST	Single- & Multiple-Family Residential	R4C (Multiple-Family Dwelling)
SOUTH	Single- & Multiple-Family Residential	R4C (Multiple-Family Dwelling)
WEST	Commercial & Office	C1B (Community Convenience Center)

CITIZEN PARTICIPATION:

The petitioner held a meeting for interested citizens October 11, 2018. Invitations were sent to all residents and property owners within 1,000 feet of the site. The applicant's report of the meeting can be found [here](#).

HISTORY:

Sanborn maps show this site and the two lots to the north as a gas, coke, coal, and ammonia storage site from 1888 (earliest map) to 1899. By 1908, all but an aboveground 38,000 cubic foot iron gas tank had been removed, and the existing house and the barn to the north had been built. The tank was removed by 1916.

CITY MASTER PLAN:

City Master Plan – The Land Use Element (2009) recommends a future land use of Commercial-Office for this block.

REZONING ANALYSIS:

Changes to the text or map of the Zoning Ordinance (Chapter 55 of the Ann Arbor City Code) may be made pursuant to Sections 5:107 and 5:108. To assist the Planning Commission and City Council with their decision, applicants provide a [petition](#) with justifications in support of the request. The petition addresses:

1. The extent to which the rezoning is necessary.
2. How the rezoning will affect the public welfare and property rights of persons located in the vicinity.
3. How the rezoning will be advantageous to the City.
4. How this particular location will meet the convenience and service requirements of potential users and occupants.
5. Any changed or changing conditions in any particular area, or in the City generally, which may have bearing on the request.
6. Other circumstances and factors which further justify the request.

With a conditional rezoning, the Planning Commission has the authority to review the [offered conditions](#) against the rezoning standards to ensure that such standards are met. The Planning Commission may recommend approval with the conditions as submitted, may recommend approval with revised conditions provided that the revised conditions are voluntarily offered by the applicant, or may recommend denial of the rezoning.

Staff Comments – The property is currently zoned C1B (Community Convenience Center), as is the rest of this block. This district is intended to “...serve the needs of the surrounding community. This includes establishments that although they primarily serve a surrounding neighborhood, could also serve a larger trade or service area.”¹ It goes on to say that office could be appropriate if adequate parking can be provided.

The requested zoning is C1A (Campus Business), which is “...intended primarily to serve as a neighborhood shopping area for the university oriented population that is concentrated around it.” It adds, “These districts shall be located in close proximity to the central area of the city.”² It has been suggested that the proposed site is not in the shadows of the University of Michigan Central Campus and therefore the requested rezoning to C1A (Campus Business) district is not appropriate. The C1A/R (Campus Business Residential) district was originally a companion to the C1A (Campus Business) district and its intent is integrally related to the C1A. When the current zoning format was adopted in 1963, residential uses were not permitted in commercial districts. Later, so-called “slash R” districts were created for most commercial districts as companions to allow both commercial and residential mixed use buildings. The C1A/R is “designed to encourage the orderly clustering and placement of high-density residential and complementary commercial development near the campus business district.”³ Then, residential uses were added to the commercial districts (while the slash-R districts remained).

In general, all of the C1 districts (C1, C1A, C1A/R, C1B) are designed to allow mixed uses to serve the residents within and nearby to that particular district location. Retail shops ideally providing goods necessary for day-to-day needs, as described in the C1 district intent, are permitted. Business, financial, medical and dental offices are also permitted. And, all forms of residential, including single and two-family, townhouses, and multiple-family apartments are permitted.

The primary difference between the various C1 districts is scale and location. The C1 and C1B districts allow 100% or 150% FAR, respectively, and have height limits of 3 and 4 stories. Although exceptions abound, these districts were designed to be pedestrian-oriented but still accommodating to cars, small commercial nodes throughout the city, well outside of downtown.

The C1A and C1A/R districts respectively allow 200% and 300% FAR. Neither has a height limit. These two districts were established to enable downtown-like development surrounding the University of Michigan campus at a time when downtown Ann Arbor solely meant the Main Street shopping district, and there was only one central campus. Today, downtown encompasses 66 blocks – including the Main Street, East Liberty Street corridor, South State Street, Kerrytown and South University areas. The University of Michigan now has North, Central, South and Medical campuses.

A portion of the Mixed-Use Zoning District Dimensions table is provided below for reference.

This building is 60' tall on the west side (with the garage entrance) and 50' tall above the sidewalk on the east (Broadway) side. (The building sits a couple of feet below the public sidewalk, which helps it look two feet shorter from Broadway.) The surrounding neighborhood is primarily 1 to 2 ½ story structures. There are a few exceptions – the former brewery building at East Summit and North Fifth Ave is 3 ½ stories on the downhill side (at the corner), and there is a 3-story brick apartment building across Broadway on High Street. When requested by staff,

¹ Unified Development Code (UDC), Chapter 55, Section 5.12.4

² UDC, Chapter 55, Section 5.12.3

³ UDC, Chapter 55, Section 5.12.5

the petitioner declined to provide massing drawings showing this building in relation to surrounding structures.

Concerning the floodplain and possible future development on this block, if the project to punch a hole in the railroad embankment near Depot Street goes through, the block bounded by North Fifth Avenue, Depot Street, Broadway, and East Summit will no longer be in the floodplain. The Garnet site is not currently in the mapped floodplain, but the parcels to the west on this block are.

TABLE 5:17-4: MIXED USE ZONING DISTRICT DIMENSIONS											
NOTE: The requirements in this table may be superseded by the standards in Section 5.18 .											
DISTRICT	MAXIMUM FAR (% OF LOT AREA)		MAXIMUM FLOOR AREA PER NON RESIDENTIAL USE (Sq. Ft.)	REQUIRED SETBACK (FT.)				MINIMUM / MAXIMUM HEIGHT		MINIMUM GROSS LOT DIMENSIONS	
	NORMAL	WITH PREMIUMS (SEE SEC. 5.18.6)		MINIMUM FRONT	MAXIMUM FRONT	MINIMUM SIDE	MINIMUM REAR	(FT.)	STORIES	AREA (SQ. FT.)	WIDTH (FEET)
O	75	N/A	None	15	40 [A]	[B][C]		[D]	[D]	6,000	50
C1	100	N/A	8,000 [E]	10	25	[B][C]		35	3	2,000	20
C1B	150	N/A	None	10	25	[B][C]		50	4	3,000	20
C1A	200	400	None	None	None	[F]		None	None	None	None
C1A/R	300	600	None	10	None	[F]		None	None	None	None
C2B	200	N/A	None	10	25	[B][C]		55	4	4,000	40
NOTES:											
[A] Applies only to new detached Buildings constructed or for which a site plan was approved after January 16, 2011, otherwise none. For Lots with more than one Front Lot Line, Required Setbacks shall only apply to one Front Lot Line.											
[B] 30 ft. where abutting residentially zoned land, otherwise none.											
[C] Plus one foot of additional setback for each foot of Building Height above 30 feet when abutting residentially zoned land.											

SERVICE UNIT COMMENTS:

The site plan and application materials were reviewed by staff from the Planning, Fire Marshal's office, Forestry/Natural Resources, Parks Planning, Engineering, Recycling/Solid Waste, Land Development, and Transportation units.

Planning – Site Plan: The proposed site plan meets all applicable development standards for the proposed zoning district. The execution of a Conditional Zoning Statement of Conditions is required as part of the motion, to formalize the conditions offered by the petitioner.

Zoning: Based on the Master Plan land use designation, it is appropriate to keep this small block (East Summit/N. Fifth/Depot/Broadway) consistently zoned commercial. Staff understands the limitations imposed by office and retail parking requirements on a small 8,571 square foot lot, and the C1B setbacks on this corner lot further limit the building envelope. As offered, at 65 feet, a structure on this lot would be one floor taller than what is allowed on the rest of the block. This is weighed against increased density in an appropriate location with access to multiple modes of transportation.

Land Development – Because there is known contamination on the site, a paragraph has been added to the development agreement to allow City staff to request analytical results of water discharged by the building's sump pump. If contamination is found, the City may require the project developers or condominium association to disconnect the sump pump from the City storm sewer system, filter the water, and/or other remedial actions.

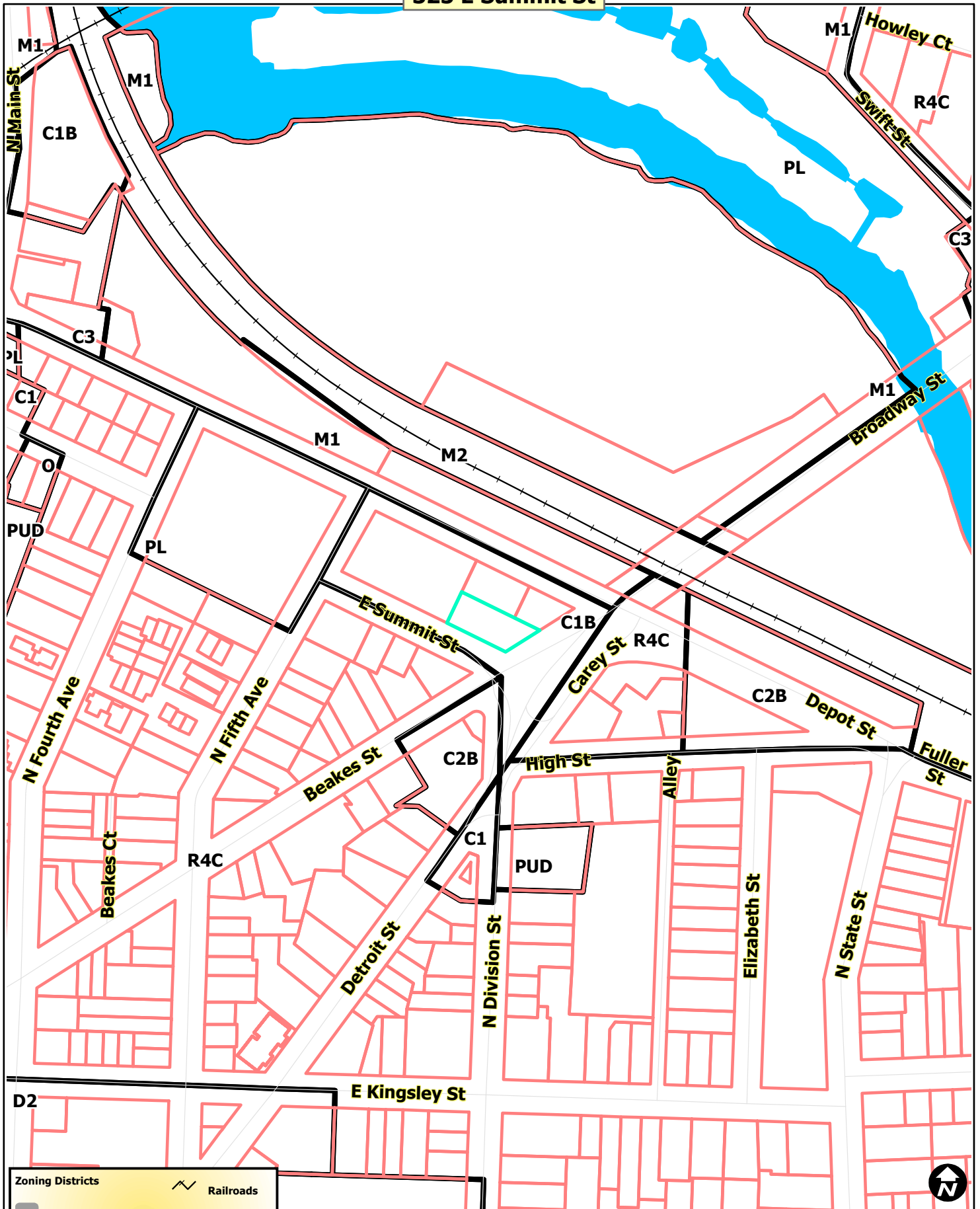
Parks – The petitioner has agreed to make the requested parks contribution of \$6,250. It will be used to improve nearby parks such as Wheeler Park, North Main Park, or the Farmer's Market.

Prepared by Jill Thacher
Reviewed by Brett Lenart
5/16/19

References: Zoning Map
Aerial Photo
[Site Plan \(#4\)](#)
[Citizen Participation Report](#)
Draft Development Agreement

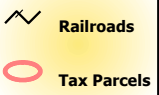
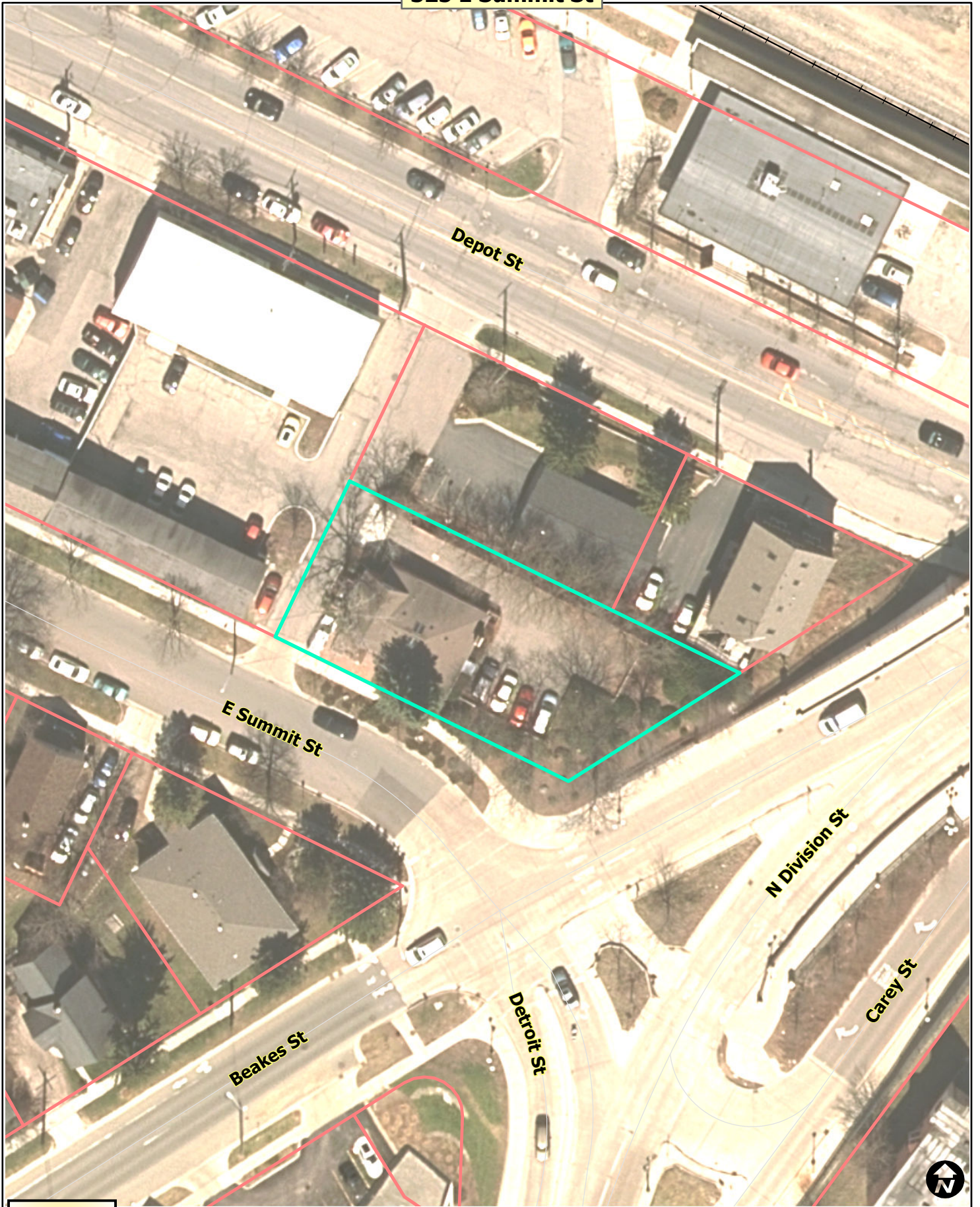
c: Petitioner – 325 E Summit Condos, LLC
Petitioner's Agent – Macon Engineering LLC (Kathy Keinath)
Project No. SP18-044

325 E Summit St

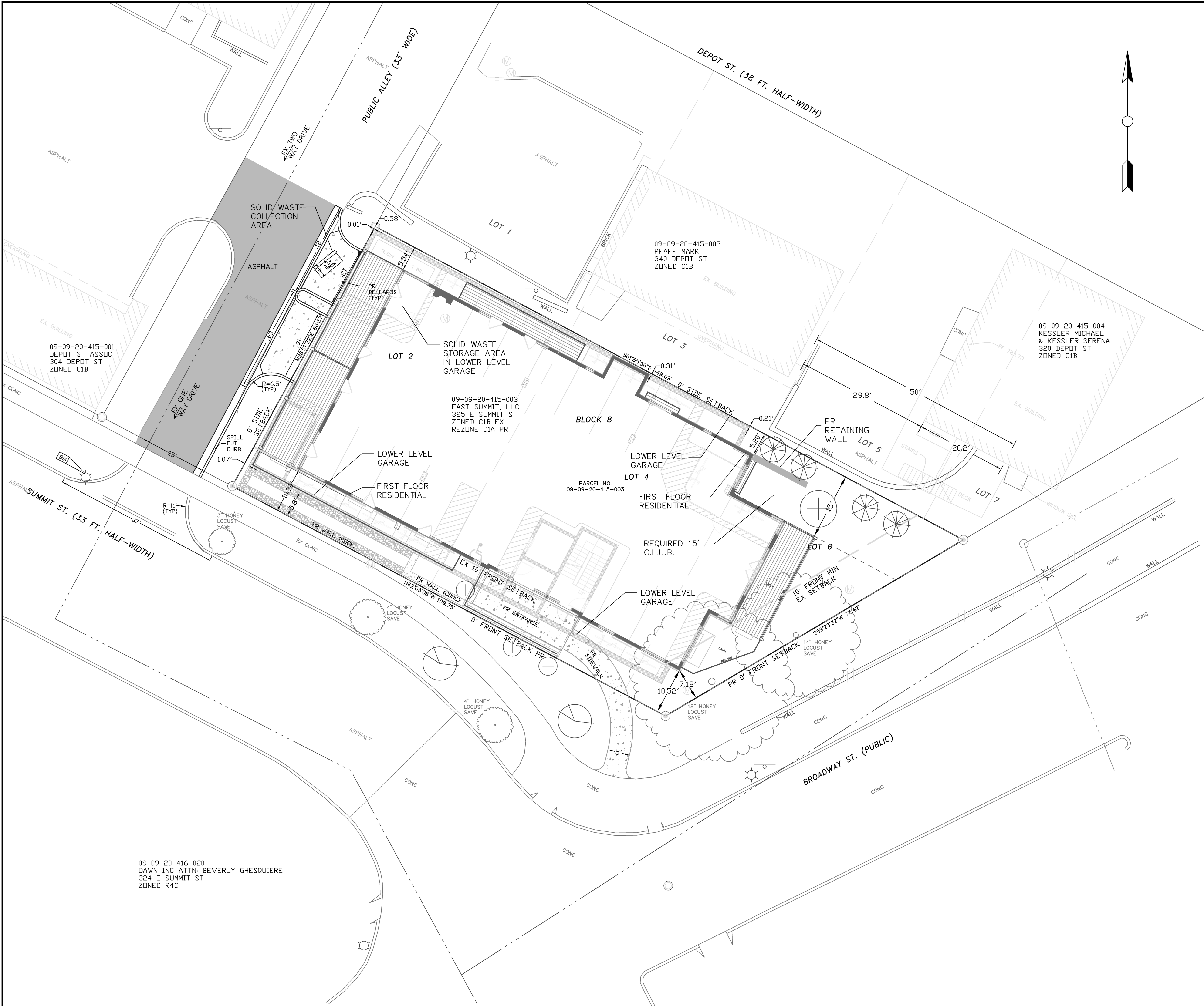


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325 E Summit St



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Any aerial imagery is circa 2015
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- LEGEND**
- EX. CATCH BASIN
 - EX. MANHOLE
 - EX. END SECTION
 - EX. CLEANOUT
 - EX. HYDRANT
 - EX. GATE VALVE
 - EX. WATER SHUTOFF
 - EX. FIRE DEPT. CONNECTION
 - EX. LIGHTPOLE
 - EX. UTILITY POLE
 - EX. GUY ANCHOR
 - EX. HANDHOLE
 - EX. PEDESTAL
 - EX. TRANSFORMER
 - EX. GENERATOR
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 - PR. ASPHALT
 - PR. CURB
 - PR. CONTOUR LINE
 - PR. SPOT GRADE

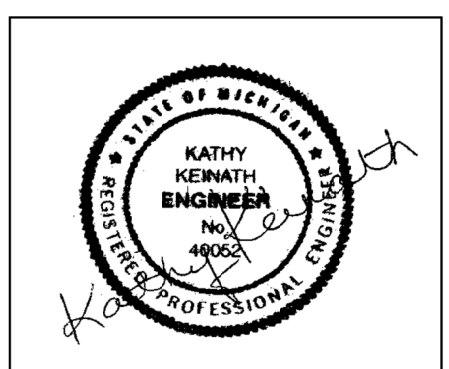
STANDARD SIDEWALK REPAIR AND MAINTENANCE NOTE:
PER CHAPTER 49, SECTION 4:58 OF THE CITY CODE, ALL SIDEWALKS ARE TO BE KEPT AND MAINTAINED IN GOOD REPAIR BY THE OWNER OF THE LAND ADJACENT TO AND ABUTTING THE SAME. PRIOR TO THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR THIS SITE, ALL EXISTING SIDEWALKS IN NEED OF REPAIR MUST BE REPAIRED IN ACCORDANCE WITH CITY STANDARDS.

LAYOUT NOTES:
1. MECHANICAL EQUIPMENT MAY NOT BE LOCATED WITHIN THE CONFLICTING LAND USE BUFFER.

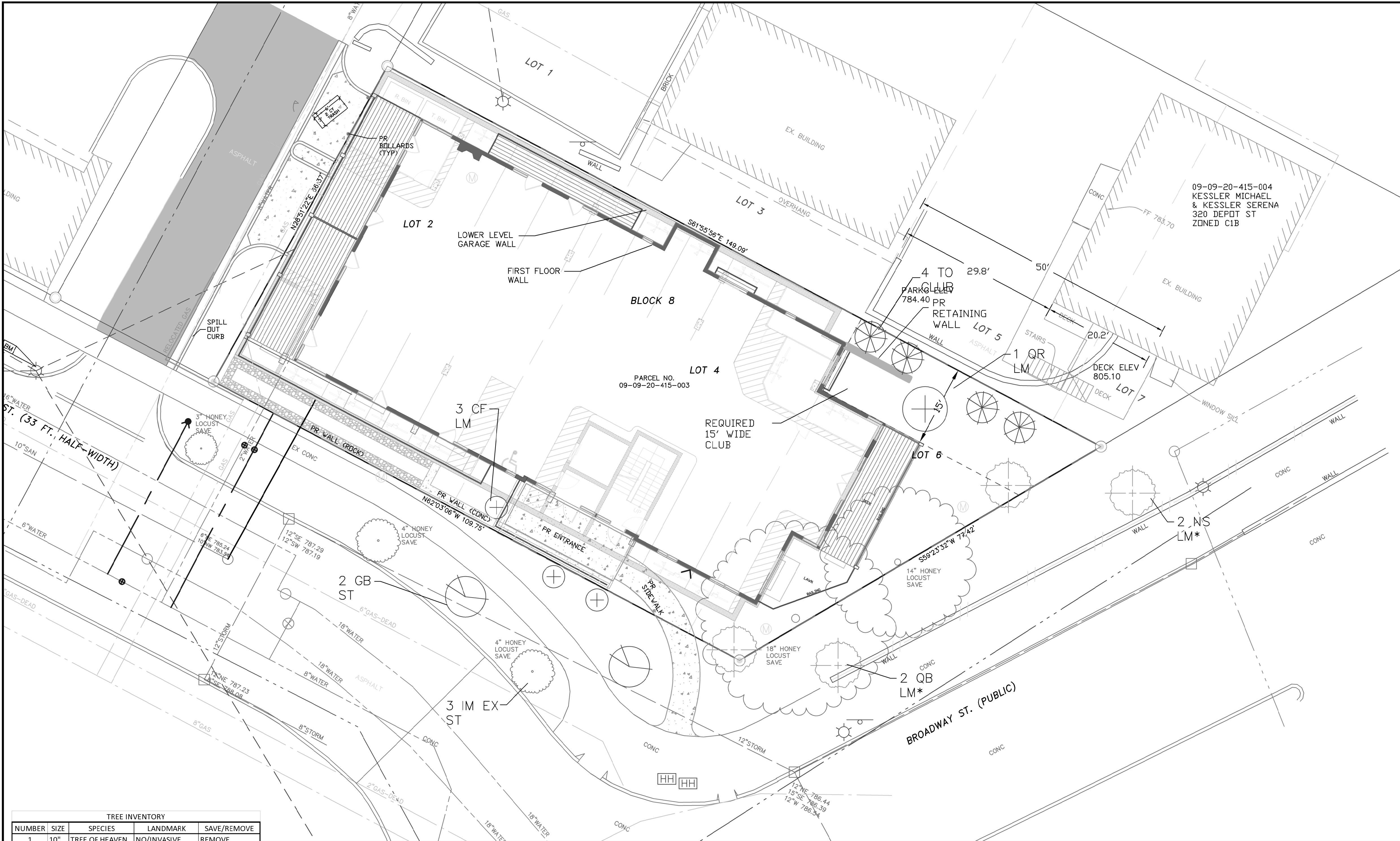


Macon Engineering, LLC.
P.O. Box 314, Chelsea, MI 48118 734-216-9941

THE GARNET
SUMMIT & BROADWAY
ANN ARBOR, MI
SITE PLAN
LAYOUT



	4-25-19
	3-15-19
	1-22-19
DATE	10-25-18
SCALE	1"=10'
SHEET NO.	SP-03



TREE INVENTORY				
NUMBER	SIZE	SPECIES	LANDMARK	SAVE/REMOVE
1	10"	TREE OF HEAVEN	NO/INVASIVE	REMOVE
2	22"	COTTONWOOD	NO	REMOVE
3	12"	BLUE SPRUCE	NO	REMOVE
4	14"	BLUE SPRUCE	NO	REMOVE
5	14"	HONEY LOCUST	NO	REMOVE
6	16"	HONEY LOCUST	YES	REMOVE
7	18"	HONEY LOCUST	YES	SAVE
8	14"	HONEY LOCUST	NO	SAVE
9	14"	HONEY LOCUST	NO	REMOVE

LANDSCAPE REQUIREMENT CHART		Required	Existing	Proposed	Total
STREET TREE REQUIREMENTS					
Street frontage	203.67	ft			
Rate is 1 tree per 45 LF		4.5	3	2	5
Street Tree Escrow \$1.30 per LF of street frontage		203.67	\$264.77		
LANDMARK TREE MITIGATION					
16" Replacements @ 2.5 cal Tree No. 6		3.2	0	4	4
18" Replacements @ 2.5 cal Tree No. 7		3.6	0	4	4
CONFLICTING LAND USE BUFFER					
50 ft Property Line, 1 tree/15 ft		3.3	0	4	4
Width (ft)		15	n/a	15	15
Length (ft)		50	n/a	50	50
Vehicular Use Area		None	None	None	
Interior Landscape Areas Pertaining to Vehicular Use Areas		None	None	None	
Right-of-way Screening		None	None	None	
* Mitigation for 18" Landmark Honey Locust required if the tree does not survive within three years of construction completion					

KEY		QTY	SPECIES	SIZE	SPECS	NATIVES	CATEGORY
NS	2*		Nyssa sylvatica Blackgum	2.5" cal	B&B	Native	LM
CF	3		Cornus florida Dogwood, flowering	2.5" cal	B&B	Native	LM
GB	2		Ginkgo biloba Ginkgo	2.5" cal	B&B	Native	ST
QR	1		Quercus rubra Red Oak	2.5" cal	B&B	Native	LM
QB	2*		Quercus bicolor Swamp White Oak	2.5" cal	B&B	Native	LM
TO	4		Thuja occidentalis Cedar	7'	B&B	Native	CLUB
LEGEND			CATEGORY				
ST			Street Tree Required				
LM			Landmark Tree Mitigation				
CLUB			Conflicting Land Use Buffer				

LANDSCAPING SPECIFICATIONS:

- ALL LANDSCAPING SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH CITY STANDARDS AND IN ACCORDANCE WITH CURRENT INDUSTRY STANDARDS IN A NEAT, HEALTHY AND WEED FREE CONDITION. ANY DEAD, DISEASED OR DAMAGED PLANT MATERIAL IS TO BE REPLACED WITHIN ONE YEAR, OR THE NEXT APPROPRIATE PLANTING PERIOD, AS A CONTINUING OBLIGATION FOR THE DURATION OF THE SITE PLAN.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL UNDERGROUND AND OVERHEAD UTILITIES. PLANT MATERIAL IS TO BE LOCATED SUCH THAT IT WILL NOT INTERFERE WITH ANY UNDERGROUND OR OVERHEAD UTILITIES. CANOPY AND EVERGREEN TREES SHALL NOT BE PLANTED WITHIN 15 FEET OF THE SANITARY SEWER.
- PLANT TREES AND SHRUBS AT THE SAME GRADE LEVEL AT WHICH THEY WERE GROWN AT THE NURSERY. IF HEAVY CLAY SOILS ARE EVIDENT, PLANT TREES AND SHRUBS HIGHER, APPROXIMATELY 1/3 OF THE ROOT BALL ABOVE THE GRADE.
- REMOVE ALL TWINE, WIRE, NURSERY TREE GUARDS, TAGS AND INORGANIC MATERIAL FROM ROOT BALLS.
- PEEL BACK THE TOP 1 1/2" OF BURLAP FROM EARTH BALLS AND REMOVE ANY BURLAP AROUND TREE TRUNKS.
- ALL LANDSCAPE AREAS SHALL BE EXCAVATED OF ALL BUILDING/CONSTRUCTION MATERIAL AND POOR SOILS TO A DEPTH OF 18-24" AND BACKFILLED WITH GOOD, MEDIUM TEXTURED PLANTING SOIL. APPLICATIONS OF FERTILIZER BEYOND THE INITIAL TOPSOIL AND SEEDING SHALL BE A FERTILIZER WITH NO PHOSPHORUS.
- BACKFILL DIRECTLY BEHIND ALL CURBS AND ALONG SIDEWALKS AND COMPACT TO TOP OF CURB OR WALK TO SUPPORT VEHICLE AND PEDESTRIAN WEIGHT WITHOUT SETTLING.
- ALL DISTURBED UNPAVED AREAS ARE TO BE RESTORED. AREAS OF INDIVIDUAL TREES ARE TO BE MULCHED WITH A MINIMUM OF 4 INCHES SHREDDED HARDWOOD BARK. LAWN TREES ARE TO BE MULCHED WITH A 4' DIAMETER SHREDDED BARK RING. BARK IS TO BE PULLED AWAY FROM THE TRUNK OF TREES LEAVING A 3" CLEAR AREA AROUND THE TRUNK.
- ANY PLANT SUBSTITUTIONS SHALL HAVE PRIOR CITY APPROVAL.
- TOPSOIL SHALL BE REMOVED FROM STOCKPILES AND SPREAD IN THE AREAS SHOWN ON THE PLANS. THE DEPTH OF TOPSOIL SHALL BE A MINIMUM OF 4 INCHES IN LAWN AREAS AND A MINIMUM OF 8 INCHES IN LANDSCAPE PLANTING AREAS.
- AFTER THE TOPSOIL IS IN PLACE IT SHALL BE FINE GRADED REMOVING ALL ROOTS, STICKS, STONES AND DEBRIS GREATER THAN 2 INCHES IN ANY DIMENSION. THE TOPSOIL SHALL BE FINE GRADED TO THE LINES AND GRADES SHOWN ON THE PLANS.
- THE TOPSOIL SOIL SHALL HAVE A PH OF 5.5 TO 7.6 AND AN ORGANIC CONTENT OF 3 TO 20%. THE GRADATION OF THE TOPSOIL SHALL BE 100% PASSING 2 INCH SIEVE, 85 TO 100% PASSING THE 1 INCH SIEVE, 65 TO 100% PASSING THE 3/4 INCH SIEVE AND 20 TO 80% PASSING THE NO. 200 SIEVE.
- WATER LAWN AREAS AS NEEDED TO PROMOTE GROWTH. THE CONTRACTOR WILL BE RESPONSIBLE TO WATER, RESEED OR WORK WHEN NECESSARY TO INSURE THE GROWTH OF THE LAWN UNTIL A COMPLETE AND UNIFORM STAND OF GRASS HAS GROWN AND BEEN CUT AT LEAST TWICE.
- UNLESS OTHERWISE NOTED ON THE DRAWINGS, ALL AREAS NOT RECEIVING STRUCTURES, PAVEMENT, RIP RAP, LANDSCAPING OR OTHER IMPROVEMENTS OR FUTURE IMPROVEMENTS SHALL BE CONSIDERED LAWN AREAS AND RECEIVE TOPSOIL AND SEEDING.
- PLANTINGS SHALL BE SUPPLIED IN GOOD HEALTH, VIGOROUS, AND FREE OF INSECTS, LARVAE, EGGS, DEFECTS AND DISEASE.
- PLANTING BEDS SHALL BE PREPARED BY LOOSENING THE TOP 1 FOOT OF TOPSOIL. PLANTS SHALL BE LOCATED PER THE PLANS. THE HOLES SHALL BE EXCAVATED WITH THE CENTER SLIGHTLY HIGHER TO PROMOTE DRAINAGE. BERM AROUND PLANTS TO FORM A BOWL SHAPE.

LANDSCAPING NOTES:

- REFER TO DETAIL SHEET FOR PLANTING AND STAKING DETAILS

LEGEND

- EX. CATON BASIN
- EX. MANHOLE
- EX. END SECTION
- EX. CLEANOUT
- EX. HYDRANT
- EX. GATE VALVE
- EX. WATER SHUTOFF
- EX. FIRE DEPT. CONNECTION
- EX. LIGHTPOLE
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- PR TREE FENCE
- PR INLET FILTER
- PR CURB
- PR CONTOUR LINE
- PR SPOT GRADE
- PR CONCRETE
- PR ASPHALT



Know what's below.
Call before you dig.

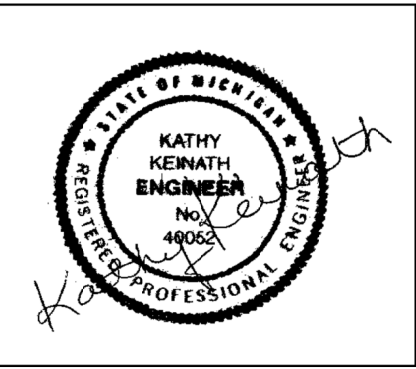
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING RECORDS. NO GUARANTEE IS MADE AS TO THE ACCURACY OF THE INFORMATION SHOWN. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF ANN ARBOR. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF ANN ARBOR. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF ANN ARBOR.

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THE GARNET
SUMMIT & BROADWAY
ANN ARBOR, MI

SITE PLAN
LANDSCAPE



4-25-19

3-15-19

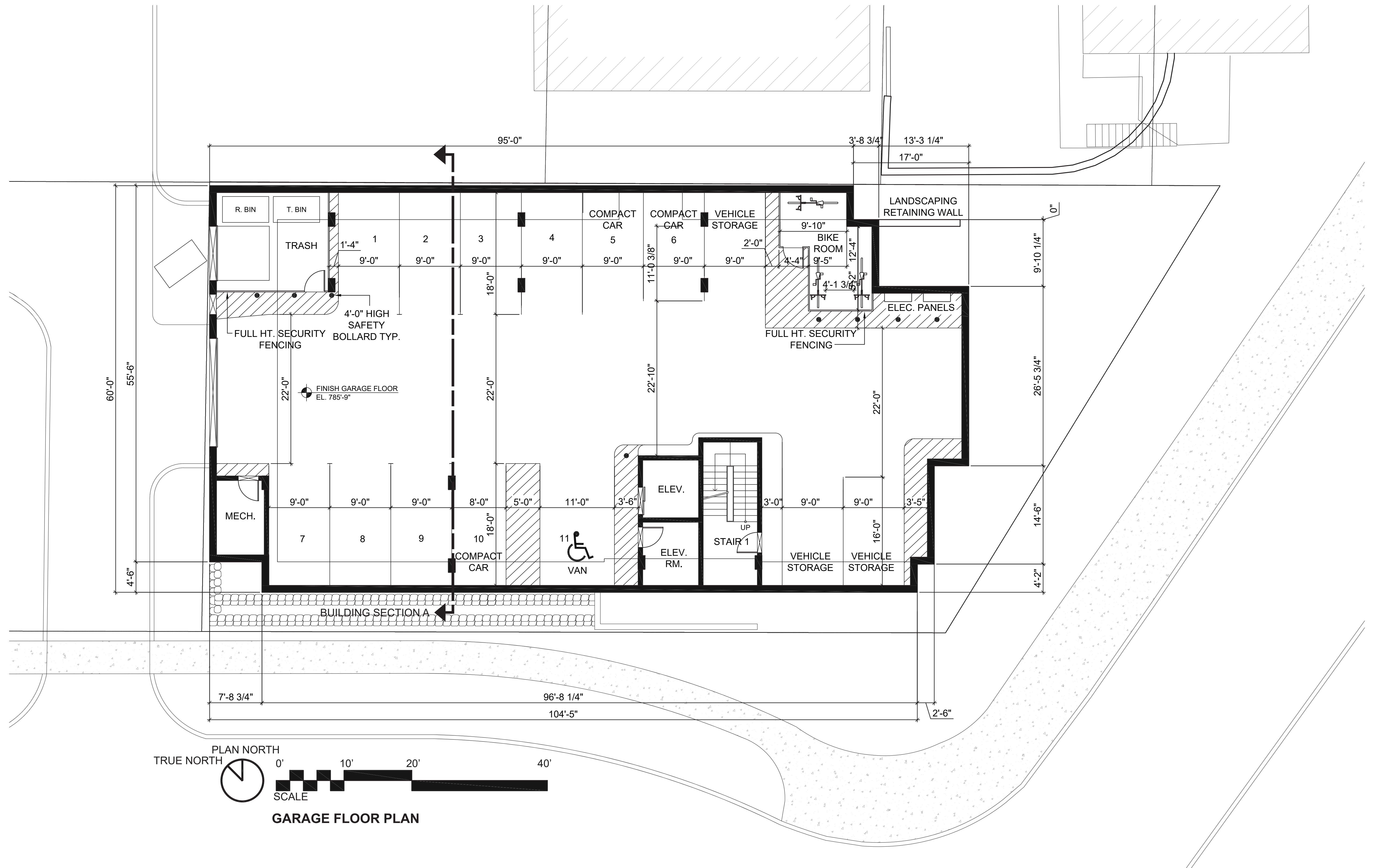
1-22-19

DATE 10-25-18

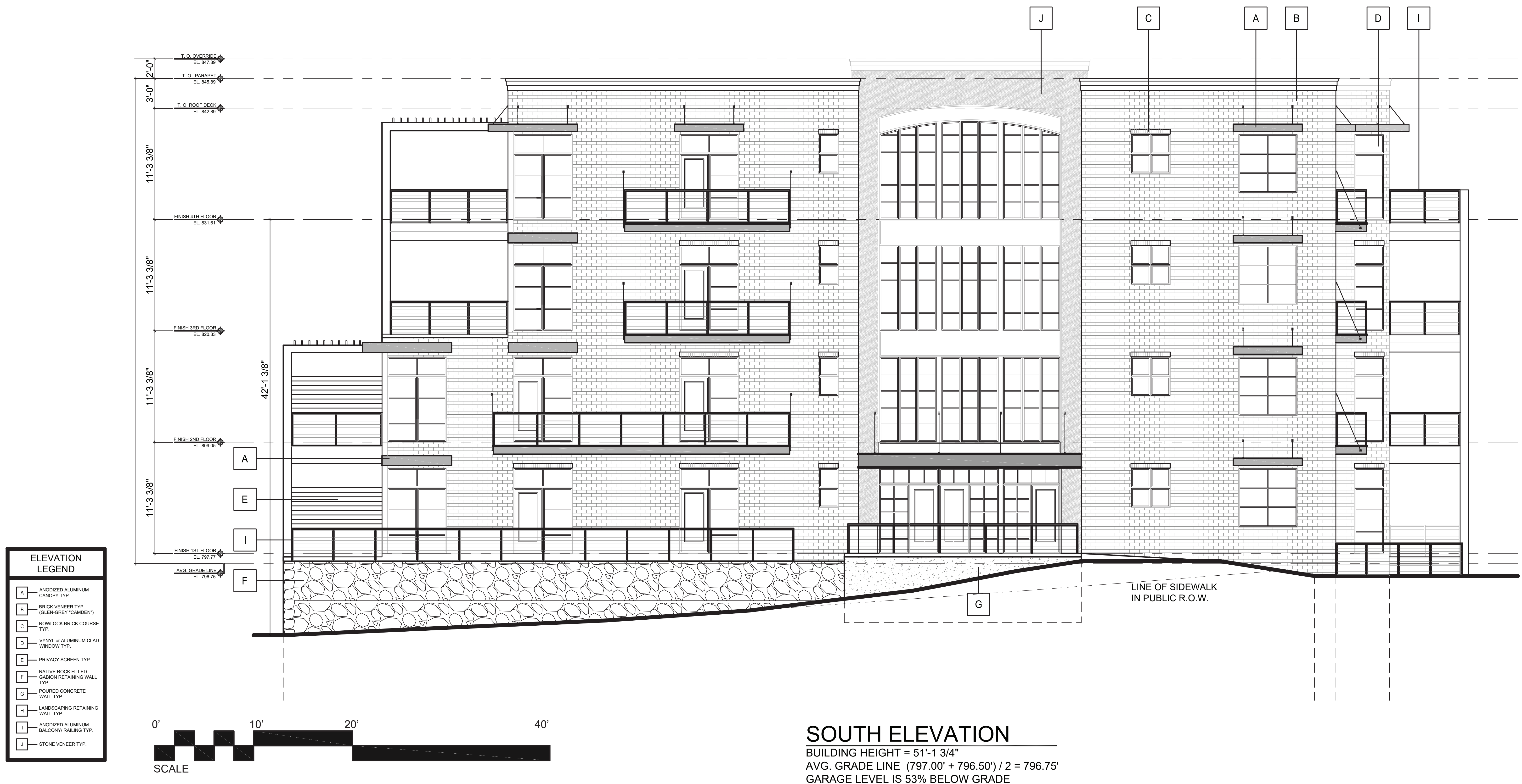
SCALE 1"=10'

SHEET NO. SP-06

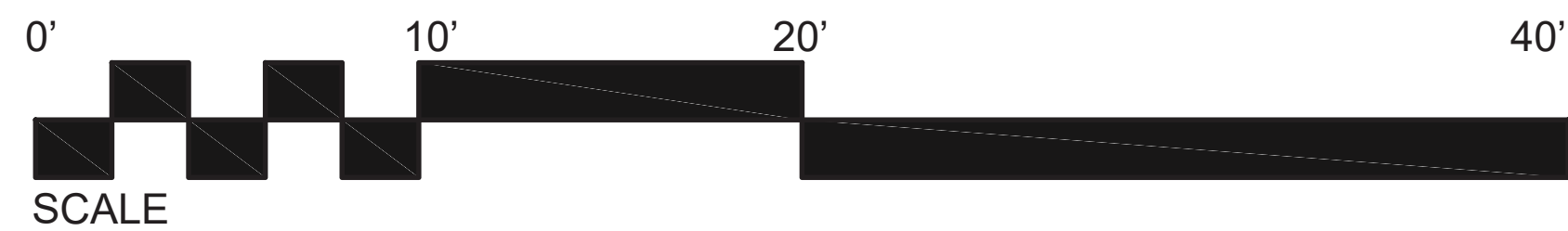
NOT FOR CONSTRUCTION



GARAGE FLOOR PLAN



ELEVATION LEGEND	
A	ANODIZED ALUMINUM CANOPY TYP.
B	BRICK VENEER TYP. (GLEN-GRAY "CAMDEN")
C	ROWLOCK BRICK COURSE TYP.
D	VINYL or ALUMINUM CLAD WINDOW TYP.
E	PRIVACY SCREEN TYP.
F	NATIVE ROCK FILLED CABION RETAINING WALL TYP.
G	POURED CONCRETE WALL TYP.
H	LANDSCAPING RETAINING WALL TYP.
I	ANODIZED ALUMINUM BALCONY/RAILING TYP.
J	STONE VENEER TYP.



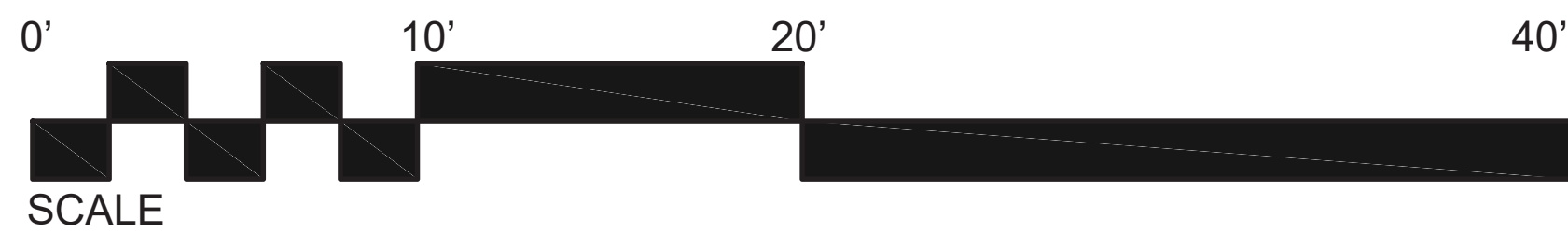
EAST ELEVATION

BUILDING HEIGHT = 52'-10 3/4"

AVG. GRADE LINE $(795.50' + 794.50') / 2 = 795.00'$

GARAGE LEVEL IS 53% BELOW GRADE

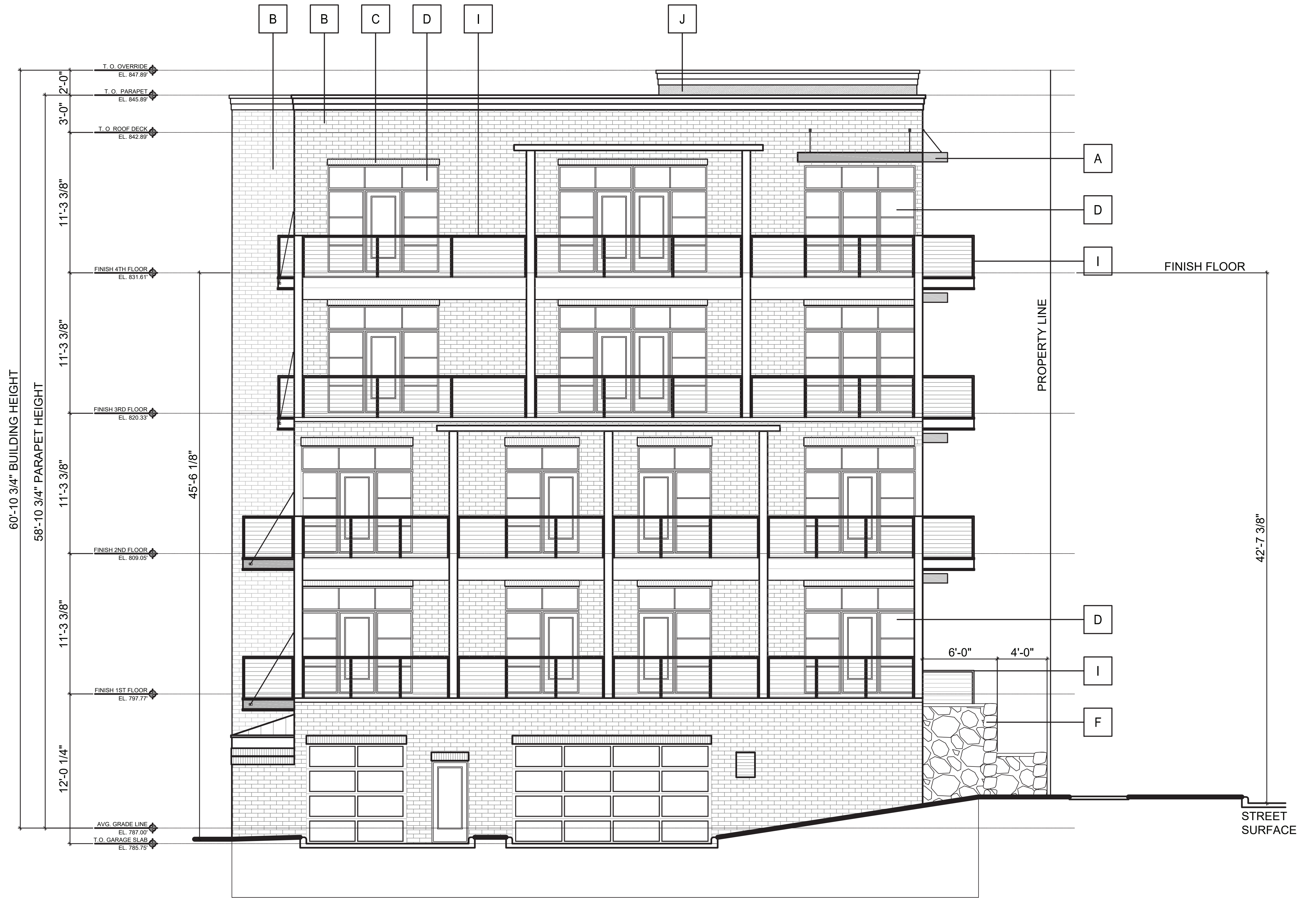
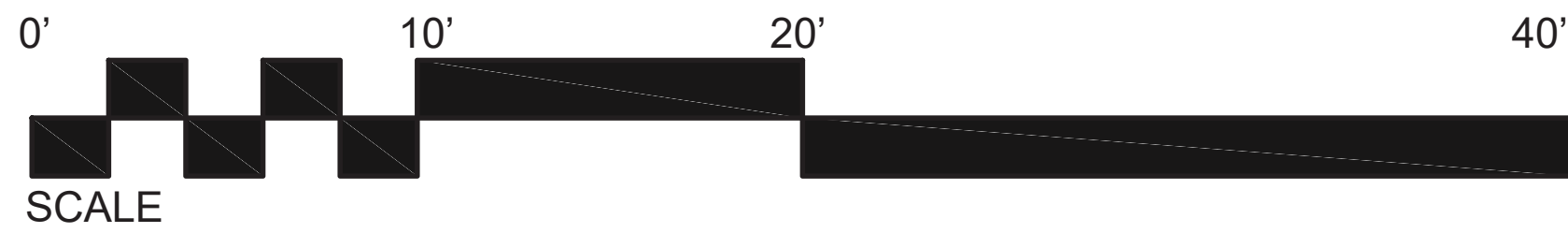
ELEVATION LEGEND	
A	ANODIZED ALUMINUM CANOPY TYP.
B	BRICK VENEER TYP. (GLEN-GREY "CAMDEN")
C	ROWLOCK BRICK COURSE TYP.
D	VINYL or ALUMINUM CLAD WINDOW TYP.
E	PRIVACY SCREEN TYP.
F	NATIVE ROCK FILLED CAGON RETAINING WALL TYP.
G	POURED CONCRETE WALL TYP.
H	LANDSCAPING RETAINING WALL TYP.
I	ANODIZED ALUMINUM BALCONY RAILING TYP.
J	STONE VENEER TYP.



NORTH ELEVATION

BUILDING HEIGHT = 61'-3 1/2"
 AVG. GRADE LINE (786.10' + 787.10') / 2 = 786.60'
 GARAGE LEVEL IS 53% BELOW GRADE

ELEVATION LEGEND	
A	ANODIZED ALUMINUM CANOPY TYP.
B	BRICK VENEER TYP. (GLEN-GRAY "CAMDEN")
C	ROWLOCK BRICK COURSE TYP.
D	VINYL or ALUMINUM CLAD WINDOW TYP.
E	PRIVACY SCREEN TYP.
F	NATIVE ROCK FILLED CABION RETAINING WALL TYP.
G	POURED CONCRETE WALL TYP.
H	LANDSCAPING RETAINING WALL TYP.
I	ANODIZED ALUMINUM BALCONY/RAILING TYP.
J	STONE VENEER TYP.



WEST ELEVATION

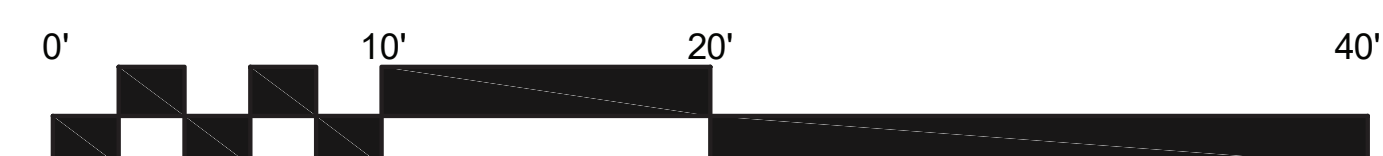
BUILDING HEIGHT = 60'-10 3/4"

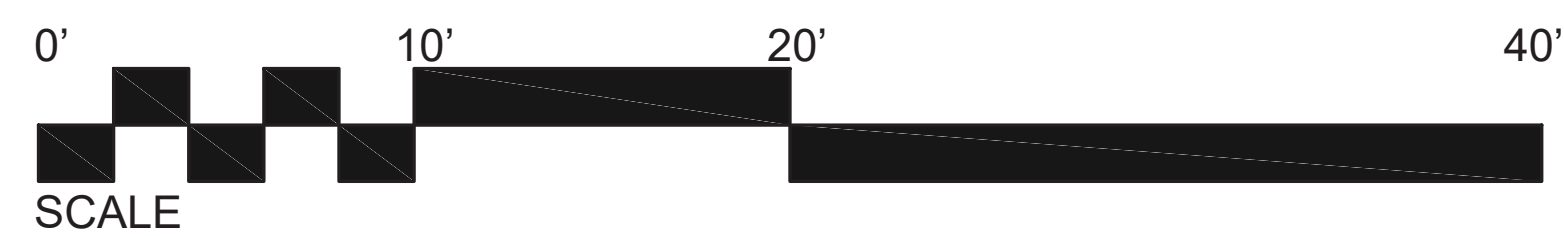
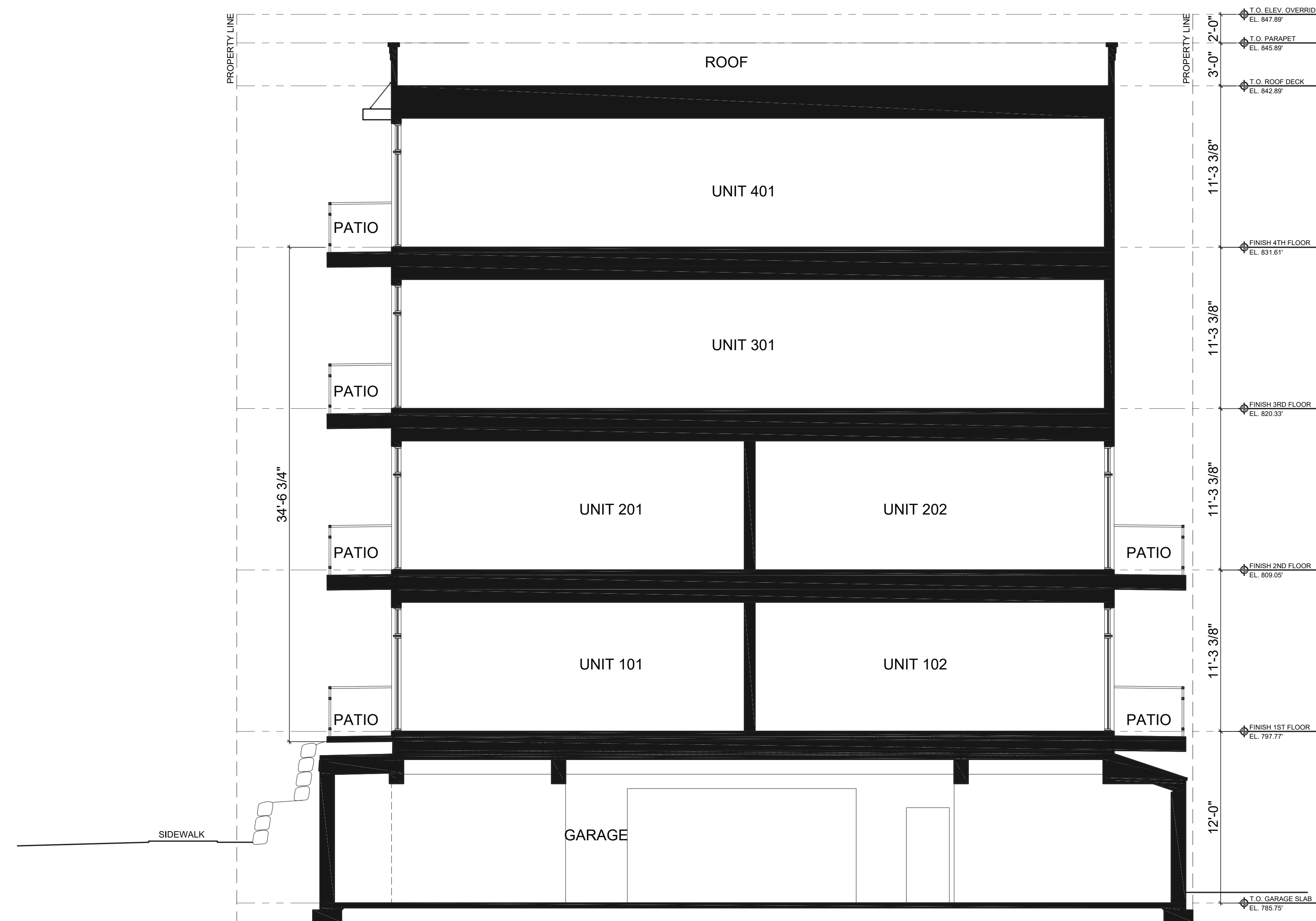
AVG. GRADE LINE (789.00' + 785.00') / 2 = 787.00'

GARAGE LEVEL IS 53% BELOW GRADE



STREET ELEVATION LOOKING WEST





BUILDING SECTION A

CITIZEN PARTICIPATION MEETING REPORT

Project: **325 E Summit – The Garnet**

MEETING DATE: October 11th, 2018

MEETING LOCATION: Huron meeting room at The Graduate hotel at 615 E. Huron

MEETING TIME: 7:00 P.M.

The comments and questions below are in no particular order. They have been consolidated as some attendees arrived late and had duplicate questions/concerns.

Brad Moore, architect, opened the meeting at 7:10pm with a presentation of the site plan approval process and the proposed project. The following is a summary of the questions and concerns expressed by the audience/participants.

Question: An attendee asked who the developer was.

Answer: Mr. Moore indicate that the developer was a group led by Kelly Anderson, the daughter of Garnet Johnson who has built many residential projects in the area.

Question: An attendee asked if the site had contamination on it.

Answer: Mr. Moore indicate that environmental testing revealed contamination of the soil from a former coal gasification operation in the area. DTE is the responsible party and they will be required to remove contaminated soils.

Question: An attendee asked what the landscaping retaining walls would be made out of

Answer: Mr. Moore indicate that gabions would be used in part filled with Michigan granite rocks

Question: An attendee asked how buyers of the condo units could be prevented from renting them out for short term stays.

Answer: Mr. Moore indicate that short term stays could be regulated in the condominium documents.

Question: How will storm water be handled?

Answer: Mr. Moore explained that there is currently no storm water management on the site whatsoever so all the water flows off the site or sinks through the contaminated soils on the site. The project will be required to hold and retain storm water that falls on the site so that it doesn't go into the city storm sewer for a period of 24 to 48 hours. We plan on doing that within the green roof system on the top of the building. The idea is to store the water on site until the city's storm water drains can clear of volume/flow. We'll be improving the drainage

and storm water retention dramatically over what presently exists. Infiltration will not be an option due to below grade contamination.

An attendee stated that they very much liked the green roof proposed.

Question: An attendee asked how big the dwelling units would be.

Answer: Mr. Moore said there would be both 2 and 3 bedroom units ranging in size from approximately 1,100 SF. To 1,700 SF.

Question: An attendee asked if the proposed building meets the current zoning.

Answer: We will be requesting a rezoning from C1b to C1a which would permit FAR up to 200%.

Question: An attendee asked what the project timing would be.

Answer: Mr. Moore indicated that it would likely take 6 to 9 months to get through the approval process at the city. Demolition would likely start shortly thereafter along with any required environmental remediation. Afterwards, construction would likely take 12 to 15 months depending on weather and other factors.

Question: An attendee asked if these will be condos or apartments and what the price range will be.

Answer: The units will be condos and while pricing has not been set yet, they will be in keeping with those currently being sold in the area – ie Market Rate.

Question: One attendee asked if the developer was planning on closing E Summit during construction.

Answer: Not long term. There may be temporary lane closures at the curb or parts of the alley for material deliveries from time to time.

Question: What will be the total number of units?

Answer: The number of units will be 10 condos on four floors above a largely below grade parking garage.

Question: How many parking spaces?

Answer: 14 cars and up to 30 bikes.

An attendee stated that his research at the city's assessor's office indicated that the alley was private now.

Mr. Moore replied that he and the owners believe that to be true too but that the city cannot find adequate documentation to satisfy/convince the city attorney's office of that fact.

Question: Will the alley be repaved?

Answer: the portion of the alley adjacent to the project will be repaved at the completion of the project.

Question: What will the exterior materials be?

Answer: It is consistent with the new developments in the area – the exterior will be mostly brick with stone accents and metal railings like The Mark and the Flat Iron Building.

Question: How far will the proposed building be from the property lines?

Answer: It varies from next to nothing to more than 20 feet as the building steps back and the property lines vary.

Question: Will there be a traffic study?

Answer: Only if the generated trips exceed the threshold set forth by the city to trigger one. We do not anticipate that the total trips will trigger one.

Question: Where are any heating and cooling units that will make noise be located?

Answer: We haven't yet enlisted a mechanical engineer to do final design but compressors/condensers/heat pumps would be on the roof. They will be high efficiency and quiet units like the Carrier Infinity series.

Question: Will it be wood frame construction?

Answer: Primarily above grade yes.

One attendee stated that he did not like the building name over the entry canopy as represented in the building elevation.

Question: Will there be on-site bike storage?

Answer: There will be a bike storage room/area in the basement garage and individual owners will have the option of adding additional bike storage in front of their parking spaces.

Question: Will there be a fire sprinkler system?

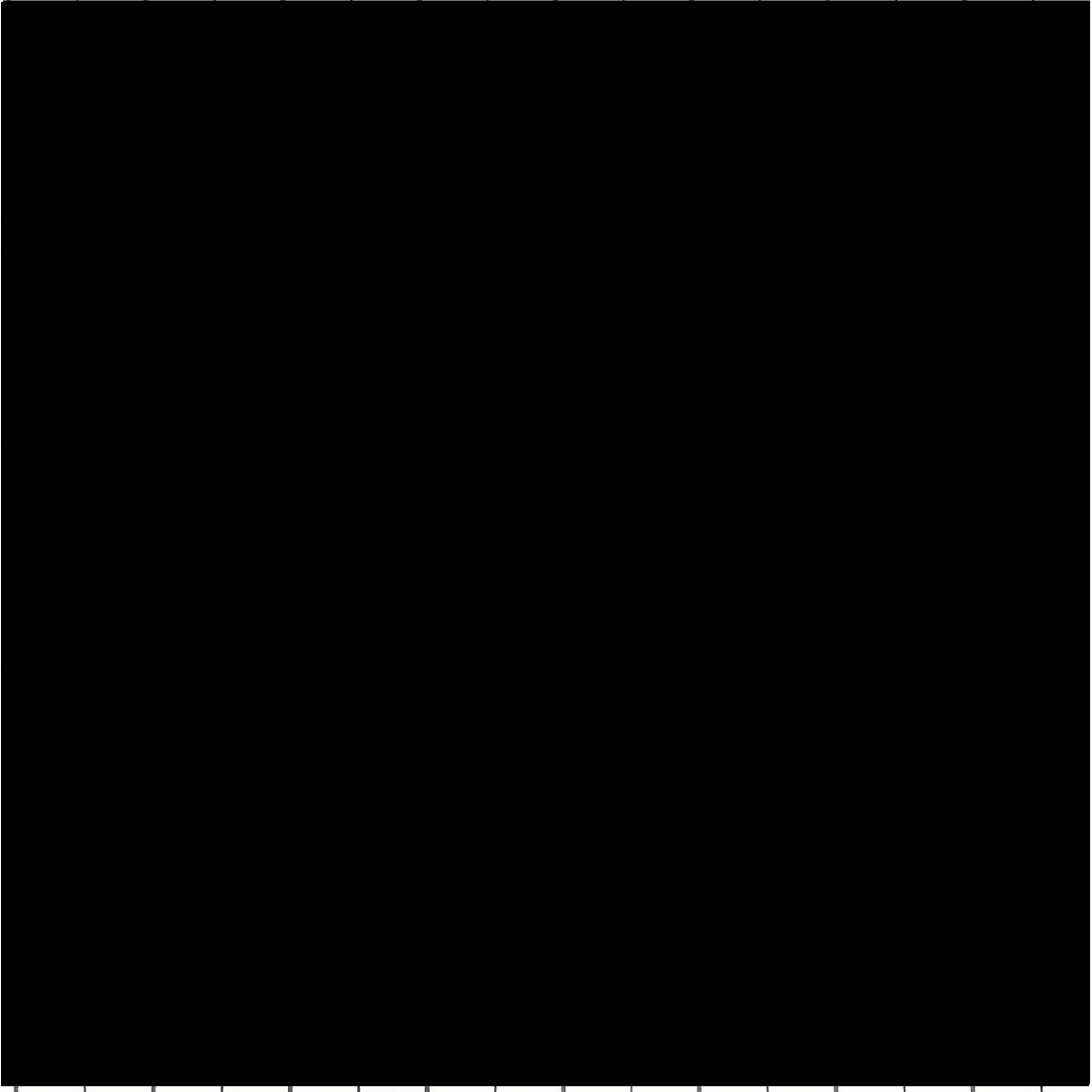
Answer: Yes.

Question: Will there be a door or security gate at the garages?

Answer: Yes

The meeting was adjourned at 8:00 pm.

Note – the comments, questions and answers documented above also include those asked/made by interested parties in communications with the development team before and after the CPM.

Name	Mailing Address		Phone #
		E-mail address	
REBBLES VINCENT			
Cheryl Catton			
Robert Catton			
Tom Stulberg			
Christine Grockett			
Karen Park			
JOHN BERANEK			
Feng Zhu			
John Rasmussen			

PROJECT

THE GARNET DEVELOPMENT AGREEMENT

THIS AGREEMENT, made this ____ day of ____, 20__, by and between the City of Ann Arbor, a Michigan Municipal Corporation, with principal address at 301 East Huron Street, Ann Arbor, Michigan 48107, hereinafter called the CITY; and 325 E Summit Condos, LLC , a Limited Liability Company , with principal address at _345 Glenwood St., Ann Arbor, MI 48103_, hereinafter called the DEVELOPER, witnesses that:

WHEREAS, the DEVELOPER owns certain land in the City of Ann Arbor, described below and site planned as The Garnet, and

WHEREAS, the DEVELOPER has caused certain land in the City of Ann Arbor, described below to be surveyed, mapped and site planned as The Garnet, and desires site plan approval by City Council and development agreement approval thereof, and

WHEREAS, the DEVELOPER desires to build or use certain improvements with and without the necessity of special assessments by the CITY, and

WHEREAS, the CITY desires to ensure that all of the improvements required by pertinent CITY ordinances and regulations be properly made, and that the DEVELOPER will install these improvements prior to any permits being issued.

THE DEVELOPER(S) HEREBY AGREE(S):

(P-1) To prepare and submit to the CITY for approval plans and specifications ("the Plans") prepared by a registered professional engineer for construction of private storm water management systems and sidewalks ("the Improvements") provided that no work on said Improvements shall be commenced until the Plans have been approved by the City Administrator or designee, and until such other relevant information to CITY service areas as shall be reasonably required has been provided.

(P-2) To construct all improvements set forth in Paragraph P-1 of this Agreement in accordance with the approved Plans and to repair all defects in the improvements that occur within one year from the date of acceptance of the Improvements by the CITY, commencing on the latest date of the acceptance of any Improvements by the CITY. If the DEVELOPER fails to construct the improvements, the CITY may send notice via first class mail to the DEVELOPER at the address listed above requiring it to commence and complete the improvements in the notice within the time set forth in the notice. The CITY may cause the work to be completed at the expense of the DEVELOPER, if the DEVELOPER does not complete the work within the time set forth in the notice. Every owner of a portion of the property, including co-owners of condominium units, shall pay a pro-rata share of the cost of the work. That portion of the cost of the work attributable to each condominium unit shall be a lien on that Property and may be collected as a single tax parcel assessment as provided in Chapter 13 of the Ann Arbor City Code.

(P-3) To furnish, within 30 days of completion, an engineer's certificate that the construction of the public improvements set forth in Paragraph P-1 above have been completed in accordance with the specifications of the CITY in accordance with the approved plans. The engineer's certificate will cover only those items the DEVELOPER'S engineer inspects.

(P-4) Prior to the issuance of building permits and recording the master deed, to deposit with a mutually acceptable escrow agent fully executed documents in a form acceptable to the CITY, which will convey, upon delivery to the CITY, easements for the construction and maintenance of public utilities and public streets. The escrow agreement shall provide for delivery of the documents to the CITY solely upon the condition that the CITY has accepted the public Improvement to be conveyed by the easement.

(P-5) To indemnify and hold the CITY harmless from any claims, losses, liabilities, damages or expenses (including reasonable attorney fees) suffered or incurred by the CITY based upon or resulting from any acts or omissions of the DEVELOPER, its employees, agents, subcontractors, invitees, or licensees in the design, construction, maintenance or repair of any of the Improvements required under this Agreement and the approved site plan.

(P-6) To cause to be maintained General Liability Insurance and Property Damage Insurance in the minimum amount of \$1,000,000 per occurrence and naming the CITY as named insured to protect and indemnify the CITY against any claims for damage due to public use of the public improvement(s) in the development prior to final written acceptance of the public improvement(s) by the CITY. Evidence of such insurance shall be produced prior to any construction of improvement and a copy filed with the City Clerk's Office and shall remain in full force and effect during construction of the public improvement(s) and until notice of acceptance by the CITY of the Improvements.

(P-7) Existing street trees shown on the site plan as trees to be saved shall be maintained by the DEVELOPER in good condition for a minimum of three years after granting of Certificate of Occupancy. Existing street trees that are determined by the CITY to be dead, dying or severely damaged due to construction activity within three years after granting of Certificate of Occupancy shall be replaced by the DEVELOPER as provided by Chapter 57 of the Ann Arbor City Code.

(P-8) For the benefit of the residents of the DEVELOPER'S development, to make a park contribution of \$ 6,250.00 to the CITY Parks and Recreation Services Unit prior to the issuance of any certificate of occupancy, for improvements to Wheeler Park, North Main Park, or the Farmers Market.

(P-9) To deposit, prior to any building permits being issued, a street tree planting escrow account with the Parks and Recreation Services Unit in the form of a check payable to the City of Ann Arbor. The escrow amount shall be based on the CITY policy in effect at that time and is to include all on-site public streets. The City Administrator may authorize the DEVELOPER to install the street trees if planted in accordance with CITY standards and specifications. If the street trees are found to be acceptable by the CITY, the escrow amount will be returned to the DEVELOPER one year after the date of acceptance by the CITY.

(P-10) To create an association composed of all owners of The Garnet condominium, hereinafter called the "Association", in which membership shall be required by covenants and restrictions recorded as part of the master deed for The Garnet. The association shall be responsible for and shall execute the appropriate documents insuring perpetual maintenance

and ownership of the landscape materials, driveways, on-site storm water management system, and all other common elements.

(P-11) To construct, repair and/or adequately maintain on-site storm water management system. If the DEVELOPER fails to construct, repair and/or maintain the private storm water management system, the CITY may send notice via first class mail to the DEVELOPER at the address listed above, requiring it to commence and complete the items stated in the notice within the time set forth in the notice. The CITY may cause the work to be completed at the expense of the DEVELOPER if the DEVELOPER does not complete the work within the time set forth in the notice.

(P-12) After construction of the private on-site storm water management system, to maintain it until non-developer co-owners elect one or more directors to the Association's board of directors. Thereafter, by provision in the master deed, the Association shall own and maintain the storm water management system. Any proposed changes to the system must be approved by the City of Ann Arbor Systems Planning and Planning and Development Services Units. If the DEVELOPER or Association, as appropriate, fails to maintain any portion of the system, the CITY may send notice via first class mail to the DEVELOPER, or Association, at the address listed above, requiring it to commence and complete the maintenance stated in the notice within the time set forth in the notice. The CITY may cause the work to be completed at the expense of the DEVELOPER or Association if the DEVELOPER or Association does not complete the work, as appropriate, within the time set forth in the notice. If the CITY completes the work, and the costs remain unpaid by the Association for 60 days after notice via first class mail, the CITY may bill each condominium unit for the pro rata share of the total cost, or assess the pro rata share of those costs to each condominium unit as a single tax parcel assessment as provided in Chapter 13 of Ann Arbor City Code. Provisions for maintenance and responsibility for the storm water management system, as well as the pro rata share of each condominium unit shall be included by the DEVELOPER in the master deed.

(P-13) After construction of the private on-site storm water management system, to commission an annual inspection of the system by a registered professional engineer evaluating its operation and stating required maintenance or repairs, and to provide a written copy of this evaluation to the CITY Public Services Area.

(P-14) The DEVELOPER shall provide, upon request by city staff, analytical results of water discharged by the sump pump. City staff are to witness the collection of the sample and will provide a list of testing parameters. The parameters may include: BTEX, SVOC's, Arsenic, Barium, Cadmium, Chromium, Copper, Lead, Manganese, Mercury, Selenium, Silver, Zinc, available Cyanide, and ammonia. Testing results are to be provided to the City Public Services Area. If at any point, sampling results show the presence of contamination, one or more of the following actions may be required: (a) disconnection of the sump discharge from the city storm sewer system, (b) routing the sump pump discharge to an alternative location, (c) the installation of an appropriate filtration system, designed to handle to constitute(s) found during sampling.

(P-15) To prepare and submit to the Planning and Development Services Unit one copy of the Master Deed, along with the required review fee, prior to issuance of building permits.

(P-16) To design, construct, repair and maintain this development in accordance with the provisions of Chapter 119 (Noise Control) to ensure that any noise emanating from said development will not impact nearby residents or businesses. In addition, DEVELOPER shall review existing noise sources surrounding said development and incorporate necessary design

and construction techniques to ensure that future tenants will not be exposed to noise sources in violation of Chapter 119.

(P-17) To include the elevation drawings, as submitted to City Council, as part of the approved site plan and to construct all buildings consistent with said elevation drawings. If the DEVELOPER proposes any substantive changes to the approved building elevations, setbacks, aesthetics, or materials, that those changes be brought back to the City Council for consideration. The DEVELOPER is required to submit signed and sealed drawings to staff reflecting the elevations, setbacks, aesthetics, materials and site plan approved by City Council.

(P-18) To remove all discarded building materials and rubbish from the development at least once each month during construction of the development improvements, and within one month after completion or abandonment of construction.

(P-19) DEVELOPER is the sole title holder in fee simple of the land described below except for any mortgage, easements and deed restrictions of record and that the person(s) signing below on behalf of DEVELOPER has (have) legal authority and capacity to enter into this agreement for DEVELOPER.

(P-20) Failure to construct, repair and/or maintain the site pursuant to the approved site plan and/or failure to comply with any of this approved development agreement's terms and conditions shall constitute a material breach of the Agreement and the CITY shall have all remedies in law and/or in equity necessary to ensure that the DEVELOPER complies with the approved site plan and/or the terms and conditions of the approved development agreement. The DEVELOPER shall be responsible for all costs and expenses including reasonable attorney fees incurred by the CITY in enforcing the terms and conditions of the approved site plan and/or development agreement.

(P-21) In addition to any other remedy set forth in this Agreement or in law or equity, if DEVELOPER fails to make a timely or full payments to the CITY as set forth elsewhere in the Agreement to the CITY in the agreed upon manner, any unpaid amount(s) shall become a lien, as provided under Ann Arbor City Code and recorded with the Washtenaw County Register of Deeds, against the land described below and may be placed on the CITY tax roll as a single lot assessment, or if the development is converted to condominium ownership, every owner of a portion of the property shall pay a pro-rata share of the amount of the payments attributable to each condominium unit. If the unpaid amount(s), in whole or in part, has been recorded as a lien on the CITY'S tax roll and with the Washtenaw County Register of Deeds, upon payment of the amount in full along with any penalties and interest, the CITY, upon request, will execute an instrument in recordable form acknowledging full satisfaction of this condition. *(or against that portion of the cost of the work)*

(P-22) To pay for the cost of recording this Agreement with the Washtenaw County Register of Deeds, and to pay for the cost of recording all documents granting easements to the CITY.

THE CITY HEREBY AGREES:

(C-1) In consideration of the above undertakings, to approve The Garnet Site Plan.

(C-2) To use the park contribution described above for improvements to Wheeler Park, North Main Park, or the Farmers Market.

(C-4) To provide timely and reasonable CITY inspections as may be required during construction.

(C-5) To record this agreement with the Washtenaw County Register of Deeds.

GENERAL TERMS

Both the DEVELOPER and the CITY agree as follows:

(T-1) This agreement is not intended to create a contractual right for third parties.

(T-2) This Agreement and any of its terms, conditions, or provisions cannot be modified, amended, or waived unless in writing and unless executed by both parties to this Agreement. Any representations or statements, whether oral or in writing, not contained in this Agreement shall not be binding on either party.

(T-3) This Agreement and any of its terms or conditions shall not be assigned or transferred to any other individual or entity unless prior approval of the CITY is received. Such approval shall not be withheld unreasonably.

(T-4) The obligations and conditions on the DEVELOPER, as set forth above in this Agreement and in the approved site plan, shall be binding on any successors and assigns in ownership of the following described parcel:

LOTS 2, 4 & 6 BLK 8 MAP OF ORMSBY & PAGES ADDN

(T-5) In addition to any other remedy in law or in equity failure to comply with all of the above paragraphs on the part of the DEVELOPER, or any part of the approved site plan, in part or in whole, shall give the CITY adequate basis and cause to issue a stop work order for any previously-issued building permits and shall be an adequate basis and cause for the CITY to deny the issuance of any building permits, certificates of occupancy, or any other permits unless and until the CITY has notified the DEVELOPER in writing that the DEVELOPER has satisfactorily corrected the item(s) the DEVELOPER has failed to perform.

(T-6) This agreement shall be interpreted, enforced and governed under the laws of the State of Michigan and Ann Arbor City Code.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day first above written.

Witnesses:

CITY OF ANN ARBOR, MICHIGAN
301 East Huron Street
Ann Arbor, Michigan 48107

By: _____
Christopher Taylor, Mayor

By: _____
Jacqueline Beaudry, City Clerk

Approved as to Substance:

Steven D. Powers, City Administrator

Approved as to Form:

Stephen K. Postema, City Attorney

325 E Summit Condos, LLC

Witness:

By: _____
Name, Title

STATE OF MICHIGAN)
) ss:
County of Washtenaw)

On this _____ day of _____, 20____, before me personally appeared Christopher Taylor, Mayor, and Jacqueline Beaudry, Clerk of the City of Ann Arbor, a Michigan Municipal Corporation, to me known to be the persons who executed this foregoing instrument, and to me known to be such Mayor and Clerk of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the free act and deed of said Corporation by its authority.

NOTARY PUBLIC
County of Washtenaw, State of Michigan
My Commission Expires: _____
Acting in the County of Washtenaw

STATE OF MICHIGAN)
) ss:
County of Washtenaw)

On this _____ day of _____, 20__, before me personally appeared _____, to me known to be the person who executed the foregoing instrument, and acknowledged that he executed the foregoing instrument as his free act and deed.

NOTARY PUBLIC
County of Washtenaw, State of Michigan
My Commission Expires: _____
Acting in the County of Washtenaw

DRAFTED BY AND AFTER RECORDING RETURN TO:
Ann Arbor Planning & Development Services
Post Office Box 8647
Ann Arbor, Michigan 48107
(734) 794-6265

From: [Karen Wight](#)
To: [Ackerman, Zach](#)
Subject: Re: Garnet Staff Report
Date: Wednesday, August 21, 2019 8:59:11 AM

Thank you Zach. My education continues!....

Best,
Karen

On Tue, Aug 20, 2019 at 8:02 PM Ackerman, Zach <ZAckerman@a2gov.org> wrote:

Great to see you! Attached.

Best,
Zach

Zachary Ackerman
Ann Arbor City Council
Ward 3
[REDACTED]

Emails sent to or from this address could be subject to public disclosure under the Freedom of Information Act (FOIA).

--

Karen Wight
Project Coordinator, Detroit Observatory



Bentley Historical Library
1150 Beal Avenue
Ann Arbor, Michigan 48109-2113
734-936-1337
www.bentley.umich.edu
@UmichBentley

From: [Meredith Kahn](#)
To: [Ramlawi, Ali](#)
Subject: thank you re: The Garnet
Date: Wednesday, August 21, 2019 12:10:40 PM


Dear Council Member Ramlawi,

As a constituent in the Fifth Ward, I would like to thank you for speaking in favor of "The Garnet" development (325 E Summit St) at Monday's city council meeting. This looks like an excellent project for that site, and it will add residents and vibrancy to the area.

I would also like to thank you for pointing out that PUD zoning is not a one-size-fits-all solution for new developments, and that it can pose considerable challenges for small projects like The Garnet. Your comments on this topic were a smart rejoinder to your fellow council members who seem to have less of an understanding of how zoning and development work in practice.

I hope you will vote in favor of The Garnet's zoning and site plan when they come before council again, and I hope you will also vote in favor of future development opportunities to increase our housing supply here in Ann Arbor. You were absolutely correct when you said that council needs to start saying yes to things.

Thank you,
Meredith Kahn



From: [Hayner, Jeff](#)
To: [Delacourt, Derek](#); [Lenart, Brett](#)
Cc: [Bannister, Anne](#)
Subject: 325 Summit Rezoning
Date: Wednesday, August 21, 2019 12:43:00 PM

Dear Mr. Delacourt, Mr. Lenart,

I have been contacted by some neighbors adjacent to 325 Summit (The Garnet) and they are expressing what I would characterize as extreme displeasure to the re-zoning request. As I have found to be the case many times over, none of them recall receiving the official notice post card. Usually I just look it up on-line like I did for 1600 Traver and send it to them, still, in this case, they would like to write formal letters of protest about the project. (not the postcard, although I think we need to revisit that process as we have discussed) The neighbor who called me also asked if he could get a copy of the notification list, that is, all who were sent the postcard. I wasn't sure if that list resided with the city, or the developer.

Besides addressing the letters to the clerk, and including their address and the project address, is there any other steps they need to take to formalize this protest?

Thank you for a quick response as I know this will be back before council in 2 short weeks,

Sincerely,

Jeff Hayner
Ward 1 City Council

From: [Ramlawi, Ali](#)
To: [Meredith Kahn](#)
Subject: Re: thank you re: The Garnet
Date: Wednesday, August 21, 2019 2:58:38 PM

Meredith.

I deeply appreciate your email and thoughts about the discussions @ the August 19th council meeting as it relates to development and the housing crises. It helps me a great deal to know that the concerns I share @ the "table" are the same concerns constituents have.

Much of the time, council members only receive the negative feedback, so it's a true joy to receive positive feedback.

I will do my best to balance our community's priorities and interest as I continue to represent the 5th Ward.

Warm regards,
Ali
Sent from my iPad

> On Aug 21, 2019, at 12:10 PM, Meredith Kahn [REDACTED] wrote:

>

> Dear Council Member Ramlawi,

>

> As a constituent in the Fifth Ward, I would like to thank you for speaking in favor of "The Garnet" development (325 E Summit St) at Monday's city council meeting. This looks like an excellent project for that site, and it will add residents and vibrancy to the area.

>

> I would also like to thank you for pointing out that PUD zoning is not a one-size-fits-all solution for new developments, and that it can pose considerable challenges for small projects like The Garnet. Your comments on this topic were a smart rejoinder to your fellow council members who seem to have less of an understanding of how zoning and development work in practice.

>

> I hope you will vote in favor The Garnet's zoning and site plan when they come before council again, and I hope you will also vote in favor of future development opportunities to increase our housing supply here in Ann Arbor. You were absolutely correct when you said that council needs to start saying yes to things.

>

> Thank you,

> Meredith Kahn

> [REDACTED]

[REDACTED]

From: [Lumm, Jane](#)
To: [Wendy J Carman](#)
Subject: FW: Major Concerns with the Garnet's Proposed Zoning Change (Updated to Correct a Typo)
Date: Thursday, August 22, 2019 9:36:00 AM
Attachments: [Mixed Use Future Land Use Areas Relative to Campus Map.pdf](#)

From: Jeff Crockett <[REDACTED]>
Sent: Sunday, August 18, 2019 10:42 AM
To: CityCouncil <CityCouncil@a2gov.org>
Subject: Major Concerns with the Garnet's Proposed Zoning Change (Updated to Correct a Typo)

Dear City Council Representatives,

The Garnet proposal to change the zoning from a C1B to C1A to increase the height and FAR (Floor to Area Ratio) of their condo development is seductive on the surface. After all, what could be wrong about a modest increase in height and a 25% increase in FAR to a project in a downtown area where more housing is needed?

Well, as it turns out, there are many reasons why the Garnet proposal should send up a red flag for all of us. Here are but a few:

First, there is a great deal of confusion about what constitutes a Campus Business District. According to Section 5.12.3 in the UDC, a C1A Campus Business District is ... "intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-to-day needs, specialty shops, and recreation." Currently, the Garnet property is designated as C1B, a Community Convenience Center. Re-zoning this as a campus area is a radical change and calls into question what other areas in Ann Arbor could be called a Campus Business District. If you look at the attached chart of University-owned land across the city, it is clear that developers could easily request C1A zoning for their own developments near university-owned land simply to make them more profitable without any contribution to affordable housing. So, in effect, changing this designation for the Garnet proposal is creating a huge **loophole**. Consequently, you should reject the Garnet proposal and, instead, direct the planning department to define a Campus Business District more specifically and clarify what areas in the city should be and should not be considered Campus Business Districts. Only then should you re-consider the Garnet proposal.

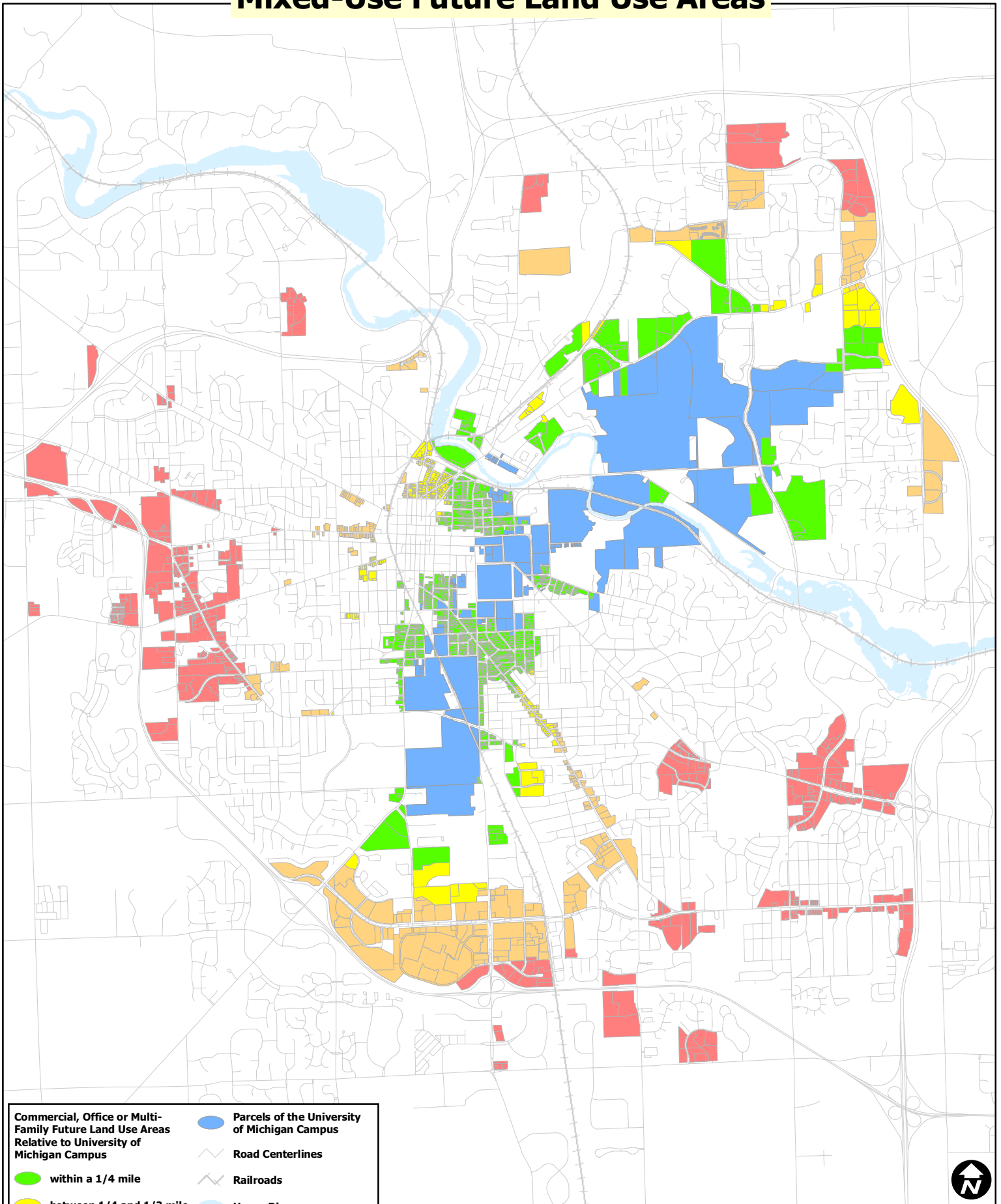
Second, in exchange for this upzoned project with units priced at \$450 per square foot targeting young professionals and empty-nesters (see <https://expo.mlive.com/news/erry-2018/11/9308e8ccbc4692/see-plans-for-the-garnet-condo.html>), the Ann Arbor community gets zero affordable housing units. This is nothing more than a giveaway.

Third, rezoning this property could very well be interpreted by pro-density advocates as an incentive to continue to chip away at local zoning laws with the ultimate goal of removing them altogether. They would like us to believe that relaxing zoning restrictions will improve affordability. But, as we have seen here and in other cases, relaxing zoning restrictions has only actually benefited wealthy folks who can afford high rents and mortgages of newer construction. Before approving spot zoning for properties such as this, the Council should first allow the Master Plan revision process to conclude, which hopefully will include authentic community engagement. Only then will we know what the Ann Arbor community as a whole wants in regards to the future of planning and development in Ann Arbor.

Thanks for your consideration,

Jeff and Christine Crockett

Mixed-Use Future Land Use Areas



- | | |
|---|---|
| Commercial, Office or Multi-Family Future Land Use Areas Relative to University of Michigan Campus | Parcels of the University of Michigan Campus |
| within a 1/4 mile | Road Centerlines |
| between 1/4 and 1/2 mile | Railroads |
| between 1/2 and 1 mile | Huron River |
| more than 1 mile | |



Map date 7/18/2019
 Any aerial imagery is circa 2018
 unless otherwise noted
 Terms of use: www.a2gov.org/terms

From: [Bannister, Anne](#)
To: [Lenart, Brett](#); [Delacourt, Derek](#)
Cc: [Hayner, Jeff](#)
Subject: Re: 325 Summit Rezoning
Date: Saturday, August 24, 2019 4:51:11 PM

Thank you! I've been on Council for nearly two years and don't recall receiving the petition form before, so thanks for sending it. I appreciate your willingness to respond. -- Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Lenart, Brett <BLenart@a2gov.org>
Sent: Thursday, August 22, 2019 12:25 PM
To: Hayner, Jeff <JHayner@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: RE: 325 Summit Rezoning

Hello Councilmember Hayner-

As referenced in my voicemail a few moments ago, I'm attaching two lists for you. The mailing list for the Citizen Participation Meeting (1,000 feet) and for the public hearing (300 feet) associated with the proposal at 325 E. Summit. If neighbors are interested in protesting the proposed rezoning, they can use the form which I have also attached.

If you have any additional questions, feel free to reach out here or at my city extension, #42606.

Sincerely,

-Brett Lenart
Planning Manager

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, August 21, 2019 12:44 PM
To: Delacourt, Derek <DDelacourt@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: 325 Summit Rezoning

Dear Mr. Delacourt, Mr. Lenart,

I have been contacted by some neighbors adjacent to 325 Summit (The Garnet) and they are expressing what I would characterize as extreme displeasure to the re-zoning request. As I have found to be the case many times over, none of them recall receiving the official notice post card. Usually I just look it up on-line like I did for 1600 Traver and send it to them, still, in this case, they would like to write formal letters of protest about the project. (not the postcard, although I think we need to revisit that process as we have discussed) The neighbor who called me also asked if he could get a copy of the notification list, that is, all who were sent the postcard. I wasn't sure if that list resided with the city, or the developer.

Besides addressing the letters to the clerk, and including their address and the project address, is there any other steps they need to take to formalize this protest?

Thank you for a quick response as I know this will be back before council in 2 short weeks,

Sincerely,

Jeff Hayner
Ward 1 City Council

From: [Bannister, Anne](#)
To: [REDACTED]
Cc: [Hayner, Jeff](#)
Subject: Fw: 325 Summit Rezoning
Date: Saturday, August 24, 2019 4:53:22 PM
Attachments: [325 E Summit St 300ft buffer address labels.docx](#)
[325 E Summit St 1000ft buffer address labels.docx](#)
[REZONING PROTEST PETITION.pdf](#)

Dear Mark -- Please find attached the lists of addresses and the Rezoning Protest Petition.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Lenart, Brett <BLenart@a2gov.org>
Sent: Thursday, August 22, 2019 12:25 PM
To: Hayner, Jeff <JHayner@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: RE: 325 Summit Rezoning

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-Brett Lenart
Planning Manager

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, August 21, 2019 12:44 PM
To: Delacourt, Derek <DDelacourt@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: 325 Summit Rezoning

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Thank you for a quick response as I know this will be back before council in 2 short weeks,

Sincerely,

Jeff Hayner
Ward 1 City Council

Postal Customer
115 DEPOT ST
ANN ARBOR MI, 48104

Postal Customer
1575 MILLER AVE
ANN ARBOR MI, 48103

Postal Customer
1741 MONTEREY CT
ANN ARBOR MI, 48108

Postal Customer
2 W MICHIGAN
YPSILANTI MI, 48197

Postal Customer
201 Depot St
Ann Arbor MI, 48104

Postal Customer
2182 YORKTOWN DR
ANN ARBOR MI, 48105

Postal Customer
2711 ALEX DR
ANN ARBOR MI, 48104

Postal Customer
304 Depot St
Ann Arbor MI, 48104-1022

Postal Customer
306 E Summit St
Ann Arbor MI, 48104

Postal Customer
310 Depot St 1
Ann Arbor MI, 48104

Postal Customer
310 Depot St 2
Ann Arbor MI, 48104

Postal Customer
310 Depot St 3
Ann Arbor MI, 48104

Postal Customer
310 E Summit St 1
Ann Arbor MI, 48104-1053

Postal Customer
310 E Summit St 2
Ann Arbor MI, 48104-1053

Postal Customer
314 E Summit St
Ann Arbor MI, 48104-1053

Postal Customer
320 Depot St
Ann Arbor MI, 48104

Postal Customer
324 E Summit St
Ann Arbor MI, 48104-1053

Postal Customer
325 Depot St
Ann Arbor MI, 48104-1021

Postal Customer
325 E Summit St
Ann Arbor MI, 48104-1052

Postal Customer
326 E Summit St
Ann Arbor MI, 48104-1053

Postal Customer
331 Beakes St
Ann Arbor MI, 48104-1013

Postal Customer
333 BEAKES ST
ANN ARBOR MI, 48104

Postal Customer
333 Beakes St 1
Ann Arbor MI, 48104-1013

Postal Customer
333 Beakes St 2
Ann Arbor MI, 48104-1013

Postal Customer
334 Beakes St 1
Ann Arbor MI, 48104-1036

Postal Customer
334 Beakes St 2
Ann Arbor MI, 48104-1036

Postal Customer
334 Beakes St 3
Ann Arbor MI, 48104-1036

Postal Customer
337 Beakes St 1
Ann Arbor MI, 48104-1013

Postal Customer
337 Beakes St 2
Ann Arbor MI, 48104-1013

Postal Customer
340 Depot St
Ann Arbor MI, 48104-1022

Postal Customer
343 Beakes St
Ann Arbor MI, 48104-1013

Postal Customer
3685 DALEVIEW DR
ANN ARBOR MI, 48105

Postal Customer
375 Depot St
Ann Arbor MI, 48104-1021

Postal Customer
400 NW CAPITOL ST
WASHINGTON DC, 20001

Postal Customer
401 Depot St
Ann Arbor MI, 48104-1023

Postal Customer
403 Beakes St
Ann Arbor MI, 48104-1015

Postal Customer
410 High St
Ann Arbor MI, 48104-1130

Postal Customer
411 High St A1
Ann Arbor MI, 48104-1160

Postal Customer
411 High St B1
Ann Arbor MI, 48104-1160

Postal Customer
411 High St B2
Ann Arbor MI, 48104-1160

Postal Customer
411 High St B3
Ann Arbor MI, 48104-1160

Postal Customer
411 High St C1
Ann Arbor MI, 48104-1160

Postal Customer
411 High St C2
Ann Arbor MI, 48104-1160

Postal Customer
414 HUNTINGTON PLACE
ANN ARBOR MI, 48104

Postal Customer
415 HIGH ST
ANN ARBOR MI, 48104

Postal Customer
415 High St 1
Ann Arbor MI, 48104-1129

Postal Customer
415 High St 2
Ann Arbor MI, 48104-1129

Postal Customer
423 High St
Ann Arbor MI, 48104-1129

Postal Customer
425 Depot St
Ann Arbor MI, 48104

Postal Customer
502 W HURON
ANN ARBOR MI, 48103

Postal Customer
544 N Division St 1
Ann Arbor MI, 48104-1136

Postal Customer
544 N Division St 2
Ann Arbor MI, 48104-1136

Postal Customer
5690 JUDD RD
MILAN MI, 48160

Postal Customer
617 Detroit St 100
Ann Arbor MI, 48104

Postal Customer
617 Detroit St 125
Ann Arbor MI, 48104

Postal Customer
6633 STONEY CREEK DR
YPSILANTI MI, 48197

Postal Customer
708 N Fifth Ave
Ann Arbor MI, 48104-1058

Postal Customer
712 N Fifth Ave
Ann Arbor MI, 48104-1058

Postal Customer
716 N Fifth Ave
Ann Arbor MI, 48104

Postal Customer
724 N Fifth Ave A
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave B
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave C
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave D
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave E
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave F
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave G
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave H
Ann Arbor MI, 48104-1056

Postal Customer
811 W LIBERTY ST
ANN ARBOR MI, 48103

Postal Customer
903 MINER ST
ANN ARBOR MI, 48103

Postal Customer
ONE E FOURTH ST
CINCINNATI OH, 45202

Postal Customer
725 WEST ELLSWORTH
ANN ARBOR MI, 48108

Postal Customer
P.O. BOX 33017
DETROIT MI, 48232

Postal Customer
P.O. BOX 3976
ANN ARBOR MI, 48106

Postal Customer
PO BOX 22845
OKLAHOMA CITY OK, 73123

544 DETROIT STREET LLC
544 Detroit St 1
Ann Arbor MI, 48104

703-705 N FIFTH CONDOMINIUM
ASSOCIATION
705 N Fifth Ave
Ann Arbor MI, 48104

709 N FIFTH AVENUE INC
325 E Summit St
Ann Arbor MI, 48104

WICKLIFFE PLACE CONDOMINIUM
ASSOCIATION
665 N Fifth Ave
Ann Arbor MI, 48104

Ann Arbor Preservation Alliance
126 N Division St
Ann Arbor MI, 48104

North Area Neighborhood Association
612 N Main St
Ann Arbor MI, 48104

North Central Neighborhood
Association
711 N 4th Ave
Ann Arbor MI, 48104

Old Fourth Ward Association
506 E Kingsley St
Ann Arbor MI, 48104

Kerrytown District Association
407 N Fifth Ave
Ann Arbor MI, 48104

Allen's Creek Watershed Group
556 Glendale Cir
Ann Arbor MI, 48103

SIH 5/2/19

Postal Customer
* PO BOX 26138
FRASER MI, 48026

Postal Customer
* PO BOX 7967
ANN ARBOR MI, 48107

Postal Customer
105 E Summit St 1
Ann Arbor MI, 48104-1048

Postal Customer
105 E Summit St 2
Ann Arbor MI, 48104-1048

Postal Customer
106 Depot St
Ann Arbor MI, 48104-1018

Postal Customer
1085 S University Ave
Ann Arbor MI, 48104

Postal Customer
109 E Summit St
Ann Arbor MI, 48104-1048

Postal Customer
10956 STRATHMORE DR
LOS ANGELES CA, 90024

Postal Customer
110 Depot St
Ann Arbor MI, 48104-1018

Postal Customer
110 E Summit St 1
Ann Arbor MI, 48104-1049

Postal Customer
110 E Summit St 2
Ann Arbor MI, 48104-1049

Postal Customer
11114 CROSSTREE CT
FORT WAYNE IN, 46814

Postal Customer
112 E Summit St
Ann Arbor MI, 48104-1049

Postal Customer
112 MADERA AVE
SAN CARLOS CA, 94070

Postal Customer
1125 HONEY RUN DR
ANN ARBOR MI, 48103

Postal Customer
113 9TH ST
ANN ARBOR MI, 48103

Postal Customer
113 E SUMMIT ST
ANN ARBOR MI, 48104

Postal Customer
113 E Summit St 1
Ann Arbor MI, 48104-1048

Postal Customer
113 E Summit St 2
Ann Arbor MI, 48104-1048

Postal Customer
114 Depot St
Ann Arbor MI, 48104-1018

Postal Customer
115 Depot St
Ann Arbor MI, 48104-1017

Postal Customer
116 E Summit St
Ann Arbor MI, 48104-1049

Postal Customer
117 E Summit St 1
Ann Arbor MI, 48104-1048

Postal Customer
117 E Summit St 2
Ann Arbor MI, 48104-1048

Postal Customer
117 N DIVISION ST
ANN ARBOR MI, 48104

Postal Customer
120 DEPOT ST
ANN ARBOR MI, 48104

Postal Customer
120 Depot St 1
Ann Arbor MI, 48104-1018

Postal Customer
120 Depot St 2
Ann Arbor MI, 48104-1018

Postal Customer
120 E Summit St
Ann Arbor MI, 48104-1049

Postal Customer
1202 TRAVER ST
ANN ARBOR MI, 48105

Postal Customer
1205 HARBROOKE AVE
ANN ARBOR MI, 48103

Postal Customer
121 E SUMMIT ST
ANN ARBOR MI, 48104

Postal Customer
121 E Summit St 1
Ann Arbor MI, 48104-1048

Postal Customer
121 E Summit St 2
Ann Arbor MI, 48104-1048

Postal Customer
124 E SUMMIT ST
ANN ARBOR MI, 48104

Postal Customer
124 E Summit St 1
Ann Arbor MI, 48104-1049

Postal Customer
124 E Summit St 2
Ann Arbor MI, 48104-1049

Postal Customer
124 W SUMMIT ST
ANN ARBOR MI, 48103

Postal Customer
124 W SUMMIT SUTE A
ANN ARBOR MI, 48103

Postal Customer
126 Depot St
Ann Arbor MI, 48104-1018

Postal Customer
126 E Summit St
Ann Arbor MI, 48104-1049

Postal Customer
127 E SUMMIT ST
ANN ARBOR MI, 48104

Postal Customer
127 E Summit St 1
Ann Arbor MI, 48104-1048

Postal Customer
127 E Summit St 2
Ann Arbor MI, 48104-1048

Postal Customer
13750 WATERS RD
CHELSEA MI, 48118

Postal Customer
1413 SHADFORD RD
ANN ARBOR MI, 48104

Postal Customer
1575 MILLER AVE
ANN ARBOR MI, 48103

Postal Customer
1700 GEDDES AVE
ANN ARBOR MI, 48104

Postal Customer
1701 HERMITAGE RD
ANN ARBOR MI, 48104

Postal Customer
1741 MONTEREY CT
ANN ARBOR MI, 48108

Postal Customer
1760 RIVERWOOD DR
ANN ARBOR MI, 48103-2384

Postal Customer
1880 GLENWOOD RD
ANN ARBOR MI, 48104

Postal Customer
1945 CAMELOT RD
ANN ARBOR MI, 48104

Postal Customer
2 W MICHIGAN
YPSILANTI MI, 48197

Postal Customer
201 Depot St
Ann Arbor MI, 48104

Postal Customer
203 BEAKES ST
ANN ARBOR MI, 48104

Postal Customer
203 Beakes St 1
Ann Arbor MI, 48104-1060

Postal Customer
203 Beakes St 3
Ann Arbor MI, 48104-1060

Postal Customer
203 Beakes St 4
Ann Arbor MI, 48104-1060

Postal Customer
208 Beakes St
Ann Arbor MI, 48104-1012

Postal Customer
209 Beakes St
Ann Arbor MI, 48104-1011

Postal Customer
209 S FOURTH AVE 1C
ANN ARBOR MI, 48104

Postal Customer
210 Beakes St
Ann Arbor MI, 48104-1012

Postal Customer
2111 WOODWARD SUITE 600
DETROIT MI, 48201

Postal Customer
213 Beakes St
Ann Arbor MI, 48104-1011

Postal Customer
21361 TARRACO
MISSION VIEJO CA, 92692

Postal Customer
214 Beakes St
Ann Arbor MI, 48104-1012

Postal Customer
215 Beakes St
Ann Arbor MI, 48104-1011

Postal Customer
216 Beakes St
Ann Arbor MI, 48104-1012

Postal Customer
21711 W TEN MILE RD, SUITE 237
SOUTHFIELD MI, 48075

Postal Customer
2182 YORKTOWN DR
ANN ARBOR MI, 48105

Postal Customer
219 BARTON DR
ANN ARBOR MI, 48105

Postal Customer
2215 BLUBERRY LN
ANN ARBOR MI, 48103

Postal Customer
229 Depot St
Ann Arbor MI, 48104

Postal Customer
230 HURONVIEW BLVD
ANN ARBOR MI, 48103

Postal Customer
23638 STERLING PL
DEARBORN MI, 48124

Postal Customer
24-23 83RD ST
EAST ELMHURST NY, 11370

Postal Customer
2446 HIGHLAND DR
ANN ARBOR MI, 48105

Postal Customer
262 W 15TH ST APT 1
NEW YORK NY, 10011

Postal Customer
2631 TESSMER DR
ANN ARBOR MI, 48103

Postal Customer
2631 TESSMER RD
ANN ARBOR MI, 48103

Postal Customer
2666 WHITE OAK DR
ANN ARBOR MI, 48103

Postal Customer
2711 ALEX DR
ANN ARBOR MI, 48104

Postal Customer
2855 WEST ARBOR RD
ANN ARBOR MI, 48103

Postal Customer
304 Beakes St 1
Ann Arbor MI, 48104-1014

Postal Customer
304 Beakes St 2
Ann Arbor MI, 48104-1014

Postal Customer
304 Depot St
Ann Arbor MI, 48104-1022

Postal Customer
305 Beakes St A
Ann Arbor MI, 48104-1013

Postal Customer
305 Beakes St B
Ann Arbor MI, 48104-1013

Postal Customer
306 Beakes St 1
Ann Arbor MI, 48104-1014

Postal Customer
306 Beakes St 2
Ann Arbor MI, 48104-1014

Postal Customer
306 E Summit St
Ann Arbor MI, 48104

Postal Customer
3064 WOLVERINE
ANN ARBOR MI, 48108

Postal Customer
3099 OVERRIDGE DR
ANN ARBOR MI, 48104

Postal Customer
310 Beakes St
Ann Arbor MI, 48104

Postal Customer
310 Depot St 1
Ann Arbor MI, 48104

Postal Customer
310 Depot St 2
Ann Arbor MI, 48104

Postal Customer
310 Depot St 3
Ann Arbor MI, 48104

Postal Customer
310 E Summit St 1
Ann Arbor MI, 48104-1053

Postal Customer
310 E Summit St 2
Ann Arbor MI, 48104-1053

Postal Customer
3117 45TH ST NW
WASHINGTON DC, 20016-3530

Postal Customer
312 Beakes St
Ann Arbor MI, 48104

Postal Customer
314 E Summit St
Ann Arbor MI, 48104-1053

Postal Customer
315 Beakes St
Ann Arbor MI, 48104

Postal Customer
316 Beakes St 1
Ann Arbor MI, 48104

Postal Customer
316 Beakes St 2
Ann Arbor MI, 48104

Postal Customer
316 Beakes St 3
Ann Arbor MI, 48104

Postal Customer
316 Beakes St 4
Ann Arbor MI, 48104

Postal Customer
320 Depot St
Ann Arbor MI, 48104

Postal Customer
324 E Kingsley St
Ann Arbor MI, 48104-1142

Postal Customer
324 E Summit St
Ann Arbor MI, 48104-1053

Postal Customer
325 Beakes St
Ann Arbor MI, 48104-1013

Postal Customer
325 Depot St
Ann Arbor MI, 48104-1021

Postal Customer
325 E Summit St
Ann Arbor MI, 48104-1052

Postal Customer
326 Beakes St
Ann Arbor MI, 48104-1014

Postal Customer
326 E Kingsley St
Ann Arbor MI, 48104-1142

Postal Customer
326 E Summit St
Ann Arbor MI, 48104-1053

Postal Customer
327 Beakes St
Ann Arbor MI, 48104-1013

Postal Customer
330 E Kingsley St 1
Ann Arbor MI, 48104-1142

Postal Customer
330 E Kingsley St 2
Ann Arbor MI, 48104-1142

Postal Customer
331 Beakes St
Ann Arbor MI, 48104-1013

Postal Customer
331 E Kingsley St
Ann Arbor MI, 48104-1141

Postal Customer
3310 PACKARD APT 3A
ANN ARBOR MI, 48108

Postal Customer
333 BEAKES ST
ANN ARBOR MI, 48104

Postal Customer
333 Beakes St 1
Ann Arbor MI, 48104-1013

Postal Customer
333 Beakes St 2
Ann Arbor MI, 48104-1013

Postal Customer
334 Beakes St 1
Ann Arbor MI, 48104-1036

Postal Customer
334 Beakes St 2
Ann Arbor MI, 48104-1036

Postal Customer
334 Beakes St 3
Ann Arbor MI, 48104-1036

Postal Customer
334 E Kingsley St
Ann Arbor MI, 48104-1142

Postal Customer
335 E Kingsley St 1
Ann Arbor MI, 48104-1141

Postal Customer
335 E Kingsley St 2
Ann Arbor MI, 48104-1141

Postal Customer
335 E Kingsley St 3
Ann Arbor MI, 48104-1141

Postal Customer
335 E Kingsley St 4
Ann Arbor MI, 48104-1141

Postal Customer
337 Beakes St 1
Ann Arbor MI, 48104-1013

Postal Customer
337 Beakes St 2
Ann Arbor MI, 48104-1013

Postal Customer
338 E Kingsley St
Ann Arbor MI, 48104-1142

Postal Customer
340 Depot St
Ann Arbor MI, 48104-1022

Postal Customer
343 Beakes St
Ann Arbor MI, 48104-1013

Postal Customer
346 E Kingsley St
Ann Arbor MI, 48104-1142

Postal Customer
3610 GOLFSIDE RD
YPSILANTI MI, 48197

Postal Customer
3685 DALEVIEW DR
ANN ARBOR MI, 48105

Postal Customer
375 Depot St
Ann Arbor MI, 48104-1021

Postal Customer
3983 DELHI GLEN LN
ANN ARBOR MI, 48103-8312

Postal Customer
400 N CAPITOL NW
WASHINGTON DC, 20001

Postal Customer
400 NW CAPITOL ST
WASHINGTON DC, 20001

Postal Customer
4004 TEXTILE RD
YPSILANTI MI, 48197

Postal Customer
401 Depot St
Ann Arbor MI, 48104-1023

Postal Customer
403 Beakes St
Ann Arbor MI, 48104-1015

Postal Customer
407 E Kingsley St 1
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 2
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 3
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 4
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 5
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 6
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 7
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 8
Ann Arbor MI, 48104-1151

Postal Customer
408 E Kingsley St 10
Ann Arbor MI, 48104-1156

Postal Customer
408 E Kingsley St 11
Ann Arbor MI, 48104-1156

Postal Customer
408 E Kingsley St 12
Ann Arbor MI, 48104-1156

Postal Customer
408 E Kingsley St 7
Ann Arbor MI, 48104-1156

Postal Customer
408 E Kingsley St 8
Ann Arbor MI, 48104-1156

Postal Customer
408 E Kingsley St 9
Ann Arbor MI, 48104-1156

Postal Customer
409 E Kingsley St 1
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 10
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 11
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 12
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 13
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 14
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 15
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 16
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 2
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 3
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 4
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 5
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 6
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 7
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 8
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 9
Ann Arbor MI, 48104-1152

Postal Customer
410 High St
Ann Arbor MI, 48104-1130

Postal Customer
411 High St A1
Ann Arbor MI, 48104-1160

Postal Customer
411 High St B1
Ann Arbor MI, 48104-1160

Postal Customer
411 High St B2
Ann Arbor MI, 48104-1160

Postal Customer
411 High St B3
Ann Arbor MI, 48104-1160

Postal Customer
411 High St C1
Ann Arbor MI, 48104-1160

Postal Customer
411 High St C2
Ann Arbor MI, 48104-1160

Postal Customer
411 HUNTINGTON PL
ANN ARBOR MI, 48105

Postal Customer
411 N Division St
Ann Arbor MI, 48104-1442

Postal Customer
4115 TIMBER RIDGE DR
ANN ARBOR MI, 48108

Postal Customer
412 N Division St 1
Ann Arbor MI, 48104-1443

Postal Customer
412 N Division St 2
Ann Arbor MI, 48104-1443

Postal Customer
412 N Division St 3
Ann Arbor MI, 48104-1443

Postal Customer
413 E Kingsley St 1
Ann Arbor MI, 48104-1145

Postal Customer
413 E Kingsley St 2
Ann Arbor MI, 48104-1145

Postal Customer
413 E Kingsley St 3
Ann Arbor MI, 48104-1145

Postal Customer
413 E Kingsley St 4
Ann Arbor MI, 48104-1145

Postal Customer
4137 HIGH RIDGE
Ann Arbor MI, 48105

Postal Customer
414 E Kingsley St
Ann Arbor MI, 48104-1146

Postal Customer
414 HUNTINGSTON PLACE
ANN ARBOR MI, 48104

Postal Customer
414 HUNTINGTON
ANN ARBOR MI, 48104

Postal Customer
414 HUNTINGTON PL
ANN ARBOR MI, 48105

Postal Customer
414 HUNTINGTON PLACE
ANN ARBOR MI, 48104

Postal Customer
415 HIGH ST
ANN ARBOR MI, 48104

Postal Customer
415 High St 1
Ann Arbor MI, 48104-1129

Postal Customer
415 High St 2
Ann Arbor MI, 48104-1129

Postal Customer
415 N Division St
Ann Arbor MI, 48104-1442

Postal Customer
418 Detroit St
Ann Arbor MI, 48104-1118

Postal Customer
418 E Kingsley St 1
Ann Arbor MI, 48104-1146

Postal Customer
418 E Kingsley St 2
Ann Arbor MI, 48104-1146

Postal Customer
418 High St 1
Ann Arbor MI, 48104-1130

Postal Customer
418 High St 2
Ann Arbor MI, 48104-1130

Postal Customer
418 N Division St 1
Ann Arbor MI, 48104-1458

Postal Customer
418 N Division St 2
Ann Arbor MI, 48104-1458

Postal Customer
418 N Division St 3
Ann Arbor MI, 48104-1458

Postal Customer
418 N Division St 4
Ann Arbor MI, 48104-1458

Postal Customer
418 N Division St 5
Ann Arbor MI, 48104-1458

Postal Customer
418 N Division St 6
Ann Arbor MI, 48104-1458

Postal Customer
419 E Kingsley St
Ann Arbor MI, 48104-1145

Postal Customer
421 E Kingsley St
Ann Arbor MI, 48104

Postal Customer
421 E Kingsley St 2
Ann Arbor MI, 48104-1145

Postal Customer
422 Detroit St
Ann Arbor MI, 48104

Postal Customer
422 E Kingsley St 1
Ann Arbor MI, 48104-1155

Postal Customer
422 E Kingsley St 2
Ann Arbor MI, 48104-1155

Postal Customer
422 E Kingsley St 3
Ann Arbor MI, 48104-1155

Postal Customer
422 E Kingsley St 4
Ann Arbor MI, 48104-1155

Postal Customer
422 E Kingsley St 5
Ann Arbor MI, 48104-1155

Postal Customer
422 E Kingsley St 6
Ann Arbor MI, 48104-1155

Postal Customer
423 High St
Ann Arbor MI, 48104-1129

Postal Customer
425 Depot St
Ann Arbor MI, 48104

Postal Customer
426 E Kingsley St 1
Ann Arbor MI, 48104-1154

Postal Customer
426 E Kingsley St 2
Ann Arbor MI, 48104-1154

Postal Customer
426 E Kingsley St 3
Ann Arbor MI, 48104-1154

Postal Customer
426 E Kingsley St 4
Ann Arbor MI, 48104-1146

Postal Customer
471 Rock Creek Dr
Ann Arbor MI, 48104

Postal Customer
4925 PACKARD RD
ANN ARBOR MI, 48108

Postal Customer
500 Detroit St
Ann Arbor MI, 48104-1120

Postal Customer
501 Detroit St 1
Ann Arbor MI, 48104-1119

Postal Customer
501 Detroit St 2
Ann Arbor MI, 48104-1119

Postal Customer
502 E Kingsley St 1
Ann Arbor MI, 48104-1153

Postal Customer
502 E Kingsley St 2
Ann Arbor MI, 48104-1153

Postal Customer
502 E Kingsley St 3
Ann Arbor MI, 48104-1153

Postal Customer
502 E Kingsley St 4
Ann Arbor MI, 48104-1153

Postal Customer
502 High St
Ann Arbor MI, 48104-1130

Postal Customer
502 N Fifth Ave 1
Ann Arbor MI, 48104-1110

Postal Customer
502 N Fifth Ave 2
Ann Arbor MI, 48104-1110

Postal Customer
502 W HURON
ANN ARBOR MI, 48103

Postal Customer
503 Detroit St 1
Ann Arbor MI, 48104-1119

Postal Customer
503 Detroit St 2
Ann Arbor MI, 48104-1119

Postal Customer
503 E Kingsley St 1
Ann Arbor MI, 48104-1163

Postal Customer
503 E Kingsley St 2
Ann Arbor MI, 48104-1163

Postal Customer
504 High St 1
Ann Arbor MI, 48104-1130

Postal Customer
504 High St 2
Ann Arbor MI, 48104-1130

Postal Customer
504 High St 3
Ann Arbor MI, 48104-1130

Postal Customer
504 High St 4
Ann Arbor MI, 48104-1130

Postal Customer
504 N Fifth Ave 1
Ann Arbor MI, 48104-1110

Postal Customer
504 N Fifth Ave 2
Ann Arbor MI, 48104-1110

Postal Customer
504 N Fifth Ave 3
Ann Arbor MI, 48104-1110

Postal Customer
5049 RED FOX RUN
ANN ARBOR MI, 48105

Postal Customer
505 DETROIT ST #2
ANN ARBOR MI, 48104

Postal Customer
505 Detroit St 1
Ann Arbor MI, 48104-1119

Postal Customer
505 Detroit St 2
Ann Arbor MI, 48104-1119

Postal Customer
505 E Kingsley St 1
Ann Arbor MI, 48104-1163

Postal Customer
505 E Kingsley St 2
Ann Arbor MI, 48104-1163

Postal Customer
505 E LIBERTY, SUITE 500, ELSG
ANN ARBOR MI, 48104

Postal Customer
505 N DIVISION ST
ANN ARBOR MI, 48104

Postal Customer
505 N Division St 1
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 2
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 3
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 4
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 5
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 6
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 7
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 8
Ann Arbor MI, 48104-1148

Postal Customer
505 N Fifth Ave
Ann Arbor MI, 48104-1109

Postal Customer
505 N. DIVISION
ANN ARBOR MI, 48104

Postal Customer
506 E Kingsley St
Ann Arbor MI, 48104-1162

Postal Customer
506 N State St
Ann Arbor MI, 48104-1236

Postal Customer
506 SNYDER AVE
ANN ARBOR MI, 48103

Postal Customer
507 DETROIT ST #1
ANN ARBOR MI, 48104

Postal Customer
507 Detroit St 1
Ann Arbor MI, 48104-1119

Postal Customer
507 Detroit St 2
Ann Arbor MI, 48104-1119

Postal Customer
507 DETROIT ST APT #1
ANN ARBOR MI, 48104

Postal Customer
507 E Kingsley St
Ann Arbor MI, 48104-1163

Postal Customer
507 N FIFTH AVE
ANN ARBOR MI, 48104

Postal Customer
507 N Fifth Ave 1
Ann Arbor MI, 48104-1109

Postal Customer
507 N Fifth Ave 2
Ann Arbor MI, 48104-1109

Postal Customer
508 N Fifth Ave
Ann Arbor MI, 48104-1110

Postal Customer
509 Detroit St
Ann Arbor MI, 48104-1119

Postal Customer
510 N Fifth Ave
Ann Arbor MI, 48104-1110

Postal Customer
510 N Fourth Ave
Ann Arbor MI, 48104-1106

Postal Customer
510 N State St
Ann Arbor MI, 48104-1236

Postal Customer
511 E Kingsley St 1
Ann Arbor MI, 48104-1163

Postal Customer
511 E Kingsley St 2
Ann Arbor MI, 48104-1163

Postal Customer
511 E Kingsley St 3
Ann Arbor MI, 48104-1163

Postal Customer
511 Elizabeth St
Ann Arbor MI, 48104-1221

Postal Customer
511 N Fifth Ave
Ann Arbor MI, 48104-1109

Postal Customer
512 N Fifth Ave
Ann Arbor MI, 48104-1110

Postal Customer
513 N Division St 1
Ann Arbor MI, 48104-1135

Postal Customer
513 N Division St 2
Ann Arbor MI, 48104-1135

Postal Customer
514 N Division St
Ann Arbor MI, 48104-1136

Postal Customer
514 N Fifth Ave
Ann Arbor MI, 48104-1110

Postal Customer
514 N State St 1
Ann Arbor MI, 48104-1236

Postal Customer
514 N State St 2
Ann Arbor MI, 48104-1236

Postal Customer
515 Detroit St
Ann Arbor MI, 48104-1119

Postal Customer
515 N Division St
Ann Arbor MI, 48104-1135

Postal Customer
515 N FIFTH AVE
ANN ARBOR MI, 48104

Postal Customer
515 N Fifth Ave 1
Ann Arbor MI, 48104-1109

Postal Customer
515 N Fifth Ave 2
Ann Arbor MI, 48104-1109

Postal Customer
515 N Fifth Ave 3
Ann Arbor MI, 48104-1109

Postal Customer
515 N Fifth Ave 4
Ann Arbor MI, 48104

Postal Customer
515 N State St
Ann Arbor MI, 48104

Postal Customer
516 Detroit St
Ann Arbor MI, 48104-1120

Postal Customer
516 N State St 1
Ann Arbor MI, 48104-1236

Postal Customer
516 N State St 2
Ann Arbor MI, 48104-1236

Postal Customer
517 Elizabeth St
Ann Arbor MI, 48104-1221

Postal Customer
518 N Division St
Ann Arbor MI, 48104-1136

Postal Customer
518 N Fifth Ave
Ann Arbor MI, 48104-1110

Postal Customer
518 N State St
Ann Arbor MI, 48104-1236

Postal Customer
519 N Fifth Ave
Ann Arbor MI, 48104-1109

Postal Customer
520 Detroit St
Ann Arbor MI, 48104-1120

Postal Customer
520 Elizabeth St
Ann Arbor MI, 48104-1222

Postal Customer
520 N FIFTH AVE
ANN ARBOR MI, 48104

Postal Customer
520 N Fifth Ave 1
Ann Arbor MI, 48104-1110

Postal Customer
520 N Fifth Ave 2
Ann Arbor MI, 48104-1110

Postal Customer
520 N State St
Ann Arbor MI, 48104-1236

Postal Customer
521 Detroit St 1
Ann Arbor MI, 48104-1119

Postal Customer
521 Detroit St 2
Ann Arbor MI, 48104-1119

Postal Customer
521 Detroit St 3
Ann Arbor MI, 48104-1119

Postal Customer
521 Detroit St 4
Ann Arbor MI, 48104-1119

Postal Customer
521 Elizabeth St 1
Ann Arbor MI, 48104-1261

Postal Customer
521 Elizabeth St 2
Ann Arbor MI, 48104-1261

Postal Customer
521 Elizabeth St 3
Ann Arbor MI, 48104-1261

Postal Customer
521 Elizabeth St 4
Ann Arbor MI, 48104-1261

Postal Customer
521 N Division St 1
Ann Arbor MI, 48104-1135

Postal Customer
521 N Division St 2
Ann Arbor MI, 48104-1135

Postal Customer
521 N Division St 3
Ann Arbor MI, 48104-1135

Postal Customer
521 N Division St 4
Ann Arbor MI, 48104-1135

Postal Customer
521 N Fifth Ave
Ann Arbor MI, 48104-1109

Postal Customer
522 Detroit St 1
Ann Arbor MI, 48104-1120

Postal Customer
522 Detroit St 2
Ann Arbor MI, 48104-1120

Postal Customer
522 N Division St 1
Ann Arbor MI, 48104

Postal Customer
522 N Division St 2
Ann Arbor MI, 48104

Postal Customer
522 N Division St 3
Ann Arbor MI, 48104

Postal Customer
522 N Division St 4
Ann Arbor MI, 48104

Postal Customer
524 N Division St 1
Ann Arbor MI, 48104

Postal Customer
524 N Division St 2
Ann Arbor MI, 48104

Postal Customer
524 N Fifth Ave
Ann Arbor MI, 48104-1110

Postal Customer
525 Detroit St
Ann Arbor MI, 48104-1119

Postal Customer
525 Elizabeth St
Ann Arbor MI, 48104-1221

Postal Customer
525 N Division St
Ann Arbor MI, 48104-1135

Postal Customer
526 6TH ST
ANN ARBOR MI, 48103

Postal Customer
526 Detroit St
Ann Arbor MI, 48104-1120

Postal Customer
526 N Fifth Ave 1
Ann Arbor MI, 48104-1110

Postal Customer
526 N Fifth Ave 2
Ann Arbor MI, 48104-1110

Postal Customer
528 N State St
Ann Arbor MI, 48104-1236

Postal Customer
529 Detroit St
Ann Arbor MI, 48104-1119

Postal Customer
529 Elizabeth St 1
Ann Arbor MI, 48104-1221

Postal Customer
529 Elizabeth St 2
Ann Arbor MI, 48104-1221

Postal Customer
529 N Division St 1
Ann Arbor MI, 48104-1135

Postal Customer
529 N Division St 2
Ann Arbor MI, 48104-1135

Postal Customer
529 N Division St 3
Ann Arbor MI, 48104-1135

Postal Customer
529 N Division St 4
Ann Arbor MI, 48104-1135

Postal Customer
529 N Division St 5
Ann Arbor MI, 48104

Postal Customer
530 Detroit St
Ann Arbor MI, 48104-1120

Postal Customer
530 Elizabeth St
Ann Arbor MI, 48104-1222

Postal Customer
530 N Division St 1
Ann Arbor MI, 48104-1136

Postal Customer
530 N Division St 2
Ann Arbor MI, 48104-1136

Postal Customer
530 N Division St 3
Ann Arbor MI, 48104-1136

Postal Customer
530 N Fifth Ave 1
Ann Arbor MI, 48104-1110

Postal Customer
530 N Fifth Ave 2
Ann Arbor MI, 48104-1110

Postal Customer
530 N Fifth Ave 3
Ann Arbor MI, 48104-1110

Postal Customer
530 N State St 1
Ann Arbor MI, 48104-1236

Postal Customer
530 N State St 2
Ann Arbor MI, 48104-1236

Postal Customer
533 Elizabeth St 1
Ann Arbor MI, 48104-1221

Postal Customer
533 Elizabeth St 2
Ann Arbor MI, 48104-1221

Postal Customer
534 Detroit St 1
Ann Arbor MI, 48104-1120

Postal Customer
534 Detroit St 2
Ann Arbor MI, 48104-1120

Postal Customer
534 Detroit St 3
Ann Arbor MI, 48104-1120

Postal Customer
534 Detroit St 4
Ann Arbor MI, 48104-1120

Postal Customer
534 N State St
Ann Arbor MI, 48104-1236

Postal Customer
5350 PARK RD
ANN ARBOR MI, 48103

Postal Customer
537 Detroit St
Ann Arbor MI, 48104-1119

Postal Customer
537 Elizabeth St
Ann Arbor MI, 48104-1221

Postal Customer
538 N Division St
Ann Arbor MI, 48104-1136

Postal Customer
538 N State St 1
Ann Arbor MI, 48104-1236

Postal Customer
538 N State St 2
Ann Arbor MI, 48104-1236

Postal Customer
538 N State St 3
Ann Arbor MI, 48104-1236

Postal Customer
538 N State St 4
Ann Arbor MI, 48104-1236

Postal Customer
540 Detroit St 1
Ann Arbor MI, 48104-1120

Postal Customer
540 Detroit St 2
Ann Arbor MI, 48104-1120

Postal Customer
540 Detroit St 3
Ann Arbor MI, 48104

Postal Customer
540 Detroit St 4
Ann Arbor MI, 48104

Postal Customer
540 Detroit St 5
Ann Arbor MI, 48104

Postal Customer
540 Elizabeth St
Ann Arbor MI, 48104-1222

Postal Customer
540 N STATE
ANN ARBOR MI, 48104

Postal Customer
540 N State St 1
Ann Arbor MI, 48104-1236

Postal Customer
540 N State St 2
Ann Arbor MI, 48104-1236

Postal Customer
541 Elizabeth St 1
Ann Arbor MI, 48104-1221

Postal Customer
541 Elizabeth St 2
Ann Arbor MI, 48104-1221

Postal Customer
543 Detroit St
Ann Arbor MI, 48104-1119

Postal Customer
543 Elizabeth St 1
Ann Arbor MI, 48104-1221

Postal Customer
543 Elizabeth St 2
Ann Arbor MI, 48104-1221

Postal Customer
544 Detroit St 1
Ann Arbor MI, 48104

Postal Customer
544 DETROIT ST 101
ANN ARBOR MI, 48104

Postal Customer
544 Detroit St 2
Ann Arbor MI, 48104

Postal Customer
544 DETROIT ST 201
ANN ARBOR MI, 48104

Postal Customer
544 Elizabeth St 1
Ann Arbor MI, 48104-1260

Postal Customer
544 Elizabeth St 2
Ann Arbor MI, 48104-1260

Postal Customer
544 Elizabeth St 3
Ann Arbor MI, 48104-1260

Postal Customer
544 Elizabeth St 4
Ann Arbor MI, 48104-1260

Postal Customer
544 Elizabeth St 5
Ann Arbor MI, 48104-1260

Postal Customer
544 N Division St 1
Ann Arbor MI, 48104-1136

Postal Customer
544 N Division St 2
Ann Arbor MI, 48104-1136

Postal Customer
544 N State St
Ann Arbor MI, 48104-1236

Postal Customer
545 N State St 1
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 2
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 3
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 4
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 5
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 6
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 7
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 8
Ann Arbor MI, 48104-1270

Postal Customer
547 Detroit St
Ann Arbor MI, 48104

Postal Customer
547 Detroit St 2
Ann Arbor MI, 48104-1119

Postal Customer
547 Elizabeth St 1
Ann Arbor MI, 48104-1221

Postal Customer
547 Elizabeth St 2
Ann Arbor MI, 48104-1221

Postal Customer
547 Elizabeth St 3
Ann Arbor MI, 48104-1221

Postal Customer
5505 TUTTLE HILL RD
YPSILANTI MI, 48197

Postal Customer
5690 JUDD RD
MILAN MI, 48160

Postal Customer
601 N Fifth Ave 1
Ann Arbor MI, 48104-1000

Postal Customer
601 N Fifth Ave 2
Ann Arbor MI, 48104-1000

Postal Customer
603 N Fifth Ave
Ann Arbor MI, 48104-1000

Postal Customer
604 N Fourth Ave
Ann Arbor MI, 48104

Postal Customer
604 N Fourth Ave 2
Ann Arbor MI, 48104-1002

Postal Customer
604 N Main St
Ann Arbor MI, 48104-1029

Postal Customer
605 N 5TH AVE
ANN ARBOR MI, 48104

Postal Customer
605 N FIFTH AVE
ANN ARBOR MI, 48104

Postal Customer
605 N Fifth Ave 1
Ann Arbor MI, 48104-1000

Postal Customer
605 N Fifth Ave 2
Ann Arbor MI, 48104-1000

Postal Customer
605 N Fifth Ave 3
Ann Arbor MI, 48104-1000

Postal Customer
607 N MAIN ST
ANN ARBOR MI, 48104

Postal Customer
608 High St 1
Ann Arbor MI, 48104-1161

Postal Customer
608 High St 2
Ann Arbor MI, 48104-1161

Postal Customer
608 High St 3
Ann Arbor MI, 48104-1161

Postal Customer
608 High St 4
Ann Arbor MI, 48104-1161

Postal Customer
608 N MAIN ST
ANN ARBOR MI, 48104

Postal Customer
608 N Main St 1
Ann Arbor MI, 48104-1029

Postal Customer
608 N Main St 2
Ann Arbor MI, 48104-1029

Postal Customer
609 N Fifth Ave
Ann Arbor MI, 48104-1000

Postal Customer
610 N FIFTH AVE
ANN ARBOR MI, 48104

Postal Customer
610 N Fifth Ave 1
Ann Arbor MI, 48104-1007

Postal Customer
610 N Fifth Ave 2
Ann Arbor MI, 48104-1007

Postal Customer
612 N Main St
Ann Arbor MI, 48104-1029

Postal Customer
613 N Fifth Ave
Ann Arbor MI, 48104-1000

Postal Customer
614 N Main St
Ann Arbor MI, 48104-1029

Postal Customer
616 N Fifth Ave
Ann Arbor MI, 48104-1007

Postal Customer
617 Detroit St 100
Ann Arbor MI, 48104

Postal Customer
617 Detroit St 125
Ann Arbor MI, 48104

Postal Customer
617 N Fourth Ave
Ann Arbor MI, 48104-1001

Postal Customer
618 N Main St 1
Ann Arbor MI, 48104-1042

Postal Customer
618 N Main St 2
Ann Arbor MI, 48104-1042

Postal Customer
620 N Fifth Ave
Ann Arbor MI, 48104-1007

Postal Customer
620 N Fourth Ave
Ann Arbor MI, 48104-1002

Postal Customer
621 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
621 N Fourth Ave
Ann Arbor MI, 48104-1001

Postal Customer
622 N Fourth Ave
Ann Arbor MI, 48104-1002

Postal Customer
622 N Main St
Ann Arbor MI, 48104-1029

Postal Customer
623 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
624 N Fourth Ave
Ann Arbor MI, 48104-1002

Postal Customer
625 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
625 N Fourth Ave 1
Ann Arbor MI, 48104-1001

Postal Customer
625 N Fourth Ave 2
Ann Arbor MI, 48104-1001

Postal Customer
626 N Fourth Ave
Ann Arbor MI, 48104-1002

Postal Customer
628 N Fourth Ave
Ann Arbor MI, 48104-1002

Postal Customer
631 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
632 N Fourth Ave 1
Ann Arbor MI, 48104

Postal Customer
632 N Fourth Ave 2
Ann Arbor MI, 48104

Postal Customer
632 N Fourth Ave 3
Ann Arbor MI, 48104-1002

Postal Customer
632 N Fourth Ave 4
Ann Arbor MI, 48104

Postal Customer
633 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
635 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
637 N Fourth Ave
Ann Arbor MI, 48104-1001

Postal Customer
639 N Fourth Ave
Ann Arbor MI, 48104-1001

Postal Customer
641 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
642 N Fourth Ave
Ann Arbor MI, 48104

Postal Customer
643 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
644 N Fourth Ave
Ann Arbor MI, 48104

Postal Customer
645 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
645 N Fourth Ave 1
Ann Arbor MI, 48104-1001

Postal Customer
645 N Fourth Ave 2
Ann Arbor MI, 48104-1001

Postal Customer
645 N Fourth Ave 3
Ann Arbor MI, 48104-1001

Postal Customer
645 N Fourth Ave 4
Ann Arbor MI, 48104-1001

Postal Customer
650 N Fourth Ave
Ann Arbor MI, 48104

Postal Customer
651 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
651 N Fourth Ave
Ann Arbor MI, 48104-1001

Postal Customer
652 N FOURTH AV 2
ANN ARBOR MI, 48104

Postal Customer
652 N Fourth Ave
Ann Arbor MI, 48104

Postal Customer
653 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
655 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
655 N Fourth Ave
Ann Arbor MI, 48104-1003

Postal Customer
655 N. FIFTH
ANN ARBOR MI, 48104

Postal Customer
661 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
663 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
6633 STONEY CREEK DR
YPSILANTI MI, 48197

Postal Customer
6641 ZEEB RD
DEXTER MI, 48130

Postal Customer
6667 STONEY CRK
YPSILANTI MI, 48197

Postal Customer
6849 WOODCREST RDG
CLARKSTON MI, 48346

Postal Customer
6900 EAST JOY RD
ANN ARBOR MI, 48105

Postal Customer
700 N Main St
Ann Arbor MI, 48104

Postal Customer
701 N Fourth Ave
Ann Arbor MI, 48104-1003

Postal Customer
701 TECUMSEH RD
CLINTON MI, 49236

Postal Customer
702 N Fifth Ave
Ann Arbor MI, 48104-1058

Postal Customer
703 N Fifth Ave
Ann Arbor MI, 48104-1006

Postal Customer
705 N Fifth Ave
Ann Arbor MI, 48104-1006

Postal Customer
708 N Fifth Ave
Ann Arbor MI, 48104-1058

Postal Customer
709 N Fifth Ave
Ann Arbor MI, 48104-1006

Postal Customer
709 N Fourth Ave
Ann Arbor MI, 48104-1003

Postal Customer
711 E Kingsley St 1
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 10
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 2
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 3
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 4
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 5
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 6
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 7
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 8
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 9
Ann Arbor MI, 48104-1250

Postal Customer
711 FOUNTAIN
ANN ARBOR MI, 48103

Postal Customer
711 N Fifth Ave
Ann Arbor MI, 48104-1006

Postal Customer
711 N Fourth Ave
Ann Arbor MI, 48104-1003

Postal Customer
712 N Fifth Ave
Ann Arbor MI, 48104-1058

Postal Customer
713 N Fifth Ave
Ann Arbor MI, 48104-1006

Postal Customer
716 N Fifth Ave
Ann Arbor MI, 48104

Postal Customer
717 N Fourth Ave
Ann Arbor MI, 48104-1003

Postal Customer
718 N FOURTH AVE
ANN ARBOR MI, 48104

Postal Customer
718 N Fourth Ave 1
Ann Arbor MI, 48104-1004

Postal Customer
718 N Fourth Ave 2
Ann Arbor MI, 48104-1004

Postal Customer
719 N FOURTH AVE
ANN ARBOR MI, 48104

Postal Customer
719 N Fourth Ave 1
Ann Arbor MI, 48104-1003

Postal Customer
719 N Fourth Ave 2
Ann Arbor MI, 48104-1003

Postal Customer
724 N Fifth Ave A
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave B
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave C
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave D
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave E
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave F
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave G
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave H
Ann Arbor MI, 48104-1056

Postal Customer
725 WEST ELLSWORTH
ANN ARBOR MI, 48108

Postal Customer
730 N Main St
Ann Arbor MI, 48104-1031

Postal Customer
7420 STRIETER CT
ANN ARBOR MI, 48103

Postal Customer
7735 RIDGE RD
CANTON MI, 48187

Postal Customer
800 Fuller St 1
Ann Arbor MI, 48104-1258

Postal Customer
800 Fuller St 11
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 12
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 13
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 14
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 15
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 16
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 17
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 2
Ann Arbor MI, 48104-1258

Postal Customer
800 Fuller St 25
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 26
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 27
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 28
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 29
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 3
Ann Arbor MI, 48104-1258

Postal Customer
800 Fuller St 30
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 31
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 40
Ann Arbor MI, 48104-1258

Postal Customer
800 Fuller St 41
Ann Arbor MI, 48104-1258

Postal Customer
800 Fuller St 42
Ann Arbor MI, 48104-1258

Postal Customer
800 Fuller St 43
Ann Arbor MI, 48104-1244

Postal Customer
800 N Main St
Ann Arbor MI, 48104-1033

Postal Customer
802 Fuller St 10
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 18
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 19
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 20
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 21
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 22
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 23
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 24
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 32
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 33
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 34
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 35
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 36
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 37
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 38
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 39
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 4
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 5
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 6
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 7
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 8
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 9
Ann Arbor MI, 48104-1241

Postal Customer
802 N Main St
Ann Arbor MI, 48104-1033

Postal Customer
809 N Fourth Ave
Ann Arbor MI, 48104-1005

Postal Customer
811 W LIBERTY ST
ANN ARBOR MI, 48103

Postal Customer
815 LAKESIDE DR
OWOSSO MI, 48867

Postal Customer
901 HUTCHINS AVE
ANN ARBOR MI, 48103

Postal Customer
903 MINER ST
ANN ARBOR MI, 48103

Postal Customer
906 N Main St
Ann Arbor MI, 48104-1035

Postal Customer
906 WOODLAWN
ANN ARBOR MI, 48104

Postal Customer
912 N Main St 100
Ann Arbor MI, 48104

Postal Customer
912 N Main St 111
Ann Arbor MI, 48104

Postal Customer
912 N Main St 200
Ann Arbor MI, 48104

Postal Customer
912 N Main St 210
Ann Arbor MI, 48104

Postal Customer
913 NORTON AVE
GLENDALE CA, 91202-2616

Postal Customer
944 N MAIN ST
ANN ARBOR MI, 48104

Postal Customer
ONE E FOURTH ST
CINCINNATI OH, 45202

Postal Customer
P.O. BOX 33017
DETROIT MI, 48232

Postal Customer
P.O. BOX 3976
ANN ARBOR MI, 48106

Postal Customer
P.O. BOX 4078
ANN ARBOR MI, 48106

Postal Customer
PO BOX 2198
ANN ARBOR MI, 48106

Postal Customer
PO BOX 22845
OKLAHOMA CITY OK, 73123

Postal Customer
PO BOX 981098
YPSILANTI MI, 48198

544 DETROIT STREET LLC
544 Detroit St 1
Ann Arbor MI, 48104

650-652 N FOURTH AVENUE INC
650-652 N FOURTH AVENUE INC
Ann Arbor MI, 48104

655-701 N FOURTH CONDOMINIUM
ASSOCIATION
701 N Fourth Ave
Ann Arbor MI, 48104

703-705 N FIFTH CONDOMINIUM
ASSOCIATION
705 N Fifth Ave
Ann Arbor MI, 48104

709 N FIFTH AVENUE INC
325 E Summit St
Ann Arbor MI, 48104

BROWNSTONE CONDOMINIUM
ASSOCIATION
330 E 5th St
Royal Oak MI, 48067

FOURTH AVENUE CONDOMINIUM
ASSOCIATION
637 N Fourth Ave
Ann Arbor MI, 48104

WICKLIFFE PLACE CONDOMINIUM
ASSOCIATION
665 N Fifth Ave
Ann Arbor MI, 48104

Ann Arbor Preservation Alliance
126 N Division St
Ann Arbor MI, 48104

Broadway Area Neighborhood
Association
[REDACTED] St
Ann Arbor MI, 48105

Downtown Area Citizens Advisory
Council
120 N Division St 1
Ann Arbor MI, 48104

North Area Neighborhood Association
612 N Main St
Ann Arbor MI, 48104

North Central Neighborhood
Association
711 N Fourth Ave
Ann Arbor MI, 48104

Old Fourth Ward Association
506 E Kingsley St
Ann Arbor MI, 48104

Kerrytown District Association
407 N Fifth Ave
Ann Arbor MI, 48104

Main Street Area Association
15 Research Dr
Ann Arbor MI, 48103

Allen's Creek Watershed Group
556 Glendale Cir
Ann Arbor MI, 48103

Mia Gale
301 E Huron St
Ann Arbor MI, 48104

SJH 9/21/18

REZONING PROTEST PETITION

We, the undersigned property owners, protest the rezoning of _____ from _____ to _____ zoning districts on the described property.

We, the undersigned property owners realize that this petition of protest must be submitted to the Ann Arbor Office of the City Clerk by 5:00 p.m. on the day of the first scheduled public hearing for the rezoning described above. Further, we realize that this Petition is in opposition to the rezoning application and our signatures cannot be removed after filing unless certain actions, as designated by the City Clerk, are taken to remove from the Protest Petition. This petition is being filed pursuant to City Ordinance, Chapter 55, Section 5.29.9.E and Michigan State Law.

We, the undersigned, are owners of real property located within proximity to the property described above, where a rezoning is sought. We, the undersigned understand that the City of Ann Arbor will make the final determination of this Protest Petition and any effect on action of the proposed zoning amendment.

Legal Signature of Owner	Printed Name of Owner	Owner's Address

From: [Mark Pfaff](#)
To: [Bannister, Anne](#)
Cc: [Hayner, Jeff](#)
Subject: RE: 325 Summit Rezoning
Date: Sunday, August 25, 2019 1:33:11 PM

Thanks Anne.

That is a wide radius of neighbors. Only thought it was 100' from property.

I will submit my protest form tomorrow.

Are there any other properties in the neighborhood that have a similar zero setback as the 325 E Summit proposal?

Mark

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Saturday, August 24, 2019 4:53 PM
To: Mark Pfaff <[REDACTED]>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: Fw: 325 Summit Rezoning

Dear Mark -- Please find attached the lists of addresses and the Rezoning Protest Petition.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Lenart, Brett <BLenart@a2gov.org>
Sent: Thursday, August 22, 2019 12:25 PM
To: Hayner, Jeff <JHayner@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: RE: 325 Summit Rezoning

Hello Councilmember Hayner-

As referenced in my voicemail a few moments ago, I'm attaching two lists for you. The mailing list for the Citizen Participation Meeting (1,000 feet) and for the public hearing (300 feet) associated with the proposal at 325 E. Summit. If neighbors are interested in protesting the proposed rezoning, they can use the form which I have also attached.

If you have any additional questions, feel free to reach out here or at my city extension, #42606.

Sincerely,

-Brett Lenart
Planning Manager

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, August 21, 2019 12:44 PM
To: Delacourt, Derek <DDelacourt@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: 325 Summit Rezoning

Dear Mr. Delacourt, Mr. Lenart,

I have been contacted by some neighbors adjacent to 325 Summit (The Garnet) and they are expressing what I would characterize as extreme displeasure to the re-zoning request. As I have found to be the case many times over, none of them recall receiving the official notice post card. Usually I just look it up on-line like I did for 1600 Traver and send it to them, still, in this case, they would like to write formal letters of protest about the project. (not the postcard, although I think we need to revisit that process as we have discussed) The neighbor who called me also asked if he could get a copy of the notification list, that is, all who were sent the postcard. I wasn't sure if that list resided with the city, or the developer.

Besides addressing the letters to the clerk, and including their address and the project address, is there any other steps they need to take to formalize this protest?

Thank you for a quick response as I know this will be back before council in 2 short weeks,

Sincerely,

Jeff Hayner
Ward 1 City Council

From: [Mark Pfaff](#)
To: [Bannister, Anne](#)
Cc: [Hayner, Jeff](#)
Subject: RE: 325 Summit Rezoning
Date: Monday, August 26, 2019 11:18:42 AM

Anne and Jeff,

On a separate subject, one of my concerns with the building size and setback of the 325 E Summit proposal is the loss of daylight/sunlight. Our future installation of solar panels in 2020 on the south facing roof creates an unfair outcome for my property at 340 Depot. How does city council take those issues into consideration?

Regards,
Mark

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Saturday, August 24, 2019 4:53 PM
To: Mark Pfaff <[REDACTED]>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: Fw: 325 Summit Rezoning

Dear Mark -- Please find attached the lists of addresses and the Rezoning Protest Petition.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Lenart, Brett <BLenart@a2gov.org>
Sent: Thursday, August 22, 2019 12:25 PM
To: Hayner, Jeff <JHayner@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: RE: 325 Summit Rezoning

Hello Councilmember Hayner-

As referenced in my voicemail a few moments ago, I'm attaching two lists for you. The mailing list for the Citizen Participation Meeting (1,000 feet) and for the public hearing (300 feet) associated with the proposal at 325 E. Summit. If neighbors are interested in protesting the proposed rezoning, they can use the form which I have also attached.

If you have any additional questions, feel free to reach out here or at my city extension, #42606.

Sincerely,

-Brett Lenart
Planning Manager

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, August 21, 2019 12:44 PM
To: Delacourt, Derek <DDelacourt@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: 325 Summit Rezoning

Dear Mr. Delacourt, Mr. Lenart,

I have been contacted by some neighbors adjacent to 325 Summit (The Garnet) and they are expressing what I would characterize as extreme displeasure to the re-zoning request. As I have found to be the case many times over, none of them recall receiving the official notice post card. Usually I just look it up on-line like I did for 1600 Traver and send it to them, still, in this case, they would like to write formal letters of protest about the project. (not the postcard, although I think we need to revisit that process as we have discussed) The neighbor who called me also asked if he could get a copy of the notification list, that is, all who were sent the postcard. I wasn't sure if that list resided with the city, or the developer.

Besides addressing the letters to the clerk, and including their address and the project address, is there any other steps they need to take to formalize this protest?

Thank you for a quick response as I know this will be back before council in 2 short weeks,

Sincerely,

Jeff Hayner
Ward 1 City Council

From: [Hayner, Jeff](#)
To: [Mark Pfaff](#)
Subject: FW: 325 Summit Rezoning
Date: Wednesday, August 28, 2019 10:34:00 AM
Attachments: [325 E Summit St 300ft buffer address labels.docx](#)
[325 E Summit St 1000ft buffer address labels.docx](#)
[REZONING PROTEST PETITION.pdf](#)

From: Lenart, Brett <BLenart@a2gov.org>
Sent: Thursday, August 22, 2019 12:26 PM
To: Hayner, Jeff <JHayner@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: RE: 325 Summit Rezoning

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Planning Manager

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Sent: Wednesday, August 21, 2019 12:44 PM
To: Delacourt, Derek <DDelacourt@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: 325 Summit Rezoning

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Sincerely,

Jeff Hayner
Ward 1 City Council

Postal Customer
115 DEPOT ST
ANN ARBOR MI, 48104

Postal Customer
1575 MILLER AVE
ANN ARBOR MI, 48103

Postal Customer
1741 MONTEREY CT
ANN ARBOR MI, 48108

Postal Customer
2 W MICHIGAN
YPSILANTI MI, 48197

Postal Customer
201 Depot St
Ann Arbor MI, 48104

Postal Customer
2182 YORKTOWN DR
ANN ARBOR MI, 48105

Postal Customer
2711 ALEX DR
ANN ARBOR MI, 48104

Postal Customer
304 Depot St
Ann Arbor MI, 48104-1022

Postal Customer
306 E Summit St
Ann Arbor MI, 48104

Postal Customer
310 Depot St 1
Ann Arbor MI, 48104

Postal Customer
310 Depot St 2
Ann Arbor MI, 48104

Postal Customer
310 Depot St 3
Ann Arbor MI, 48104

Postal Customer
310 E Summit St 1
Ann Arbor MI, 48104-1053

Postal Customer
310 E Summit St 2
Ann Arbor MI, 48104-1053

Postal Customer
314 E Summit St
Ann Arbor MI, 48104-1053

Postal Customer
320 Depot St
Ann Arbor MI, 48104

Postal Customer
324 E Summit St
Ann Arbor MI, 48104-1053

Postal Customer
325 Depot St
Ann Arbor MI, 48104-1021

Postal Customer
325 E Summit St
Ann Arbor MI, 48104-1052

Postal Customer
326 E Summit St
Ann Arbor MI, 48104-1053

Postal Customer
331 Beakes St
Ann Arbor MI, 48104-1013

Postal Customer
333 BEAKES ST
ANN ARBOR MI, 48104

Postal Customer
333 Beakes St 1
Ann Arbor MI, 48104-1013

Postal Customer
333 Beakes St 2
Ann Arbor MI, 48104-1013

Postal Customer
334 Beakes St 1
Ann Arbor MI, 48104-1036

Postal Customer
334 Beakes St 2
Ann Arbor MI, 48104-1036

Postal Customer
334 Beakes St 3
Ann Arbor MI, 48104-1036

Postal Customer
337 Beakes St 1
Ann Arbor MI, 48104-1013

Postal Customer
337 Beakes St 2
Ann Arbor MI, 48104-1013

Postal Customer
340 Depot St
Ann Arbor MI, 48104-1022

Postal Customer
343 Beakes St
Ann Arbor MI, 48104-1013

Postal Customer
3685 DALEVIEW DR
ANN ARBOR MI, 48105

Postal Customer
375 Depot St
Ann Arbor MI, 48104-1021

Postal Customer
400 NW CAPITOL ST
WASHINGTON DC, 20001

Postal Customer
401 Depot St
Ann Arbor MI, 48104-1023

Postal Customer
403 Beakes St
Ann Arbor MI, 48104-1015

Postal Customer
410 High St
Ann Arbor MI, 48104-1130

Postal Customer
411 High St A1
Ann Arbor MI, 48104-1160

Postal Customer
411 High St B1
Ann Arbor MI, 48104-1160

Postal Customer
411 High St B2
Ann Arbor MI, 48104-1160

Postal Customer
411 High St B3
Ann Arbor MI, 48104-1160

Postal Customer
411 High St C1
Ann Arbor MI, 48104-1160

Postal Customer
411 High St C2
Ann Arbor MI, 48104-1160

Postal Customer
414 HUNTINGTON PLACE
ANN ARBOR MI, 48104

Postal Customer
415 HIGH ST
ANN ARBOR MI, 48104

Postal Customer
415 High St 1
Ann Arbor MI, 48104-1129

Postal Customer
415 High St 2
Ann Arbor MI, 48104-1129

Postal Customer
423 High St
Ann Arbor MI, 48104-1129

Postal Customer
425 Depot St
Ann Arbor MI, 48104

Postal Customer
502 W HURON
ANN ARBOR MI, 48103

Postal Customer
544 N Division St 1
Ann Arbor MI, 48104-1136

Postal Customer
544 N Division St 2
Ann Arbor MI, 48104-1136

Postal Customer
5690 JUDD RD
MILAN MI, 48160

Postal Customer
617 Detroit St 100
Ann Arbor MI, 48104

Postal Customer
617 Detroit St 125
Ann Arbor MI, 48104

Postal Customer
6633 STONEY CREEK DR
YPSILANTI MI, 48197

Postal Customer
708 N Fifth Ave
Ann Arbor MI, 48104-1058

Postal Customer
712 N Fifth Ave
Ann Arbor MI, 48104-1058

Postal Customer
716 N Fifth Ave
Ann Arbor MI, 48104

Postal Customer
724 N Fifth Ave A
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave B
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave C
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave D
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave E
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave F
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave G
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave H
Ann Arbor MI, 48104-1056

Postal Customer
811 W LIBERTY ST
ANN ARBOR MI, 48103

Postal Customer
903 MINER ST
ANN ARBOR MI, 48103

Postal Customer
ONE E FOURTH ST
CINCINNATI OH, 45202

Postal Customer
725 WEST ELLSWORTH
ANN ARBOR MI, 48108

Postal Customer
P.O. BOX 33017
DETROIT MI, 48232

Postal Customer
P.O. BOX 3976
ANN ARBOR MI, 48106

Postal Customer
PO BOX 22845
OKLAHOMA CITY OK, 73123

544 DETROIT STREET LLC
544 Detroit St 1
Ann Arbor MI, 48104

703-705 N FIFTH CONDOMINIUM
ASSOCIATION
705 N Fifth Ave
Ann Arbor MI, 48104

709 N FIFTH AVENUE INC
325 E Summit St
Ann Arbor MI, 48104

WICKLIFFE PLACE CONDOMINIUM
ASSOCIATION
665 N Fifth Ave
Ann Arbor MI, 48104

Ann Arbor Preservation Alliance
126 N Division St
Ann Arbor MI, 48104

North Area Neighborhood Association
612 N Main St
Ann Arbor MI, 48104

North Central Neighborhood
Association
711 N 4th Ave
Ann Arbor MI, 48104

Old Fourth Ward Association
506 E Kingsley St
Ann Arbor MI, 48104

Kerrytown District Association
407 N Fifth Ave
Ann Arbor MI, 48104

Allen's Creek Watershed Group
556 Glendale Cir
Ann Arbor MI, 48103

SIH 5/2/19

Postal Customer
* PO BOX 26138
FRASER MI, 48026

Postal Customer
* PO BOX 7967
ANN ARBOR MI, 48107

Postal Customer
105 E Summit St 1
Ann Arbor MI, 48104-1048

Postal Customer
105 E Summit St 2
Ann Arbor MI, 48104-1048

Postal Customer
106 Depot St
Ann Arbor MI, 48104-1018

Postal Customer
1085 S University Ave
Ann Arbor MI, 48104

Postal Customer
109 E Summit St
Ann Arbor MI, 48104-1048

Postal Customer
10956 STRATHMORE DR
LOS ANGELES CA, 90024

Postal Customer
110 Depot St
Ann Arbor MI, 48104-1018

Postal Customer
110 E Summit St 1
Ann Arbor MI, 48104-1049

Postal Customer
110 E Summit St 2
Ann Arbor MI, 48104-1049

Postal Customer
11114 CROSSTREE CT
FORT WAYNE IN, 46814

Postal Customer
112 E Summit St
Ann Arbor MI, 48104-1049

Postal Customer
112 MADERA AVE
SAN CARLOS CA, 94070

Postal Customer
1125 HONEY RUN DR
ANN ARBOR MI, 48103

Postal Customer
113 9TH ST
ANN ARBOR MI, 48103

Postal Customer
113 E SUMMIT ST
ANN ARBOR MI, 48104

Postal Customer
113 E Summit St 1
Ann Arbor MI, 48104-1048

Postal Customer
113 E Summit St 2
Ann Arbor MI, 48104-1048

Postal Customer
114 Depot St
Ann Arbor MI, 48104-1018

Postal Customer
115 Depot St
Ann Arbor MI, 48104-1017

Postal Customer
116 E Summit St
Ann Arbor MI, 48104-1049

Postal Customer
117 E Summit St 1
Ann Arbor MI, 48104-1048

Postal Customer
117 E Summit St 2
Ann Arbor MI, 48104-1048

Postal Customer
117 N DIVISION ST
ANN ARBOR MI, 48104

Postal Customer
120 DEPOT ST
ANN ARBOR MI, 48104

Postal Customer
120 Depot St 1
Ann Arbor MI, 48104-1018

Postal Customer
120 Depot St 2
Ann Arbor MI, 48104-1018

Postal Customer
120 E Summit St
Ann Arbor MI, 48104-1049

Postal Customer
1202 TRAVER ST
ANN ARBOR MI, 48105

Postal Customer
1205 HARBROOKE AVE
ANN ARBOR MI, 48103

Postal Customer
121 E SUMMIT ST
ANN ARBOR MI, 48104

Postal Customer
121 E Summit St 1
Ann Arbor MI, 48104-1048

Postal Customer
121 E Summit St 2
Ann Arbor MI, 48104-1048

Postal Customer
124 E SUMMIT ST
ANN ARBOR MI, 48104

Postal Customer
124 E Summit St 1
Ann Arbor MI, 48104-1049

Postal Customer
124 E Summit St 2
Ann Arbor MI, 48104-1049

Postal Customer
124 W SUMMIT ST
ANN ARBOR MI, 48103

Postal Customer
124 W SUMMIT SUTE A
ANN ARBOR MI, 48103

Postal Customer
126 Depot St
Ann Arbor MI, 48104-1018

Postal Customer
126 E Summit St
Ann Arbor MI, 48104-1049

Postal Customer
127 E SUMMIT ST
ANN ARBOR MI, 48104

Postal Customer
127 E Summit St 1
Ann Arbor MI, 48104-1048

Postal Customer
127 E Summit St 2
Ann Arbor MI, 48104-1048

Postal Customer
13750 WATERS RD
CHELSEA MI, 48118

Postal Customer
1413 SHADFORD RD
ANN ARBOR MI, 48104

Postal Customer
1575 MILLER AVE
ANN ARBOR MI, 48103

Postal Customer
1700 GEDDES AVE
ANN ARBOR MI, 48104

Postal Customer
1701 HERMITAGE RD
ANN ARBOR MI, 48104

Postal Customer
1741 MONTEREY CT
ANN ARBOR MI, 48108

Postal Customer
1760 RIVERWOOD DR
ANN ARBOR MI, 48103-2384

Postal Customer
1880 GLENWOOD RD
ANN ARBOR MI, 48104

Postal Customer
1945 CAMELOT RD
ANN ARBOR MI, 48104

Postal Customer
2 W MICHIGAN
YPSILANTI MI, 48197

Postal Customer
201 Depot St
Ann Arbor MI, 48104

Postal Customer
203 BEAKES ST
ANN ARBOR MI, 48104

Postal Customer
203 Beakes St 1
Ann Arbor MI, 48104-1060

Postal Customer
203 Beakes St 3
Ann Arbor MI, 48104-1060

Postal Customer
203 Beakes St 4
Ann Arbor MI, 48104-1060

Postal Customer
208 Beakes St
Ann Arbor MI, 48104-1012

Postal Customer
209 Beakes St
Ann Arbor MI, 48104-1011

Postal Customer
209 S FOURTH AVE 1C
ANN ARBOR MI, 48104

Postal Customer
210 Beakes St
Ann Arbor MI, 48104-1012

Postal Customer
2111 WOODWARD SUITE 600
DETROIT MI, 48201

Postal Customer
213 Beakes St
Ann Arbor MI, 48104-1011

Postal Customer
21361 TARRACO
MISSION VIEJO CA, 92692

Postal Customer
214 Beakes St
Ann Arbor MI, 48104-1012

Postal Customer
215 Beakes St
Ann Arbor MI, 48104-1011

Postal Customer
216 Beakes St
Ann Arbor MI, 48104-1012

Postal Customer
21711 W TEN MILE RD, SUITE 237
SOUTHFIELD MI, 48075

Postal Customer
2182 YORKTOWN DR
ANN ARBOR MI, 48105

Postal Customer
219 BARTON DR
ANN ARBOR MI, 48105

Postal Customer
2215 BLUBERRY LN
ANN ARBOR MI, 48103

Postal Customer
229 Depot St
Ann Arbor MI, 48104

Postal Customer
230 HURONVIEW BLVD
ANN ARBOR MI, 48103

Postal Customer
23638 STERLING PL
DEARBORN MI, 48124

Postal Customer
24-23 83RD ST
EAST ELMHURST NY, 11370

Postal Customer
2446 HIGHLAND DR
ANN ARBOR MI, 48105

Postal Customer
262 W 15TH ST APT 1
NEW YORK NY, 10011

Postal Customer
2631 TESSMER DR
ANN ARBOR MI, 48103

Postal Customer
2631 TESSMER RD
ANN ARBOR MI, 48103

Postal Customer
2666 WHITE OAK DR
ANN ARBOR MI, 48103

Postal Customer
2711 ALEX DR
ANN ARBOR MI, 48104

Postal Customer
2855 WEST ARBOR RD
ANN ARBOR MI, 48103

Postal Customer
304 Beakes St 1
Ann Arbor MI, 48104-1014

Postal Customer
304 Beakes St 2
Ann Arbor MI, 48104-1014

Postal Customer
304 Depot St
Ann Arbor MI, 48104-1022

Postal Customer
305 Beakes St A
Ann Arbor MI, 48104-1013

Postal Customer
305 Beakes St B
Ann Arbor MI, 48104-1013

Postal Customer
306 Beakes St 1
Ann Arbor MI, 48104-1014

Postal Customer
306 Beakes St 2
Ann Arbor MI, 48104-1014

Postal Customer
306 E Summit St
Ann Arbor MI, 48104

Postal Customer
3064 WOLVERINE
ANN ARBOR MI, 48108

Postal Customer
3099 OVERRIDGE DR
ANN ARBOR MI, 48104

Postal Customer
310 Beakes St
Ann Arbor MI, 48104

Postal Customer
310 Depot St 1
Ann Arbor MI, 48104

Postal Customer
310 Depot St 2
Ann Arbor MI, 48104

Postal Customer
310 Depot St 3
Ann Arbor MI, 48104

Postal Customer
310 E Summit St 1
Ann Arbor MI, 48104-1053

Postal Customer
310 E Summit St 2
Ann Arbor MI, 48104-1053

Postal Customer
3117 45TH ST NW
WASHINGTON DC, 20016-3530

Postal Customer
312 Beakes St
Ann Arbor MI, 48104

Postal Customer
314 E Summit St
Ann Arbor MI, 48104-1053

Postal Customer
315 Beakes St
Ann Arbor MI, 48104

Postal Customer
316 Beakes St 1
Ann Arbor MI, 48104

Postal Customer
316 Beakes St 2
Ann Arbor MI, 48104

Postal Customer
316 Beakes St 3
Ann Arbor MI, 48104

Postal Customer
316 Beakes St 4
Ann Arbor MI, 48104

Postal Customer
320 Depot St
Ann Arbor MI, 48104

Postal Customer
324 E Kingsley St
Ann Arbor MI, 48104-1142

Postal Customer
324 E Summit St
Ann Arbor MI, 48104-1053

Postal Customer
325 Beakes St
Ann Arbor MI, 48104-1013

Postal Customer
325 Depot St
Ann Arbor MI, 48104-1021

Postal Customer
325 E Summit St
Ann Arbor MI, 48104-1052

Postal Customer
326 Beakes St
Ann Arbor MI, 48104-1014

Postal Customer
326 E Kingsley St
Ann Arbor MI, 48104-1142

Postal Customer
326 E Summit St
Ann Arbor MI, 48104-1053

Postal Customer
327 Beakes St
Ann Arbor MI, 48104-1013

Postal Customer
330 E Kingsley St 1
Ann Arbor MI, 48104-1142

Postal Customer
330 E Kingsley St 2
Ann Arbor MI, 48104-1142

Postal Customer
331 Beakes St
Ann Arbor MI, 48104-1013

Postal Customer
331 E Kingsley St
Ann Arbor MI, 48104-1141

Postal Customer
3310 PACKARD APT 3A
ANN ARBOR MI, 48108

Postal Customer
333 BEAKES ST
ANN ARBOR MI, 48104

Postal Customer
333 Beakes St 1
Ann Arbor MI, 48104-1013

Postal Customer
333 Beakes St 2
Ann Arbor MI, 48104-1013

Postal Customer
334 Beakes St 1
Ann Arbor MI, 48104-1036

Postal Customer
334 Beakes St 2
Ann Arbor MI, 48104-1036

Postal Customer
334 Beakes St 3
Ann Arbor MI, 48104-1036

Postal Customer
334 E Kingsley St
Ann Arbor MI, 48104-1142

Postal Customer
335 E Kingsley St 1
Ann Arbor MI, 48104-1141

Postal Customer
335 E Kingsley St 2
Ann Arbor MI, 48104-1141

Postal Customer
335 E Kingsley St 3
Ann Arbor MI, 48104-1141

Postal Customer
335 E Kingsley St 4
Ann Arbor MI, 48104-1141

Postal Customer
337 Beakes St 1
Ann Arbor MI, 48104-1013

Postal Customer
337 Beakes St 2
Ann Arbor MI, 48104-1013

Postal Customer
338 E Kingsley St
Ann Arbor MI, 48104-1142

Postal Customer
340 Depot St
Ann Arbor MI, 48104-1022

Postal Customer
343 Beakes St
Ann Arbor MI, 48104-1013

Postal Customer
346 E Kingsley St
Ann Arbor MI, 48104-1142

Postal Customer
3610 GOLFSIDE RD
YPSILANTI MI, 48197

Postal Customer
3685 DALEVIEW DR
ANN ARBOR MI, 48105

Postal Customer
375 Depot St
Ann Arbor MI, 48104-1021

Postal Customer
3983 DELHI GLEN LN
ANN ARBOR MI, 48103-8312

Postal Customer
400 N CAPITOL NW
WASHINGTON DC, 20001

Postal Customer
400 NW CAPITOL ST
WASHINGTON DC, 20001

Postal Customer
4004 TEXTILE RD
YPSILANTI MI, 48197

Postal Customer
401 Depot St
Ann Arbor MI, 48104-1023

Postal Customer
403 Beakes St
Ann Arbor MI, 48104-1015

Postal Customer
407 E Kingsley St 1
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 2
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 3
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 4
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 5
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 6
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 7
Ann Arbor MI, 48104-1151

Postal Customer
407 E Kingsley St 8
Ann Arbor MI, 48104-1151

Postal Customer
408 E Kingsley St 10
Ann Arbor MI, 48104-1156

Postal Customer
408 E Kingsley St 11
Ann Arbor MI, 48104-1156

Postal Customer
408 E Kingsley St 12
Ann Arbor MI, 48104-1156

Postal Customer
408 E Kingsley St 7
Ann Arbor MI, 48104-1156

Postal Customer
408 E Kingsley St 8
Ann Arbor MI, 48104-1156

Postal Customer
408 E Kingsley St 9
Ann Arbor MI, 48104-1156

Postal Customer
409 E Kingsley St 1
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 10
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 11
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 12
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 13
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 14
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 15
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 16
Ann Arbor MI, 48104-1152

Postal Customer
409 E Kingsley St 2
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 3
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 4
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 5
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 6
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 7
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 8
Ann Arbor MI, 48104-1132

Postal Customer
409 E Kingsley St 9
Ann Arbor MI, 48104-1152

Postal Customer
410 High St
Ann Arbor MI, 48104-1130

Postal Customer
411 High St A1
Ann Arbor MI, 48104-1160

Postal Customer
411 High St B1
Ann Arbor MI, 48104-1160

Postal Customer
411 High St B2
Ann Arbor MI, 48104-1160

Postal Customer
411 High St B3
Ann Arbor MI, 48104-1160

Postal Customer
411 High St C1
Ann Arbor MI, 48104-1160

Postal Customer
411 High St C2
Ann Arbor MI, 48104-1160

Postal Customer
411 HUNTINGTON PL
ANN ARBOR MI, 48105

Postal Customer
411 N Division St
Ann Arbor MI, 48104-1442

Postal Customer
4115 TIMBER RIDGE DR
ANN ARBOR MI, 48108

Postal Customer
412 N Division St 1
Ann Arbor MI, 48104-1443

Postal Customer
412 N Division St 2
Ann Arbor MI, 48104-1443

Postal Customer
412 N Division St 3
Ann Arbor MI, 48104-1443

Postal Customer
413 E Kingsley St 1
Ann Arbor MI, 48104-1145

Postal Customer
413 E Kingsley St 2
Ann Arbor MI, 48104-1145

Postal Customer
413 E Kingsley St 3
Ann Arbor MI, 48104-1145

Postal Customer
413 E Kingsley St 4
Ann Arbor MI, 48104-1145

Postal Customer
4137 HIGH RIDGE
Ann Arbor MI, 48105

Postal Customer
414 E Kingsley St
Ann Arbor MI, 48104-1146

Postal Customer
414 HUNTINGSTON PLACE
ANN ARBOR MI, 48104

Postal Customer
414 HUNTINGTON
ANN ARBOR MI, 48104

Postal Customer
414 HUNTINGTON PL
ANN ARBOR MI, 48105

Postal Customer
414 HUNTINGTON PLACE
ANN ARBOR MI, 48104

Postal Customer
415 HIGH ST
ANN ARBOR MI, 48104

Postal Customer
415 High St 1
Ann Arbor MI, 48104-1129

Postal Customer
415 High St 2
Ann Arbor MI, 48104-1129

Postal Customer
415 N Division St
Ann Arbor MI, 48104-1442

Postal Customer
418 Detroit St
Ann Arbor MI, 48104-1118

Postal Customer
418 E Kingsley St 1
Ann Arbor MI, 48104-1146

Postal Customer
418 E Kingsley St 2
Ann Arbor MI, 48104-1146

Postal Customer
418 High St 1
Ann Arbor MI, 48104-1130

Postal Customer
418 High St 2
Ann Arbor MI, 48104-1130

Postal Customer
418 N Division St 1
Ann Arbor MI, 48104-1458

Postal Customer
418 N Division St 2
Ann Arbor MI, 48104-1458

Postal Customer
418 N Division St 3
Ann Arbor MI, 48104-1458

Postal Customer
418 N Division St 4
Ann Arbor MI, 48104-1458

Postal Customer
418 N Division St 5
Ann Arbor MI, 48104-1458

Postal Customer
418 N Division St 6
Ann Arbor MI, 48104-1458

Postal Customer
419 E Kingsley St
Ann Arbor MI, 48104-1145

Postal Customer
421 E Kingsley St
Ann Arbor MI, 48104

Postal Customer
421 E Kingsley St 2
Ann Arbor MI, 48104-1145

Postal Customer
422 Detroit St
Ann Arbor MI, 48104

Postal Customer
422 E Kingsley St 1
Ann Arbor MI, 48104-1155

Postal Customer
422 E Kingsley St 2
Ann Arbor MI, 48104-1155

Postal Customer
422 E Kingsley St 3
Ann Arbor MI, 48104-1155

Postal Customer
422 E Kingsley St 4
Ann Arbor MI, 48104-1155

Postal Customer
422 E Kingsley St 5
Ann Arbor MI, 48104-1155

Postal Customer
422 E Kingsley St 6
Ann Arbor MI, 48104-1155

Postal Customer
423 High St
Ann Arbor MI, 48104-1129

Postal Customer
425 Depot St
Ann Arbor MI, 48104

Postal Customer
426 E Kingsley St 1
Ann Arbor MI, 48104-1154

Postal Customer
426 E Kingsley St 2
Ann Arbor MI, 48104-1154

Postal Customer
426 E Kingsley St 3
Ann Arbor MI, 48104-1154

Postal Customer
426 E Kingsley St 4
Ann Arbor MI, 48104-1146

Postal Customer
471 Rock Creek Dr
Ann Arbor MI, 48104

Postal Customer
4925 PACKARD RD
ANN ARBOR MI, 48108

Postal Customer
500 Detroit St
Ann Arbor MI, 48104-1120

Postal Customer
501 Detroit St 1
Ann Arbor MI, 48104-1119

Postal Customer
501 Detroit St 2
Ann Arbor MI, 48104-1119

Postal Customer
502 E Kingsley St 1
Ann Arbor MI, 48104-1153

Postal Customer
502 E Kingsley St 2
Ann Arbor MI, 48104-1153

Postal Customer
502 E Kingsley St 3
Ann Arbor MI, 48104-1153

Postal Customer
502 E Kingsley St 4
Ann Arbor MI, 48104-1153

Postal Customer
502 High St
Ann Arbor MI, 48104-1130

Postal Customer
502 N Fifth Ave 1
Ann Arbor MI, 48104-1110

Postal Customer
502 N Fifth Ave 2
Ann Arbor MI, 48104-1110

Postal Customer
502 W HURON
ANN ARBOR MI, 48103

Postal Customer
503 Detroit St 1
Ann Arbor MI, 48104-1119

Postal Customer
503 Detroit St 2
Ann Arbor MI, 48104-1119

Postal Customer
503 E Kingsley St 1
Ann Arbor MI, 48104-1163

Postal Customer
503 E Kingsley St 2
Ann Arbor MI, 48104-1163

Postal Customer
504 High St 1
Ann Arbor MI, 48104-1130

Postal Customer
504 High St 2
Ann Arbor MI, 48104-1130

Postal Customer
504 High St 3
Ann Arbor MI, 48104-1130

Postal Customer
504 High St 4
Ann Arbor MI, 48104-1130

Postal Customer
504 N Fifth Ave 1
Ann Arbor MI, 48104-1110

Postal Customer
504 N Fifth Ave 2
Ann Arbor MI, 48104-1110

Postal Customer
504 N Fifth Ave 3
Ann Arbor MI, 48104-1110

Postal Customer
5049 RED FOX RUN
ANN ARBOR MI, 48105

Postal Customer
505 DETROIT ST #2
ANN ARBOR MI, 48104

Postal Customer
505 Detroit St 1
Ann Arbor MI, 48104-1119

Postal Customer
505 Detroit St 2
Ann Arbor MI, 48104-1119

Postal Customer
505 E Kingsley St 1
Ann Arbor MI, 48104-1163

Postal Customer
505 E Kingsley St 2
Ann Arbor MI, 48104-1163

Postal Customer
505 E LIBERTY, SUITE 500, ELSG
ANN ARBOR MI, 48104

Postal Customer
505 N DIVISION ST
ANN ARBOR MI, 48104

Postal Customer
505 N Division St 1
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 2
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 3
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 4
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 5
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 6
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 7
Ann Arbor MI, 48104-1148

Postal Customer
505 N Division St 8
Ann Arbor MI, 48104-1148

Postal Customer
505 N Fifth Ave
Ann Arbor MI, 48104-1109

Postal Customer
505 N. DIVISION
ANN ARBOR MI, 48104

Postal Customer
506 E Kingsley St
Ann Arbor MI, 48104-1162

Postal Customer
506 N State St
Ann Arbor MI, 48104-1236

Postal Customer
506 SNYDER AVE
ANN ARBOR MI, 48103

Postal Customer
507 DETROIT ST #1
ANN ARBOR MI, 48104

Postal Customer
507 Detroit St 1
Ann Arbor MI, 48104-1119

Postal Customer
507 Detroit St 2
Ann Arbor MI, 48104-1119

Postal Customer
507 DETROIT ST APT #1
ANN ARBOR MI, 48104

Postal Customer
507 E Kingsley St
Ann Arbor MI, 48104-1163

Postal Customer
507 N FIFTH AVE
ANN ARBOR MI, 48104

Postal Customer
507 N Fifth Ave 1
Ann Arbor MI, 48104-1109

Postal Customer
507 N Fifth Ave 2
Ann Arbor MI, 48104-1109

Postal Customer
508 N Fifth Ave
Ann Arbor MI, 48104-1110

Postal Customer
509 Detroit St
Ann Arbor MI, 48104-1119

Postal Customer
510 N Fifth Ave
Ann Arbor MI, 48104-1110

Postal Customer
510 N Fourth Ave
Ann Arbor MI, 48104-1106

Postal Customer
510 N State St
Ann Arbor MI, 48104-1236

Postal Customer
511 E Kingsley St 1
Ann Arbor MI, 48104-1163

Postal Customer
511 E Kingsley St 2
Ann Arbor MI, 48104-1163

Postal Customer
511 E Kingsley St 3
Ann Arbor MI, 48104-1163

Postal Customer
511 Elizabeth St
Ann Arbor MI, 48104-1221

Postal Customer
511 N Fifth Ave
Ann Arbor MI, 48104-1109

Postal Customer
512 N Fifth Ave
Ann Arbor MI, 48104-1110

Postal Customer
513 N Division St 1
Ann Arbor MI, 48104-1135

Postal Customer
513 N Division St 2
Ann Arbor MI, 48104-1135

Postal Customer
514 N Division St
Ann Arbor MI, 48104-1136

Postal Customer
514 N Fifth Ave
Ann Arbor MI, 48104-1110

Postal Customer
514 N State St 1
Ann Arbor MI, 48104-1236

Postal Customer
514 N State St 2
Ann Arbor MI, 48104-1236

Postal Customer
515 Detroit St
Ann Arbor MI, 48104-1119

Postal Customer
515 N Division St
Ann Arbor MI, 48104-1135

Postal Customer
515 N FIFTH AVE
ANN ARBOR MI, 48104

Postal Customer
515 N Fifth Ave 1
Ann Arbor MI, 48104-1109

Postal Customer
515 N Fifth Ave 2
Ann Arbor MI, 48104-1109

Postal Customer
515 N Fifth Ave 3
Ann Arbor MI, 48104-1109

Postal Customer
515 N Fifth Ave 4
Ann Arbor MI, 48104

Postal Customer
515 N State St
Ann Arbor MI, 48104

Postal Customer
516 Detroit St
Ann Arbor MI, 48104-1120

Postal Customer
516 N State St 1
Ann Arbor MI, 48104-1236

Postal Customer
516 N State St 2
Ann Arbor MI, 48104-1236

Postal Customer
517 Elizabeth St
Ann Arbor MI, 48104-1221

Postal Customer
518 N Division St
Ann Arbor MI, 48104-1136

Postal Customer
518 N Fifth Ave
Ann Arbor MI, 48104-1110

Postal Customer
518 N State St
Ann Arbor MI, 48104-1236

Postal Customer
519 N Fifth Ave
Ann Arbor MI, 48104-1109

Postal Customer
520 Detroit St
Ann Arbor MI, 48104-1120

Postal Customer
520 Elizabeth St
Ann Arbor MI, 48104-1222

Postal Customer
520 N FIFTH AVE
ANN ARBOR MI, 48104

Postal Customer
520 N Fifth Ave 1
Ann Arbor MI, 48104-1110

Postal Customer
520 N Fifth Ave 2
Ann Arbor MI, 48104-1110

Postal Customer
520 N State St
Ann Arbor MI, 48104-1236

Postal Customer
521 Detroit St 1
Ann Arbor MI, 48104-1119

Postal Customer
521 Detroit St 2
Ann Arbor MI, 48104-1119

Postal Customer
521 Detroit St 3
Ann Arbor MI, 48104-1119

Postal Customer
521 Detroit St 4
Ann Arbor MI, 48104-1119

Postal Customer
521 Elizabeth St 1
Ann Arbor MI, 48104-1261

Postal Customer
521 Elizabeth St 2
Ann Arbor MI, 48104-1261

Postal Customer
521 Elizabeth St 3
Ann Arbor MI, 48104-1261

Postal Customer
521 Elizabeth St 4
Ann Arbor MI, 48104-1261

Postal Customer
521 N Division St 1
Ann Arbor MI, 48104-1135

Postal Customer
521 N Division St 2
Ann Arbor MI, 48104-1135

Postal Customer
521 N Division St 3
Ann Arbor MI, 48104-1135

Postal Customer
521 N Division St 4
Ann Arbor MI, 48104-1135

Postal Customer
521 N Fifth Ave
Ann Arbor MI, 48104-1109

Postal Customer
522 Detroit St 1
Ann Arbor MI, 48104-1120

Postal Customer
522 Detroit St 2
Ann Arbor MI, 48104-1120

Postal Customer
522 N Division St 1
Ann Arbor MI, 48104

Postal Customer
522 N Division St 2
Ann Arbor MI, 48104

Postal Customer
522 N Division St 3
Ann Arbor MI, 48104

Postal Customer
522 N Division St 4
Ann Arbor MI, 48104

Postal Customer
524 N Division St 1
Ann Arbor MI, 48104

Postal Customer
524 N Division St 2
Ann Arbor MI, 48104

Postal Customer
524 N Fifth Ave
Ann Arbor MI, 48104-1110

Postal Customer
525 Detroit St
Ann Arbor MI, 48104-1119

Postal Customer
525 Elizabeth St
Ann Arbor MI, 48104-1221

Postal Customer
525 N Division St
Ann Arbor MI, 48104-1135

Postal Customer
526 6TH ST
ANN ARBOR MI, 48103

Postal Customer
526 Detroit St
Ann Arbor MI, 48104-1120

Postal Customer
526 N Fifth Ave 1
Ann Arbor MI, 48104-1110

Postal Customer
526 N Fifth Ave 2
Ann Arbor MI, 48104-1110

Postal Customer
528 N State St
Ann Arbor MI, 48104-1236

Postal Customer
529 Detroit St
Ann Arbor MI, 48104-1119

Postal Customer
529 Elizabeth St 1
Ann Arbor MI, 48104-1221

Postal Customer
529 Elizabeth St 2
Ann Arbor MI, 48104-1221

Postal Customer
529 N Division St 1
Ann Arbor MI, 48104-1135

Postal Customer
529 N Division St 2
Ann Arbor MI, 48104-1135

Postal Customer
529 N Division St 3
Ann Arbor MI, 48104-1135

Postal Customer
529 N Division St 4
Ann Arbor MI, 48104-1135

Postal Customer
529 N Division St 5
Ann Arbor MI, 48104

Postal Customer
530 Detroit St
Ann Arbor MI, 48104-1120

Postal Customer
530 Elizabeth St
Ann Arbor MI, 48104-1222

Postal Customer
530 N Division St 1
Ann Arbor MI, 48104-1136

Postal Customer
530 N Division St 2
Ann Arbor MI, 48104-1136

Postal Customer
530 N Division St 3
Ann Arbor MI, 48104-1136

Postal Customer
530 N Fifth Ave 1
Ann Arbor MI, 48104-1110

Postal Customer
530 N Fifth Ave 2
Ann Arbor MI, 48104-1110

Postal Customer
530 N Fifth Ave 3
Ann Arbor MI, 48104-1110

Postal Customer
530 N State St 1
Ann Arbor MI, 48104-1236

Postal Customer
530 N State St 2
Ann Arbor MI, 48104-1236

Postal Customer
533 Elizabeth St 1
Ann Arbor MI, 48104-1221

Postal Customer
533 Elizabeth St 2
Ann Arbor MI, 48104-1221

Postal Customer
534 Detroit St 1
Ann Arbor MI, 48104-1120

Postal Customer
534 Detroit St 2
Ann Arbor MI, 48104-1120

Postal Customer
534 Detroit St 3
Ann Arbor MI, 48104-1120

Postal Customer
534 Detroit St 4
Ann Arbor MI, 48104-1120

Postal Customer
534 N State St
Ann Arbor MI, 48104-1236

Postal Customer
5350 PARK RD
ANN ARBOR MI, 48103

Postal Customer
537 Detroit St
Ann Arbor MI, 48104-1119

Postal Customer
537 Elizabeth St
Ann Arbor MI, 48104-1221

Postal Customer
538 N Division St
Ann Arbor MI, 48104-1136

Postal Customer
538 N State St 1
Ann Arbor MI, 48104-1236

Postal Customer
538 N State St 2
Ann Arbor MI, 48104-1236

Postal Customer
538 N State St 3
Ann Arbor MI, 48104-1236

Postal Customer
538 N State St 4
Ann Arbor MI, 48104-1236

Postal Customer
540 Detroit St 1
Ann Arbor MI, 48104-1120

Postal Customer
540 Detroit St 2
Ann Arbor MI, 48104-1120

Postal Customer
540 Detroit St 3
Ann Arbor MI, 48104

Postal Customer
540 Detroit St 4
Ann Arbor MI, 48104

Postal Customer
540 Detroit St 5
Ann Arbor MI, 48104

Postal Customer
540 Elizabeth St
Ann Arbor MI, 48104-1222

Postal Customer
540 N STATE
ANN ARBOR MI, 48104

Postal Customer
540 N State St 1
Ann Arbor MI, 48104-1236

Postal Customer
540 N State St 2
Ann Arbor MI, 48104-1236

Postal Customer
541 Elizabeth St 1
Ann Arbor MI, 48104-1221

Postal Customer
541 Elizabeth St 2
Ann Arbor MI, 48104-1221

Postal Customer
543 Detroit St
Ann Arbor MI, 48104-1119

Postal Customer
543 Elizabeth St 1
Ann Arbor MI, 48104-1221

Postal Customer
543 Elizabeth St 2
Ann Arbor MI, 48104-1221

Postal Customer
544 Detroit St 1
Ann Arbor MI, 48104

Postal Customer
544 DETROIT ST 101
ANN ARBOR MI, 48104

Postal Customer
544 Detroit St 2
Ann Arbor MI, 48104

Postal Customer
544 DETROIT ST 201
ANN ARBOR MI, 48104

Postal Customer
544 Elizabeth St 1
Ann Arbor MI, 48104-1260

Postal Customer
544 Elizabeth St 2
Ann Arbor MI, 48104-1260

Postal Customer
544 Elizabeth St 3
Ann Arbor MI, 48104-1260

Postal Customer
544 Elizabeth St 4
Ann Arbor MI, 48104-1260

Postal Customer
544 Elizabeth St 5
Ann Arbor MI, 48104-1260

Postal Customer
544 N Division St 1
Ann Arbor MI, 48104-1136

Postal Customer
544 N Division St 2
Ann Arbor MI, 48104-1136

Postal Customer
544 N State St
Ann Arbor MI, 48104-1236

Postal Customer
545 N State St 1
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 2
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 3
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 4
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 5
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 6
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 7
Ann Arbor MI, 48104-1270

Postal Customer
545 N State St 8
Ann Arbor MI, 48104-1270

Postal Customer
547 Detroit St
Ann Arbor MI, 48104

Postal Customer
547 Detroit St 2
Ann Arbor MI, 48104-1119

Postal Customer
547 Elizabeth St 1
Ann Arbor MI, 48104-1221

Postal Customer
547 Elizabeth St 2
Ann Arbor MI, 48104-1221

Postal Customer
547 Elizabeth St 3
Ann Arbor MI, 48104-1221

Postal Customer
5505 TUTTLE HILL RD
YPSILANTI MI, 48197

Postal Customer
5690 JUDD RD
MILAN MI, 48160

Postal Customer
601 N Fifth Ave 1
Ann Arbor MI, 48104-1000

Postal Customer
601 N Fifth Ave 2
Ann Arbor MI, 48104-1000

Postal Customer
603 N Fifth Ave
Ann Arbor MI, 48104-1000

Postal Customer
604 N Fourth Ave
Ann Arbor MI, 48104

Postal Customer
604 N Fourth Ave 2
Ann Arbor MI, 48104-1002

Postal Customer
604 N Main St
Ann Arbor MI, 48104-1029

Postal Customer
605 N 5TH AVE
ANN ARBOR MI, 48104

Postal Customer
605 N FIFTH AVE
ANN ARBOR MI, 48104

Postal Customer
605 N Fifth Ave 1
Ann Arbor MI, 48104-1000

Postal Customer
605 N Fifth Ave 2
Ann Arbor MI, 48104-1000

Postal Customer
605 N Fifth Ave 3
Ann Arbor MI, 48104-1000

Postal Customer
607 N MAIN ST
ANN ARBOR MI, 48104

Postal Customer
608 High St 1
Ann Arbor MI, 48104-1161

Postal Customer
608 High St 2
Ann Arbor MI, 48104-1161

Postal Customer
608 High St 3
Ann Arbor MI, 48104-1161

Postal Customer
608 High St 4
Ann Arbor MI, 48104-1161

Postal Customer
608 N MAIN ST
ANN ARBOR MI, 48104

Postal Customer
608 N Main St 1
Ann Arbor MI, 48104-1029

Postal Customer
608 N Main St 2
Ann Arbor MI, 48104-1029

Postal Customer
609 N Fifth Ave
Ann Arbor MI, 48104-1000

Postal Customer
610 N FIFTH AVE
ANN ARBOR MI, 48104

Postal Customer
610 N Fifth Ave 1
Ann Arbor MI, 48104-1007

Postal Customer
610 N Fifth Ave 2
Ann Arbor MI, 48104-1007

Postal Customer
612 N Main St
Ann Arbor MI, 48104-1029

Postal Customer
613 N Fifth Ave
Ann Arbor MI, 48104-1000

Postal Customer
614 N Main St
Ann Arbor MI, 48104-1029

Postal Customer
616 N Fifth Ave
Ann Arbor MI, 48104-1007

Postal Customer
617 Detroit St 100
Ann Arbor MI, 48104

Postal Customer
617 Detroit St 125
Ann Arbor MI, 48104

Postal Customer
617 N Fourth Ave
Ann Arbor MI, 48104-1001

Postal Customer
618 N Main St 1
Ann Arbor MI, 48104-1042

Postal Customer
618 N Main St 2
Ann Arbor MI, 48104-1042

Postal Customer
620 N Fifth Ave
Ann Arbor MI, 48104-1007

Postal Customer
620 N Fourth Ave
Ann Arbor MI, 48104-1002

Postal Customer
621 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
621 N Fourth Ave
Ann Arbor MI, 48104-1001

Postal Customer
622 N Fourth Ave
Ann Arbor MI, 48104-1002

Postal Customer
622 N Main St
Ann Arbor MI, 48104-1029

Postal Customer
623 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
624 N Fourth Ave
Ann Arbor MI, 48104-1002

Postal Customer
625 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
625 N Fourth Ave 1
Ann Arbor MI, 48104-1001

Postal Customer
625 N Fourth Ave 2
Ann Arbor MI, 48104-1001

Postal Customer
626 N Fourth Ave
Ann Arbor MI, 48104-1002

Postal Customer
628 N Fourth Ave
Ann Arbor MI, 48104-1002

Postal Customer
631 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
632 N Fourth Ave 1
Ann Arbor MI, 48104

Postal Customer
632 N Fourth Ave 2
Ann Arbor MI, 48104

Postal Customer
632 N Fourth Ave 3
Ann Arbor MI, 48104-1002

Postal Customer
632 N Fourth Ave 4
Ann Arbor MI, 48104

Postal Customer
633 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
635 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
637 N Fourth Ave
Ann Arbor MI, 48104-1001

Postal Customer
639 N Fourth Ave
Ann Arbor MI, 48104-1001

Postal Customer
641 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
642 N Fourth Ave
Ann Arbor MI, 48104

Postal Customer
643 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
644 N Fourth Ave
Ann Arbor MI, 48104

Postal Customer
645 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
645 N Fourth Ave 1
Ann Arbor MI, 48104-1001

Postal Customer
645 N Fourth Ave 2
Ann Arbor MI, 48104-1001

Postal Customer
645 N Fourth Ave 3
Ann Arbor MI, 48104-1001

Postal Customer
645 N Fourth Ave 4
Ann Arbor MI, 48104-1001

Postal Customer
650 N Fourth Ave
Ann Arbor MI, 48104

Postal Customer
651 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
651 N Fourth Ave
Ann Arbor MI, 48104-1001

Postal Customer
652 N FOURTH AV 2
ANN ARBOR MI, 48104

Postal Customer
652 N Fourth Ave
Ann Arbor MI, 48104

Postal Customer
653 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
655 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
655 N Fourth Ave
Ann Arbor MI, 48104-1003

Postal Customer
655 N. FIFTH
ANN ARBOR MI, 48104

Postal Customer
661 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
663 N Fifth Ave
Ann Arbor MI, 48104-1020

Postal Customer
6633 STONEY CREEK DR
YPSILANTI MI, 48197

Postal Customer
6641 ZEEB RD
DEXTER MI, 48130

Postal Customer
6667 STONEY CRK
YPSILANTI MI, 48197

Postal Customer
6849 WOODCREST RDG
CLARKSTON MI, 48346

Postal Customer
6900 EAST JOY RD
ANN ARBOR MI, 48105

Postal Customer
700 N Main St
Ann Arbor MI, 48104

Postal Customer
701 N Fourth Ave
Ann Arbor MI, 48104-1003

Postal Customer
701 TECUMSEH RD
CLINTON MI, 49236

Postal Customer
702 N Fifth Ave
Ann Arbor MI, 48104-1058

Postal Customer
703 N Fifth Ave
Ann Arbor MI, 48104-1006

Postal Customer
705 N Fifth Ave
Ann Arbor MI, 48104-1006

Postal Customer
708 N Fifth Ave
Ann Arbor MI, 48104-1058

Postal Customer
709 N Fifth Ave
Ann Arbor MI, 48104-1006

Postal Customer
709 N Fourth Ave
Ann Arbor MI, 48104-1003

Postal Customer
711 E Kingsley St 1
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 10
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 2
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 3
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 4
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 5
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 6
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 7
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 8
Ann Arbor MI, 48104-1250

Postal Customer
711 E Kingsley St 9
Ann Arbor MI, 48104-1250

Postal Customer
711 FOUNTAIN
ANN ARBOR MI, 48103

Postal Customer
711 N Fifth Ave
Ann Arbor MI, 48104-1006

Postal Customer
711 N Fourth Ave
Ann Arbor MI, 48104-1003

Postal Customer
712 N Fifth Ave
Ann Arbor MI, 48104-1058

Postal Customer
713 N Fifth Ave
Ann Arbor MI, 48104-1006

Postal Customer
716 N Fifth Ave
Ann Arbor MI, 48104

Postal Customer
717 N Fourth Ave
Ann Arbor MI, 48104-1003

Postal Customer
718 N FOURTH AVE
ANN ARBOR MI, 48104

Postal Customer
718 N Fourth Ave 1
Ann Arbor MI, 48104-1004

Postal Customer
718 N Fourth Ave 2
Ann Arbor MI, 48104-1004

Postal Customer
719 N FOURTH AVE
ANN ARBOR MI, 48104

Postal Customer
719 N Fourth Ave 1
Ann Arbor MI, 48104-1003

Postal Customer
719 N Fourth Ave 2
Ann Arbor MI, 48104-1003

Postal Customer
724 N Fifth Ave A
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave B
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave C
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave D
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave E
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave F
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave G
Ann Arbor MI, 48104-1056

Postal Customer
724 N Fifth Ave H
Ann Arbor MI, 48104-1056

Postal Customer
725 WEST ELLSWORTH
ANN ARBOR MI, 48108

Postal Customer
730 N Main St
Ann Arbor MI, 48104-1031

Postal Customer
7420 STRIETER CT
ANN ARBOR MI, 48103

Postal Customer
7735 RIDGE RD
CANTON MI, 48187

Postal Customer
800 Fuller St 1
Ann Arbor MI, 48104-1258

Postal Customer
800 Fuller St 11
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 12
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 13
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 14
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 15
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 16
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 17
Ann Arbor MI, 48104-1243

Postal Customer
800 Fuller St 2
Ann Arbor MI, 48104-1258

Postal Customer
800 Fuller St 25
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 26
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 27
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 28
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 29
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 3
Ann Arbor MI, 48104-1258

Postal Customer
800 Fuller St 30
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 31
Ann Arbor MI, 48104-1244

Postal Customer
800 Fuller St 40
Ann Arbor MI, 48104-1258

Postal Customer
800 Fuller St 41
Ann Arbor MI, 48104-1258

Postal Customer
800 Fuller St 42
Ann Arbor MI, 48104-1258

Postal Customer
800 Fuller St 43
Ann Arbor MI, 48104-1244

Postal Customer
800 N Main St
Ann Arbor MI, 48104-1033

Postal Customer
802 Fuller St 10
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 18
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 19
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 20
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 21
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 22
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 23
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 24
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 32
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 33
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 34
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 35
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 36
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 37
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 38
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 39
Ann Arbor MI, 48104-1242

Postal Customer
802 Fuller St 4
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 5
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 6
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 7
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 8
Ann Arbor MI, 48104-1241

Postal Customer
802 Fuller St 9
Ann Arbor MI, 48104-1241

Postal Customer
802 N Main St
Ann Arbor MI, 48104-1033

Postal Customer
809 N Fourth Ave
Ann Arbor MI, 48104-1005

Postal Customer
811 W LIBERTY ST
ANN ARBOR MI, 48103

Postal Customer
815 LAKESIDE DR
OWOSSO MI, 48867

Postal Customer
901 HUTCHINS AVE
ANN ARBOR MI, 48103

Postal Customer
903 MINER ST
ANN ARBOR MI, 48103

Postal Customer
906 N Main St
Ann Arbor MI, 48104-1035

Postal Customer
906 WOODLAWN
ANN ARBOR MI, 48104

Postal Customer
912 N Main St 100
Ann Arbor MI, 48104

Postal Customer
912 N Main St 111
Ann Arbor MI, 48104

Postal Customer
912 N Main St 200
Ann Arbor MI, 48104

Postal Customer
912 N Main St 210
Ann Arbor MI, 48104

Postal Customer
913 NORTON AVE
GLENDALE CA, 91202-2616

Postal Customer
944 N MAIN ST
ANN ARBOR MI, 48104

Postal Customer
ONE E FOURTH ST
CINCINNATI OH, 45202

Postal Customer
P.O. BOX 33017
DETROIT MI, 48232

Postal Customer
P.O. BOX 3976
ANN ARBOR MI, 48106

Postal Customer
P.O. BOX 4078
ANN ARBOR MI, 48106

Postal Customer
PO BOX 2198
ANN ARBOR MI, 48106

Postal Customer
PO BOX 22845
OKLAHOMA CITY OK, 73123

Postal Customer
PO BOX 981098
YPSILANTI MI, 48198

544 DETROIT STREET LLC
544 Detroit St 1
Ann Arbor MI, 48104

650-652 N FOURTH AVENUE INC
650-652 N FOURTH AVENUE INC
Ann Arbor MI, 48104

655-701 N FOURTH CONDOMINIUM
ASSOCIATION
701 N Fourth Ave
Ann Arbor MI, 48104

703-705 N FIFTH CONDOMINIUM
ASSOCIATION
705 N Fifth Ave
Ann Arbor MI, 48104

709 N FIFTH AVENUE INC
325 E Summit St
Ann Arbor MI, 48104

BROWNSTONE CONDOMINIUM
ASSOCIATION
330 E 5th St
Royal Oak MI, 48067

FOURTH AVENUE CONDOMINIUM
ASSOCIATION
637 N Fourth Ave
Ann Arbor MI, 48104

WICKLIFFE PLACE CONDOMINIUM
ASSOCIATION
665 N Fifth Ave
Ann Arbor MI, 48104

Ann Arbor Preservation Alliance
126 N Division St
Ann Arbor MI, 48104

Broadway Area Neighborhood
Association
[REDACTED] St
Ann Arbor MI, 48105

Downtown Area Citizens Advisory
Council
120 N Division St 1
Ann Arbor MI, 48104

North Area Neighborhood Association
612 N Main St
Ann Arbor MI, 48104

North Central Neighborhood
Association
711 N Fourth Ave
Ann Arbor MI, 48104

Old Fourth Ward Association
506 E Kingsley St
Ann Arbor MI, 48104

Kerrytown District Association
407 N Fifth Ave
Ann Arbor MI, 48104

Main Street Area Association
15 Research Dr
Ann Arbor MI, 48103

Allen's Creek Watershed Group
556 Glendale Cir
Ann Arbor MI, 48103

Mia Gale
301 E Huron St
Ann Arbor MI, 48104

SJH 9/21/18

REZONING PROTEST PETITION

We, the undersigned property owners, protest the rezoning of _____ from _____ to _____ zoning districts on the described property.

We, the undersigned property owners realize that this petition of protest must be submitted to the Ann Arbor Office of the City Clerk by 5:00 p.m. on the day of the first scheduled public hearing for the rezoning described above. Further, we realize that this Petition is in opposition to the rezoning application and our signatures cannot be removed after filing unless certain actions, as designated by the City Clerk, are taken to remove from the Protest Petition. This petition is being filed pursuant to City Ordinance, Chapter 55, Section 5.29.9.E and Michigan State Law.

We, the undersigned, are owners of real property located within proximity to the property described above, where a rezoning is sought. We, the undersigned understand that the City of Ann Arbor will make the final determination of this Protest Petition and any effect on action of the proposed zoning amendment.

Legal Signature of Owner	Printed Name of Owner	Owner's Address

From: [Hayner, Jeff](#)
To: [Mark Pfaff](#)
Cc: [Eaton, Jack](#)
Subject: RE: 325 Summit Rezoning
Date: Wednesday, August 28, 2019 11:35:00 AM

Dear Mark,

The city has asked the Energy Commission to work on such an ordinance, and progress is under way. IT does not now exist however as legislation.

Jeff Hayner

From: Mark Pfaff <[REDACTED]>
Sent: Monday, August 26, 2019 11:19 AM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: RE: 325 Summit Rezoning

Anne and Jeff,

On a separate subject, one of my concerns with the building size and setback of the 325 E Summit proposal is the loss of daylight/sunlight. Our future installation of solar panels in 2020 on the south facing roof creates an unfair outcome for my property at 340 Depot. How does city council take those issues into consideration?

Regards,
Mark

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Saturday, August 24, 2019 4:53 PM
To: Mark Pfaff <[REDACTED]>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: Fw: 325 Summit Rezoning

Dear Mark -- Please find attached the lists of addresses and the Rezoning Protest Petition.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Lenart, Brett <BLenart@a2gov.org>

Sent: Thursday, August 22, 2019 12:25 PM

To: Hayner, Jeff <JHayner@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>

Cc: Bannister, Anne <ABannister@a2gov.org>

Subject: RE: 325 Summit Rezoning

Hello Councilmember Hayner-

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If you have any additional questions, feel free to reach out here or at my city extension, #42606.

Sincerely,

-Brett Lenart
Planning Manager

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Cc: Bannister, Anne <ABannister@a2gov.org>

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Thank you for a quick response as I know this will be back before council in 2 short weeks,

Sincerely,

Jeff Hayner
Ward 1 City Council

From: [Mark Pfaff](#)
To: [Hayner, Jeff](#)
Cc: [Eaton, Jack](#)
Subject: RE: 325 Summit Rezoning
Date: Wednesday, August 28, 2019 11:51:18 AM

Hi Jeff,

Thank you for the confirmation. As a suggestion, I think this should be considered for future legislation.

The precedent here is creating a "let me build a bigger building" mentality to be able to utilize our natural resources, which in the end is somewhat counterintuitive.

Mark

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, August 28, 2019 11:35 AM
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Cc: Eaton, Jack <JEaton@a2gov.org>
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Jeff Hayner
Ward 1 City Council

From: [Mark Pfaff](#)
To: [Hayner, Jeff](#)
Subject: RE: 325 Summit Rezoning
Date: Wednesday, August 28, 2019 12:03:11 PM

Thanks Jeff.

I sent my completed form into Jacqueline. That prompted a phone call from Jeff (one of the partners from 325 E Summit) yesterday, and he wanted to know why I am protesting. I stated all of the reasons we talked about and as a result he sounded very concerned. He did not seem to have any concern for my reasons but instead wanted to address the late protest after spending a lot of money and time up to this point. In the end, I pointed out the that I never received any notification from Kelly or the city until last week. This was very concerning to me and mentioned Kelly should have approached me 2 years ago before they started investing but as suspected that was most likely their strategy all along...

Jeff also mentioned there are two opposing factions on city council – the mayor group and a person who wants to be mayor and his group which is creating a political issue on this subject property as well.

Do you think a call into Brett would be a good idea?

Mark

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, August 28, 2019 10:35 AM
To: Mark Pfaff <[REDACTED]>
Subject: FW: 325 Summit Rezoning

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Ward 1 City Council

From: [Hayner, Jeff](#)
To: [Mark Pfaff](#)
Subject: RE: 325 Summit Rezoning
Date: Wednesday, August 28, 2019 12:11:00 PM

I just got back late last night and am catching up on emails but the facts are: the petitioner requested the postponement, and it was granted. Whatever happens in the space between hearings is just “the way the cookie crumbles”...

As for the council faction nonsense, that is probably coming from his architect or banker – it’s simply not true from what I can see, although to be fair, the mayor and his group have made a habit out of playing politics with development – especially in our neighborhood. They appointed the 8th vote necessary to try and sell the Library Lot for development, and they approved a delay for the Lowertown project at the request of the developer to give him a chance to “remove” opposition to the project. So in this case he may be right, the mayor is playing politics with his project. I am evaluating it first on the merits of the zoning request, if the zoning passes then I will evaluate it on the merits of the site plan. No politics here, I simply look for projects that forward our Master Plan goals.

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Jeff Hayner
Ward 1 City Council

From: [Mark Pfaff](#)
To: [Hayner, Jeff](#)
Subject: RE: 325 Summit Rezoning
Date: Wednesday, August 28, 2019 12:41:17 PM

Thanks Jeff.

Sorry to ask again, do you think a call to Brett is worth it for my concerns?

Mark

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, August 28, 2019 12:12 PM
To: Mark Pfaff <[REDACTED]>
Subject: RE: 325 Summit Rezoning

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Ward 1 City Council

From: [Mark Pfaff](#)
To: [Hayner, Jeff](#); [Dan](#)
Subject: RE: MDEQ/EGLE Well Logs for 2 properties
Date: Wednesday, August 28, 2019 12:53:02 PM
Attachments: [234154.9990 FIG1 Prop SB MW.PROPOSAL.pdf](#)

Jeff

The history tied to these properties is related to DTE and the Beakes coal gas plant that was operational in the early 1900's.

Attached are the affected properties of 325 E Summit, 320 and 340 Depot St. There are monitoring wells on all 3 properties.

Mark

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, August 28, 2019 10:46 AM
To: Dan <[REDACTED]>
Cc: Mark Pfaff <[REDACTED]>
Subject: RE: MDEQ/EGLE Well Logs for 2 properties

Thank you for looking into this – I had heard that these were installed by DEQ at the request/because of Michcon because this property was part of the historic coal tar facilities across the street. Still waiting to hear back from the property owners with any other information they might have. I too was surprised I could not locate them in the databases.

Jeff Hayner

From: Dan <[REDACTED]>
Sent: Friday, August 23, 2019 9:04 AM
To: Hayner, Jeff <JHayner@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: RE: MDEQ/EGLE Well Logs for 2 properties

Jeff:

I reviewed the DEQ/EGLE Gelman Sciences database through 2018.

MW-11D is actively sampled on a quarterly basis and was installed about 1986. The last 2018 sampling result was 380 ug/L dioxane.

MW-11S is not sampled now and was installed in about 1986. The last result was 31 ug/L dioxane in 2010.

MW-02D is not in the DEQ database.

Residents at 302 Depot and 325 East Summit are not in the Gelman database. I also could not find them in the Wellogic or Well Record databases of which I am very familiar. They may not have a private well or the well is so old that it is not in the databases.

Very best regards,

Daniel J. Bicknell, MPH

President
Global Environment Alliance, LLC
Phone - 248-720-9432


From: Hayner, Jeff [<mailto:JHayner@a2gov.org>]
Sent: Monday, August 19, 2019 9:27 PM
To: Dan
Cc: Bannister, Anne
Subject: MDEQ/EGLE Well Logs for 2 properties

Dear Dan,

I have a few monitoring well numbers and the addresses where they are located, and I was wondering if you could point me to state record lookup for just what it is the wells have been monitoring? These wells have been there for a while I think, pre-2000, although I am not certain, so I first tried to use the MDEQ/EGLE Well Record Retrieval System but don't have enough information to get results there. I also tried the Wellogic System but didn't get any hits there, either. Can you help?

Range of addresses:

320 Depot - Ann Arbor
325 East Summit - Ann Arbor

MW 02D
MW 11-D
MW 11-S

No hurry, this is a property and a neighboring parcel that are up for re-zoning and re-development.

Thanks for everything,

Sincerely,

Jeff Hayner

Ward 1 City Council

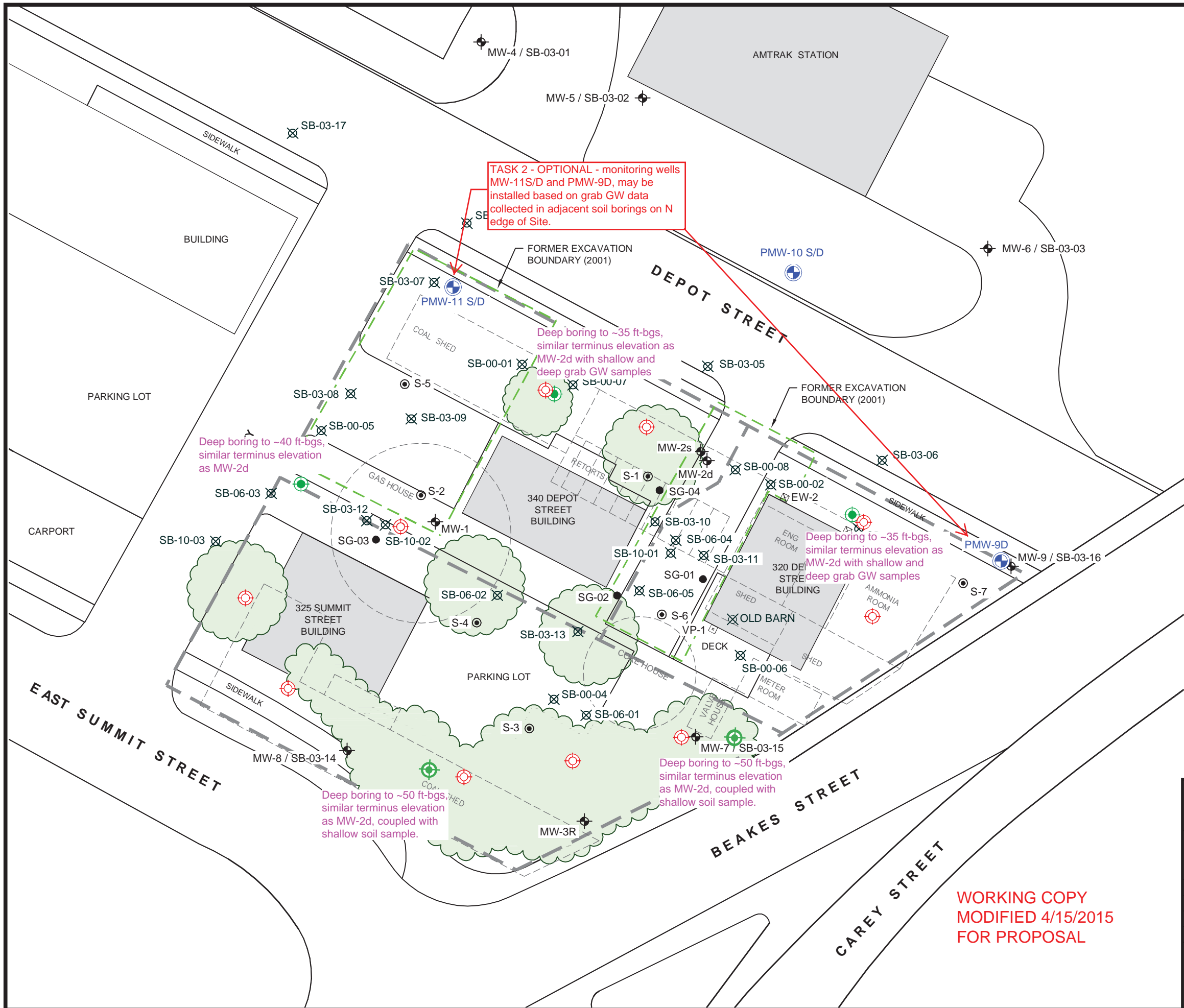
Dwg Size: 0.59 Mb
Plot Date: March 17, 2015
Plot Time: 1:14 PM

Attached Xrefs:
beakes;
FIG10 Prop SB MW

J:\TRC\DTE\Ann Arbor Beakes\222942\000001\CSM Update\222942.0000.01.10.dwg
STEHL, DIANA
0.386863

PLOT DATA

Drawing Name:
Operator Name:
Drawing Plot Scale:

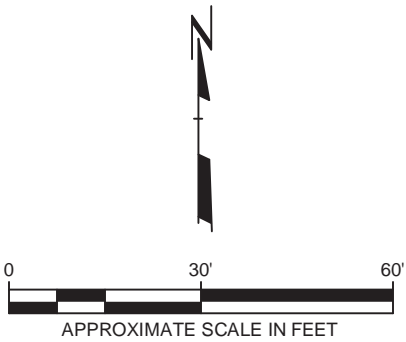


LEGEND

- EXISTING BUILDING
- FORMER STRUCTURE
- MONITORING WELL LOCATION AND NUMBER
- SOIL BORING LOCATION AND NUMBER
- EXISTING TREES
- APPROXIMATE PARCEL BOUNDARY (FROM EARTH TECH "SOIL BORING / MONITORING WELL LOCATIONS", DRAWING 75366SH2a.DWG, DATED NOVEMBER 2005)
- APPROXIMATE SOIL GAS MONITORING POINT LOCATION AND NUMBER
- SOIL BORING LOCATION AND NUMBER (EARTH TECH 1984)
- APPROXIMATE EXCAVATION AREA (2001)
- SOIL VAPOR EXTRACTION POINT
- SOIL VAPOR MONITORING POINT
- PROPOSED MONITORING WELL
- PROPOSED SURFICIAL SOIL SAMPLE
- PROPOSED DEEP SOIL BORING

NOTES

- BASE MAP DEVELOPED FROM SITE PLAN PREPARED BY HOLLAND ENGINEERING, DRAWING NO. 0103083.DWG, DATED MARCH 19, 2001 AND 1989 PROPERTY MAP PROVIDED BY CITY OF ANN ARBOR.
- APPROXIMATE LOCATIONS AND DIMENSIONS OF FORMER STRUCTURES WERE DEVELOPED FROM SANBORN MAPS DATED 1888 - 1908.



WORKING COPY
MODIFIED 4/15/2015
FOR PROPOSAL

PROJECT:		DTE GAS COMPANY FORMER BEAKES STREET MGP ANN ARBOR, MICHIGAN	
TITLE:		PROPOSED SOIL BORINGS AND MONITORING WELLS	
DRAWN BY:	DGS	SCALE:	PROJ. NO. 222942.0000.01
CHECKED BY:	SBH	AS INDICATED	FILE NO. 222942.0000.01.10.dwg
APPROVED BY:	-	DATE PRINTED:	FIGURE 1
DATE:	MARCH 2015		



1540 Eisenhower Place
Ann Arbor, MI 48108
Phone: 734.971.7080
Fax: 734.971.9022

From: [Hayner, Jeff](#)
To: [Mark Pfaff](#)
Subject: RE: 325 Summit Rezoning
Date: Wednesday, August 28, 2019 2:07:00 PM

I'm going to be meeting with Anne tonight to discuss this I would wait to call Brett I'm not sure what good it would do at this point. He is aware through my request that there is fresh opposition to this rezoning and plan.

Jeff

From: Mark Pfaff <[REDACTED]>
Sent: Wednesday, August 28, 2019 12:41 PM
To: Hayner, Jeff <JHayner@a2gov.org>
Subject: RE: 325 Summit Rezoning

Thanks Jeff.

Sorry to ask again, do you think a call to Brett is worth it for my concerns?

Mark

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, August 28, 2019 12:12 PM
To: Mark Pfaff <[REDACTED]>
Subject: RE: 325 Summit Rezoning

I just got back late last night and am catching up on emails but the facts are: the petitioner requested the postponement, and it was granted. Whatever happens in the space between hearings is just "the way the cookie crumbles"...

As for the council faction nonsense, that is probably coming from his architect or banker – it's simply not true from what I can see, although to be fair, the mayor and his group have made a habit out of playing politics with development – especially in our neighborhood. They appointed the 8th vote necessary to try and sell the Library Lot for development, and they approved a delay for the Lowertown project at the request of the developer to give him a chance to "remove" opposition to the project. So in this case he may be right, the mayor is playing politics with his project. I am evaluating it first on the merits of the zoning request, if the zoning passes then I will evaluate it on the merits of the site plan. No politics here, I simply look for projects that forward our Master Plan goals.

Jeff Hayner

From: Mark Pfaff <[REDACTED]>
Sent: Wednesday, August 28, 2019 12:03 PM
To: Hayner, Jeff <JHayner@a2gov.org>
Subject: RE: 325 Summit Rezoning

Thanks Jeff.

I sent my completed form into Jacqueline. That prompted a phone call from Jeff (one of the partners from 325 E Summit) yesterday, and he wanted to know why I am protesting. I stated all of the reasons we talked about and as a result he sounded very concerned. He did not seem to have any concern for my reasons but instead wanted to address the late protest after spending a lot of money and time up to this point. In the end, I pointed out the that I never received any notification from Kelly or the city until last week. This was very concerning to me and mentioned Kelly should have approached me 2 years ago before they started investing but as suspected that was most likely their strategy all along...

Jeff also mentioned there are two opposing factions on city council – the mayor group and a person who wants to be mayor and his group which is creating a political issue on this subject property as well.

Do you think a call into Brett would be a good idea?

Mark

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, August 28, 2019 10:35 AM
To: Mark Pfaff <[REDACTED]>
Subject: FW: 325 Summit Rezoning

From: Lenart, Brett <BLenart@a2gov.org>
Sent: Thursday, August 22, 2019 12:26 PM
To: Hayner, Jeff <JHayner@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: RE: 325 Summit Rezoning

Hello Councilmember Hayner-

As referenced in my voicemail a few moments ago, I'm attaching two lists for you. The mailing list for the Citizen Participation Meeting (1,000 feet) and for the public hearing (300 feet) associated with the proposal at 325 E. Summit. If neighbors are interested in protesting the proposed rezoning, they can use the form which I have also attached.

If you have any additional questions, feel free to reach out here or at my city extension, #42606.

Sincerely,

-Brett Lenart
Planning Manager

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, August 21, 2019 12:44 PM
To: Delacourt, Derek <DDelacourt@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Bannister, Anne <ABannister@a2gov.org>
Subject: 325 Summit Rezoning

Dear Mr. Delacourt, Mr. Lenart,

I have been contacted by some neighbors adjacent to 325 Summit (The Garnet) and they are expressing what I would characterize as extreme displeasure to the re-zoning request. As I have found to be the case many times over, none of them recall receiving the official notice post card. Usually I just look it up on-line like I did for 1600 Traver and send it to them, still, in this case, they would like to write formal letters of protest about the project. (not the postcard, although I think we need to revisit that process as we have discussed) The neighbor who called me also asked if he could get a copy of the notification list, that is, all who were sent the postcard. I wasn't sure if that list resided with the city, or the developer.

Besides addressing the letters to the clerk, and including their address and the project address, is there any other steps they need to take to formalize this protest?

Thank you for a quick response as I know this will be back before council in 2 short weeks,

Sincerely,

Jeff Hayner
Ward 1 City Council

From: [Mark Pfaff](#)
To: [Hayner, Jeff](#)
Subject: RE: 325 Summit Rezoning
Date: Wednesday, August 28, 2019 2:25:48 PM

Ok thanks Jeff.

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, August 28, 2019 2:07 PM
To: Mark Pfaff <[REDACTED]>
Subject: RE: 325 Summit Rezoning

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Thank you for a quick response as I know this will be back before council in 2 short weeks,

Sincerely,

Jeff Hayner
Ward 1 City Council

From: [Bannister, Anne](#)
To: [Stults, Missy](#)
Cc: [Rita Rita](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Ramlawi, Ali](#); [Delacourt, Derek](#)
Subject: RE: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street
Date: Tuesday, September 3, 2019 1:33:11 PM

Dear Dr. Stults,


Per emails below, there's interest in expanding our list of chemicals tested for in Development Agreements, to be more open-ended and include, at a minimum, PFOS/PFAS.

Do you know if there are appropriate testing standards and criteria for any added chemicals?

Thanks,

Anne Bannister
Ward One Council Member


Messages to and from me regarding City matters are subject to disclosure under the Michigan Freedom of Information Act.

From: Delacourt, Derek <DDelacourt@a2gov.org>
Sent: Tuesday, September 3, 2019 12:15 PM
To: Bannister, Anne <ABannister@a2gov.org>; Request For Information Derek Delacourt <RFICommunityServices@a2gov.org>
Cc: Rita Rita < >; Griswold, Kathy <KGriswold@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Ramlawi, Ali <ARamlawi@a2gov.org>
Subject: RE: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street

Councilmember Bannister,

Please forgive the delayed response. Council could at its discretion, ask for additional chemicals be tested for. The applicant would have to agree to those being added to the Development Agreement. I would encourage Council to check with storm water and environmental staff to ensure there are appropriate testing standards and criteria for any added chemicals.

Please let me know if you have any other questions.

Derek

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Monday, August 19, 2019 4:00 PM
To: Request For Information Derek Delacourt <RFICommunityServices@a2gov.org>

Cc: Rita Rita <[REDACTED]> Griswold, Kathy <KGriswold@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Ramlawi, Ali <ARamlawi@a2gov.org>
Subject: Re: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street

Dear Mr. Delacourt,

Would it be possible to expand our list of chemicals in Development Agreements, to be more open-ended and include, at a minimum, PFOS/PFAS chemicals?

Please see more detail below from Rita Mitchell, Ward 5 environmental steward.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

----- Forwarded message -----

From: **Rita** <[REDACTED]>
Date: Mon, Aug 19, 2019 at 10:42 AM
Subject: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street
To: Taylor Christopher <CTaylor@a2gov.org>, Ramlawi Ali <[REDACTED]>
Griswold Katherine <[REDACTED]> Eaton J <JEaton@a2gov.org>, Grand Julie <jgrand@a2gov.org>, Ackerman Zachary <zackerman@a2gov.org>, Smith Chip <ChSmith@a2gov.org>, Bannister Anne <[REDACTED]> Jeff Hayner <[REDACTED]> Nelson Elizabeth <ENelson@a2gov.org>, Lumm Jane <[REDACTED]>

Noted after I sent my message: The Developer Agreement for The Garnet is specific on the chemicals to be tested for from sump pump water discharge, to the point of the list being limited to the chemicals named. I suggest that in our current era of concern with toxics entering public waters, that the list be more open-ended to avoid the possibility of excluding a chemical of concern, and that at a minimum PFOS/PFAS be added to the list.

Rita Mitchell

On Aug 19, 2019, at 10:26 AM, Rita <[REDACTED]> wrote:

Dear Mayor and Council,

I am writing to request that you vote NO on tonight's agenda item DB-1 **19-1185** Resolution to Approve The Garnet Site Plan and Development

Agreement, 325 East Summit Street

Reason: The proposed structure distorts the purpose of the requested zoning, by including only residential units, and the developer wants to include conditions that exceed the zoning requirements.

The city has initiated the process of reviewing the Master Plan. It is time to both focus on that process and to follow the guidance of the existing Master Plan until it is changed according to the direction of the people of the city. It appears that a developer is trying to modify the Master Plan before the citizens have had a chance to weigh in on changes.

I know that some will invoke the point of providing additional housing. I understand our needs for more housing spaces. The development under your review will add exactly 10 units, all of which are not of the affordable pricing range that is a major concern. In addition, by providing only residential spaces, the developer is further distorting the requested zoning that supports commercial uses, and the mixed quality of services that are provided by the zoning. Lastly, the location is not comparable to the Campus Business District zoning.

Please reject the request to rezone the property for the proposed building described in DB-1.

Thank you.

Sincerely,

Rita Mitchell



Ann Arbor, MI 48103

From: [Mark Pfaff](#)
To: [Hayner, Jeff](#)
Subject: Crains article
Date: Wednesday, September 4, 2019 9:37:46 AM

Jeff,

Will this decision for equity balance have any impact on development plans for properties such as 325 E Summit?

https://www.mlive.com/news/ann-arbor/2019/09/161k-consultant-to-help-ann-arbor-draft-diversity-equity-plan.html?utm_source=morning-newsletter-wednesday&utm_medium=email&utm_campaign=20190904&utm_content=article8-headline

Mark

Mark Pfaff

From: [Hayner, Jeff](#)
To: [Mark Pfaff](#)
Subject: RE: Crains article
Date: Wednesday, September 4, 2019 10:04:00 AM

I actually voted AGAINST this proposal, but it was carelessly not reported as such. It is strictly an HR/PR thing, which I don't support.

Jeff Hayner

From: Mark Pfaff <[REDACTED]>
Sent: Wednesday, September 4, 2019 9:38 AM
To: Hayner, Jeff <JHayner@a2gov.org>
Subject: Crains article

Jeff,

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Mark

Mark Pfaff

From: [Mark Pfaff](#)
To: [Hayner, Jeff](#)
Subject: RE: Crains article
Date: Wednesday, September 4, 2019 10:10:09 AM

Got it thx. Did Jacqueline receive the protest signature from Mike Kessler?

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, September 04, 2019 10:05 AM
To: Mark Pfaff <[REDACTED]>
Subject: RE: Crains article

I actually voted AGAINST this proposal, but it was carelessly not reported as such. It is strictly an HR/PR thing, which I don't support.

Jeff Hayner

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Mark

Mark Pfaff

From: [Hayner, Jeff](#)
To: [Mark Pfaff](#)
Subject: RE: Crains article
Date: Wednesday, September 4, 2019 10:15:00 AM

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Mark

Mark Pfaff

From: [Mark Pfaff](#)
To: [Hayner, Jeff](#)
Subject: RE: Crains article
Date: Wednesday, September 4, 2019 10:23:54 AM

thx

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Wednesday, September 04, 2019 10:15 AM
To: Mark Pfaff <[REDACTED]>
Subject: RE: Crains article

I think so I will double-check he mailed me to ask about it.

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Mark

Mark Pfaff

From: [Bannister, Anne](#)
To: [Stults, Missy](#); [Lawson, Jennifer](#); [Delacourt, Derek](#)
Cc: [Rita Rita](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Ramlawi, Ali](#)
Subject: Re: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street
Date: Thursday, September 5, 2019 10:13:18 AM

Thank you, Missy, for this information. The link to the Municode Library doesn't work on my home computer, but I'll read it when I'm in City Hill on my city computer.

Meanwhile, would a good next step be if Jennifer would make a list for possible adding to development agreements, of the chemicals that have testing standards and criteria, and then we can grow and evolve the list periodically?

Per Rita's original suggestion, the ideal plan is "the list be more open-ended to avoid the possibility of excluding a chemical of concern, and that at a minimum PFOS/PFAS be added."

As far as timeline, my understanding is that [The Garnet rezoning](#) (hopefully to PUD) is on the Council Agenda for Sept. 16 and it would be great to have the new language included before then, if possible.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Stults, Missy <MStults@a2gov.org>
Sent: Thursday, September 5, 2019 9:02 AM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: Rita Rita <[REDACTED]> Griswold, Kathy <KGriswold@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Ramlawi, Ali <ARamlawi@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>; Lawson, Jennifer <JLawson@a2gov.org>
Subject: RE: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street

Dear Council Member Bannister –

I reached out to our stormwater team and received the following information:

“The City’s storm water code has a clause in about contaminated waters entering into the pipes. You can see this here:

https://library.municode.com/mi/ann_arbor/codes/code_of_ordinances?nodeId=TITIUTSE_CH33STSY_2_215USSTSY. Please reference 2:215 (5).”

My reading of this text is that there is flexibility to test for chemicals that we understand cause “danger to public health and safety or to the environment.” The question then becomes, is testing available for the other chemicals we want to screen for?

I’m copying our stormwater manager, Jen Lawson, to help answer any further questions.

All the best,
Missy

Missy Stults
Sustainability and Innovations Manager
City of Ann Arbor

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Tuesday, September 03, 2019 1:33 PM
To: Stults, Missy <MStults@a2gov.org>
Cc: Rita Rita <[REDACTED]> Griswold, Kathy <KGriswold@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Ramlawi, Ali <ARamlawi@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>
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Do you know if there are appropriate testing standards and criteria for any added chemicals?

Thanks,

Anne Bannister
Ward One Council Member
[REDACTED]

Messages to and from me regarding City matters are subject to disclosure under the Michigan Freedom of Information Act.

From: Delacourt, Derek <DDelacourt@a2gov.org>
Sent: Tuesday, September 3, 2019 12:15 PM
To: Bannister, Anne <ABannister@a2gov.org>; Request For Information Derek Delacourt <RFICommunityServices@a2gov.org>
Cc: Rita Rita <[REDACTED]> Griswold, Kathy <KGriswold@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Ramlawi, Ali <ARamlawi@a2gov.org>
Subject: RE: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan

and Development Agreement, 325 East Summit Street

Councilmember Bannister,

Please forgive the delayed response. Council could at its discretion, ask for additional chemicals be tested for. The applicant would have to agree to those being added to the Development Agreement. I would encourage Council to check with storm water and environmental staff to ensure there are appropriate testing standards and criteria for any added chemicals.

Please let me know if you have any other questions.

Derek

From: Bannister, Anne <ABannister@a2gov.org>

Sent: Monday, August 19, 2019 4:00 PM

To: Request For Information Derek Delacourt <RFICommunityServices@a2gov.org>

Cc: Rita Rita <[REDACTED]> Griswold, Kathy <KGriswold@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Ramlawi, Ali <ARamlawi@a2gov.org>

Subject: Re: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street

Dear Mr. Delacourt,

Would it be possible to expand our list of chemicals in Development Agreements, to be more open-ended and include, at a minimum, PFOS/PFAS chemicals?

Please see more detail below from Rita Mitchell, Ward 5 environmental steward.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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----- Forwarded message -----

From: Rita <[REDACTED]>
Date: Mon, Aug 19, 2019 at 10:42 AM
Subject: Addendum Re: Agenda Item DB-1 19-1185 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street
To: Taylor Christopher <CTaylor@a2gov.org>, Ramlawi Ali <[REDACTED]>
Griswold Katherine <[REDACTED]> Eaton J <JEaton@a2gov.org>, Grand Julie <jgrand@a2gov.org>, Ackerman Zachary <zackerman@a2gov.org>, Smith Chip <ChSmith@a2gov.org>, Bannister Anne <[REDACTED]> Jeff Hayner <[REDACTED]> Nelson Elizabeth <ENelson@a2gov.org>, Lumm Jane <[REDACTED]>

< [REDACTED]

Noted after I sent my message: The Developer Agreement for The Garnet is specific on the chemicals to be tested for from sump pump water discharge, to the point of the list being limited to the chemicals named. I suggest that in our current era of concern with toxics entering public waters, that the list be more open-ended to avoid the possibility of excluding a chemical of concern, and that at a minimum PFOS/PFAS be added to the list.

Rita Mitchell

On Aug 19, 2019, at 10:26 AM, Rita < [REDACTED] > wrote:

Dear Mayor and Council,

I am writing to request that you vote NO on tonight's agenda item DB-1 [19-1185](#)
Resolution to Approve The Garnet Site Plan and Development
Agreement, 325 East Summit Street

Reason: The proposed structure distorts the purpose of the requested zoning, by including only residential units, and the developer wants to include conditions that exceed the zoning requirements.

The city has initiated the process of reviewing the Master Plan. It is time to both focus on that process and to follow the guidance of the existing Master Plan until it is changed according to the direction of the people of the city. It appears that a developer is trying to modify the Master Plan before the citizens have had a chance to weigh in on changes.

I know that some will invoke the point of providing additional housing. I understand our needs for more housing spaces. The development under your review will add exactly 10 units, all of which are not of the affordable pricing range that is a major concern. In addition, by providing only residential spaces, the developer is further distorting the requested zoning that supports commercial uses, and the mixed quality of services that are provided by the zoning. Lastly, the location is not comparable to the Campus Business District zoning.

Please reject the request to rezone the property for the proposed building described in DB-1.

Thank you.

Sincerely,

Rita Mitchell

[REDACTED]
Ann Arbor, MI 48103

From: [JB It](#)
To: [Eaton, Jack](#); [Bannister, Anne](#); [Lumm, Jane](#)
Subject: Fwd: The Garnet - City Council Request
Date: Thursday, September 5, 2019 4:09:01 PM
Attachments: [The Garnet City Council Request 9-5-19.pdf](#)

FYI my clients have elected to go back to Planning Commission through the PUD pathway as was suggested at the last presentation of The Garnet project at City Council.

There is apparently (according to Legal & Planning staff) no way to change course midstream so to speak so we will be starting from scratch basically but hope to be back before council with an alternative recommendation from Planning Commission on the PUD variant as soon as the required process can be completed.

Just keeping you apprised as I promised to.

Best Regards

Brad



September 5, 2019

City Clerk
Jacqueline Beaudry

Planning Manager
Brett Lenart, AICP

Good Afternoon,

We would like to formally withdraw our request to rezone the proposed condominium project, The Garnet, from the September 16, 2019 City Council agenda.

Thank you,

A handwritten signature in blue ink, appearing to read "Kelly Anderson", is written over a horizontal line.

Kelly Anderson

From: [Bannister, Anne](#)
To: [JB It](#); [Eaton, Jack](#); [Lumm, Jane](#)
Subject: Re: The Garnet - City Council Request
Date: Thursday, September 5, 2019 4:11:52 PM

Thanks, Brad, for letting me/us know. I'll double-check on my end and see if there's anything I can do to expedite the process.

Best Regards,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: JB It <brad@jbradleymoore.com>
Sent: Thursday, September 5, 2019 4:08 PM
To: Eaton, Jack <JEaton@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>
Subject: Fwd: The Garnet - City Council Request

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Best Regards

Brad

From: [JB It](#)
Subject: Fwd: Fwd: The Garnet - City Council Request
Date: Thursday, September 5, 2019 4:12:55 PM
Attachments: [The Garnet City Council Request 9-5-19.pdf](#)

FYI

----- Forwarded Message -----

Subject: Fwd: The Garnet - City Council Request

Date: Thu, 5 Sep 2019 16:08:44 -0400

From: JB It <brad@jbradleymoore.com>

To: Eaton, Jack <JEaton@a2gov.org>, Bannister, Anne <ABannister@a2gov.org>, Lumm, Jane <JLumm@a2gov.org>

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Kelly Anderson

From: [Lumm, Jane](#)
To: [Bannister, Anne](#)
Cc: [JB It](#); [Eaton, Jack](#)
Subject: Re: The Garnet - City Council Request
Date: Thursday, September 5, 2019 4:18:44 PM

Yes, thank you very much, Brad. Sincerely appreciate that a PUD will be pursued, and also hope this can be expedited through the Planning Comm. Thanks for following-up w/Brett re: this, Anne! All best, Jane

Sent from my iPhone

On Sep 5, 2019, at 4:11 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

Thanks, Brad, for letting me/us know. I'll double-check on my end and see if there's anything I can do to expedite the process.

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Anne Bannister
Ward One Councilmember
cell: [REDACTED]
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Brad

From: [Bannister, Anne](#)
To: [Request For Information Derek Delacourt](#); [Lenart, Brett](#)
Cc: [Lumm, Jane](#); [Hayner, Jeff](#); [Eaton, Jack](#); [Griswold, Kathy](#)
Subject: Fw: The Garnet - City Council Request
Date: Thursday, September 5, 2019 4:27:36 PM
Attachments: [The Garnet City Council Request 9-5-19.pdf](#)

Dear Brett and Derek -- As you may know, The Garnet has decided to withdrawal from the Agenda for Sept. 16 and go back through the PUD process (attached letter and emails below).

Is there anything Council could do to try and help expedite the process for them?

Thanks,
Anne

From: Lumm, Jane <JLumm@a2gov.org>
Sent: Thursday, September 5, 2019 4:18 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: JB It <brad@jbradleymoore.com>; Eaton, Jack <JEaton@a2gov.org>
Subject: Re: The Garnet - City Council Request

Yes, thank you very much, Brad. Sincerely appreciate that a PUD will be pursued, and also hope this can be expedited through the Planning Comm. Thanks for following-up w/Brett re: this, Anne! All best, Jane

Sent from my iPhone

On Sep 5, 2019, at 4:11 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

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Best Regards

Brad



September 5, 2019

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Planning Manager
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Thank you,

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Kelly Anderson

From: [Lumm, Jane](#)
To: [Wendy Carman](#)
Subject: Per our conversation...
Date: Thursday, September 5, 2019 4:36:06 PM
Attachments: [The Garnet City Council Request 9-5-19.pdf](#)
[ATT00001.htm](#)

... Will be doing it the right way. :-)

Sent from my iPhone

Begin forwarded message:

From: "Bannister, Anne" <ABannister@a2gov.org>
Date: September 5, 2019 at 4:27:34 PM EDT
To: Request For Information Derek Delacourt
<RFICommunityServices@a2gov.org>, "Lenart, Brett" <BLenart@a2gov.org>
Cc: "Lumm, Jane" <JLumm@a2gov.org>, "Hayner, Jeff"
<JHayner@a2gov.org>, "Eaton, Jack" <JEaton@a2gov.org>, "Griswold, Kathy"
<KGriswold@a2gov.org>
Subject: Fw: The Garnet - City Council Request

Dear Brett and Derek -- As you may know, The Garnet has decided to withdrawal from the Agenda for Sept. 16 and go back through the PUD process (attached letter and emails below).

Is there anything Council could do to try and help expedite the process for them?

Thanks,
Anne

From: Lumm, Jane <JLumm@a2gov.org>
Sent: Thursday, September 5, 2019 4:18 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: JB It <brad@jbradleymoore.com>; Eaton, Jack <JEaton@a2gov.org>
Subject: Re: The Garnet - City Council Request

Yes, thank you very much, Brad. Sincerely appreciate that a PUD will be pursued, and also hope this can be expedited through the Planning Comm.
Thanks for following-up w/Brett re: this, Anne! All best, Jane

Sent from my iPhone

On Sep 5, 2019, at 4:11 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

Thanks, Brad, for letting me/us know. I'll double-check on my end and see if there's anything I can do to expedite the process.

Best Regards,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
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Best Regards

Brad



September 5, 2019

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Planning Manager
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Thank you,

Kelly Anderson

From: [Thomas Bletcher](#)
To: [Eaton, Jack](#); [Nelson, Elizabeth](#)
Subject: Garnet, etc...
Date: Thursday, September 5, 2019 5:18:23 PM
Attachments: [Recommendations for public debate.docx](#)

...the C1A zoning for this project may be related to the mass and lot coverage proposed, can't see another zoning with the height and zero setbacks that might apply...

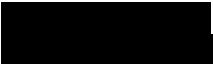
...how to maintain the "green roof?" ...Big George has an incentive to maintain, good PR, rentable venue; but a residential use, over time, maybe not very much time, would have an incentive to allow the "green roof" to deteriorate to being a sluice without some legal method of assessing the owners for maintenance in the recorded development agreement--condo association bylaws not good enough, since they can be amended out of existence pretty easily...

...the attachment, after Arne Naess, might be a useful addition to the Council Rules...

...Oh, and what are the current rules regarding the [revenue] parking spaces around City Hall, on the City Hall Lot and on the western half of Ann Street still open to use by the peasantry?...this PM lots of bureaucrat and cop vehicles in spaces arguably for the use of Citizens with MOL in-and-out business to attend to...

...Tom....

Thomas E. Bletcher

 or to this address which is like the hollow tree down by the corner.

Recommendations for public debate

Communication and Argument included his recommendations for objective public debate. Næss argued for adhering to the following rules to make discussions as fruitful and pleasant as possible:

1. **Avoid tendentious irrelevance**
Examples: Personal attacks, claims of opponents' motivation, explaining reasons for an argument.
2. **Avoid tendentious quoting**
Quotes should not be edited regarding the subject of the debate.
3. **Avoid tendentious ambiguity**
Ambiguity can be exploited to support criticism.
4. **Avoid tendentious use of [straw men](#)**
Assigning views to the opponent that he or she does not hold.
5. **Avoid tendentious statements of fact**
Information put forward should never be untrue or incomplete, and one should not withhold relevant information.
6. **Avoid tendentious tone of presentation**
Examples: irony, sarcasm, pejoratives, exaggeration, subtle (or open) threats. ^[17]

For many years these points were part of two compulsory courses in [philosophy](#) taught in Norwegian universities ("Examen philosophicum" and "Examen facultatum").

From: [Hayner, Jeff](#)
To: [Bannister, Anne](#)
Cc: [Mark Pfaff](#)
Subject: RE: The Garnet - City Council Request
Date: Thursday, September 5, 2019 5:27:00 PM

Thanks for the question pls. CC me if you need anything I would suggest that the developers reach out to the near neighbors they may very well want to participate in joint planning efforts.

Thanks,

Jeff Hayner
Ward 1 City Council

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, September 5, 2019 4:28 PM
To: Request For Information Derek Delacourt <RFICommunityServices@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Lumm, Jane <JLumm@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>
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Anne Bannister
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cell: [REDACTED]
abannister@a2gov.org
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Best Regards

Brad

From: [Mark Pfaff](#)
To: [Hayner, Jeff](#)
Subject: RE: The Garnet - City Council Request
Date: Thursday, September 5, 2019 5:31:27 PM

Thanks for the heads up Jeff. This sounds encouraging.

So there will not be a hearing on this Sept 16th.

Mark

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Thursday, September 05, 2019 5:28 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: Mark Pfaff <[REDACTED]>
Subject: RE: The Garnet - City Council Request

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Ward 1 City Council

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Best Regards

Brad

From: [Hayner, Jeff](#)
To: [Mark Pfaff](#)
Subject: RE: The Garnet - City Council Request
Date: Thursday, September 5, 2019 5:34:00 PM

I will check on the formality of the hearing it may very well happen as it has been noticed but it appears it will be unnecessary, will let you know.

Jeff

From: Mark Pfaff <[REDACTED]>
Sent: Thursday, September 5, 2019 5:31 PM
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Best Regards

Brad

From: [Mark Pfaff](#)
To: [Hayner, Jeff](#)
Subject: RE: The Garnet - City Council Request
Date: Thursday, September 5, 2019 5:35:33 PM

Thanks Jeff.

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Thursday, September 05, 2019 5:34 PM
To: Mark Pfaff <[REDACTED]>
Subject: RE: The Garnet - City Council Request

I will check on the formality of the hearing it may very well happen as it has been noticed but it appears it will be unnecessary, will let you know.

Jeff

From: Mark Pfaff <[REDACTED]>
Sent: Thursday, September 5, 2019 5:31 PM
To: Hayner, Jeff <JHayner@a2gov.org>
Subject: RE: The Garnet - City Council Request

Thanks for the heads up Jeff. This sounds encouraging.

So there will not be a hearing on this Sept 16th.

Mark

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Thursday, September 05, 2019 5:28 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: Mark Pfaff <[REDACTED]>
Subject: RE: The Garnet - City Council Request

Thanks for the question pls. CC me if you need anything I would suggest that the developers reach out to the near neighbors they may very well want to participate in joint planning efforts.

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Ward 1 City Council

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Sent: Thursday, September 5, 2019 4:28 PM
To: Request For Information Derek Delacourt <RFICommunityServices@a2gov.org>; Lenart, Brett

<BLenart@a2gov.org>

Cc: Lumm, Jane <JLumm@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>

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Subject: Re: The Garnet - City Council Request

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Sent from my iPhone

On Sep 5, 2019, at 4:11 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

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Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: JB It <brad@jbradleymoore.com>

Sent: Thursday, September 5, 2019 4:08 PM

To: Eaton, Jack <JEaton@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>;

Lumm, Jane <JLumm@a2gov.org>

Subject: Fwd: The Garnet - City Council Request

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From: [Bannister, Anne](#)
To: [Hayner, Jeff](#)
Cc: [Mark Pfaff](#)
Subject: Re: The Garnet - City Council Request
Date: Thursday, September 5, 2019 5:47:00 PM

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Brad

From: [Mark Pfaff](#)
To: [Bannister, Anne](#); [Hayner, Jeff](#)
Subject: RE: The Garnet - City Council Request
Date: Thursday, September 5, 2019 5:54:42 PM

Thanks Anne.

I look forward to seeing the revised plans and determining next steps. Do you know when those will be available?

Mark

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From: [Bannister, Anne](#)
To: [Mark Pfaff](#); [Hayner, Jeff](#)
Subject: Re: The Garnet - City Council Request
Date: Thursday, September 5, 2019 6:02:11 PM

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Subject: RE: The Garnet - City Council Request
Date: Thursday, September 5, 2019 6:09:00 PM

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To: Mark Pfaff <[REDACTED]> Hayner, Jeff <JHayner@a2gov.org>
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Best Regards

Brad

From: [Grand, Julie](#)
To: [Christopher Taylor](#)
Subject: Re: Fwd: The Garnet - City Council Request
Date: Thursday, September 5, 2019 9:57:16 PM

Thank you for sharing.

From: JB It <brad@jbradleymoore.com>
Sent: Thursday, September 5, 2019 4:12 PM
Subject: Fwd: Fwd: The Garnet - City Council Request

FYI

----- Forwarded Message -----

Subject: Fwd: The Garnet - City Council Request
Date: Thu, 5 Sep 2019 16:08:44 -0400
From: JB It <brad@jbradleymoore.com>
To: Eaton, Jack <JEaton@a2gov.org>, Bannister, Anne <ABannister@a2gov.org>, Lumm, Jane <JLumm@a2gov.org>

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From: [Bannister, Anne](#)
To: [Mark Pfaff](#)
Cc: [Hayner, Jeff](#)
Subject: Re: The Garnet - City Council Request
Date: Friday, September 6, 2019 10:54:23 AM

Yes, I imagine the City planning staff use Skype, Zoom, Ubermeeting, and the like. Or for starters you could email your questions and comments for starters, and I will forward them to planning staff for email response, and do an e-introduction, etc.

Anne Bannister
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Please let me know if you have further ideas or ways I could help.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Thursday, September 5, 2019 5:27 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: Mark Pfaff <[REDACTED]>
Subject: RE: The Garnet - City Council Request

Thanks for the question pls. CC me if you need anything I would suggest that the developers reach out to the near neighbors they may very well want to participate in joint planning efforts.

Thanks,

Jeff Hayner
Ward 1 City Council

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, September 5, 2019 4:28 PM
To: Request For Information Derek Delacourt <RFICommunityServices@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Lumm, Jane <JLumm@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>
Subject: Fw: The Garnet - City Council Request

Dear Brett and Derek -- As you may know, The Garnet has decided to withdrawal from the Agenda for Sept. 16 and go back through the PUD process (attached letter and emails below).

Is there anything Council could do to try and help expedite the process for them?

Thanks,
Anne

From: Lumm, Jane <JLumm@a2gov.org>
Sent: Thursday, September 5, 2019 4:18 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: JB It <brad@jbradleymoore.com>; Eaton, Jack <JEaton@a2gov.org>
Subject: Re: The Garnet - City Council Request

Yes, thank you very much, Brad. Sincerely appreciate that a PUD will be pursued, and also hope this can be expedited through the Planning Comm. Thanks for following-up w/Brett re: this, Anne! All best, Jane

Sent from my iPhone

On Sep 5, 2019, at 4:11 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

Thanks, Brad, for letting me/us know. I'll double-check on my end and see if there's

anything I can do to expedite the process.

Best Regards,
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cell: [REDACTED]
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From: JB It <brad@jbradleymoore.com>
Sent: Thursday, September 5, 2019 4:08 PM
To: Eaton, Jack <JEaton@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>;
Lumm, Jane <JLumm@a2gov.org>
Subject: Fwd: The Garnet - City Council Request

FYI my clients have elected to go back to Planning Commission through the PUD pathway as was suggested at the last presentation of The Garnet project at City Council.

There is apparently (according to Legal & Planning staff) no way to change course midstream so to speak so we will be starting from scratch basically but hope to be back before council with an alternative recommendation from Planning Commission on the PUD variant as soon as the required process can be completed.

Just keeping you apprised as I promised to.

Best Regards

Brad

From: [Mark Pfaff](#)
To: [Bannister, Anne](#)
Cc: [Hayner, Jeff](#)
Subject: RE: The Garnet - City Council Request
Date: Friday, September 6, 2019 11:11:00 AM

Thanks Anne. That is helpful.

I will provide comments once the revised plan is available for review.

Mark

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Friday, September 06, 2019 10:54 AM
To: Mark Pfaff <[REDACTED]>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: Re: The Garnet - City Council Request

Yes, I imagine the City planning staff use Skype, Zoom, Ubermeeting, and the like. Or for starters you could email your questions and comments for starters, and I will forward them to planning staff for email response, and do an e-introduction, etc.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Mark Pfaff <[REDACTED]>
Sent: Thursday, September 5, 2019 6:08 PM
To: Bannister, Anne <ABannister@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>
Subject: RE: The Garnet - City Council Request

Thanks again Anne.

Is a remote meeting via skype an option? I ask because I am based in LA and am not available in person this month.

I typically get in to town several times per year and should be back before year end.

Mark

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, September 05, 2019 6:02 PM

To: Mark Pfaff <[REDACTED]> Hayner, Jeff <JHayner@a2gov.org>
Subject: Re: The Garnet - City Council Request

The revised plans will be posted on Legistar when it is discussed at the Planning Commission meetings. This is the to most up to date listing: <http://a2gov.legistar.com/LegislationDetail.aspx?ID=4080754&GUID=C730CD4C-905A-4DDA-B390-8214DE1D75EE&Options=ID|Text|&Search=the+garnet>

You can also search the Site Plans through Etrakit, but that's more clunky to navigate: <https://etrakit.a2gov.org/etrakit3/>

It might be best to meet with Planning Staff to get the all the information you need. Please keep CM Hayner and me in the loop and maybe one or both of us can join you at the meeting.

I don't know when the revised plans will be available. We're still looking into that issue. Please send a reminder if you don't hear back from us.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Mark Pfaff <[REDACTED]>
Sent: Thursday, September 5, 2019 5:54 PM
To: Bannister, Anne <ABannister@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>
Subject: RE: The Garnet - City Council Request

Thanks Anne.

I look forward to seeing the revised plans and determining next steps. Do you know when those will be available?

Mark

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, September 05, 2019 5:47 PM
To: Hayner, Jeff <JHayner@a2gov.org>
Cc: Mark Pfaff <[REDACTED]>
Subject: Re: The Garnet - City Council Request

Mark, you could contact the Planning Department and schedule a meeting to discuss any concerns:

<https://www.a2gov.org/departments/planning/development-review/Pages/default.aspx>

You might also go to a Planning Commission meeting on most Tuesdays at 7 p.m.:

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Please let me know if you have further ideas or ways I could help.

Thanks,
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Anne Bannister
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abannister@a2gov.org
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Ward 1 City Council

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Just keeping you apprised as I promised to.

Best Regards

Brad

From: [Bannister, Anne](#)
To: [Lumm, Jane](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Nelson, Elizabeth](#)
Subject: Fw: September 16 Agenda
Date: Friday, September 6, 2019 2:27:17 PM
Attachments: [09-16-19 Agenda.pdf](#)

A quick review of the 9/16 agenda shows these highlights:

- 19-1692 -- \$24K more for contract with Abby Elias
- 19-1452 -- Jack's FOIA fee waiver resolution
- 19-1691 -- My resolution to reinstate State historic preservation tax credits (passed by Council in 2018, but expired end of 2018)
- With regard to all The Garnet resolutions, I asked City staff why they were still on there, given that the developer withdrew yesterday, and Jackie responded: Yes, we received the letter and added it to the packet. However, the rezoning was postponed by Council to this date (September 16). We don't remove items that Council placed on their agenda or postponed to a date certain. It will be up to Council to react to the developer's request.

Are we having caucus on 9/8 before the working session on 9/9? Sunday is also the MITAI fundraiser (Amy Seetoo) at 4 p.m. And a Library Green Conservancy meeting at 1:30 p.m.

Thanks!
Anne

From: Beaudry, Jacqueline <JBeaudry@a2gov.org>
Sent: Friday, September 6, 2019 9:54 AM
To: Ackerman, Zach <ZAckerman@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>; Beaudry, Jacqueline <JBeaudry@a2gov.org>; Bowden, Anissa <ABowden@a2gov.org>; Crawford, Tom <TCrawford@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Fournier, John <JFournier@a2gov.org>; Gerhart, Stephen <SGerhart@a2gov.org>; Grand, Julie <JGrand@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>; Harris, David <DHarris@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Higgins, Sara <SHiggins@a2gov.org>; Lazarus, Howard <HLazarus@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>; McDonald, Gregory <GMcDonald@a2gov.org>; Michailuk, Greg <GMichailuk@a2gov.org>; Nelson, Elizabeth <ENelson@a2gov.org>; Orcutt, Wendy <WOrcutt@a2gov.org>; Postema, Stephen <SPostema@a2gov.org>; Ramlawi, Ali <ARamlawi@a2gov.org>; Satterlee, Joanna <JESatterlee@a2gov.org>; Schopieray, Christine <CSchopieray@a2gov.org>; Smith, Chip <ChSmith@a2gov.org>; Stewart, Courtney <CStewart@a2gov.org>; Taylor, Christopher (Mayor) <CTaylor@a2gov.org>; Wondrash, Lisa <LWondrash@a2gov.org>
Subject: September 16 Agenda

The agenda and packet for September 16 is available now. The agenda is attached.

Jacqueline Beaudry, City Clerk

Ann Arbor City Clerk's Office | Guy C. Larcom City Hall | 301 E. Huron, 2nd Floor · Ann Arbor · MI · 48104
734.794.6140 (O) · 734.994.8296 (F) | Internal Extension 41401
jbeaudry@a2gov.org | www.a2gov.org

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a2gov.org/A2BeSafe



City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Meeting Agenda - Final-revised City Council

Monday, September 16, 2019

7:00 PM

Larcom City Hall, 301 E Huron St, Second floor,
City Council Chambers

Council meets in Caucus at 7:00 p.m. on the Sunday prior to each Regular Session.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

INT INTRODUCTIONS

INT-1 [19-1670](#) Proclamation Recognizing September 17-23, 2019 as Constitution Week
(Mayor's Office)

Attachments: Constitution Week 2019.pdf

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN
ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE
ADDRESSING COUNCIL**

CC COMMUNICATIONS FROM COUNCIL

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [19-1669](#) Appointments - Confirmations

(Mayor's Office)

Sponsors: Taylor**CA CONSENT AGENDA****CA-1** [19-1629](#) Resolution to Approve Street Closings for the Ann Arbor Thanksgiving Day Turkey Trot - Thursday, November 28, 2019

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: Turkey Trot Map.pdf, Tot Trot Map.pdf**CA-2** [19-1698](#) Resolution to Approve Street Closure for Washtenaw County Climate Strike on Friday, September 20, 2019 from 9:00 A.M. to 7:00 P.M.

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: Washtenaw County Climate Strike Map.pdf**CA-3** [19-1594](#) Resolution to waive \$75,000.00 Community Development Block Grant (CDBG) 1997 Mortgage for Ozone House's Youth Shelter at 1705 Washtenaw Avenue

(Community Development Services - Teresa Gillotti, Director, Office for Community and Economic Development)

Attachments: Ozone House mortgage City of Ann Arbor request, 1705 Washtenaw Mortgage-08132018100546660**CA-4** [19-0723](#) Resolution Adopting the City of Ann Arbor Brownfield Policy

(Brownfield Review Committee - Derek Delacourt, Community Services Area Administrator)

Attachments: Final A2 Brownfield Policy 4-9-19.pdf**CA-5** [19-1635](#) Resolution to Approve August 22, 2019 Recommendations of the Board of Insurance Administration

(Insurance Administration, Board of - Michael Pettigrew, Treasurer)

CA-6 [19-1695](#) Resolution to Approve an Agreement Accepting a Water Main Easement at 2505 Hayward Street from the University of Michigan **(8 Votes Required)**

(City Attorney Services - Stephen K. Postema, City Attorney)

Attachments: UM Robotics Watermain Esmnt.pdf

- CA-7 [19-1692](#) Resolution to Approve the Extension of Temporary Employment Agreement between Abigail Elias and the City of Ann Arbor (\$24,000.00)
(City Attorney Services - Stephen K. Postema, City Attorney)
Attachments: Amendment One to Contract.pdf
- CA-8 [19-1562](#) Resolution to Approve a Purchase Order with Axon Enterprise, Inc. for the Purchase of Replacement Body Worn Camera and Evidence Management System under the NPPGov Cooperative Contract #VH11629 for a Term of Five Years. **(\$372,885.72) (8 Votes Required)**
(Information Technology Services - Tom Shewchuk, IT Director)
Attachments: NPP Axon Contract.pdf, Ann Arbor PD Quote Updated.pdf, Ann Arbor (MI)_MSPA_2019-8-7.pdf
- CA-9 [19-1541](#) Resolution to Authorize the Purchase of a Bobcat Toolcat Utility Work Machine from Clark Equipment Company dba Bobcat Company (MiDeal Bid - \$67,403.56)
(Fleet & Facilities Services - John Fournier, Assistant City Administrator)
Attachments: MiDeal Contract - Bobcat Toolcat.pdf, Bobcat Toolcat Quote.pdf
- CA-10 [19-1606](#) Resolution to Approve a General Services Agreement for Dive Inspection Services between the Water Treatment Service Unit and Sea-Side Diving; RFP #19-22 (\$90,000.00)
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
Attachments: RFP_19-22_Document, GSA_Sea-side, RFP_19-22_ProposalTab
- CA-11 [19-1610](#) Resolution to Approve a General Services Agreement for Electrical and Instrumentation Support Services with Utilities Instrumentation Service, RFP #19-23 (\$120,000.00)
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
Attachments: RFP_19-23_Document, GSA_UIS, RFP_19-23_ProposalTab
- CA-12 [19-1633](#) Resolution to Approve an Agreement between the City of Ann Arbor, Pittsfield Charter Township, and the Washtenaw County Road Commission for the Swift Run Drain Culvert Replacement Project (Estimated \$53,750.00)
(Public Services - Craig Hupy, Public Services Area Administrator)
Attachments: August 2019 agreement Road Commission City of Ann Arbor Pittsfield Township for road culvert replacement.pdf

- CA-13 [19-1564](#) Resolution to Authorize a Sole Source Purchase Order to Gridsmart Technologies, Inc. in the amount of \$43,452.00 for Traffic Signal Detection Devices

(Engineering - Craig Hupy, Public Services Area Administrator)

Attachments: Gridsmart_Camera Systems 2019_QuoteV1.pdf, Gridsmart_Michigan Sole Source Letter.pdf, Gridsmart_Ann Arbor FORM_Non-Discrimination-JRP.pdf

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [19-1186](#) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-19-24) **(8 Votes Required)**

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: The Garnet City Council Request 9-5-19.pdf, Protest Petition Conclusion Memo - Aug 26 2019.pdf, ORD-19-24 Briefed.pdf, The Garnet Ordinance.pdf, The Garnet Conditions.pdf, The Garnet Staff Report.pdf, The Garnet - CPC Minutes 5-21-2019 .pdf, Protest Letter from Mark Pfaff regarding 325 E. Summit Rezoning.pdf

(See B-1) (Postponed from the 8/19/19 regular session)

- PH-2 [19-1185](#) Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: The Garnet Staff Report w Att.pdf, 325 E Summit - The Garnet - Development Agreement 5-16-19.pdf, The Garnet City Council Request 8-16-19.pdf

(See DB-1) (Postponed from the 8/19/19 regular session)

- PH-3 [19-1448](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-19-29)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: ORD-19-29 The Glen Rzoning Briefed.pdf, PUD Legal Attachment The Glen 2019.pdf, The Glen Staff Report & Attachments 071619.pdf, The Glen Zoning Map.pdf

(See B-2)

- PH-4 [19-1449](#) Resolution to Approve The Glen Mixed Use Development Modified PUD Site Plan, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: The Glen SR w Maps 071619.pdf
(See DB-2)

A APPROVAL OF COUNCIL MINUTES

- A-1 [19-1701](#) Special Session of August 26 and Regular Session Meeting Minutes of September 3, 2019

(City Clerk - Jacqueline Beaudry)

Attachments: 08-26-19 Draft Minutes.pdf, 09-03-19 draft minutes.pdf, Council emails 9-3-2019.pdf

B ORDINANCES - SECOND READING

B Unfinished Business - Staff:

- B-1 [19-1186](#) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-19-24) **(8 Votes Required)**

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(See PH-1) (Postponed from the 8/19/19 regular session)

B New Business:

- B-2** [19-1448](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-19-29)
- (City Planning Commission - Derek Delacourt, Community Services Area Administrator)
- Attachments:** ORD-19-29 The Glen Rzoning Briefed.pdf, PUD Legal Attachment The Glen 2019.pdf, The Glen Staff Report & Attachments 071619.pdf, The Glen Zoning Map.pdf
- (See PH-3)

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

- DC-1** [19-1452](#) Resolution to Waive Fees Associated with Freedom of Information Act (FOIA) Request 2147
- (City Council)
- Sponsors:** Eaton
- (Postponed from the 8/9/19 regular session)

New Business - Council:

- DC-2** [19-1467](#) Resolution to Approve a Request from Balfour Ann Arbor Manager, LLC for a New Continuing Care Retirement Center Liquor License, new SDM liquor license, Sunday Sales Permits (AM & PM), Dance Entertainment Permit, Outdoor Service Permit and Specific Purpose Permit Issued Under MCL 436.1545(b)(ii) to be Located at 2830 S. Main Street, d/b/a Balfour Senior Living
- (City Clerk - Jacqueline Beaudry)
- DC-3** [19-1691](#) Resolution in Support of Legislation Reinstating State Historic Preservation Tax Credits: Senate Bill 54 and House Bill 4100
- (City Council)
- Sponsors:** Bannister

DB Unfinished Business - Boards and Commissions:

- DB-1** [19-1185](#) Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Years and 0 Days)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

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(See PH-2) (Postponed from the 8/19/19 regular session)

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(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: The Glen SR w Maps 071619.pdf

(See PH-4)

DS Unfinished Business - Staff

- DS-1** [19-0956](#) Resolution to Proceed with a Road Reconfiguration Pilot for Traverwood Drive, from Huron Parkway to Plymouth Road

(Engineering - Craig Hupy, Public Services Area Administrator)

Attachments: Attachment A_Traverwood Rpmrk 2 Revised_2019.08.22r.pdf, Attachment B_Traverwood Road Diet Memo_20190513.pdf, Attachment C_Traverwood_Public Survey Summary.pdf, Attachment D_Lane Conversion Memo Response_20190723.pdf, Attachment E_Transportation Commission Road Reconfiguration Additional Statement.pdf

(Postponed from the 8/19/19 and 9/3/19 regular sessions)

DS New Business - Staff:**E COMMUNICATIONS FROM THE CITY ATTORNEY****F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS****F The following communications were referred as indicated:**

- F-1 [19-1649](#) Communication from City of Ann Arbor Board of Canvassers regarding the Canvas of votes cast at the City of Ann Arbor Primary Election held on August 6, 2019

(City Clerk Services - Jacqueline Beaudry, City Clerk)

Attachments: August 6 2019 Canvass.pdf

- F-2 [19-1652](#) Ann Arbor Public Art Commission 2019 Annual Report

(Public Services - Craig Hupy, Public Services Area Administrator)

Attachments: AAPAC 18-19 Annual Report_ALL-FINAL. 916pdf.pdf

- F-3 [19-1664](#) State Communication regarding the Completion of Two Annexations from Ann Arbor Township - 614 Riverview Drive and 245 Orchard Hills Drive - All Departments

(City Clerk Services - Jacqueline Beaudry)

Attachments: State Communication regarding Completed Annexation of 245 Orchard Hills Drive.pdf, State Communication regarding Completed Annexation of 614 Riverview Drive.pdf

- F-4 [19-1684](#) City Clerk's Office FY2019 Annual Report

(City Clerk - Jacqueline Beaudry)

Attachments: Final CityClerk FY19 annual report.pdf

G The following minutes were received for filing:

- G-1 [19-1160](#) Ann Arbor Public Art Commission Meeting Minutes - June 2019

Attachments: AAPAC Meeting Minutes - June 2019.pdf, City Hall Work Group Report - June 2019.pdf, Recruitment Work Group - June 2019.pdf, MCACA Grant Project Summary.pdf

- G-2 [19-1519](#) Transportation Commission Meeting Minutes of July 17, 2019

(Transportation Commission)

Attachments: July_Meeting Minutes- DRAFT.pdf, July_Meeting Minutes- FINAL.pdf

- G-3 [19-1520](#) Transportation Commission Special Meeting Minutes of July 29, 2019

(Transportation Commission)

Attachments: July 29_Meeting Minutes- DRAFT.pdf, July 29_Meeting Minutes- FINAL.pdf

- G-4 [19-1553](#) Public Market Advisory Commission Meeting Minutes of July 18, 2019

(Parks and Recreation Services - Stephanie Willette, Manager)

Attachments: July 18, 2019 PMAC Meeting Minutes.pdf

- G-5 [19-1584](#) City Planning Commission Meeting Minutes of August 7, 2019
(Planning and Development Services)
Attachments: 8-7-2019 CPC Approved Meeting Minutes.pdf
- G-6 [19-1593](#) Local Development Finance Authority Board Meeting Minutes - July 17, 2019
(Local Development Finance Authority (LDFA) - Tom Crawford, CFO)
Attachments: LDFA Board Meeting Minutes - July 17, 2019.pdf
- G-7 [19-1604](#) Independent Community Police Oversight Commission Meeting Minutes of July 11, and July 25, 2019
(Independent Community Police Oversight Commission)
Attachments: Draft ICPOC July 25-Meeting Minutes02-Aug-2019-02-16-43.pdf, Final July'sMeetingMinutes28-Aug-2019-10-00-47.pdf, Final SpecialMeetingMinutes28-Aug-2019-10-03-47.pdf
- G-8 [19-1605](#) Independent Community Police Oversight Commission Special Meeting Minutes of July 11, 2019
(Independent Community Police Oversight Commission)
Attachments: IPOC July 11 2019 Minutes.pdf
- G-9 [19-1627](#) Election Commission Special Meeting Minutes from July 16, 2019
(Election Commission)
Attachments: Approved Election Commission Minutes 2019-07-16.pdf
- G-10 [19-1650](#) Council Liquor License Review Committee of February 1, 2019
(City Clerk - Jacqueline Beaudry)
Attachments: 02-01-19 Liquor Minutes.pdf
- G-11 [19-1653](#) Council Rules Meeting Minutes of July 23, 2019
(Council Rules Committee)
Attachments: Council Rules meeting minutes for July 23 2019-09-58-06.pdf
- G-12 [19-1654](#) Council Policy Agenda Committee Minutes of June 23, 2019
(Council Policy Agenda Committee)
Attachments: Council Policy Agenda Committee meeting minutes for June 25 2019.pdf

- G-13 [19-1656](#) Insurance Board Meeting Minutes - August 22, 2019
(Insurance Administration, Board of - Tom Crawford, CFO)
Attachments: Insurance Board Minutes 082219.pdf
- G-14 [19-1690](#) City Council Caucus Meeting Minutes of August 4 and August 18, 2019
(City Clerk - Jacqueline Beaudry)
Attachments: 08-04-19 Caucus Minutes.pdf, 08-18-19 Caucus Minutes.pdf
- G-15 [19-1696](#) Council Administrative Meeting Minutes January through July 2019
(Council Admin. Committee)
Attachments: 2-19-19.pdf, 2-25-19.pdf, 3-18-19.pdf, 4-1-19.pdf, 5-14-19.pdf, 5-20-19.pdf,
6-17-19.pdf, 7-15-19.pdf
- G-16 [19-1678](#) Council Policy Agenda Committee Meeting Minutes of August 27, 2019
(Council Policy Agenda Committee)
Attachments: Council Policy Agenda Committee Meeting Minutes
27-Aug-2019-11-28-49.pdf
- G-17 [19-1680](#) Council Rules Committee Meeting Minutes of July 23, 2019
(Council Rules Committee)
Attachments: Council Rules meeting minutes for July 23 2019-09-58-06.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

COMMUNICATIONS FROM COUNCIL

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).

ADJOURNMENT

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, SEPTEMBER 16, 2019 @ 7:00 P.M.

REPLAYS: WEDNESDAY, SEPTEMBER 18, 2019 @ 8:00 A.M. AND FRIDAY, SEPTEMBER 20, 2019 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

CTN's Government Channel live televised public meetings can be viewed in a variety of ways:

Live Web Streaming: <https://a2gov.org/watchctn>

Video on Demand: <https://a2ctn.viebit.com>

Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

City Clerk's Office
301 E. Huron St.
Ann Arbor, MI 48104

Requests made with less than two business days' notice may not be able to be accommodated.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's Office.

From: [Bannister, Anne](#)
To: [Christine Crockett](#); [Jeff Crockett](#); [C. Bultman](#); [Wineberg Susan](#)
Cc: [Hayner, Jeff](#)
Subject: Re: September 16 Agenda
Date: Friday, September 6, 2019 2:30:16 PM

Also, The Garnet shows on the agenda, but the developer has requested it to be withdrawn while they go through the PUD process.

City staff says: Yes, we received the letter and added it to the packet. However, the rezoning was postponed by Council to this date (September 16). We don't remove items that Council placed on their agenda or postponed to a date certain. It will be up to Council to react to the developer's request.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Bannister, Anne <ABannister@a2gov.org>
Sent: Friday, September 6, 2019 2:17 PM
To: Christine Crockett <[REDACTED]> Jeff Crockett <[REDACTED]> C
Bultman <[REDACTED]> Wineberg Susan <[REDACTED]>
Cc: Hayner, Jeff <JHayner@a2gov.org>
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Hi Chuck, Chris, Jeff, and Susan,

With the help of Chuck's reminder, the historic district Resolution 19-1691 is on the Agenda for 9/16 (DC-3, page 6).

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Please let me know if you have any questions or comments, and thanks again Chuck for bringing this forward.

Anne

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Sent: Friday, September 6, 2019 9:54 AM

To: Ackerman, Zach <ZAckerman@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>; Beaudry, Jacqueline <JBeaudry@a2gov.org>; Bowden, Anissa <ABowden@a2gov.org>; Crawford, Tom <TCrawford@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Fournier, John <JFournier@a2gov.org>; Gerhart, Stephen <SGerhart@a2gov.org>; Grand, Julie <JGrand@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>; Harris, David <DHarris@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Higgins, Sara <SHiggins@a2gov.org>; Lazarus, Howard <HLazarus@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>; McDonald, Gregory <GMcDonald@a2gov.org>; Michailuk, Greg <GMichailuk@a2gov.org>; Nelson, Elizabeth <ENelson@a2gov.org>; Orcutt, Wendy <WOrcutt@a2gov.org>; Postema, Stephen <SPostema@a2gov.org>; Ramlawi, Ali <ARamlawi@a2gov.org>; Satterlee, Joanna <JESatterlee@a2gov.org>; Schopieray, Christine <CSchopieray@a2gov.org>; Smith, Chip <ChSmith@a2gov.org>; Stewart, Courtney <CStewart@a2gov.org>; Taylor, Christopher (Mayor) <CTaylor@a2gov.org>; Wondrash, Lisa <LWondrash@a2gov.org>

Subject: September 16 Agenda

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From: [Christine Crockett](#)
To: [Bannister, Anne](#)
Cc: [Jeff Crockett](#); [C Bultman](#); [Wineberg Susan](#); [Hayner, Jeff](#); [Tom Stulberg](#)
Subject: Re: September 16 Agenda
Date: Friday, September 6, 2019 3:07:47 PM

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From: [Bannister, Anne](#)
To: [Delacourt, Derek](#); [Lenart, Brett](#)
Cc: [Lumm, Jane](#); [Hayner, Jeff](#); [Eaton, Jack](#); [Griswold, Kathy](#)
Subject: Re: The Garnet - City Council Request
Date: Friday, September 6, 2019 4:29:33 PM

Do you know if the project will start from scratch with Planning Commission public work sessions and meetings, or will they have an expedited process?

CM Hayner and I have received two requests, one from an individual and one from the OFW, that they'd like to work with The Garnet on the PUD. It might make a difference whether there will be the regular public meetings at PC, or whether they ask planning staff and/or the developer, to meet with them individually or in small groups.

Thanks,
Anne

Anne Bannister
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cell: [REDACTED]
abannister@a2gov.org
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Sent: Friday, September 6, 2019 3:18 PM
To: Bannister, Anne <ABannister@a2gov.org>; Request For Information Derek Delacourt <RFICommunityServices@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Lumm, Jane <JLumm@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>
Subject: RE: The Garnet - City Council Request

[Councilmember Bannister](#),

Nothing specific. It's always helpful if Council is clear regarding the expectations for the project when it returns.

Please let me know if you have any additional questions.

Have a great weekend,

[Derek](#)

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, September 05, 2019 4:28 PM
To: Request For Information Derek Delacourt <RFICommunityServices@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Lumm, Jane <JLumm@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Eaton, Jack

<JEaton@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>

Subject: Fw: The Garnet - City Council Request

Dear Brett and Derek -- As you may know, The Garnet has decided to withdrawal from the Agenda for Sept. 16 and go back through the PUD process (attached letter and emails below).

Is there anything Council could do to try and help expedite the process for them?

Thanks,
Anne

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To: Bannister, Anne <ABannister@a2gov.org>

Cc: JB It <brad@jbradleymoore.com>; Eaton, Jack <JEaton@a2gov.org>

Subject: Re: The Garnet - City Council Request

Yes, thank you very much, Brad. Sincerely appreciate that a PUD will be pursued, and also hope this can be expedited through the Planning Comm. Thanks for following-up w/Brett re: this, Anne! All best, Jane

Sent from my iPhone

On Sep 5, 2019, at 4:11 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

Thanks, Brad, for letting me/us know. I'll double-check on my end and see if there's anything I can do to expedite the process.

Best Regards,
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From: JB It <brad@jbradleymoore.com>

Sent: Thursday, September 5, 2019 4:08 PM

To: Eaton, Jack <JEaton@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>;

Lumm, Jane <JLumm@a2gov.org>

Subject: Fwd: The Garnet - City Council Request

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Just keeping you apprised as I promised to.

Best Regards

Brad

From: [Bannister, Anne](#)
To: [Christine Crockett](#)
Cc: [Jeff Crockett](#); [C Bultman](#); [Wineberg Susan](#); [Hayner, Jeff](#); [Tom Stulberg](#)
Subject: Re: September 16 Agenda
Date: Friday, September 6, 2019 4:50:12 PM

Okay! If you had something specific in mind about working with the developer and/or planning staff on the PUD, please let CM Hayner and me know.

We're waiting to hear a response from staff about whether the developer will have to "start from scratch" with Planning Commission. It could be that the regularly broadcasted meetings of Planning Commission will be the best way for residents to participate in the planning process, or whether separate individual and small group meetings would be more beneficial.

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Cc: Jeff Crockett <[REDACTED]> C Bultman <[REDACTED]> Wineberg Susan <[REDACTED]> Hayner, Jeff <JHayner@a2gov.org>; Tom Stulberg <[REDACTED]>
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To: [Delacourt, Derek](#); [Bannister, Anne](#); [Request For Information Derek Delacourt](#); [Lenart, Brett](#)
Cc: [Hayner, Jeff](#); [Eaton, Jack](#)
Subject: RE: The Garnet - City Council Request
Date: Friday, September 6, 2019 4:54:11 PM

Thanks for your work on this Anne and Derek. Only addt'l. expectation that "may" be suggested re: this is an affordable hsg. contribution (unit(s)/\$). Haven't discussed this w/anyone, so just sharing b/c I can imagine that this might be suggested, so a heads-up of sorts.

Have a wonderful weekend! Jane

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To: Bannister, Anne <ABannister@a2gov.org>; Request For Information Derek Delacourt <RFICommunityServices@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Lumm, Jane <JLumm@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>
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Subject: Re: September 16 Agenda
Date: Friday, September 6, 2019 4:56:28 PM

We will discuss this and get back to you. It was always the zoning that posed a problem. Going for a PUD is what we recommended. I think all of us want to see more residential units in A2. Are they keeping with the same design, massing, height, etc., just switching to PUD zoning?

Chris

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Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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Sent: Friday, September 6, 2019 2:17 PM
To: Christine Crockett <[REDACTED]> Jeff Crockett
<[REDACTED]> C Bultman <[REDACTED]> Wineberg Susan
<[REDACTED]>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: Fw: September 16 Agenda

Hi Chuck, Chris, Jeff, and Susan,

With the help of Chuck's reminder, the historic district Resolution 19-1691 is on the Agenda for 9/16 (DC-3, page 6).

The link is here: <http://a2gov.legistar.com/LegislationDetail.aspx?ID=4124857&GUID=371D6E33-E58A-4597-A480-C16527C49B3B&FullText=1>

Please let me know if you have any questions or comments, and thanks again Chuck for bringing this forward.

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Subject: September 16 Agenda

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Jacqueline Beaudry, City Clerk

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From: [Bannister, Anne](#)
To: [Christine Crockett](#)
Cc: [Jeff Crockett](#); [C Bultman](#); [Wineberg Susan](#); [Hayner, Jeff](#); [Tom Stulberg](#)
Subject: Re: September 16 Agenda
Date: Friday, September 6, 2019 5:02:15 PM

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Cc: Jeff Crockett <[REDACTED]> C Bultman <[REDACTED]> Wineberg Susan <[REDACTED]> Hayner, Jeff <JHayner@a2gov.org>; Tom Stulberg <[REDACTED]>
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Cc: Jeff Crockett <[REDACTED]> C Bultman <[REDACTED]> Wineberg Susan
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From: [Bannister, Anne](#)
To: [Higgins, Sara](#)
Cc: [Lazarus, Howard](#); [Fournier, John](#); [Eaton, Jack](#); [Griswold, Kathy](#); [Hayner, Jeff](#)
Subject: Bannister Agenda Questions
Date: Wednesday, September 11, 2019 11:59:40 AM

Hello Sara! Please accept my agenda questions

CA-12 19-1633 -- [Swift Run Drain Culvert for \\$54K](#) -- Please send map and sketches showing the location and project.

CA-7 19-1692 -- [\\$49K for Attorney's Office for Abigail Elias contract](#) -- Please include total compensation of \$49K in Resolution memorandum. Explain how the decision to simultaneously retire and rehire impacted overall compensation.

MC-1 19-1669 -- [Mayoral Appointments Confirmations](#) -- Please attach applications/resumes for the individuals.

PH-1 19-1186 The Garnet -- Please include update on the timeline for this project and whether it will receive any expedited process.

DC-1 19-1452 FOIA Fees -- Please include details on City's FOIA policy and what updates to sections were made over the years since it was first adopted.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
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From: [Eaton, Jack](#)
To: [Bannister, Anne](#)
Subject: Fwd: 9-16-19 agenda questioons
Date: Wednesday, September 11, 2019 12:05:02 PM

Anne,

Thank you for copying me on your agenda questions. The email below has my questions.

Jack

Sent from my iPhone

Begin forwarded message:

From: "Eaton, Jack" <JEaton@a2gov.org>
Date: September 11, 2019 at 9:48:47 AM EDT
To: "Lazarus, Howard" <HLazarus@a2gov.org>
Cc: "Higgins, Sara" <SHiggins@a2gov.org>
Subject: 9-16-19 agenda questioons

Mr. Lazarus,

These are my questions for the September 16, 2019 City Council meeting agenda:

CA-9 Resolution to Authorize the Purchase of a Bobcat Toolcat Utility Work Machine from Clark Equipment Company dba Bobcat Company (MIDeal Bid - \$67,403.56)

How many streets does the City have that include a protected bike lane?

The William Street protected bike lane is entirely within the DDA area. Was the DDA asked to contribute to the cost of this machine?

CA-10 Resolution to Approve a General Services Agreement for Dive Inspection Services between the Water Treatment Service Unit and Sea-Side Diving; RFP #19-22

The memo accompanying the resolution notes that Sea-Side Diving received a score of 85, and Underwater Construction Corporation received a score of 75 of 100 possible points. Please provide the itemized scoring for the two bids.

B-1 An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS.

A member of the development team notified some Council members that the developer intends to submit a request to rezone this property to PUD rather than seek

this rezoning. Has the developer notified staff of that intention or initiated that process?

DC-5 Resolution to Support and Authorize Staff Participation in Washtenaw County Climate Strike on September 20, 2019

The resolution encourages City staff to participate in the Climate Strike. Will staff be compensated for the time spent engaging in strike activities? If not, can staff provide language to amend the resolution to make clear that staff will not lose pay for participation?

DB-1 Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street

Would the denial of this site plan have any adverse impact on the developer's new efforts to build this project as a PUD?

DS-1 Resolution to Proceed with a Road Reconfiguration Pilot for Traverwood Drive, from Huron Parkway to Plymouth Road

This resolution was postponed to allow staff to receive public input. Please provide a summary of those discussions and any recommendations staff have as a result of those discussions.

Thank you and staff for your work.

Best wishes,
Jack

Jack Eaton
Ward 4 Council member



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From: [Bannister, Anne](#)
To: [Eaton, Jack](#)
Subject: Re: 9-16-19 agenda questioons
Date: Wednesday, September 11, 2019 2:10:00 PM

Great questions, thanks for sending!

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
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From: [Tim Hull](#)
To: [CityCouncil](#)
Subject: The Garnet rezoning to C1A..
Date: Thursday, September 12, 2019 5:26:01 PM

Dear Council,

I am writing regarding the proposed rezoning for The Garnet project to C1A, which will be back on the Council agenda at the next meeting. At the August 19th meeting, I heard that while councilmembers seemed to near-unanimously endorse the project, there was concern that C1A was an inappropriate zoning classification given the classification being defined as "Campus Business District" and the project being residential and not adjacent to campus. I feel that such concerns are misguided.

In the Unified Development Code, C1A is defined as follows:

5.12.3 C1A Campus Business District

This district is intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-to-day needs, specialty shops, and recreation. While the primary function of this district is to serve as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population. These districts shall be located in close proximity to the central area of the City.

Note that this paragraph says "While the primary function of this district is to serve as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population." This indicates that while the district has a primary function as a shopping area, it can have other uses.

As to the location, the language states "These districts shall be located in close proximity to the central area of the City." Despite the name of the zoning classification, it doesn't require that the parcel be adjacent to campus. The parcel slated for rezoning fits this definition, as it is a block from the DDA boundaries.

While I can agree that the wording of this zoning classification isn't perfect, I don't see why this can't be used for the parcel in question. We need more housing built in Ann Arbor, and I don't see why this project can't be approved in its current form. It may make sense to change the wording and/or name of the C1A district definition, though I don't see why this zoning classification can't be used.

Sincerely,

Tim Hull

From: [Eaton, Jack](#)
To: [Tim Hull](#)
Cc: [Lumm, Jane](#); [Hayner, Jeff](#); [Bannister, Anne](#)
Subject: Re: The Garnet rezoning to C1A...
Date: Thursday, September 12, 2019 5:33:49 PM

Mr. Hull,

A member of the Garnet development team informed Council members that the developer intends to bring this project through the planning process as a PUD. The resolutions remain on the Council agenda because the Council postponed them and must take action on them at a meeting.

Thank you for your interest in this matter.

Best wishes,
Jack

On Sep 12, 2019, at 5:25 PM, Tim Hull [REDACTED] wrote:

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Ward 4 Council member
jeaton@a2gov.org



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Follow me on FaceBook: <http://www.facebook.com/CouncilMemberEaton/>

Join me for coffee on the first and third Monday each month at Roos Roast Coffee, 1155 Rosewood St., from 8:00 to 9:30 am.

From: [Lumm, Jane](#)
To: [Eaton, Jack](#)
Cc: [Tim Hull](#); [Hayner, Jeff](#); [Bannister, Anne](#)
Subject: Re: The Garnet rezoning to C1A...
Date: Thursday, September 12, 2019 6:26:34 PM

Thank you, Jack and Tim.

Tim, as you probably know, I did not support utilizing this commercial zoning classification with conditions, for this non-commercial residential project. I believe zoning should mean something, and we should utilize appropriate zoning (e.g., vs. adding layers of conditions when the zoning isn't suitable/consistent with the use). To do otherwise, makes the zoning code meaningless.

The project will proceed with a PUD, and it's unfortunate this wasn't the initial recommended path. The project is fine, it's the commercial zoning that is unsuitable.

Thank you, as well, for your interest in this project.

All best, Jane

Sent from my iPhone

On Sep 12, 2019, at 5:33 PM, Eaton, Jack <JEaton@a2gov.org> wrote:

Mr. Hull,

A member of the Garnet development team informed Council members that the developer intends to bring this project through the planning process as a PUD. The resolutions remain on the Council agenda because the Council postponed them and must take action on them at a meeting.

Thank you for your interest in this matter.

Best wishes,
Jack

On Sep 12, 2019, at 5:25 PM, Tim Hull [REDACTED] wrote:

Dear Council,

I am writing regarding the proposed rezoning for The Garnet project to C1A, which will be back on the Council agenda at the next meeting. At the August 19th meeting, I heard that while councilmembers seemed to near-unanimously endorse the project, there was concern that C1A was an inappropriate zoning classification given the classification being defined as "Campus Business District" and the project being residential and not adjacent

to campus. I feel that such concerns are misguided.

In the Unified Development Code, C1A is defined as follows:

5.12.3 C1A Campus Business District

This district is intended primarily to serve as a neighborhood shopping area for the university-oriented population that is concentrated around it, providing goods that are day-to-day needs, specialty shops, and recreation. While the primary function of this district is to serve as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population. These districts shall be located in close proximity to the central area of the City.

Note that this paragraph says "While the primary function of this district is to serve as a neighborhood shopping area for the student/faculty population concentrated around it, it also has a community-wide orientation due to its unique and distinctive commercial function peculiar to university-oriented population.". This indicates that while the district has a primary function as a shopping area, it can have other uses.

As to the location, the language states "These districts shall be located in close proximity to the central area of the City." Despite the name of the zoning classification, it doesn't require that the parcel be adjacent to campus. The parcel slated for rezoning fits this definition, as it is a block from the DDA boundaries.

While I can agree that the wording of this zoning classification isn't perfect, I don't see why this can't be used for the parcel in question. We need more housing built in Ann Arbor, and I don't see why this project can't be approved in its current form. It may make sense to change the wording and/or name of the C1A district definition, though I don't see why this zoning classification can't be used.

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From: [Lumm, Jane](#)
To: [Eaton, Jack](#)
Cc: [Bannister, Anne](#)
Subject: RE: The Garnet rezoning to C1A...
Date: Friday, September 13, 2019 9:51:00 AM

AKA.....

"Primary" function = apparently primary doesn't really mean what we all thought it meant!

C = commercial, neighborhood shopping area, provide goods; The Garnet = residential ... Oh, right, no confusion/misuse of the zoning in this application!

How'd we get to this place in the zoning universe???

From: Eaton, Jack <JEaton@a2gov.org>
Sent: Thursday, September 12, 2019 5:34 PM
To: Tim Hull [REDACTED]
Cc: Lumm, Jane <JLumm@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>
Subject: Re: The Garnet rezoning to C1A...

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From: [Mark Pfaff](#)
To: [Bannister, Anne](#)
Cc: [Hayner, Jeff](#)
Subject: RE: The Garnet - City Council Request
Date: Sunday, September 15, 2019 12:16:03 PM

Hi Anne,

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Mark

From: Mark Pfaff
Sent: Friday, September 06, 2019 11:11 AM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: RE: The Garnet - City Council Request

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Is there anything Council could do to try and help expedite the process for them?

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To: Bannister, Anne <ABannister@a2gov.org>
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Subject: Re: The Garnet - City Council Request

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Best Regards

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Date: Sunday, September 15, 2019 1:26:10 PM

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Sent: Thursday, September 5, 2019 4:28 PM
To: Request For Information Derek Delacourt <RFICommunityServices@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Lumm, Jane <JLumm@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>
Subject: Fw: The Garnet - City Council Request

Dear Brett and Derek -- As you may know, The Garnet has decided to withdrawal from the Agenda for Sept. 16 and go back through the PUD process (attached letter and emails below).

Is there anything Council could do to try and help expedite the process for them?

Thanks,
Anne

From: Lumm, Jane <JLumm@a2gov.org>

Sent: Thursday, September 5, 2019 4:18 PM

To: Bannister, Anne <ABannister@a2gov.org>

Cc: JB It <brad@jbradleymoore.com>; Eaton, Jack <JEaton@a2gov.org>

Subject: Re: The Garnet - City Council Request

Yes, thank you very much, Brad. Sincerely appreciate that a PUD will be pursued, and also hope this can be expedited through the Planning Comm. Thanks for following-up w/Brett re: this, Anne! All best, Jane

Sent from my iPhone

On Sep 5, 2019, at 4:11 PM, Bannister, Anne <ABannister@a2gov.org> wrote:

Thanks, Brad, for letting me/us know. I'll double-check on my end and see if there's anything I can do to expedite the process.

Best Regards,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: JB It <brad@jbradleymoore.com>

Sent: Thursday, September 5, 2019 4:08 PM

To: Eaton, Jack <JEaton@a2gov.org>; Bannister, Anne <ABannister@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>

Subject: Fwd: The Garnet - City Council Request

FYI my clients have elected to go back to Planning Commission through the PUD pathway as was suggested at the last presentation of The Garnet project at City Council.

There is apparently (according to Legal & Planning staff) no way to change course midstream so to speak so we will be starting from scratch basically but hope to be back before council with an alternative recommendation from Planning Commission on the PUD variant as soon as the required process can be completed.

Just keeping you apprised as I promised to.

Best Regards

Brad

From: [Victoria Pebbles](#)
To: [Lumm, Jane](#)
Subject: introducing myself ...and The Garnet
Date: Thursday, September 19, 2019 12:02:11 PM

Dear Councilmember Lumm:

Hello! Although we've seen each other at City Council meetings (and caucus), we've not met. My name is Victoria Pebbles. I am part of the team proposing The Garnet: the redevelopment project at 325 E. Summit. It has come to my attention that you felt I looked at you in a way that made you feel uncomfortable at the Monday City Council meeting. Given the discussion around our project, I hope you can understand that I might have feelings of surprise, confusion, or disappointment and those showed on my face. I assure you they were not directed at you specifically. Perhaps we could have a time to actually meet and have a conversation about the project. I believe you've met with our architect, but not any of the development team. I'd welcome the opportunity to hear your insights and perspectives as we consider next steps.

Sincerely,

Victoria Pebbles

From: [Mark Pfaff](#)
To: [Bannister, Anne](#)
Cc: [Hayner, Jeff](#)
Subject: RE: The Garnet - City Council Request
Date: Monday, September 23, 2019 7:53:01 PM

Hi Anne,

Can you provide an update on E Summit?

Thanks,
Mark

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Sunday, September 15, 2019 1:26 PM
To: Mark Pfaff <[REDACTED]>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: Re: The Garnet - City Council Request

No they haven't submitted a revised plan yet. The developer is asking the City to allow them to go through a PUD process instead. That's all the update I have for now. We will learn more at Monday night's Council meeting.

Thanks,

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Mark Pfaff <[REDACTED]>
Sent: Sunday, September 15, 2019 12:15 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: RE: The Garnet - City Council Request

Hi Anne,

Has the revised plan been submitted to the city yet?

Mark

From: Mark Pfaff
Sent: Friday, September 06, 2019 11:11 AM

To: Bannister, Anne <ABannister@a2gov.org>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: RE: The Garnet - City Council Request

Thanks Anne. That is helpful.

I will provide comments once the revised plan is available for review.

Mark

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Friday, September 06, 2019 10:54 AM
To: Mark Pfaff <[REDACTED]>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: Re: The Garnet - City Council Request

Yes, I imagine the City planning staff use Skype, Zoom, Ubermeeting, and the like. Or for starters you could email your questions and comments for starters, and I will forward them to planning staff for email response, and do an e-introduction, etc.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Mark Pfaff <[REDACTED]>
Sent: Thursday, September 5, 2019 6:08 PM
To: Bannister, Anne <ABannister@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>
Subject: RE: The Garnet - City Council Request

Thanks again Anne.

Is a remote meeting via skype an option? I ask because I am based in LA and am not available in person this month.

I typically get in to town several times per year and should be back before year end.

Mark

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, September 05, 2019 6:02 PM
To: Mark Pfaff <[REDACTED]> Hayner, Jeff <JHayner@a2gov.org>

Subject: Re: The Garnet - City Council Request

The revised plans will be posted on Legistar when it is discussed at the Planning Commission meetings.

This is the to most up to date listing: <http://a2gov.legistar.com/LegislationDetail.aspx?ID=4080754&GUID=C730CD4C-905A-4DDA-B390-8214DE1D75EE&Options=ID|Text|&Search=the+garnet>

You can also search the Site Plans through Etrakit, but that's more clunky to navigate:

<https://etrakit.a2gov.org/etrakit3/>

It might be best to meet with Planning Staff to get the all the information you need. Please keep CM Hayner and me in the loop and maybe one or both of us can join you at the meeting.

I don't know when the revised plans will be available. We're still looking into that issue. Please send a reminder if you don't hear back from us.

Anne Bannister

Ward One Councilmember

cell: [REDACTED]

abannister@a2gov.org

Term Nov. 2017 - Nov. 2020

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From: Mark Pfaff <[REDACTED]>

Sent: Thursday, September 5, 2019 5:54 PM

To: Bannister, Anne <ABannister@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>

Subject: RE: The Garnet - City Council Request

Thanks Anne.

I look forward to seeing the revised plans and determining next steps. Do you know when those will be available?

Mark

From: Bannister, Anne <ABannister@a2gov.org>

Sent: Thursday, September 05, 2019 5:47 PM

To: Hayner, Jeff <JHayner@a2gov.org>

Cc: Mark Pfaff <[REDACTED]>

Subject: Re: The Garnet - City Council Request

Mark, you could contact the Planning Department and schedule a meeting to discuss any concerns:

<https://www.a2gov.org/departments/planning/development-review/Pages/default.aspx>

You might also go to a Planning Commission meeting on most Tuesdays at 7 p.m.:

<https://www.a2gov.org/departments/planning/development-review/Pages/CityPlanningCommission.aspx>

Please let me know if you have further ideas or ways I could help.

Thanks,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Thursday, September 5, 2019 5:27 PM
To: Bannister, Anne <ABannister@a2gov.org>
Cc: Mark Pfaff <[REDACTED]>
Subject: RE: The Garnet - City Council Request

Thanks for the question pls. CC me if you need anything I would suggest that the developers reach out to the near neighbors they may very well want to participate in joint planning efforts.

Thanks,

Jeff Hayner
Ward 1 City Council

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, September 5, 2019 4:28 PM
To: Request For Information Derek Delacourt <RFICommunityServices@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Cc: Lumm, Jane <JLumm@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>
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Best Regards

Brad

From: [Lynn Borset](#)
To: [Taylor, Christopher \(Mayor\)](#); [Smith, Chip](#); [Ramlawi, Ali](#); [Eaton, Jack](#); [Nelson, Elizabeth](#); [Lumm, Jane](#); [Griswold, Kathy](#); [Ackerman, Zach](#); [Grand, Julie](#); [Bannister, Anne](#); [Hayner, Jeff](#)
Cc: [Charles Compton](#)
Subject: The Garnet - Site Plan vs. Traffic Safety
Date: Monday, September 23, 2019 8:10:50 PM

Mayor Taylor and Council Members,

We were pleased to see the vote to Deny the zoning change to C1A/R for the Garnet development proposal at the Sept. 16, 2019 Council meeting.

In reviewing the site plan for the Garnet development, we have significant concerns about the proximity of the proposed building to Broadway St., and the effect on safety at the intersection of Broadway / Beakes, E. Summit, and Detroit streets. Visibility at this intersection is difficult as it is. Traveling southwest on Broadway down the incline from the Broadway bridge, it is difficult to see the intersection of E. Summit, and there are crosswalks on both sides of E. Summit, plus cars and bikes entering there or from the N. Division cut-through.

The Garnet site plan indicates the building front set-back from Broadway is 7.18 feet, and the height will be about 50 feet above the sidewalk. (The existing single-family building on the site is 63 feet from Broadway; it is not visible from Broadway and therefore is not a visual impediment to vehicle traffic. Front set-back minimums for Residential zoning range from 15 to 40 feet.)

There is no indication in the staff report that any review of traffic impact was done, and the Citizen Participation meeting Q & A states a Traffic Study was not warranted.

There is already significant vehicle traffic on Broadway / Beakes, which will only increase with the development at Lower Town, and the expected development of the former DTE site.

Given the City's goals for pedestrian and bicycle safety, and concerns about traffic congestion, it seems very short-sighted to not evaluate the potential impact of new buildings that abut high traffic roads like Broadway at the Broadway Bridge.

A front set-back of only 7 feet from Broadway does not seem adequate from a traffic safety perspective. The size and the set-back location of the proposed building, relative to traffic (pedestrian, bicycle, and vehicle) safety on the surrounding roads, need to be evaluated before site-plan approval is considered.

Thank you for considering our concerns,

Lynn Borset

Charles Compton (UMTRI retiree)

Ward 5

--



From: [Jeff Crockett](#)
To: [Planning](#)
Cc: [Pollay, Susan](#); [Bethany Osborne](#); [Christine Crockett](#); [David Kennedy](#); [Eleanor Crown](#); [Ilene R. Tyler](#); [Julie Ritter](#); [Lars Bjorn](#); [Nick Coquillard](#); [Detter, Ray](#); [Steve Kaplan](#); [Susan Wineberg](#); [Tom Stulberg](#); [Bannister, Anne](#); [Hayner, Jeff](#)
Subject: Concerns About the Process for Creating the T1 District
Date: Monday, September 30, 2019 9:08:01 AM
Attachments: [Ordinance to Create T1 District.pdf](#)
[Staff Report on T1 District 9-16-19.pdf](#)

To Mr. Lenart and Members of the Planning Commission,

I recently received notice of a Public Hearing to create a T1 zoning district at PC on Tuesday, October 1, 2019. However, the attached documents were made available to the public only on Friday, September 27. Due to the complexity of the proposed changes to the UDC, this is simply not enough time for the public to sufficiently review the ordinance proposal and the staff report in order to provide meaningful public input. The concept of a T1 zoning district certainly warrants serious consideration as a means to create more affordable housing along transportation routes. But, on the other hand, if the T1 zoning impacts the zoning in single-family neighborhoods within a defined distance from corridors such as Packard and S. State St., that would raise a huge red flag. We recently saw the impact of the ambiguity of Zoning categories in the recent debate about whether or not to apply to C1A zoning to 325 E. Summit. Therefore, I would appreciate your attention to addressing several questions, before I submit my public input.

1. When on Tuesday evening will the public have an opportunity to provide input?
2. Will Tuesday's PC meeting be the only opportunity for public input prior to consideration by the PC or will there be a second reading?
3. Does the recommendation to create a Z1 zoning district require Council approval or can it be created solely through PC action?
4. Other than the PC and the Human Services Advisory Board, who were the other Stakeholders that provided input into this T1 zoning proposal?
5. Does the term corridor apply to a main street itself or does it include areas within a defined distance from the main streets. For example, Packard is cited as potential location for a T1 District. In this case, would the T1 District include only Packard or could it apply to areas within a defined distance from Packard?
6. In Table 5:17-4 in the Staff report, the caption to the table reads, "NOTE: The requirements in this table may be superseded by the standards in Section error Reference source not found." Since the link is missing, there is no way to tell what may supersede the standards in T1 zoning.

Thanks for your attention to these questions.

Jeff Crockett

UNIFIED DEVELOPMENT CODE
(NEW ZONING DISTRICT T1 TRANSIT SUPPORT)

AN ORDINANCE TO AMEND SECTIONS 5.12, 5.15, 5.16, 5.17, AND 5.20 OF CHAPTER 55 (UNIFIED DEVELOPMENT CODE) OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. That Section 5.12 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended to add the following section:

5.12.9 T1 Transit Support

This district is intended to allow and require mixed uses in sufficient density to support existing and future transit systems, which will also create opportunities for affordable housing, expand housing choices for all residents, provide more sustainable forms of development, and reduce resource and energy needs. This district will further the goals expressed in all elements of the City's master plan, particularly the Sustainability Framework, the Land Use Element, the Climate Action Plan, the Transportation Plan and the Nonmotorized Transportation Plan.

Section 2. That Section 5.15, Table 5:15-1 and 5:15-2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended to read as follows:

TABLE 5:15-1: PERMITTED PRIMARY USE TABLE

P= PERMITTED

E = SPECIAL EXCEPTION

A= PERMITTED ACCESSORY USE

BLANK CELL = PROHIBITED

NOTE: ALL PROPERTIES ARE SUBJECT TO THE ADDITIONAL STANDARDS INDICATED FOR THAT USE IN THE RIGHT COLUMN

NOTE: ALL PROPERTIES IN OVERLAY DISTRICTS ARE SUBJECT TO THE ADDITIONAL USE REGULATIONS IN SEC. 5.13

NOTE: SPECIFIC USES IN THE C1A/R, RE, AND ORL DISTRICTS ARE SUBJECT TO ADDITIONAL STANDARDS FOUND IN SECTIONS 5.12.5, 5.13.4, AND 5.13.5 RESPECTIVELY

Use Category and Type		Residential														Mixed Use							Nonresidential and Special Purpose								Use-Specific Standards				
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16
Primary Uses																																			
Residential																																			Error! Reference source not found.
Household Living																																			
	Adult Foster Care		P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P			P						5.15.3.Q
	Dwelling, Assisted Living										P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P						Error! Reference source not found.; 5.16.3.Q
	Dwelling, Multi-Family										P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	E					Error! Reference source not found.; Error! Reference source not found.; 5.16.3.Q

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE							USE-SPECIFIC STANDARDS						
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
	Dwelling, Single-Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P			P							Error! Reference source not found.; Error! Reference source not found.; 5.16.3.Q
	Dwelling, Townhouse									P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P			P						Error! Reference source not found.; 5.16.3.Q	
	Dwelling, Two-Family						P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P			P						Error! Reference source not found.; 5.16.3.Q	
	House Trailer/Mobile Home Park														P																				Error! Reference source not found.	
Group Living																																				
	Emergency Shelter											P	P	P	P		P	P	P	P	P	P	P	P	P	P									5.16.3.Q	

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	Fraternities, Sororities, and Student Cooperative Housing							E		E	E	E	E	E		E	P	P	P	P	P	P	P	P	P	P									Error! Reference source not found.; Error! Reference source not found.; 5.16.3.Q
	Group Housing							E		E	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P									Error! Reference source not found.; Error! Reference source not found.; 5.16.3.Q
	Guest House									P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P									Error! Reference source not found.; Error! Reference source not found.; 5.16.3.Q
PUBLIC/ INSTITUTIONAL																																			ERROR! REFERENCE SOURCE NOT FOUND.

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Community and Cultural																																				
	Cemetery	P																																		
	Club Headquarters or Community Center							E			E	E	E	E	E		E	P	P	P	P	P	P	P	P	P									Error! Reference source not found.; 5.16.3.Q;	
	Conference Center																				E					P				E					5.16.3.Q	
	Correctional Facility																											P								
	Museum, Art Gallery																				P	P	P	P	P			P							5.16.3.Q	
	Funeral Services																P	P	P	P	P	P	P	P	P						P	P	P		5.16.3.Q	
	Government Offices and Courts																P	P	P	P	P	P	P	P	P			P			P	P			5.16.3.Q	
	Library		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P			P			P	P			5.16.3.Q	
	Park, Recreation and Open Space																											P								Error! Reference source not found.
	Religious Assembly	P	E	E	E	E	E	E	E	E	E	E	E	E	E		E	P	P	P	P	P	P	P	P										5.16.3.Q	
Day Care																																				
	Adult Day Care Center		E	E	E	E	E	E	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P					E	P	P	P		Error! Reference source not found.; 5.16.3.Q	

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	Child Care Center		E	E	E	E	E	E	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P					E	P	P	P	Error! Reference source not found.; 5.16.3.Q
Educational																																			
	Institutions of Higher Learning, Private		E	E	E	E	E	E	E	E	E	E	E	E	E		P	P	P	P	P	P	P	P	P	P						P	P	P	Error! Reference source not found.; 5.16.3.Q
	Institutions of Higher Learning, Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	5.16.3.Q
	School, Private		E	E	E	E	E	E	E	E	E	E	E	E	E		E	P	P	P	P	P	P	P	P	P									5.16.3.Q
	School, Public	P	P	P	P	P	E	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	5.16.3.Q
	School, Trade/Industrial																	P	P	P	P	P	P	P	P	P			P		P	P	P	P	5.16.3.Q
Health Care																																			
	Hospital										E	E	E	E	E		E	E	E	E	E								P			E	E		Error! Reference source not found.
	Nursing Care Facility										P	P	P	P	P		P	P	P	P	P	P	P	P	P	P					P	P	P		Error! Reference source not found.; 5.16.3.Q

TABLE 5:15-1: PERMITTED PRIMARY USE TABLE

P= PERMITTED

E = SPECIAL EXCEPTION

A= PERMITTED ACCESSORY USE

BLANK CELL = PROHIBITED

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NOTE: SPECIFIC USES IN THE C1A/R, RE, AND ORL DISTRICTS ARE SUBJECT TO ADDITIONAL STANDARDS FOUND IN SECTIONS 5.12.5, 5.13.4, AND 5.13.5 RESPECTIVELY

Use Category and Type		Residential														Mixed Use							Nonresidential and Special Purpose							Use-Specific Standards					
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16
Commercial																																			Error! Reference source not found.
Lodging																																			
	Bed and Breakfast																				P	P	P	P	P										5.16.3.Q
	Hotel																P	P	P	P	P	P	P	P	P										5.16.3.Q
Recreation, Entertainment, and Arts																																			
	Adult Entertainment Business																															P		P	Error! Reference source not found.
	Artist Studio																P	P	P	P	P	P	P	P	P							P	P	P	Error! Reference source not found.; 5.16.3.Q
	General Entertainment																	P	P	P	P	P	E	P	P	P									Error! Reference source not found.; 5.16.3.Q
	Indoor Recreation																E	P	P	P	P	P	P	P	P				P		E	E	E	E	Error! Reference source not found.; 5.16.3.Q

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE							USE-SPECIFIC STANDARDS					
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16
	Outdoor Recreation	P	E	E	E	E	E	E	E	E	E	E	E	E										P	P				P		E				Error! Reference source not found.
Sales																																			
	Automobiles, Motorcycles, Recreational Vehicles, Equipment (Sales and Rental)																				E	E	P	P							P	P			
	Fueling Station																				E	E	E	P									P	Error! Reference source not found.	
	Outdoor Sales, Permanent																	P	P	P	P	P	P	P	P	P								Error! Reference source not found.; 5.16.3.Q	
	Medical Marijuana Provisioning Center																	E	E	E	E	E	E	E	E	E						E	E	E	Error! Reference source not found.; 5.16.3.Q
	Mobile Food Vending Service																P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Error! Reference source not found.; 5.16.3.Q	

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE							USE-SPECIFIC STANDARDS						
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
	Restaurant, Bar, Food Service																	P	P	P	P	P	P	P	P	P										Error! Reference source not found.; 5.16.3.Q
	Retail Sales, General Merchandise																	P	P	P	P	P	P	P	P	P									5.16.3.Q	
	Wholesale, Resale, Building Material and Supplies																						P	P							P	P	P			
Services and Repair																																				
	Automobile, Truck, Construction Equipment Repair																					E	E	P	P						P	P	P		Error! Reference source not found.	
	Contractors, General Construction, and Residential Building																					P	P	P							P	P	P			
	Laundry, Cleaning, and Garment Services																	P	P	P	P	P	P	P	P	P					P	P	P		5.16.3.Q	
	Parking Lot or Structure																					E	E					P	P						Error! Reference source not found.	
	Personal Services																P	P	P	P	P	P	P	P	P	P									Error! Reference source not found.; 5.16.3.Q	
	Vehicle Wash																					E	E	E	P											

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE								NONRESIDENTIAL AND SPECIAL PURPOSE								USE-SPECIFIC STANDARDS			
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16
																	E	E	E	E	E	P	P	P	P	P						P	P	P	
	Veterinary, Kennel, and Animal Boarding																																		Error! Reference source not found.;

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE							USE-SPECIFIC STANDARDS						
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
OFFICE AND RESEARCH																																				Error! Reference source not found.
Office-Type																																				
	Bank, Credit Union, Financial Services																P	P	P	P	P	P	P	P	P	P						P	P		5.16.3.Q	
	Office, General																P	P	P	P	P	P	P	P	P					P	P	P	P		Error! Reference source not found.; 5.16.3.Q	
	Medical/Dental																P	P	P	P	P	P	P	P	P						P	P			Error! Reference source not found.; 5.16.3.Q	
	Nonprofit Corporations		E	E	E	E	E	E	E	E	E	E	E	E	E		P	P	P	P	P	P	P	P	P					P	P	P	P		Error! Reference source not found.; 5.16.3.Q	
Research and Development																																				
	Laboratory																														P	P	P	P	P	Error! Reference source not found.; 5.16.3.Q
	Medical Laboratory																				P	P	P	P	P					P	P	P	P	P	5.16.3.Q	

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE							USE-SPECIFIC STANDARDS					
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16
	Medical Marijuana Safety Compliance Facility																													P	P	P			Error! Reference source not found.
	Research/Development																								P				P	P	P	P	P	5.16.3.Q	
TRANSPORTATION																									P										
	Medical Marijuana Secure Transporter																						P	P						P				Error! Reference source not found.	
	Railroad and Public Transportation Rights-of-Way																				P	P	P	P				P			P	P	P		
	Transit Center, Station, or Depot																				P	P	P	P	P			P			P	P	P	5.16.3.Q	
	Transportation Facilities																											P							
INDUSTRIAL																																			Error! Reference source not found.
Agricultural																																			
	Agriculture/Greenhouse	P																																	
	Barns	P																																	
	Borrow Pits	E																																	

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE							USE-SPECIFIC STANDARDS						
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
	Medical Marijuana Grower																P	P	P	P				P						E	E	P	P	P	Error! Reference source not found.	
Manufacturing, Processing, Assembly, and Fabrication																																				
	Asphalt, Concrete Mixing Plant, Sand and Gravel Pit																																	E		
	Coal and Coke Dealer																																P			
	Food and Beverages																														P	P	P			
	Heavy Manufacturing																																P	Error! Reference source not found.		
	Laundry and Dry Cleaning Plant																														P	P	P			
	Light Manufacturing																														P	P	P		Error! Reference source not found.	
	Medical Marijuana Processor																												E	E	P	P		Error! Reference source not found.		

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE							USE-SPECIFIC STANDARDS					
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16
	Marijuana-Infused Product Processor																							E	E										Error! Reference source not found.
	Oil and Gas Wells																																		Error! Reference source not found.
	Pilot Manufacturing																												P	P	P	P	P		
	Scrap and Waste Material																																E		
	Slaughterhouse																																E		
Utilities and Communications																																			
	Broadcasting Facility																				P	P	P	P	P						P	P	P	5.16.3.Q	
	Data Processing and Computer Centers															P	P	P	P	P	P	P	P	P	P				P	P	P	P	P	5.16.3.Q	
	Electric, Gas, and Sanitary Services																														P	P	P		
	Power and Fuel Rights-of-Way																																P		
	Wireless Communication Facilities	P														P	P			E	E	E	P	P	P	E		P	P	P	P	P	P	Error! Reference source not found.; 5.16.3.Q	

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE								NONRESIDENTIAL AND SPECIAL PURPOSE								USE-SPECIFIC STANDARDS			
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16
Warehousing and Storage																																			
	Medium Term Car Storage																											E							Error! Reference source not found.
	Short Term Car Storage																											P							Error! Reference source not found.
	Outdoor Storage																														P	P	P		
	Warehousing and Indoor Storage																						P	P							P	P	P		

TABLE 5:15-2: PERMITTED ACCESSORY USE TABLE

P= PERMITTED E = SPECIAL EXCEPTION A= PERMITTED ACCESSORY USE BLANK CELL = PROHIBITED

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE							USE-SPECIFIC STANDARDS					
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16
ACCESSORY USES																																			Error! Reference source not found.
	All Accessory Buildings																																		Error! Reference source not found.;
	Bed and Breakfast, Accessory		A	A	A	A	A	A	A	A	A	A	A	A	A																				Error! Reference source not found.
	Community Recreation									A	A	A	A	A	A																				Error! Reference source not found.;
	Dish Antenna		A	A	A	A	A	A	A	A	A	A	A	A	A																				Error! Reference source not found.;
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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE								USE-SPECIFIC STANDARDS				
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16
	Drive-Through Facility															E					E	E	E	E											Error! Reference source not found.; Error! Reference source not found.; Error! Reference source not found.
	Dwelling Unit, Accessory		A	A	A	A	A																												Error! Reference source not found.; Error! Reference source not found.
	Dwelling Unit, Manager's																														A	A	A		Error! Reference source not found.; Error! Reference source not found.

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE								USE-SPECIFIC STANDARDS					
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
	Family Day Care Home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										Error! Reference source not found.; Error! Reference source not found.; 5.16.3.Q
	Group Day Care Home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										Error! Reference source not found.; Error! Reference source not found.; 5.16.3.Q
	Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										Error! Reference source not found.; Error! Reference source not found.; 5.16.3.Q

TABLE 5:15-2: PERMITTED ACCESSORY USE TABLE

P= PERMITTED

E = SPECIAL EXCEPTION

A= PERMITTED ACCESSORY USE

BLANK CELL = PROHIBITED

NOTE: ALL PROPERTIES ARE SUBJECT TO THE ADDITIONAL STANDARDS INDICATED FOR THAT USE IN THE RIGHT COLUMN

NOTE: ALL PROPERTIES IN OVERLAY DISTRICTS ARE SUBJECT TO THE ADDITIONAL USE REGULATIONS IN SEC. 5.13

NOTE: SPECIFIC USES IN THE C1A/R, RE, AND ORL DISTRICTS ARE SUBJECT TO ADDITIONAL STANDARDS FOUND IN SECTIONS 5.12.5, 5.13.4, AND 5.13.5 RESPECTIVELY

USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE							USE-SPECIFIC STANDARDS						
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
	Incidental Services																A										A				A					Error! Reference source not found.; Error! Reference source not found.
	Management/Maintenance Office and Storage								A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A				A	A	A				Error! Reference source not found.; 5.16.3.Q;
	Medical Marijuana Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A										Error! Reference source not found.; Error! Reference source not found.; 5.16.3.Q
	Medical Marijuana Use or Cultivation	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A										Error! Reference source not found.; Error! Reference source not found.; 5.16.3.Q

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE								USE-SPECIFIC STANDARDS					
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16	
	Office, Administrative/Executive																												A			A	A	A	Error! Reference source not found.;	
	Outdoor Display and Vending Machines																A	A	A	A	A	A	A	A	A									Error! Reference source not found.;	Error! Reference source not found.;	5.16.3.Q
	Outdoor Sales, Temporary															A	A	A	A	A	A	A	A	A	A									Error! Reference source not found.;	Error! Reference source not found.	
	Parking Attendant Building																										A								Error! Reference source not found.;	

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NOTE: SPECIFIC USES IN THE C1A/R, RE, AND ORL DISTRICTS ARE SUBJECT TO ADDITIONAL STANDARDS FOUND IN SECTIONS 5.12.5, 5.13.4, AND 5.13.5 RESPECTIVELY

USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE							USE-SPECIFIC STANDARDS					
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16
	Restaurant, Bar, Food Service																									A									Error! Reference source not found.; Error! Reference source not found.
	Retail Sales, General Merchandise																												A	A	A	A		Error! Reference source not found.; Error! Reference source not found.	
	Roadside Stand	A																																Error! Reference source not found.	
	Solar Energy System	A							A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Error! Reference source not found. Error! Reference source not found.; 5.16.3.Q

TABLE 5:15-2: PERMITTED ACCESSORY USE TABLE

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USE CATEGORY AND TYPE		RESIDENTIAL														MIXED USE							NONRESIDENTIAL AND SPECIAL PURPOSE								USE-SPECIFIC STANDARDS				
		AG	R1A	R1B	R1C	R1D	R1E	R2A	R2B	R3	R4A	R4B	R4C	R4D	R4E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	T1	R5	P	PL	RE	ORL	M1	M1A	M2	5.16
	Solar Energy System, Personal-Scale		A	A	A	A	A	A	A	A																									Error! Reference source not found. Error! Reference source not found.
	Wireless Communication Antenna	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Error! Reference source not found.; Error! Reference source not found.; 5.16.3.Q

Section 3. That Section 5.16.3 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended to add the following section:

Q. Mixed Use Development

1. Mixed Use Requirement.

- a. A minimum of half, and no more than 66%, of the floor area of the total development must be used for household living.
- b. Dwelling units may be located in the same building as nonresidential uses or may be located in a separate building as long as the development has a unified character, compatible and mutually supportive and complimentary design.

2. Building Design.

- a. The floor area of the second floor must be at least 75% of the floor area of the first floor.
- b. The first floor must have a minimum of 15 feet in height.
- c. Building(s) must span at least 80% of the lot width, excluding the width necessary for required buffers and driveways. If more than one driveway is proposed, only the width of the narrowest driveway may be excluded.

3. Transparency.

- a. A minimum of 60% of the first floor street-facing façade between two and nine feet in height must be comprised of clear windows and doors that allow views of interior space or product display areas.
- b. The bottom of any window or product display area used to satisfy the transparency percentage required above must not be more than 3 feet above the adjacent sidewalk.

4. Doors and Entrances.

- a. Buildings must have a functional entrance door facing a street. Entrances at building corners may be used to satisfy this requirement.
- b. A building entrance may include doors to individual offices or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of mixed-uses.

5. Site Design.

- a. The development shall be arranged to accommodate all modes of transportation including pedestrian, bicycles, personal vehicles, ride sharing, and public transit.
- b. Amenities must be provided to facilitate access to and use of non-motorized transportation modes. Examples of amenities that facilitate access and use include wide sidewalks and paths with decorative paving, benches and seating walls, shelters, pedestrian-scale lighting, and separation from motorized transportation. Other amenities of this nature may be appropriate depending on the size and location of the site and best practices must be used when proposing and approving the applicable amenities for a development.
- c. The convenience and safety of pedestrian and non-motorized transportation modes to access building entrances and site amenities must be prioritized over motorized transportation modes.
- d. Adequate and convenient space shall be provided for ride sharing services and any other form of shared transportation.
- e. Motorized transportation and spaces for vehicle parking must yield to all other forms of transportation. The number of driveways, width of drives and aisles, and

number of parking spaces must be reduced to satisfy the site design features and priorities specified above.

6. Off-Street Parking.

- a. Dwelling Units – For vehicle parking, a minimum of none and a maximum of 0.5 spaces per dwelling unit may be provided. For bicycle parking, as required by Section 5.19.2.
- b. Nonresidential Floor Area – For vehicle parking, a minimum of none and a maximum as provided by Section 5.19.2. For bicycle parking, as required by Section 5.19.2.

Section 4. That Section 5.17.4 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended to read as follows:

[Note: Orientation of table changed from portrait to landscape and most footnotes incorporated into body for clarity and efficiency. Track changes only records new or changed regulations, not orientation change, formatting or moves.]

5.17.4 Mixed Use Zoning Districts

Dimensional standards for mixed use zoning districts are provided in Table 5:17-4.

TABLE 5:17-4: MIXED USE ZONING DISTRICT DIMENSIONS

*NOTE: The requirements in this table may be superseded by the standards in Section **Error! Reference source not found.***

DISTRICT	FLOOR AREA AND FAR		OPEN SPACE AND BUILDING COVERAGE	SETBACKS			HEIGHT	LOT DIMENSIONS	
	FLOOR AREA	FAR	% LOT AREA	FRONT	SIDE	REAR	FEET AND STORIES	AREA	WIDTH
O	None	Max: 75%	None	Min: 15 ft. Max: 40 ft. [A]	Min: 30 ft. [C] when abutting R district, otherwise 0 ft.		Max 55 ft. and 4 stories when within 300 ft. of abutting R zone, otherwise none.	Min: 6,000 sq. ft.	Min: 50 ft.
C1	Max: 8,000 sq. ft. per nonresidential use	Max: 100%	None	Min: 10 ft. Max 25 ft. [A]	Min: 30 ft. [C] when abutting R district, otherwise 0 ft.		Max 35 ft. and 3 stories	Min: 2,000 sq. ft.	Min: 20 ft.
C1B	None	Max: 150%	None	Min: 10 ft. Max: 25 ft. [A]	Min: 30 ft. when abutting R district, otherwise 0 ft.		Max 50 ft. and 4 stories	Min: 3,000 sq. ft.	Min: 20 ft.
C1A	None	Max: 200%	None	None	Min: Equal to minimum of abutting R district		None	None	None
C1A/R	None	Max: 300%	None	None	Min: Equal to minimum of abutting R district		None	None	None
C2B	None	Max: 200%	None	Min: 10 ft. Max: 25 ft. [A]	Min: 30 ft. [C] when abutting R district, otherwise 0 ft.		Max: 55 ft. and 4 stories	Min: 4,000 sq. ft.	Min: 40 ft.
C3	None	Max: 200%	None	Min: 10 ft. Max: 25 ft. [A]	Min: 30 ft. [C] when abutting R district, otherwise 0 ft.		Max: 55 ft. and 4 stories	Min: 6,000 sq. ft.	Min: 60 ft.
D1	None	Max: Up to 700% with premiums (Section 5.18.6), otherwise 400%	None	See Table 5:17-7	See Table 5:17-6		Min: 24 ft. and 2 stories [B] Max: See Table 5:17-6	None	None

TABLE 5:17-4: MIXED USE ZONING DISTRICT DIMENSIONS

*NOTE: The requirements in this table may be superseded by the standards in Section **Error! Reference source not found.***

DISTRICT	FLOOR AREA AND FAR		OPEN SPACE AND BUILDING COVERAGE	SETBACKS			HEIGHT	LOT DIMENSIONS	
	FLOOR AREA	FAR	% LOT AREA	FRONT	SIDE	REAR	FEET AND STORIES	AREA	WIDTH
D2	None	Max: Up to 400% with premiums (Section 5.18.6), otherwise 200%	Open Space Min: 10% Building Coverage Max: 80%	See Table 5:17-7	See Table 5:17-6		Min: 24 ft. and 2 stories Max: See Table 5:17-6	None	None
T1	<u>See Section 5.16.3.Q</u>	<u>None</u>	<u>Open Space</u> <u>Min: 25%</u>	<u>Max: 10 ft.</u>	<u>Min: 30 ft. [C] for Buildings within 300 ft. of R district, otherwise 0 ft.</u>		<u>Min: 24 ft. and 2 stories</u> <u>Max: 80 ft. for Buildings within 300 ft. of R district, otherwise none.</u>	<u>None</u>	<u>None</u>

NOTES:

- [A] Maximum front setback applies to new detached Buildings; no maximum front setback for Buildings or additions to Buildings constructed before January 16, 2011. For Lots with more than one Front Lot Line, maximum Required Front Setback shall only apply to one Front Lot Line.
- [B] Minimum height and stories applies to new Buildings; no minimum height or story requirement for buildings constructed before December 26, 2009. The Floor Area of the required second Story must be at least 75% of the Floor Area of the first Story.
- [C] Plus one foot of additional setback for each foot of Building Height above 30 feet.

Section 5. That Section 5.20.4 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended to read as follows:

5.20.4 Conflicting Land Use Buffers

- A.** Conflicting land use buffer shall be provided under the following conditions:
- 1.** A Vehicular Use Area adjacent to a public park or land principally used or zoned for residential purposes.
 - 2.** A refuse/recycling container adjacent to a public park or land principally used or zoned for residential purposes.
 - 3.** The portion of a parcel zoned O, RE, ORL, C, **T** or M abutting a public park or parcel principally used or zoned for residential purposes.
 - 4.** The portion of a parcel zoned R3 or R4 adjacent to a parcel principally used or zoned for residential purposes.

- B.** The conflicting land use buffer shall consist of the following:

1. Width

A landscaped buffer strip must be at least 15 feet wide. If there is an existing Building or Vehicular Use Area located within the required 15 foot landscape buffer strip, the landscape buffer strip may have an average of 15 feet in width over the entire length of the required buffer area, with no specific location along the buffer strip being less than 8 feet in width.

2. Plantings

One tree for each 15 feet or fraction thereof of abutting land. At least 50% of the trees within the conflicting land use buffer shall be evergreen. Arrangement of trees in clusters or groupings is encouraged, but in all cases shall be between 15 feet and 30 feet apart on center. Plantings should be placed to screen the views between Buildings that existed at the time of site plan approval, (especially windows and patio views) on the adjacent property.

3. Continuous Screening

A hedge, landform berm, wall, Fence or combination of those features forming a continuous screen at least four feet high. For parcels principally used or zoned for residential purposes the requirement for a hedge, landform berm, wall or Fence is only required to screen Vehicular Use Areas and refuse/recycling containers that are adjacent to the conflicting land use buffer.

Section 6. This ordinance shall take effect and be in force on and after ten days from legal publication.

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of September 16, 2019

SUBJECT: Amendments to Chapter 55 (Unified Development Code) to create a new zoning district, T1 (Transit Support)

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55 Unified Development Code to create a new zoning district, T1 (Transit Support) District.

STAFF RECOMMENDATION:

Staff recommends that the amendments to the Unified Development Code be approved.

SUMMARY:

A new zoning district is proposed, T1 (Transit Support) district, which is intended to require mixed uses in sufficient density to support transit systems, provide more housing choices, and further the goals of the Master Plan. Development in this district must include residential uses, must be set close to the street, and must be designed to provide accommodations for all modes of transportation with an emphasis on pedestrians and non-motorized modes. Amendments to several sections are necessary to implement and integrate this new district into the Unified Development Code, including Section 5.12 (Mixed Use Zoning Districts), Section 5.15 (Permitted Use Tables), Section 5.16 (Use Specific Standards), Section 5.17 (Area, Height and Placement Regulations) and 5.20 (Landscaping, Screening and Buffering).

BACKGROUND:

Increasing density along transit corridors is a top priority called out in several of the Master Plan elements. The [Sustainability Framework](#) is a set of 16 goals to help Ann Arbor become more sustainable, and increasing density along transit corridors would further most, if not all, goals in the *community* and *land use and access* theme areas. The community vision for the City, as documented in the [Land Use Element](#), notes the desire for “interconnectedness of natural, transportation and land use systems,” and wanting “extensive opportunities for alternative modes of travel,” “extensive choices in housing (including low cost housing), shopping, employment and recreation activities.” Increasing density would help achieve that community vision, and further numerous Master Plan: Land Use Element goals, objectives and action statements.

Planning staff began this implementation project by analyzing the available options to achieve the kind of development recommended by the Master Plan. The Unified Development Code is our primary tool to address and affect land use in Ann Arbor. It was the most obvious starting point and the most effective agent to realize change to the built form of the City. However, there is no existing zoning district that requires both residential and nonresidential uses in the same development. While the downtown zoning districts have elementary form-based requirements (example, maximum front setback, minimum height, and offset standards), the commercial districts found along transit corridors only have one simple requirement to promote pedestrian orientation (a maximum front setback standard). A new zoning district, combining and building upon the best elements of the downtown and commercial districts, is desirable.

Over time, Planning staff worked with numerous stakeholders to draft a new district, including representatives from the Planning Commission and the Housing and Human Services Advisory Board. The proposed T1 (Transit Support) district has permitted uses like the D2 (Downtown Interface) and C3 (Fringe Commercial) districts. It has placement standards like the O (Office) district, and form-based standards like the D1 (Downtown Core), D2, and nine Character overlay districts. It also has new requirements specifically introduced to attain the amenities and features needed to support transit systems, expand housing opportunities and choices, and meet sustainability goals.

It is envisioned that the T1 district would be immediately appropriate for South State Street corridor, including extensions along East and West Eisenhower Boulevard, and the Washtenaw Avenue corridor. Property owners, or those with permission from property owners, could apply to rezone their land to T1. Also, rezonings could be initiated by City Council or the Planning Commission. (See UDC Section 5.29.9.B)

The T1 district may also be appropriate, or a similar district with tailored with adjustments could be created (i.e., a T2 or T3 district), for the West Stadium Boulevard, Plymouth Road, Packard Street, and Ann Arbor-Saline Road corridors. Just like South State Street, Eisenhower Boulevards, and Washtenaw Avenue, these are all signature transit routes with fixed bus service that could accommodate and need increased development density and supporting amenities.

Proposed Amendments:**A) Article II Zoning Districts, Section 5.12 Mixed Use Zoning Districts**

The following intent statement is proposed to be added to this section, becoming the new, last mixed use district. (O, C1, C1A, C1B, C1A/R, D1, D2, C2B, and C3 are the existing mixed use districts.)

5.12.9 T1 Transit Support

This district is intended to allow and require mixed uses in sufficient density to support existing and future transit systems, which will also create opportunities for affordable housing, expand housing choices for all residents, provide more sustainable forms of development, and reduce resource and energy needs. This district will further the goals expressed in all elements of the City's master plan, particularly the Sustainability Framework, the Land Use Element, the Climate Action Plan, the Transportation Plan and the Nonmotorized Transportation Plan.

B) Article III Use Regulations, Section 5.15 Permitted Use Table

A new column is proposed to be added to the mixed use group in Table 5:15-1 Permitted Primary Use and Table 5:15-2 Permitted Accessory Use. Permitted primary uses in the T1 district are the generally the same as the D2 and C3 districts with the exceptions noted below.

Primary Use	D2	C3	T1
Conference Center	X	X	P
Outdoor Recreation use	X	P	X
Automobile, etc. Sales	SEU	P	X
Fueling Station	SEU	P	X
Wholesale, Resale, Building Supplies	X	P	X
Automobile, etc. Repair	SEU	P	X
Parking Lot & Structure	SEU	X	X
Vehicle Wash	SEU	P	X
Laboratory	X	X	P
Research & Development	X	X	P
Marijuana Secure Transporter	X	P	X
Rail, Transportation ROW	P	P	X
Marijuana Grower	X	P	X
Marijuana-Infused Product Processor	X	SEU	X
Wireless Communication Facility	SEU	P	P
Warehousing, Indoor Storage	X	P	X

A new column is also added to Table 5:15-2 Permitted Accessory Use Table. Only one difference between the D2 and C3 districts and the T1 district is proposed: drive-through facilities are permitted special exceptions in D2 and C3 but are not permitted in T1.

Accessory Use	D2	C3	T1
Drive-Through Facility	SEU	SEU	X

C) Article III Use Regulations, Section 5.16 Use Specific Standards

The following use specific standards for development in the T1 are proposed to be added to Section 5.16.3 Commercial Uses:

Q. Mixed Use Development

1. Mixed Use Requirement.

- a. A minimum of half of the floor area of the total development must be used for household living.
- b. Dwelling units may be located in the same building as nonresidential uses or may be located in a separate building as long as the development has a unified character, compatible and mutually supportive and complimentary design.

2. Building Design.

- a. The floor area of the second floor must be at least 75% of the floor area of the first floor.
- b. The first floor must have a minimum of 15 feet in height.
- c. Building(s) must span at least 80% of the lot width, excluding the width necessary for required buffers and driveways. If more than one driveway is proposed, only the width of the narrowest driveway may be excluded.

3. Transparency.

- a. A minimum of 60% of the first floor street-facing façade between two and nine feet in height must be comprised of clear windows and doors that allow views of interior space or product display areas.
- b. The bottom of any window or product display area used to satisfy the transparency percentage required above must not be more than 3 feet above the adjacent sidewalk.

4. Doors and Entrances.

- a. Buildings must have a functional entrance door facing a street. Entrances at building corners may be used to satisfy this requirement.
- b. A building entrance may include doors to individual offices or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of mixed-uses.

5. Site Design.

- a. The development shall be arranged to accommodate all modes of transportation including pedestrian, bicycles, personal vehicles, ride sharing, and public transit.
- b. Amenities must be provided to facilitate access to and use of nonmotorized transportation modes. Examples of amenities that facilitate access and use include

- c. The convenience and safety of pedestrian and non-motorized transportation modes to access building entrances and site amenities must be prioritized over motorized transportation modes.
- d. Adequate and convenient space shall be provided for ride sharing services and any other form of shared transportation.
- e. Motorized transportation and spaces for vehicle parking must yield to all other forms of transportation. The number of driveways, width of drives and aisles, and number of parking spaces must be reduced to satisfy the site design features and priorities specified above.

- a. Dwelling Units – For vehicle parking, a minimum of none and a maximum of 0.5 spaces per dwelling unit may be provided. For bicycle parking, as required by Section 5.19.2.
- b. Nonresidential Floor Area – For vehicle parking, a minimum of none and a maximum as provided by Section 5.19.2. For bicycle parking, as required by Section 5.19.2.

A new row is proposed to be added to Table 5:17-4 for area, height and placement regulations for the T1 district. Staff has also taken this opportunity to reformat the table from portrait to landscape orientation and has incorporated most footnotes into the body of the table for clarity. Only the T1 row from the table is provided below.

DISTRICT	FLOOR AREA AND FAR		OPEN SPACE AND BUILDING COVERAGE	SETBACKS			HEIGHT	LOT DIMENSIONS	
	FLOOR AREA	FAR	% LOT AREA	FRONT	SIDE	REAR	FEET AND STORIES	AREA	WIDTH
T1	<u>See Section 5.16.3.Q</u>	<u>None</u>	<u>Open Space</u> <u>Min: 25%</u>	<u>Max: 10 ft.</u>	<u>Min: 30 ft. [C] for Buildings within 300 ft. of R district, otherwise 0 ft.</u>		<u>Min: 24 ft. and 2 stories</u> <u>Max: 80 ft. for Buildings within 300 ft. of R district, otherwise none.</u>	<u>None</u>	<u>None</u>

E) Article IV Development Standards, Section 5.20 Landscaping, Screening and Buffering

Section 5.20.4 Conflicting Land Use Buffers is proposed to be amended to include T districts among those which require conflicting land use buffers when adjacent to residential districts.

STAFF COMMENTS:

The proposed T1 district represents a meaningful, achievable, and realistic way to implement the goals expressed in the Master Plan. It has been crafted to be attractive to property owners and developers while ensuring that new development meets the expectations of the community for mixed uses, character, amenities, and housing choices.

Prepared by Alexis DiLeo
Reviewed by Brett Lenart
9-13-19

Attachment: Ordinance to Amend Chapter 55 Unified Development Code (T1 Transit Support) – Draft 9/13/19

c: City Attorney's Office

From: [Christine Crockett](#)
To: [Jeff Crockett](#)
Cc: [Bannister, Anne](#); [Bethany Osborne](#); [David Kennedy](#); [Eleanor Crown](#); [Ilene R. Tyler](#); [Hayner, Jeff](#); [Julie Ritter](#); [Lars Bjorn](#); [Nick Coquillard](#); [Planning](#); [Detter, Ray](#); [Steve Kaplan](#); [Pollay, Susan](#); [Susan Wineberg](#); [Tom Stulberg](#)
Subject: Re: Concerns About the Process for Creating the T1 District
Date: Monday, September 30, 2019 9:13:46 AM

Excellent letter, Jeff!

On Mon, Sep 30, 2019 at 9:07 AM Jeff Crockett <[REDACTED]> wrote:
To Mr. Lenart and Members of the Planning Commission,

I recently received notice of a Public Hearing to create a T1 zoning district at PC on Tuesday, October 1, 2019. However, the attached documents were made available to the public only on Friday, September 27. Due to the complexity of the proposed changes to the UDC, this is simply not enough time for the public to sufficiently review the ordinance proposal and the staff report in order to provide meaningful public input. The concept of a T1 zoning district certainly warrants serious consideration as a means to create more affordable housing along transportation routes. But, on the other hand, if the T1 zoning impacts the zoning in single-family neighborhoods within a defined distance from corridors such as Packard and S. State St., that would raise a huge red flag. We recently saw the impact of the ambiguity of Zoning categories in the recent debate about whether or not to apply to C1A zoning to 325 E. Summit. Therefore, I would appreciate your attention to addressing several questions, before I submit my public input.

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Thanks for your attention to these questions.

Jeff Crockett

From: [Bannister, Anne](#)
To: [JB It](#)
Subject: Re: new projects
Date: Monday, September 30, 2019 3:46:07 PM

Hi Brad,

My first availability for an individual meeting is Wednesday, Nov. 6 and thereafter, but I plan to attend these public meetings and could talk with you then:

- Oct. 1 Planning Commission
- Oct. 2 Luke Bonner & The Standard
- Oct. 3 College Dems
- Oct. 4 Garlan Gilchrist, Lieutenant Governor
- Oct. 6 Council Caucus
- Oct. 7 City Council
- Oct. 10 -- three overlapping meetings: Short-Term Rentals, Roxbury/DTE, and Ann Arbor Campus Hotel
- Oct. 14 Council Working Session with DDA
- Oct. 15 private meeting with UM Students
- Oct. 16 Ward One meeting at Arrowwood
- Oct. 17 State Legislative Campaign Kick-Off at Bill's Beer Garden
- Oct. 20 Council Caucus
- Oct. 21 City Council
- Oct. 22 Old Fourth Ward Association meeting at 7 p.m.
- Oct. 24 Environmental Commission
- Oct. 25 Natural Features Committee meeting
- Nov. 3 Council Caucus -- I will be out of town
- Nov. 4 City Council

I'm busy with my day job and out of town a bit in between all of this. Hence, would Nov. 6 be too late?

Thanks for the update on The Garnet. A couple of neighbors have asked for an update and I wasn't sure what to tell them or who to refer them to. If you have any suggestions, beside sending them to E-Trakit and Legistar, please let me know.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: JB It <brad@jbradleymoore.com>
Sent: Friday, September 27, 2019 9:57 AM
To: Bannister, Anne <ABannister@a2gov.org>
Subject: Re: new projects

Downtown projects include the 616 E Washington & 212 S State St. projects which go to planning commission for first time next Tuesday (we have worked out the issues with the

church across the street), The proposed new hotel at the corner of Huron & Division (Firestone site - CPM set for Oct. 10th), Valhalla site (10 acres adjacent to the U of M golf course - in staff review now), and potential new projects on E Stadium by Trader Joe's and on S State St near the U of M tennis center (early planning stages - not yet submitted to staff).

I certainly understand prioritization - thanks for getting back to me.

Brad

PS Am already working on the PUD application for The Garnet too/2 but no significant project changes there.

On 9/27/2019 9:40 AM, Bannister, Anne wrote:

Hi Brad — you're correct I'm trying to save 300 year old trees, clarify FOIA with MI Daily, fight for the soul of Ann Arbor, etc!

Which projects did you want to talk about and when is your deadline? I'm trying to prioritize the most urgent & important issues in order.

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From: JB It <brad@jbradleymoore.com>

Sent: Friday, September 27, 2019 9:18:02 AM

To: Bannister, Anne <ABannister@a2gov.org>

Subject: new projects

I know you are maybe the busiest person on council but I was wondering if you had time for a sit-down to go over upcoming new projects?

Please let em know

Thanks

Brad

--

Brad Moore, AIA
President, J Bradley Moore & Associates Architects, Inc.
4844 Jackson Rd., STE #150
Ann Arbor, MI 48103

O 734-930-1500
F 734-994-1510
M 734-649-3404

--

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President, J Bradley Moore & Associates Architects, Inc.
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Ann Arbor, MI 48103

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From: [Jeff Crockett](#)
To: [Bethany Osborne](#); [Christine Crockett](#); [David Kennedy](#); [Eleanor Crown](#); [Ilene R. Tyler](#); [Julie Ritter](#); [Lars Bjorn](#); [Nick Coquillard](#); [Detter, Ray](#); [Steve Kaplan](#); [Susan Wineberg](#); [Bannister, Anne](#); [Hayner, Jeff](#); [Jane Lumm](#); [Nelson, Elizabeth](#); [Pollay, Susan](#); [Eaton, Jack](#); [Griswold, Kathy](#)
Subject: Fwd: Concerns About the Process for Creating the T1 District
Date: Monday, September 30, 2019 7:24:32 PM

I am forwarding the response to my questions from Brett Lenart. Strong concerns remain, including:

1. Lack of community outreach and input.
2. Inadequate time for the public to review the ordinance.
3. Unclear how far districts would extend from main corridors. Huge loophole.
4. Uncertainty about how Section 5.18 could supersede the provisions for T1 districts.
5. Not sure what kind of input was given by the Housing and Human Services Advisory Board. Anne is a member of this committee and may be able to shed some light.
6. Don't see how T1 zoning specs assure affordable housing. It simply makes it easier to develop high-end housing. I think their belief is that density inevitably results in lower housing costs.

I intend to follow up with an email to the PC.

Jeff

----- Forwarded message -----

From: **Lenart, Brett** <BLenart@a2gov.org>
Date: Mon, Sep 30, 2019 at 4:52 PM
Subject: RE: Concerns About the Process for Creating the T1 District
To: Jeff Crockett <[REDACTED]>
Cc: DiLeo, Alexis <ADiLeo@a2gov.org>

Thank you for your comments, they will be shared with the Planning Commission. I've also added a few brief responses below.

Sincerely,

Brett Lenart, AICP | Planning Manager

City of Ann Arbor Planning Services

301 E. Huron Street, P.O. Box 8647

Ann Arbor, MI 48107-8647

From: Jeff Crockett <[REDACTED]>
Sent: Monday, September 30, 2019 9:07 AM
To: Planning <Planning@a2gov.org>
Cc: Pollay, Susan <SPollay@a2dda.org>; Bethany Osborne <bosborneusa@gmail.com>; Christine Crockett <[REDACTED]>; David Kennedy <david@kennedycare.com>; Eleanor Crown <ecrown@umich.edu>; Ilene R. Tyler <ilene.tyler@gmail.com>; Julie Ritter <ritter.julie@gmail.com>; Lars Bjorn <lbjorn@umich.edu>; Nick Coquillard <gm@icc.coop>; Detter, Ray <rдетter@umich.edu>; Steve Kaplan <asherdanielkaplan@gmail.com>; Susan Wineberg <[REDACTED]>; Tom Stulberg <[REDACTED]>; Bannister, Anne <ABannister@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>
Subject: Concerns About the Process for Creating the T1 District

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These two boards are the primary stakeholders. The Planning Commission has identified such zoning on their workplan, and involved the HHSAB for feedback in the early stages of development.

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This is undetermined, but will most likely be the latter. The next phase of this work would be considering such locational issues.

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That should read "*Section 5.18*".

Thanks for your attention to these questions.

Jeff Crockett

From: [Julie Ritter](#)
To: [Jeff Crockett](#)
Cc: [Bannister, Anne](#); [Bethany Osborne](#); [Christine Crockett](#); [David Kennedy](#); [Eleanor Crown](#); [Griswold, Kathy](#); [Ilene R. Tyler](#); [Eaton, Jack](#); [Jane Lumm](#); [Hayner, Jeff](#); [Lars Bjorn](#); [Nelson, Elizabeth](#); [Nick Coquillard](#); [Detter, Ray](#); [Steve Kaplan](#); [Pollay, Susan](#); [Susan Wineberg](#)
Subject: Re: Concerns About the Process for Creating the T1 District
Date: Monday, September 30, 2019 7:34:53 PM

Jeffrey, as regards affordable housing, transit oriented development, also known as TOD, was originally conceived of as a way to create affordable housing for people who could then use public transit to get to their jobs etc. In practice however, TOD simply adds to density and makes prices go up. In several study areas, the lower income residents were driven out. Because the new developments were so attractive they could demand higher rents from people who wanted to be able to commute to work and had extra money to spend on housing.

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City of Ann Arbor Planning Services

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blenart@a2gov.org | Direct (734) 794-6000 #42606 | General (734) 794-6265 | www.a2gov.org

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Sent: Monday, September 30, 2019 9:07 AM

To: Planning <Planning@a2gov.org>

Cc: Pollay, Susan <SPollay@a2dda.org>; Bethany Osborne <bosborneusa@gmail.com>; Christine Crockett <[REDACTED]> David Kennedy <david@kennedycare.com>; Elleanor Crown <ecrown@umich.edu>; Ilene R. Tyler <ilene.tyler@gmail.com>; Julie Ritter <ritter.julie@gmail.com>; Lars Bjorn <lbjorn@umich.edu>; Nick Coquillard <gm@icc.coop>; Detter, Ray <rdetter@umich.edu>; Steve Kaplan <asherdanielkaplan@gmail.com>; Susan Wineberg <[REDACTED]> Tom Stulberg <[REDACTED]> Bannister, Anne <ABannister@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>

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That should read "*Section 5.18*".

Thanks for your attention to these questions.

Jeff Crockett

--

Sent from my phone named Edwin

All beings are our relatives. Lakota saying

From: City of Ann Arbor, MI annarbor@service.govdelivery.com
Subject: The Garnet Rezoning (see also SP18-044) - ZONING - 325 E SUMMIT ST
Date: February 12, 2019 at 4:21 PM
To: [REDACTED]

MC



You are subscribed to Planning Petitions Under Review for City of Ann Arbor, MI. This information has recently been updated, and is [now available](#).

If you have any questions or comments, please contact the [City of Ann Arbor planning staff](#).

[The Garnet Rezoning \(see also SP18-044\) - ZONING - 325 E SUMMIT ST](#)

11/08/2018 07:00 PM EST

(11/17/2018 12:38 PM JT) Rezoning from C1B to C1A to allow construction of a 10 condominium unit building with fourteen lower level parking spaces on an 8,571 square foot lot.



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From: Rita [REDACTED] 
Subject: Fwd: [A2NA] Ann Arbor residents suing city over Lower Town development - mlive.com
Date: July 11, 2019 at 11:52 AM
To: Neighborhood Alliance a2na@googlegroups.com

RM

and here's the agenda (below).

From: Rita [REDACTED]
Subject: Re: [A2NA] Ann Arbor residents suing city over Lower Town development - [mlive.com](https://www.mlive.com)
Date: July 11, 2019 at 11:37:35 AM EDT
To: Neighborhood Alliance <a2na@googlegroups.com>

Great going, Tom. Thank you for speaking out.

BTW, Monday's Council agenda has a proposal for rezoning from C1/B to C1/A. I don't know the zoning categories well enough to determine whether the upcoming proposal is comparable to that in Lowertown, but it shows a creeping change. Attached is the staff report, and the agenda as of this morning. See agenda item C-1, First reading for The Garnet. You can also get to other supporting documents for the project, from the agenda link.

Rita

--

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For more options, visit <https://groups.google.com/d/optout>.

On Jul 11, 2019, at 7:46 AM, Tom Stulberg <[REDACTED]> wrote:

<https://www.mlive.com/news/ann-arbor/2019/07/ann-arbor-residents-suing-city-over-lower-town-development.html>

Sent from my iPhone

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Agenda-74.pdf

From: Rita [REDACTED]
Subject: Re: [A2NA] Ann Arbor residents suing city over Lower Town development - mlive.com
Date: July 11, 2019 at 12:00 PM
To: Neighborhood Alliance a2na@googlegroups.com

RM

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Rita

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and here's the agenda (below).

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From: Tom Stulberg [REDACTED]
Subject: Re: [A2NA] Ann Arbor residents suing city over Lower Town development - mlive.com
Date: July 11, 2019 at 1:40 PM
To: a2na@googlegroups.com

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Sent from my iPhone

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From: Rita [REDACTED] 
Subject: Re: [A2NA] Ann Arbor residents suing city over Lower Town development - mlive.com
Date: July 11, 2019 at 2:16 PM
To: Neighborhood Alliance a2na@googlegroups.com

RM

Thanks, Tom.

For all who have not looked yet, the location of the rezoning is at the south end of the Broadway Bridge, where Broadway becomes Beakes, and there is a short segment of Summit St that runs between Beakes and Fifth Ave. at Wheeler Park, just up from Casey's. There is currently a small dark red house on the lot, used for office space.

In this diagram, from the staff report, it's the trapezoid-ish parcel where numbers 325 and 403 are printed.



Rita

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Date: July 11, 2019 at 11:37:35 AM EDT

to: Neighborhood Alliance <a2na@googlegroups.com>

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Subject: Re: [A2NA] Campus Business Zoning
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To: a2na@googlegroups.com



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Sent: Thursday, July 11, 2019 2:48 PM

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Date: July 11, 2019 at 11:37:35 AM EDT
To: Neighborhood Alliance <a2na@googlegroups.com>

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From: Rita [REDACTED]
Subject: Re: [A2NA] Campus Business Zoning
Date: July 12, 2019 at 6:15 PM
To: Neighborhood Alliance a2na@googlegroups.com

RM

This is a little dodgy to use, but you can see most things. Found it by googling "maps" on the [umich.edu](https://maps.studentlife.umich.edu/parking/w11) site. You can identify info using the menu in the upper right corner. There's a categorization of Buildings by their function: housing, administrative, etc.

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From: Vince Caruso [REDACTED]
Subject: Re: [A2NA] Campus Business Zoning
Date: July 12, 2019 at 9:06 PM
To: a2na@googlegroups.com, Tom Stulberg [REDACTED]

VC

Here us the UM properties in 2000 per UM in a planning meeting with planners VSBA Inc, still have the large booklet they handed out and this is Page 1, booklet is dated April 12, 2000.

UM has added since at least Fingerly, Book Manufacture on State, and a few others.

Did not see anything online, for some reason, I will leave as an exercise.

Thanks, Tom for your work on the Campus Zoning inappropriate uses.

I would call the super dense renting of beds in 6 bedroom apt's as Tenement Zoning in Ann Arbor which is all about "leave no landlords and developer behind" not meaningful city planning.

Thanks,
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Tom has noted the problem created by granting rezoning requests for some property owners if a subsequent request is denied. In a recent Court of Appeals case, Gamut Group, LLC v. City of Lansing (March 19, 2019), the court found a City's denial of a rezoning request granted to other similar properties violated the due process rights of a property owner:

"Finally, the city contends that its denial of the rezoning request did not amount to arbitrary and capricious "spot zoning." To show arbitrariness and capriciousness, a plaintiff must show that the city did not have a valid reason to exclude other uses from a particular piece of property. Kropf, 391 Mich at 158. The city did treat Gamut Group differently than the landowners on the other three corners of the intersection. The city council had rezoned the other parcels to F, but refused Gamut Group's request to do the same at its property. The city proffered no logical reason for this differential treatment. On this record, we discern no error in the circuit court's conclusion based on the record evidence that the rezoning denial was arbitrary and capricious and merited reversal."

Allowing some properties to be rezoned Campus Business District (C1A) or Campus Business Residential District (C1A/R) allows a subsequent request for that zoning to argue that the denial was arbitrary and capricious. The City has considerable discretion in zoning decisions but faces legal challenges if it denies a rezoning without good reason.

Jack

On Jul 11, 2019, at 2:16 PM, Rita <[REDACTED]> wrote:

Thanks, Tom.

For all who have not looked yet, the location of the rezoning is at the south end of the Broadway Bridge, where Broadway becomes Beakes, and there is a short segment of Summit St that runs between Beakes and Fifth Ave. at Wheeler Park, just up from Casey's. There is currently a small dark red house on the lot, used for office space.

In this diagram, from the staff report, it's the trapezoid-ish parcel where numbers 325 and 403 are printed.

<PastedGraphic-1.tiff>

Rita

On Jul 11, 2019, at 1:40 PM, Tom Stulberg <[REDACTED]> wrote:

C1A is a Campus Business Zoning. So yes I oppose it. And I need to write about it.

I'm at a gas and food stop on the way back to town. I'll get to it before the meeting

Sent from my iPhone

On Jul 11, 2019, at 11:54 AM, Rita <[REDACTED]> wrote:

Sorry for the repetition. Open the agenda. Click on the link that is posted with agenda item C-1 to see the rezoning that I described. Is this following the pattern of rezoning that Tom foretold and that supports the lawsuit? Please look and weigh in! I want to understand.

Rita

On Jul 11, 2019, at 11:50 AM, Rita <[REDACTED]> wrote:

and here's the agenda (below).

From: Rita <[REDACTED]>
Subject: Re: [A2NA] Ann Arbor residents suing city over Lower Town development - mlive.com
Date: July 11, 2019 at 11:37:35 AM EDT
To: Neighborhood Alliance <a2na@googlegroups.com>

Great going, Tom. Thank you for speaking out.

BTW, Monday's Council agenda has a proposal for rezoning from C1/B to C1/A. I don't know the zoning categories well enough to determine whether the upcoming proposal is comparable to that in Lowertown, but it shows a creeping change. Attached is the staff report, and the agenda as of this morning. See agenda item C-1, First reading for The Garnet. You can also get to other supporting documents for the project, from the agenda link.

Rita
<Agenda-74.pdf>

On Jul 11, 2019, at 7:46 AM, Tom Stulberg <[REDACTED]> wrote:

<https://www.mlive.com/news/ann-arbor/2019/07/ann-arbor-residents-suing-city-over-lower-town-development.html>

<https://www.thrive.com/news/anti-abortion/2019/07/anti-abortion-residents-suing-city-over-fetor-town-development.html>

Sent from my iPhone

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Visit our page: www.a2na.org

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To view this discussion on the web visit
<https://groups.google.com/d/msgid/a2na/5d28a7c3.1c69fb81.c738.98bb%40mx.google.com>.
For more options, visit <https://groups.google.com/d/optout>.

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<https://groups.google.com/d/msgid/a2na/862795318.292933.1562979971846%40connect.xfinity.com>.
For more options, visit <https://groups.google.com/d/optout>.



From: Lynn Borset [REDACTED]
Subject: Re: The Garnet C1A rezoning
Date: July 27, 2019 at 9:14 PM
To: Jack Eaton [REDACTED]
Cc: Tom Stulberg [REDACTED]

LB

Thank you Jack,
for sending this along.

What jumps out most strongly is that all UM property is identified as "campus" -- and that seems dead wrong to me. The UM Hospital/Medical System, the former Phizer property (now research facility), the athletic fields / complex, even Nichols Arboretum, appear to be defined as "campus." Some of these are business enterprises. While some small percentage of students may venture into them, all of these areas are not classroom buildings or residence halls, which usually define "a Campus."

Who decided this? How can this be corrected?
Lynn

On Sat, Jul 27, 2019 at 3:32 PM Jack Eaton <[REDACTED]> wrote:
FYI

Jack

Begin forwarded message:

From: "Lenart, Brett" <BLenart@a2gov.org>
Subject: RE: The Garnet C1A rezoning
Date: July 18, 2019 at 2:13:12 PM EDT
To: "Bannister, Anne" <ABannister@a2gov.org>
Cc: "Delacourt, Derek" <DDelacourt@a2gov.org>, "McDonald, Kevin" <KMcDonald@a2gov.org>, "Postema, Stephen" <SPostema@a2gov.org>, "Eaton, Jack" <JEaton@a2gov.org>, "Hayner, Jeff" <JHayner@a2gov.org>, "Nelson, Elizabeth" <ENelson@a2gov.org>, "Griswold, Kathy" <KGrisswold@a2gov.org>, "Thacher, Jill" <JThacher@a2gov.org>, "Higgins, Sara" <SHiggins@a2gov.org>

Hello Councilmember Bannister-

I've added responses below, please let me know if you'd like to discuss any further.

Sincerely,
-Brett

At Council Caucus last night, more questions were raised about the impact of rezoning The Garnet.

1. Is there a solution that doesn't involve rezoning? To develop the same structure, a planned project site plan could be considered, which sought modifications to setbacks and height requirements in exchange for the provision of affordable housing or solar readiness/energy conserving design. There are other potential standards for modification that appear less applicable to this design (e.g. increased open space, natural features protection)
2. Please generate a map that shows all areas that would be considered acceptable for Campus Business Zoning (C1A and C1A/R) and all areas not acceptable. City Policy documents and codes are not declarative in this regard. I have attached a map that indicates potential applicable areas in relationship to campus. Generally, as you are closer to campus ½ mile or less, there is likely greater potential than sites ½ mile out and farther for such designation. However, unique circumstances of a site would always be considered in the course of rezoning analysis.
3. What happens to D2 zoning when we allow more intense categories further out than D2 boundaries? D2 is a more intense category than the C1B or C1A

districts when considered by floor area ratio or the quantity of uses that are listed for the districts. No change to the D2 zoning happens when other properties are rezoned.


4. Do D2 property owners have the right to claim they are unfairly restricted (or even apply for Campus Business Zoning, too)? Property owners always have a right to seek a rezoning, however the Master Plan clearly identifies areas of the City as appropriate for Downtown Interface district (D2). A property owner could seek to rezone such a property from D2, but based on location, it is likely this would not be supported by the Master Plan.
5. With regard to the unlimited height, is it true that Conditions are *purely voluntary* from developers? How challenging would it be for Council to change the ordinance and add height limits after approval of this project? Conditions offered by a petitioner under a Conditional Rezoning are purely voluntary. City Council has the legislative authority to consider any ordinance amendments, and could amend height limits for zoning districts.

Thank you,
Anne

- - -

Jack Eaton
1606 Dicken
Ann Arbor 48103
734-662-6083
[REDACTED]

--
[REDACTED]

From: Tom Stulberg [REDACTED] 
Subject: Re: The Garnet C1A rezoning
Date: July 27, 2019 at 9:39 PM
To: Jack Eaton [REDACTED]

TS

Jack,

Thanks for sharing this. It is great. It seems clear that there are a lot of properties that would be vulnerable to rezoning to more intense categories than would be appropriate for their location. I see some properties that should be included but are NOT included in this map, but there are plenty here to make the point.

I am curious about the response to #3:

What happens to D2 zoning when we allow more intense categories further out than D2 boundaries? [D2 is a more intense category than the C1B or C1A districts when considered by floor area ratio or the quantity of uses that are listed for the districts. No change to the D2 zoning happens when other properties are rezoned.](#)

Per the attached table, D2 and C1A seem pretty close in "intensity". I am curious about why he states that D2 is more intense than C1A. By FAR it is not. By uses? He also fails to include C1A/R in this response, which is significantly more intense than D2. While the Garnet is not asking for C1A/R, the same logic would apply if it was or if another similar parcel was asking for C1A/R within a similar radius from a University building.

Response to Question #4: Lots outside of D2 are supposed to be less intensely developed than D2, not about the same, so the response to this question does not address the lack of a "transition" from D2. C1A would be close to the same as D2. The point becomes more obvious if there is a C1A/R rezoning within the "Campus Business" radius. The owner of a D2 lot would indeed be more restricted than an owner of a property within the radius but farther from downtown, negating the concept of D2 being a transition and making a D2 owner's claim of being more restricted valid.

A point worth making, but perhaps not to push, is that many other properties could still be vulnerable. The Lockwood project was proposed for a residentially master planned and zoned parcel. Planning didn't mind that rezoning. So would planning not mind changing a similar parcel within the radius? Such a parcel, or conglomeration of parcels, are not contemplated in this map's analysis. They represent an even more threatening situation.

Thanks,

Tom

From: Jack Eaton <[REDACTED]>
Sent: Saturday, July 27, 2019 3:32 PM
To: Tom Stulberg <[REDACTED]> Lynn Borset <[REDACTED]>
Subject: Fwd: The Garnet C1A rezoning

FYI

Jack

Begin forwarded message:

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Subject: RE: The Garnet C1A rezoning
Date: July 18, 2019 at 2:13:12 PM EDT
To: "Bannister, Anne" <ABannister@a2gov.org>
Cc: "Delacourt, Derek" <DDelacourt@a2gov.org>, "McDonald, Kevin" <KMcDonald@a2gov.org>, "Postema, Stephen" <SPostema@a2gov.org>, "Eaton, Jack" <JEaton@a2gov.org>, "Hayner, Jeff" <JHayner@a2gov.org>, "Nelson, Elizabeth" <ENelson@a2gov.org>, "Griswold, Kathy" <KGriswold@a2gov.org>, "Thacher, Jill" <JThacher@a2gov.org>, "Higgins, Sara" <SHiggins@a2gov.org>

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5. With regard to the unlimited height, is it true that Conditions are *purely voluntary* from developers? How challenging would it be for Council to change the ordinance and add height limits after approval of this project? Conditions

Thank you,
Anne

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5.17 Area, Height and Placement Regulations | 5.17.4 Mixed Use Zoning Districts

Dimensional standards for mixed use zoning districts are provided in Table 5:17-4.

TABLE 5:17-4: MIXED USE ZONING DISTRICT DIMENSIONS											
NOTE: The requirements in this table may be superseded by the standards in Section 5.18 .											
DISTRICT	MAXIMUM FAR (% OF LOT AREA)		MAXIMUM FLOOR AREA PER NON RESIDENTIAL USE (Sq. Ft.)	REQUIRED SETBACK (FT.)				MINIMUM / MAXIMUM HEIGHT		MINIMUM GROSS LOT DIMENSIONS	
	NORMAL	WITH PREMIUMS (SEE SEC. 5.18.6)			MINIMUM FRONT	MAXIMUM FRONT	MINIMUM SIDE	MINIMUM REAR	(FT.)	STORIES	AREA (SQ. FT.)
O	75	N/A	None	15	40 [A]	[B][C]		[D]	[D]	6,000	50
C1	100	N/A	8,000 [E]	10	25	[B][C]		35	3	2,000	20
C1B	150	N/A	None	10	25	[B][C]		50	4	3,000	20
C1A	200	400	None	None	None	[F]		None	None	None	None
C1A/R	300	600	None	10	None	[F]		None	None	None	None
C2B	200	N/A	None	10	25	[B][C]		55	4	4,000	40
C3	200	N/A	None	10	[B][C][G]	[B][C]	20 [B][C]	55	4	6,000	60
D1	400	700; 900 with affordable housing premiums	None	See Table 5:17-7		See Table 5:17-6		(H) Table 5:17-6		None	None
D2 (I)	200	400	None	See Table 5:17-7		See Table 5:17-6		(H) Table 5:17-6		None	None
NOTES:											
[A] Applies only to new detached Buildings constructed or for which a site plan was approved after January 16, 2011 otherwise none. For Lots with more than one Front Lot Line, Required Setbacks shall only apply to one Front Lot Line.											

- [B] 30 ft. where abutting residentially zoned land, otherwise none.
- [C] Plus one foot of additional setback for each foot of Building Height above 30 feet when abutting residentially zoned land.
- [D] No minimum. No maximum except in any area on a parcel extending 300 feet from an abutting residentially zoned land, the maximum height limits shall be 55 feet and 4 stories.
- [E] Maximum Floor Area for each nonresidential use in a Principal or Accessory Building.
- [F] Equal to the minimum side and minimum rear setback for the abutting district when abutting a residential district.
- [G] 30 ft where abutting residentially zoned land.
- [H] The minimum height is 24 ft. and 2 stories. This requirement shall apply only to new principal use buildings constructed after December 26, 2009; otherwise none. The Floor Area of the required second Story must be a minimum of 75 % of the Floor Area of the first Story.
- [I] All Development in the D2 district shall provide a minimum of 10% of the Lot Area as Open Space, and no Development shall have Building Coverage greater than 80% of the Lot Area.

From: Elizabeth Nelson contact@a2elnel.com
Subject: Elizabeth Nelson's City Council Newsletter (Aug 17, 2019)
Date: August 17, 2019 at 5:30 PM
To: [REDACTED]



Hello neighbors!

This week at City Council, the agenda is fairly short but includes a rezoning, amendment to a PUD, and a motion for reconsideration of an item from last meeting. As the summer winds down, I am pleased to report that a major project in Ward 4 is near completion: according to the latest city status update, Maywood is going to enjoy final resurfacing this Monday. I know that this project has dragged on for some time, I'm sure many are relieved to see it finished.

Before I jump into my summary of items on the agenda, I'd like to invite you to my coffee hours tomorrow (Sunday) from 3-4:30 p.m. at RoosRoast on Rosewood. I hope this is a convenient opportunity for us to meet in person and hear perspectives.

If you were forwarded this email and would like to subscribe, please click here to signup: <https://eepurl.com/dGDKXf>

Elizabeth Nelson's Ward 4 Coffee Hours
Sunday afternoons before scheduled City Council meetings

Roos Roast

1155 Rosewood

Sunday Aug 18 3:00-4:30pm



I also hold coffee hours the second Tuesday of each month

Brookhaven Manor

401 W Oakbrook

Tuesday Sept 10 9:30-10:30am

Council Caucus

Some of us on City Council have decided to resume a tradition of "Council Caucus" on Sunday nights. I am looking forward to this opportunity for additional open, public conversation around the issues that matter to you!

Council Caucus

Sunday Aug 18 (7:00-9:00pm)

City Hall 2nd Floor

301 E Huron St

Agenda:

- Public comment general time. (Three minutes, no need to signup in advance and speakers will be assigned in the order of arrival.)
- Discussion, primarily topics on the next day's Council agenda.

More Information:

- One or more council members will be present for each caucus.
- Children are welcome. (Books and crayons provided)

If there is public interest, then the caucus sessions will continue every Sunday before regular Council meetings.

For more information about Council Caucus, see the city website at:

<https://www.a2gov.org/departments/city->

council/Pages/CityCouncilMeetings.aspx

Boards and Commissions Applications

Membership on Ann Arbor Boards and Commissions is constantly changing as terms end and appointees step down. We need you! You can find openings at the following link (or contact me directly)

<https://a2gov.granicus.com/boards/w/fe6c5e22e6f4a331/vacancies>

Road Construction Updates

It's the season for road construction, and I post regular updates on my website about projects that affect Ward 4 residents. My posts include links to the City's website, so that you can find more information and contact info.

For information about these and other projects, the City has a page of road and lane closures, and a page of scheduled construction projects:

<https://www.a2gov.org/departments/engineering/traffic/Pages/Road-and-Lane-Closure.aspx>

<https://www.a2gov.org/departments/engineering/Pages/Construction-Projects.aspx>

Hoover/Greene/Hill Project Update Aug 12th

An update on the large construction project involving Hoover/Greene/Hill.

<https://www.a2elnel.com/post/hoover-greene-hill-project-update-aug-12th>

Maywood Ave Construction Update Aug 16th

Final paving on Maywood Ave is scheduled for Monday, Aug 19th.

<https://www.a2elnel.com/post/maywood-ave-construction-update-aug-16th>

South State Street Traffic Control Plan updated for Aug 19-29

The traffic control plan on South State Street between Stimson Street and Oakbrook Drive will change starting Aug 19, 2019.

<https://www.a2elnel.com/post/south-state-street-traffic-control-plan-updated-for-aug-19-29>

Additional Website Updates

In addition to writing this newsletter, I post updates to my website with my perspectives on how issues were resolved at City Council and details on how Council voted at each meeting. I also post information about meetings and issues that affect Ward 4 residents, along with news that affects all city residents.

You can see a listing of all my posts here: <https://www.a2elnel.com/blog/>

City Council Voting Chart for Aug 5, 2019

<https://www.a2elnel.com/post/city-council-voting-chart-for-aug-5-2019>

Greenbelt Advisory Commission public engagement session Sept 5th

The Greenbelt Advisory Commission (GAC) is leading the 2019 review of the program's strategic plan, with opportunities for the community to provide input. Six public engagement sessions have been scheduled between July and October 2019. The third meeting is scheduled for Sept 5th.

<https://www.a2elnel.com/post/greenbelt-advisory-commission-public-engagement-session-sept-5th>

Greenbelt Advisory Commision Public Engagement

Thursday, Sept 5, 2019 (4:30–7:00 PM)

City Hall 2nd Floor (Council chambers)

301 E. Huron St

Ann Arbor

A reminder about a few city resources:

A2 Fix It This is an online system for alerting the city to problems in your neighborhood (e.g. potholes, graffiti, garbage pickup). This is the city's preferred method for hearing your complaint so they can direct appropriate staff to address it. I'm happy to hear from you, too, but city staff tell me that **the online A2FixIt system is actually the quickest and fastest way to get a response to the problem.** Information about A2FixIt (and explanation of more urgent issues and appropriate numbers to call) is here:

<https://www.a2gov.org/services/pages/report-a-problem.aspx>

City News and Announcements This is a helpful link to updates on events and opportunities in Ann Arbor through City Hall:

<https://www.a2gov.org/news/pages/default.aspx>

City Department Updates If you have specific interests related to the city's work, e.g. construction projects, deer management, recycling, you can subscribe to receive emailed updates on various topics found here:

<https://www.a2gov.org/services/Pages/E-mailAlertSubscription.aspx>

HIGHLIGHTS Council Meeting Agenda 8/19/19

Below is my summary of some issues on the City Council Agenda this week, with links to more information about each of them. If you have comments about any of these issues, feel free to email me at my official City email:

ENelson@A2gov.org

The full agenda (including a link to the latest published PDF agenda) can be found on the A2Gov Legistar website:

<https://a2gov.legistar.com/MeetingDetail.aspx?ID=656011&GUID=7B086759-A0B7-4F89-A452-9A8509F8613E&Options=info&Search=>

Ann Arbor City Council
Monday Aug 19 (7:00pm)
City Hall 2nd Floor

City Council meetings are broadcast live by CTN on Comcast (channel 16) and AT&T (channel 99). They are also streamed live on YouTube and Viebit:

<https://www.youtube.com/user/ctnannarbor>

<https://a2ctn.viebit.com/>

Questions to the Agenda

In preparation for a Council meeting, Council members can ask questions of staff about scheduled agenda items. Questions must be submitted by noon on the Wednesday before a Council Meeting, and answers are returned the next day (Thursday) by 5pm.

AC-1 ([19-1569](#)) August 19, 2019 Agenda Response Memo and eComments

This agenda item will have a PDF attachment with all questions raised by Council Members, and the answers provided by staff (*as of the mailing of this newsletter, the attachment has not yet been uploaded, but will be available before the Council meeting*)

Communications from the Mayor

MC-1 ([19-1547](#)) Nominations and Appointments

These Mayoral appointments are being introduced at this Council meeting, and will be voted on at the next Council meeting.

- Zachary Ackerman - Planning Commission
- Deanna Lernihan - Transportation Commission

MC-2 ([19-1549](#)) Resolution to Appoint James Summers to the Transportation Commission (7 Votes Required)

This Mayoral appointment is being introduced at this Council meeting, and will be voted on at the next Council meeting. Seven votes are required because the nominee is not a resident of the City of Ann Arbor.

- James Summers - Transportation Commission

Consent Agenda

Below is the list of items included on tomorrow's Consent Agenda. If no one on Council specifically requests that an item be pulled for discussion, the whole of this list will be approved in a single vote. I encourage you to look at this list and offer suggestions to me about anything you would like to see pulled for discussion.

CA-1 ([19-1486](#)) Resolution to Approve the Closing of State Street from William to Liberty Streets and North University between State and Fletcher Streets for the Game Watch on State Street Event from 6:00 AM on Saturday, September 21, 2019 until 1:00 AM on Sunday, September 22, 2019

CA-2 ([19-1500](#)) Resolution to Approve Street Closures for the South University Area Association Block Party on Saturday, September 14, 2019 from 2:00 PM until 1:00 AM on Sunday, September 15, 2019

CA-3 ([19-1501](#)) Resolution to Approve Street Closings for the Dicken Run 5K - Sunday, October 13, 2019 from 8:00 AM until 12:00 PM

CA-4 ([19-1497](#)) Resolution to Approve a Contract with SmithGroup, Inc. to Conduct Public Engagement, Develop Potential Building Concepts and Evaluate Feasibility of the Property Located at 415 W. Washington (8 Votes Required)

CA-5 ([19-1474](#)) Resolution to Approve a Supplemental Fire Services Agreement between The City of Ann Arbor and The Regents of the University of Michigan from September 1, 2019 through August 31, 2024

CA-6 ([19-1411](#)) Resolution to Set Revised Fee in Lieu of Affordable Housing Formula and Adopt 2019 Annual Fee in Lieu Rate

CA-7 ([19-1193](#)) Resolution to Approve a Construction Phase Agreement with the National Railroad Passenger Corporation (Amtrak) for \$136,635.00 for the Allen Creek Railroad Berm Opening Project

CA-8 ([19-1316](#)) Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Hubbell, Roth & Clark, Inc. for General Civil Engineering and Surveying Services (\$110,000.00)

CA-9 ([19-1470](#)) Resolution to Approve a Professional Services Agreement with Hennessey Engineers, Inc. for Construction Engineering Services for Pavement Condition Rating Services (\$54,580.00)

CA-10 ([19-1380](#)) Resolution to Approve a Contract with Niles Industrial Coatings, LLC to Paint the Interior of the Retention Building at the Wastewater Treatment Plant, ITB No. 4587 (\$70,768.00)

CA-11 ([19-0663](#)) Resolution to Approve a General Services Agreement with Tyndale Enterprises, Inc. to Implement the Public Services Area Managed Clothing (Uniform) Program (RFP# 19-15)

CA-12 ([19-1453](#)) Resolution to Approve an Administrative Services Agreement with the Ann Arbor/Ypsilanti SmartZone LDFA for Administrative and Support Services (\$164,800.00 over a two-year period)

CA-13 ([19-1493](#)) Resolution to Appoint Michael Pettigrew as the City of Ann Arbor City Treasurer

CA-14 ([19-1454](#)) Resolution Authorizing a Resident Taxpayer Protest before the Board of Review by Letter without a Personal Appearance

CA-15 ([19-1466](#)) Resolution to Approve a Professional Services Agreement with SDS Global Enterprises, Inc. for Diversity, Equity, and Inclusion Plan Services (\$161,000.00)

Public Hearing

*Anyone wanting to comment on these issues may speak for 3 minutes, without having specifically reserved time. **Issues subject to public hearing will also be up for a vote by Council later in the meeting.***

PH-1/B-1 ([19-1087](#)) An Ordinance to Amend Sections 5.15 (Table 5-15), 5.17.3, 5.17.5 (Table 5:17-5), and Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Permitted Use Table, Parkland Donations, Dimensional Standards Table, Front Lot Line)

The Unified Development Code of Ann Arbor would be amended to correct mistakes in the three sections and clarify a fourth. 1) Correct Section 5.15 table 5-15 to indicate that medical marijuana processor use is permitted in M1A district; 2) Correct Section 5.17.3A to state that lot area includes land donated or to be donated to the City for public park purposes which is acceptable to the City; 3) Correct Section 5.17.5, Table 5:17-5 to show the requirement for a 50 foot setback in the R5 district and reference footnote F; 4) Amend the definition of front lot line in Section 5.37.2 to clarify that a “street” does not mean a highway or an alley.

PH-2/B-2 ([19-1186](#)) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A 0.2 acre property at 325 East Summit Street would be re-zoned from C1B (Community Convenience Center District) to C1A (Campus Business District) with conditions. The re-zoning will allow construction of a four-story, ten unit condominium building with eleven parking spaces. Conditional re-zoning will limit building height to four stories (65 feet) and limit the maximum floor area ratio to 199%.

PH-3/DB-1 ([19-1185](#)) Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

The site plan for “The Garnet” at 325 East Summit Street (see PH-2/B-2) would

be approved with conditions. The developer will include 23 bicycle parking places and a green roof. They will also make a \$6,250 contribution to parks and, if needed, take action in response to sump pump water discharge testing results. Planning commission approved this site plan in a vote of 8-0.

PH-4/B-3 ([19-1209](#)) An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 1.19 Acres from TWP (Township District) to R1A (Single-Family Dwelling District), Erb-Downward/Picazo Property, 2705 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-19-25)

A recently annexed township island at 2705 Newport Road will be zoned R1A (Single-Family Dwelling district). The proposed zoning is consistent with the adjacent zoning, the surrounding land uses, and the City's Master Plan.

Ordinances - Second Reading

In order to amend the city code, Council must vote to approve the change, via ordinance, at two Council meetings. The following proposed ordinances were approved at a previous Council meeting, and are also subject to a public hearing as listed above.

B-1 ([19-1087](#)) An Ordinance to Amend Sections 5.15 (Table 5-15), 5.17.3, 5.17.5 (Table 5:17-5), and Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Permitted Use Table, Parkland Donations, Dimensional Standards Table, Front Lot Line)

This is the same as PH-1 above.

B-2 ([19-1186](#)) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

This is the same as PH-2 above.

B-3 ([19-1209](#)) An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 1.19 Acres from TWP (Township District) to R1A (Single-Family Dwelling District), Erb-Downward/Picazo Property, 2705 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-19-25)

This is the same as PH-4 above.

Ordinances - First Reading

In order to amend the city code, Council must vote to approve the change, via ordinance, at two Council meetings. The following proposed ordinances are being introduced for approval. If approved, the ordinance will be voted on at a subsequent Council meeting, where it will also be subject to a public hearing.

C-1 ([19-1448](#)) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Changes are proposed for a previously approved PUD (Planned Unit Development District) at 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street. The PUD approved in 2017 allows for a 9-story, 162 room hotel with 24 apartments, restaurant, and 5,181 square feet of retail. Necessary foundation work and a change in heating/cooling systems has prompted this request. The overall height of the building would increase by six inches, but remain below the 109'4" maximum. Other requested amendments include: reduction in FAR (floor area ratio) from 590.4% to 568%, change in the mix of bicycle parking spaces by class, and removal of eleven parking spaces for a total of 241. Planning commission approved this 7-0.

Motions and Resolutions

The following agenda items are motions and resolutions, which are approved or rejected in a single meeting. Agenda items marked "DC" are proposed by

Council members, items marked "DB" are proposed by City boards and commissions, items marked "DS" are proposed by City staff.

DC-1 ([19-1567](#)) Motion to Reconsider the August 5, 2019 Vote that Defeated the Resolution to Proceed with a Road Reconfiguration Pilot for Green Road, from Burbank to Plymouth Road

At the August 5th meeting, City Council voted this down (4-7); CM Ackerman (who voted against it on August 5th) is bringing it back for reconsideration. Green Road (from Burbank Drive to Plymouth Rd.) to be reconfigured to narrow lanes, reduce lanes, and create buffered bike lanes. One lane would be removed between Burbank Drive and Commonwealth Boulevard (reducing from four to three lanes). One northbound lane would be removed between Plymouth Road and Burbank Boulevard (reducing from two to one). Lanes would be narrowed between Burbank Boulevard and Plymouth Road to maintain a buffered bike lane.

DB-1 ([19-1185](#)) Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

This is the same as PH-3 above.

Additional thoughts...

This week, I'd like to draw your attention to two issues on the agenda, both of them good examples of how Council uses staff reports to inform our decision making.

Agenda item DC-1 is a reconsideration of an issue that Council voted down on August 5. A traffic reconfiguration is proposed for the intersection at Green Road and Plymouth; it is intended to increase safety by reducing and slowing car lane traffic, introducing protected bike lanes. At our last Council meeting, I raised concerns that I noted in staff reports. Ahead of the meeting, I biked to the intersection to see it for myself; the challenges I noticed from my bicycle were also identified in the staff report, which is included as an attachment to

were also identified in the staff report, which is included as an attachment to the original resolution:

<https://a2gov.legistar.com/LegislationDetail.aspx?ID=4069785&GUID=89B6542F-DE8F-4AFF-AF68-092C826F6000&Options=&Search=&FullText=1>

Excerpts from Attachment B_Green Road Diet Memo_20190513.pdf

- *The retail and office spaces have multiple driveways leading to the road segment causing less consistency with vehicle speeds. This could become a source of friction if a lane reduction were implemented.*
- *The abundance of retail stores surrounding the road segment ensure a high volume of freight traffic. If lanes are reduced a passenger car driver's perceived level of comfort may be decreased.*
- *There are seven bus stops within the road segment. Their frequent stopping could be another source of friction.*
- *There is a high concentration of southbound rear-end crashes at the Plymouth Rd. intersection and CVS parking lot, which may worsen with a lane reduction.*
- *Nixon Road could be effected by vehicles avoiding the new lane configuration.*

The characteristics listed in this report are framed in terms of the driver's "perceived level of comfort" but I am actually more concerned about the safety of a cyclist there. I strongly support efforts to make our city safer and more accessible for people who bike. However, I do not support the installation of protected bike lanes in hazardous areas like this, with heavy freight traffic in and out of driveways; it creates a false sense of security. I understand the need for connectivity throughout our city, but we also need to think more strategically about improving alternate routes for cyclists to avoid intersections like this. As a side note, also from the staff report: the possibility of more southbound rear-end crashes at the intersection of Plymouth Rd. and the CVS parking lot seems a poor safety outcome for drivers, as well.

Another item on this week's agenda (CA-15) is a \$161,000 two-year contract

for a consultant, in support of the county-wide One Community initiative to advance racial equity in Ann Arbor and Washtenaw County. City Council passed a resolution last summer (7/16/18), directing our city administrator to implement programs in support of the One Community initiative; the contract in CA-15 is the result of that 2018 resolution:

<http://a2gov.legistar.com/LegislationDetail.aspx?ID=3548308&GUID=F55A0143-0D05-4770-8EE9-82BF1DBA1E83&Options=&Search=&FullText=1>

The contract proposed in CA-15 is for a range of services to be performed by a lead consultant charging \$450 per hour, with five additional staff all earning \$240 or \$330 per hour. The details of this contract are difficult to judge, without context or points of comparison. The city made a Request for Proposals (RFP) for this work and in response, it received six other proposals. However, no information about those proposals (apart from the names of the companies) is included in this agenda item.

Last December, I introduced (and Council passed) a resolution requesting that all proposals like this be presented to Council with “a discussion of method by which the best value determination was made, including the criteria that support of the recommendation, a summary of any numeric scoring used in the evaluation, the resulting rank-ordering of qualified offerors, and the reasons any offerors were deemed to be non-responsive and/or non-responsible.”

<https://a2gov.legistar.com/LegislationDetail.aspx?ID=3764612&GUID=8ED8962F-282B-4027-8848-B507F812863A&Options=&Search=&FullText=1>

I appreciate the important work related to the One Community initiative and I look forward to a thoughtful conversation Monday about best paths forward. I’m also hoping for more complete explanation of how we decided on this particular proposal from this specific consultant, where we identified shortcomings in the other six proposals. I strongly believe that we make better decisions when we have more information.

With the exception of confidential legal advice, all of the information that is available to Council Members is also available to you, via Legistar. Many items on the agenda include history: previous consideration of the issue by our city bodies (such as the One Community initiative resolution), and reports from staff (like the description of Green Road/Plymouth intersection). Additionally, Council has the opportunity— ahead of our meetings— to ask clarifying questions about each agenda item. This Q&A document is also available on Legistar. I use this information to prepare for meetings and to summarize the agenda for these newsletters. However, I encourage everyone to use my newsletters as a springboard to the primary sources— the summaries I write are meant to alert you to issues but also point you in the direction of more complete background and explanation of them on Legistar.

Thank you for helping me represent Ward 4!

Elizabeth Nelson

ENelson@A2gov.org

If you were forwarded this email and would like to subscribe, please click here to signup: <https://eepurl.com/dGDKXf>



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From: Ethel Potts [REDACTED]

Subject: Garnet proposal on Monday

Date: August 17, 2019 at 7:35 PM

To: Jack Eaton [REDACTED]

EP

Jack - Real confusion - what am I and everyone else missing? On the Garnet project, when I click on the city agendas, and go to "Legislation with detail and text", it says B 2 Ordinance, whatever that means. It also says First Reading was on July 15. What is listed for this Monday does NOT say 2nd reading and Public Hearing, only B 2 ordinance. Is 2nd Reading and Public Hearing on this Monday? I don't remember a first Reading with approval, but the Clerk's agenda says there was. Help. Urgent. Eppie

From: Ethel Potts [REDACTED]
Subject:
Date: August 18, 2019 at 8:54 AM
To: Jack Eaton [REDACTED]



Jack - Tom Stulberg says that there is a public hearing on the Garnet project. The agenda on etrakit does not say public hearing. Hmmm? If there is a hearing, I don't have to sign up for public time. Right? Eppie

From: 'Thomas Bletcher' via A2NA a2na@googlegroups.com
Subject: [A2NA] another vote "no" on Garnet Zoning...
Date: August 19, 2019 at 3:41 PM
To: CityCouncil@a2gov.org, a2na@googlegroups.com
Cc: [REDACTED]

VA

...I concur fully with the comments of Vince Caruso...

...the CIA Zoning is even less appropriate for this site than the Gasworks Site...Residential Use = Residential Zoning...when the HOOVER GREEN project fails, the foreclosing or purchasing party will be free to open their Used Car Lot[maybe a Sundance Auto, so we can go horseback riding, too--it is after all the "Athletic Campus"] on the site, because of the unwise zoning change there...when will we ever learn?

...Tom....

Thomas E. Bletcher

[REDACTED] or to this address which is like the hollow tree down by the corner.

--

Visit our page: www.a2na.org

You received this message because you are subscribed to the Google Groups "A2NA" group.

To unsubscribe from this group and stop receiving emails from it, send an email to a2na+unsubscribe@googlegroups.com.

To view this discussion on the web visit

<https://groups.google.com/d/msgid/a2na/209411556.7456867.1566243714164%40mail.yahoo.com>.

From: Elizabeth Nelson contact@a2elnel.com
Subject: Elizabeth Nelson's City Council Newsletter (Sept 14, 2019)
Date: September 14, 2019 at 5:04 PM
To: [REDACTED]



Hello neighbors!

This week's Council agenda is fairly long. Our consent agenda includes funding for our city's legal department, the water treatment plant, traffic signals, and other utility work. We will be revisiting a few issues from past meetings: FOIA policies, Traverwood lane reconfiguration, and amendments to zoning (the Garnet and the Glen). In new business, perhaps the biggest item on our agenda is first reading of proposed amendment to our code regulating marijuana businesses.

Before I jump into my summary of items on the agenda, I'd like to invite you to my coffee hours tomorrow (Sunday) from 3-4:30 p.m. at RoosRoast on Rosewood. I hope this is a convenient opportunity for us to meet in person and hear perspectives.

If you were forwarded this email and would like to subscribe, please click here to signup: <https://leepurl.com/dGDKXf>

Elizabeth Nelson's Ward 4 Coffee Hours

Sunday afternoons before scheduled City Council meetings

Roos Roast

Roots Roast
1155 Rosewood
Sunday Sept 15 3:00-4:30pm
Sunday Oct 6 3:00-4:30pm



I also hold coffee hours the second Tuesday of each month

Brookhaven Manor
401 W Oakbrook
Tuesday Sept 10 9:30-10:30am

Council Caucus

Some of us on City Council have decided to resume a tradition of “Council Caucus” on Sunday nights. I am looking forward to this opportunity for additional open, public conversation around the issues that matter to you!

Council Caucus
Sunday Sept 15 (7:00-9:00pm)
City Hall 2nd Floor
301 E Huron St

Agenda:

- Public comment general time. (Three minutes, no need to signup in advance and speakers will be assigned in the order of arrival.)
- Discussion, primarily topics on the next day's Council agenda.

More Information:

- One or more council members will be present for each caucus.
- Children are welcome. (Books and crayons provided)

If there is public interest, then the caucus sessions will continue every Sunday before regular Council meetings.

For more information about Council Caucus, see the city website at:

<https://www.a2gov.org/departments/city-council/Pages/CityCouncilMeetings.aspx>

City to Hold Public Meetings in October About Short-Term Rental Regulation

Potential regulation of short term rentals (i.e. AirBnB or VRBO) is not on our agenda this week, but there are upcoming events related to the resolution I brought to Council in March, asking staff to provide input and feedback on this issue ([19-0528](#), passed Mar 18, 2019, enacted as R-19-112). I previously gave an update in the "Additional Thoughts" section of my Aug 3, 2019 newsletter: <https://www.a2elnel.com/post/city-council-newsletter-aug-3-2019>

A consultant is working with the city to coordinate public engagement on the topic, so we have a clearer understanding of the problems we need to solve. I am hopeful that everyone who feels impacted by this issue and everyone who has opinions about it will participate in these scheduled meetings so that we have a good window into what our community needs. Earlier this week, the City released a schedule for public input meetings:

Sunday, Oct. 6 2019 (2:00-4:00 PM)

AADL Westgate Branch, Westside Room
2503 Jackson Ave

Thursday, Oct. 10, 2019 (6:00-8:00 PM)

AADL Traverwood Branch, Traverwood Program Room
3333 Traverwood Drive

Saturday, Oct. 12, 2019 (9:30-11:30 AM)

AADL Mallets Creek Branch, Mallets Creek Program Room
3090 E. Eisenhower Parkway

Please mark your calendars and note these dates. Encourage your friends and neighbors to attend! I also posted these meeting times on my website:

<https://www.a2elnel.com/post/city-to-hold-public-meetings-in-october-about-short-term-rental-regulation>

Additionally, I would like to alert you to a group that has formed around this issue. The flyer below was shared with me and I appreciate that the group is in active communication/collaboration with our city staff and elected officials. I believe in the value of organization and cooperation— we are always stronger when we work together! For more information, please see their website: <https://www.legislateairbnb.com/>

Legislate Airbnb & Short-Term Rentals in Ann Arbor!

Hello everyone!

We are a group of concerned residents in Ann Arbor, being adversely affected by dedicated Airbnb's & STR's proliferating in our community and residential neighborhoods

Please visit our community website and sign our petition. We demand the City of Ann Arbor draft and enforce new laws in 2019 stopping the rapid growth of Airbnb & Short-Term Rentals in our residential neighborhoods. And we demand immediate legislation, prohibiting third party investors from purchasing residential properties as STR's

www.legislateairbnb.com

Flyer created by the Ann Arbor community group, www.LegislateAirbnb.com

PLEASE ATTEND AND VOICE YOUR CONCERNS!

Public Forum Addressing Ann Arbor Airbnb & Short-Term Rentals

The City of Ann Arbor is gathering input in order to help draft new policies regulating short-term rental properties. The city is holding three public meetings at Ann Arbor District Library (AADL) locations, designed to allow the public to voice concerns in an open forum.

The meeting agenda will include examples of cities who have successfully reduced and regulated STR's, with an emphasis on banning third parties and real estate enterprises from depleting affordable residential housing as a for-profit business in non-zoned business neighborhoods. The forums are open to everyone. Please demand legislation now!

Sunday, October 6, 2-4 p.m

AADL Westgate Branch, Westside Room, 2503 Jackson Ave.

Thursday, October 10, 6-8 p.m

AADL Traverwood Branch, Traverwood Program Room, 3333 Traverwood Drive

Saturday, Oct. 12, 9:30-11:30 a.m

Boards and Commissions Applications

Membership on Ann Arbor Boards and Commissions is constantly changing as terms end and appointees step down. We need you! You can find openings at the following link (or contact me directly)

<https://a2gov.granicus.com/boards/w/fe6c5e22e6f4a331/vacancies>

Road Construction Updates

It's the season for road construction, and I post regular updates on my website about projects that affect Ward 4 residents. My posts include links to the City's website, so that you can find more information and contact info.

For information about these and other projects, the City has a page of road and lane closures, and a page of scheduled construction projects:

<https://www.a2gov.org/departments/engineering/traffic/Pages/Road-and-Lane-Closure.aspx>

<https://www.a2gov.org/departments/engineering/Pages/Construction-Projects.aspx>

Hoover/Greene/Hill Project Update Sept 8th

An update on the large construction project involving Hoover/Greene/Hill.

<https://www.a2inel.com/post/hoover-greene-hill-project-update-sept-8th>

Green/Hill/Kipke Traffic Control Plan (Sept 9th to 20th)

As part of the Hoover/Greene/Hill Improvement project, there are temporary traffic control plans on Hill Street, Green Street, and Kipke Drive.

<https://www.a2inel.com/post/green-hill-kipke-traffic-control-plan-sept-9th-to->

[20th](#)

Resurfacing on South Division (Sept 12th - 13th)

Resurfacing work was scheduled this past week on South Division Street between East Hoover Avenue and East Madison Street.

<https://www.a2elnel.com/post/resurfacing-on-south-division-sept-12th-13th>

Additional Website Updates

In addition to writing this newsletter, I post updates to my website with my perspectives on how issues were resolved at City Council and details on how Council voted at each meeting. I also post information about meetings and issues that affect Ward 4 residents, along with news that affects all city residents.

You can see a listing of all my posts here: <https://www.a2elnel.com/blog/>

City Council Voting Chart for Sept 3, 2019

<https://www.a2elnel.com/post/city-council-voting-chart-for-sept-3-2019>

City to Hold Public Meetings in October About Short-Term Rental Regulation

The City is holding three public meetings to discuss possible regulation of short-term rental properties (i.e. AirBnB, VRBO).

<https://www.a2elnel.com/post/city-to-hold-public-meetings-in-october-about-short-term-rental-regulation>

Greenbelt Advisory Commission public engagement session Sept 24th

The Greenbelt Advisory Commission (GAC) is leading the 2019 review of the program's strategic plan, with opportunities for the community to provide input. Six public engagement sessions have been scheduled between July and October 2019. The fourth meeting is scheduled for Sept 24th.

<https://www.a2elnel.com/post/greenbelt-advisory-commission-public-engagement-session-sept-24th>

Greenbelt Advisory Commission Public Engagement

Tuesday, Sept 24, 2019 (5:30–7:30 PM)

Ann Arbor District Library - Westgate Branch

2503 Jackson Ave

Ann Arbor

A reminder about a few city resources:

A2 Fix It This is an online system for alerting the city to problems in your neighborhood (e.g. potholes, graffiti, garbage pickup). This is the city's preferred method for hearing your complaint so they can direct appropriate staff to address it. I'm happy to hear from you, too, but city staff tell me that **the online A2FixIt system is actually the quickest and fastest way to get a response to the problem.** Information about A2FixIt (and explanation of more urgent issues and appropriate numbers to call) is here:

<https://www.a2gov.org/services/pages/report-a-problem.aspx>

City News and Announcements This is a helpful link to updates on events and opportunities in Ann Arbor through City Hall:

<https://www.a2gov.org/news/pages/default.aspx>

City Department Updates If you have specific interests related to the city's work, e.g. construction projects, deer management, recycling, you can subscribe to receive emailed updates on various topics found here:

<https://www.a2gov.org/services/Pages/E-mailAlertSubscription.aspx>

HIGHLIGHTS Council Meeting Agenda 9/16/19

Below is my summary of some issues on the City Council Agenda this week, with links to more information about each of them. If you have comments

• • • • •

about any of these issues, feel free to email me at my official City email:

ENelson@A2gov.org

The full agenda (including a link to the latest published PDF agenda) can be found on the A2Gov Legistar website:

<https://a2gov.legistar.com/MeetingDetail.aspx?ID=656013&GUID=3B03D96C-F103-4F89-B721-871ED8FF825F&Options=info&Search=>

Ann Arbor City Council
Monday Sept 16 (7:00pm)
City Hall 2nd Floor
301 E Huron St

City Council meetings are broadcast live by CTN on Comcast (channel 16) and AT&T (channel 99). They are also streamed live on YouTube and Viebit:

<https://www.youtube.com/user/ctnannarbor>

<https://a2ctn.viebit.com/>

Questions to the Agenda

In preparation for a Council meeting, Council members can ask questions of staff about scheduled agenda items. Questions must be submitted by noon on the Wednesday before a Council Meeting, and answers are returned the next day (Thursday) by 5pm.

AC-2 ([19-1782](#)) September 16, 2019 Council Agenda Responses and eComments

This agenda item has a PDF attachment with all questions raised by Council Members, and the answers provided by staff.

Communications from the Mayor

MC-1 ([19-1669](#)) Appointments - Confirmations

These Mayoral appointments were introduced at the previous Council meeting, and will therefore be voted on this Council meeting.

- Mary Casey - Recreation Advisory Commission

- Mary Casey - Recreation Advisory Commission
- Stephanie Dooper - Recreation Advisory Commission

Consent Agenda

Below is the list of items included on tomorrow's Consent Agenda. If no one on Council specifically requests that an item be pulled for discussion, the whole of this list will be approved in a single vote. I encourage you to look at this list and offer suggestions to me about anything you would like to see pulled for discussion.

CA-1 ([19-1629](#)) Resolution to Approve Street Closings for the Ann Arbor Thanksgiving Day Turkey Trot - Thursday, November 28, 2019

CA-2 ([19-1698](#)) Resolution to Approve Street Closure for Washtenaw County Climate Strike on Friday, September 20, 2019 from 9:00 A.M. to 7:00 P.M.

CA-3 ([19-1594](#)) Resolution to Waive \$75,000.00 Community Development Block Grant (CDBG) 1997 Mortgage for Ozone House's Youth Shelter at 1705 Washtenaw Avenue

CA-4 ([19-0723](#)) Resolution Adopting the City of Ann Arbor Brownfield Policy

CA-5 ([19-1635](#)) Resolution to Approve August 22, 2019 Recommendations of the Board of Insurance Administration

CA-6 ([19-1695](#)) Resolution to Approve an Agreement Accepting a Water Main Easement at 2505 Hayward Street from the University of Michigan (8 Votes Required)

CA-7 ([19-1692](#)) Resolution to Approve the Extension of Temporary Employment Agreement between Abigail Elias and the City of Ann Arbor (\$24,000.00)

CA-8 ([19-1562](#)) Resolution to Approve a Purchase Order with Axon Enterprise, Inc. for the Purchase of Replacement Body Worn Camera and Evidence Management System under the NPPGov Cooperative Contract #VH11629 for a Term of Five Years. (\$372,885.72) (8 Votes Required)

CA-9 ([19-1541](#)) Resolution to Authorize the Purchase of a Bobcat Toolcat Utility Work Machine from Clark Equipment Company dba Bobcat Company (MIDeal Bid - \$67,403.56)

CA-10 ([19-1606](#)) Resolution to Approve a General Services Agreement for Dive Inspection Services between the Water Treatment Service Unit and Sea-Side Diving; RFP #19-22 (\$90,000.00)

CA-11 ([19-1610](#)) Resolution to Approve a General Services Agreement for Electrical and Instrumentation Support Services with Utilities Instrumentation Service, RFP #19-23 (\$120,000.00)

CA-12 ([19-1633](#)) Resolution to Approve an Agreement between the City of Ann Arbor, Pittsfield Charter Township, and the Washtenaw County Road Commission for the Swift Run Drain Culvert Replacement Project (Estimated \$53,750.00)

CA-13 ([19-1564](#)) Resolution to Authorize a Sole Source Purchase Order to Gridsmart Technologies, Inc. in the amount of \$43,452.00 for Traffic Signal Detection Devices'

Public Hearings

*Anyone wanting to comment on these issues may speak for 3 minutes, without having specifically reserved time. **Issues subject to public hearing will also be up for a vote by Council later in the meeting.***

PH-1/B-1 ([19-1186](#)) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District)

to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-19-24) (8 Votes Required)

A 0.2 acre property at 325 East Summit Street would be re-zoned from C1B (Community Convenience Center District) to C1A (Campus Business District) with conditions. The re-zoning will allow construction of a four-story, ten unit condominium building with eleven parking spaces. Conditional re-zoning will limit building height to four stories (65 feet) and limit the maximum floor area ratio to 199%.

PH-2/DB-1 ([19-1185](#)) Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

The site plan for “The Garnet” at 325 East Summit Street (see PH-2/B-2) would be approved with conditions. The developer will include 23 bicycle parking places and a green roof. They will also make a \$6,250 contribution to parks and, if needed, take action in response to sump pump water discharge testing results. Planning commission approved this site plan in a vote of 8-0.

PH-3/B-2 ([19-1448](#)) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-19-29)

Changes are proposed for a previously approved PUD (Planned Unit Development District) at 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street. The PUD approved in 2017 allows for a 9-story, 162 room hotel with 24 apartments, restaurant, and 5,181 square feet of retail. Necessary foundation work and a change in heating/cooling systems has prompted this request. The overall height of the building would increase by six feet, but remain below the 109’4” maximum. Other requested amendments include: reduction in FAR (floor area ratio) from 590.4% to 568%, change in the mix of bicycle parking spaces by class, and removal of eleven parking spaces for a total of 241. Planning commission approved this 7-0.

PH-4/DB-2 ([19-1449](#)) Resolution to Approve The Glen Mixed Use Development Modified PUD Site Plan, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Years and 0 Nays)

This approves the site plan for the amended PUD at 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street. (See PH-3/B-2)

Ordinances - Second Reading

In order to amend the city code, Council must vote to approve the change, via ordinance, at two Council meetings. The following proposed ordinances were approved at a previous Council meeting, and are also subject to a public hearing as listed above.

B-1 ([19-1186](#)) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of Ann Arbor, Rezoning of 0.2 Acre from C1B (Community Convenience Center District) to C1A (Campus Business District) WITH CONDITIONS, The Garnet Rezoning, 325 East Summit Street (CPC Recommendation: Approval - 8 Years and 0 Nays) (Ordinance No. ORD-19-24) (8 Votes Required)

This is the same as PH-1 above.

B-2 ([19-1448](#)) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Years and 0 Nays) (Ordinance No. ORD-19-29)

This is the same as PH-3 above.

Ordinances - First Reading

In order to amend the city code, Council must vote to approve the change, via ordinance, at two Council meetings. The following proposed ordinances are being introduced for approval. If approved, the ordinance will be voted on at a subsequent Council meeting where it will also be subject to a public hearing

subsequent Council meeting, where it will also be subject to a public hearing.

C-1 ([19-1783](#)) An Ordinance to Amend the Title of all Sections of and to Add a New Section 7:613 to Chapter 96 (Medical Marijuana Facilities) of Title VII of the Code of the City of Ann Arbor

City permits would be required for seven types of businesses, two of which are now licensed by the state under the Michigan Regulation and Taxation of Marijuana Act. The ordinance amendment would combine two categories into one, for the purposes of obtaining a City permit: retailer/medical marijuana provisioning center. City permits would be issued in the following categories:

- Grower permits (no maximum number)
- Processor permits (no maximum number)
- Secure Transporter permits (no maximum)
- Provisional Center/retailer permits (28 permits)
- Safety compliance facility permits (no maximum)
- Marijuana microbusiness permits (no maximum)
- Designated consumption establishment permits (no maximum)

Medical marijuana home occupations do not require permits.

C-2 ([19-1636](#)) An Ordinance to Amend Sections 5.15, 5.16.3, 5.19.2, and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Marijuana Retailers, Marijuana Microbusinesses, Designated Marijuana Consumption Facilities)

The Unified Development Code would be amended to include definition, permits, and regulation for three new marijuana facilities: marijuana retailer, designated marijuana consumption facility, and marijuana microbusiness. A marijuana retailer must be 600 feet from another and microbusinesses. A designated marijuana consumption facility must provide a maximum of 1 vehicle parking place per 100 square feet of floor area. Both marijuana retailers and designated marijuana consumption facilities would be allowed with special exception approval in most mixed use zoning districts. A marijuana microbusiness must provide a maximum of 1 vehicle parking space per 2,000 square feet of cultivation area and 250 square feet of noncultivation area. A marijuana microbusiness is allowed with special exception approval in the C3 district and most special purpose districts; they must be at least 600 feet from

another and provisional centers/retailers. All three facilities must be at least 1000 feet away from a K-12 school.

Motions and Resolutions

The following agenda items are motions and resolutions, which are approved or rejected in a single meeting. Agenda items marked "DC" are proposed by Council members, items marked "DB" are proposed by City boards and commissions, items marked "DS" are proposed by City staff.

DC-1 ([19-1452](#)) Resolution to Waive Fees Associated with Freedom of Information Act (FOIA) Request 2147

This resolution would specifically waive the FOIA fees (\$217) attached to a request by CM Hayner for all email correspondence to and from Mayor Taylor for the period from June 16, 2019 to July 8, 2019. The resolution states that the results of this specific FOIA are in the public interest and should be waived. (Postponed from the August 5 meeting)

DC-2 ([19-1467](#)) Resolution to Approve a Request from Balfour Ann Arbor Manager, LLC for a New Continuing Care Retirement Center Liquor License, new SDM liquor license, Sunday Sales Permits (AM & PM), Dance Entertainment Permit, Outdoor Service Permit and Specific Purpose Permit Issued Under MCL 436.1545(b)(ii) to be Located at 2830 S. Main Street, d/b/a Balfour Senior Living

Balfour, the Continuing Care Retirement Center at 2830 S. Main Street, would be granted a liquor license to provide an additional amenity to their residents. Balfour provides three meals a day, seven days a week to their residents. A happy hour with low-key music would be offered throughout the week to residents and their guests.

DC-3 ([19-1691](#)) Resolution in Support of Legislation Reinstating State Historic Preservation Tax Credits: Senate Bill 54 and House Bill 4100

The City expresses its support of state legislation reinstating historic preservation tax credits, available for use on residential properties. These tax credits would help preserve Ann Arbor's historic neighborhoods and assist in renovations of dormant commercial properties.

renovations of dormant commercial properties.

DC-4 ([19-1728](#)) Resolution to Approve an Agreement with Avalon Housing Inc. for Reimbursement of Services Related to the 1146 S. Maple Road Sanitary Sewer Extension (Estimated \$115,000.00)

By agreement, Avalon Housing will be reimbursed up to \$126,500 in cost to extend public sanitary sewer main from an adjacent Avalon property (Hickory Way) to the property at 1146 S. Maple Road. At previous meetings, Council approved the exercise of the city's right of first refusal, to purchase 1146 S. Maple Road for future acquisition and use by Avalon Housing. The lot at 1146 S. Maple Rd. is currently in Scio township, but will eventually be annexed into the city. Extension of the sanitary sewer main is appropriate work to be done now, while contractors are already in the field constructing sanitary sewer for Hickory Way.

DC-5 ([19-1745](#)) Resolution to Support and Authorize Staff Participation in Washtenaw County Climate Strike on September 20, 2019

The City would show solidarity and support for the planned "Washtenaw County Climate Strike" and specifically authorize City staff to participate. The event has been organized by youth leaders across the region, who have coordinated participation and support from 33 organizations, including local, regional, and statewide nonprofits, businesses, professional societies and labor leaders. During the event, youth and adults will walk out of their respective schools and workplaces on Friday, September 20, from noon to 3 p.m., to bring attention to the climate crisis.

DC-6 ([19-1754](#)) Resolution to Waive a Right of First Refusal for a Pending Sale for \$395,000.00 on the Botsford Property (3015 Miller Road)

The City has a right of first refusal on a property ("Botsford Property") at 3015 Miller Road, in Scio Township. A conservation easement (held by Scio township) allows for public access of the property; it is within the Greenbelt District. The appraised value of the property is \$345,000 and there is a pending sale for the purchase price of \$395,000. This City has previously declined opportunities to exercise a right of first refusal for \$415,000 and \$450,000, because those sale prices exceeded the appraised value. The Greenbelt Advisory Commission and Parks Advisory Commission have not

reviewed this proposed sale.

DC-7 ([19-1736](#)) Resolution to Appropriate Funds and to Approve Amendment No. 1 to Professionals Services Agreement with Tetra Tech of Michigan, PC for Soil Borings, Testing, and Remediation at Leslie Science and Nature Center (\$431,000.00) (8 Votes Required)

A professional services agreement would be amended to add \$431,000 for soil borings, testing, and remediation at Leslie Science Center. In the course of planning for a natural playscape, staff at LSC found history that indicated potential soil contamination; on site, elevated levels of heavy metals (arsenic and lead) were found in soil samples. Remediation is needed right away, to make use of grant moneys related to the playscape. After this appropriation, a total of \$535,000 of City funds will have been allocated to this project. (An additional \$250,000 has come from a Brownfield Revolving Loan assistance grant.)

DC-8 ([19-1766](#)) Resolution to Accept a \$264,250.00 ACEP Grant and Approve an ACEP Grant Cooperative Agreement for a Conservation Easement on the Russell Property

The City would accept a grant of \$264,250 from the Agricultural Conservation Easement Program (administered by the U.S. Department of Agriculture, Natural Resources Conservation Service), to purchase a conservation easement in Lodi Township (Russell property, east of the intersection at Zeeb/Textile). The City accepts this grant and will purchase the easement in accordance with the Ann Arbor Greenbelt: Saving Michigan Farm Regional Conservation Partnership Program (approved by City Council June 4, 2018).

DC-9 ([19-1770](#)) Resolution Directing Review of City Transportation Planning and Operations Management and Related Staffing

Using the City's governing documents, Council policies and requirements related to Vision Zero, Complete Streets, and carbon emission reductions, the City Administrator is directed to identify current standing requirements to promote non-motorized movements of people. Reporting requirements would be consolidated into a single quarterly report concerning design, construction, operation (including safety and crash data) and maintenance to Council. The City administrator will prepare a description of how the City uses resources to

City Administrator will prepare a description of how the City uses resources to develop and operate the right of way to achieve safe and efficient movement of all modes of travel and the status of hiring an additional FTE to promote Vision Zero and Complete Streets, to be presented to the Transportation Commission in November 2019 and to City Council no later than the first meeting in December 2019.

DC-10 ([19-1771](#)) Resolution to Promote Effective Mitigation of Traffic Impacts Resulting from Site Re-engineering by Entities Exempt from City Jurisdiction

Entities within the City of Ann Arbor (such as the University of Michigan, Ann Arbor Public Schools) that own and operate large facilities would directly collaborate and coordinate with City staff early in the planning stages of site re-engineering of on-site traffic flows. The City's policy agenda would be amended to include a requirement that owners/operators of such large facilities would obtain City approval when changes to on-site traffic patterns can be anticipated to have impacts on the safe and effective movement of all users of the public right of way.

DC-11 ([19-1773](#)) Resolution Recognizing September 21, 2019 as the International Day of Peace

The City of Ann Arbor would recognize the United Nations-sanctioned holiday, International Day of Peace. Ann Arbor residents are encouraged to participate in downtown weekend gatherings for Peace Days, seeking peace locally and globally, on the newly designated Center of the City Commons, Saturday and Sunday, September 21 and 22, 2019.

DB-1 ([19-1185](#)) Resolution to Approve The Garnet Site Plan and Development Agreement, 325 East Summit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

This is the same as PH-2 above.

DB-2 ([19-1449](#)) Resolution to Approve The Glen Mixed Use Development Modified PUD Site Plan, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

This is the same as PH-4 above.

DS-1 ([19-0956](#)) Resolution to Proceed with a Road Reconfiguration Pilot for Traverwood Drive, from Huron Parkway to Plymouth Road

The original version of this plan (passed on 8/5/19) would have reconfigured Traverwood Drive (from Plymouth Rd. to Huron Parkway) to narrow lanes, create a bike lane, and add street parking. That plan would have narrowed vehicular lanes to 10' and reduced the number of vehicular lanes from three to two. Parking and a northbound bike lane would have been added. This resolution was re-considered on 8/19/19 and postponed. The plan considered on September 5 was amended to remove the additional parking and make room for a southbound bike lane. The current plan has been amended to add parking which is time-limited, for the benefit of adjacent entities (e.g. public library, mosque).

Additional thoughts...

This past week, City Council participated in a joint meeting with other local governments and intervenors in the state lawsuit against Gelman industries re: dioxane pollution in our groundwater. After public comments, we had a lengthy closed session with attorneys, discussing terms of settlement, issues of negotiation, and various options moving forward. Currently, I cannot share any details about this process or its terms because I am bound by confidentiality. However, for those of you who could not attend this meeting to hear the public comments, I am happy to share my own take on what we heard from residents and, generally, what those comments mean to me as an elected representative.

Overwhelmingly, public comment at our meeting was in support of a Superfund designation, asking the EPA to intervene in cleaning up the Dioxine plume. We heard from environmental advocates who have been engaged and involved in the issue for years, local experts who have been studying the data and progression of this plume for decades, and other residents who are simply fed up and want to see the best possible cleanup for the benefit of future generations. We heard from people who have earned the equivalent of a PhD

specifically on the topic of the dioxine plume (people who have studied the topic a whole lot longer than it takes to earn the average PhD).

Our legal case gives us access to consultant experts but I also take seriously the input we get from local advocates. In any situation, I would take local advocate input seriously, but in this case particularly, their ongoing, informed commitment to this issue is worthy of our attention. Many local residents have been waiting a long time for our local government to aggressively pursue remedies. I understand their relief at seeing (finally), in the last six months, some coordinated discussion among elected officials. The concerns and goals of local residents are not unreasonable; they are not asking for unicorns and rainbows. Their advocacy is informed, meaningful and important.

City Council will be participating in another joint meeting on December 12, with interim deadlines and internal updates between now and then. I look forward to eventually sharing more details about this when I am legally permitted to do so.

Thank you for helping me represent Ward 4!

Elizabeth Nelson

ENelson@A2gov.org

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From: City of Ann Arbor, MI annarbor@service.govdelivery.com
Subject: The Garnet Site Plan for City Council and Rezoning - SITE PLAN - 325 E SUMMIT ST
Date: November 2, 2018 at 4:20 PM
To: [REDACTED]

MC



You are subscribed to Planning Petitions Under Review for City of Ann Arbor, MI. This information has recently been updated, and is [now available](#).

If you have any questions or comments, please contact the [City of Ann Arbor planning staff](#).

[The Garnet Site Plan for City Council and Rezoning - SITE PLAN - 325 E SUMMIT ST](#)

10/23/2018 08:00 PM EDT

(11/2/2018 3:29 PM JT) A proposal to construct a 10 condominium unit building with fourteen lower level parking spaces on an 8,571 square foot lot. The lot is also proposed to be rezoned from C1B to C1A .



QUESTIONS FOR THE CITY OF ANN ARBOR?

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From: City of Ann Arbor, MI annarbor@service.govdelivery.com
Subject: The Garnet Rezoning (see also SP18-044) - ZONING - 325 E SUMMIT ST
Date: November 17, 2018 at 1:20 PM
To: [REDACTED]

MC



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[The Garnet Rezoning \(see also SP18-044\) - ZONING - 325 E SUMMIT ST](#)

11/08/2018 07:00 PM EST

(11/17/2018 12:38 PM JT) Rezoning from C1B to C1A to allow construction of a 10 condominium unit building with fourteen lower level parking spaces on an 8,571 square foot lot.



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From: [Griswold, Kathy](#)
To: [Alexa, Jennifer](#); [*City Council Members \(All\)](#); [Shewchuk, Tom](#)
Subject: Re: FOIA Request 2365 for Luis Vazquez
Date: Thursday, November 7, 2019 2:42:07 PM

Ann Arbor Information Technology Service Unit Visitor Log							
Date	Time-In	Name of the Visitor	Company	Person visiting	Time-Out	Signature of the visitor	Service Desk Initials
7/30	3:40 PM	Kathy Griswold	A2 City	Help Desk	4:40 PM	KG	JWB
7/31	10:30 AM	John Tyle	A2 City	Dave L	11:30 AM	[Signature]	
7/31	AM	Teany K	WTP	Teany K	11:30 AM	[Signature]	mm
7/31	2:05 PM	Andrew	Eng	All (redette)	2:50 PM	[Signature]	CWK
8/1	10 AM	Emily	Danner	Loaner	10:30 AM	[Signature]	SK
8/1	AM	Ammar	City of Ann	Jonathan	12:30 AM	[Signature]	JWB
8/1	12:30 AM	AL	ENGINEERING CoA	JONATHAN	12:30 AM	[Signature]	JWB
8-1	2:35 PM	Chae Fost	CI	Jake	3:20 PM	[Signature]	SC
8-2	2:45 PM	Greg McDonald	CMV	Colette	2:45 PM	[Signature]	DL
8-5	10:05 AM	Rikki Stropich	CITY OF A2 WTP	Colette	10:10 AM	[Signature]	CL
8-6	9:00 AM	Ciz DeGrenier	Dell	Jen	10 AM	[Signature]	
8-6	9:00 AM	Aaron Vroom	Dell	Jen	10 AM	[Signature]	
8-7	9:00 AM	Khalid Essarbuti	A2	Colette	9:00 AM	[Signature]	CWK
8-7	1:45 PM	Kevin Bruhn	A2	Dave/Tom	3:30 PM	[Signature]	KES
8-7	2:00 PM	Tamara Ford	A2	Tom	3:30 PM	[Signature]	
8/7	2:00 PM	Raymond Hess	A2	tom	3:30 PM	[Signature]	A
8/8	AM	S. Hardin	A2	Ryan	4:45 AM	[Signature]	
8/8	AM	Miki Fortinberry	Extreme	D Harris	1:30 PM	[Signature]	
8/8	AM	Mike Stropic	"	"	1:50 PM	[Signature]	

The first entry on the attached log shows that I was in the IT department for approximately one hour on July 30, 2019. I was a walk in without a scheduled appointment. I initially thought I just needed direction on the security upgrade.

I am not aware of any electronic records, but the IT department may have a description of the work performed on my private phone. (Council does not have city phones.)

Kathy Griswold

Get [Outlook for Android](#)

From: [IT Help Desk System](#)
To: [Griswold, Kathy](#); [Bougher, Jonathan](#)
Subject: Your Help Desk Ticket ID: [SR20396] has been Resolved.
Date: Wednesday, October 9, 2019 10:01:59 AM

Dear Kathy

Your ticket with subject [Set up Council Collab. Printer](#) has been resolved with the following result:

Printer installed and a small training session given. |----- Closing ticket -----|

Thank you for using the A2 IT Help Desk System. If you have any questions please contact the IT Help Desk by:

- Phone: x45502
- Email:
- Updating your ticket on the Help Desk Portal by [clicking here](#).

Please take a moment to take a quick [survey](#) about the quality of our service

This is an automated e-mail generated by System Center Service Manager.

From: [IT Help Desk System](#)
To: [Griswold, Kathy](#); [Bougher, Jonathan](#)
Subject: A Help Desk Ticket has been put in for you. ID: [SR20396]
Date: Tuesday, October 8, 2019 8:43:45 AM

Dear Kathy

A ticket with subject [Set up Council Collab. Printer](#) has been opened for you. If additional information is needed, IT will contact you.

Thank you for using the A2 IT Help Desk System. If you have any questions please contact the IT Help Desk by:

- Phone: x45502
- Email:
- Updating your ticket on the Help Desk Portal by [clicking here](#).

This is an automated e-mail generated by System Center Service Manager.

Service Catalog ▾



Service Request - SR20396

Closed

Service Request Information

Affected User

 [Griswold, Kathy](#)

Alternate Contact Method

Title (Required)

Set up Council Collab. Printer

Description

|----- Jonathan is entering this ticket -----|

I met with Councilmember Griswold last week to install the new Council Collaboration Space printer (MA347P)

User Input

User Inputs





-

Action Log

Work Done Or Comment

4000 Characters Remaining

Add

TYPE	TITLE	CREATED BY	LAST MODIFIED
	Analyst Comment Printer installed and a small training session given. [----- Closing ticket -----]	Bougher, Jonathan	10/9/2019 10:01 AM
	There was a status change for Service Request There was a status change for Service Request SR20396: Set up Council Collab. Printer. The status is now In Progress	CITY\SCSMWF	10/8/2019 8:42 AM
	Analyst Comment Worked with Kathy on this	Bougher, Jonathan	10/8/2019 8:42 AM
	Record Assigned Assigned by Bougher, Jonathan to Bougher, Jonathan	Bougher, Jonathan	10/8/2019 8:41 AM

Activities

From: [IT Help Desk System](#)
To: [Griswold, Kathy](#); [Bougher, Jonathan](#)
Subject: Your Help Desk Ticket ID: [SR6941] has been Resolved.
Date: Monday, April 1, 2019 8:36:56 AM

Dear Kathy

Your incident with subject [Different Council Computing Device?](#) has been resolved with the following result:

HP ProBook x360 440 (MA1504L) issued to replace Kathy's SP3..

Thank you for using the A2 IT Help Desk System. If you have any questions please contact the IT Help Desk by:

- Phone: x45502
- Email:
- Updating your ticket on the Help Desk Portal by [clicking here](#).

Please take a moment to take a quick [survey](#) about the quality of our service

This is an automated e-mail generated by System Center Service Manager.

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Service Catalog ▾



Service Request - SR6941

Closed

Service Request Information

Affected User

Griswold, Kathy

Alternate Contact Method

Title (Required)

Different Council Computing Device?

Description

(this is Jonathan entering this ticket)

Kathy Griswold stopped by today and asked about switching from her Surface Pro to a Surface Book perhaps. She does not like the tablet format. She offered to pay for and donate the Surface Book to the city. She just does not like the Surface Pro she has. She also mentioned being told that she cannot use a personal device to do her job functions (she currently has a small Apple laptop that she like a lot).

She would like to discuss options. Her # is 734-657-7900

User Input

User Inputs





-











Action Log

Work Done Or Comment

4000 Characters Remaining

Add

TYPE	TITLE	CREATED BY	LAST MODIFIED
	<p>Analyst Comment</p> <p>HP ProBook x360 440 (MA1504L) issued to replace Kathy's SP3..</p>	Gilbert, Ryan	4/1/2019 8:35 AM
	<p>End User Comment</p> <p>Thank you, Ryan,</p> <p>I will drop off the surface pro today and then can pick up the new computer at your convenience later in the week.</p> <p>Kathy</p> <p>Get Outlook for Android<https://aka.ms/ghei36></p> <p>On Tue, Mar 26, 2019 at 4:55 PM -0400, "IT Help Desk System" <A2Helpdesk@a2gov.orgmailto:A2Helpdesk@a2gov.org>> wrote:</p> <p>Hi Kathy,</p> <p>I have your new laptop ready. I will need your current Surface Pro for a couple of hours to move any files you have stored over to it.</p> <p>What works for you? I do have time available on Wednesday, Thursday & Friday this week -- mornings are best.</p> <p>Please user "Reply All" so that I will get it along with the Help Desk system.</p> <p>Ryan Gilbert A2 IT Help Desk Manager 734-794-6550 x45517</p>	Griswold, Kathy	3/27/2019 8:56 AM
	<p>E-Mail Sent</p> <p>Hi Kathy,</p> <p>I have your new laptop ready. I will need your current Surface Pro for a couple of hours to move any files you have stored over to it.</p> <p>What works for you? I do have time available on Wednesday, Thursday & Friday this week -- mornings are best.</p> <p>Please user "Reply All" so that I will get it along with the Help Desk system.</p> <p>Ryan Gilbert A2 IT Help Desk Manager 734-794-6550 x45517</p>	Gilbert, Ryan	3/26/2019 4:55 PM
	<p>End User Comment</p>	Griswold, Kathy	2/6/2019 1:47 PM

TYPE	TITLE	CREATED BY	LAST MODIFIED
	<p>Hi Ryan,</p> <p>Thank you for your offer of an HP laptop. I am most appreciative and look forward to using it when it arrives.</p> <p>Kathy</p> <p>Get Outlook for Android<https://aka.ms/ghei36></p> <p>On Fri, Feb 1, 2019 at 4:02 PM -0500, "IT Help Desk System" <A2Helpdesk@a2gov.org><mailto:A2Helpdesk@a2gov.org>> wrote:</p> <p>Hi Kathy,</p> <p>Plesae give me a call next week and we can setup a time for you to come see what we have for laptop computers to replace ypour Surface Pro.</p> <p>Ryan Gilbert Ann Arbor IT Manager: Help Desk ph 734-794-6550 x45517 rgilbert@a2gov.org</p>		
	Analyst Comment	Gilbert, Ryan	2/5/2019 5:01 PM
	<p>Talked to Kathy before last night's Council meeting. Showed her the new HP PB x360 440 G1. She wants one.</p> <p>Will initiate an order.</p>		
	Analyst Comment	Gilbert, Ryan	2/5/2019 5:00 PM
	<p>Talked to Kathy before last night's Council meeting. Showed her the new HP PB x360 440 G1. She wants one.</p> <p>Will initiate an order.</p>		
	Analyst Comment	Gilbert, Ryan	2/5/2019 4:19 PM
	<p>Talked to Kathy before last night's Council meeting. Showed her the new HP PB x360 440 G1. She wants one.</p> <p>Will initiate an order.</p>		
	Analyst Comment	Gilbert, Ryan	2/5/2019 4:19 PM
	<p>Talked to Kathy before last night's Council meeting. Showed her the new HP PB x360 440 G1. She wants one.</p> <p>Will initiate order</p>		
	Analyst Comment	Gilbert, Ryan	2/5/2019 3:59 PM
	<p>Talked to Kathy before last night's Council meeting. Showed her the new HP PB x360 440 G1. She wants one.</p> <p>Will initiate order</p>		
	E-Mail Sent	Gilbert, Ryan	2/1/2019 4:02 PM
	<p>Hi Kathy,</p> <p>Plesae give me a call next week and we can setup a time for you to come see what we have for laptop computers to replace ypour Surface Pro.</p> <p>Ryan Gilbert Ann Arbor IT Manager: Help Desk ph 734-794-6550 x45517 rgilbert@a2gov.org</p>		
	Analyst Comment	Bougher, Jonathan	1/24/2019 3:38 PM
	<p>I let Kathy know that the answer may be 'No' on this due to all Councilmembers currently using the same Surface Pro hardware. Is using a personal device indeed restricted?</p>		
	There was a status change for Service Request	CITY\SCSMWF	1/24/2019 3:37 PM
	<p>There was a status change for Extension of Service Request SR6941 - Different Council Computing Device?. The status is now In Progress</p>		
	Record Assigned	Bougher, Jonathan	1/24/2019 3:37 PM
	<p>Assigned by Bougher, Jonathan to Gilbert, Ryan</p>		
	Analyst Comment	Bougher, Jonathan	1/24/2019 3:37 PM
	<p>ack</p>		

Activities

From: [Griswold, Kathy](#)
To: [IT Help Desk System](#)
Cc: [Gilbert, Ryan](#)
Subject: Re: [SR6941] Different Council Computing Device?
Date: Wednesday, March 27, 2019 8:53:43 AM

Thank you, Ryan,

I will drop off the surface pro today and then can pick up the new computer at your convenience later in the week.

Kathy

Get [Outlook for Android](#)

On Tue, Mar 26, 2019 at 4:55 PM -0400, "IT Help Desk System" <A2Helpdesk@a2gov.org> wrote:

Hi Kathy,

I have your new laptop ready. I will need your current Surface Pro for a couple of hours to move any files you have stored over to it.

What works for you? I do have time available on Wednesday, Thursday & Friday this week -- mornings are best.

Please user "Reply All" so that I will get it along with the Help Desk system.

Ryan Gilbert
A2 IT Help Desk Manager
734-794-6550 x45517

From: [Griswold, Kathy](#)
To: [IT Help Desk System](#)
Cc: [Gilbert, Ryan](#)
Subject: Re: [SR6941] Different Council Computing Device?
Date: Wednesday, February 6, 2019 1:46:55 PM

Hi Ryan,

Thank you for your offer of an HP laptop. I am most appreciative and look forward to using it when it arrives.

Kathy

Get [Outlook for Android](#)

On Fri, Feb 1, 2019 at 4:02 PM -0500, "IT Help Desk System" <A2Helpdesk@a2gov.org> wrote:

Hi Kathy,

Plesae give me a call next week and we can setup a time for you to come see what we have for laptop computers to replace ypour Surface Pro.

Ryan Gilbert
Ann Arbor IT Manager: Help Desk
ph 734-794-6550 x45517
rgilbert@a2gov.org

From: [IT Help Desk System](#)
To: [Griswold, Kathy](#); [Bougher, Jonathan](#)
Subject: A Help Desk Ticket has been put in for you. ID: [SR6941]
Date: Thursday, January 24, 2019 3:38:13 PM

Dear Kathy

An incident with subject [Different Council Computing Device?](#) has been opened for you. If additional information is needed, IT will contact you.

Thank you for using the A2 IT Help Desk System. If you have any questions please contact the IT Help Desk by:

- Phone: x45502
- Email:
- Updating your ticket on the Help Desk Portal by [clicking here](#).

This is an automated e-mail generated by System Center Service Manager.

From: [Higgins, Sara](#)
To: [K Griswold](#)
Cc: [Griswold, Kathy](#); [Lazarus, Howard](#); [Shewchuk, Tom](#); [Gilbert, Ryan](#); [Bougher, Jonathan](#)
Subject: RE: New Councilmember Orientation - Agenda
Date: Tuesday, November 13, 2018 5:11:29 PM

Good afternoon,

Your equipment will be distributed on Thurs., November 15 during the 5:00 p.m. IT session of the orientation. I have copied Tom Shewchuk, IT Director, and Ryan Gilbert, HelpDesk Manager, so that they are aware of your specific equipment request. IT will help you log-in and go over all of the equipment details with you. You should be all set the Monday Council meeting, but IT will be available prior to the meeting if you need further assistance. Tom and Ryan, please note that Councilmember Griswold may need assistance at **5:00 p.m.** on Nov. 19 (we listed 6:00 p.m. on the New Councilmember Orientation Agenda, however there is also a reception at that time as noted below).

Please let me know if you have any other questions!

Thank you,

Sara Higgins
Strategic Planning Coordinator
City of Ann Arbor
City Administrator's Office
Phone: (734) 794-6110
Internal Number: 41102

From: K Griswold [REDACTED]
Sent: Tuesday, November 13, 2018 4:58 PM
To: Higgins, Sara <SHiggins@a2gov.org>
Subject: Re: New Councilmember Orientation - Agenda

Hi Sara,

When will we receive our council computers and what options do we have? I have a vision problem and will need a computer with a Retina display or something comparable.

Also, the New Council Reception is in the lobby from 6-7 PM on November 19. I scheduled this with Howard many weeks ago and will be setting up for the event at 5:30 PM. I will be attending the Admin meeting at 4 PM so if any further IT support is needed after the meeting this week, then I prefer 5 PM. Hopefully I will be all set before Monday.

Thanks,
Kathy

On Tue, Nov 13, 2018 at 3:05 PM Higgins, Sara <SHiggins@a2gov.org> wrote:

Good afternoon,

Typically, I distribute the parking tags for councilmembers during the Administrator's section of the orientation. However, if any of you would like to make arrangements to complete the permit paperwork (attached) and pick up your tag from me tomorrow (Weds.), please contact me directly. Otherwise, I will plan to distribute them Thursday during the orientation. Attached is a list of parking areas for councilmembers.

Attached is a current agenda for New Councilmember Orientation, which includes a few minor updates.

1. Oath of office signing on Thurs., Nov. 15 at 8:30 a.m. There will be an official oath of office item on the Nov. 19 Council Agenda at the beginning of the meeting as mentioned in my previous email.
2. Updated room locations for the Administrator's Office, Attorney's Office, and Sustainability Office sessions.
3. Slightly adjusted times for the City Attorney's section, lunch, and Finance sections on Thurs., Nov. 15.

Please let me know if you have any questions.

Thanks,

Sara Higgins, Strategic Planning Coordinator

Ann Arbor City Administrator's Office | Guy C. Larcom City Hall | 301 E. Huron, 3rd Floor · Ann Arbor · MI · 48104

734.794.6110 (O) · 734.994.8296 (F) |

shiggins@a2gov.org | www.a2gov.org



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A2_Be_Safe_Logo_for_e-Signature1



From: Higgins, Sara

Sent: Wednesday, November 07, 2018 4:46 PM

To: [REDACTED]

Cc: Lazarus, Howard <HLazarus@a2gov.org>; Beaudry, Jacqueline <JBeaudry@a2gov.org>; Fournier, John <JFournier@a2gov.org>

Subject: New Councilmember Orientation - Agenda

Good afternoon, Councilmember-Elect Hayner, Griswold, Nelson, and Ramlawi:

Welcome to the City of Ann Arbor City Council! Attached is the agenda for the New

Councilmember Orientation scheduled on November 15-16, with site visits on November 30, 2018 per my “save-the-date” emails. Your term starts Mon., November 12 (Veterans Day Observed City Holiday). An official swearing-in will take place at the beginning of the November 19th Council meeting, which will be your first regular session of Council.

Lunch will be provided all three days of orientation per the agenda. If you have any dietary restrictions please let me know. It is recommended to bring a refillable water bottle with you, as needed, since the days are quite full.

We look forward to meeting with you! Please let me know if you have any questions.

Thank you,

Sara Higgins, Strategic Planning Coordinator

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From: Higgins, Sara

Sent: Tuesday, October 16, 2018 2:19 PM

To: [REDACTED]

Cc: Lazarus, Howard <HLazarus@a2gov.org>; Beaudry, Jacqueline <JBeaudry@a2gov.org>

Subject: RE: New Councilmember Orientation - Save the Dates Nov. 15-16, Nov. 30

Dear City of Ann Arbor City Council Candidates:

This is a reminder that the City of Ann Arbor's *New Councilmember Orientation* will be held on Thursday through Friday November 15-16, 2018 from 8 a.m. – 6 p.m. Additional site visits are scheduled on Friday, November 30, 2018 from 8 a.m.– 5 p.m. **Please save all three (3) dates.** Should you be elected to City Council, I will follow up after the November 6 election with the agenda and more information. Please don't hesitate to contact me and Howard Lazarus, City Administrator, hlazarus@a2gov.org, should you have any questions. We look forward to the orientation!

Sara Higgins, Strategic Planning Coordinator

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From: Higgins, Sara

Sent: Friday, August 31, 2018 4:37 PM

To: 'jeff@saturate.org' <jeff@saturate.org>; 'Ryan@iheartryan.com' <Ryan@iheartryan.com>; 'GriswoldKJ@gmail.com' <GriswoldKJ@gmail.com>; 'NelsonEA@umich.edu' <NelsonEA@umich.edu>; 'Joe@votejoehood.com' <Joe@votejoehood.com>; 'ARamlawi@yahoo.com' <ARamlawi@yahoo.com>

Cc: Lazarus, Howard <HLazarus@a2gov.org>; Beaudry, Jacqueline <JBeaudry@a2gov.org>

Subject: New Councilmember Orientation - Save the Dates Nov. 15-16, Nov. 30

Dear City of Ann Arbor City Council Candidates:

The City of Ann Arbor's **New Councilmember Orientation** will be held on Thursday through Friday November 15-16, 2018 from 8 a.m. – 6 p.m. Additional site visits are scheduled on Friday, November 30, 2018 from 8 a.m.– 5 p.m. **Please save all three (3) dates.** Should you be elected to City Council, I will follow up after the November 6 election with the agenda and more information. Please don't hesitate to contact me and Howard Lazarus, City Administrator, hlazarus@a2gov.org, should you have any questions. We look forward to the orientation.

I wish you all a safe Labor Day weekend!

Sara Higgins, Strategic Planning Coordinator

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Katherine J. Griswold
Michigan MBA & MSW

